

CONSERVATION MATTERS

CONSERVATION LAW FOUNDATION

**Giving Local
Food a Leg Up**

SUMMER 2023

clf



SEEDING CHANGE

CLF's Legal Food Hub celebrates its 1,000th case bringing free legal help to farmers and food enterprises across New England

In 2015, Robert Peck led a trip to work on urban farms as part of an Americorps volunteer group.

While building garden beds in southern cities, Peck's eyes opened to new possibilities: If healthy local produce could be grown in the hearts of Memphis and Tallahassee, why not in his hometown of Bridgeport, Connecticut?

Inspired, Peck returned home and started a 40-square-foot vegetable garden in his mother's yard. Eventually, that seed of an idea sprouted into Hemp Milk & Honey, a "community shared agriculture" (CSA) enterprise in which people subscribe to get boxes of fresh veggies from Peck's gardens, now scattered about the city. Peck, who calls himself the "Hood Farmer," hopes to address what he refers to as Bridgeport's "food apartheid," a divide that leaves the city's neighborhoods of color with less access to healthy foods – a direct result of structural racism.

When Peck needed an expert pair of eyes to review a lease for his continued expansion, he decided to try out a resource he'd heard about through the farming grapevine: CLF's Legal Food Hub, which matches small-scale farmers, food businesses, and farm and food organizations with volunteer attorneys who provide legal advice for free.

A Helping Hand for Local Farmers

Peck is one of hundreds of farmers and food entrepreneurs who have sought help through the Legal Food Hub since it launched in 2014. CLF created the Hub after realizing that only 10% of farmers use legal services, compared to 70% of small businesses in general. That leaves many farmers vulnerable when it comes to navigating the business complexities of running their farms, including incorporating, hiring help, drawing up employee contracts, leasing land, or transferring a farm to heirs. Many of these small business owners know they need legal help but can't afford it. Others try going it alone. Many never realize they need help at all – until it's too late.

"CLF believes a thriving New England means a thriving local food system," says Mary Lovell Egan, senior program coordinator for the Legal Food Hub. "But we can't achieve that if our small farmers and food business are left vulnerable legally." The idea is this: CLF can fortify a robust regional food system by providing small food entrepreneurs and farmers with legal assistance that they might not be able to afford otherwise.

"The Legal Food Hub helps these food businesses move beyond costly legal needs so they can focus on growing, thriving, and providing for the community," says Egan. In turn, New Englanders get access to more high-quality fresh foods that are locally grown. And the local food economy thrives as a result.

Since its inception in Massachusetts, the Hub has expanded to serve farmers and food businesses in every New England state. Over the years, the Hub has assisted farmers 511 times, food entrepreneurs 213 times, and food nonprofit groups 281 times. The Hub now draws on a network of volunteer

lawyers from 158 law firms across the region. Although most cases are relatively simple, there have been some more complicated ones, including the real estate legal work behind the Boston Public Market, which opened in downtown Boston in 2015. Peck's Hemp Milk & Honey set a new milestone for the Hub – its 1,000th case.

Advice That Helps Farmers and Food Businesses Grow

"It's been pretty invaluable," says Peck of the free legal assistance he has received through the Hub. He was matched with Tyler Archer of Shipman & Goodwin LLP in Hartford. Archer combed through a lease for a plot of land outside Bridgeport where Peck plans on growing an expanded selection of vegetables along with a variety of mushrooms. The work was completed just in time for Peck's first growing season as a CSA.

"The lease that we were looking at initially looked good to the naked eye," says Peck. "But once you get someone who has the background and the

wherewithal to give insight to what you're looking at, well it was super helpful."

It's a sentiment CLF's Egan has heard repeatedly from farmers and food businesses participating in the Legal Food Hub. But the experience isn't meaningful only to those who are receiving free legal advice – it's a boon for those dispensing that advice as well.

"It's not that a business owner can't negotiate a good contract alone," reflects Archer, who joined the Legal Food Hub volunteer attorney network in 2022. "But in the end, adding a lawyer to the team brings in a new perspective and can take some of the pressure off, allowing the focus to be on growing the business."

Archer decided to volunteer because his firm already had a deep roster of larger food and agricultural clients. Working with the Hub, he says, allows him to "stay local and support those smaller producers working to feed our communities."



The more people that are connected to local farmers, the healthier we are as a community.

- ROBERT PECK

CULTIVATING COMMUNITY

Robert Peck developed his interest in urban farming during an Americorps trip. He's especially passionate about cultivating and sharing mushrooms with his local community.

PHOTO: HEMP MILK & HONEY



©ECOPHOTOGRAPHY

GIVING A BOOST TO CLIMATE-FRIENDLY FARMING

A ROBUST FOOD SYSTEM RIGHT HERE IN NEW ENGLAND COULD HELP FIGHT CLIMATE CHANGE AND BOOST CLIMATE RESILIENCE.

In New England, we import about 90% of the food we buy in traditional grocery stores.

But there's a problem with that.

Conventional industrialized factory farms in far-flung locales poison streams and waterways with synthetic fertilizers, animal waste, and toxic chemicals. And that jeopardizes humans and wildlife alike. They also produce a lot of climate-damaging emissions. According to the EPA, 37% of methane emissions in the U.S. result directly from our livestock and agricultural practices.

One of the best ways to combat this pernicious problem is by supporting local farmers who raise and grow crops sustainably, avoiding toxic pesticides and energy-intensive synthetic fertilizers. They turn instead to practices like cover crops, crop rotation, limited-till farming, composting, and agroforestry. These practices – rooted in Indigenous knowledge – improve soil health and its ability to store carbon. They also increase productivity and spare farmers and farmworkers' exposure to dangerous chemicals.

A More Sustainable Vision

Enter the Legal Food Hub, which connects local farmers and food businesses with free legal help to start, grow, and run

their businesses. The Hub champions a vision of a robust New England food economy built around healthy, affordable food grown without petrochemicals and pesticides. And because the farmers and food businesses are local, there's no need to truck produce across long distances, which leads to even more carbon pollution.

"We want to make sure that as growth in our local food economy takes place, it's happening in an environmentally responsible way," says Scott Sanderson, manager of CLF's Food and Farm Initiative. That means, he says, considering "farmers, food workers, food professionals, and folks who need access to healthy, local affordable food."

Part of the Climate Solution

By elevating farmers protecting the soil and the environment, the Hub hopes to amplify the message that agriculture can be part of the climate solution.

"Right now, our national food system is very fragile," says Sanderson. "We depend tremendously on just a couple of regions of the country to produce most of the food we eat. Promoting healthy regional food systems makes our national food system and food supply much more secure in the face of an unpredictable climate future."



But in the end, adding a lawyer to the team brings in a new perspective and can take some of the pressure off, allowing the focus to be on growing the business.

- TYLER ARCHER

The Legal Food Hub is one way of protecting small farmers who are committed to growing food more sustainably.

“We have to both boost our ability to produce our own food in New England, and then make sure that as we do that, we don’t reproduce the harms that are embodied in a lot of the food that we’re importing,” he says (SEE SIDEBAR ON PAGE 4 FOR MORE).

1,000 Cases Are Just the Beginning

The Hub’s 1,000 cases to date are a healthy start toward achieving that larger goal. So are the Hub’s comprehensive online resource library and free webinars, which reach a wider audience than those that qualify directly for its free legal services.

In the end, the Hub has proven itself instrumental for small start-ups like Hemp Milk & Honey that have been able to use its services to advance their own goals in their own communities.

“[Local food is] just a way that really gets the community involved with what’s going on,” reflects Peck. “The more people that are getting connected to local farmers, the healthier we are as a community.”

Boosting the Region’s Economy While Fighting Climate Change

Although every participant and volunteer is vitally important at the Hub, the overarching mission runs deeper than any one legal case. The reality is that New England imports about 90% of the food stocked in traditional grocery stores. And the current system of industrialized food production fueling that imported supply degrades the environment and climate, says Scott Sanderson, manager of CLF’s Food and Farm Initiative.

LEARN MORE!

Learn more about the Legal Food Hub and the farmers and food businesses it has helped at legalfoodhub.org. And follow the Hub on Instagram at [@legalfoodhub](https://www.instagram.com/legalfoodhub).

You can read about Robert Peck and his urban farm, Hemp Milk & Honey, at hempmilkhoney.com.

USING THE LAW TO SUPPORT LOCAL FOOD INITIATIVES

When Jon Klavens founded the Klavens Law Group, he had one overriding goal: doing good for society and the environment.

So his decision to work with CLF’s Legal Food Hub as one of its more than 150 volunteer firms seemed natural. Working with the Hub since its founding in 2014, Klavens has supported 14 cases and contributed to several legal guides in the Hub’s Resource Library. When COVID-19 hit, Klavens’ firm was among the first to write guides advising farmers how to shift to selling products online. One of his clients over the years has included the Dorchester Community Food Co-op.

“The Co-op has managed to put together phenomenal local programs that are not only educational but allow people to buy locally grown food,” says Klavens.

Klavens went to law school to pursue environmental and social goals using the law. But working in a conventional law firm didn’t quite fit the bill. “I felt there were so many missed opportunities to do proactive good. Since I’ve become a business lawyer with an environmental and social focus, it’s been very empowering.”

Now, Klavens and his law group offer their expertise doing things business lawyers usually do – helping ventures get formed, financed, merged, and acquired – but they do it almost exclusively with for-profit and nonprofit ventures with environmental or other social goals and missions.

And while buying and eating local food is a passion, Klavens is aware that we can’t all grow it ourselves. “We have some gardeners in our practice – not me – but we support it as much as we can.”

This piece was adapted from a post originally published May 15, 2015, on legalfoodhub.org.

THE PATH TO 1,000 CASES

These are just a few of the farmers, food businesses, and farm and food organizations helped by the Legal Food Hub on the path to its 1,000th case.



PROVIDER FARM

By helping Hannah Tripp purchase her small farm, the Hub helped preserve a vital piece of rural Connecticut and support a young farmer. "Small farms making food a little more accessible are really important assets to their communities," Tripp says.



ALL FARMERS COLLECTIVE

Dedicated to supporting refugee farmers in Massachusetts and Connecticut, All Farmers turned to the Legal Food Hub for help forming a nonprofit corporation and applying for tax-exempt status.



REFRI PVD

In 2020, Dana Heng placed a refrigerator outside her Providence workplace to provide free food for those who need it. She sought help from the Legal Food Hub to ensure there were no liability issues with the volunteer-run service.



THE WHOLE ALMOND

The Legal Food Hub helped Myranda McGowan establish her Maine-based start-up as a company. "When you're a solo business owner who's just starting out having to do everything yourself, it just made it so much easier," she says.



KEARSARGE FOOD HUB

This New Hampshire nonprofit aims to cultivate community by selling locally grown food grown at its year-round market and cafe. The Legal Food Hub connected the organization with free legal help to renew their lease and secure the space in which they operate.



VIVA EL SABOR

Vermont Law School partners with CLF to run the Vermont Hub. Among those helped by the Hub is Viva El Sabor. This women-led collective introduces the food and culture of Mexico and Central America to Vermont and promotes economic justice for its members.



5 QUESTIONS FOR...

KATE SINDING DALY

CLF's new senior vice president of law and policy is a veteran environmental advocate primed to oversee the organization's advocacy efforts across New England.



You've spent years in the nonprofit environmental space – how did you first develop your interest in environmental causes?

My parents both worked for the U.S. Agency for International Development, so I had the good fortune of spending much of my childhood in the global south (Pakistan, the Philippines, and Kenya). I attribute the opportunity to experience a vast array of cultures and geographies to my interest in ensuring a healthy planet for all people and creatures as well as future generations. I first decided to dedicate myself to a career in environmental advocacy the summer before law school, when I worked at a reproductive rights organization and saw the power of public interest law in practice.

What have been your greatest challenges and rewards in your environmental work thus far?

That has come through my work to prevent fracking, first in New York State and then more broadly. My experience working in deep, trust-based relationships with incredible champions in the grassroots and other partner organizations led me to appreciate that the role of the advocate is to help others.

The eventual achievement of a precedent-setting fracking ban in New York would not have been possible without the deeply collaborative and generative work that led then-Governor Cuomo to turn away from fracking as an answer to the upstate economy's needs. That same experience shaped my strongly held perspective that to achieve all our environmental goals, we need a broad-based, community-driven movement. That movement should demonstrate an equitable distribution of power and resources. I see that strongly reflected in how CLF is approaching its work, which was a big aspect of what drew me here.

Now that you've joined CLF, what do you see as your single most important advocacy goal?

I'd like to see CLF play a critical role in bringing a holistic "just transition" frame to how advocates and policymakers approach solving the full range of our environmental challenges. That means recognizing the inextricable interconnection between the protection of our natural environment and a healthy economy, good jobs, and vibrant communities – for all. This requires those of us in the environmental community to incorporate – at the outset – consideration of the full measure of potential impacts of policy alternatives on people and communities, especially those most vulnerable and historically burdened.

What drew you to New England?

Growing up as I did, I didn't have strong ties to any one place in the U.S. But the summers we spent on vacation in New England made a lasting impression on me. I always liked to say that my heart sang when I was here. After more than three decades in New York City, my husband and I were ready for a lifestyle adjustment. We had long fantasized about making Maine our permanent home when our twin daughters were ready for middle school. When our jobs went virtual during the pandemic, we were able to make that dream a reality.

What's your greatest passion outside of work?

I'd have to say anything in the outdoors, but my number one passion is snowboarding. Now that my daughters are old enough to keep up with me (OK, fine, I'll confess they beat me down the groomers), I drive them absolutely crazy observing after every run that, "nothing could make me prouder than being able to shred powder in the trees with my kids."

DONOR SPOTLIGHT



If we want to see real change at the national level, we must first start here in our local communities.



DOUBLE YOUR DONATION

Does your employer have a matching gift program? Many companies support causes their employees care about. That means they will match your donation to CLF. Some even match gifts made by spouses and retirees – so your support for CLF can go twice as far.



OTHER WAYS TO GIVE

Want to give a one-time donation? Or give an honorary or gift membership? Or learn about planned giving? You can do it all in a few clicks.

So come visit us online and make your donation today.

www.clf.org/donate



CONTACT US

Contact us today to learn more about giving to CLF.

Madalyn Frye, Development Assistant
617.850.1760 | mfrye@clf.org

‘WHY I GIVE’ FEATURING

DANIEL ROSAN

Somerville, Massachusetts | Donor since 2014

We believe as a family that the climate crisis is one of the most pressing issues of our time – our way of life, and even the existence of our most vulnerable communities, are under threat. Becoming a parent made it feel even more urgent. Seeing my children grow up in a dense, transit-centered city while exploring New England coastlines and green spaces gave me a new appreciation for those beautiful spaces and motivation to protect them.

When my children were around three and five years old, we engaged them in family philanthropy, giving everyone in the family a voice in what organizations we would support. Environmental justice causes were at the top of this list. We created a portfolio of organizations working to advance climate and racial justice by focusing on direct service, activism, law, policy, and nonviolent civil disobedience, and we have been sustaining and growing those commitments for the past 10 years.

We climate activists have been out-organized by polluters and need to use every tool possible to advance climate justice. National organizations have a place, but local and state changes are what make peoples’ lives better, and that is where CLF comes in.

New England is the innovative heartbeat of our country – home of unprecedented and astonishing scientific, medical, and technological breakthroughs. By supporting CLF, we hope that New England will continue to lead with innovative solutions to the climate crisis and advance climate justice both as a model and to make a tangible impact.

HEAR MORE FROM OUR SUPPORTERS

Our donors inspire us to never give up because so much is at stake. Hear more from CLF supporters at www.clf.org/whywegive.

PASSING STRONGER BOTTLE BILLS

By Adilson González Morales

The Problem

Across New England, empty plastic bottles litter our neighborhoods, parks, and waterways. The reason? Globally, beverage companies produce and sell about two trillion drink containers each year. And, unfortunately, curbside recycling has failed us. Many of those drink containers go from recycling bins to landfills or waste incinerators, poisoning our air and water.

CLF in Action

For years, CLF has been at the forefront of reforming our region's recycling system. One of the best ways to boost the recycling of plastic, glass, and aluminum containers is bottle return programs, also known as deposit return systems or "bottle bills."

These laws work by placing a small fee on single-use bottles and cans, which consumers get back when they return the empty containers to the grocery store or a redemption center. Beverage producers (like Coca Cola, Pepsi, and Nestlé) pay the fees required to fund the system, so these programs have no cost to taxpayers.

While some New England states pioneered the bottle return system, others have failed to get on board – or

have programs that need updates to make them more effective. Massachusetts, for example, passed its bottle bill nearly 40 years ago. But flavored waters, energy drinks, iced teas, and many other beverages didn't exist back then and aren't covered by the bill. Today, the bill applies to barely 42% of all beverage containers.

Like the one in Massachusetts, existing bottle bills in Vermont and Maine also need a makeover. Meanwhile, Rhode Island and New Hampshire need to get on board and adopt a bottle bill.

Progress

We've worked with legislators across New England to pass and modernize our bottle return systems. Each state faces unique challenges, but we've made strides in the right direction.

In Maine, where labor shortages and the cost of operating redemption centers have threatened the state's bottle return program, we have pushed legislators to pass an emergency bill that would increase handling fees to support the operation of these centers.

We also worked with Massachusetts legislators to modernize that state's bottle bill this year. If passed, the new

law would increase deposits and cover all glass, plastic, and aluminum beverage containers – including liquor nips.

In Vermont, the governor vetoed its updated bottle bill last month. But we will build on the momentum we gained in next year's session to finally get this bill over the finish line.

Meanwhile, in Rhode Island, CLF and our partners worked with legislators to launch a campaign to create the state's first bottle return program. We will continue to pressure legislators to pass this critical bill.

Next Steps

By supporting strong bottle bills across New England, we can drastically slash trash and serve as a model for other states. Bottle return programs incentivize and improve our recycling system. But an ideal future is not one where we get the most money for our bottles. It's one where we stop our reliance on single-use plastic altogether. Plastic pollution is a full-blown global crisis, and we have zero time to waste.

STAY UP-TO-DATE

You can get involved in CLF's push to pass stronger bottle bills and end plastic pollution at [clf.org/plastic](https://www.clf.org/plastic).

AROUND CLF

○ CONNECTICUT

CLF and our partner, the Massachusetts Housing Investment Corporation, have secured \$42 million to fund the second phase of the Healthy Neighborhoods Equity Fund. The fund invests in real estate developments in historically disinvested communities, areas that often endure significant health and economic disparities. The second phase should create more than 450 new homes in Connecticut, Rhode Island, and Massachusetts.

○ RHODE ISLAND

CLF is pushing for a beverage container deposit system to combat plastic pollution in the state. The new law would create a 10-cent fee on containers at the time of purchase, which could be redeemed when returning the empty bottle for recycling. This type of program has been proven to increase recycling rates, reduce litter, and save cities and towns money.

○ NEW HAMPSHIRE

Stormwater runoff is a significant source of nitrogen pollution, one of the primary pollutants harming the health of New Hampshire's Great Bay estuary. CLF has made tremendous progress in cleaning up nitrogen pollution from wastewater treatment plants and cities and towns. Now we are pushing the EPA to regulate polluted runoff from large commercial, industrial, and institutional properties surrounding the estuary.

○ MAINE

With our partners, CLF is urging Maine to adopt new standards requiring car and truck manufacturers to boost the numbers of zero-emission, electric vehicles sold each year in the state. Emissions from transportation are the largest source of climate pollution in New England. So far, Massachusetts and Vermont have adopted the new standards. The ultimate goal is to phase out the sale of gas-powered vehicles entirely by 2035.

○ MASSACHUSETTS

CLF is asking Massachusetts officials to slash polluting emissions by 2050 and make our energy infrastructure more resilient to climate impacts. The state has passed strong climate laws, but officials have historically been slow to implement the changes these laws require. We've presented a petition to officials outlining a clear path forward for the future.

○ VERMONT

After a two-year advocacy effort from CLF and our partners, Vermont's lawmakers enacted the Affordable Heat Act, which aims to transition the state's heating system off polluting fossil fuels while lowering energy costs by incentivizing the delivery of clean heat from fuel providers. Governor Scott attempted to veto this commonsense law, but the legislature overrode it, and the law will go into effect.



New Hampshire's Great Bay Estuary





LETTER FROM THE PRESIDENT



One of the highlights of my summer is passing a morning perusing stalls at one of New England's farmers' markets. Amid piles of sweet corn, cartons of glistening cherries,

and booths overflowing with crispy cucumbers and leafy basil, I am reminded of the bounty of local farming and how critical it is to our regional economy. Without local farmers growing cucumbers and corn, among many other crops, we'd have no alternative to buying produce trucked in from massive industrial-scale farms – or worse, flown in from the other side of the world.

Local farms are a fundamental way to connect communities through a shared love of healthy food. Locally grown food also comes at a much lower carbon cost, since transporting food regionally emits fewer emissions and generates far less food waste. (Most of our region's lettuce still originates in California, for example, and much of it perishes before you can buy or serve it.)

And the burgeoning interest in climate-friendly farming practices – which build healthy soils, increase biodiversity, and sequester more carbon

in the soil – can improve our farms' ability to bounce back from climate impacts and help lower our region's climate-damaging emissions.

That's why CLF works to support a robust local food economy across New England. Our Legal Food Hub has helped over 1,000 farm and food entrepreneurs trying to start their businesses or navigate legal and regulatory challenges. Our impact investment funds have provided financing to greengrocers and other retail outlets that bring fresh local produce and locally sourced prepared foods to communities that have lacked affordable, healthy options. And, as we push for policies to support local agriculture and sustainable, climate-friendly farming practices, we can improve health and increase opportunity in both urban and rural communities.

In this season of farm stands and outdoor markets, let's celebrate and support the gift of local agriculture. It's healthier, not just for our bodies, but for the planet.

With gratitude,

Bradley Campbell
President

BRADLEY CAMPBELL
President

SARA MOLYNEAUX
Chair, Board of Trustees

DAVID W. ELLIS, PH.D.
Vice Chair, Board of Trustees

WHITNEY HATCH
Vice Chair, Board of Trustees

PAUL W. LEE, ESQ.
Vice Chair, Board of Trustees

PETER NESSEN
Vice Chair, Board of Trustees

ANDREW FALENDER
Treasurer, Board of Trustees

DR. THEA JAMES
Clerk, Board of Trustees

SETH KERSCHNER
Interim Chair, Connecticut Board

BRIGITTE L. KINGSBURY
Chair, Maine Board

JOHN AUBREY
Chair, Massachusetts Board

ALICE CHAMBERLIN
Chair, New Hampshire Board

KATE KILGUSS, ESQ.
Chair, Rhode Island Board

JIM MURPHY, ESQ.
Chair, Vermont Board

CLF Connecticut
New Haven, CT

CLF Maine
53 Exchange St., Ste 200
Portland, ME 04101
P: 207.210.6439

CLF Massachusetts
62 Summer St.
Boston, MA 02110
P: 617.350.0990

CLF New Hampshire
27 North Main St.
Concord, NH 03301
P: 603.225.3060

CLF Rhode Island
235 Promenade St, Ste
560, Mailbox 28
Providence, RI 02903
P: 401.351.1102

CLF Vermont
15 East State St., Ste 4
Montpelier, VT 05602
P: 802.223.5992