



**STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS**

In the Matter of Considering the Adoption of an Agency Specific Short Environmental Assessment Form related to the Agricultural Districts Program (Agriculture and Markets Law Article 25-AA), pursuant to Article 8 of the Environmental Conservation Law and Section 617.14 of the New York State Official Compilation of Codes, Rules and Regulations.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before a person designated by the Commissioner of Agriculture and Markets on December 7, 2020 at 10:00 a.m., and concluding when all interested parties have been heard to receive comments to consider the adoption of an agency specific short Environmental Assessment Form (EAF) related to Agricultural Districts Program, as described in Article 25-AA of the Agriculture and Markets Law (AML).

PLEASE TAKE FURTHER NOTICE that the hearing will be held by teleconference, and all interested parties should call in, starting at 09:55 a.m. on December 7, 2020, using the telephone number 518-549-0500 and the access code 372 517 88, followed by the pound sign (#) on your telephone. Please announce your name when prompted so that the Department is able to record your attendance.

PLEASE TAKE FURTHER NOTICE, that the Commissioner provides this notice and opportunity for a hearing pursuant to Environmental Conservation Law Article 8, and Part 617.14(a) of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR), which states, in relevant part, a requirement that “all agencies to adopt and publish, after public hearing, any additional procedures that may be necessary for them to implement SEQR.”

PLEASE TAKE FURTHER NOTICE, that the proposed short EAF form is being adopted for use in review of actions designated as an “Unlisted Action” pursuant to the State Environmental Quality Review Act (SEQRA), and which involve the modification of an existing Agricultural District, which includes the termination or modification of such district, pursuant to AML section 303-a; the inclusion of viable agricultural land to an existing Agricultural District, pursuant to AML section 303-b; and/or the consolidation of existing Agricultural Districts, pursuant to AML section 303-c.

PLEASE TAKE FURTHER NOTICE, that all persons who are interested in the proposed adoption of the above-mentioned EAF are invited to attend the hearings and/or

to submit oral or written comments on the proposed adoption of the above-described EAF for due consideration by the parties and the Commissioner. Written data, views and arguments may be submitted by mailing or submitted by e-mail in Adobe PDF or MS Word format to the Department either postmarked or timestamped within five days from the date of the conclusion of the last public hearing. Information regarding the proposal or the hearing process may be obtained upon request to Jeffrey Kehoe, Senior Environmental Analyst, NYS Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, (518) 457-4626; or Jeffrey.Kehoe@agriculture.ny.gov. A copy of the proposed Short EAF is also available for public viewing on the Department website at <https://agriculture.ny.gov/land-and-water/short-environmental-assessment-form>, as well as on the following pages of this document.

PLEASE TAKE FURTHER NOTICE that translator services and other requests for reasonable accommodations shall be made available, at no charge, upon written request. All requests for translator services and/or reasonable accommodations must be made to the Department of Agriculture and Markets, Counsel's Office, 10B Airline Drive, Albany, New York, 12235; (518) 457-2449. Any request must be received no later than 4:00 p.m. at least ten days prior to the hearing date. Interpreter services shall be made available to deaf persons, at no charge, upon written request to the address listed above at least ten days prior to the hearing date.

For more information about reasonable accommodations or other hearing matters, please contact: Nicole D. Persaud, Senior Attorney, Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, (518) 457-2449, Nicole.Persaud@agriculture.ny.gov.



STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
FOR AGRICULTURAL DISTRICTS

UNLISTED ACTIONS ONLY

Please indicate lead agency status by checking the appropriate box below:

- Two checkboxes with text describing lead agency status: cooperative agreement with County Legislative Body vs. not within scope of cooperative agreement.

Part 1 - Project and Sponsor Information

- Four numbered questions regarding project location, responsible agency, clerk information, and whether the action involves modification of a county-adopted agricultural district.

If Yes, attach a narrative description (including a location map) of the intent of the proposed action and the environmental resources that may be affected in the County. If No, this form should not be used to evaluate the potential environmental impacts of the proposed action.

- Question 5: Is this an action proposed to modify an existing agricultural district? Yes/No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: _____ acres.

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6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? Yes No

- If yes, how many acres are involved in the change? _____ acres
- Does this represent an increase or a decrease?

7. Check all present land uses that occur on, adjoining, and near the proposed action?

Residential Industrial Commercial Agriculture Park/Forest/Open Space Other

If Other, please describe: _____

8. Information on Coastal Resources. Is the action located within, or have a significant effect on:

- A Coastal Area, or the waterfront area of a Designated Inland Waterway? Yes No
- A Coastal Erosion Hazard Area? Yes No
- A community with an approved Local Waterfront Revitalization Program? Yes No

If Yes, please identify the affected community or communities: _____

9. Information on Local Agricultural and Farmland Protection Plans

- Is the action compatible with the County's Agricultural & Farmland Protection Plan? Yes No

If Yes, date of Plan approval: _____

If Yes, please cite the applicable language: _____

10. Comments from Municipalities within the County

- Did the CLB receive any comments from municipalities about the addition or removal of land from the agricultural district? Yes No

If Yes, please briefly summarize the comments: _____

11. Attach any additional information as may be needed to clarify the proposed action.

I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
BEST OF MY KNOWLEDGE

**Name of Person
Authorized to Sign:** _____ **Date:** _____

Signature: _____ **Title:** _____

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Part 2: Impact Assessment

Part 2 is to be completed by the County Legislative Body (“CLB”) as Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted to the CLB for the proposed modification, consolidation or termination of a county-adopted, State-certified agricultural district or otherwise available to the reviewer.

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification, consolidation or termination of an agricultural district(s) The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management actions that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

	None to small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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Part 3: Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur,” or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)