

NEW YORK STATE ADVISORY COUNCIL ON AGRICULTURE

2021-2022 BIENNIAL REPORT



RICHARD A. BALL, COMMISSIONER

NEW YORK ADVISORY COUNCIL ON AGRICULTURE

Introduction

The Advisory Council on Agriculture (ACA) was established by Chapter 79 of the Laws of 1980 to advise and make recommendations to state agencies on state government plans, policies and programs affecting farming and the agricultural industry of the state.

The ACA continued working to maintain the viability of New York State's agricultural industry and most recently met on July 28, 2022. The Council performed its statutorily defined roles of assisting in the management of the Agricultural Districts Program and oversight responsibilities related to farmland protection grant applications, sound agricultural practice opinions, agricultural assessment values, right to farm law, notice of intent cases, agricultural protection and occasional grant programs for food and fiber production.

This report is prepared and submitted consistent with the requirements of AML Section 309(7), Section 304-b of Article 25-AA, and Section 323 of AML 25-AAA.

Membership

Neal Rea, Chair

Samuel Casella

Frank Beyrodt Jr.

David Haight

Kimberly Ann Wagner

Jim Bittner, Vice Chair

Amy Machamer

Brian Reeves

Lesa Sobolewski

Organization

The ACA members are selected for their expertise and experience related to the areas of Council responsibility.

At least five members of the Council must be operators of a commercial farm enterprise and at least two must be representatives of local governments.

The duties and responsibilities of the Council are articulated in the Sections 284-a, 297, 303, 303-a, 304, 304-a, 305(4), 308, 309, 325, and 329 of the Agriculture and Markets Law (AML). They are as follows:

- assist the Department in designating farm, apple and cuisine trails,
- provide advice, comments, and recommendations to the Commissioner regarding the establishment and review of agricultural districts,
- provide advice, comments, and recommendations to the State Board of Real Property Services regarding the establishment of agricultural assessment values and any revisions to the New York State Agricultural Land Classification,

- provide advice to the Commissioner and other state agency heads on state plans, policies, and programs affecting farming and the agricultural industry,
- assist the Commissioner in determining whether actions that are subject to the Notice on Intent (NOI) requirements of AML would have an unreasonably adverse effect on the viability of a farm enterprise or enterprises located within an agricultural district,
- consult with the Commissioner on the issuance of sound agricultural practices opinions,
- advise the Commissioner on whether certain land uses are agricultural in nature,
- provide recommendations and advise the Commissioner on the operation of the Food and Agriculture Industry Development Program, and consult with the Commissioner on the identification and coordination of available resources for the Farmland Protection Program.

Activities

In 2022, the Advisory Council on Agriculture met in a virtual session with Department of Agriculture and Markets (AGM) Commissioner Richard A. Ball, Deputy Commissioner Jackie Czub, and AGM staff. The discussion focused on animal disease vectors, farmland protection for urban agriculture within an agricultural district, and siting energy transmission and renewable energy projects on farmland. Meeting minutes can be obtained on the [ACA Webpage](#).

Please see the summary of activities reviewed by ACA at the conclusion of this document.

Agricultural and Farmland Protection Programs

New York State's Agricultural and Farmland Protection Program, authorized by Article 25-AAA of the AML, was enacted in 1992. The program encourages counties and local governments to work with the agricultural community to preserve, conserve, manage, and improve the State's farm economy and its land base.

The Agricultural and Farmland Protection Unit of AGM's Division of Land and Water administers the provisions of the AML, which include Article 25-AA (Agricultural Districts) to maintain viable agricultural lands, farm operations, and the production of crops, livestock, and livestock products; and Article 25-AAA (Farmland Protection Programs) to maintain working landscapes and the irreplaceable land base associated with them. The Department is a statutory party under Article 7 and Article 10 of the Public Service Law and Executive Law 94-c. The Agricultural Protection Unit advocates for the preventative and corrective mitigation of agricultural impacts resulting from the construction of large-scale solar arrays, high pressure natural gas pipeline(s), commercial wind turbines, and high-voltage electric transmission line facilities.

Farmland Protection Implementation Grants

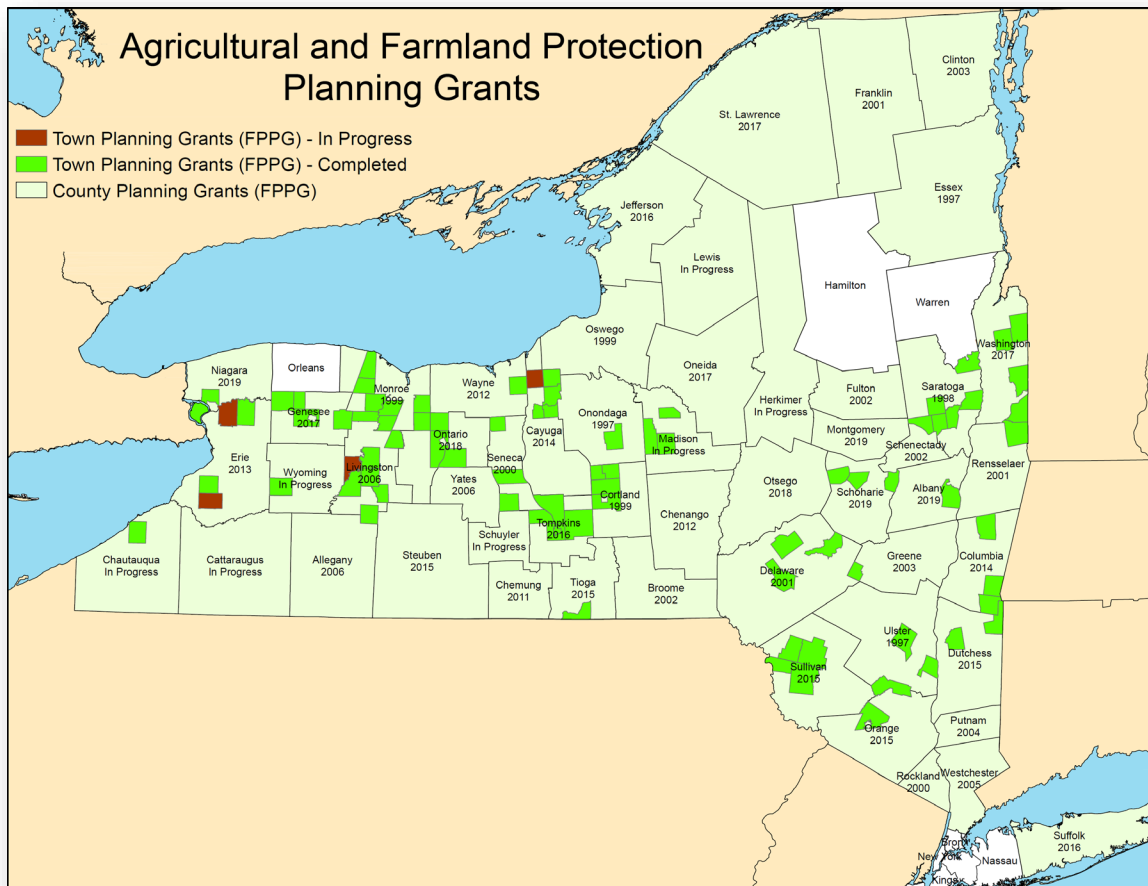
2021 marked the 25th anniversary of the Farmland Protection Implementation Grants (FPIG)

Program. In recent years, the State has reinvigorated the initiative and committed unprecedented funding for farmland preservation. For example, the Round 18 FPIG Request for Applications (RFA), announced in March 2021, featured multiple categories of eligible projects representing allied state goals of climate resiliency, food security, and source water protection as well as under-represented types of farm operations such as equine operations and vineyards. This grant program is funded through New York State's Environmental Protection Fund. Since August 2021, the State has committed \$26.4 million through the FPIG program to permanently protect over 12,200 acres of viable agricultural lands.

Farmland Protection Planning Grants

AGM provides State assistance payments to counties and municipalities to help them develop local agricultural and farmland protection plans. These plans should identify land or areas proposed to be protected, and should describe activities, programs, and strategies intended to promote continued agricultural use.

Counties are eligible for grants of up to \$50,000 or 50% of the cost (whichever is less), and municipalities are eligible for grants of up to \$25,000 or 75% of the cost (whichever is less) for developing a local farmland protection plan. The local share of funding must provide at least 20% cash and 80% of in-kind services.



Awards for Municipal Farmland Protection Planning Grants

Total State funding awarded was \$150,000 during 2021 and 2022. Six municipal applications were received by AGM. The application identifies work tasks that address the basic requirements set by the state in AML section 324-a.

<u>Requested</u>	<u>Municipality</u>
\$25,000	Town of Murray (Orleans County)
\$25,000	Town of Hampton (Washington County)
\$25,000	Town of Hamlin (Monroe)
\$25,000	Town of Ripley (Erie County)
\$25,000	Town of Colden (Erie County)
\$25,000	Town of Caroline (Tompkins County)

Awards for County Farmland Protection Planning Grants

Total State funding awarded was \$240,000 during 2021 and 2022 for five county applications reviewed by Division staff and deemed complete. Each application identifies work tasks that address the basic requirements set by the state in Circular 1500 section 324.

<u>Requested</u>	<u>County</u>
\$50,000	Chemung County
\$50,000	Ulster County
\$40,000	Wayne County
\$50,000	Monroe County
\$50,000	Yates County

Land Trust Grants

Subject to the availability of funds, the Land Trust Grants Program was established for the purpose of awarding State assistance to not-for-profit conservation organizations for activities that will assist counties and municipalities with their agricultural and farmland protection efforts. To be eligible, an organization must have at least one active farmer on their board of directors at the time of application or provide for the appointment of a farmer to such board of directors in a manner approved by the Commissioner.

Round 4 Funding of the Land Trust Grants Program: The fourth round of the Land Trust Grants Program advanced funds to land trusts to pay for “no-commitment” appraisals on proposed viable farmland preservation projects. Before an appraisal can be conducted, a draft site plan and draft conservation easement must be reviewed and approved per AGM guidance. Appraisals based on these approved documents will be the most accurate estimate for the value of development rights on that farm based on the use areas identified in the site plan and the retained property rights identified in the conservation easement. In August of 2022, the total awarded funds for six applications were \$186,752.

Agricultural District Program

Since 1971, the Agricultural Districts Law, Article 25-AA of the AML, has been the centerpiece of State and county level efforts to preserve, protect, and encourage the development and improvement of agricultural land to produce food and other agricultural products.

The New York State Constitution directs the Legislature to provide for the protection of agricultural lands. The Agricultural Districts Law meets, in part, that constitutional mandate by providing a locally initiated mechanism for the protection and enhancement of farmlands as a viable segment of local and State economies, and as an economic and environmental resource of major importance.

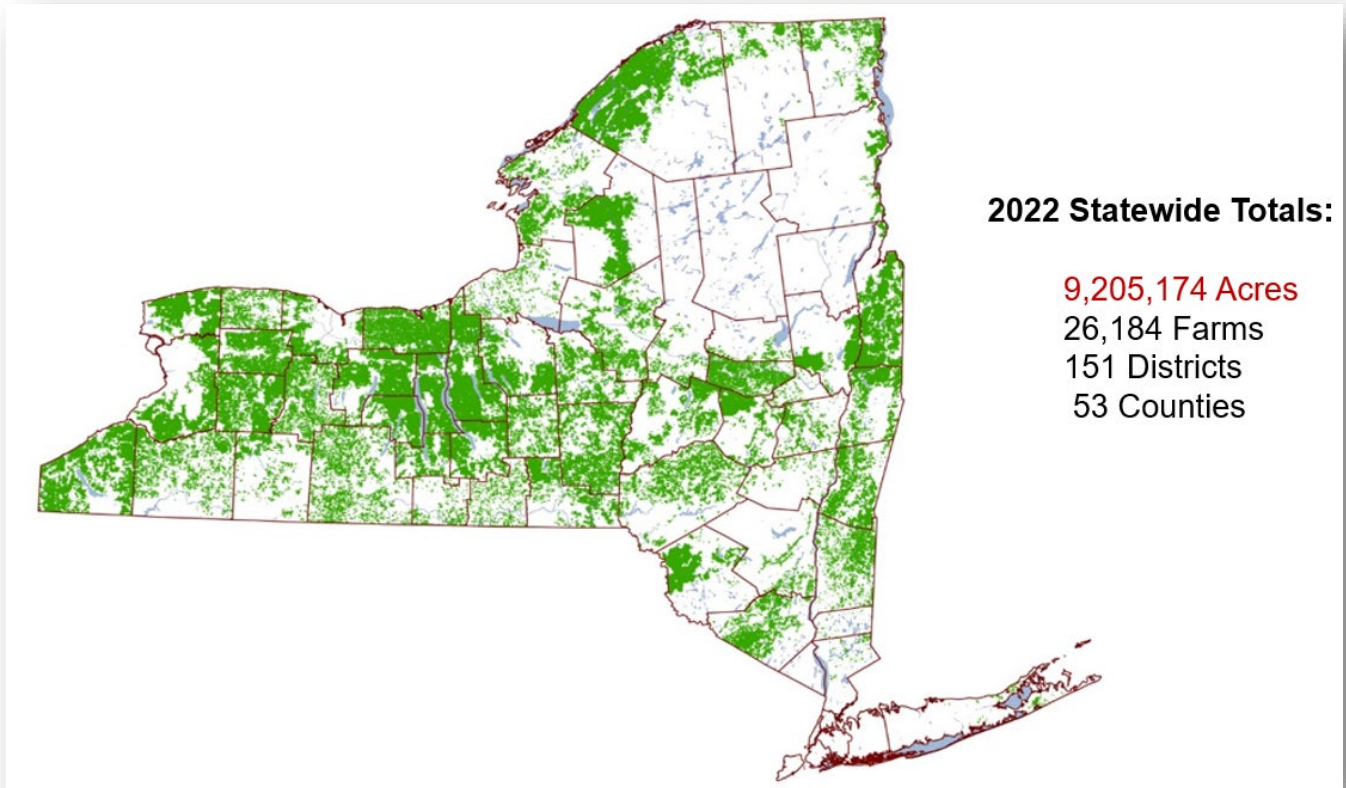
Several benefits accrue to farm operations within certified agricultural districts. Chief among these are:

- the mandate that State agencies, as a matter of policy, encourage the maintenance of viable farming in agricultural districts,
- the limitation on the exercise of eminent domain and other public acquisitions and the advance of public funds for certain construction activities,
- the limitation on the siting of a solid waste management facility on land in agricultural production,
- the limitation on the power to impose benefit assessments, special ad valorem levies, or other rates or fees in certain improvement districts or benefit areas,
- the requirement that local governments, when exercising home rule authority through local laws, ordinances, or regulations, do so in a manner that does not unreasonably restrict or regulate farm operations,
- the requirement that applications for certain planning and zoning actions impacting lands within 500 feet of a farm operation within an agricultural district include an Agricultural Data Statement to evaluate the possible impacts of the proposed action on the nearby farm operations,
- the establishment of the New York State Agricultural Land Classification system used to assign agricultural assessment values to qualified properties both in and outside of an agricultural district,
- the review of agricultural practices that discourages private nuisance lawsuits when such practice is determined to be sound,
- the issuance of advisory opinions as to whether certain land uses are agricultural in nature; and
- the requirement of disclosure to prospective grantees of real property that the property is in an agricultural district.

The Agricultural Districts Law also defines the procedure for agricultural district creation. Today there are 151 state-certified agricultural districts in 53 counties in New York. These districts contain 9,205,174 million acres, or about 25% of the total land mass of the State. Approximately 26,184 farm operations are eligible for protections through their inclusion in an

agricultural district. For a complete listing of the State's Agricultural Districts and corresponding statistical data, see the [2022 Agricultural District Profile](#).

New York State Agricultural Districts 2022



AGM is an active participant in the New York Open Data Program, a comprehensive data transparency website located at [Data.NY.Gov](#), which hosts hundreds of datasets, maps, and charts from State agencies and authorities.

As prescribed by law, agricultural districts are reviewed every eight years after creation. In addition, counties must choose a 30-day period during the calendar year to solicit applications from landowners for the addition of land to an existing agricultural district. During this reporting period, the ACA reviewed and made recommendations to the Commissioner on the statutory eight-year review of 33 agricultural districts. In addition, 67 303-b annual inclusions were received corresponding with program years 2021 and 2022.

Agricultural District Consolidation (AML 303-c)

Since the mid-1990s, counties have worked with Department staff to streamline administration of their agricultural districts by consolidating smaller districts to better align with municipal boundaries, reduce the number of individual districts to manage, and more effectively utilize

county resources. In 2016, AML 25AA 303-c was codified to further simplify and coordinate the consolidation of districts. Although the total number of agricultural districts has steadily declined in the last 30 years, from nearly 500 down to the current 151, the number of acres enrolled has steadily increased year after year, now topping nine million acres.

Agricultural District Mapping Program

The [Cornell Institute for Resource Information Systems](#) (IRIS) facilitates the [Agricultural District Mapping Program](#) on behalf of AGM. IRIS supports county agricultural districts' efforts by providing consulting services and review, and distributing and archiving maps to the participating units of local government and responsible State agencies.

[Cornell University Geospatial Information Repository](#) (CUGIR) is an active online repository in the [National Spatial Data Clearinghouse](#) program. CUGIR provides geospatial data and metadata for New York State, with special emphasis on those natural features relevant to agriculture, ecology, natural resources, and human-environment interactions.



Review of Comprehensive Land Use Plans, Local Laws, Ordinances, Rules, and Regulations

The Agricultural Districts Law protects farmers against local laws that unreasonably restrict farm operations located within an agricultural district. Division staff, together with AGM legal counsel, review both existing and proposed laws to determine if they are compatible with farm operations. In cases where a local law is determined to be unreasonable, staff work with the involved local government to develop mutually accepted modifications. If a local government is unwilling to modify an unreasonably restrictive law, the Commissioner is authorized to take action to compel compliance with the Agricultural Districts Law. In a landmark decision, the State Court of Appeals ruled that the opinion of the Commissioner of Agriculture and Markets should be given deference in the interpretation and administration of this important right to farm protection.

During the past two years, the Division made numerous formal and informal responses to requests for review of local laws and ordinances. As a major component of Division staff's work, hundreds of phone calls and written requests were received and answered during this time. Requests from farmers involved compliance with local zoning laws, receipt of Notices of Violation, building permit fees, compliance with the State's Building Code, agricultural assessment issues, nuisance complaints, and neighbor relations. Municipal requests involved reviews of amendments to municipal zoning codes and local laws, comprehensive plans, and general complaints against farm operations. AGM staff worked with staff from New York

State's Department of State, Department of Health, Department of Environmental Conservation, and the Department of Taxation and Finance to provide the appropriate technical assistance to both farmers and municipal staff. AGM staff also continue to travel around the State to speak with municipal boards about the State's laws, farm operations, and protection afforded to farms under the Agricultural Districts Law.

Formal requests for review must be provided to AGM in writing and include a completed Section 305-a Review Application. AML Article 25-AA, Section 305-a provides a predominance of the above-mentioned protections. For calendar years 2021 and 2022, AGM conducted 18 formal investigations and reviewed several dozen requests pertaining to farm operation status and/or eligibility determinations for agricultural district protections.

Agricultural in Nature Opinions

Section 308(4) of the Agricultural Districts Law states that the Commissioner, in consultation with the ACA, shall issue an opinion within 30 days upon request from any person as to whether certain land uses are agricultural in nature. During this reporting period, the Commissioner issued one opinion.

Right to Farm/Sound Agricultural Practices

Section 308(1) of the Agricultural Districts Law directs the Commissioner, in consultation with the ACA, to issue opinions, upon request, from any individual as to whether certain agricultural practices are sound. Sound agricultural practices refer to those practices necessary for the on-farm production, preparation, and marketing of agricultural commodities. Examples of activities the Commissioner may consider include but are not limited to: operation of farm equipment; proper use of agricultural chemicals and other crop protection methods; direct sale to consumers of agricultural commodities or foods containing agricultural commodities produced on-farm; agricultural tourism; timber operation, as defined in Section 301(14); and construction and use of farm structures. During this reporting period, there were four requests for sound agricultural practice determinations; however, only one farmer agreed to participate in the review. Completion of the determination relies on information provided by the farmer. In the absence of a farm's participation, generally, no factual determination can be completed.

In addition to work performed to assist producers, Division staff performed numerous reviews of local laws for local officials, farmers, and the public.

Amendments to Agricultural Districts Law

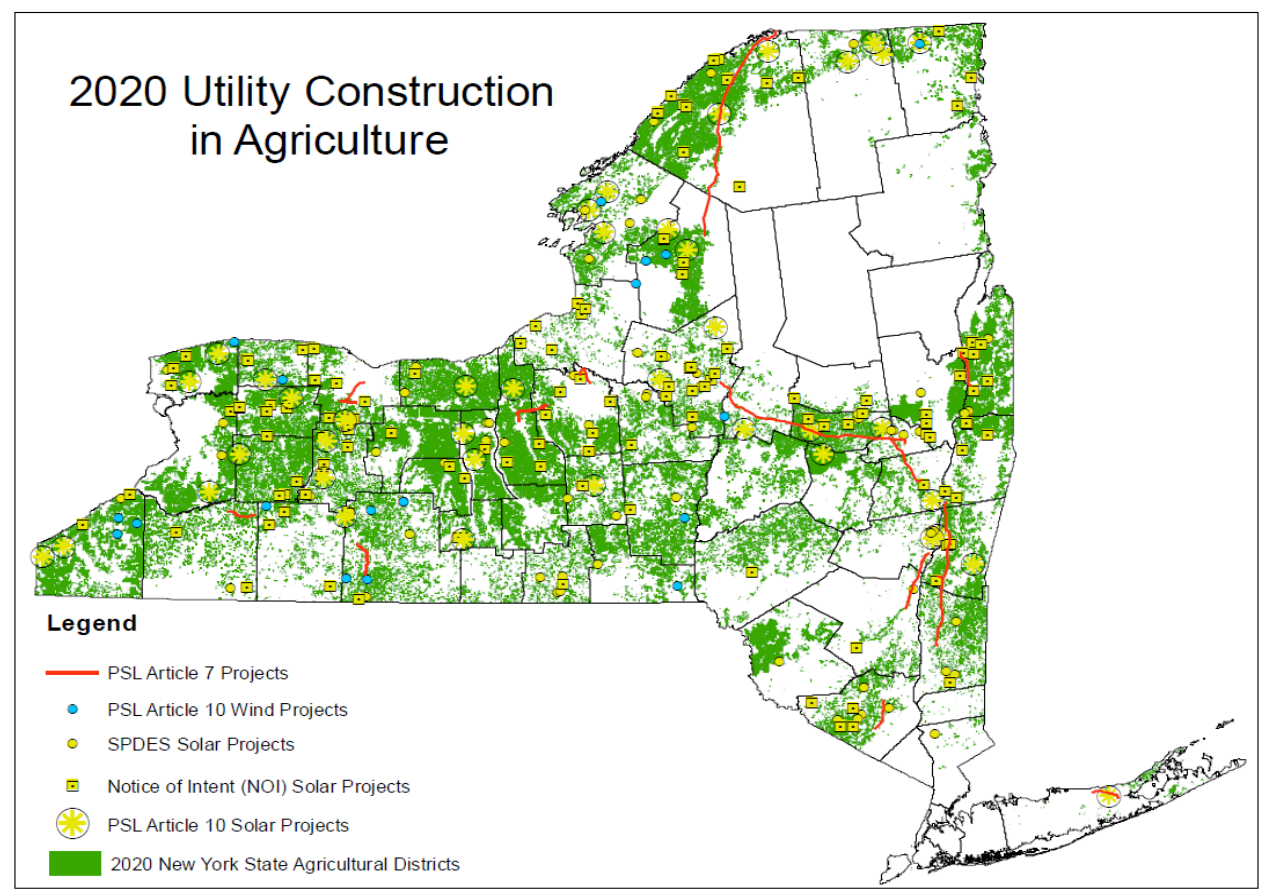
2021:

- AML §301(9): amends the definition of "gross sales value" for agricultural value assessment to include more bee products (royal jelly, bee pollen, propolis) and to clarify eligibility of bee product sales.
- AML §305-a: amends eligibility of protection from unreasonable restrictions for contractors such as a custom operator performing agricultural practices on behalf of a farm operator or owner.

2022:

- AML §309(9): adds animal and plant fiber textiles as eligible for recognition by the Advisory Council on Agriculture.

Utility Projects: Potential Adverse Effects to Farmland



AGM is a statutory party in Public Service Law cases and Executive Law 94-c permits. Staff are involved in the development and construction of major utility-scale projects affecting farmland. AGM staff work with project applicants and other parties beginning in the early application stages of proposed projects, through final stages of construction and restoration, to ensure that impacts to agricultural resources are minimized and/or properly mitigated to the maximum extent practicable. These projects primarily include the development of high voltage electric transmission lines, commercial wind energy generating facilities, and solar energy generating facilities. AGM also participates as a cooperating agency under the National Environmental Policy Act in all Federal Energy Regulatory Commission (FERC) proceedings involving interstate high pressure natural gas transmission pipelines that potentially impact agricultural lands in New York.

As a statutory party to all proceedings certified pursuant to New York State Public Service Law Article 7 (Major Electric and Gas Transmission Facilities) and Article 10 (Certification of Major Electric Generating Facilities), and Executive Law 94-C (Major Renewable Energy Development Program), Division staff responsibilities include reviewing proposed projects to determine potential siting and construction impacts to agricultural resources on farms and recommending alternatives and mitigative measures that minimize or eliminate potential negative impacts, to the maximum extent practicable. In addition to providing technical pre-application consultation to achieve settlement, Division staff also conduct extensive on-site reviews during construction and restoration to assess the level of compliance with certificate and/or permit conditions for construction involving agricultural resource concerns.



Town of Florida (Montgomery County): Topsoil storage and protection on solar array.

Currently, the Division's large-scale utility case load involves projects including, but not limited to: 651 miles of electrical transmission lines; 650 (2,457 MW) wind turbines; and 2,616 MW of utility scale solar generation (on greater than 25,022 acres of land under the applicants' control). With the conversion of the State's permitting process for large-scale renewable projects, AGM anticipates that there are many upcoming projects that will soon submit application to the Office of Renewable Energy Siting (ORES). AGM is also traditionally involved with natural gas transmission lines; however, these projects have not recently been as prevalent.

More information regarding AGM's construction guidelines is available on the [Division's website](#).

Notice of Intent Reviews

Section 305(4) of the Agricultural Districts Law requires any State, public benefit corporation, or government that intends to acquire certain land or an interest in certain land within an agricultural district, or which intends to advance public funds to assist the construction of

residential, commercial or industrial facilities, or water or sewer facilities to serve non-farm structures in an agricultural district, to use all practical means to minimize their impacts on agriculture. Local and State governmental entities and public benefit corporations must submit a Final Notice of Intent to the Commissioner and to the relevant county agricultural and farmland protection board describing the project and offering mitigation measures to minimize impacts to farm operations located within an agricultural district.

Summary

The Agricultural Districts Law continues to demonstrate its critical role in maintaining a viable agricultural industry in New York State. This law serves as a foundational underpinning for farmers' ability to conduct their business within an environment that is actively supportive of production agriculture.

The State Constitution acknowledges that agricultural lands are a necessary and irreplaceable resource that must be protected to assure economic stability and growth within the agricultural industry. AGM and the ACA, through the programs they administer, offer opportunities and incentives to keep farmland in production. Since 1996, the Farmland Protection Implementation Grants program has disbursed more than \$248 million throughout the State, partnering with federal and local governments and private funds to permanently protect over 104,000 acres of viable, irreplaceable farmland

New York's fertile lands, ample water, and supportive economic climate create an overall environment that is favorable for agricultural growth and vitality. The ACA looks forward to assisting Governor Hochul, the Commissioner of Agriculture and Markets, the State Legislature, and the farm community in bringing focus to programs, policies, and issues that impact upon the economic viability and growth of the agricultural industry.

Summary of Activities in an Agricultural District 2021-2022

AML.... Agriculture and Markets Law 25-AA
 NOI..... Notice of Intent; AML 25AA 305(4)
 305-a... Request to remove unreasonable local restrictions
 308.....Sound Agricultural Practice

County	Activities
Albany	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 AML §303-b <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1,2 & 3 AML §305-a <ul style="list-style-type: none"> • Magee Farm, Town of Bethlehem, excessive building permit requirements such as, detailed structural plan, grading plan, proof the land is used for agricultural purposes and a survey of the property to construct a farm utility building. Requirements withdrawn by Town. AML §305(4) <ul style="list-style-type: none"> • (2) NOI for industrial solar energy projects
Allegany	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 2 AML §305(4) <ul style="list-style-type: none"> • (1) NOI for industrial solar energy project and (3) NOI for Water System Improvements Projects
Broome	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 5 AML §303-b <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 5 AML §305(4) <ul style="list-style-type: none"> • (1) NOI for industrial solar energy project AML §305-a <ul style="list-style-type: none"> • Fey Farms, Town of Vestal, Violation for failure to comply with Code's prohibition of having an unregistered, disabled, abandoned or junk vehicle stored on the property. Violation withdrawn by Town.

Cattaraugus	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 5 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (5) NOIs for solar energy projects, (5) for water/sewer projects, (2) NYS Housing and (2) publicly funded land acquisition in an agricultural district. <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$1,318,284 for the conservation of Pearce Farm in the Towns of Aurelius and Springport through the Farmland Protection Implementation Grants program. • Awarded \$779,082 for the conservation of Woodworth Farm in the Town of Sterling through the Farmland Protection Implementation Grants program.
Chautauqua	<p>AML §303-c</p> <ul style="list-style-type: none"> • Certified the Consolidation of Agricultural District No. 1,7,8 & 10 <p>AML §305(4) Processed:</p> <ul style="list-style-type: none"> • (22) NOI for Industrial solar energy development, and (4) NOIs for water and sewer projects.
Chemung	<p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI for publicly funded acquisition the Finger Lakes Land Trust/DEC
Chenango	<p>AML §305(4)</p> <ul style="list-style-type: none"> • (4) NOI for industrial solar energy development projects.
Clinton	<p>AML §305(4)</p> <ul style="list-style-type: none"> • (5) NOI industrial solar energy development projects.
Columbia	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No.10 <p>AML §305-a</p> <ul style="list-style-type: none"> • Meisner Farm, Town of Greenport, application indicates that the Town served him with an appearance ticket for impulsive noise for use of propane cannon. Active case file. <p>AML §305(4)</p> <ul style="list-style-type: none"> • (5) NOI for industrial solar energy development projects. <p>AML §308</p> <ul style="list-style-type: none"> • Woven Stars Farm, Town of Ghent, Use of livestock guardian dogs. Determined to be Sound. <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$1,399,453 for the conservation of Grazin' Angus Acres in the Town of Ghent through the

	<p>Farmland Protection Implementation Grants program.</p> <ul style="list-style-type: none"> • Awarded \$1,282,865 for the conservation of Samascott Orchards - McIntosh Farm in the Town of Kinderhook through the Farmland Protection Implementation Grants program. • Awarded \$893,925 for the conservation of Samascott Orchards - Mutsu Farm in the Town of Kinderhook through the Farmland Protection Implementation Grants program. <p>AML §325-a</p> <ul style="list-style-type: none"> • Awarded Columbia Land Conservancy \$50,000 Land Trust Grants Round 3
Cortland	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified 8-Year Review to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • NOI industrial solar energy development projects. <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$1,244,950 for the conservation of a dairy farm, E-Z Acres North Farm, in the Town of Scott through the Dairy Transitions Farmland Protection Initiative. • Awarded \$1,077,011 for the conservation of a dairy farm, E-Z Acres South Farm, in the Towns of Homer and Scott through the Dairy Transitions Farmland Protection Initiative.
Delaware	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 4
Dutchess	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 4 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 20, 21 & 23 <p>AML §305-a</p> <ul style="list-style-type: none"> • Ballard Maple, Town of Pawling, Stop Worker Order issued for failure to obtain environmental permit before continuing with work related to maple production. Order withdrawn by Town. • Heermance Farm, LLC, Town of Red Hook, denial of building permit for an on-farm wind turbine to power its greenhouse. Permit granted new location. • Quattro's Poultry and Game Farm, Town of Red Hook, exorbitant building permit fees. • Heinchon Dairy, Inc. Village of Pawling, several code violations related to structure. Active case file.
Erie	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of "Central" Agricultural District <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1, 5, 8, 15 & 17

	<p>AML §305-a</p> <ul style="list-style-type: none"> • Dirt Rich Farm, Town of Concord, SWO built greenhouse within setback. Consensus solution reached. • Cluckin' Hen Poultry Farm, Town of Grand Island, farm cited for violations based on a failure to comply with the Code's prohibition of the keeping of roosters and setback requirements from lot lines and residences. Violations withdrawn by Town.
Essex	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (6) NOI for industrial solar energy development projects.
Fulton	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (6) NOI for industrial solar energy development projects.
Franklin	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI for Town of Moriah Water Main Project
Genesee	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 4 <p>AML §303-b</p> <p>Certified annual inclusions to Agricultural District No. 1 & 3</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (5) NOI requests processed for water system improvements. • (10) NOI for industrial solar energy development projects. <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$403,667 for the conservation of Springhill Farms in the Towns of Alexander and Darien through the Farmland Protection Implementation Grants program.
Greene	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 124 <p>AML §303-c</p> <ul style="list-style-type: none"> • Certified Consolidation of Agricultural District No. 124
Herkimer	<p>AML §303-b</p>

	<ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (3) NOI for industrial solar energy projects
Jefferson	<p>AML§303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1 & 2 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (2) NOI requests for industrial solar energy projects, (1) NOI for Water System Improvement Project <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$959,499 for the conservation of Maple Valley Farm in the Town of Lorraine through the Farmland Protection Implementation Grants program. • Awarded \$770,928 for the conservation of Northrup Farms #1 in the Town of Brownville through the Farmland Protection Implementation Grants program. • Awarded \$1,451,809 for the conservation of Northrup Farms #2 in the Towns of Brownville, Clayton, and Orleans through the Farmland Protection Implementation Grants program. • Awarded \$534,802 for the conservation of Scoville Farm in the Town of Champion through the Farmland Protection Implementation Grants program. • Awarded \$554,499 for the conservation of Sullivan Farm in the Town of Champion through the Farmland Protection Implementation Grants program. • Awarded \$754,493 for the conservation of Thompson Farm in the Town of LeRay through the Farmland Protection Implementation Grants program.
Lewis	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (6) NOI for industrial solar energy projects
Livingston	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified 8-Year Review to Agricultural District No. 1 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 3 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (3) NOI for industrial solar energy projects, (1) NOI for water main installation.

	<p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$788,950 for the conservation of a dairy farm, Coyne Farm, in the Town of Avon through the Dairy Transitions Farmland Protection Initiative. • Awarded \$771,794 for the conservation of Fire Creek Farms in the Town of Livonia through the Farmland Protection Implementation Grants program. • Awarded \$1,250,509 for the conservation of Hillcrest Farm, in the Towns of Leicester and Mount Morris through the Farm Operations in Transition Farmland Protection Initiative. • Awarded \$1,707,820 for the conservation of Howlett Farm in the Towns of Avon and Caledonia through the Farmland Protection Implementation Grants program. • Awarded \$1,120,401 for the conservation of McClellan Farm in the Town of Leicester (along with a portion located in the Town of Perry in Wyoming County) through the Farmland Protection Implementation Grants program. • Awarded \$2,000,000 for the conservation of Sunny Knoll Farms in the Town of Leicester (along with a portion located in the Town of Perry in Wyoming County) through the Farmland Protection Implementation Grants program. • Awarded \$1,677,595 for the conservation of Willard Farm in the Towns of Avon and Lima through the Farmland Protection Implementation Grants program. • Awarded \$1,101,200 for the conservation of Woodlawn Farm #1 in the Town of York through the Farmland Protection Implementation Grants program. • Awarded \$320,920 for the conservation of Woodlawn Farm #2 in the Town of York through the Farmland Protection Implementation Grants program.
<p>Madison</p>	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 3C &4C <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1C,2C,3C, & 4C <p>AML §305(4)</p> <ul style="list-style-type: none"> • (3) NOI for industrial solar energy projects
<p>Monroe</p>	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 5 & 6 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (2) NOI request for water main improvements, (12) NOI for industrial solar energy development projects. <p>AML §305-a</p> <ul style="list-style-type: none"> • Gates Fruit Farm, Town of Gates, Application indicates that the Town has brought numerous prosecutions against this operation, requiring SWPPP, site plan and violation for not having chicken permit. still open

	<p>active review. Active case file.</p> <p>AML§ 325</p> <ul style="list-style-type: none"> • Awarded \$340,923 for the conservation of Stonecrop Farm in the Town of Henrietta through the Farmland Protection Implementation Grants program. • Awarded \$1,620,113 for the conservation of Van Voorhis Farm in the Town of Henrietta through the Farmland Protection Implementation Grants program. <p>AML§ 325-a</p> <ul style="list-style-type: none"> • Awarded Genesee Land Trust \$41,000 Land Trust Grant Round 2
Montgomery	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1. <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 2 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (6) NOI for industrial solar energy projects
Niagara	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 7 <p>AML §305-a</p> <ul style="list-style-type: none"> • Haunted Forests, LLC, Town of Wilson, Special Use Permit, which approved certain activities with conditions imposed by the ZBA. Scope of review was outside of AML 305-a protections. • Siuta Farm, Town of Wheatfield. Violation for off-street Parking, for having a farm trailer in a residential district. Department requested the Town and farmer work together <p>AML §305(4)</p> <ul style="list-style-type: none"> • (2) NOI requests for water and Sewer projects, (9) NOI requests for industrial solar energy projects, & (1) NOI for an IDA land acquisition <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$286,061 for the conservation of Bittner Orchards in the Town of Newfane through the Farmland Protection Implementation Grants program. • Awarded \$434,856 for the conservation of Singer Orchards in the Town of Newfane through the Farmland Protection Implementation Grants program.
Oneida	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 4 & 5 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1,4 & 6 <p>AML §305(4)</p>

	<ul style="list-style-type: none"> • (8) NOI for industrial solar energy projects <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$246,820 for the conservation of Simons Farm in the Towns of Steuben and Western through the Farmland Protection Implementation Grants program. • Awarded \$328,615 for the conservation of Wightman Farm in the Town of Westmoreland through the Farmland Protection Implementation Grants program.
Onondaga	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 3. <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 4 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (11) NOI requests for industrial solar energy projects, & (1) NOI for a wastewater system Improvement project. <p>AML §305-a</p> <ul style="list-style-type: none"> • Crazy Daisies, Onondaga, Town served farm with a Stop Work Order on the construction of a pole barn and have now requested an amended site plan. <i>Town request for amended site plan determined was found reasonable, following streamlined site plan review guidance.</i> <p>AML §325</p> <ul style="list-style-type: none"> • -Awarded \$1,917,344 for the conservation of a dairy farm, Hourigan Family Dairy Farm, in the Towns of Camillus, Marcellus, Onondaga and Van Buren through the Dairy Transitions Farmland Protection Initiative. • Awarded \$534,966 for the conservation of Karlik Farm in the Town of Skaneateles through the Farm Operations in Transition Farmland Protection Initiative. • Awarded \$764,838 for the conservation of Marshfield Farm in the Towns of Marcellus and Skaneateles through the Farmland Protection Implementation Grants program.
Ontario	<p>AML §303-c</p> <ul style="list-style-type: none"> • Certified the Consolidation of Agricultural District No. 1. <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1 <p>AML §305-a</p> <ul style="list-style-type: none"> • Will-O-Crest, Town of Manchester, Will-O-Crest's site plan application for construction of a satellite manure storage facility, with conditions. Town withdrew unreasonable site plan requirements <p>AML §305(4) processed</p> <ul style="list-style-type: none"> • (3) NOI industrial solar energy development, (1) NOI for water main installation, (1) NOI for a road

	<p>improvement project, & (1) NOI for a land acquisition.</p> <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$947,426 for the conservation of Goodell Farm in the Town of Manchester through the Farmland Protection Implementation Grants program
Orange	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1
Orleans	<p>AML §303-b</p> <p>Certified annual inclusions to Agricultural District No. C1</p> <p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI for industrial solar energy project, & (2) NOI for water system improvements projects.
Oswego	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 11 <p>AML §305(4) processed</p> <ul style="list-style-type: none"> • (2) NOI for industrial solar energy development. <p>AML §305(4)</p> <ul style="list-style-type: none"> • (7) NOI for industrial solar energy projects <p>AML §305-a</p> <ul style="list-style-type: none"> • Locust Hill Dairy, Town of Orwell, served with a Notice of Violation for deposit of liquid manure on property within wellhead protection area. <i>Town withdrew Notice of Violation.</i>
Otsego	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML 305(4) processed</p> <ul style="list-style-type: none"> • (1) NOI for industrial solar development <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$2,000,000 for the conservation of Ryder Farm in the Town of Southeast through the Farmland Protection Implementation Grants program.
Rensselaer	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$710,992 for the conservation of Berle Farm in the Town of Hoosick through the Farmland Protection Implementation Grants program.

	<p>AML §305(4)</p> <ul style="list-style-type: none"> • (6) NOI for industrial solar energy, & (2) NOI for Water system improvements projects.
Saratoga	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 2 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 & 2 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (6) NOI for industrial solar energy projects
Schenectady	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML 305(4)</p> <ul style="list-style-type: none"> • (4) NOI for industrial solar energy projects.
Schoharie	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1,2 & 3
Schuyler	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 2 & 3 <p>AML §324</p> <ul style="list-style-type: none"> • Awarded \$12,500 to update the County Ag. and Farmland Protection Plan <p>AML §305(4)</p> <ul style="list-style-type: none"> • Processed 1 NOI request for solar energy projects
Seneca	<p>AML §324</p> <ul style="list-style-type: none"> • Awarded \$50,000 to update the County Ag. and Farmland Protection Plan <p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI for industrial solar energy projects, and (1) NOI request for sewer line extension
St. Lawrence	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 <p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 2 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI request for a water system improvement, (6) NOI requests for industrial solar energy projects, and (1) NOI request for a DEC land acquisition.

Steuben	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 AML §303-b <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1 AML §305(4) <ul style="list-style-type: none"> • (6) NOI for industrial solar energy projects, & (2) NOI requests concerning land acquisitions.
Suffolk	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 AML §303-b <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 4 AML 305(4) <ul style="list-style-type: none"> • (2) NOI requests concerning water system improvement projects. AML §305-a <ul style="list-style-type: none"> • Haney Farm, Town of Sagaponack, Town requiring permit for deer fence, as built survey. Permit issued. • Delea Sod, Town of Brookhaven indicates Delea is in violation of Town code for operating a “commercial mulch facility” which is not permitted- Currently in litigation
Sullivan	AML §303-b <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 & 3 AML §305(4) <ul style="list-style-type: none"> • (3) NOI requests for solar energy projects AML §305-a <ul style="list-style-type: none"> • Fairview Gardens, Town of Fallsburg, High tunnel built within setback- applied for variance and was denied. Variance approved.
Tompkins	No Agricultural Districts certifications occurred in 2021-22
Ulster	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 1 AML §303-b <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District Nos. 1-4 AML §305(4) <ul style="list-style-type: none"> • (2) NOI for industrial solar energy projects
Washington	AML §303-a <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 5,6 and 7 AML §303-b

	<ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 2,5 and 8 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI for a industrial solar energy project <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$275,286 for the conservation of a dairy farm, Bentley Farm, in the Town of White Creek through the Dairy Transitions Farmland Protection Initiative. • Awarded \$473,077 for the conservation of a dairy farm, Deep Roots Holsteins-Hartman Road Farm, in the Town of Kingsbury through the Dairy Transitions Farmland Protection Initiative. • Awarded \$476,004 for the conservation of Duell Hollow Farm in the Town of Cambridge through the Dairy Transitions Farmland Protection Initiative. • Awarded \$280,739 for the conservation of Kenyon Hill Farm-Legrays Road in the Town of Jackson through the Farmland Protection Implementation Grants program. • Awarded \$399,828 for the conservation of Kingsley Farm in the Town of Whitehall through the Farm Operations in Transition Farmland Protection Initiative. • Awarded \$420,350 for the conservation of Lindsay Farm in the Town of Kingsbury through the Farmland Protection Implementation Grants program. • Awarded \$185,507 for the conservation of Slack Hollow Farm in the Town of Argyle through the Farmland Protection Implementation Grants program.
Wayne	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No.1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (4) NOI for industrial solar energy projects, (3) NOI for water and sewer projects, & (2) NOI for land acquisitions. <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$1,323,522 for the conservation of Amsler Farm in the Towns of Walworth and Williamson through the Farmland Protection Implementation Grants program.
Westchester	- N/A
Wyoming	<p>AML §303-a</p> <ul style="list-style-type: none"> • Certified the 8-year review of Agricultural District No. 5 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (1) NOI a water main installation project. <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$2,000,000 for the conservation of Gardeau Crest Farm in the Town of Perry (along with a

	<p>portion located in the Town of Leicester in Livingston County) through the Farmland Protection Implementation Grants program.</p> <ul style="list-style-type: none"> • Awarded \$1,781,055 for the conservation of Table Rock Farm #1 in the Town of Castile through the Farmland Protection Implementation Grants program. • Awarded \$149,670 for the conservation of The Cedars Farm in the Town of Castile through the Farmland Protection Implementation Grants program.
Yates	<p>AML §303-b</p> <ul style="list-style-type: none"> • Certified annual inclusions to Agricultural District No. 1 <p>AML §305(4)</p> <ul style="list-style-type: none"> • (2) NOI requests for Water system improvements and (3) NOI for industrial solar energy projects <p>AML §325</p> <ul style="list-style-type: none"> • Awarded \$589,715 for the conservation of a dairy farm, Christiansen Farm, in the Towns of Benton, Milo and Torrey through the Dairy Transitions Farmland Protection Initiative. • Awarded \$1,424,651 for the conservation of Henderson Farm in the Town of Milo through the Farmland Protection Implementation Grants program.