

RESOLUTION NO. 2023192

RE: ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO THE MODIFICATION AND CONSOLIDATION OF DISTRICTS 20, 22, AND 23 INTO AGRICULTURAL DISTRICT 21, ENCOMPASSING THE LANDS WITHIN THE COUNTY OF DUTCHESS

Legislators CAVACCINI, GELLER, HAUSER, D'AQUANNI, and SAGLIANO offer the following and move its adoption:

WHEREAS, this Legislature is considering the modification and consolidation of Districts 20, 22, and 23 into Agricultural District 21, in accordance with Agricultural and Markets Law Section 303-a & 303-c and the recommendations of the Dutchess County Agricultural and Farmland Protection Board, and

WHEREAS, pursuant to Resolution 2023079 Dutchess County entered into a cooperative agreement with New York State Agriculture and Markets which declared the County as Lead Agency with principal decision-making authority and Agriculture and Markets as an involved party, and

WHEREAS, approval of consolidation constitutes an action subject to the State Environmental Review Act, and

WHEREAS, the Dutchess County Legislature has attached a Short Environmental Assessment Form, which concludes that the program constitutes: (1) an Unlisted Action pursuant to Article VIII of the New York State Environmental Quality Review Act and part 617 of the NYCRR (SEQRA); and (2) that the proposed action will not result in any significant adverse environmental impacts, and


WHEREAS, the purpose of this Legislature in adopting this Resolution is to adopt and confirm those findings, and

WHEREAS, a true copy of the Short Environmental Assessment Form and the Negative Declaration reflecting the finding that the action will not result in any significant adverse environmental impacts are attached hereto and made a part hereof, now, therefore, be it

RESOLVED, that the Dutchess County Legislature as Lead Agency finds and determine that it has considered the proposed Action, reviewed all parts of the Short Environmental Assessment Form, reviewed the criteria set forth in 6 NYCRR section 617.7(c) thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential environmental impacts and their magnitude in connection with the proposed action, and be it further

RESOLVED, that the Dutchess County Legislature finds and determines that the adoption of amendments to the Agriculture District No. 21 will not result in any large and important environmental impacts, and therefore, will not have a significant adverse impact on the environment, and be it further

RESOLVED, that the Dutchess County Legislature as Lead Agency with reference to the above-described Action hereby adopts a negative declaration pursuant to 6 NYCRR section 617.7(c) with respect to the proposed modification and consolidation of Districts 20, 22, and 23 into Agricultural District 21 and authorizes the County Executive to sign the negative declaration and determination of non-significance.

APPROVED

WILLIAM F.X. O'NEIL
ACTING COUNTY EXECUTIVE
Date 11-13-2023

STATE OF NEW YORK

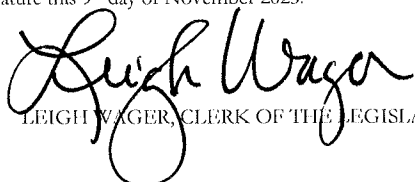
ss:

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 November 2023, 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 November 2023.




LEIGH WAGER, CLERK OF THE LEGISLATURE



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:

[X] 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 proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department.

Part 1 - Project and Sponsor Information

1. The proposed action is located in the County of Dutchess and the Town(s) of

2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of Dutchess County.

3. The name, address, and e-mail address for the Clerk of the above named CLB is:

Leigh Wager

Dutchess County Legislature 22 Market Street Poughkeepsie, New York 12601

LWager@dutchessny.gov

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? [X] 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? [X] Yes [] No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: 197,481 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? 194,877 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: May 22, 2015

If Yes, please cite the applicable language:

Since the adoption of the Plan we have offered several educational opportunities about the differences between the Agricultural Districts Program and Agricultural Value Assessment. In addition we have audited communities for their farm friendliness and offered improvements to zoning that could further the agricultural industry. Ensuring that our agriculturally viable land is included in these districts will ensure its future usage for agriculture.

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: Eoin Wrafter

Date: 11/8/2023

Signature: _____

Title: Commissioner - Planning & Development

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 checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" 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.

County of Dutchess

Name of Lead Agency

11/9/23

Date

A. Gregg Pulver

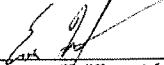
Print or Type Name of Responsible Officer in Lead Agency

Chairman, County Legislature

Title of Responsible Officer



Signature of Responsible Officer in Lead Agency



Signature of Preparer (if different from Responsible Officer)

STATE ENVIRONMENTAL QUALITY REVIEW SHORT ENVIRONMENTAL ASSESSMENT FORM FOR AGRICULTURAL DISTRICTS

Question 4 Narrative:

The Dutchess County Legislature intends to make modifications to and consolidate districts 20, 22, and 23 into Agricultural District No. 21

The modifications include:

- 3,945 parcels will be retained
- 177 parcels will be added
- 547 parcels will be removed

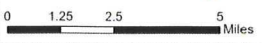
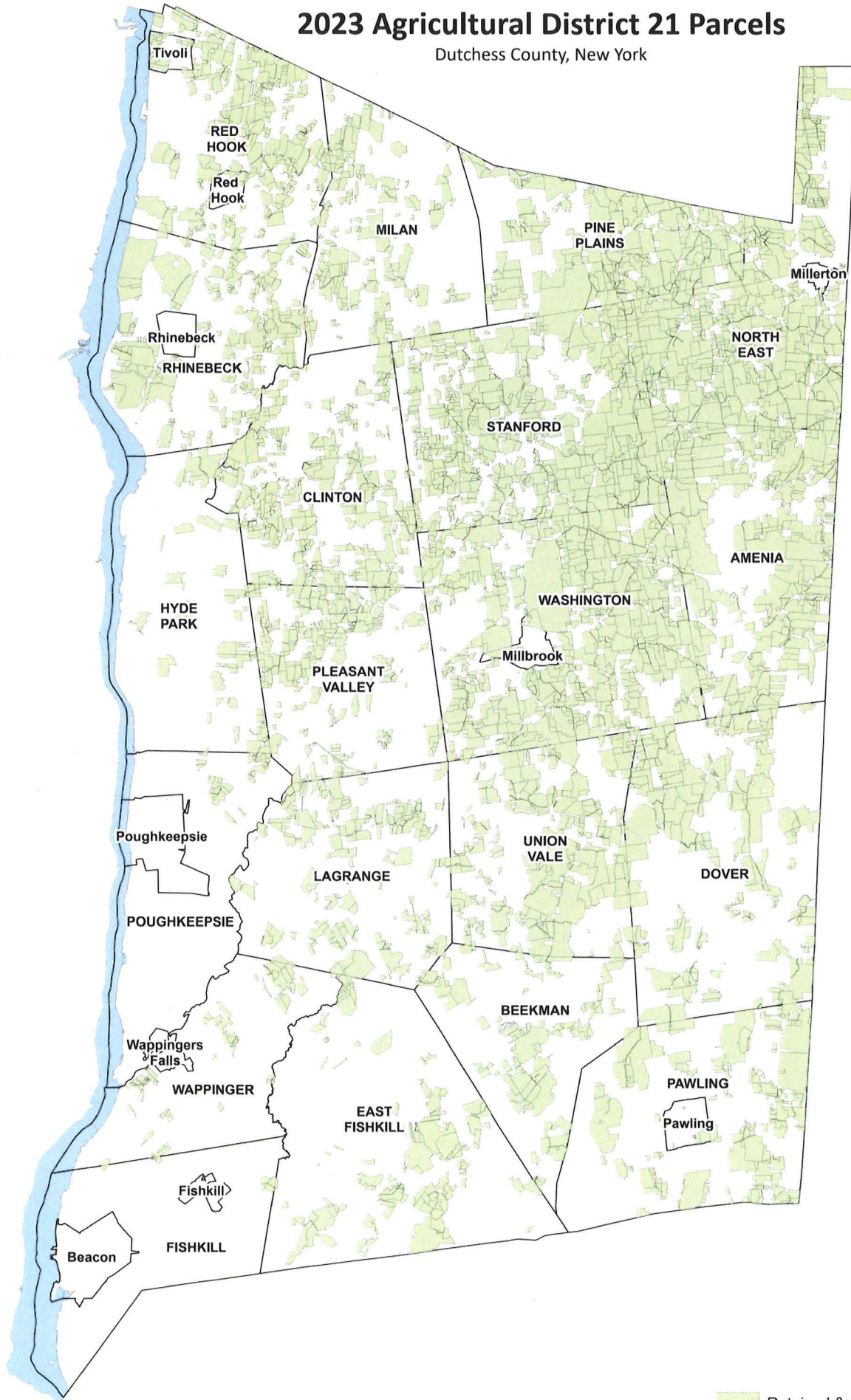
The total acreage in the agricultural District will be 194,877 which is a loss of 1,910 acres compared to the last 8-year review in 2015 and 2,604 compared to 2022. Most of the parcels recommended for removal by the AFPB are lands that have been converted from agriculture to residential or commercial uses.

Overall, the percentage of county acres in the agricultural districts is 39% compared to 61% not.

There are no significant adverse environmental impacts on environmental resources due to the proposed modifications and consolidation into agricultural district 21.

2023 Agricultural District 21 Parcels

Dutchess County, New York



 Retained & Added District Parcels
Map Prepared By Dutchess County Department of Planning & Development
November 2023

Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt*		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston*	<i>absent</i>	
District 16 - Town of Fishkill and City of Beacon	Valdés Smith*		
District 10 - City of Poughkeepsie	Atkins*		
District 1 - Town of Poughkeepsie	Llaverias	<i>absent</i>	
District 6 - Town of Poughkeepsie	D'Aquanni		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 15 - Town of Wappinger	Cavaccini (C)		
District 20 - Town of Red Hook/Tivoli	Munn		
District 23 - Towns of Pawling, Beekman and East Fishkill	Hauser (VC)		
District 24 - Towns of Dover and Union Vale	Surman	<i>absent</i>	

Present: 9
 Absent: 3
 Vacant: 0

Resolution: ✓
 Motion:

Total : 9 0
 Yes No
 Abstentions: 0

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NOVEMBER 2, 2023

Roll Call Sheets

District	Last Name	YES	NO
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		
District 16 - Town of Fishkill and City of Beacon	Valdés Smith		
District 10 - City of Poughkeepsie	Atkins		
District 1 - Town of Poughkeepsie	Llaverias		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Polasek		
District 4 - Hyde Park	Geller		
District 5 - Town of Poughkeepsie	Keith		
District 6 - Town of Poughkeepsie	D'Aquanni		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Kearney		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 14 - Town of Wappinger	Paoloni		
District 15 - Town of Wappinger	Cavaccini	<i>absent</i>	
District 17 - Town and Village of Fishkill	McHoul		
District 18 - City of Beacon and Town of Fishkill	Page		
District 20 - Town of Red Hook/Tivoli	Munn		
District 21 - Town of East Fishkill	Caswell		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Hauser		
District 24 - Towns of Dover and Union Vale	Surman	<i>absent</i>	

Present: 23 Resolution: ✓ Total : 23 0
 Absent: 0 Motion: Yes No
 Vacant: 0 Abstentions: 0

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NOVEMBER 9, 2023