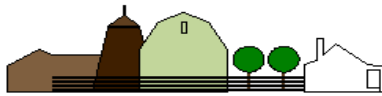


2023 Agricultural District 8-Year Review

Report to the Dutchess County Legislature



Prepared by the Department of Planning & Development on behalf of
the Agricultural & Farmland Protection Board
November 27, 2023

As directed by New York State law, this Report considers the County's Agricultural District in the context of county and local comprehensive plans, policies, and objectives; discusses the impact of nonagricultural development in each district; examines the degree of coordination between local laws and regulations that apply to farm operations and the extent of their influence on farming; and offers recommendations regarding the certification of each proposed agricultural district.

Background/Context

The County's [2015 Farmland and Protection Plan](#) demonstrated many indicators of strength within Dutchess County farming. Diverse agricultural products are grown and generated on the County's estimated 620 farms, including hemp, sunflower oils, flour, and the exploding on-farm craft beverage industry. The County's top crop commodities by acres are hay, corn, vegetables, and soybeans per the USDA Census of Agriculture.

Our top livestock inventories are chickens, cattle, horses, goats, and sheep. 93% of Dutchess County farms are family farms. 89% percent have internet access; 43% are female farmers; 44% hire farm labor; 22% sell directly to consumers and 2% are farmed organically.

Our farms provide fresh food (and food security); provide jobs for members of the community – on the farm, through value-added processing, sales, and directly and indirectly related infrastructures; enhance our agri-tourism industry; support other local businesses through purchases of goods and services. Our farms sell to restaurants, supermarkets, small markets, distribution centers, other farms, and contribute to our quality of life here in Dutchess County. In general, over the years our farmers have become more productive while using fewer acres.

Our farms contribute approximately \$50 million in sales to the County economy. There are 11 farmers' markets and over 50 farm stores and seasonal stands in the County. Although not all farmers respond to the census, the trending information should be considered. According to the 2017 Census of Agriculture, we lost 9% of our farms from 2012 - 2017 and corresponding sales have also dropped by 9%, with the sales of livestock taking the largest drop (this possibly correlates to an increase in direct sales versus live animal sales). The full county profile can be seen in Attachment A.

It is important to note that the number of farmers in Dutchess County nearly doubled, from 678 to 1,135. The Census now gathers data on the numbers of New and Beginning Farmers and 340 of our farmers have identified themselves as such.

There are, however, some challenges to overcome – some are new, while others are long-standing issues that have been identified as barriers in the past. The lack of processing facilities, the lack of farming's next generation, and the loss of farmland due to suburban growth are still significant issues.

There is continued pressure to increase productivity on fewer acres and utilize fewer natural resources at reduced costs. Price and risk management remain critical issues for Dutchess County agriculture.

Small farms generate significant dollars that are spent on investments that fuel the local economy. Larger farms, while fewer in number, generate higher gross sales and make larger capital investments.

The table below shows a mix of trends in Dutchess County agriculture over the past 40 years. The number of farms has increased while their average size has decreased. Average sales per farm have dropped significantly, while total farmed acreage has stabilized at around 100,000 acres.

Table 1 - Agricultural Trends

Year	# of Farms	Total Acres	Av. Per farm	Av. Sales Per Farm*
2017	620	101,948	164	\$70,817.00
2012	678	112,000	166	\$72,303.00
2007	656	102,000	156	\$75,740.00
2002	667	112,000	168	\$60,643.00
1997	539	106,000	198	\$78,692.00
1992	554	110,000	198	\$97,753.00
1987	613	124,000	203	\$123,758.00
1974	568	136,000	239	N/A

Source: U.S. Census of Agriculture

Farmland Preservation/Protection

It is highly unlikely that it will ever be possible to purchase the development rights on all the most critical farmland in Dutchess County. To be as cost-effective as possible, it is important to invest in land conservation projects now, while land values are comparatively low. Farmland protection projects involve the purchase of development rights and conservation easements, which restrict landowners’ future use of the property in a way that preserves the property for agricultural uses. The Property remains in private ownership and on the tax rolls. The sale or donation of development rights is voluntary.

From 1998 through 2022 over \$50 million has been invested in the purchase of development rights at Dutchess County farms, representing a major investment into the agriculture economy and making a significant statement about the importance of farming and farmland preservation for residents. The attached map entitled “Preserved Lands in Dutchess County” shows the extent of protected farmland throughout the County. Nearly 42,000 acres in Dutchess County are protected, of which approximately 31,000 acres are actively farmed.

Dutchess County is an active partner in farmland protection. The [Partnership for Manageable Growth](#) is a County initiative that has supported the purchase of development rights to over 4,800 acres of important farmland. The Program provides a matching portion of the purchase price up to 50% of the total project cost.

Dutchess County is fortunate to be home to active and experienced land trusts, including the Dutchess Land Conservancy, Scenic Hudson, and Winnakee Land Trust, which collectively hold easements to thousands of acres of preserved farmland. The land trusts proactively seek out available funding from public and private funding sources to complete the purchase of

development projects and recently submitted several projects for funding from the state's Hudson Valley Agricultural Enhancement Program.

Municipalities have also been active partners in the purchasing of development rights. The Towns of Red Hook, Beekman, and LaGrange have previously established PDR funding programs, and the Towns of North East and Union Vale have contributed to specific PDR projects. Red Hook is notable for its farmland protection program, which has contributed to establishing a core area of 2,700-plus acres of protected farmland.

Farm Soils

The Agricultural District Program supports the preservation of high-quality soils; those that require few inputs such as fertilizer and generate high yields. Designated "prime" soils are suited to a wide variety of farm crops with relatively few limitations and represent an irreplaceable agricultural resource. Prime soils are well-drained, nearly level, fertile, stable, and deep and cover about 16% of the County. Significant concentrations occur along major stream valleys and throughout the towns of Red Hook and Rhinebeck, as well as major portions of Clinton and Pleasant Valley. High-quality soils are also abundant in the southwestern quadrant of the county, though many have been built over. Soils designated to be of "statewide importance" support good crop fields, but unlike prime soils, they have limitations that require special conservation measures and are suited to a smaller variety of crops. Such soils cover about 27% of the County and are usually found in proximity to prime agricultural soils. A map of the soils can be found in Attachment B.

Much of the County's prime and statewide important soil acreage has been developed for residential or commercial uses since the mid-20th century and is no longer available for agricultural use. The best of these soils that remain form a critical resource upon which the agricultural industry depends. If land uses that can function satisfactorily on less valuable soils are allowed to continue to consume the best soils in Dutchess County, the County's agricultural community will be further weakened, and its ability to respond to future changes will be severely impaired.

Population & Farmland Conversion Pressure

An increasing population can have a direct impact on farms. More people may result in more homes and commercial development that can infringe on farmland. From the 1950s until the mid-2000s, Dutchess County experienced sustained and significant population growth. Migration into the county was fueled by its strong economy, relatively low unemployment levels, and proximity to the New York metropolitan area. Substantially higher housing and land prices in and around New York City and Westchester County also drew many people north into the County. While the effects were most pronounced in southern Dutchess County, its impacts have spread to other parts of the County. During the past several years, however, the rate of population growth has slowed substantially in most municipalities.

Table 2 illustrates population change between 2022 and the last Agricultural District Review in 2015. It shows very modest population growth for the entire county. Some towns lost and

some gained population, but changes were not significant. Based on available estimates, we expect the county's population to hover around 300,000 through 2045—about the same as it is now.

Table 2 - Population Change 2015 to 2022

	July 1, 2015	July 1, 2022	# change 2015-2022	% change 2015-2022
Dutchess County	294,105	297,545	3,440	1%
Beacon city	13,508	14,290	782	6%
Poughkeepsie city	30,323	32,010	1,687	6%
Fishkill village	2,118	2,156	38	2%
Millbrook village	1,416	1,452	36	3%
Millerton village	931	889	(42)	-5%
Pawling village	2,264	1,987	(277)	-12%
Red Hook village	1,970	1,963	(7)	0%
Rhinebeck village	2,595	2,684	89	3%
Tivoli village	1,089	1,026	(63)	-6%
Wappingers Falls village	5,606	6,064	458	8%
Amenia town	4,277	3,834	(443)	-10%
Beekman town	14,509	13,931	(578)	-4%
Clinton town	4,227	4,063	(164)	-4%
Dover town	8,472	8,393	(79)	-1%
East Fishkill town	29,002	29,800	798	3%
Fishkill town	24,206	23,804	(402)	-2%
Hyde Park town	21,095	21,190	95	0%
La Grange town	15,561	16,443	882	6%
Milan town	2,341	2,281	(60)	-3%
North East town	2,955	2,976	21	1%
Pawling town	8,285	8,018	(267)	-3%
Pine Plains town	2,427	2,240	(187)	-8%
Pleasant Valley town	9,758	9,791	33	0%
Poughkeepsie town	44,407	45,724	1,317	3%
Red Hook town	11,200	10,064	(1,136)	-10%
Rhinebeck town	7,761	7,665	(96)	-1%
Stanford town	3,761	3,683	(78)	-2%
Union Vale town	4,629	4,578	(51)	-1%
Wappinger town	26,761	28,275	1,514	6%
Washington town	4,640	4,492	(148)	-3%

Source: U.S. Census Estimates Program (Town data includes Village data)

Comprehensive Planning & Zoning Summary

In New York State, comprehensive planning and zoning tangibly impact agriculture and farmland protection. Comprehensive plans create the foundation for local land use regulation by establishing policies, visions, and strategies to achieve community objectives. Land use regulations, including zoning, flow from the Comprehensive Plan to meet those community objectives. Both can affect agriculture in many ways. Choices made by local communities in their zoning can drive up land values, make farm expansion or start-ups difficult, cause fragmentation of viable farmland, and hasten conversion to other uses. When local laws restrict agriculture, a sense of impermanence for farming can develop which in turn, can foster disinvestment in farm operations, and ultimately lead to the sale of land for development.

A review of local comprehensive plans and zoning laws was completed in 2021 and summarized in our Blueprint article [Fielding Farm-Friendliness Through Planning and Zoning](#). The Farm-Friendly Audit revealed several important points, but none more striking than this: 61% of Dutchess County communities acknowledge the positive impact of farming and farmland in their municipal documents, but 72% have barriers that make it harder for agriculture to operate effectively. Most municipalities include broad support for agricultural statistics and policies, but this level of support is not matched in municipal zoning codes where real implementation of the comprehensive plan should take place.

Compatibility with County Plans and Objectives

2015 Agricultural and Farmland Protection Plan: In the Fall of 2013, the AFPB with assistance from the Department of Planning and Development, undertook a complete update to the County's Agricultural & Farmland Protection Plan. The Plan was prepared with extensive input from farmers, government agencies, not-for-profit organizations, and the public. The Plan identified agricultural strengths, weaknesses, opportunities, and threats and found that many significant and positive features make this a great county in which to farm. A combination of climate, soils, supportive agencies, and organizations, access to a large population, growing market demand for local products, and positive attitudes about farming's future provide a strong foundation for enhancing agriculture in the County. Five priority Initiatives were developed to help the County foster a robust agricultural economy and further protect farmland.

Initiative 1 - Coordination and Collaboration through an Agricultural Navigator & Agricultural Advisory Committee

Initiative 2 - Agricultural Economic Development and Business Retention & Expansion Program

Initiative 3 - Farmland Preservation

Initiative 4 - Farm Friendly Regulation

Initiative 5 - Marketing, Public Relations, and Awareness

Greenway Connections: Greenway Connections was adopted by the County Legislature in 1999 and was designed to help communities fulfill the farmland protection objectives cited in Directions, the County's Comprehensive Plan. The [Greenway Guides](#) are a series of concise, visually oriented, two-page information sheets offering best practice examples of Greenway

Connections principles in action. Four Guides focus on preserving the countryside and providing standards for cluster or conservation design, preventing residential strip development along rural roads, creating site-specific farm development plans that direct development away from productive farmland, and protecting water resources in rural areas.

In partnership with local communities and agencies, the County has established successful programs to support agriculture and farmland protection. The County has also developed municipal Centers and Greenspaces maps for several communities. The recommended, expanded Agricultural Districts directly support Greenway Connections goals.

County Objectives/Programs

The Agricultural Districts Program aligns with County objectives to support agriculture and farmland protection. The County supports that objective through a range of innovative programs.

- Funded a full-time Agricultural Navigator at CCEDC.
- The County's Partnership for Manageable Growth Open Space & Farmland Protection Program.
- The County financially supports agricultural programming that is delivered by CCE, SWCD, and other partners.
- In 2019, the County, in support of our local agriculture, enacted a Right-to-Farm law.
- The County has developed a series of GIS data layers that are available to all municipalities including Agricultural Districts, parcels, soils, topography, and water resources. These layers help to identify important farm resources and steer development to more compatible areas.
- Dutchess County Tourism annually produces a Farm Finder brochure.
- County Departments provide education and training to local communities about land management and planning. For example, the County Planning Department produces a monthly e-newsletter on behalf of the Dutchess County Planning Federation and utilizes its other media outlets to forward best practices. In 2016 the Department provided agricultural-focused training for members of local planning, zoning, and other boards.

The 2023 Review Process

Introduction

This report fulfills, in part, the requirements of [Article 25-AA – New York State Agricultural Districts Law](#). The Law, initiated in 1971, protects and enhances farmlands and agricultural production as a viable segment of local and state economies and environmental resources of major importance. Detailed information about the Agricultural Districts Program can be found on the website of the [NYS Department of Agriculture and Markets](#) (NYSDAM).

The Law plays a key role in preserving farming and valuable farmlands. While it has been amended nearly every year since 1971, it continues to provide important benefits to eligible properties, including 1) limitations on state and local government authority to restrict farm practices or take farmland by eminent domain; 2) support by state agencies to encourage retention of farming through regulations and procedures; and special farm-related criteria when advancing funds for non-farm development; and, 3) limitations on the power of involved municipalities to impose service (i.e., sewer, water) tax assessments upon farmland. Certified Agricultural District maps also provide specific documentation of local land resources that should receive special consideration during reviews of development proposals, comprehensive plan upgrades, etc.

The creation of Agricultural Districts is initiated by owners of land within the proposed District and that land must comprise a minimum of 250 acres within the proposed district. The county conducts a thorough review of the districts every eight years to determine if changes are warranted. While parcels can be added to a district each year from April 15 through May 14, it is only during the eight-year review that parcels can be both removed and added; such actions are referred to as district modifications.

Enrollment in the Agricultural Districts is often confused with the process of applying for agricultural assessments which require an annual application to the appropriate municipal assessor and are based on documentation of production income during the previous year. To qualify for an agricultural assessment, landowners of acreage 7 acres or larger in production must demonstrate farm-related income of \$10,000 or more; landowners of acreage less than 7 acres in production must document farm-related income of at least \$50,000.

As directed by New York State law, this Report considers the County's Agricultural Districts in the context of county and local comprehensive plans, policies, and objectives; discusses the impact of nonagricultural development in each district; examines the degree of coordination between local laws and regulations that apply to farm operations and the extent of their influence on farming; and offers recommendations regarding the certification of each proposed agricultural district.

Dutchess County values the important role of the Agricultural District Program in preserving farmland and promoting agriculture. In Dutchess County, eighteen different Districts were initially created in 1971/1972, each with varying adoption dates and review schedules. During the 1984 review process, these 18 Districts were consolidated into four, and a single review anniversary date was set at eight-year intervals. The parcels and amounts of acreage within these four Districts have changed over time but each is approximately one-quarter of the County's land area and, together, the current four Districts encompass the entire County.

The 2023 review process featured proactive outreach to thousands of landowners and farmers to ensure viable farmland that would serve the public interest by assisting in maintaining a viable agricultural industry within the district is enrolled in Agricultural Districts. The review process was leveraged to educate a broad array of stakeholders about the benefits provided by the districts and to gather valuable data about agricultural commodities and capital investments being made at local farms throughout Dutchess County. [Article 25AA](#) establishes procedures for District review and certification, which were implemented and adhered to by the Review Team. The County dedicated a significant budget and allocated many staff hours in support of a thorough review process. The Agricultural and Farmland Protection Board (AFPB) provided critical guidance in conducting the Review.

The AFPB and the Department of Planning and Development (the "Department") began preparing for the 8-Year District Review in 2022. On May 4, 2023, NYSDAM provided a 300-day Notice, confirming that the eight-year anniversary date for County Districts is March 12, 2024. The Department acted as project manager on behalf of the AFPB. The Project Team consisted of the AFPB and staff from the Department, Cornell Cooperative Extension Dutchess County (CCEDC), and the Dutchess County Soil & Water Conservation District (SWCD). CCEDC's scope of work included outreach, mailings, and worksheet processing. Together, CCEDC and SWCD led the farmland viability review and creation of the list of parcels for review by the AFPB which made recommendations for certification.

The Review Team reached out to thousands of landowners and farmers, with the CCEDC taking the lead on public engagement efforts as their main point of contact. The Review Team's outreach efforts are summarized below.

Public Notice: In April 2023, the Dutchess County Legislature issued a public notice announcing the beginning of the review process. The County Legislature also notified each municipality of the upcoming review period and requested that they post the public notice in their municipal halls. That public notice was also published on the County, CCEDC, and SWCD websites. Please see Attachment C for copies of the notices.

In addition, the Department, CCEDC, and SWCD updated their respective web pages to include information specific to the 2023 Review process and how it differed from the annual inclusion process, which was done in conjunction with the eight-year review process this year.

Parcel Owner Outreach: On April 21, 2023, 3,105 letters were mailed to property owners who either had land that was already in an Agricultural District or were receiving an agriculture value assessment of forest assessment. potentially eligible to be included in the district. Those 3,105 property owners own a total of 4,959 parcels comprising over 222,713 acres of land. The Team responded to nearly 700 inquiries, received via phone and email, regarding the Agricultural District Program and the enrollment process. Please see Attachment D for copies of these letters.

Parcel Viewer: An online GIS application was created to facilitate viewing parcels previously certified as being in an agricultural district that were subject to review and the AFPB's subsequent recommendation. This interactive tool allowed individuals the ability to quickly and easily assess the status of a parcel based on its address or parcel lot number. The Agricultural Districts Viewer can be found at: <https://gis.dutchessny.gov/ag-districts/>.

Enrollment Worksheet: The Team enhanced the Agricultural District Review (enrollment) Worksheet process by developing an online survey that allowed respondents to fill out the worksheet questions and submit them in real time. A QR code was generated for quick linking to the survey which allowed for easier and more accurate data entry, compilation, and collation. The online worksheet/survey was made available on the CCEDC, SWCD, and County Planning websites. Hard copies and email copies were also available at request. Please see Attachment E for a copy of the worksheet.

The Agricultural Data Worksheets submitted by landowners during the District Review process indicate that Dutchess farm operators are engaged in increasingly diverse operations. While there are significant numbers of farmers in traditional categories, there are also a large number whose activities fall into the "Other" category (See Table 3). This may be an indication that Dutchess County farmers are seeking specialty and niche markets. Diversity and adaptability are among the keys to the continued viability of Dutchess County's agriculture industry.

An important product of the 2023 District Review is the compilation of valuable data via the Review Worksheet which contains two questions related to agricultural production and capital investments. Providing the requested information was voluntary and self-reported; staff did not verify the accuracy of any data provided by landowners/farmers. 1,300 worksheets were submitted and of these, more than half provided the requested data. Table 3 summarizes the data received and illustrates that diversity generally, but also concentration within particular sectors, distinguishes Dutchess County agricultural production. It is also evident that local agriculture triggers a very sizeable amount of capital investments.

Table 3 – Worksheet Survey Results

Principal Commodity reported by landowner	Acres dedicated to principal commodity	Amount of Capital Investments over the past 7 years	# Responses
<i>Sample size = 855</i>		<i>Sample size = 982</i>	
Agritourism	898	Below \$10,000	412
Beef/cattle	6,050	\$10,000 to \$39,999	260
Christmas trees	265	\$40,000 to \$99,999	142
Corn	3,923	\$100,000 to \$199,999	58
Dairy	17,740	Over \$200,000	110
Grains	2,261		
Hay	14,716		
Horses	5,411		
Horticultural Specialties	865		
Livestock (other than cattle)	4,095		
Orchard	738		
Sugarbush/maple syrup	1,545		
Vegetables	1,147		
Vineyard	61		
Other	5,763		

Parcel Review

As a result of the identification of existing and potential parcels and new landowner requests the AFPB reviewed 5,023 parcels for inclusion.

The AFPBs evaluated two factors when making recommendations: 1) Whether the parcel of land consisted predominantly of “viable agricultural land” and 2) Whether the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Under [AML §301\(7\)](#), “viable agricultural land” is defined as “land highly suitable for a farm operation as defined in [[AML§301\(11\)](#)]”. Therefore, land need not be actively farmed to be considered for inclusion in an agricultural district.

In reviewing the parcels, the AFPB started with existing parcels that were in the district and were also receiving an agricultural value assessment. 1,842 parcels met those criteria, and they were all recommended to be retained in the district. Next, they identified parcels that were not currently in the district but did receive an agricultural value assessment and requested to be included in the district. 63 parcels met those criteria, and they were all recommended to be added to the district. Parcels that were not currently in the district but did receive an agricultural value assessment and had not requested to be in the district were then identified. 86 parcels met those criteria, and they were all not recommended to be added to the district as the landowners did not request to be added.

The remaining 3,032 parcels were then reviewed based on the following criteria:

- the viability of active farming within the proposed district and in areas adjacent thereto
- the presence of any viable farmlands within the proposed district and adjacent thereto that are not currently in active farming
- the nature and extent of land uses other than active farming within the proposed district and adjacent thereto
- county developmental patterns and needs
- any relevant agricultural viability maps, including but not limited to aerial imagery, soil, climate, topography, other natural factors, & markets for farm products
- the extent and nature of farm improvements
- the present status of farming, anticipated trends in agricultural economic conditions and technology, and such other factors as may be relevant
- whether the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district
- whether the parcel is currently in an agricultural district
- whether the parcel has an agricultural value assessment
- the percentage of land that is classified as prime agricultural soil
- whether the parcel is within the Agricultural Priority Area identified in the [2015 Agricultural and Farmland Protection Plan](#)
- whether the parcel is adjacent to other farms/agricultural operations
- whether the parcel has a farmland conservation easement

That review resulted in the following recommendations from the AFPB:

- 3,938 were recommended to be retained
- 160 were recommended to be added
- 554 were recommended for removal
- 53 were denied recommendation for inclusion
- 318 potential parcels were not requested by the landowner and therefore were not recommended for inclusion

Recommendation

Based on the preceding discussion, the Agriculture and Farmland Protection Board supports the continued viability of the New York State Agricultural District program in Dutchess County and recommends the above modifications and the consolidation of Agricultural Districts 20, 21, 22, and 23 into District 21. The AFPB Resolution can be seen in Attachment F, it includes the resolution, map, and list of parcels. And further that it be approved by the Dutchess County Legislature and forwarded to the State of New York Department of Agriculture and Markets for official certification.

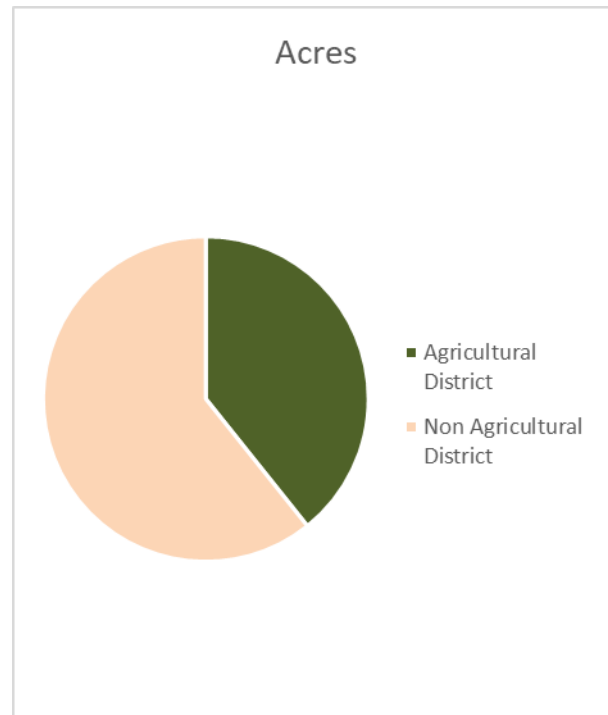
Overview of proposed Dutchess County Agricultural District

The Review Team carefully vetted parcels to ensure that the proposed Districts include only properties that meet the Law's viability standard and that are worthy of the important protections provided by the Agricultural Districts Program.

That review did result in the reduction in acres in the Agricultural District. Most of the parcels recommended for removal by the AFBP are lands that have been converted from agriculture to residential or commercial uses. The total acreage in the agricultural District will be 193,990, which represents 31% of the County parcel acreage. That represents a loss of 2,797 acres compared to the 2015 8-year review and 3,452 compared to 2022 districts. Most of the parcels recommended for removal by the AFBP are lands that have been converted from agriculture to residential or commercial uses.

Agricultural District 21

The district will encompass all towns in the County. Exceptions will be the cities of Poughkeepsie and Beacon, as there are no parcels within Agricultural Districts in cities.



Data gathered through enrollment worksheets indicates that District 21 has a strong level of hay production, equine industry, and a variety of other non-dairy livestock. The fact that livestock is a consumer of hay would indicate the growth of an interdependent agriculture industry. Other sectors showing a strong presence in this District are the vegetable and Christmas tree sectors. Field crops (grain) production is also a visible sector as it supports the dairy and livestock industry. In addition to these visible agriculture activities, the district also shows strong signs of activity in a wide range of other sectors indicating that a diversified agriculture industry is present. This is indicative of a mature agriculture region beginning to move away from more traditional agriculture into niche and specialized types of agriculture activities.

Legislative Review

Landowner Notification

In September, the Legislature notified all parcel owners by first class mail of the AFPB's recommendation for their parcel and were notified of the public hearing/comment period for the Legislature's consideration of the AFPB recommendation. They received a copy of the public notice and were informed that they could propose a modification of the proposed district by filing such a proposal with the Clerk of the County Legislature by email at CountyLegislature@DutchessNY.gov, within 30 days of publication and in no event later than October 20, 2023. Copies of the letters can be seen in Attachment G.

Circulation of Ag District Maps and Parcel Lists

In September 2023, a proposed district map and list of parcels was posted for public review at the Farm and Home Center in Millbrook, the County Legislature's office, the County Clerk's office, and the Planning & Development office. The map and list of parcels were also distributed to the 26 municipalities that had parcels in the proposed district for posting in their municipal halls. In addition, an interactive mapping tool was provided on the websites that allowed people to search for their parcels to see their proposed recommendations.

Public Hearing and Comment Period

The County Legislature posted a public notice on September 20, 2023, setting a public comment period through October 20. A map, and list of parcels in proposed Agricultural District 21, were made available at the Office of the County Clerk located in the County Office Building, 22 Market Street Poughkeepsie, NY 12601, for 30 days beginning on September 20, 2023, where it could be examined by interested parties during regular business hours. In addition, they were also available at the following locations: the office of the Clerk of the Legislature located at 22 Market Street, Poughkeepsie, NY 12601, the offices of Dutchess County Planning & Development located at 85 Civic Center Plaza, Suite 107 Poughkeepsie, NY 12601, the offices of Cornell Cooperative Extension Dutchess County located, and at the Dutchess County Farm and Home Center - 2715 Route 44 in Millbrook, NY, and at the town and village halls (maps and lists will only be for that respective community at Town or Village halls). Copies of the Public Notices can be found in Attachment H.

Landowners or municipalities within each District could propose a modification of the proposed district by filing such a proposal with the Clerk of the County Legislature by email at CountyLegislature@DutchessNY.gov, within 30 days of publication and in no event later than October 20, 2023.

A public hearing was held on the 10th day of October at 7:00 P.M., in the Legislative Chambers, County Office Building, 22 Market Street, Poughkeepsie NY, to review and solicit comments from the public concerning the proposed recommendations from the Agricultural and Farmland Protection Board for the modification and consolidation of districts 20, 22, and 23 into Agricultural District No 21. Public Hearing minutes can be seen in Attachment I.

SEQRA process

Dutchess County entered into a cooperative agreement with the New York State Department of Agriculture in May 2023. This agreement establishes procedures to eliminate the overlap and duplication in comment and review and creates uniformity in SEQRA processes within the context of Article 25-AA for certain actions related to Agricultural Districts within the County.

That agreement stipulates that the review of an existing Agricultural District, which includes termination or modification of such district, pursuant to AML section 303-a; inclusion of viable agricultural land to an existing Agricultural District, pursuant to AML section 303-b; and consolidation of existing Agricultural Districts, pursuant to AML section 303-c are all unlisted actions subject to the State Environmental Quality Review Act (“SEQRA”).

Therefore, the Proposed Action requires the completion of a SEQRA Short Environmental Assessment Form (SEAF) and a determination of environmental significance.

Legislative Adoption Process

Upon review of this Report and all comments received, the County Legislature made 30 changes to the recommendations made by the AFPB at its meeting on November 9, 2023, those changes can be found in Attachment J. The Dutchess County Legislature further approved a New York State Department of Agriculture and Markets SEAF in which it assessed the environmental significance of the Proposed Action. The SEAF concluded that the action will not result in any significant adverse environmental impacts. The resolution and SEAF, including the findings of significance, are attached to this report as Attachment K. And finally, resolution 2023198 made a finding to modify and consolidate Agricultural Districts 20, 22, and 23 into District 21, it is included as Attachment L. The Agricultural District Review Profile (RA-114), a pro-forma requirement by Ag and Markets, is included as Attachment M to this Report.

A copy of this Report will be submitted to the Commissioner of Ag. and Markets in December 2022 before our March 12, 2024, deadline seeking certification of the district.