STATE OF NEW YORK

7411

2021-2022 Regular Sessions

IN SENATE

September 29, 2021

Introduced by Sen. RATH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the soil and water conservation districts law, in relation to farm drain tile financial assistance; and to repeal section 4-a of such law relating thereto

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

Section 1. Section 4-a of the soil and water conservation districts law is REPEALED and a new section 4-a is added to read as follows:

§ 4-a. Farm drain tile financial assistance program. 1. Subject to the availability of funds, financial assistance is available to farm operations, as defined in section three hundred one of the agriculture and markets law, to fund the implementation of subsurface tile drainage projects that meet the following criteria:

a. the farm operation must participate in the Agricultural Environmental Management (AEM) program as set forth in article eleven-A of the agriculture and markets law, having completed at least an AEM Tier 3A nutrient management plan for their entire crop production land base;

b. the project must be for the construction or improvement of subsurface drain tile, nutrient management and best management practices to reduce the risk of nutrients exiting tile lines;

c. the project must be implemented by a district, or group of districts acting jointly, and such district or districts must have funds available to pay for its/their share of the eligible project costs.

2. Applications for matching grants shall contain the following information:

a. the name and location of the farm operation and the tracts to be improved through subsurface drainage;

b. identification of the best management practices to be implemented to reduce the risk of nutrients exiting tile lines;

c. a cost estimate for the proposed project;

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

LBD13297-01-1

d. the source of funds available to the district to pay for its share of the eligible costs;

e. information sufficient to demonstrate that the criteria in subdivision one of this section have been met; and

f. such further information as may thereafter be required by the committee to determine funding prioritization in the event that applications for funding exceed amounts available for the purpose of this section.

3. Eligible costs that may be funded pursuant to this section are consultant/contractor services, engineering costs, legal services, equipment/materials, and other direct expenses related to project implementation.

4. State assistance payments pursuant to this section shall be up to a maximum of seventy-five percent of the eligible costs, not to exceed fifty thousand dollars per annum to any single agricultural producer.

5. The committee may adopt rules and regulations necessary to effectuate the purposes of this section.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.