

*Public Hearing*  
*North-Tioga Agricultural District*  
February 26, 2009

The Public Hearing on review of a proposed plan for revision of the North-Tioga Agricultural District was called to order by the Chair at 1:01 P.M. Three Legislative members were present, Legislators Huttleston, Monell, Oberbeck, Quinlan, Roberts, and Sauerbrey being absent.

There were 11 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Josh Brown, Associate Planner, spoke. "The North Tioga Agricultural district is comprised of the Towns of Richford, Berkshire, Newark Valley, and the Village of Newark Valley. During the eight-year review the plan can be continued, reviewed, or modified and this year the plan is up for a proposed modification. During this eight year period land may be added or removed from the district. To go over a couple of statistics from the agricultural process this year, the number of acres in the district being proposed is 23,776 acres. In 2001 when we had done the eight-year review we had a total of 18,860 acres. This time around we are increasing a net of 4,916 acres to the district over the four municipalities. The number of acres in farms is a total of 22,742 with the estimated number of acres cropped of 8,411. The number of acres owned by farmers are 22,173 and the number of acres rented by farmers is 569 acres. Since the last review the number of acres specifically in farms has increased 8,882 acres.

"I am going to go into a little bit of the process and the timeframe that we need to keep for the agricultural district review. September 4, 2008 marked the beginning of a 300 day review process. Public notices were issued to newspapers and town clerks of the affected municipalities and a 30 day comment period was held from October 1<sup>st</sup> to October 31<sup>st</sup>.

"On the data collection process for the district our methodology for petitioner recruitment included direct mailings, farm reviews, crops referencing to previously reported agricultural lands and telephone interviews for the purpose of accurate data collection. February 3, 2009 the data was presented to the Ag and Farmland Protection Board and the Legislative Agricultural Committee and there was the recommendation to approve the modification to the North Tioga Agricultural district.

“Today we are here to receive public comments since this is a formal public hearing. After the public hearing staff will review all public comments and begin work on any revisions to the plan and finalize a parcel listing and map to be submitted to the Legislature. Once the Legislature makes their final determination on the modified North Tioga Agricultural District the final plan will be submitted to New York State Department of Agriculture and Markets for a review and approval. The North Tioga Agricultural districts anniversary date is July 1, 2009.”

Pete Bateman spoke. “What is wrong with the district the way it is? Why change it?”

Josh Brown spoke. “The agricultural district is a voluntary program so this year we have actually had landowners enrolling additional acreage into the agricultural district so that is where the modification is going to be. It is actually increasing the amount of land enrolled in the district.”

Elaine Jardine spoke. “We had one small deleted parcel that was converted to fully residential, a small two acre parcel. The rest was additions on a voluntary basis by farmers or landowners that rent to farmers.”

Pete Bateman spoke. “Suppose you do not rent it and you put it into the soil banks, and you have to mow the hay on it and you have to let the hay lay on it because you cannot sell anything off from it. Is that going to stay the same?”

Elaine Jardine spoke. “I am not familiar with that program. That is not the same program as this.”

Josh Brown spoke. “That would not have anything to do with the agricultural district program. That is a separate program.”

Bill Corson spoke. “Otherwise the only modification is that you are adding more land and deleting a piece of property, right?”

Josh Brown spoke. “Nothing in the law has changed as far as any protections supported to you as far as being enrolled in the district. It is just up for an eight-year review. If you were to take your land out you are eligible to do that at this time or if you wanted to enroll you are eligible to do that as well.”

Bill Corson spoke. “The soil lease that is going on is changing. Is there anything that is going to mess up our qualifications for being in there right now?”

Josh Brown spoke. “Not as far as the agricultural district goes.”

**Elaine Jardine spoke. “There is a link though with the agricultural district. If a gas company proposes to drill on property or underneath property that the farmers are participating in, they then have to do a full environmental assessment form instead of just going through the regular permit process.”**

**Bill Corson spoke. “Who does that?”**

**Elaine Jardine spoke. “The gas driller, the drilling company. That is the only link between you.”**

**Bill Corson spoke. “In Pennsylvania some of the farmers have leased and they have taken their clean and green away from them.”**

**Josh Brown spoke. “That deals with more the ag assessment. The ag district and ag assessment they are different.”**

**Elaine Jardine spoke. “I am not even sure what the equivalent of clean and green is in New York State. Ag assessment is not clean and green either.”**

**Bill Corson spoke. “It is similar.”**

**There being no further comments, the hearing was adjourned at 1:09 P.M.**