Environment

RESOLUTION NO. 2015058

RE: ADOPTION OF NEGATIVE DECLARATION FOR THE ADOPTION OF THE DUTCHESS COUNTY AGRICULTURE AND FARMLAND PROTECTION PLAN ON THE BASIS OF THE FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF)

Legislators MICCIO, PULVER, HORTON, HUTCHINGS, SAGLIANO, WEISS, FARLEY, and STRAWINSKI offer the following and move its adoption:

WHEREAS, the New York State Department of Agriculture and Markets (NYS Dept. of Ag & Markets) recommended the Dutchess County Agricultural and Farmland Protection Board to update the Dutchess County Agricultural and Farmland Protection Plan adopted by the Dutchess County Legislature in 1998 in Resolution # 980039; and

WHEREAS, Dutchess County has identified the involved action as a Type I Action, has circulated amongst involved agencies for Lead Agency status and declared itself Lead Agency, after the required waiting period, for a coordinated review of the involved action, and

WHEREAS, the Legislature has reviewed the Full Environmental Assessment Form for the involved action, prepared by the Dutchess County Agricultural and Farmland Protection Board and agrees with its conclusion that the involved project will not have a Significant Negative Impact on the Environment based on the criteria provide in 6 NYCRR 617.7(a)-(c), and

WHEREAS, the Legislature has reviewed Notice of Determination of Non-Significance prepared by Dutchess County Agricultural and Farmland Protection Board and agrees with the reasons supporting this determination provided in this Notice, now therefore, be it

RESOLVED, Dutchess County approves and adopts the attached Notice of Determination of Non-Significance (Negative Declaration) for the adoption of the Dutchess County Agricultural and Farmland Protection Plan in accordance with SEQRA (6NYCRR 617.7.b), and be it further

RESOLVED, that this negative declaration shall be filed as provided by law.

CA-046-15 EW/JMF/kvh G-1624
2/18/15
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of March 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of March 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 0

Total Current Year Revenue $ 0
and Source

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency, ☐ Transfer of Existing Appropriations, ☐ Additional Appropriations, ☐ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:
Adoption of the plan results in no commitment of funds by the County.

Prepared by: Eoin Wrafter Prepared On: 2/17/15

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The Dutchess County Agricultural and Farmland Protection Plan is intended, in part, to support and promote the protection of the County's existing farm resources. It is intended to prevent the adverse impacts associated with conversion of farmland for residential or commercial development, encouraging municipalities to manage development in such a way that growth is encouraged in appropriate locations such as village and town centers, and and discouraged in locations that would interfere with farm enterprises or remove productive farmland from the working landscape.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Dutchess County Legislature as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Adoption of a new County Agricultural and Farmland Protection Plan

Name of Lead Agency: Dutchess County Legislature

Name of Responsible Officer in Lead Agency: Robert Rolison

Title of Responsible Officer: Chairman, Dutchess County Legislature

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Harry Baldwin, Chairman Dutchess County Farmland Protection Board

Address: 25 South Shanks Road, Salt Point, NY 12578

Telephone Number: 845-266-5378

E-mail: hwbaldwin@aol.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

RESOLUTION NO. 980039

RE: APPROVAL OF AGRICULTURAL AND FARMLAND PROTECTION PLAN DEVELOPED BY THE DUTCHESS COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD AND SUBMISSION THEREOF TO THE NEW YORK STATE COMMISSIONER OF AGRICULTURE AND MARKETS FOR APPROVAL

Legislators HORN, Reilly, Sheedy, Price, Fettes, Klose and Schroeder offer the following and move its adoption:

WHEREAS, Article 25-AAA of the New York State Agriculture and Markets Law authorizes a County Agricultural and Farmland Protection Board to develop an Agricultural and Farmland Protection Plan, and

WHEREAS, the Dutchess County Agricultural and Farmland Protection Board (Board) has analyzed agricultural trends and farm activities in Dutchess County and has developed an Agricultural and Farmland Protection Plan (Plan) that describes the activities, programs, and strategies to be used to promote continued agricultural use in Dutchess County, and

WHEREAS, the Board has conducted public meetings and held a public hearing on the proposed Plan, a copy of which is attached hereto and now submits such for approval, and

WHEREAS, adoption of this Plan shall not be construed as a financial commitment on the part of Dutchess County to any program or position, and

WHEREAS, approval of the Plan by Dutchess County and subsequent approval by the Commissioner of the New York State Department of Agriculture and Markets will make Dutchess County eligible for State Agricultural Protection Grants to implement Plan strategies, now, therefore be it

RESOLVED, that the Plan submitted by the Board is approved, and, be it further

RESOLVED, that the Plan be submitted to the New York State Commissioner of Agriculture and Markets for approval.

APPROVED

CA-22-98 ADR/kh 01/15/98

Fiscal Impact: See attached statement

amended on floor 5/11/98 cm.

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK
COUNTY OF DUTCHESS ss:

Date 5/21, 1998

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11 day of May 19 98 and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11 day of May 19 98

CLERK OF THE LEGISLATURE

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