STATE OF NEW YORK

4722--A

2021-2022 Regular Sessions

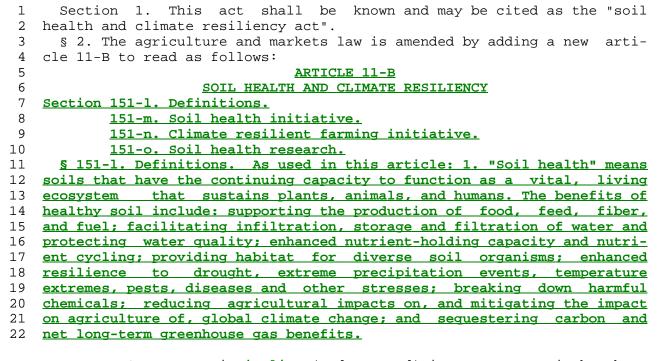
IN SENATE

February 10, 2021

Introduced by Sens. HINCHEY, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law and the soil and water conservation districts law, in relation to establishing the soil health and climate resiliency act

The People of the State of New York, represented in Senate and Assembly, do enact as follows:



EXPLANATION--Matter in <u>italics</u> (underscored) is new; matter in brackets [-] is old law to be omitted.

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"Soil health practices" means agricultural and land management 1 2. practices that improve the function of soils through actions that follow 2 3 the principles of: minimizing soil disturbance from soil preparation; 4 maximizing soil vegetation cover; maximizing the diversity of beneficial 5 soil organisms; maximizing presence of living roots; and integrating б animals into land management; and in support of such principles, include 7 such practices as conservation tillage or no-till, cover-cropping, 8 precision nitrogen and phosphorous application, planned rotational graz-9 ing, integrated crop-livestock systems, agroforestry, perennial crops, 10 integrated pest management, nutrient best management practices, and those practices recommended by the United States Department of Agricul-11 ture Natural Resources Conservation Service and that are supported by 12 the state soil and water conservation committee. 13 14 <u>§ 151-m. Soil health initiative. 1. The department, in cooperation</u> with the state soil and water conservation committee, and other partners 15 16 working on soil health shall encourage agricultural producers in urban, 17 suburban and rural communities to improve and maintain the health of farm soils by: managing and optimizing soil health to mitigate and adapt 18 19 to climate change, and improve water quality while improving long term 20 soil productivity, efficiency, resiliency and profitability of farming; 21 ensuring that soil is conserved as a living ecosystem managed to provide nutrients for the growth of agricultural plants and animals and a heal-22 thy, affordable food supply; and addressing such environmental impacts 23 from farm operations, including, but not limited to absorbing and hold-24 25 ing rainwater for use during dry periods, filtering and buffering poten-26 tial pollutants from leaving fields, improving climate resiliency, and 27 providing habitat for beneficial soil microbes to flourish and diversify. Such improvement and maintenance shall account for the differences 28 29 in soils in different regions of the state. The department shall coor-30 dinate the soil health initiative with the agricultural environmental 31 management program established in article eleven-A of this chapter and 32 section eleven of the soil and water conservation districts law. 2. The department shall encourage soil health practices that include, 33 34 but shall not be limited to: 35 (a) improving, enhancing, or otherwise maximizing soil health and quality, and minimizing soil erosion and sedimentation; 36 37 (b) improving, enhancing, or otherwise maximizing water infiltration 38 rates and water holding capacities of soils for improved storm water management and flood control, drought resilience, and groundwater 39 40 supply; and 41 (c) managing and enhancing the healthy cycling of nutrients within 42 fields, to minimize nutrient runoff and reduce downstream nutrient load-43 ing, improve watershed health and reliable water availability, restore 44 and enhance wildlife habitat, and manage water runoff and drainage water 45 for improved local and downstream water quality. 46 3. The department, in the development of efforts to promote and 47 encourage soil health, shall conduct public virtually accessible stake-48 holder meetings and provide opportunity for written public comment and consult with stakeholders, as appropriate, including, but not limited 49 to: the state soil and water conservation committee, the department of 50 51 environmental conservation, agricultural producers including historically marginalized producers, not-for-profit conservation organiza-52 53 tions, environmental protection organizations including environmental 54 justice, the United States Department of Agriculture's National Resources Conservation Services, the New York state college of agricul-55 56 ture and life sciences established in section fifty-seven hundred twelve S. 4722--A

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| 1 | of the education law including Cornell Cooperative Extension, other |
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| 2 | institutions of higher education in New York state working on soil |
| 3 | health, and any other organization designated by the commissioner. |
| 4 | 4. The department, in cooperation with the state soil and water |
| 5 | conservation committee, the New York state college of agriculture and |
| 6 | life sciences established in section fifty-seven hundred twelve of the |
| 7 | education law, and with input from other organizations with expertise in |
| 8 | soil health and regional stakeholders, shall establish appropriate |
| 9 | voluntary standards and objectives for soil health and quality, reflec- |
| 10 | tive of the different geographic regions, soil types, and farming oper- |
| 11 | ations. Such standards should include soil quality indicators for |
| 12 | biological, physical, and chemical properties of soil and reflect the |
| 13 | latest scientific advancements. |
| 14 | § 151-n. Climate resilient farming initiative. 1. The department, in |
| 15 | cooperation with the state soil and water conservation committee, and |
| 16 | other partners working on climate resilient farming shall encourage |
| 17 | agricultural producers in urban, suburban and rural communities to |
| 18 | reduce the effects of farming on climate change, such as greenhouse gas |
| 19 | emissions, and adapt to and mitigate the impact of climate change by |
| 20 | improving and maintaining water management systems and soil health and |
| 21 | resiliency. |
| 22 | 2. The department shall promote best management practices for climate |
| 23 | mitigation and soil resiliency, as informed by state policy, by the |
| 24 | United States Department of Agriculture Natural Resources Conservation |
| 25 | Service Field Office Technical Guide and by research conducted by New |
| 26 | York state institutions of higher education with expertise in soil |
| 27 | health, and approved by the New York state soil and water conservation |
| 28 | committee. |
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1 i. To coordinate and approve the participation of the several 2 districts in the AEM program as set forth in article eleven-A of the 3 agriculture and markets $law[-]_{j}$

4 j. To coordinate and approve the participation of the several 5 districts in support of soil health and climate resilient farming as set

6 forth in article eleven-B of the agriculture and markets law.

7 § 5. This act shall take effect July 1, 2021.