

# Cultivating Good Food Policy



A guide to advocacy  
campaigns for  
Massachusetts food  
system stakeholders



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Law Foundation



**Cultivating Good Food Policy:  
A guide to advocacy campaigns for Massachusetts food system  
stakeholders**

September 2018

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Development of this guide was supported by a grant from the Merck Family Fund.

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## The Basic Process of Passing a Law in Massachusetts

### **A bill is proposed.**

A Massachusetts senator or representative files a bill. Other members of the legislator's chamber sign on in support as co-sponsors.

### **A hearing is held.**

The bill is assigned to a committee that works on issues related to those addressed in the proposal. A public hearing provides an opportunity for input.

### **The committee moves the bill.**

The committee either rejects the bill, or votes to support it, referring it to another committee for its consideration.

### **Changes are considered.**

The second committee debates the bill, proposes and considers changes and amendments, and approves the revised version.

### **Full chambers votes on the bill.**

The House or Senate then votes to approve or reject the bill. If it is approved, it is sent to the other chamber for consideration and approval.

### **The Governor signs or vetoes the bill.**

The legislature sends the bill to the governor for consideration. The governor can sign or veto the bill, or propose changes and return it to the legislature.

*This is a broad overview of the process. Complex and controversial bills often go through many additional steps, and some urgent items can move much more quickly.*

## Why Be a Policy Advocate?

**A**s a farmer, businessperson, or food system organization, day-to-day tasks can be overwhelming. You are likely busy keeping your bottom line out of the red or dealing with local health inspectors. Why should you worry about state policy?

Policy advocacy is one way you can make long-lasting change. Think of policy work as your contribution to changing the system rather than reacting to how the system is making daily life difficult for you and others in your field. For example, you could advocate for tax incentives that help urban farms stay in business. Or you could help change local permitting rules to work with, rather than against, urban farms.

This guide is a tool to help you make meaningful changes that affect your work and your community. Using these tools, you and your allies can contribute to creating policy that helps the food system thrive.

## What is Policy?

**P**olicy is a set of rules. These rules outline what a government body should and should not do. Public policy guides government programs, spending, and activities. It also shows what a government values. You can see these values expressed in laws, regulations, budgets, and other measures that prescribe steps that will be taken to support, enforce, and promote those values. Policy shapes the playing field – it can enforce the status quo or create and support equity. Policy can be proactive, and move towards a goal, or reactive, to try to avoid an outcome.

In Massachusetts, there are different layers of policy, some with a broad view, and others that are more detailed and functional.

The state Constitution is the broadest and highest policy in Massachusetts. The Constitution lays out the rights of citizens and the structure of government for the Commonwealth. For example, Article 97 of the state Constitution says that “the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.” Article 97 lays out specific rules about how state-owned land can be used for those public purposes. In other words, Article 97 shows that the state values working landscapes, like farmland and natural resources.

The state then takes actions to uphold these values. These actions are spelled out in statutes, which are filed in the Massachusetts General Law (MGL). A statute in support of the Constitution’s value of working landscapes can be found in Chapter 20 Section 23 of the General Laws. Chapter 20 created the Agricultural Preservation Restriction (APR) program. This program lets the state buy development rights on farmland, which helps keep land in use producing crops and protects healthy soil.

Like the Constitution, the General Laws are still broad. The next level of policy below the General Laws are agency regulations. These regulations are more specific and lay out rules about how agency programs operate. For example, the Department of Agricultural Resources (DAR) has a lot of rules about how the APR program should work. These rules include construction limits on land in the APR program, and rules about how properties can be transferred. The Department of Agricultural Resources also has its own guidelines and policies about how staff should carry out those rules.

Every government action has a cost and so the annual state budget is another very important piece of policy. Each year the state decides how much to spend on every program, and how much to collect for taxes and fees. In the case of the APR program, the state sets aside funds each year to buy rights to agricultural land and to pay for the program's staff.

The ability to make changes to each of these policies varies. The Constitution rarely changes. Laws are sometimes changed. Regulations are changed more often. The state budget changes every year.

And that's just policy at the state level. At the local level in cities and towns, there are many different types of tools (ordinances, resolves, regulations, and budgets) that are used by boards and councils (city councils, select boards, boards of aldermen, boards of public health, zoning boards, planning boards, etc.) to make policy.

## Layers of public policy in Massachusetts

### Constitution

The constitution represents the broadest and highest policy in the Commonwealth, and expresses the overall values of the government.

### Laws

Massachusetts General Laws are the set of statutes that describe programs and practices that will uphold the values expressed in the constitution.

### Regulations

Regulations set rules for how state agencies administer the programs or regulate the practices expressed in the laws.

Public policy is generated based on both facts (science, demographics, etc.) and opinions (a community's preferences or values). Laws, regulations, and budgets are often changing. These changes can be caused by economic pressures or elections, changes in the environment or culture. Changes are also caused by advocates who champion issues important to them and their communities.

Policy change can have a lasting impact because it changes the rules that communities, corporations, and governments must follow. Often, short-term, informal solutions don't get at the problem's root cause. Policy change tries to get at those root causes and change the system, instead of reacting to it.

For example, urban farms with financial problems sometimes must cut costs or

raise prices to make ends meet. A policy of state tax breaks for urban farmers, however, could help support many of these farms all at once, and for many years to come.

## You Can Create Policy Change

Policies are made by governing bodies – state legislators and agencies, city councils and select boards, governors and mayors. Experts help create these policies by predicting how policy change will affect the state and communities. Each body represents thousands of people and has to make decisions about a very wide range of issues, so those experts are very important.

You and your organization are experts. You have a deep understanding of your communities and constituents, and first-hand knowledge of how policies impact them. You are in an excellent position to push for policy change: to educate policymakers about needed changes and empower your community to lead that effort. Policymakers need to hear from you so they can better serve your community.

Advocacy is a tool to help shape policy. Elected officials change often. So do economic and social situations that create the need for policy. Public sentiment about the role of government and the priorities it should focus on is also constantly shifting. Policy needs to be reviewed regularly and updated as needed to ensure that it reflects those changes.

## How Policy Change Happens

Every governing body has a different process for changing policy. Within each process, there are many opportunities for individuals, organizations, and institutions to provide input.

Some of these processes are long and complex. This manual gives guidance on how to navigate those processes and provide input most effectively. The guidance provided focuses on the process for passing legislation at the state level, but much of the information about building coalitions and communicating with officials is relevant for any policy change work.

### State Law and Budgets

Passing bills in the Massachusetts legislature is a complex process that can take many years. Each legislative cycle lasts two years, and it often takes many cycles to get a bill passed. First, bills are introduced by legislators. Then different issue-specific committees consider the bill. Committees hold public hearings on every bill, and then can pass the bill on, change the bill, or reject the bill. Usually bills need to go through more

than one committee, especially if the bill is complex or requires funding. Then both the House of Representatives and the Senate have to pass identical versions of the bill. If the bill makes it through all these steps, it goes to the governor, who can sign or veto it. If the governor signs the bill, it becomes a law.

The annual state budget also goes through many steps. The governor, the House, and the Senate each write drafts, with many opportunities for amendments to be added along the way. All these versions must then be combined in a process called reconciliation until the governor, the House, and the Senate agree on a final version.

## Agency Regulations

State agencies are departments within the state government that focus on supporting and regulating particular sectors, such as the Massachusetts Department of Agricultural Resources, Department of Public Health, or Department of Transportation. These agencies regularly update their regulations. This process includes public comment periods where members of the public can submit written and oral testimony. The agency then considers this testimony before finalizing the regulation.

## Municipal Policies

Municipal bodies propose laws that must also go through a series of public hearings. Sometimes, depending upon the size of the municipality, proposed laws must also go through committee processes. The city council or select board will then vote on the law. There are many forms of municipal government in Massachusetts, so be sure to understand your town or city's system and process before developing a campaign.

## Identifying a Problem to Solve

Your time is valuable, and you want to focus that time on solving problems that affect your farm, organization, or constituency. But how do you know if a particular challenge needs a policy solution? Consider these questions:

1. What are the biggest challenges facing your farm or community right now?
2. What goals do you most want to achieve in the future?
3. What stands between you and achieving your goals? Does government make it harder or easier to achieve those goals?
4. Is your challenge or goal unique to you, or is it also relevant to your community?

If the issue you have in mind involves government and affects a broad group of people, then considering a policy solution makes sense. If a policy or law is creating the problem, you could propose to change or repeal it. If the lack of a policy or law is the issue, you could propose a new one. Your problem may be a lack of resources, in which

case you could request more funds. In some cases the problem may not exist yet, but a proposal being considered poses a potential threat. In that case, you would advocate against that proposal. All of these are policy solutions.

## Examples

**Problem:** Families in your community have a higher rate of preventable diet-related diseases.

**Cause:** Low-income families in your community can't afford fresh, healthy, local food.

**Policy Solution:** Advocate for a state-funded program that doubles SNAP recipients' purchases at farmers markets.

**Problem:** You are farming land through a short-term lease. It is difficult to farm when the future of access to your land is uncertain.

**Cause:** You want to own the land but can't afford the cost of land in your urban area.

**Policy Solution:** Advocate for state legislation that reduces the costs of urban land ownership by creating financial incentives for using urban land for farming. Or push city officials to permanently transfer city-owned land to urban farmers for a low price, or for a long-term lease.

**Problem:** You use management practices to protect your produce from potentially toxic soils on your urban farm. These practices cost time and money, and you have to sell your produce at a slightly higher price. Your competitors don't use these practices and can sell at a lower price. They attract more customers, but put their customers at risk.

**Cause:** Lack of standards or oversight for soil contamination.

**Policy Solution:** Work with your local city or town officials to develop soil testing and safety standards for urban farming in your area. This will help level the playing field and protect public health.

Once you have chosen identified a policy issue you would like to work on, it's time to develop your advocacy strategy.

## Building A Case

Once you have your problem and possible policy solution, think about what level of government you need to target. Some issues are regulated at the state level, others at the municipal level, and some are federal. To figure out who is in charge of the policy you want to change, look online for which local or state agencies or departments work on your issue. In some cases, municipal departments enforce state laws, so it's good to call or email your town or city department for more informa-

tion. As you think about where to focus your policy campaign, keep in mind that the policies of lower levels of government are often easier to change.

To be effective, your campaign needs to convince policymakers that your solution is needed and easy to implement. Making a plan will help you organize important information in a persuasive way. Three elements are critical to building a persuasive case: need, ease, and credibility.

## **Need**

Stories are very persuasive to policymakers. Stories should illustrate a universal problem and how that problem affects communities. For example, if you want financial incentives for urban farms, you could collect stories that show how urban farmers struggle to buy land or access water hook-ups, and how that makes it difficult for them to function. The more passion and conviction in your stories, the better.

Data are also extremely persuasive. You could collect data about harm being caused. For example, if you are focusing on low-income families' access to healthy food, you could collect data on poor health in those communities. You could also use data to show possible benefits. For example, if your focus is urban farming, you could figure out how many pounds of food could be produced on one lot. Consider using visuals like charts or diagrams to present your data in a simple, eye-catching way.

## **Ease**

You also need to show policymakers that your policy solution is desired and feasible. That means that the policy will work smoothly, isn't controversial, and won't be too expensive.

One way to show this is if another state or town has successfully tried a similar policy. If you can talk to people in those states or cities about how the policy is going and share positive stories with policymakers, even better. But try not to copy another law or regulation. Each situation is different. You need to make sure your proposal is the exact response needed for your unique situation.

If you don't have examples, think about what questions policymakers will have and prepare a persuasive response. Policymakers will care about issues like cost, fairness, timing, possible opponents, and balancing other priorities. It is good to be prepared with responses in case questions about these issues come up.

## **Credibility**

Building relationships can be just as important as your policy proposal. You can build trust by showing policymakers who you are, what you do, and why this policy matters to you.

## Finding Allies

Sometimes it's best to push for policy change as one farm, organization, or small group. But usually advocacy is most effective in a larger group, or coalition. Consider who else should be involved in pushing for the change you're working on. You may already know of or be part of an organization or network that has worked on this topic or something similar. If an organization already exists, don't reinvent the wheel, but work with them so you can invest more time and energy in advocacy.

Coalitions help to:

- design policies that address all sides of a problem;
- activate many people; and
- give a campaign credibility and expertise.

Food policy coalitions can be especially broad because food issues affect so many people.

Consider how your issue might also affect the environment, public health, the economy, labor, or transportation. To build your coalition, reach out to and engage with:

- people and organizations that care about other issues your policy might impact;
- racially, demographically and economically diverse people and organizations that represent those affected by the issue;
- people and organizations that might be opposed to your policy; and
- organizations that can mobilize members or existing networks.

Start with the most obvious allies. These could be organizations you have already partnered with around your chosen issue or those that you know share your mission or values.

Then think about people and organizations you may not have worked with before, but that might care about this issue. For example, if your issue relates to healthy eating, public health organizations could be an ally. Next, think about who is impacted by the issue. In this case, it may be seniors and children, and you could engage youth and senior organizations to help you advocate. Don't limit yourself to nonprofit organizations. Businesses, trade organizations, and other institutions that are concerned with your issue can also be important allies.

Reach out to these organizations early on while you are still shaping the campaign. If groups help develop the ask, they will be more likely to participate over the long term.

Give organizations a range of ways that they can participate, and keep in mind that what they'll be able to do will likely depend upon their size and resources. But everyone can play a role in a campaign.

Small organizations can help by:

- signing on to letters;
- spreading the word to their members; and
- sharing information on social media.

Medium organizations can also:

- dedicate staff time; and
- write or review materials.

Large organizations can also:

- dedicate staff time and/or lobbyists.

Organizations of any size may have relationships with policymakers, media, and other influencers who can be helpful. Ask everyone you meet with who else they could help bring to the table.

As you build your coalition, stay focused on your issue. Broad coalitions help campaigns, but some participants may also want to change how you approach the issue, add related issues, or completely change your policy proposal. In some cases this input can make your campaign more effective. In others, however, this input can pull you too far from your original goal.

Policy advocacy is a process with many players. Some of these players will have more money, more lobbyists, and strong relationships with policymakers and their staff. This does not mean your efforts will be any less effective than theirs. Grassroots advocacy has the big advantage of being able to rally a wide range of voices.

## Creating an Ask

Every campaign needs a clear, actionable 'ask.' The ask is the specific thing you want the governing or regulatory body to do. This could be a new law or regulation, an amendment or change to an existing law or regulation, funding for a program or project, or your position on a proposed action the body is considering.

Your ask needs to be:

- clear;
- specific; and
- directed at the appropriate agency or body that has the authority to enact the ask.

Once you've let organizations know about your effort, engage them in developing your ask. Again, the earlier the better. If groups provide input early in the process, they will feel shared ownership in the campaign and contribute more.

There are many ways to get input from your network or coalition. Face-to-face meetings are great ways to get key partners to discuss and agree on an ask. But these meetings can be hard for smaller organizations to participate in because others with more experi-

ence can dominate the conversation, which can skew the results. If you hope to engage community members personally, it may also be important to schedule meetings around work and childcare. Remember to ensure that your coalition is representative of the breadth of your community in terms of race, gender, demographics, and other factors.

Think about using a number of ways to get input from partners, including:

- one-on-one interviews with organizational leaders and others;
- online surveys; and
- sharing draft proposals for review and comments.

## **Know Your Issue**

It's important that you and your partners are familiar with your issue. Learn all you can about the laws, regulations, and budgets related to your issue, the history behind them, and past efforts to change them.

Consider asking for help from research institutions or advocacy organizations that can provide data or technical assistance. Also investigate if other current efforts relate to, or oppose, your campaign. If organizations or other entities will raise concerns or oppose your campaign, find out why and figure out how to address that opposition.

In Massachusetts, a lot of this information is on the legislature's website. There you can search for past legislation and see how much support it had. You can also contact committees that have considered legislation similar to your proposal and ask to see copies of past testimony on those bills.

While your ask may be very detailed and complex, you need to develop simple, clear materials that explain your ask and why it's needed. It should be a single page that you can share with policymakers. Try to make it visually appealing, and not solely dense sections of text. One good model is to have maps, charts, and data on one side, and narrative on the other. Including some quotes in a larger font to make key points stand out is also a good idea. When possible, create sheets that highlight information about the particular legislator's district, so they can see what the issue means to their constituents.

Your one-pager should include:

- **Facts:** Who your coalition represents and your work on the issue.
- **Problem:** What's not working, and what will happen if your proposal does not get implemented.
- **Solution:** What you propose.
- **Details:**
  - Who will be impacted, and how.
  - What happens if this doesn't happen.
  - Why this matters now.
  - Cost of proposed change.
- Your contact information.

You should also develop a separate sheet of talking points that everyone in your coalition can use as reference when having conversations and meetings. This sheet should include:

- Data that backs up all of the points you are making;
- Information about relevant existing laws or regulations;
- Real-life examples of the impact your proposal would have;
- Lists of allies; and
- Other information that might be needed to answer policymakers' questions.

Throughout your campaign, update your community about how the bill is progressing. Regular updates remind people about your efforts and prepare them to engage when needed.

## Targeting an Ask

Policy advocacy usually takes one of two types of action. One is you've identified a problem to be fixed and must create a new policy to address it. The other is when a policy or policy change has been proposed by someone else and you support or oppose it. Your targets depend on your situation.

### Proposing new policy

Proposing a new policy means starting from scratch. You will need to define the issue, research solutions, and think about what policies and practices you want to change. Don't worry about getting the exact legal language right, you just need to state your proposal clearly. Legislative or agency staff will draft the legal language for filing the actual bill or regulatory change.

New state laws go through a very formal process. First, you will need to find a sponsor for your new policy. A sponsor is a representative or senator who introduces your bill to the legislature. If you want the bill introduced in both the House and Senate, which is common, you will need both a representative and a senator to sponsor for your bill – meaning they will introduce your bill for consideration by the legislature. You will want to ask a legislator from your district, or one you know cares about your issue. You can find out what issues a legislator cares about by looking at their official legislator page at [malegislature.gov](http://malegislature.gov) or their campaign website, or by searching for news articles where they talk about their positions on your issue. You can start by calling the legislator's office and speaking with a legislative aide about your issue. Community partners can also help you convince legislators to be your sponsor – you may even find that you have community partners in legislative districts where the representative or senator is more sympathetic or aware of your issue.

Once you have a sponsor, you will want to recruit as many "cosponsors" as possible.

Cosponsors are other representatives or senators who sign onto the bill to show support. It is good to invest time in finding a lot of cosponsors early in the process. This will show that the bill has support, and it means those cosponsors can be counted on to vote for the bill when it comes up for consideration. This turns policymakers into advocates for your cause. The more information you give them, and the more enthusiastic you can make them about your issue, the more effective they will be at convincing other legislators to support your bill.

Some policymakers may oppose your proposal. Some may tell you your proposal isn't feasible or even legal. Don't let this discourage you. Try to understand their argument and respond to it in your messages and campaign. If they have valid reasons why your proposal is illegal, you should of course make sure that it is, in fact, legal. If you need help with this, consider contacting an advocacy organization that can help you.

Once the bill is assigned to a committee, your target becomes the chairs and members of that committee. The chairs have a lot of power in deciding what bills will be heard when, and whether or not they will move forward.

## **Supporting/opposing a proposed policy**

If you're supporting or opposing someone else's policy proposal, your main task is to track that proposal's progress. That way, you are ready to offer input at the first opportunity. For example, if you oppose or support proposed state legislation, you'll want to know what committee the bill is assigned to, and when the first hearing is for that bill. If you care about new regulations, watch for the publication of draft regulations, deadlines for public comments, and public hearing dates. While you wait for these opportunities, you can build support behind the scenes. You can rally allies and set up conversations with key policymakers. Often, the best approach is to join forces with existing coalitions working on the issue and work directly with them to help or improve the bill.

If you oppose a bill, try to be constructive instead of negative. The fact that policymakers are discussing your issue is an opportunity to educate them. One way to do this is to support amendments, or changes to the bill, rather than opposing it outright. Then explain to policymakers why your version of the bill is stronger than the originally proposed version. Policymakers will be more attentive to constructive suggestions for changes to their proposals, than they will be to outright opposition.

## **Communication**

**N**ow that you have a sponsor and a bill, or a regulation, or a budget proposal, the next step is outreach. Your outreach campaign should convince your policy targets, including policymakers and state agencies, to support your ask.

## Timing

Timing is very important and depends on your proposal.

- **Legislation:** The best time to introduce new legislation in Massachusetts is before the first Wednesday in December in an even-numbered year. This is because legislative sessions begin in January of odd-numbered years.
- **Budget Proposals:** The governor's budget is usually filed in late January, so budget

### The annual Massachusetts budget process

#### January

- Governor submits a proposed budget to the legislature.

#### March

- House Committee on Ways and Means releases a draft budget.
- Amendments are offered and approved or rejected.
- Full chamber approves a budget.

#### May

- Senate Committee on Ways and Means releases a draft budget.
- Amendments are offered and approved or rejected.
- Full chamber approves a budget.

#### June

- Conference committee reconciles differences between two chambers' budgets and approves a unified proposal.
- Both chambers vote to approve budget and submit to governor.
- Governor reviews and signs budget, often vetoing specific items.
- Legislature may override vetoes.

#### Any time

- Throughout the year the governor can submit supplemental budget proposals to increase or cut spending as needed. The legislature then approves or rejects these proposals.

asks are usually presented to the legislature right after that, as the House and Senate draft their versions.

- **Regulations:** Regulations and changes to them can be proposed at any time.

Legislative and regulatory bodies usually consider many bills or proposals at once. It is crucial that you advocate at the right time. Your sponsor will help you understand the best times to advocate. This is usually during hearings, when the committee meets, and right before deadlines for final decisions when votes are taken. Be sure to stay in regular contact with your sponsor and their staff. While each process has its own deadlines, things can change quickly, and the process can sometimes be hard to predict.

## Calls to Action

While you will be doing some of this communication yourself, you will also be creating 'calls to action' and other alerts to let people know how they can participate by contacting policymakers. You should make it as easy as possible for people to do what you're asking. Be sure to include all necessary information, like the legislator's phone number or email address, to make it as easy as possible for individuals to participate.

Above all, your message must be accessible. Use language that clearly states your ask, connects your issue

with your targets' values, and conveys the urgency of your ask.

## Communicating with Policymakers

Whenever you communicate with policymakers, consider these three elements:

**Tell personal stories.** Legislators and other officials are bombarded with facts and figures every day. They can also do their own research if needed. Your ask should include basic facts, but focus on sharing personal stories and examples. These stories should show how your issue affects the people, businesses, and communities that the policymaker serves. Think about who the best messengers are, recruit them to participate, and help them tell their stories effectively.

**Be positive.** While all asks are designed to fix a problem, it is better to focus on the positive results of your solution, and not the negative aspects of the current situation. If you want to improve an existing program or policy, point out how effective it has been already and, if you can, give credit to the state agency or body that enforces or manages it so that you are reinforcing the positive impact of an existing public program and appreciating policymakers' support for it in the past.

**Be polite.** Remember that policymakers and their staff are people, and they are more likely to consider your ask if you treat them with respect. Whenever communicating with policymakers or their staff, thank them for any past support related to your issue. Also recognize that they are working on many issues at once and thank them for their time. Policymakers or staff who aren't supportive of your ask may be important allies later on for other issues, so look at these relationships as long-term and complex, rather than transactional or short-term. The more you get to know these people, the more open and honest your relationships will be, and the more supportive they will be in the long run.

Don't be disappointed if you end up speaking with staff rather than the legislator. This is not an indication that the official isn't taking your issue seriously, but a reflection on the demands on their time. Staff members often take the lead in researching various policies for their respective bosses and help the official make decisions. Meeting with a staff member whose focus is your issue area and turning them into an advocate for your ask will go a long way toward getting that legislator's support.

## How to reach policymakers

There are many ways that you and your network can engage policymakers. It is important that you suggest a number of ways of communicating, so that all of your partners can find ways to contribute, no matter how limited their resources may be.

**Phone calls, emails, and letters.** These forms are the easiest ways to engage a broad constituency in advocacy. Policymakers estimate the importance of a bill or

proposal based on how much they hear from their constituents. Encourage individual members of your organization and network partners to make calls and write letters. Make sure that they understand that they should call legislators who represent the districts where they live, and make it very easy by providing the legislators' names, phone numbers, email addresses as well as simple talking points or scripts for calls or emails. Individual messages are much more impactful than form letters or emails, so make sure that people add personal stories instead of copying and pasting text.

Calls, emails, and letters should always include:

- the sender's name, organization, and contact information;
  - brief background on the issue and the sender's connection to it;
  - a clear, specific ask, such as how to vote on a particular bill or budget item, including the bill or amendment number;
  - an explanation of why the ask is important to the sender;
  - an invitation to contact the sender or the central network contact if they have questions; and
  - a request for a reply about the policymaker's position on the issue.
- Be sure to thank them if they support the ask, and always thank them for their time!

**Sign-on Letters.** Allied organizations add their names and submit a joint letter to the committee or body considering the policy change. The lead organization drafts the letter, sets a deadline for organizations to sign on, and sends the letter out for organizations to consider. When submitting the letter to policymakers, include a list of all of the organizations that have signed on, and the towns or cities they represent.

**Social Media.** Create Tweets and Facebook posts about your ask and urge members to share them. Make sure that your posts are clear and concise and include a link with more information including action steps and a colorful photo to attract attention.

**Op-Eds and Letters to the Editor.** Most policymakers read their local newspapers and pay special attention to opinion pieces and letters to the editor to see what their constituents care about. Submitting pieces for publication and having them printed is a good way to make policymakers aware of your issue. If a legislator is supportive, be sure to mention them by name and thank them in your piece.

**Earned media.** Distribute press releases to local media outlets about your issue and what it means to your organization and constituency so that your local newspaper or radio station will consider a news story about your work. Include quotes from community members who will be directly impacted by your proposed change. If possible, connect the press release to an event you are hosting.

**Testify at Public Hearings.** Most bills or regulatory changes go through a public hearing before the final decision. At these hearings, policymakers listen to testimony from advocates and people who are affected or might benefit from the proposed

change. At most hearings, the public can provide oral testimony. Find out in advance how much time each person will get to testify and keep your testimony within the time limit. This limit is usually three minutes for Massachusetts legislative committees. Practice your testimony until you are comfortable with it. Be prepared to answer questions, or offer to follow up by phone, email, or in person if you don't know the answer.

When you testify, you should:

- give your name and the organization you represent;
- state the issue you will testify about, and if you support the proposal or want to see changes made;
- briefly explain why you support the policy or policy change;
- give a more detailed explanation or a personal example of the reason for your support;
- restate your position; and
- thank those running the hearing for their attention and invite questions.

Always submit written testimony with your oral presentation. Written testimony can also be submitted separately if you can't attend the hearing. Testimony can be emailed to committee chairs and other members of the committee. Also share your testimony or letters of support with the bill's original sponsor so they are aware of your support.

## Meeting with policymakers

While emails and calls to policymakers are effective, they are no substitute for direct contact. Face-to-face meetings let you promote your issue and build relationships with officials and their staff. These meetings also let policymakers and staff get to know you and the types of information you can provide. Legislators often contact organizations and individuals they trust for input when drafting bills or deciding how to vote. If they see you and your organization as an expert and important community contact, you could become a trusted source for them. There are a number of ways to organize meetings with policymakers.

**Briefings.** If you have a policymaker who is championing your issue, they can help you use a room at the state house or other government building to hold a briefing. This is an opportunity for you to bring together a few speakers – like organizational leaders, legislative champions, and concerned citizens – to make brief presentations about the issue and answer questions. Ask your champion to send out an email inviting all of their colleagues and staff. Be sure to ask people to sign in with their name and contact information, so that you know who attended and can follow up later.

**Lobby days.** Another approach to visits is to plan a lobby day. On lobby days, your network organizes a large group of people to visit officials' offices and present your ask to staff and policymakers. Lobby days ensure that every member of a legislative body knows about the issue. The event also creates 'buzz' about your ask. Tell the press about your event and have some of your members available for interviews.

**Invitations.** Invite policymakers to visit your organization or attend an event. The visit lets policymakers see what you do and interact with the people and communities you support. Make sure to introduce them to people who can speak personally about how important this issue is to them. This helps put a human face on your ask. If appropriate, invite local media to attend the visit.

**Open office hours.** Most legislators hold open office hours or town-hall style listening sessions in their districts. This is an opportunity to meet with them, or their staff, without having to travel very far.

**Stop by policymakers' offices.** Office visits are a great way to show support for an issue. If the official isn't available, ask to speak to the staff member who works on your issue. Most offices are staffed throughout the day with people who will sit down with you, listen to your ask, and ask you questions. They will take this information back to the official they work for. Staff have a lot of influence with their legislator, so your time with them is well spent. Be sure to follow up after your visit with a thank-you email and include key points from your conversation as a reminder. Also let them know you're available to answer questions.

**Make an appointment for a face-to-face meeting.** Keep in mind policymakers are more likely to make time for people from their own districts. Consider bringing a few people to these meetings who can each speak personally to particular sides of your issue.

## Preparing for Your Meeting

Before your meeting with policymakers in any of these settings, answer these questions:

- How has the policymaker acted on related issues? Be prepared to thank them for past support or address possible concerns.
- Are there other important pieces of legislation being considered that relate to your ask?
- Does your proposal have a cost? How could that cost be offset?
- How does your issue affect this policymaker's constituents?
- What other policymakers support your position?
- What organizations and policymakers oppose your position? How could you respond to that opposition?
- What process will your proposal have to go through? What action steps are required, and how can the policymaker help?
- What other questions might the policymaker or staff have?

## **During and After the Meeting**

In all face-to-face meetings:

- Be on time.
- Know the names and positions of people you're meeting with.
- Have handouts to leave behind that:
  - clearly state your ask;
  - state facts that support your ask; and
  - include your contact information.
- Ask how familiar they are with the issue, so you know how much background information to give.
- Have printed material that you can leave behind that states your case clearly and concisely.
- Don't just read from your handouts in the meeting. Instead, share compelling stories about what your proposal will mean to you and to people, businesses, and institutions in the policymaker's community.
- Ask directly whether or not they support your position.
  - If they do, thank them, and ask what you can do to help get their colleagues onboard.
  - If not, ask what their concerns are.

There is nothing wrong with saying "I don't know, but I can find out" if they ask questions that you're not able to answer. Don't make something up! Write down their question and let them know you'll get back to them. Then, be sure to follow up quickly as part of your thank you. Legislators may measure the importance of your issue based on how well you follow through and answer their questions. A lack of response shows that they don't need to take your campaign seriously.

Always send a thank-you email after the meeting, to both the policymaker and staff who helped arrange or participated in the meeting.

## **Stick With It**

If the legislative session ends and your bill doesn't pass, don't give up! It is very rare for a bill to pass in the first session it is considered. You can file your legislation the following year, and tweak your proposal based on lessons learned during the campaign. This also is an opportunity to build on existing alliances. No matter the outcome, building an engaged group of allies around your cause is a victory, and a reason to celebrate. If you do win, be sure to issue a press release. And then talk with your allies about what issues you want to tackle next now that you have established yourselves as an effective force for change!

Whether you win or not, be sure to thank everyone who participated in your campaign!

## Appendix A: Limitations on Lobbying . . . . .

The idea of a “lobbyist” may make you think of slick representatives of business interests. But lobbying just means advocating a position to a policymaker. Anyone can be lobbyist.

If you are paid for your policy advocacy, there are some limitations you must keep in mind. If you are lobbying as an individual or volunteer these issues do not apply.

In Massachusetts, “lobbying” includes time spent communicating with a government employee or elected official, whether it’s written, over the phone, or face-to-face. Lobbying also includes any strategizing, planning, or research connected with communications with a government employee or elected official. “Executive Lobbying” happens when you try to influence agency regulations. “Legislative Lobbying” is advocacy related to legislation, including trying to influence the governor to approve or veto legislation.

You must register as a lobbyist with the state if you plan to spend more than 25 hours total doing either executive or legislative lobbying in a six-month period and will be paid for your work. If you don’t plan to communicate with a government employee, you do not have to register. If you are unsure how these rules apply to you, call the lobbyist division at the Secretary of State for guidance. Their website also has useful information.

Some advocacy activities are not lobbying. Some examples include:

- trying to influence regulatory decisions related to a permit, license or certification for a specific project or individual person;
- participating on an advisory committee or task force;
- participating in an adjudicatory proceeding;
- responding to requests for comments from government officials; and
- educating a policymaker about an issue generally, without discussing desired changes to existing or proposed policy.

Nonprofit organizations can engage in both advocacy and lobbying activities, with some restrictions. There is a lot of confusion about the difference between advocacy and lobbying, and what is allowed. As a result, some nonprofits limit their advocacy work when they don’t have to. We encourage you to learn about laws and regulations around advocacy and lobbying. It’s not as complicated, or as limiting, as you might think.

Finally, be sure to check if your funders allow money they contribute to your organization to be spent on advocacy or lobbying. Some foundations limit grants to programs and projects only. Talk to your grant officer to find out what aspects of advocacy and/or lobbying are allowed under your grant.

The following links give more information about into these issues.

**Massachusetts lobbying laws**

<http://www.sec.state.ma.us/LobbyistWeb/Common/CertificationInformation.aspx>

**IRS: Lobbying rules for charities and nonprofits**

<https://www.irs.gov/charities-non-profits/lobbying>

**Independent Sector: Lobbying Guidelines for Public Charities**

<https://www.independentsector.org/resource/lobbying-guidelines-for-public-charities/>

**National Council of Nonprofits: Everyday Advocacy**

<https://www.councilofnonprofits.org/everyday-advocacy>

**Foundation Center: Can nonprofits engage in advocacy or lobbying efforts?**

<http://grantspace.org/tools/knowledge-base/Nonprofit-Management/Accountability/lobbying>

**Alliance for Justice: Influencing Legislation**

<https://bolderadvocacy.org/navigate-the-rules/influencing-legislation>

**How an idea becomes a law in Massachusetts**

<https://malegislature.gov/Content/Documents/HowAnIdeaBecomesLaw/HowAnIdeaBecomesLaw.pdf>

**Links to policy databases**

Local Government Food Policy Database

<http://growingfoodconnections.org/tools-resources/policy-database/>

**Healthy Food Policy Project**

<http://healthyfoodpolicyproject.org/policy-database>

**Food Policy Resources**

<http://www.foodpolicynetworks.org/food-policy-resources/index.html>

## Appendix B: Example Campaign Case Studies and Materials

### Massachusetts Healthy Incentives Program case study

In 2017, Massachusetts launched the Healthy Incentives Program (HIP), which provides a one-to-one match of SNAP recipients' purchases of fresh, healthy produce from local farms. Soon after the program began operating, it became clear that the funding allocated to HIP would not be sufficient to keep it operating because participation was much higher than anticipated.

In response, the Massachusetts Food System Collaborative launched the Campaign for HIP funding. The Campaign's ask was for \$6.2 million for HIP in the fiscal year 2019 budget. The Collaborative brought together a coalition of organizations that work on issues related to agriculture, public health, food access, and the environment to support the Campaign.

#### Key campaign actions

To build the coalition, the Collaborative:

- Built a website with a form for organizations and farms to add their names to sign on letters to be used throughout the campaign. The form also captured stories and information from groups involved in HIP.
- Conducted outreach to organizations with members who benefitted from HIP, such as groups that work with seniors, urging them to sign on to the campaign.
- Sent out press releases to media throughout the state about the successes of the program and the need for additional funding.
- Submitted op-eds to newspapers in support of the funding.
- Sent regular emails to all farms and organizations that signed on, updating them on the status of the budget and opportunities for advocacy.
- Provided fact sheets and sample language for organizations to use to engage their members and the general public in the campaign.

To educate and persuade legislators, the Collaborative:

- Worked with a representative and a senator to circulate 'dear colleague' letters to their respective chambers, asking all members to sign on to a letter urging the Committees on Ways and Means, which draft the annual state budget, to include \$6.2 million for HIP.
- Supported those letters by emailing the sign-on letter from advocates to all members of the house and senate, asking them to sign the dear colleague letters.
- Sent thank you emails to all senators and representatives who had signed on, and

posted messages of appreciation on Facebook, tagging all of the signatories.

- Organized visits to farmers markets for key legislators to see HIP in operation and talk to farmers and consumers, arranging for press to cover these events.
- Arranged and held meetings with key leaders, including the Speaker of the House and the Chair of the House Committee on Ways and Means, giving advocates, farmers, and HIP customers an opportunity to tell their stories.
- Organized a lobby day at the State House, with more than 80 farmers, advocates, and HIP users visiting the offices of every legislator, delivering handouts about HIP and oregano plants, and having conversations with staffers and policymakers.
- Coordinated a postcard campaign, where HIP customers filled in postcards at farmers markets with brief stories about what the program meant to them. Hundreds of these completed postcards were distributed to key legislators.
- Communicated with participating farms and organizations throughout the season, issuing calls to action for people to call and email legislators when critical votes were coming up.
- Distributed sign-on letter to appropriate committees and leaders as the budget moved through committees and chambers.

## **Key campaign milestones**

### **January**

- Visits by farmers, HIP customers, and advocates to key legislative leaders.
- 52 representatives signed on to letter to the House Committee on Ways and means supporting \$6.2 million for HIP.

### **March**

- Farmers, advocates, and HIP customers participated in lobby day, visiting every legislator's office.

### **April**

- 26 senators signed on to letter to the Senate Committee on Ways and means supporting \$6.2 million for HIP.
- House budget released with \$3.5 million allocated for HIP.
- Collaborative worked with representative to file and get co-sponsors for amendment increasing budget request to \$6.2 million, and organized allies to make calls to urge representatives to support the request. More than half of the chamber co-sponsored the amendment.
- Final house budget included \$4 million for HIP.

### **May**

- Senate budget released with \$3 million allocated for HIP.
- Collaborative worked with senator to file and get co-sponsors for amendment in-

creasing budget request to \$6.2 million, and organized allies to make calls to urge senators to support the request. More than half of the chamber co-sponsored the amendment.

- Final senate budget included \$4 million for HIP.

## July

- Legislature released final reconciled budget with \$4 million for HIP.
- Collaborative sent sign-on letter and customer postcards to governor, urging him to include the funding for HIP in his final budget.
- Governor signed final budget with \$4 million for HIP.

## August

- Held events at farmers markets in key legislators' districts, inviting senators and representatives to thank them for supporting HIP. Circulated press releases for each.

## Sample campaign materials

Language for further distribution sent to organizations involved in the campaign to help them engage their members:

Please encourage your members to call their legislators to support HIP. Below is some language for you to use or adapt for your social media or newsletter.

### Facebook post

The Healthy Incentives Program gives SNAP families better access to fresh, healthy, local food, and increases sales for Massachusetts farmers. Call your state legislators today to ask them to support HIP. Follow the link for details!

### Tweet

Better access to healthy food and sustainability for local farms! Call or email your legislators today to support the Healthy Incentives Program!

### Newsletter blurb

Support healthy families and sustainable farms!

The Healthy Incentives Program provides a dollar-for-dollar match for SNAP dollars spent on fruits and vegetables purchased at participating farmers markets, farm stands, mobile markets, and community supported agriculture (CSA) programs statewide. To date the program has provided more than \$2.9 million in fresh, healthy, local foods for low-income families, with that money going to support local farms. The program has far exceeded expectations, so action is needed to urge the legislature to include funding in their next budget to support the program.

Please call or email your state legislators today and ask them to support HIP. If

you're not sure who your representative or senator is, you can find out here: <https://malegislature.gov/Search/FindMyLegislator>. When you reach them or their staff, ask them to:

1. Support any budget or amendment that includes \$6.2 million for HIP in fiscal year 2019.
2. Include HIP as a priority in their top three priorities when they meet with the Committee on Ways and Means to discuss the upcoming budget.

If you have any questions, or would like more information about HIP or the campaign, contact Winton Pitcoff at the Massachusetts Food System Collaborative, at [winton@mafoodsystem.org](mailto:winton@mafoodsystem.org), or see <https://mafoodsystem.org/projects/HIP/>.

A call to action sent to farms and allies during the budget process:

Call senators to support HIP budget amendment!

Today the Senate Committee on Ways and Means released their budget proposal, which includes \$3 million for HIP for fiscal year 2019. This is a big increase from last year (\$1.35 million), in large part thanks to the very effective outreach all of you have done to legislators in the past few months.

However, it falls short of the \$6.2 million we requested. Senator Anne Gobi will be introducing an amendment to increase the funding to \$6.2 million.

Action needed: call or email your senators and ask them to co-sponsor an amendment being introduced by Senator Gobi to include \$6.2 million for HIP in the Fiscal Year 2019 budget. Amendment numbers have not been assigned yet, but we'll post it on the website as soon as we have it. If they ask for the budget line number, it is 4400-1001. Find your senator's contact info here.

When you call or send an email, keep it short, be polite, and be sure to thank whoever you're talking to for their support for HIP. Focus on just a few sentences about your personal experience. Farmers can talk about how they're planting crops right now in preparation for the season and are counting on seeing all of the new customers from last year return, for example. SNAP recipients can mention how important the program is for their family's health. Advocates can say what a success the program has been for their communities, and how excited everyone is for fresh produce and seedlings to be available in the next few months. Again, short and personal.

Every call and email counts. Even if you know that your local legislators are already supportive of HIP, hearing from you reinforces that support. And be sure to thank them!

Sign-on letter circulated for organizations and farms to add their names to, which was then sent to key legislators and leaders during the budget process:

Dear Governor Baker:

The undersigned organizations, farms, and farmers markets, representing hundreds of thousands of individuals, businesses, and institutions across the Commonwealth, urge you to support the legislature's funding proposal for the Healthy Incentives Program (HIP) in the final Fiscal Year 2019 budget. HIP is improving health outcomes in some of Massachusetts' most vulnerable communities, while creating markets for local farms. Every dollar allocated to this program is a direct investment in the health of Massachusetts residents and communities, our local economy, and our natural resources.

HIP provides a dollar-for-dollar match for SNAP dollars spent on fruits and vegetables purchased at participating farmers markets, farm stands, mobile markets, and community supported agriculture (CSA) programs statewide.

Since HIP's launch in April 2017, SNAP recipients have purchased more than \$4.2 million of produce from local farmers, earning an equal amount of incentives in the process. That's nearly a 600% increase in sales of fresh, healthy, local foods to low-income families over 2016 figures. More than 37,500 households have participated, representing over 64,000 individuals. Close to 50% of the households that have benefited include a senior, and more than 34% include a child. The program's success so far can also mean savings of more than \$1.1 million in public health costs, due to reductions in chronic disease and medical costs brought about by healthy eating.

For the 200 farmers participating in HIP, this \$4.2 million in increased sales makes it possible for them to hire local residents, purchase goods and services from local businesses, and employ sustainable management practices that protect farmland and other natural resources, contributing to Massachusetts' environmental health. For every dollar spent on purchasing vegetables directly from a Massachusetts farmer, an additional \$1.12 in local economic activity is generated, meaning HIP has stimulated at least another \$4.3 million in financial transactions in the Commonwealth.

The Commonwealth's decades of innovative anti-hunger work and investments in direct-to-consumer sales of farm products set the stage for HIP. The USDA grant program that launched HIP was in response to a pilot program in Massachusetts in 2011-12 which incentivized fruit and vegetable purchases by SNAP recipients. That study found that monetary incentives have a positive impact on healthy eating for families that otherwise may be limited to less-healthy foods due to budgetary constraints. HIP has already earned national attention for its sizable participation from both SNAP recipients and farmers, and for its innovative integration with the SNAP EBT system, which removes the stigma for SNAP recipients of having to "shop differently" using coupons or tokens.

Significant investment has been made in the extensive infrastructure necessary to operate HIP – back-end technology, outreach and communications, management, and other critical aspects of the program – and demand for the program is clear. The need for ongoing financial support for the incentives is critical.

The Commonwealth has been a national leader in addressing food insecurity and farm viability for many years. We urge the Committee to continue to invest in HIP so that this innovative program can continue to improve the health of our citizens, sustain our farms, and support a healthy environment for all residents of Massachusetts. Thank you for the opportunity to provide this input.

One-pager or 'ask', and fact sheet

*See next 4 pages.*



Thursday, March 1, 2018

## Fiscal year 2019 budget request for the Healthy Incentives Program (HIP)

**The Healthy Incentives Program (HIP) provides some of the Commonwealth's most vulnerable families with access to fresh, healthy, local foods, and helps to sustain Massachusetts farms by increasing their sales. In doing so, the Program improves health outcomes in low-income communities, supports the local economy, and helps to protect farmland and natural resources. To continue this program's success in FY'19, budget line 4400-1001 should include \$6.2 million for the program.**

### Program Background

The Healthy Incentives Program (HIP) provides a matching incentive for SNAP recipients' purchases of locally-grown fruits and vegetables directly from farmers at participating farmers markets, farmstands, mobile markets, and community supported agriculture programs (CSAs). The SNAP recipient swipes their EBT card to make a purchase, and the value of that purchase is immediately added back to the monthly allowance on their card, up to a monthly limit depending upon household size (\$40 for a family of two or fewer, \$60 for a 3-5 person family, and \$80 for families with six or more members).

The Department of Transitional Assistance administers HIP, in partnership with the Department of Agricultural Resources and the Department of Public Health. Several community-based organizations provide critical operational support such as helping farmers enroll and understand how to participate, promoting the program to clients, and conducting qualitative and quantitative evaluations of the program.

The program's initial funding came from a \$3.4 million grant from USDA under their Food Insecurity Nutrition Incentive (FINI) program, and matching funds and in-kind contributions from the Commonwealth and other private and public contributors. Of the 70 grants made through the program, Massachusetts' is one of the largest, is the only truly statewide program, and is the only one to apply participants' benefits directly to their EBT card. This last element makes transactions more efficient for both consumers and farmers, and eliminates the stigma of using tokens or coupons for SNAP recipients.

The program, and the impetus for the USDA's grant program itself, is modeled after a pilot project conducted in Hamden County in 2011-12, which demonstrated that a 30% match for purchases of fruits and vegetables was enough of an incentive to increase participants' consumption of healthy foods by 26%.

The USDA grant was allocated to operate the program publicly for three years, following a two year period of infrastructure development. Following that three year grant period the intention is to continue the program, taking advantage of the technological and management infrastructure developed during the grant period, and allowing participating families and farmers to continue to benefit from the program.

### HIP's first year

The first incentives were earned by SNAP customers in April 2017. In its first ten months of operation, SNAP recipients purchased more than \$3.3 million of local produce using HIP incentives. More than 36,110 families have participated in the program, representing more than 63,630 individuals. Their purchases represented an increase of approximately one serving per day of fresh produce per person.

At the same time, more than 200 local farms earned \$3.3 million in additional sales, allowing them to create jobs, contribute to the local economy through purchases of goods and services, and sustainably steward the Commonwealth's farmland and natural resources.

### Request for support for HIP in fiscal year 2019

The projections for uptake of HIP incentives, based on past years' sales to SNAP recipients at farm vendors, were far exceeded in 2017. Where SNAP recipients spent \$470,000 in 2016, the 2017 sales increased more than six-fold, demonstrating significant demand for and satisfaction with the Program. This unanticipated demand was met through expending funds intended to be spent on operations and incentives in the program's second and third years. **An allocation of \$6.2 million is needed to meet demand for FY19.**

Investing in HIP's second year will allow continued access to fresh foods for families who have discovered the program and come to rely upon it, and will provide an important level of consistency for farmers as they plan their crops for upcoming growing seasons to meet demand.

Ongoing support for HIP will also have national implications. The first three years of HIP are intended to serve as a pilot, to demonstrate that low-income families that traditionally have not had access to fresh, healthy, local foods would purchase these products if offered incentives to do so, and that local agriculture can be strengthened when given access to this new market. The evidence gathered through the evaluation program integrated into HIP will inform future investment in similar models nationally.

# MASSACHUSETTS HEALTHY INCENTIVES PROGRAM (HIP)



Since April 2017 HIP has meant better health outcomes for vulnerable families, and better sustainability for local farms.

## FAMILIES



SNAP families purchased **\$3.8 million** in fresh, healthy, local foods.



**37,000 families** earned HIP incentives.



**63,630 individuals** increased their fruit and vegetable intake by **1 serving** per day.



That increase in healthy eating can mean savings of more than **\$1.1 million** in public health costs.



**48% of those families included seniors**, who spend less time in the emergency room when they eat healthy foods.



**27% of those families included children**, who do better in school when they eat healthy foods.



More than **70% of MA SNAP recipients are employed**. Eating healthy food increases productivity in the workplace.

## FARMS

More than **200 farms** sold **\$3.8 million** more of the fresh fruits and vegetables they grew.



SNAP sales at farm retailers increased by **nearly 600%** from 2016 to 2017, thanks to HIP.



That increase in sales helps generate **30-60 new jobs** in the farming sector.



Each dollar spent results in an **additional \$1.12** in local economic impact, as farmers contribute to the local economy, spending those dollars on goods and services.



Increased farm sustainability means farmers are better able to **protect their land**, stewarding **natural resources** that benefit the environment.



In 2017 there was a **65% increase** in the number of direct-to-consumer SNAP retailers.



See <https://mafoodsystem.org/projects/hip-citations/> for references. All data as of March 20, 2018.

# What is the Healthy Incentives Program (HIP)?

Launched in April 2017, the Healthy Incentives Program provides monthly incentives to SNAP households of up to: \$40 for families of 1-2; \$60 for families of 3-5; and \$80 for families of 6 or more, when they purchase fresh, local, healthy vegetables and fruits from Massachusetts farmers at farmers markets, farm-stands, CSAs, and mobile markets. The money they spend at these retailers is immediately added back to their EBT cards, and can be spent at any SNAP retailer. The program is administered by the Department of Transitional Assistance, in partnership with the Department of Agricultural Resources and the Department of Public Health, and is supported by a grant from USDA, state financing, and private donations.

## What are people saying about HIP?

The East Boston Farmers Market has experienced an **800% growth in SNAP sales** between the 2016 and 2017 season.

- Gabrielle Witham, East Boston Neighborhood Health Center

The collaboration between MDAR and DTA on the HIP program has been a **true success story** for farmers' markets and the communities they serve.

- MDAR Commissioner John Lebeaux

We have had many new customers this summer including many senior citizens and many group homes for adults with disabilities. This program is providing healthy food from fields in our state to folks who truly need that food. It is a simple concept that is **working very well**.

- Kim Miczek, Breezy Gardens, Leicester and Spencer

The **sheer volume of sales** provide compelling evidence dispelling the myth that low income people do not want to purchase and eat fresh produce.

- Grace Slivoski, Worcester Regional Environmental Council

Collaborations like this typify what kind of government our taxpayers expect and deserve; one that **identifies problems and offers concrete solutions** that draw from multiple agencies and stakeholders with shared goals.

- State Representative Chris Markey (D-Dartmouth)

HIP is helping our **SNAP clients to eat better and live healthier** by giving them a greater opportunity to purchase nutritious fruits and vegetables at farmers markets, farm stands, mobile markets, and through Community Supported Agriculture farm shares.

- DTA Commissioner Jeff McCue

In one season our farmers market **revenue blew up because of HIP**. At several locations we went from one tent to three; one register to two, and sales were measured in thousands rather than hundreds. The insight we gained was transformative to our operations: People are hungry and living too close to the edge. The HIP program placed us right on the front lines of feeding people who might otherwise go without. That mission – that idea of reaching out further to help people in need – is now central to the way we do business.

- Justin Chase, Arrowhead Farm, Newburyport

The best part about the program is knowing that we can get our produce into the homes of our neighbors who **normally cannot afford to pay** a price that is fair to the farmers for our produce. Everyone wins with this arrangement.

- Tristram Keefe, Urban Farming Institute, Bowdoin Geneva farmers market, Dorchester

## **Boston Article 89 case study**

In 2010, as part of Boston Mayor Menino's agenda to increase access to affordable and healthy food in Boston, the city started an Urban Agriculture Initiative. However, the city's zoning code did not allow for urban farming in most cases, and so a rezoning effort was required to support this initiative.

The City's efforts to rezone for urban agriculture started with a zoning amendment establishing an Urban Agriculture Overlay District in the Greater Mattapan Neighborhood District. While the City did hold public meetings and felt that it had appropriately engaged the community to determine whether this zoning change was desirable, many residents of the area felt otherwise. Community residents and their public officials expressed frustration and concern about growing food on parcels that they believed had contaminated soil from prior land uses.

The City continued to move forward. In July 2011, when the then Boston Redevelopment Authority (BRA) issued a request for proposals (RFP) for a Pilot Urban Agriculture Project in the Overlay District. The RFP would allow urban farming on vacant land owned by the city's Department of Neighborhood Development. Through the RFP process, the land was made available to be leased at a rate of \$500/acre for a term of five years, with the possibility of extension.

In January 2012, building on experience from the Pilot Project, the BRA, Mayor's Office of Food Initiatives, and the Mayor's Urban Agriculture Working Group started plans to develop a new article of the zoning code dedicated to urban agriculture.

In response, a group of advocates decided to weigh in the process through the newly established Working Group and public comment opportunities. The ask was for a comprehensive urban farming ordinance that was workable for urban farmers.

### **Key campaign actions**

A coalition with urban farming expertise formed that included the following groups:

- The Urban Farming Institute
- Conservation Law Foundation
- Boston Natural Areas Network
- City Growers
- The Food Project
- Greenleaf Organics
- Higher Ground
- Legalize Chickens in Boston
- Victory Programs' ReVision Urban Farm

Advocates weighed in primarily through the Working Group and its associated public comment opportunities:

- The Mayor's Urban Agriculture Working Group was comprised of 25 members and meetings were open to the public.
- Advocates on the Mayor's Working Group included representatives of City Growers, the Food Project, and other organizations.
- The Working Group held 18 public meetings over a year and a half, where each topic to be addressed in the new zoning article, Article 89, was discussed at length.
- The meetings commonly drew a crowd. Coalition members who were experts on various issues, for example urban hen keeping, would speak on the topic during the meeting.
- A working draft of Article 89 was released by the BRA in the summer of 2013, with multiple opportunities for comment, including 11 community meetings throughout the City.
- Once the draft was released, the coalition worked to respond to specific concerns within it through comment letters.
- Members of the coalition met with planners from the BRA in person to discuss specific requested changes.

In terms of advocacy, the coalition influenced the process in the following ways:

- The comment process was robust. Advocates submitted written comments to the BRA detailing specific changes to the text of Article 89 and citing examples from other cities that could be incorporated.
- For example, the draft did not allow farmstands in all areas of the City, but by pointing to a provision from Portland, Maine, advocates were able to convince the BRA to allow small farmstands for all farms in the City. The coalition found that giving examples of successful policies from other cities was an especially effective advocacy strategy.
- The coalition also advocated for a more streamlined and simpler Comprehensive Farm Review process and offered recommendations for how to make it more user-friendly for farmers.
- Additionally, the percentage of a lot that could hold compost was increased as a result of the coalition's advocacy.
- One issue that was particularly tricky was soil safety, and ultimately there was a separate public meeting held by the Boston Public Health Commission on this particular issue.
- In the end, both the BRA and the Health Commission were very receptive and the final version of Article 89 incorporated many revisions based on comments received.

### **Key Campaign Milestones**

- In January 2012, the Mayor's Urban Agriculture Working Group started plans to develop a new article of the zoning code dedicated to urban agriculture.
- The Working Group held 18 public meetings over a year and a half.
- A working draft of Article 89 was released by the BRA in the summer of 2013, and

BRA held 11 community meetings about the draft.

- The coalition drafted comment letters and met with BRA planners in person to discuss their concerns.
- The BRA approved Article 89 in November 2013 and the Zoning Commission approved it in December 2013, just weeks before Mayor Menino completed his final term as Mayor.

This effort also demonstrates the importance of ongoing advocacy for the implementation of policies that a coalition works to support.

- Urban agriculture advocates considered it a great victory that Article 89 was passed. However, progress has stalled in the City of Boston since the passage of Article 89.
- Initially, the City took the helpful step of creating an “Article 89 Made Easy” guide as well as partnering with the Harvard Food Law and Policy Clinic to develop a guide explaining additional permitting requirements for ground-level urban farms in Boston (beyond just zoning).
- However, under the new Mayor Walsh, the Office of Initiatives was given less authority and staff support. Urban farmers calling the City for permitting guidance were unable to get answers from staff that seemingly did not understand the process themselves. All in all, the city’s commitment to urban agriculture waned when Mayor Menino left office.
- Article 89 is still in effect, but due to other challenges like barriers to access to land, it is not widely utilized.

Sample materials: Joint Written Comments on Draft Article 89

*See next 7 pages.*



*Working toward a greener city.*



**The Food Project**

**Legalize  
Chickens in  
Boston**



**Greenleaf  
Organics**



Victory Programs  
**revision**  
urban farm  
real food. real local.



August 1, 2013

**BY E-MAIL**

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**Re: Joint Written Comments on Draft Article 89**

Dear Mr. Read and Ms. Mercurio:

The undersigned farms, businesses, and organizations are thankful for the opportunity to comment on Draft Article 89. Having participated in the planning process that resulted in this draft, we understand and appreciate the extraordinary effort that the BRA and the Mayor's Urban Agriculture Working Group have put into improving Boston's zoning code to better support commercial farming in our city. Overall, we are supportive of the process the City has undertaken and support the BRA moving forward with the adoption of Article 89 in a timely fashion. However, while we are supportive of this effort overall, we are not without criticism. Despite the City's aim to foster urban agriculture in Boston, several provisions in draft Article 89 will create significant regulatory barriers if adopted. The undersigned collectively advocate that the BRA incorporate the recommended changes identified in this letter into the final version of Article 89 prior to adoption. Specifically, we recommend the following:

1. **To encourage the growth of urban agriculture, the BRA should amend the following definitions (89-2), which are either overly burdensome or vague.**

- a. **Farmers Markets:** Per the “Farmers’ Markets” definition at 89-2(11), vendors will receive a “Preference” only if the vendor sells products from “plants, livestock and other products raised on [his] farm or harvested from coastal waters.” This restriction hurts farmers who form cooperatives or other collaborative retail arrangements which can increase efficiency and lower costs for farmers. The definition should be revised to award preference to vendors who are selling products which they grow *or* vendors who have a direct (with no intermediary) agreement or contract with a “local” grower(s). “Local” should be a defined term in Article 89.
- b. **Farm Stands:** Similarly, the definition of “Farm Stand” in 89-2(12) should not be restricted to a sole vendor. This would prevent multiple farmers from operating a farm stand collaboratively.

2. **The Comprehensive Farm Review process should be revised to be more streamlined and easier for farmers to understand and undertake.**

The Comprehensive Farm Review (CFR) defined in Section 89-6 is unnecessarily burdensome for farmers and will hamper the Mayor’s stated goal of “increasing the capacity of Boston residents and business and grow and distribute local and healthy food”<sup>1</sup> [*sic*] by discouraging farmers from starting urban farms.

- a. **Lack of Guidance:** Section 89-6(1) states that the purpose of CFR is to ensure that Urban Farms are “designed in a manner that is sensitive to the surrounding neighborhood.” The design guidelines at section 89-6(5) are very general and vague, providing very little guidance to project applicants and allowing BRA Urban Design staff great discretion in evaluating whether proposed farms are “sensitive to the surrounding neighborhood.” Uncertainty regarding how BRA staff will make these decisions is a powerful disincentive to potential new farmers deciding whether to undergo the CFR and start a farm. To better support farmers engaging in the CFR process, the BRA should produce a guidance document to assist farmers in meeting CFR requirements. This resource should be made available electronically and in print, and should include how-to technical information and resources for support services. Given that an agency guidance document would not be subject to public process requirements, and therefore could foreclose important input from practitioners and other interested parties, we request that the BRA establish a public working group to assist in the development of CFR design review guidance. Section 89-6 should be revised to reflect that this process will take place.
- b. **Farm Structures:** It is unnecessarily burdensome for an urban farm to have to undergo CFR every time they decide to build a new Farm Structure, which could include a tool shed, hoop house, or gazebo (*see* 89-6(2)(b)). This can be remedied by

<sup>1</sup> John Read and Marie Mercurio, *Planning Initiatives: Urban Agriculture Rezoning*, Boston Redevelopment Auth. (April 2, 2013), <http://www.bostonredevelopmentauthority.org/planning/PlanningInitsIndividual.asp?action=ViewInit&InitID=152>.

adding an exemption for small Farm Structures under 89-2(13), to read as follows: “General small-scale infrastructure shall be exempt from city permitting processes because the scale of these technologies does not warrant city involvement. Small scale structures include, but are not limited to, cold frames, trellises, arbors, benches, temporary fences, bike racks, raised/accessible planting beds, terracing, compost or waste bins, picnic tables, garden art, rain barrel systems, barbecue grills, outdoor ovens, and children’s play areas.”<sup>2</sup> With this change, smaller structures will be excluded from the definition of Farm Structures and thus not trigger CFR requirements.

- c. **Property Size Increase:** A full CFR for every increase in lot size over 10% is unwarranted; a property increase as small as 10% is minor and will have minimal impacts on farming practices. Requiring CFR for such small changes creates disproportionately burdensome administrative costs. We suggest the following approach instead: a 50% lot increase requires CFR review, however if the expansion does not include new structures, then no CFR review is required, regardless of percentage increase.
- d. **Application Requirements:**
  - i. Information required to complete a CFR application includes sketches of the property and farm structures (89-6(4)(a-b)). BRA does not specify whether these sketches must be prepared by a certain type of professional or if they would accept the farmer’s own rendition of the property. A requirement to pay a professional would add significant cost, and should be avoided.
  - ii. The BRA also requires “Proposed methods for... controls for storm water runoff if applicable” (89-6(4)(d)) without explaining how a farmer would know if this requirement is applicable to his/her farm and without providing a more thorough description of what these “proposed methods” must entail.
- e. **Design Guidelines v. Requirements:** The difference between Design Guidelines laid out in 89-6(5) and Design Requirements in 89-6(6) is unclear and these two sections should either be combined or described further to clarify the distinction.
- f. **Opaque and Overly Burdensome Design Guidelines:** The Design Guidelines in 89-6(5) are extremely subjective and give little guidance to a farmer trying to understand where and with what structures he is permitted to develop an Urban Farm. They also require significant upfront costs for the farmer for little added benefit:
  - i. A farmer is instructed to “take into consideration any special characteristics of the site and its location and should enhance and reinforce the natural and built qualities of the existing neighborhood.” (89-6(5)(a)(i)). The farmer must also ensure that any farm structure, i.e. a shed or a hoop house is, “compatible with the size, scale, material, and character of the surrounding built and natural environment.” (89-6(5)(b)(i)). It is unclear whether these vague requirements will be enforced only for egregious violations, or for any structure or farm that does not strictly match the uniform lawns and architecture of the surrounding houses in any neighborhood in Boston. This uncertainty is a significant

<sup>2</sup> Alison Nihart, William Robb, and Jessica Hyman, *Burlington Urban Agriculture Task Force Report to Burlington City Council* 27 (Sept. 2012), available at <https://dl.dropbox.com/u/14609070/UrbanAgTaskForceReport.pdf>

disincentive for potential farmers considering whether to invest in developing an Urban Farm in Boston.

- ii. Limiting the area of an Urban Farm that can be used for composting to 5% of the farm's area is unnecessarily limiting. *See* 89-6(5)(h)(iii)(a). For a small farm, 5% could be an unrealistic restriction. It would be more helpful to have a concrete square footage limit, as they have in other jurisdictions. For example, Chicago allows for urban farms to collect compost material so long as it does not exceed 25 cubic yards at any given time.<sup>3</sup> In Cleveland, OH, the regulations do not limit the space, but rather the effect of composting on urban farms. Farmers can have compost “on the premises of an agricultural use if limited to use on the subject property and if stored in a manner that controls odor, prevents infestation and minimizes run-off into waterways and onto adjacent properties.”<sup>4</sup>
- g. **Signage:** The CFR design requirements language regarding signage at 89-6(6)(b) is unclear. Article 89 includes three specific provisions for signage that are to be read in conjunction with existing signage requirements in Article 11 (which do not specifically address agriculture). The BRA does not specify, however, whether these three categories of signs are required or simply permitted. Furthermore, Article 89 states that an urban farm shall not advertise, “except for reasonable identification of materials or operator or organization.” This language is ambiguous – can a farmer advertise their own business beyond mere identification? Additionally, the fact that the signage requirements in the Article appear only in the CFR section indicates that there is no guidance for signage on smaller farms that do not trigger the CFR process. Given that farm signage is not addressed in Article 11, it appears that there are no Boston zoning provisions for on-farm signage for smaller farms. It may be necessary to revise Article 11 to clarify the treatment of signage for urban farms of all sizes, in all districts. Signage is extremely important to the success of a farming enterprise; the uncertainty created by the current signage language is a significant hindrance for urban farmers.
- h. **Burdensome Design Requirements:**
  - i. Requiring that Urban Farms be “free of refuse, debris, and dead or spent plant materials, especially in the off-season” (89-6(6)(c)(ii)) is detrimental to Urban Farms and the environment. Dead plants can be turned under to provide nutrients for the next growing season. They also act to hold soil in place, which decreases erosion and the need to replace the soil in subsequent years. Perennial plants, like rosemary, will appear dead in the off-season, and then grow new branches in the spring. The current provision leaves room for interpretation about what is “dead” and could lead to neighbors complaining about dormant plants. While a farm should be maintained and kept free of outside trash, the farmer should not be prevented from utilizing common farming practices that involve leaving dormant, barren, or dead plants in place during the off season.

<sup>3</sup> Chicago Municipal Code, Ch. 7-28-715.

<sup>4</sup> Cleveland, Ohio, Codified Ordinances §337.25(f).

- ii. The CFR design requirements state that no parking of vehicles or equipment is allowed in areas used for landscaping, screening or buffering (89-6(6)(c)(iii)). The current provision, particularly the “in areas used” language, is ambiguous and creates confusion. For instance, if a vehicle is parked adjacent to a fence, is it in an area used for screening or buffering? This language should be made less ambiguous to clarify farmers’ obligations.

**3. The Composting restrictions are unnecessarily restrictive, inconsistent, and unclear.**

- a. As we heard at many of the public meetings on Article 89, the existing language in section 89-8 is fundamentally flawed. Compost is critical to any farming enterprise, but is even more essential to the success of commercial urban farms specifically; despite that fact, Article 89’s provisions are so strenuous and limiting that successful composting will be all but impossible in Boston. We believe the best solution is to rewrite the section. We realize this is a significant request at this stage, and want to be clear that *our goal is not to delay the process; we fully support the BRA’s efforts to keep to the current schedule*. In order to make that happen, we propose that a small working group meet in mid-August to revisit the language prior to the next working group meeting. Our hope is that this will enable the BRA to bring revised language to the working group meeting for approval by that group.

**4. The guidelines for Farm Stands in Section 89-12 are unnecessarily restrictive and will be an obstacle to the availability of fresh, local fruits and vegetables in the City of Boston.**

**a. Farm Stands v. Accessory Farmers Markets:**

- i. Per section 89-12(2)(a)(ii), Farm Stands require a special permit anywhere that retail is not allowed as an underlying use. We anticipate situations where an Urban Farm is sited in a residential area and the farmer would like to sell produce to neighbors via an on-site Farm Stand, but is unable to do so without a special permit because of this provision. It is unappealing to create barriers (in the form of a special permit requirement) for these Farm Stands from a policy perspective - the City should foster the goodwill that could be created between farmers and neighbors if the neighborhood could directly benefit from living near an Urban Farm by being able to purchase farm goods at a local Farm Stand. Further, Farm Stands are a viable solution to the “food desert” issue of Boston’s low-income and under-served neighborhoods and should be encouraged, rather than discouraged through the imposition of regulatory hurdles.
- ii. The Farm Stand limitation is particularly confounding in light of the provision at 89-12(1)(a)(iii), which provides that accessory Farmers Markets are allowed in all industrial, institutional, commercial, and multi-family residential districts and subdistricts. Implicit in this provision is that, unlike Farm Stands, accessory Farmers Markets are allowed in places where retail is *not* allowed by underlying zoning, and that no special permit is required. It

does not make sense to create regulatory barriers for Farm Stands in places where accessory farmers markets would be allowed as of right.

- iii. Farm Stands are not an intensive land use, and should not require a special permit. Other cities have recognized this - for example, in Portland, Oregon “market gardens” in residential areas can sell produce on-site between 7am-9pm up to 70 days per year.<sup>5</sup> Additionally, Portland, Maine allows products grown on-premises to be sold at farm stands, provided that the prospective farm stand does not exceed 200 square feet in floor area.<sup>6</sup> We thus request that Farm Stands be allowed as of right in all districts. A second best option is to create a subcategory for accessory Farm Stands that are allowed as of right in all districts, similar to the distinction for accessory farmers markets at 89-12(1)(a)(iii). That is not ideal - since urban lots tend to be small, there might not always be enough space for a Farm Stand to be accessory to some other primary use – but it is preferable to the current proposed language.
- b. **On-Farm Retail:** Farm Stands are defined at 89-2(12) as structures, not solely as activities. While the draft Article specifies where Farm Stand structures are allowed, it does not specify when retail *without a Farm Stand structure* can occur on Urban Farms. For instance, if an Urban Farm distributes Community Supported Agriculture (CSA) shares from a farm lot, but does not utilize a Farm Stand structure to do so, is that retail activity allowed? CSA distribution and other types of minor retail activity should be permitted as of right at Urban Farms.

## 5. The draft provision on hens is incomplete.

- a. Section 89-9(1)(d) and (e) provides that “[t]he maximum number of adult Hens shall be six (6)” and “[t]he maximum number of non-egg-laying replacement Chicks or Pullets shall be six (6).” The draft language does not specify unit, however – for instance, is this provision applicable per lot? If a lot has multiple units, how many hens can each unit have? Our understanding from the neighborhood meetings is that BRA’s intention is to allow six hens per lot, but the language of the draft Article remains unclear.

Each of the undersigned is willing to discuss these comments further if the BRA so desires. Thank you for the opportunity to submit comments.

Sincerely,

Valerie Burns  
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Co-Founders  
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<sup>5</sup> City of Portland, Title 33, Planning and Zoning Ch. 33.237 (6/13/12).

<sup>6</sup> Portland, Me., Code of Ordinance, ch. 14, art. III, div. 2, § 14-67(b).

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