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March 19, 2025

Attn: Representative Bennett, Chair, House Committee on Environment and Natural Resources and Committee Members

Testimony in Support of H 5607

An Act Relating to Agriculture and Forestry- Agricultural Functions of Dept. of Environmental Management
Before the House Committee on Environment and Natural Resources

Rhode Island Farm Bureau is an independent, non-governmental grassroots organization of farm families united to enhance and strengthen the lives of rural Americans, and to build strong, prosperous agricultural communities. Today our over 1000 members are not only large farmers and small farmers but also those engaged in agricultural industries, teachers of agriculture, and consumers.

The Rhode Island Farm Bureau would like to thank Representative Cotter for submitting this bill on our behalf. We support **H 5607** which would replace the tax-based definition of "Farmer" in Title 2 with the definition of "Agricultural Land". Our intention is that this language change would allow a greater number of farmers to operate within the currently designated agricultural wetlands setbacks.

The Rhode Island Farm Bureau believes that the agricultural land being farmed should be the identifying factor for the wetland setbacks, not an individual's farm tax status. Current R.I. general law §2-1-22(j) defines a "farmer" as someone who has filed a schedule 1040F with the Internal Revenue Service showing they have earned ten thousand dollars (\$10,000) gross income on farm products in each of the preceding four (4) years, but it also requires they hold a state farm tax-exempt certificate. This tax-exempt certificate is *optional* for farms, not required, regardless of the size of the farm. New and beginning farmers who could benefit from the new language may include legacy farmers taking over an existing family farm, and also first-time farmers purchasing or leasing farmland for the first time. Likewise, older farmers who are downsizing their businesses may no longer be able to comply with the \$10K for the previous four years requirement. This legislation would strike that tax-based definition, and replace the phrase "by farmers as defined in this title" in §2-1-22(i)(1) with "on agricultural land", newly defined in this title.

The new language would clarify that the agricultural land receives the relief, not the individual farming the land. A USDA farm number identifies you as a farmer for government purposes. The USDA farm number remains associated with the land, not the farmer. Similarly, the history of production remains connected to the farm number. If the landowner decides to sell the land, the farm number and production history remain part of the value of the land. Even those who operate on heirs' property can use alternative documentation to establish a farm number. For those who do not wish to get a USDA farm number, they may prove up by showing their 1040F U.S. Internal Revenue Form with the Internal Revenue Service showing they have earned two thousand five hundred dollars (\$2,500) gross income on farm products in the preceding year. This new language provides farmers with two methods of proving up, with the focus still being on the land.

Within this legislation, we have asked for a total of four definitions to be added to § 2-1-20 Definitions. These definitions of **Agricultural Land, Farm, Farmer, and Agricultural Operations** would all be appropriately located in Title 2: Agriculture and Forestry

The Rhode Island Farm Bureau asks that you support **H 5607** to allow a greater number of Rhode Island farmers to operate within the currently designated agricultural wetlands setbacks.



Henry B. Wright III
President, RI Farm Bureau