



COUNTY OF ERIE
AGRICULTURE AND FARMLAND PROTECTION BOARD

BRETT KREHER, CHAIRPERSON

BRYANT ZILKE, VICE-CHAIRPERSON

February 28, 2025

The Honorable Timothy J. Meyers
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

RE: Erie County Southeast Agricultural District #15 Eight-Year Review

Dear Legislator Meyers:

The Erie County Agricultural and Farmland Protection Board (AFPB) is pleased to transmit the attached report regarding modification of Southeast Agricultural District #15 pursuant to Agriculture and Markets Law. The AFPB respectfully requests that the Erie County Legislature review and vote on the proposed modifications.

Should you have any questions, please feel free to contact me at 716-759-6802 or by e-mail at brett@krehereggs.net.

Sincerely yours,

A handwritten signature in black ink that reads "Brett Kreher".

Brett Kreher
Chairperson, Erie County Agriculture and Farmland Protection Board

cc: Sarah Gatti, Erie County Department of Environment and Planning

ERIE COUNTY AGRICULTURAL DISTRICTS EIGHT-YEAR REVIEW & DISTRICT CONSOLIDATION REPORT



REPORT

FROM: ERIE COUNTY AGRICULTURAL & FARMLAND PROTECTION BOARD
TO: ERIE COUNTY LEGISLATURE
PURSUANT TO: SECTION 303-A OF NYS AGRICULTURE AND MARKETS LAW

OVERVIEW

The Southeast Agricultural District #8 (hereinafter referred to as “the District”) contains properties in the Towns of Boston, Colden, Collins, Concord, Holland, North Collins, Sardinia, and Wales, and the Village of Springville. The District was consolidated from three existing agricultural districts in 2017. This is the first eight-year review since consolidation.

DISTRICT DESCRIPTION

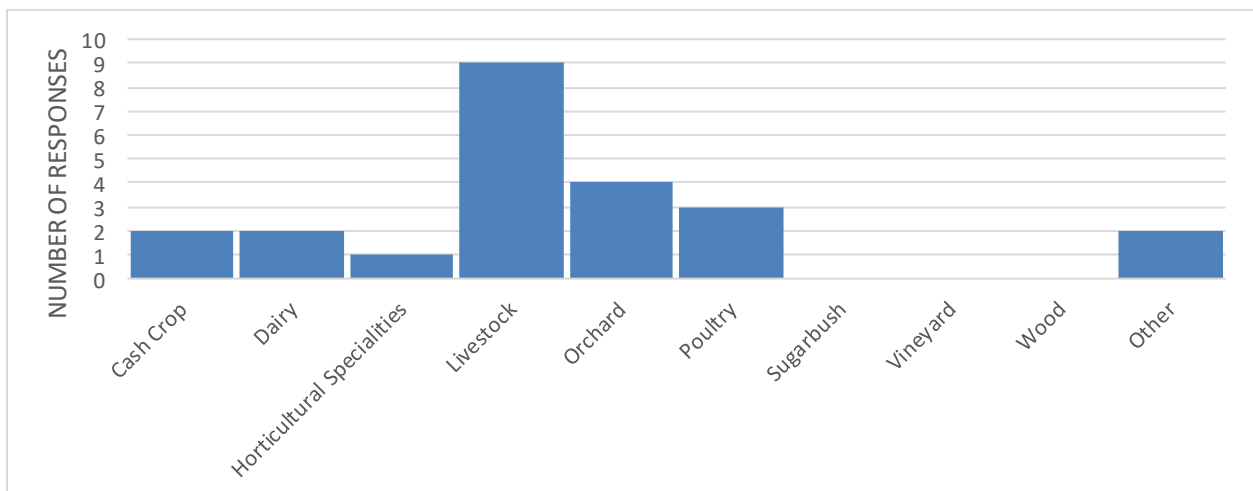
The present District contains approximately 85,908.87 acres in eight towns and one village, as detailed above.

In the fall of 2024, a notice of the eight-year review was mailed to all property owners with land enrolled in the District. The mailing also contained an agricultural district review worksheet and directed landowners to visit the Erie County website to add or remove land from the District. Of the 3,226 sent out, 89 (2.8%) were returned.

NATURE AND STATUS OF FARMING AND FARM RESOURCES

Data from the agricultural district review worksheet indicate that at least 2,850.6 acres are owned and 1,976 acres in the District are rented. Cropped acreage was reported as 2,196.7.

The agricultural district review worksheet results show a variety of farming enterprises within the District, illustrated below.



EXTENT TO WHICH COUNTY AND LOCAL COMPREHENSIVE PLANS, POLICIES, AND OBJECTIVES ARE CONSISTENT WITH AND SUPPORT THE DISTRICT

Framework for Regional Growth

The *Framework for Regional Growth* is Erie County's adopted land use plan. The *Framework* classifies all municipalities in the District as rural, with the exception of the northwest portion of the Town of Boston. This area of the Town does not contain any Agricultural District land.

The *Framework* seeks to minimize water and sewer infrastructure extensions into the rural areas of the county and aims to halt the conversion of agricultural lands. These goals are in accordance with the goals and intent of the State Agricultural District Program.

Agricultural and Farmland Protection Plan

Erie County's Agricultural and Farmland Protection Plan (AFPP) was approved by the Erie County Legislature and adopted in March 2013. It recognizes the importance of agricultural land within Erie County as a preferred land use, due to its importance to resource conservation, the preservation of open space, and the economic contributions to Erie County.

The Erie County Agricultural and Farmland Protection Plan creates innovative strategies to guide the County to identify and protect agricultural land with development pressure, support new farms and attract new farmers to Erie County, identify strategies to increase the financial viability of agriculture in the County, connect rural and urban farmers with consumers and new markets, and increase accessibility of healthy, local food for consumers.

Right-To-Farm Legislation

The Erie County Legislature adopted a County Right to Farm Law effective January 1, 2001. This law recognizes the importance of agriculture in Erie County and alerts prospective buyers of property adjacent to or within an agricultural district to the impacts of agricultural practices (specifically odors, noise, dust, etc.). The County law requires a disclosure notice be signed at the time of sale. The Towns of Boston, Colden, Collins, Concord, Holland, North Collins, Sardinia, and Wales have enacted Right-To-Farm laws, recognizing agriculture as an important part of their economy.

Local Comprehensive Plans

The District includes lands in the Towns of Boston, Colden, Collins, Concord, Holland, North Collins, Sardinia, and Wales, and the Village of Springville.

The comprehensive plans for the above-mentioned towns all exhibit language that is supportive of the Erie County Agricultural and Farmland Protection Plan. Common themes and objectives between the comprehensive plans, as well as the Agriculture and Farmland Protection Plan, include items such as the preservation of agricultural land and open space, future growth areas being located away from established agricultural operations, and the stated understanding that much of the land in these towns is

prime agricultural soil and should remain in agricultural use. The Village of Springville comprehensive plan is supportive of retaining existing farm operations.

EXTENT TO WHICH THE DISTRICTS HAVE ACHIEVED THEIR ORIGINAL OBJECTIVES

The District has fulfilled its intended goal, and in conjunction with the other Agricultural Districts within Erie County, formed the foundation for the County's future actions towards agricultural protection and enhancement.

DEGREE OF COORDINATION BETWEEN LOCAL LAWS, ORDINANCES, RULES, AND REGULATIONS

All Towns containing lands in the District currently enforce a zoning ordinance or law, summarized in brief below:

- In the Town of Boston, lands fall predominantly within the Residential-Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of Colden, lands fall predominantly within the Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of Collins, lands fall predominantly within the Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of Concord, lands fall predominantly within the Residential-Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of Holland, lands fall predominantly within the Rural-Residential-Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of North Collins, lands fall predominantly within the Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of Sardinia, lands fall predominantly within the Agricultural-Residential zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of Wales, lands fall predominantly within the Agricultural zoning district, which is designed to accommodate primarily agricultural and rural residential uses.
- In the Town of the Village of Springville, lands fall predominantly within the R-8.5 and RM Residence zoning district, which are designed to accommodate primarily residential uses, although the R-8.5 district by does permit agriculture.

DISTRICT MODIFICATIONS AND AFPB RECOMMENDATIONS

During the public comment period, the AFPB received two agricultural district modification requests. The AFPB considered these requests and based their recommendations upon Agricultural District Law, which

states that parcels included in agricultural districts must be “land highly suitable for agricultural production” and which continue to be feasible for farming if conditions remain the same.

The requests and AFPB recommendations are detailed in the following table:

App #	1	2	2
Landowner Request	Remove	Remove	Remove
AFPB Recommendation	Retain	Remove	Remove
Owner Name	Ronald Kwilos	Town of Concord	Town of Concord
SBL	317.00-1-7.1	335.02-1-1	322.00-3-1.11
Address	12547 Quaker Rd.	13076 N. Central Ave.	12779 Buffalo Rd.
Town	North Collins	Concord	Concord

Each parcel requested for inclusion was analyzed in detail by the AFPB. Erie County staff identified soil types and suitability for agriculture, type of operation, whether the parcel is owned-operated or rented, farm-related income, surrounding land use, eligibility for agricultural assessment, consistency with zoning, local and regional planning documents, proximity to agricultural districts, and eligibility for inclusion pursuant to Article 25AA of Agriculture & Markets Law. This data is provided in the matrix included as attachment 3.

Regarding the Kwilos parcel (application #1) in the Town of North Collins, the Board **does not recommend removal** from the Agricultural District. The decision was based upon Agricultural District Law, which states that parcels to be included in agricultural districts must be “viable agricultural land.” As the land is partially within a Cluster of Parcels with High Agricultural Soils Values, as identified in the *Erie County Agriculture and Farmland Protection Plan*, and surrounded by Agricultural District land, it is the view of the Board that the parcel consists of viable agricultural land. Furthermore, the removal of such land from the District is contrary to the goals stated in the Erie County Agriculture and Farmland Protection Plan.

A public hearing on the Agricultural District modifications is scheduled for March 28 at 10:00AM at the Chambers of the Erie County Legislature.

LIST OF ATTACHMENTS

1. Application #1 (application, map, photo)
2. Application #2 (application, map, photo)
3. Application Matrix
4. Agricultural District Review Worksheet Results
5. Framework for Regional Growth – Planning Policy Areas Map
6. Erie County Agricultural Districts Map
7. 30-Day Review Notice
8. Short Environmental Assessment Form Part 1

ATTACHMENT 1

Application #1 (application, map, photo)

Agricultural District Modification Form: Submission #81

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_modificati/submission/3941/table

Do you own property in the Southeast Agricultural District? Yes

Are you adding or removing property from the Southeast Agricultural District? Yes

Owner Name Ronald Kwilos

Phone 7166480798

Mailing Address 12547 Quaker Road
Lawtons, New York. 14091

Email rjkwilos@gmail.com

Renter Name

Renter Phone

Renter Address

Renter Email

SBL (Tax Parcel ID): 317.00-1-7.1
Street Address: 12547 Quaker Road
Town: North Collins
Acres: 12.1
Agricultural Assessment (Y/N): N
Add or Remove from District?: REMOVE

SBL

Total Number of Acres Owned 12.7

Total Number of Acres Farmed/Cropped 0


Total Number of Acres Rented 0

On your last tax return, did you have over \$1,000 in agriculture-related income?

Describe the business that is operated on the parcel(s) proposed for removal or inclusion.

Principal Enterprise

Cash Crop (Vegetable)

A handwritten signature in black ink, appearing to read "Roger J. Kwik". The signature is written in a cursive style with a large initial 'R'.

Property Owner Signature

APPLICATION 1: KWILOS



ATTACHMENT 2

Application #2 (application, map, photo)

Agricultural District Modification Form: Submission #80

www3.erie.gov/agriculture/admin/structure/webform/manage/agricultural_district_modificati/submission/3711/table

Do you own property in the Southeast Agricultural District? Yes

Are you adding or removing property from the Southeast Agricultural District? Yes

Owner Name TOWN OF CONCORD

Phone 716-592-4948

Mailing Address 86 FRANKLIN STREET
New York

Email concordtownsupervisor@gmail.com

Renter Name

Renter Phone

Renter Address

Renter Email

- **SBL (Tax Parcel ID):** 335.02-1-1
Street Address: 13076 N. Central Avenue
Town: SPRINGVILLE
Acres: 1.90
Agricultural Assessment (Y/N): N
Add or Remove from District?: REMOVE
- **SBL (Tax Parcel ID):** 322.00-31.11
Street Address: 12779 Buffalo Road
Town: SPRINGVILLE
Acres: 19.20
Agricultural Assessment (Y/N): N
Add or Remove from District?: REMOVE

SBL

Total Number of Acres Owned 21.10

Total Number of Acres Farmed/Cropped 0

Total Number of Acres Rented 0

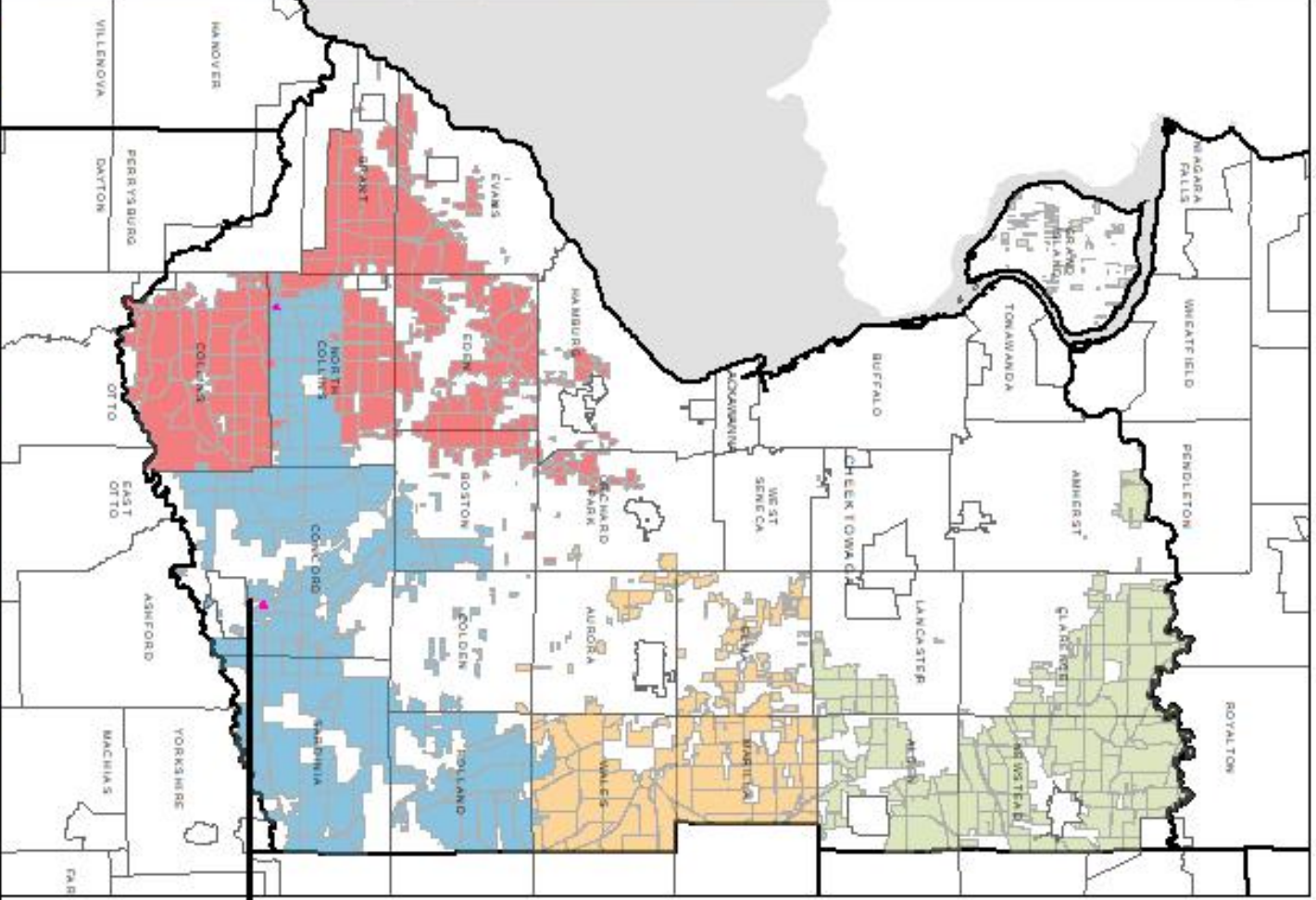
On your last tax return, did you have over \$1,000 in agriculture-related income?

Describe the business that is operated on the parcel(s) proposed for removal or inclusion. 13076 North Central- Town of Concord Highway Barns
12779 Buffalo Rd- Town of Concord Town Park

Principal Enterprise

Philip Droyd, Supervisor

Property Owner Signature



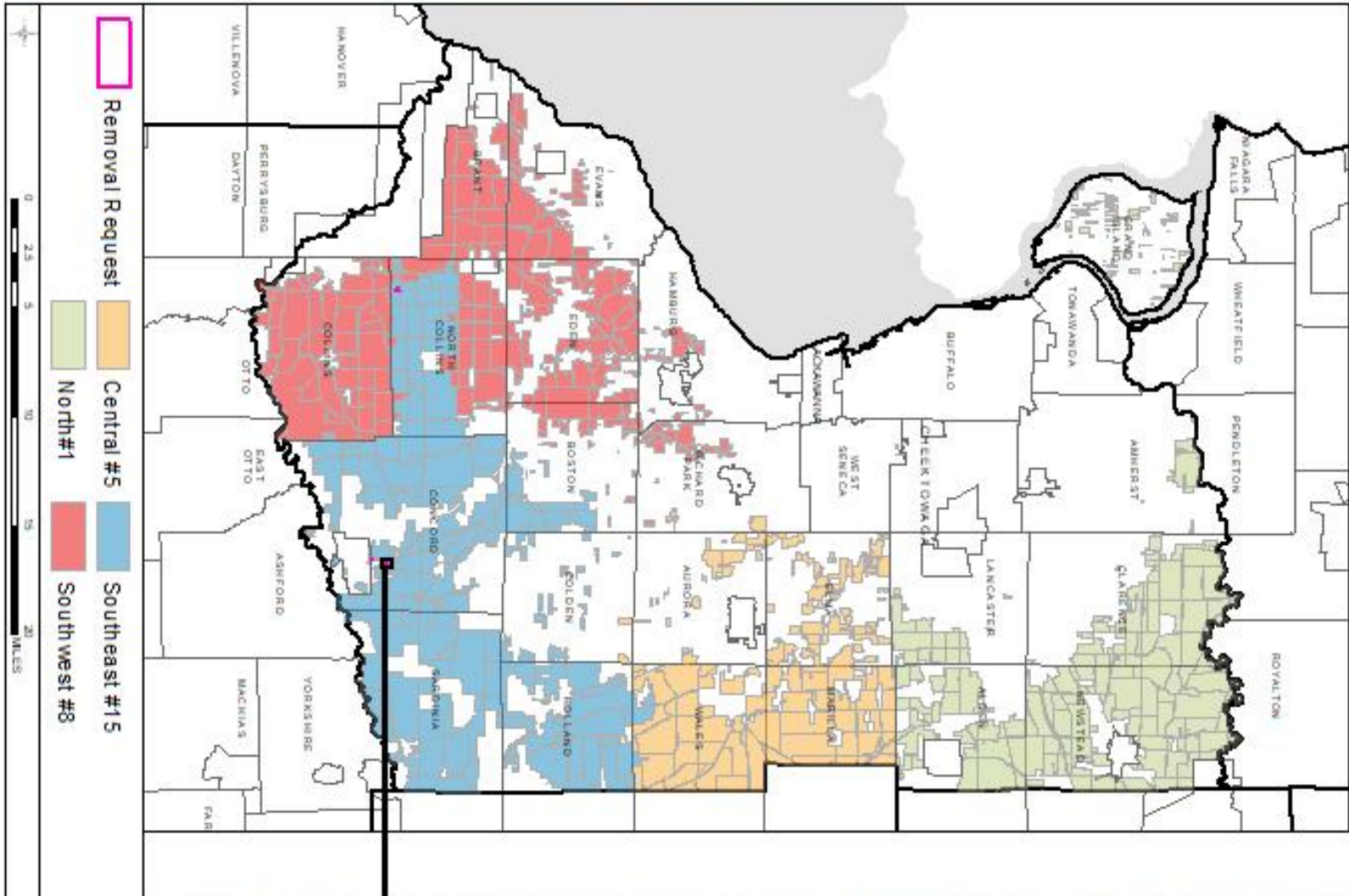
- Removal Request
- Central #5
- North #1
- South east #15
- South west #8



APPLICATION 2 : TOWN OF CONCORD
13076 CENTRAL AVE, TOWN OF CONCORD
 AGRICULTURAL DISTRICTS: 303-A MODIFICATION REQUESTS

APPLICATION 2: TOWN OF CONCORD





Removal Request
 North #1
 Central #5
 South west #8
 Southeast #15



APPLICATION 2 : TOWN OF CONCORD
12779 BUFFALO ROAD, TOWN OF CONCORD
 AGRICULTURAL DISTRICTS: 303-A MODIFICATION REQUESTS

PREPARED BY THE FINE COUNTY DEPARTMENT OF ENVIRONMENT & PLANNING BY GRIFFIN, 1/27/2024

APPLICATION 2: TOWN OF CONCORD



ATTACHMENT 3
Application Matrix

Application #	1	2
Add/Remove	Remove	Remove
Owner Name	Ronald Kwilos	Town of Concord
Operator	N/A	N/A
Renter Name	N/A	N/A
AGI from Farming	N/A	N/A
Capital Investment - Past 5 years	N/A	N/A
Operation Type	Cash Crop (Vegetable)	N/A
Enrollment Address	12547 Quaker Road	13076 North Central Avenue; 12779 Buffalo Road
Enrollment Town	North Collins	Concord
Enrollment SBL	317.00-1-7.1	335.02-1-1; 322.00-3-1.11
Enrollment Acres	12.7	1.9; 19.20
Ag Assessment	No	No
District	Southeast #15	Southeast #15
NYS Soil Suitability	Good-Fair	Good
Surrounding Land Use	Agricultural, Residential, Forested	Agricultural, Residential
Municipal Zoning	Residential-Agricultural	Residential-Agricultural
Zoning on Agriculture	Agricultural, floricultural and horticultural pursuits, including but not limited to general farms, greenhouses, plant nurseries, truck gardens, dairy husbandry and the raising of bees, poultry and livestock, together with all customary buildings and other structures necessary for the production and storage of the products of such pursuits, provided that buildings, pens and runways for the confinement of livestock or poultry shall be at least 100 feet from any property line in an R District and no manure or other odor- or dust-producing substance shall be stored within 100 feet of any lot	Agricultural, floricultural and horticultural pursuits, including but not limited to general farms, greenhouses, plant nurseries, truck gardens, dairy husbandry, animal husbandry and the raising of bees, poultry and livestock, together with all customary buildings and other structures necessary for the production, processing and storage of the products of such pursuits. No manure or other odor- or dust-producing substances shall be stored within 100 feet of any lot line; Nursery and Farming permitted.
Comprehensive Plan Recommendations	Goal: Conserve prime agricultural land and agricultural districts and protect them from urban growth	Goal: Encourage the preservation of prime and active farmland and support existing agricultural and farming operations; Goal: Protect Agriculture and Farmland to retain opportunities for economic development and to provide opportunities for jobs.
Framework for Regional Growth	Rural Area: Discourage the conversion of rural and agricultural lands	Rural Area: Discourage the conversion of rural and agricultural lands
EC AFPP	Keep land in agricultural production by protecting farmland, helping a new generation to form, and improving the viability of all farm in the County; Support the state-certified agricultural district with right-to-farm provisions.	Keep land in agricultural production by protecting farmland, helping a new generation to form, and improving the viability of all farm in the County; Support the state-certified agricultural district with right-to-farm provisions.

ATTACHMENT 4

Agricultural District Review Worksheet Results

#15 – Southeast Consolidated

	Acres in Pasture	92	Acres Owned	2,850.63
Acreege –	Acres Cropped	2,196.69	Acres Rented	1,976

Number of Active Agricultural Operations by Principal Enterprise

Dairy	2	Horticultural Specialties	1
Cash Crop (including grains and vegetables)	2	Orchard	4
Livestock	9	Wood	---
Poultry	3	Other (Unspecified)	2

Number of Operations According to Gross Sales and Agricultural Investments

	<u>Gross Sales</u>	<u>Agricultural Investments</u>
\$10,000 or less	11	7
\$10,000 to \$49,999	7	1
\$50,000 to \$99,999	---	5
\$100,000 to \$199,999	---	2
\$200,000 - \$499,000	---	1
Over \$500,000	1	---

Crops in Acres

Hay/alfalfa	184	Nursery/Horticultural Specialties	---
Corn	64	Forested	219.28
Grains	---	Other (Unspecified)	125
Fruit/Vegetables	2		

Livestock (#)

Cows	---	Hogs	2	Other
Heifers/Calves	157	Hens/Pullets	44	
Beef	83	Horses	17	

Products:

milk	700
sf greenhouses	12,002
cord wood	10
maple syrup	98

The results of this survey are limited to the responses received by the Department of Environment and Planning

ATTACHMENT 5

Framework for Regional Growth – Planning Policy Areas Map

Planning Policy Areas

Developed Areas

The region's Developed Areas extend outward from cities of Buffalo, Niagara Falls and Lockport and include developed lands served by public sewer, water and transportation infrastructure.

Developing Areas

The region's Developing Areas include rural and sparsely settled areas experiencing development pressure and demand for extensions of public sewer, water, and transportation infrastructure.

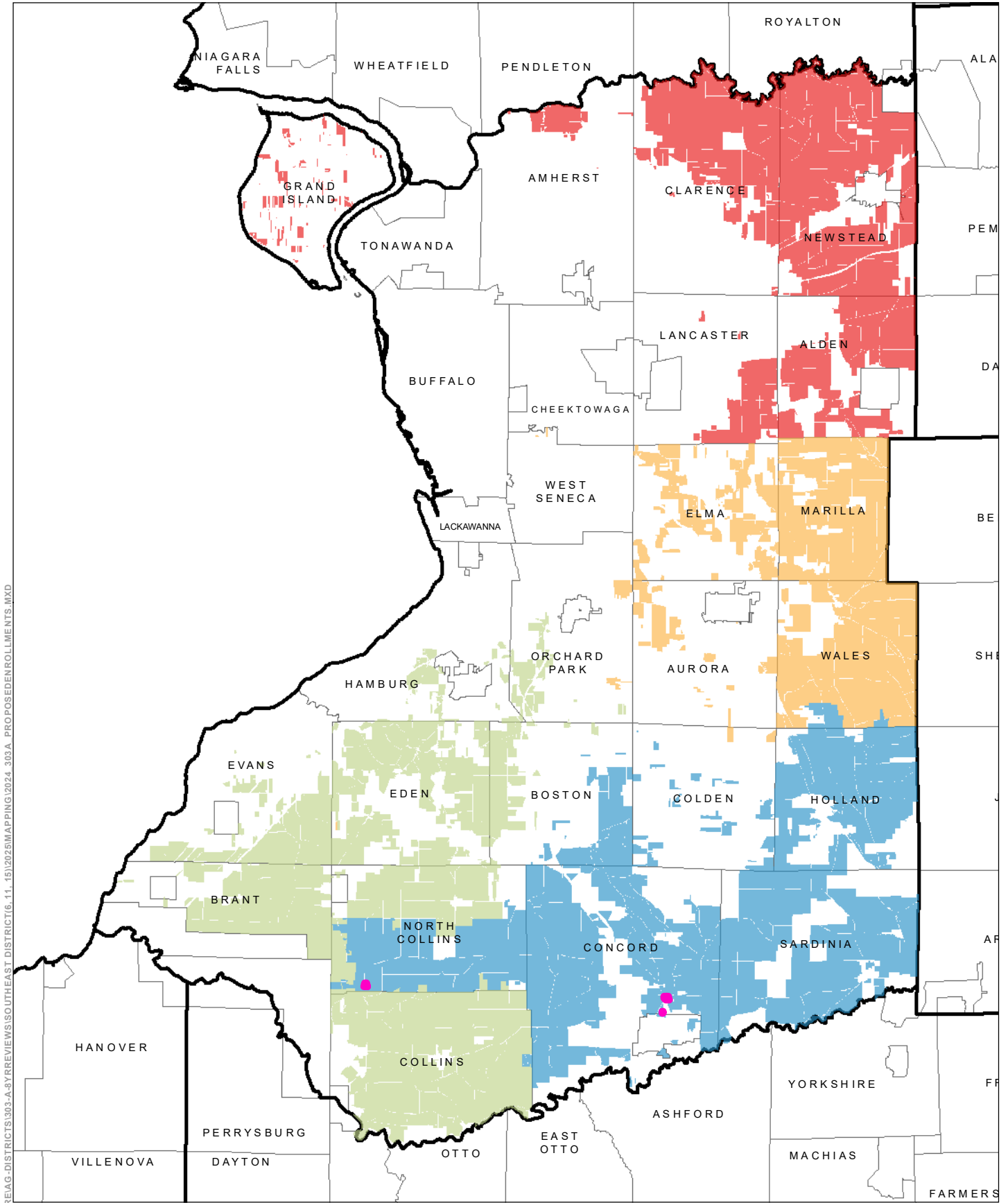
Rural Areas

The region's Rural Areas are the least intensely developed and include large tracts of forest and farm lands. In these areas, commercial services are clustered in incorporated villages and unincorporated hamlets.

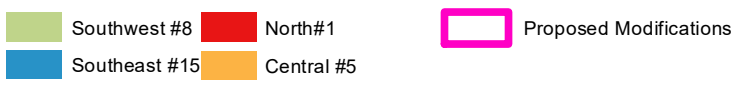


ATTACHMENT 6

Erie County Agricultural Districts Map

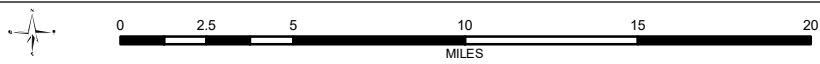



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2024 PROPOSED MODIFICATIONS
 ERIE COUNTY, NY

ERIE COUNTY AGRICULTURAL DISTRICTS



 MAP PREPARED BY THE ERIE COUNTY DEPARTMENT OF ENVIRONMENT & PLANNING BY GATTIS2, 12/11/2024

ATTACHMENT 7
30-Day Review Notice

PUBLIC NOTICE

30-DAY PERIOD FOR PUBLIC REVIEW OF SOUTHEAST AGRICULTURAL DISTRICT #15

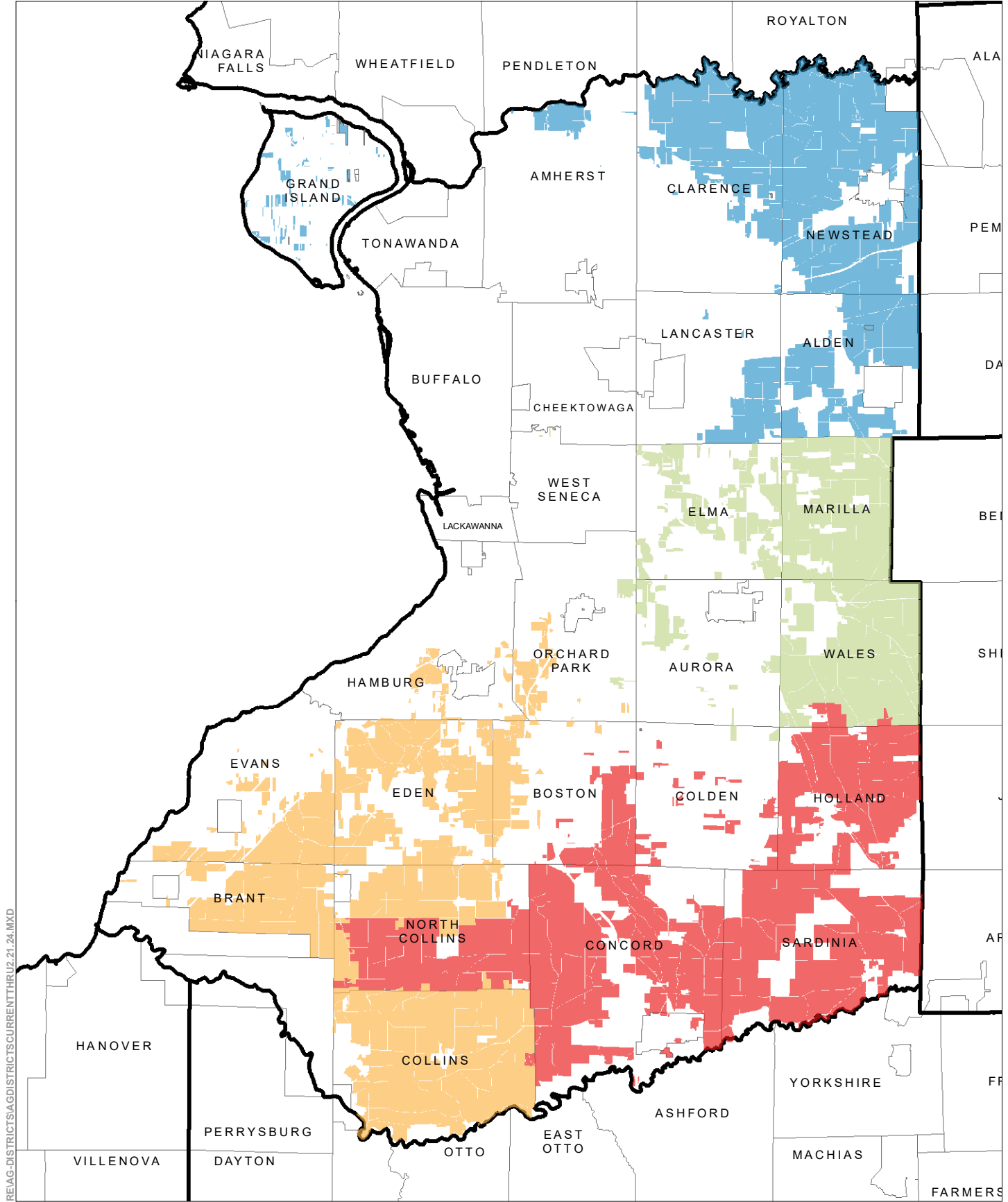
Per New York State Agriculture and Markets Law Section 303-a, the County Legislature is required to review agricultural districts eight years after their creation and every eight years thereafter. Proposed modifications to Southeast Agricultural District #15, which encompasses 85,908.87 acres in the municipalities of Boston, Colden, Concord, Holland, North Collins, Sardinia, and Wales, and was last certified on August 9, 2017, will be accepted from October 1-30, 2024, by the Erie County Department of Environment and Planning.

The application is available at erie.gov/agdistrictwebform. Hard copies are available upon request.

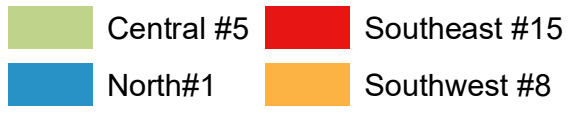
A map of the Agricultural District under review will be on file and open to public inspection in the office of the County Clerk. Any questions on this process should be directed to the Erie County Department of Environment and Planning. At this time, only landowners within the affected municipalities may apply to have land added or removed from the Agricultural District.

CONTACT:

Sarah Gatti, Principal Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-6014
Email: agriculture@erie.gov



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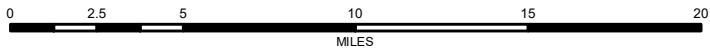
AGRICULTURAL DISTRICTS

ERIE COUNTY, NY

CURRENT THROUGH FEBRUARY 2024



MAP PREPARED BY THE ERIE COUNTY DEPARTMENT OF ENVIRONMENT & PLANNING BY GATTIS2, 8/30/2024



ATTACHMENT 8

Short Environmental Assessment Form Part 1



**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:

The proposed action is within the scope of a cooperative agreement between the undersigned County Legislative Body ("CLB") and the Department of Agriculture and Markets ("Department"), the only other agency required to undertake an action in this case. Therefore, the undersigned CLB will serve as lead agency for the proposed action to ensure compliance with the requirements of the State Environmental Quality Review Act, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

The proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department. The agency that will serve as Lead Agency is the undersigned CLB, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

Part 1 – Project and Sponsor Information

1. The proposed action is located in the County of Erie and the Town(s) of Colden and Evans.
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of Erie County.
3. The name, address, and e-mail address for the Clerk of the above named CLB is:
Olivia Owens, olivia.owens@erie.gov, 92 Franklin Street, Buffalo NY 14202
4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? Yes No

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.
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: 85,908.87 acres.

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

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? 21.1 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: 10/24/12

If Yes, please cite the applicable language: Page three identifies the need to "support the State-certified agricultural district program." Two of these parcels are municipally-owned and used as a highway barn and public park. Removing these parcels is not in conflict with the Plan.

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: Daniel Castle, AICP **Date:** 2/28/25

Signature:  **Title:** Commissioner, Erie County Env. and Planning

PART 1 – Project and Sponsor Information, Question 4 Narrative

INTENT

The intent of this action is to recertify and modify existing Agricultural Districts in Erie County, NY pursuant to New York State Agriculture and Markets Law Section 303-a.

DESCRIPTION OF ACTION

The Southeast Agricultural District No. 15 has been reviewed. A total of 21.1 acres will be removed from the agricultural district, decreasing the district size from 85,908.87 to 85,887.77 acres.

ENVIRONMENTAL RESOURCES

- *Land Use Plan or Zoning Regulations:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding land use plans and/or zoning regulations.
- *Intensity of Use of Land:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding the type and/or intensity of land use.
- *Community Character:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding community character.
- *Critical Environmental Areas:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding Critical Environmental Areas.
- *Energy:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding energy use.
- *Water and Wastewater Supplies:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding public and private water and/or wastewater supplies.
- *Historic, Archaeological, Architectural, or Aesthetic Resources:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding historic, archaeological, architectural, or aesthetic resources.
- *Natural Resources:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding natural resources.
- *Erosion, Flooding, or Drainage:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding erosion, flooding, or drainage.
- *Environmental Resources and Human Health:* The minor modification to the existing agricultural districts will not result in a significant adverse impact regarding environmental resources and/or human health.

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

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"/>

**Short Environmental Assessment Form
New York State Department of Agriculture and Markets**

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)