

2024 New England Policy Wrap-Up:

Farmland Protection Efforts Took Center Stage Throughout New England in the 2024 Legislative Session



The 2024 legislative session for most New England states ended in June. Many state legislatures in the region faced budget deficits, meaning legislation that funded new programs was put on hold due to a lack of dedicated funds. Given this session's political climate, AFT focused on educating legislators about the importance of protecting farmland, implementing climate-smart agricultural practices, and keeping farmers viable to help ensure success during the 2025 session, when states will welcome new legislatures to pass policies.

Major themes that came out of the 2024 session included the need for states to increase affordable housing stock while continuing to promote farmland protection and setting up climate disaster relief funds for farmers. In 2022, AFT released [Farms Under Threat 2040](#), where one of our key findings was that without Smart Growth policies to promote the reduction of urban sprawl, we will continue to lose farmland and, in turn, our local agricultural economy.

Farmland in New England continues to be the most expensive in the country. To keep farmers on the land and land in agricultural production, farmland must be made more accessible to the next generation of farmers. The need for continued farmland protection and access provisions was brought up consistently throughout the session.

Finally, many state legislatures addressed the challenges producers faced during the 2023 growing season. Numerous producers experienced significant losses because of climate-related disasters on farms. This took a toll on farmers and their businesses. Some farm businesses are still awaiting financial support for the losses they endured because of last season's frosts, torrential rainfall, and flooding. The need for sustained and immediate funding sources to relieve farmers from climate-related disasters was among the legislative conversations in multiple New England states.

AFT's New England policy work continues to be driven by our regional programming, including robust farmland protection, climate response and preparedness, and agricultural viability efforts. Our team works directly with producers to implement practices that build resiliency in the face of climate change.

The following wrap-up reflects the major policies that AFT engaged with during the 2024 legislative session. We have bucketed the wrap-up to align with our recent policy platform. Because many of the policies that AFT works to advance could be included in multiple sections of this wrap-up, we have indicated what other categories a bill could be included in by color coding them as follows: **Agricultural Viability**, **Farmland Access**, **Climate-Smart Agriculture**, **Farmland Protection**, **Increasing Diversity**, **Smart Solar**, and **PFAS**.

Strengthen Economic Viability of Farms



Graywall Farms; Lebanon, CT. Photo credit: Chelsea Gazillo

Improving farm viability integrates many approaches, including climate-smart agriculture practices, land and market access, increased funding and/or opportunities for Black, Indigenous, and People of Color (BIPOC) farmers, urban agriculture, and other measures that increase opportunities for farmers from all backgrounds. The economic viability of farms of all shapes and sizes is critical to maintaining the region's agricultural land base.

The Maine State legislature introduced [LD 2212](#), An Act to Strengthen Maine's Agriculture, Food, and Forest Economy By Funding the Maine Agriculture, Food and Forest Products

Investment Fund and Amending Related Provisions of Law. This important bill, introduced by Representative Rachel Talbot Ross (D-118), provides an opportunity to ensure a sustained funding source for Maine's (ME's) agriculture, forest, and food product businesses through strategic investments, and offers business and technical assistance to the state's agricultural producers. LD 2212 also implements and aligns with ME's [Climate Action Plan](#), [Economic Development Strategy 2020-2029](#), [FocusMaine](#), and ME's [Ending Hunger by 2030 Plan](#), among others. AFT's testimony in support of this legislation can be found [here](#). This is also a **Climate-Smart Agriculture** measure.

In Connecticut (CT), the CT General Assembly (CGA) House Finance, Revenue, and Bonding Committee introduced [H.B.5492](#) – An Act Establishing A Farm Investment Property Tax Credit and Concerning The Threshold For Certain Optional Farm-Related Property Tax Exemptions. This tax credit will aid farmers by helping to lower the costs of essential farm-related capital investments, such as machinery, farm buildings, and other infrastructure, making these investments more feasible and beneficial for farm businesses. Unfortunately, this bill did not pass this session. We hope the introduction of H.B.5492 gave it the momentum needed to pass in 2025.

The Massachusetts (MA or the Commonwealth) 2024 legislative session ended on July 31st, 2024. This session, the MA Joint Committee on Agriculture worked to introduce [H.4387](#) – An Act strengthening the Commonwealth's farms and food systems. The goal of this legislation was to support local agriculture and food security in the Commonwealth. Unfortunately, this bill did not pass during the 2024 session. However, sections of this bill, including the creation of a state buy/protect/sell program for farmland and establishing an agriculture equity commission at MDAR, were included within the Senate's version of the economic development bond bill. AFT submitted [testimony](#) in support of numerous sections within the bill. This is also a **Farmland Protection** measure.

Increase Farmland Access Opportunities for Farmers



Keshtyar Farm; Chesterfield, MA. Photo credit: Maya Rappaport

NE continues to have some of the most expensive farmland in the country. Farmland access remains one of the biggest challenges farmers face when attempting to start and/or expand a farming operation.

In 2020, the CT Department of Agriculture released “[Farmland Needed: How Connecticut Can Help Farmers Access the Land They Need to Succeed.](#)” This report includes a recommendation that CT explores implementing the Option to Purchase at Agricultural Value or OPAV. OPAV is a voluntary legal agreement that restricts the sale of land to only certain farmers or farmer family members. By restricting the sale price to agricultural value (versus the higher fair market value), OPAV makes land more affordable for those buyers.

In 2024, the CGA Environment Committee leadership including Co-Chairs Representative Joe Gresko (D-121) and Senator Rick Lopes (D-6), and Vice Chairs Senator Jan Hochadel (D-13) and Representative Christine Palm (D-36) introduced [H.B. 5228](#) – An Act Concerning the Purchase of Certain Lands at Agricultural Value. This bill would include OPAV in CT legislation. Over 30 advocates submitted testimony supporting this provision, and it was approved by the Environment Committee unanimously. Unfortunately, the bill did not pass this past session due to budget constraints. However, Representative Joe Gresko is convening a group of farmland preservation advocates and the CT Department of Agriculture to configure how the tool will work in the state so that it can be reintroduced in 2025. To learn more about the [Working Lands Alliance](#) (WLA) and AFT’s support for this bill, you can review WLA’s testimony [here](#) and AFT’s testimony [here](#). This is a **Farmland Protection** measure.

Advance Climate-Smart Agriculture and Improve Climate Disaster Relief Efforts



Finicky Farm; Northfield, MA. Photo credit: Maya Rappaport

Due to increasing climate change-related extreme weather events, our regional communities will see more catastrophic on-farm losses from floods, drought, and frost events. The day-to-day impacts of changing growing conditions also threaten a producer's entire operation. Climate-smart practices have the potential to improve yields, grow profits, and promote economic resiliency.

In CT, WLA submitted [testimony](#) supporting [H.B.5004](#) – An Act Concerning the Implementation of Certain Climate Change Measures. This bill provides numerous provisions that would help the state move forward in addressing climate-related challenges. Sections 9 and 10 of the bill offer incentives to farm businesses to transition to environmentally sustainable practices such as improved energy efficiencies and zero carbon emissions. This would result in energy cost savings for agricultural producers, making farm businesses more viable and strengthening CT's food economy while also mitigating the effects of climate change. H.B.5004 also includes critical components strengthening nature-based climate solutions (trees, forests, wetlands, riparian buffers, healthy organic soils, and other natural ecosystems) in state climate policy. H.B.5004 passed the House in May but died due to inaction by the Senate before the end of the session. This bill is also an **Agricultural Viability** measure.

In February, the New Hampshire (NH) Executive Council repurposed \$8 million in American Rescue Plan Act (ARPA) funds to provide immediate relief to farmers impacted by climate

disasters during the 2023 growing season. The Crop Loss program was developed through a collaboration with the NH Department of Agriculture, Markets, and Food and the University of NH Cooperative Extension. The awards were distributed to farm businesses with over a \$30,000 gross farm income in the previous three years.

Protect Agricultural Land from Development and Conversion



Graywall Farms; Lebanon, CT. Photo credit: Chelsea Gazillo

Protecting NE's local farms provides the region with long-term food security, meaning that local food will still be grown for New Englanders regardless of disruptions in the global food system. In the 2040 Farms Under Threat Report, AFT estimated that if current development and conversion rates continue, the region will lose 267,100 acres of farmland in the next two decades. Numerous farmland protection-related initiatives were presented to state legislatures during this session.

In ME, [LD 579](#) – An Act to Support Farmland Conservation and Planning for Farmers was introduced by Senator Stacy Brenner (D-30). This bill will create more opportunities for the State to expedite the pace of farmland protection through the Department of Agriculture, Conservation, and Forestry (DACF)'s [Working Farmland Access and Protection Program](#). AFT submitted [testimony](#) in support of LD 579.

In CT, WLA submitted supportive [testimony](#) for [S.B.351](#) – An Act Increasing Funding for The Community Investment Account. S.B.351, introduced by the House Government Administrations and Elections Committee, would add about \$2 million to the overall fund which would be distributed across existing Community Investment Act (CIA) programs through four sectors. These include land conservation and urban green spaces, farmland preservation and dairy production, historic property preservation, and affordable housing. The CIA ensures that our working lands are preserved and that farmers remain in business and continue to provide healthy, local agricultural products for all of CT's residents. S.B.351 passed the Senate but failed to move forward due to a backlog of bills awaiting action by the House. It will need to be reintroduced next year to fully pass through to the Governor's office. This is also an **Agricultural Viability** measure.

The CGA also introduced [S.B. 11](#), An Act Coordinating Connecticut Resiliency Planning and Broadening Municipal Options for Climate Resilience. S.B. 11 is an essential step in CT's climate change preparedness and response efforts and, in turn, the protection of our state's natural and working lands. Numerous sections of S.B. 11 pertain to advancing the [Governor's Council on Climate Change \(GC3\) 2021 report](#) recommendations outlined by the Working and Natural Lands subgroups, recognizing that farmland, forestlands, and riparian buffers provide vital defenses against the impacts of climate change.

Section 10 of S.B. 11 mandates that the needs of environmental justice communities are addressed within resiliency improvement districts while also integrating climate change into state, regional, and local planning. These communities are often most vulnerable to the impacts of climate change, and improving their surrounding environments will bring that much more strength to our state's climate resiliency. WLA submitted supportive [testimony](#) for S.B. 11. The bill died due to inaction by the Senate. This bill is also an **Increasing Diversity** measure.

In Vermont (VT), the Governor's veto of [H.687](#) – An act relating to community resilience and biodiversity protection through land use – was overruled. This was a massive win for the state's natural resources and land conservation efforts. H.687 will make changes to land use regulations, Act 250, municipal zoning law, and laws pertaining to the construction and maintenance of housing supply in VT. The bill will also restructure the administration of Act 250, which is VT's signature development review law, with a professionalized Environmental Review Board. H.687 will also further establish programs and special funds to support revitalization and resiliency efforts. Overall, this bill will help to balance the promotion of housing growth and access alongside the continued need for environmental conservation. In turn, housing options will be made more available to Vermonters without sacrificing biodiversity.

In Rhode Island (RI), the [RI Food Policy Council](#), [RI Land Trust Council](#), and AFT supported [S.2496](#) and [H.B.7550](#) – An Act Relating to the Capital Development Program. These bills provide a vital step for protecting RI's farmland and open space – precious resources for the state's economy, climate resiliency, and public health – including \$5 million in funds dedicated to farmland protection. The bills were signed by the Governor in June, making this a huge win for farmland

protection and conservation efforts in RI. These bills are also **Farmland Access** measures. You can find AFT's testimony [here](#).

Increase Support for BIPOC Farmers

NE has a limited number of BIPOC farmers. According to the [2022 NASS Census of Agriculture](#), there are 2,071 BIPOC farmers in the region. This is in comparison to the 50,252 farmers who identify as white. Of the region's BIPOC farmers, only 1,243 of these producers own farms, in contrast to 23,894 white-owned farms. This stark disparity is a result of centuries of land and agricultural policies (including partition and tenancy in common law), planning practices, and other forms of systemic racism that have prioritized white producers.

The MA State Legislature introduced [H.1744](#) and [SD.2560](#) – An Act relative to [uniform partition of heir's property](#), also known as the Uniform Partition of Heirs Property Act (UPHPA). As a farming organization, AFT fully supports UPHPA, as it will prevent the further development of agricultural land and ensure that our state's current housing stock remains available for families to live in. AFT worked with the Initiative on Land, Housing, and Property Rights at Boston College Law School, the MA Land Trust Alliance, Mt. Grace Land Trust, the Massachusetts Associate of Realtors, and the Massachusetts Land Title Association, among others, to advance the UPHPA this session in MA. This bill did not make it out of the Joint Committee on the Judiciary this session. However, AFT is optimistic that the coalition will work with the legislature to reintroduce and advance the bill during the MA 25-26 legislative sessions. You can read AFT's testimony [here](#). H.1744 and SD.2560 are also a **Farmland Protection**, **Agricultural Viability**, and **Farmland Access** measure.

MA also reintroduced [H.87](#) -- An Act Promoting Equity in Agriculture. This bill was passed by the House of Representatives and was included as part of the Economic Development Bill that may be taken up in an informal session.

In RI, Senator Mack and Representative McGaw introduced the Urban and Small Farm Success Act under [S.2335](#) and [H.B.7684](#). This Act creates clear definitions of small (less than 5 acres) and urban farms, enables them to participate in tax breaks on income, property, and sales taxes, and establishes criteria and mechanisms to prevent fraud and abuse. Most of the tax incentives included in the Act have already been in place for larger farms in RI since the 1980's. Extending these tax incentives to small and urban farms would provide critical financial support at a time when many of these farms are providing food security, economic opportunity, and environmental benefits in communities with limited access to fresh food. The bills garnered strong support from the RI Food Policy Council, the RI Land Trust Council, the Southside Community Land Trust, and many other community organizations but were not voted into law. They will be reintroduced in 2025.

In VT, AFT submitted a [letter of support](#) for appropriating \$1.97 million in the state budget to support baseline funding for the [Land Access and Opportunity Board \(LAOB\)](#). LAOB was established during the 2022 legislative session to promote improvements in access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities who continue to face barriers to land and home ownership.

The \$1.97 million request to support the ongoing efforts of LAOB will do the following for the future of the board: 1) support the LAOB's staff salaries and provide compensation for advisory board members; 2) launch a grant program in alignment with the goals outlined within Act 182 that will be executed to organizations to provide financial and technical assistance, which will bridge the wealth gap in home and land ownership; and 3) create more partnerships and relationship building that will inform and establish Advisory Powers. This includes providing interpretation and translation services. The allocation of funding to LAOB is an investment in the future of VT's BIPOC communities.

The LAOB ended the session receiving \$1 million in appropriations. This is also a **Farmland Access** measure.

Promote Smart Solar While Protecting Farmland



Czajkowski Farm; Hadley, MA. Photo credit: Hyperion Systems LLC

NE has committed to achieving at least an [80% reduction in greenhouse gas emissions by 2050](#). Due to state renewable portfolio standards and related policies, demand for renewable energy in the region is growing rapidly. Much of the additional capacity is projected to be new utility-scale solar, often located on farmland, followed by offshore wind. AFT is a national leader in promoting Smart Solar Siting on farmland to support clean energy capacity while protecting our most viable agricultural lands from development pressures.

In CT, the CGA considered bills [H.B.5231](#), An Act Concerning Revisions To The State's Nonresidential Renewable Energy Program and Shared Clean Energy Facility (SCEF) Program, and [H.B.5232](#), An Act Concerning Solar Projects Throughout The State. WLA submitted [supportive testimony](#) for these bills. H.B.5231's suspension of renewable energy caps for nonresidential consumers, including agricultural producers, will incentivize renewable energy development on farm structures and rooftops, rather than the land itself.

H.B.5232 would act similarly in improving CT's solar energy development by establishing a uniform capacity tax, focusing on community benefit requirements, expediting the permitting and approval process, and developing a strategic plan for solar canopies on paved and/or developed areas and away from prime and important farmland.

H.B.5231 and H.B.5232 are also **Farmland Protection** measures.

In July, AFT submitted comments to the CT Department of Energy and Environmental Protection (DEEP) regarding SCEF Program Year 6. The comments were intended to help guide DEEP and the SCEF Program as to best implementation practices for Smart Solar in CT. AFT commented on the definition of brownfields and suggested also including the term "greyfields," such as abandoned parking lots, which do not have the added challenge of contamination. This would encourage more options for solar siting on the built environment and away from farmland. These comments also reiterated the importance of agrivoltaics or dual-use plans for solar siting on farmland. You can review AFT's comments [here](#).

In August, the AFT New England policy team, in collaboration with other AFT staff and partner organizations, submitted comments to the ME DACF regarding Chapter 575, the rulemaking for solar on high-value (HVAL) agricultural land. These comments were in response to DACF's passing of LD1881 in the 2023 legislative session, which aims to reduce the conversion of HVAL agricultural land due to solar energy development and create a compensatory mitigation mechanism that could direct more funding to protect the state's remaining farmland. LD1881 aligns with AFT's [Smart Solar Principles](#). Providing public comments on the rulemaking process will help to ensure that Chapter 575 maximizes the use of a mitigation fee for solar on HVAL land, keeping it protected from permanent conversion that does not fall in line with the Smart Solar principles and providing additional funds for farmland protection measures in or nearby impacted communities. This is also a **Farmland Protection** measure.

Support Farmers Impacted by PFAS Contamination

Per and poly-fluoroalkyl substances (PFAS) are a class of synthetic organofluorine compounds that includes perfluorooctanoic acid (PFAS) and perfluorooctanesulfate (PFOS). There are thousands of PFAS chemicals in use in industry. There is no known way to remove PFAS from land and water that has been contaminated. PFAS contamination on farmland is often due to the historic spreading of municipal wastewater sludge as a fertilizer by farmers who were unaware it was contaminated.

In CT, the CGA passed [S.B.292](#) – An Act Concerning The Use of PFAS In Certain Products. This bill bans PFAS in numerous consumer products starting in 2026. These products include various upholstery, furnishings, textiles (including clothing) and textile treatments, cleaning products, cookware, cosmetics, and dental floss, among others. Additionally, starting in 2032, the bill prohibits a person from selling, offering for sale, or distributing for sale in CT any product that contains intentionally added PFAS, unless the Commissioner of DEEP has determined by rule that the use of PFAS in the product is unavoidable. The banning of PFAS from the products mentioned above will protect agricultural lands from inadvertent contamination either through runoff or the spreading of contaminated sludge. S.B.292 was signed by Governor Lamont in June 2024.

In MA, [S.39](#) -- An Act protecting our soil and farms from PFAS contamination was introduced this session. This bill would set up a special relief fund to test soil, water, and agricultural products for PFAS, remediate contamination, and pay costs incurred by affected businesses and individuals, including farmworkers' medical bills. Additionally, the bill would require all soil products manufactured with "biosolids" to be labeled as such. This bill was voted on favorably by the MA General Assembly's Joint Committee on Agriculture but was not called for a vote in the House Ways and Means Committee. There were also provisions related to PFAS contamination and the state's ability to remediate them from soils in a larger PFAS Bill, H.4486 – An Act to Protect Massachusetts Public Health from PFAS.

These two bills are major steps in the move away from using PFAS in many commonly used products, thus slowing down PFAS' path to farmland.

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