

Declaring Ulster County's Intent To Act As Lead Agency Under The New York State Environmental Quality Review Act (SEQRA) For Adoption Of The Ulster County Agricultural And Farmland Protection Plan – Department Of Planning

Referred to: The Energy, Environment and Sustainability Committee (Chairman Hewitt and Legislators Donaldson, Greene, Litts, Nolan, Stewart, and Walls), and The Economic Development, Planning, Education, Employment, Arts and Agriculture Committee (Chairwoman Sperry and Legislators Clinton, Corcoran, Hewitt, Litts, Stewart and Walls)

Chairwoman of the Economic Development, Planning, Education, Employment, Arts and Agriculture Committee, Megan Sperry, and Deputy Chair Herbert Litts, III, and Legislators Donaldson, Greene, Hewitt, Nolan, Stewart and Walls offer the following:

WHEREAS, Agriculture and Markets Law Article 25-AAA, Section 324 authorizes the New York State Commissioner of Agriculture and Markets to maintain a state agricultural and farmland protection program to provide financial and technical assistance within funds available, to assist counties and municipalities in developing agricultural and farmland protection plans and to assist both in the implementation of such plans; and

WHEREAS, the purpose of these programs is to fund local initiatives that are intended to maintain the economic viability of the State's agricultural industry and its supporting land base and to protect the environmental and landscape preservation values associated with agriculture; and

WHEREAS, agriculture is a substantial part Ulster County's economy and contributes to the State's agricultural industry and supporting land base, and

WHEREAS, the previous agricultural and farmland protection plan was adopted by the Ulster County Legislature in October 1997; and

WHEREAS, Ulster County was awarded funding in July 2022 to update its Agricultural and Farmland Protection by the New York State Department of Agriculture; and

WHEREAS, the Ulster County Planning Department working with its consultant, the assistance of a Project Advisory Committee, and input received from multiple stakeholder sessions, public survey, and a public information meeting all of which contributed to contents of the draft final plan which was provided to the Ulster County Farmland Protection Board for consideration; and

Resolution No. 125 April 15, 2025

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WHEREAS, the Ulster County Farmland Protection Board met on January 6, 2024, to review the Plan and voted in the majority to support the Plan and to pass the Plan on to the Ulster County Legislature for their consideration; and

WHEREAS, pursuant to Agriculture and Markets Law Section 324, the Ulster County Legislature conducted a public hearing on March 18, 2025 for public input regarding the final version of the Ulster County Agricultural and Farmland Protection Plan; and

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA) Article 8 of the New York State Environmental Conservation Law and Part 617 of Title 7, New York Code, Rules and Regulations (6 NYCRR) to incorporate consideration of environmental factors into existing planning, review and decision-making processes of local governmental agencies; the Ulster County Agricultural and Farmland Protection Plan is subject to SEQRA; and

WHEREAS, the New York State Department of Agriculture and Markets is the only other involved agency as defined by SEQRA; now, therefore be it

RESOLVED, that pursuant to 6 NYCRR Part 617.6(b) (3) of the Regulations pertaining to Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby declares its intent to serve as Lead Agency for the above-referenced project; and, be it further

RESOLVED, that the Ulster County Legislature has determined, after review of the criteria contained in 6 NYCRR Parts 617.4 and 617.5, that the project is a Type I Action; and, be it further

RESOLVED, that the Ulster County Legislature will circulate its Notice of Intent to serve as Lead Agency, together with the EAF and accompanying documentation to all interested agencies pursuant to 6 NYCRR Part 617.6(b) (2) (i) and 6 NYCRR Part 617.6(b) (3); and, be it further

RESOLVED, that pursuant to 6 NYCRR Part 617.6(b) (3), at the conclusion of an otherwise unchallenged thirty (30) day period following the date of transmittal of the Notice of Intent, the EAF and documentation aforesaid to the interested agencies, the Legislature shall become the Lead Agency under SEQRA for this project,

