Agricultural Districts
SEQRA Short Form

March 2022

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Agricultural Districts

2021 Statewide Totals:

- 9,162,250 Acres
- 6.6M Farmed Acres
- 26,227 Farms
- 53 Counties
Overview

- Online Mapping Resources
- Ag District Deliverables Review
- SEQRA Short Form
- FAQ’s
- Agricultural Districts/ Ag Protection Resources
- Staff Contact Info
303-a: 8-Year Review Deliverables Checklist

Every 8 years (no penalty for past due submissions)

- 30-Day Review Notice
- Public Hearing Notice
- Summarized Notes of Public Hearing
- AFPB Report
- Master Parcel List organized by Municipality
- SEQRA Env. Assessment Form
- Review Profile (RA-114)
- County Adopting Resolution
- Mapping data sent to Cornell IRIS
303-b: Annual Open Enrollment

Annually: 30-Day Open Enrollment Period

☐ 30-Day Review Notice
☐ Notice of Public Hearing
☐ AFPB Report
☐ Approved Map and Parcel Listing
☐ County Adopting Resolution
☐ Environmental Assessment Form
During the 8-Year Review of Parent District

- 30-Day Review Notice
- Public Hearing Notice *New Anniversary Date
- Summarized Notes of Public Hearing
- AFPB Report
- Master Parcel List organized by Municipality
- SEQRA Env. Assessment Form
- Review Profile (RA-114)
- County Adopting Resolution
- Mapping data sent to Cornell IRIS
SEQRA Overview

- Historical Perspective – Traditional SEQRA approaches to Agricultural Districting


Historical EAF obsolete and non-compliant

**New Short EAF** & SEQRA Cooperative Agreement with Counties

- **EAF Adoption** – must be adopted by all CLBs – use mechanisms to adopt a resolution, after public hearing.
- **Cooperative Agreement** – after EAF adoption, work with AGM Staff. Then CLBs should adopt the new agreement
Short EAF & Cooperative Agreement - Benefits

• No Solicitation for Lead Agency Required.

• A Streamlined, Uniform and Consistent Approach.

• Establishes Coordinated Review.

• Minimize Review Deliverables

• Valuable Model
<table>
<thead>
<tr>
<th>UNCOORDINATED REVIEW</th>
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<tbody>
<tr>
<td>• Before SEQR commences, no documentation received from CLB</td>
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<tr>
<td>• CLB SEQR concludes and CLB submits approval of modifications to the district, before certifying the District AGM must complete its own SEQR which consists of:</td>
</tr>
<tr>
<td>• AGM Short EAF and</td>
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<tr>
<td>• Underlying analysis containing &quot;reasoned elaboration.&quot;</td>
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<table>
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<tr>
<th>COORDINATED REVIEW (Non-Adoption of AGM Short EAF &amp; MOU)</th>
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<tr>
<td>• Before SEQR commences, CLBs must submit:</td>
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<tr>
<td>• Supporting and application documents, and EAF Part 1 to all involved agencies.</td>
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<tr>
<td>• Solicit lead agency status, and</td>
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<tr>
<td>• Indicate intent to conduct a coordinated review</td>
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<tr>
<td>• After SEQR concludes, AGM receives:</td>
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<td>• Adopted SEQR findings; and</td>
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Q: Is this new Short Form EAF Required?
A: No, however, the new Department form streamlines information needed for both SEQR & certification of modifications to the agricultural district. It also eliminates the need to solicit lead agency status, establishes a coordinated review for purposes of SEQRA to eliminate the need for the Department to conduct its own SEQRA review when one has already been completed.

Q: Can I use New Short form EAF for actions unrelated to the Agricultural Districts program?
A: No, the new short form EAF is specific to the agricultural districts program, and only applies to agricultural district modifications (Unlisted) other than the initial creation of a district (Type I).

Q: When can I start using the new Short Form EAF?
A: SEQRA regulations require all lead agencies using forms other than the one appearing in SEQRA regulations to adopt such forms after a public hearing through the body’s normal mechanisms to adopt resolutions. (SEQR Handbook, pg 72 https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf)

Q: What is the Cooperative Agreement?
A: The Cooperative Agreement refers to the Short EAF and sets out the SEQRA process to be followed during all unlisted actions concerning modifications to the district, and must be signed by counties in conjunction with the adoption of the new Short EAF.
Resources

Agricultural Protection Unit, Division of Land and Water Resources:

Jeff Kehoe Agricultural Districts/Planning Grants:
Jeffrey.Kehoe@agriculture.ny.gov  Desk: (518) 457-4626

Kate Tylutki 305-a Agricultural Protections:
Kate.Tylutki@agriculture.ny.gov

Department Websites:

305-a Agricultural Protections/ Guidance Documents:
https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws

Agricultural Districts:
https://agriculture.ny.gov/land-and-water/about-agricultural-districts

Ag District Mapping by County:
https://cugir.library.cornell.edu/?f%5Bcugir_category_sm%5D%5B%5D=agriculture

Funding Opportunities:
https://agriculture.ny.gov/funding-opportunities
Agricultural District Mapping Program, Cornell University IRIS (Institute for Resource Information Sciences)  
https://iris.cals.cornell.edu/extension/agricultural-districts/  
Diane Ayers dag10@cornell.edu  

Agricultural Value Assessment Program, Department of Taxation and Finance  
https://www.tax.ny.gov/research/property/assess/valuation/agindex.htm  
Jeremy Kergel Jeremy.Kergel@tax.ny.gov  

Local Government Services, Department of State  
https://www.dos.ny.gov/lg/  

Building Standards and Codes, Department of State:  
https://www.dos.ny.gov/DCEA/  

Farm Brewery/ Cidery/ Wineries etc. State Liquor Authority  
https://sla.ny.gov/  

Industrial Scale Solar Arrays:  NYS Solar Guidebook  
https://www.nyserda.ny.gov/All%20Programs/Programs/Clean%20Energy%20Siting/Solar%20Guidebook  

Publication:  
Thank You!

Please direct any additional questions or concerns to:

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