Northeast Organic Farming Association of New York's Comments on New York Cap-and-Invest Use of Proceeds

October 1, 2024

The Northeast Organic Farming Association of New York (NOFA-NY) appreciates the opportunity to comment on the New York Cap-and-Invest (NYCI) use of proceeds. These comments focus on the use of proceeds in the agricultural industry. With about 7 million acres of farmland and over $8 billion in annual revenue from the agricultural industry, NY must support farmers with transitioning to practices that increase resilience and significantly decrease reliance on fossil fuels to meet the objectives of the Climate Leadership and Community Protection Act (CLCPA).

Founded in 1983, NOFA-NY is the premier statewide organization growing a strong regenerative organic agriculture movement in New York State and is part of a regional network of seven Northeast Organic Farming Associations. NOFA-NY provides education and assistance to local organic and agroecological farmers; connects consumers with organic and agroecological farmers; advocates for policies that support a sustainable and fair food and farm system; and is the largest USDA-accredited organic certifier in NY.

Climate Benefits of Agriculture

Agriculture projects and programs funded through NYCI must reduce both GreenHouse Gas (GHG) emissions and health-impacting co-pollutants *and* must further community climate resilience. To remain viable in the face of a rapidly changing climate, NY's mid-sized and smaller farms need support. They have the power to make critical changes necessary for the future of their communities and the sustainability of our food system.

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However, short-sighted projects like installing expensive cover and flare systems to deal with liquid manure on NY's largest farms, contribute little to improving community resilience. Instead, cap and flare systems advance the rapid industry consolidation that is putting NY's majority-smaller farms out of business at an alarming rate. Anaerobic digesters, including cap and flare systems, encourage herd, and thereby emissions, growth. Dairies with digesters grow herd sizes 24 times the rate of dairies without digesters. Cap and flare systems also lock farmers into a scale and system of farming that prevents them from adapting to market changes and from adopting truly climate-smart practices like transitioning to pasture-based systems in which liquid manure management is not necessary and where grazing systems can build healthy carbon-storing soils. Through rounds 1-6 of NY's Climate Resilient Farming (CRF) program, the state has invested over $6 million in installing cap and flare systems on just 20 farms. In other words, NY has spent nearly 30% of the CRF budget on less than .01% of NY farms. NYCI investments cannot follow this same spending pattern. Public climate funding cannot be concentrated on "cleaning up" a handful of major polluting farms at the expense of the viability of smaller and community-based farms and long-term food system resiliency.

Instead, we propose investing in NY's tens of thousands of small farms that nourish NYers, steward the land, and contribute to the resiliency of NY communities.

Organic Agriculture

Organic farming is at the forefront of agriculture's fight against the climate crisis and should be a priority investment area for the NYCI. Organic farmers have pioneered and continue to improve upon climate-smart methods including crop diversification, cover cropping, organic amendments, sound nutrient management and recycling, and reduced tillage. These practices are being more widely adopted in the face of climate change to reduce emissions, improve resilience to extreme weather, and store carbon.

By design, organic agriculture builds resilience into the system of food production. Growing strong crops and livestock on healthy soils with bountiful biodiversity above and below ground facilitates the ability of organic systems to tolerate, adapt to, and recover from extreme weather conditions.

The foundational principles of the organic movement and the standards of the USDA National Organic Program, which over 1400 farms[1] in NY adhere to, center deep care for the ecosystems in which we operate including by developing climate-friendly farm inputs and soil-building techniques. The National Organic Program standards largely restrict the use of synthetic fertilizers and pesticides that

[1] As of September 26, 2024 there are over 1900 certified organic operations in NY listed in the USDA Organic Integrity Database about 1400 of which are certified for crops, livestock and/or wildcrops. The remaining roughly 500 operations are only certified for processing and therefore not included in this number.

are primarily derived from fossil fuels and are responsible for greenhouse gas emissions throughout their lifecycle from manufacturing, to disposal.

Soil Health & Climate Resilience in Organic

As NY's Climate Act Scoping Plan (page 293) states, soil health is central to both mitigating the impacts of climate change and to sequestering carbon:

> "Improving soil health can increase soil organic matter to sequester carbon as well as maintain and enhance soil structure to increase water infiltration reducing drought stress; decreased runoff after heavy storms leads to better water quality; proper uptake of nutrients by plants reduces excess nutrients entering waterbodies and maintaining or potentially increasing crop yields promotes food security."

Certified organic farms are inspected annually and certified by a USDA-accredited 3rd party organic certification agency, such as NOFA-NY, LLC. The rigorous inspection and certification processes ensure that farms adhere to the standards that explicitly include a mandate to enumerate the farm's plans to build soil health. Organic producers are required to file an Organic System Plan that describes how the farm plans to meet organic standards. This plan is updated yearly and used by inspectors to evaluate compliance with regulations including the "soil fertility and crop nutrient management practice standard (§ 205.203)" which requires that a producer must, "maintain or improve the physical, chemical, and biological condition of the soil and minimize erosion" by adopting practices such as crop rotations, cover cropping, and the application of plant and animal manures.

High levels of organic matter in organic farm soils increase soil water retention, porosity, and infiltration, and prevent nutrient loss and soil erosion. These soil properties make agriculture more resistant to flooding, drought, high winds, and the loss of soil organic carbon.

Research has shown that if the standard practices used by organic farmers to maintain and improve soils were implemented globally, it would increase soil organic carbon pools by an estimated 2 billion tons per year – the equivalent of 12% of the total annual GHG emissions, worldwide.

Greenhouse Gas Mitigation in Organic

According to the Rodale Institute's nearly 40-year-long Farming Systems Trial, organic farms use 45% less energy and release 40% fewer carbon emissions.

Research shows that organic farming increases soil carbon levels, soil stability and fertility, on-farm biodiversity, crop resilience, and reduces energy use through reduced tractor usage, on-farm emissions and avoidance of synthetic nitrogen fertilizers.

Organic regulations (§205.105) prohibit the use of fossil fuel-based fertilizers in organic farming. This prohibition reduces both the emissions associated with synthetic fertilizer production and reduces a significant agricultural source of NOx emissions. Since nitrogen is an essential plant nutrient, many organic farmers apply soil amendments such as manure and compost and grow leguminous cover crops, to fix nitrogen in the soil. Efficient nitrogen use is key to reducing GHG emissions. Aerated organic soils have low mobile nitrogen, which reduces NOx emissions from agricultural fields.

Furthermore, the use of synthetic pesticides is largely prohibited in organic agriculture. Synthetic pesticides, also energy intensive to produce, disrupt nitrogen fixation and inhibit soil life. The absence of pesticides in the soil allows diverse organisms and beneficial insects to decompose plant residues and helps sequester carbon.

Investments in Organic in NY

Investing in organic agriculture is a simple and proven method for helping farmers adapt to and recover from extreme weather, reducing emissions, sequestering carbon, and improving the overall resiliency of our local food systems. Recognizing these benefits, California's Climate Scoping Plan set a goal of increasing organic agriculture to 20% of all cultivated acres by 2045. While NY's plan does not make such a common-sense commitment, there are many ways that NY can invest in organic through the NYCI.

The most recent USDA Organic Census shows that NY continues to be a leader in organic agriculture, ranking 3rd in the nation for the number of organic farms and leading the nation in acres of organic field crops (hay, corn, and soy). NY is also home to more organic livestock and poultry farms and organic dairies than any other state in the nation. As the organic industry continues to grow nationwide in both certified acres– especially in the northeast– and demand for organic products, NY is also positioned to grow its industry leadership.

To grow both the industry itself and expand organic farming's climate benefits to more of the state, the NYCI should:

- Invest in programs that support farmers in transitioning to organic agriculture and help cover costs
- Invest in public research into organic systems and their climate impacts

- Invest in training for public farm service employees, including Soil and Water Conservation District staff, in organic practices and their climate benefits so that they may better support organic producers and those transitioning
- Invest in marketing and growing local organic markets by recognizing and promoting organic certification in local marketing and procurement programs including New York Grown and Certified
- Invest in establishing pathways to organic certification in all NYSDAM programs including the Climate Resilient Farming program and the to-be-developed Payment for Ecosystem Services program outlined in the Scoping Plan (page 302)
- Calculate the size of the market in NYS for organic foods with particular attention to crops that could be grown in NY, but are currently imported, and encourage NY farms to benefit from import substitution of these organic products.

In addition to these investments, the NYSDAM can set a goal for transitioning to organic acreage as a measurable and proven method of increasing climate resilience. As an organic farming organization that supports the widespread adoption of organic climate-smart practices, NOFA-NY urges the NYCI program to invest in organic agriculture and improve access to resources that help farmers adopt organic climate-smart systems of production and cover the real cost of making those changes to their operations.