



Tuesday, May 15, 2018

House Committee on Bonding, Capital Expenditures and State Assets  
24 Beacon St.  
Room 466  
Boston, MA 02133

RE: H.4438, An Act promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity

Dear Chairman Cabral, Chairwoman Balsler, and members of the Committee:

The Massachusetts Food System Collaborative is pleased to offer this written testimony in response to the environmental bond currently under consideration by the Committee.

The Collaborative is a network of Massachusetts food system organizations, working to promote, monitor, and facilitate implementation of the Massachusetts Local Food Action Plan. The Plan was developed for and accepted by the Massachusetts Food Policy Council, a 17-member entity comprising state agency, legislative, and industry representatives, established by the Legislature and Governor to develop recommendations, including legislative and regulatory changes, to promote sustainability and equity in the Commonwealth's food system.

The Plan represents the views of thousands of residents and farms, as well as hundreds of organizations and businesses. It emphasizes the need for a comprehensive approach to food system policy, where issues of economic development, natural resources, equitable access to resources, and others are all taken into account when considering laws and regulations related to food.

The Environmental Bond Bill proposes funding for a number of agricultural programs specifically supported by the Plan, and addresses a number of the Plan's priorities, and we urge the Committee to support these items in accordance with the Plan's goals. Specifically:

The Plan emphasizes the importance of the **Agricultural Preservation Restriction (APR) Program**, urging the State to "Fully expend existing bond authorizations provided for the APR Program in the 2008 and 2014 Environmental Bond by 2018, and establish an annual bond cap that allows maximum leveraging of federal farmland protection funds. Increase funding for the APR Program in the next Environmental Bond." We urge the committee to authorize \$20 million for the Program, and to do so in a separate account within the Department of Agricultural Resources (MDAR), as was done in the last two iterations of this bill, rather than as currently proposed in account 2000-7075. We also urge the extension of the remaining \$31 million in bond authorizations for the program from the 2008 and 2014 bond bills. Authorizing these funds allows the Commonwealth to take advantage of matching funds from the federal Agricultural Conservation Easement Program (ACEP), which allows Massachusetts to permanently protect farmland very cost-effectively.

The Plan also calls for additional support for programs designed to support **farm viability**, as called for in account 2500-7021. “Increase funding for the Farm Viability Enhancement Program and similar state programs focused on farm business development by fully expending over the next four years the bond authorizations for farm viability provided in the 2008 and 2014 environmental bonds, and increase this item by at least 25% in subsequent authorizations.” These programs support a range of management practices and activities that are mentioned throughout the Plan, such as energy conservation and food safety. We support the addition of language that references farm viability and the potential use of short-term land covenants with this funding, as recommended by our colleagues at Land for Good and American Farmland Trust, as well as the additional \$4 million for urban agriculture programs, as recommended by the Commonwealth Conservation Coalition and supported by several recommendations in the Plan. In support of the Plan’s recommendations for support of nutrition and food education and local food procurement in public schools, we also recommend the inclusion of “school food education and procurement” as an allowable program in this account. Finally, we would like to see the inclusion of support for community gardens as an additional allowable use. In sum, we support \$26,500,000 million for this line, as well as the extension of any unexpended balance from previous authorizations.

In regard to the proposed provisions related to alleviating the burden of the **estate tax** on farm sustainability, we appreciate the bill including language that addresses a recommendation of the Plan “Enact legislation to modify state estate tax to allow farmland to be valued according to its current use.” We concur with the recommendation from our colleagues in regards to the revision to the extension of timing of the additional assessment, and otherwise support the language as written in the bill.

The concept of developing a **statewide farmland action plan** was first raised in the MA Local Food Action Plan, and we encourage the Committee to consider adding language to the bill that would establish a task force for the development of such a plan. Though some effort has been made in this regard by the MDAR Commissioner, the established Farmland Advisory Panel has made only halting progress and does not have the authority or capacity to fully carry out this task. We urge the Committee to add language similar to that included in last year’s legislative draft of the annual budget to facilitate this process, and to allocate resources to provide the task force with necessary technical support.

The Plan also calls for funding to “foster new and innovative ideas to adding value to the Commonwealth’s agricultural economy, and sharing those ideas throughout the industry,” and for resources targeted to the fishing industry for projects “such as test kitchens, laboratories for developing value-added products and innovative technologies to recover and utilize waste, and start-up accelerators to develop new businesses.” Support to help farming and fishing industries businesses remain sustainable in a competitive market will also enhance their ability to create jobs and contribute to the state’s local economy. We support the establishment of the **Agricultural Innovation Fund** and the **Fishing Innovation Fund** and the funding proposed in the bill.

The establishment of the **Transfer of Development Rights Revolving Fund** as called for in Section 35GGG is also supported directly by the Plan’s recommendation to “Create a statewide TDR credit bank and seek startup funding to get it established.” We support the establishment of this Fund, and recommend that the language allow for regional transfers, so that communities can use the funds for collaborative efforts whether the sending and receiving municipalities may not be the same.

With the dramatic decrease in funding for essential agricultural services from the University of Massachusetts Extension Services in recent years, there is significant need for infrastructure and program support for this critical resource. The Plan calls upon the legislature to “Fully fund the 2014 bond authorization that would support the **UMass Center for Urban Sustainability in Waltham**. Support the Center’s development as an Extension research and education resource for farmers of all types, as well as

for homestead gardening and animal husbandry.” We support the \$20 million as authorized in this bill, and urge that the unexpended funds from the 2014 bond be carried forward as well.

Establishing the **Agricultural Resolve and Security Fund**, as called for in Section 26, is a step toward the Plan’s recommendation that MDAR be allowed to retain revenue from fees levied by its own programs. We support establishment of the Agricultural Resolve and Security Fund.

The Plan recommends legislation “to ensure no net loss of land protected under Article 97 of the state constitution.” Section 88 of this bill supports this sentiment, and we support the establishment of the **Public Lands Preservation Act.**

Recognizing that the sale of **unpasteurized milk** helps sustain many of the Commonwealth’s dairy farms, the Plan recommends that the state “Develop regulations to facilitate dairy farms’ capacity to sell raw milk and related value-added products direct to consumers while ensuring adequate oversight to protect safety and consumer confidence.” We support Section 38, which allows for such sales and requires that regulations be promulgated to ensure health and safety.

Finally, we urge that Section 104 be enforced by the Committee on Environment, Natural Resources, and Agriculture, with the addition of a requirement for an **annual hearing** at which the executive office of energy and environmental affairs be required to provide oral and written reports on the progress of projects related to these authorizations, with an opportunity for public questions and testimony.

We appreciate the Committee’s commitment to considering environmental, land, and food issues systemically. This bill represents a significant portion of the Commonwealth’s investment in a sustainable and equitable food system, and we urge the Committee to use the Plan (<https://mafoodsystem.org/plan/>) as a resource when deliberating these elements of the bill.

Thank you very much for the opportunity to provide this testimony.

Sincerely,

A handwritten signature in black ink, appearing to be 'Winton Pitcoff', with a long horizontal stroke extending to the right.

Winton Pitcoff  
Director