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**Testimony before the State of New York Legislative Commission on Rural Resources  
Public Hearing on Flood Assistance  
February 24, 2020**

Thank you for holding this hearing on an important matter that affects both farmers and residents of New York State. My name is Robert Carpenter and I am the Administrative Director of Long Island Farm Bureau. As a County Farm Bureau, we represent the remaining 550 farm operations on Long Island, primarily in Eastern Suffolk County where over 30,000 acres of farmland are still in production. Despite the general perception of Long Island, we on the east end still consider eastern Long Island to be rural.

In my visits and conversations with farmers, we routinely discuss the growing/production season and how farmers have changed planting times in the spring and harvesting later in the fall, first frost coming later into November, and the increased amount of heavy rain events of 2 or more inches over a 24 hour period. Additionally, our Suffolk County Legislature has begun a task force to look at new infrastructure construction and taking into account these rain events and flood issues before roads are built or rebuilt.

Over the last decade, farmers have been very fortunate that more crops have not been lost to these heavy rain events impacting farm operations with catastrophic losses. However, we recognize these heavy rain events are becoming more frequent and have the potential to create excessive crop damage in the future. Currently, there are few if any effective programs to help farmers recover from flood damage should a disaster be declared by the Governor due to a heavy rain storm. The first and main program in place is a federal program through USDA Farm Service Agency. If the Governor declares a County a disaster area, FSA Programs are open to farmers who must thoroughly document damage and if accepted by FSA, they would then be eligible for low interest loans to help recover or replant, usually for the following season. Farmers on Long Island are generally reluctant to utilize this program as it just adds to a debt load and provides no benefit for the farmer and family for the current season. Crop insurance is another mechanism to help offset loss, but in some instances it is only a marginal replacement for lost income. And while crop insurance can be a complicated program to work through and be paid out if there is a valid claim, it does not ever make up for the ability to bring a crop to market realizing the potential gain or loss in the free market system.

**Recommendation #1**

**We would encourage the NYS legislature to request the Commissioner of NYS Department of Ag & Markets to develop a more effective New York State specific crop loss program including funding mechanisms to help farmers in New York should their crop be destroyed due to a flooding event.**

We believe the best way to handle flooding issues is to prevent them before they happen. The Soil & Water Districts in each county across New York (and the United States) have already been working towards that goal. Our Soil & Water Districts are the only entity in New York that is established to work with both private property owners and public lands putting them in a unique position to assist all landowners. Districts are currently implementing programs including but not limited to: Flood Plain Restoration, Stream Bank and River Restoration, Drainage and Irrigation Systems, County MS4 Programs, as well as, Emergency Flood Planning and Preparedness. NYACD Director Blanche Hurlbutt will present testimony today covering all of the important work and projects the districts are doing.

### **Recommendation #2**

**We recommend increased funding initially of \$3 to \$5 million dollars annually statewide for the Soil & Water Districts to help with increased staffing as well as increased planning for flood prevention and mitigation programs. This amount of funding is minor compared to the hundreds of millions (if not billions) of dollars a major storm will cause due to excessive rain. This will help Districts maintain staffing levels and implement projects across New York.**

The New York State Legislature last year passed the Climate Leadership and Community Protection Act, a historic piece of legislation with ambitious goals for the next few years. One of the ways that the farm community will potentially be engaged in this legislation is through carbon sequestration, a.k.a. maintaining or sequestering carbon in the soil through very specific agricultural practices such as no till agriculture and composting. Composting has been shown to be an effective tool in adding organic matter to the soils as well as reducing compaction all while allowing nitrogen and carbon to be sequestered so it can be utilized by a crop. Soil Health practices will allow farmers to do their part to help New York State meet their ambitious Climate goals. Less compaction in the soils will allow for water to be absorbed in the soils and retained, thus preventing runoff as well as allowing for recharge to watersheds and aquifers. With hundreds of thousands of acres of farmland in New York, the ability to retain water on farms is a logical and cost effective way to help mitigate the impacts of flooding from major storms. Many farmers are voluntarily embracing soil health practices as it is good for the environment as well as economically beneficial for farm operations. However, investment in new machinery such as no till drills, compost spreaders, machinery to allow for compost to be produced and storage sites will need to be made to effectively add these practices to farms. Additionally regulations should be favorable to incentivize farmers, not restrict farmer's ability to utilize these practices. We would like to recommend the following to the legislature to assist farmers in implementing soil health practices:

### **Recommendation #3**

**\*Additional funding for composting research to allow farmers the guidance and understanding on how additional nutrients and compounds added into the soils will affect their farm operations so they can properly adjust their operations.**

**\*Nutrient Management Plans, certified by NRCS or the Soil & Water Districts should be voluntary for farmers, but they are costly to write and are unique to each and every farm operation based upon soil types, crops grown and inputs. Cost share funding should be made available to assist in these efforts.**

**\*Capital investment for farmers to help offset additional machinery purchases or leases should be considered by New York State. Cost share funding has been accomplished through the Soil & Water Conservation Districts before and this would be a logical starting point to encourage farmers to utilize soil health practices both for climate change practices as well as flood mitigation purposes.**

Finally, New York is a leader in environmental regulations to protect its residents and in particular has been at the forefront of water quality protection. One area of concern with regulations can be lengthy delays in permitting processes for work that needs to be performed. In an emergency situation could these permitting procedures actually do more harm than good by creating flood damage from excessive water flow or the inability to manage dams, reservoirs, lakes and ponds and streams in advance of large storms where lowering water levels of these water bodies or increasing flow capacity could mitigate damage? Consideration should be given to the full impact of current or additional permits and

regulations. Exceptions for protection of our land and water resources with management systems and emergency preparedness are an item to consider.

**Recommendation #4**

**Request the NYS Soil and Water Conservation Committee in conjunction with the NYS Department of Environmental Conservation review existing permits pertaining to waterbodies and make recommendations to the Legislature on any changes necessary to mitigate flooding and/or further protect our land and water resources.**

Thank you again for allowing me to present here today. I would be happy to answer any questions or will gladly make myself available in the future should you wish to reach out to me.