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# COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

March 4, 2013

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Legislative Acceptance of the Erie County Agricultural and Farmland Protection Plan**

Dear Honorable Members:

Enclosed please find a memorandum and suggested resolution seeking Legislative acceptance of the Erie County Agricultural and Farmland Protection Plan. The document was adopted by the Erie County Farmland Protection Board at their October 24, 2012 meeting and I signed Executive Order #012 on February 20, 2013 directing County departments to follow the policies and recommendations contained in the report when carrying out their departmental missions.

As you recall, representatives from the Department of Environment and Planning presented the draft plan to members of the Legislature at the November 20, 2012 Energy and Environment Committee meeting.

If your honorable body requires any further information, I encourage you to contact Thomas J. Dearing at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP:TJD/cw  
Enclosure

Cc: Commissioner Maria R. Whyte  
Deputy Commissioner Thomas J. Dearing

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Legislative Acceptance of the Erie County Agricultural and Farmland Protection Plan  
**Date:** February 21, 2013

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### SUMMARY

The recommended action seeks acceptance by the Erie County Legislature of the October 24, 2012 report entitled **Erie County Agricultural and Farmland Protection Plan**. This action will represent a strong endorsement of the Plan's goals and policies. It will establish the document as an important resource for Legislative use when making decisions that affect farmland preservation and the agricultural economy within the region. The Plan is available for viewing on the Erie County web site at the following address: [www.erie.gov/agriculture/plan](http://www.erie.gov/agriculture/plan).

### FISCAL IMPLICATIONS

This action does not require the expenditure of County funds.

### REASONS FOR RECOMMENDATION

Legislative acceptance of the Plan will augment the Executive Order issued by the County Executive to County Departments on February 20, 2013. The latter transmitted the report and required that Departments, when making decisions affecting farmland preservation and the agricultural economy, take such actions in a manner consistent with the policies contained in the Plan. The Executive Order is included as Attachment A to this memorandum.

Acceptance by the Erie County Legislature will also promote utilization of the report in their decision making relative to agricultural development matters.

### BACKGROUND INFORMATION

In 2010 Erie County embarked on a process to develop a new Agricultural and Farmland Protection Plan designed to guide County efforts to support farms and protect farmland. The final document provides a useful complement to the land development policies contained in the October 2006 **Erie and Niagara Counties Framework for Regional Growth** and replaces the prior County Farmland Plan prepared in 1996.

The State of New York, Department of Agriculture and Markets provided key funding for the project, and the Erie County Department of Environment and Planning led the local effort to gather and assess public input with guidance from the Erie County Agricultural and Farmland Protection Board. American Farmland Trust assisted by Agricultural and Community Development Services, and Stuart I. Brown Associates were the consultants facilitating the public process, developing maps, assembling information, and compiling the written Plan.

The result of this year and a half process is an **Agricultural and Farmland Protection Plan** intended to guide Erie County's support of farms and protection of farmland for the next decade. Included in the Plan are:

- an analysis of agriculture and development pressure in the County,
- information about the tools that Erie County does and can use to support farms and protect farmland,
- a set of strategies with goals and recommended actions for implementation.

The Plan was formally adopted by the Erie County Agricultural and Farmland Protection Board on October 24, 2012. It provides a common reference point for decision-makers and insures a coordinated approach to farmland preservation as well as strengthened agricultural development in the region.

### **CONSEQUENCES OF NEGATIVE ACTION**

In the event the Legislature fails to accept the Plan, an opportunity to join with the County Executive in endorsing the area's first comprehensive **Agricultural and Farmland Protection Plan** since 1996 will be lost. This will cause confusion for local governments and the development community. These groups often look to the County for direction prior to undertaking major actions that affect land preservation and agricultural promotion.

### **STEPS FOLLOWING APPROVAL**

The resolution will be forwarded to the County Executive, Chairperson of the Erie County Agricultural and Farmland Protection Board, and the Commissioner of the New York State Department of Agriculture and Markets, as a further endorsement of the Plan elements.

**A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING**

**RE: Legislative Acceptance of the Erie  
County Agricultural and Farmland  
Protection Plan**

**WHEREAS, Erie County is experiencing numerous challenges affecting the area's physical development including loss of farmland and open space; and**

**WHEREAS, Erie County last prepared a comprehensive planning document for farmland protection in 1996; and**

**WHEREAS, a new Plan was completed in October 2012 by the Erie County Department of Environment and Planning in conjunction with members of the Erie County Farmland Protection Board; and**

**WHEREAS, said Plan was funded through monies provided by the New York State Department of Agriculture and Markets, and the federal Community Development Block Grant Program; and**

**WHEREAS, the Erie County Farmland Protection Board formally accepted the Plan on October 24, 2012 as a guide to future planning activities and public/private initiatives related to agricultural development and farmland protection in Erie County; and**

**WHEREAS, the Erie County Executive issued Executive Order #012 on February 20, 2013 directing County departments to follow the policies and recommendations contained in the Plan when carrying out their department missions; and**

**WHEREAS, the Erie County Agricultural and Farmland Protection Plan will serve as an important tool for County officials when making decisions affecting the agricultural economy within the region.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Erie County Legislature hereby accepts Erie County Agricultural and Farmland Protection Plan as the primary County planning document within Erie County on matters affecting farmland protection and the agricultural economy; and be it further**

**RESOLVED, that the Erie County Legislature shall undertake actions affecting physical development in the region in a manner that is consistent with the principles, policies, and action strategies described in the Plan; and be it further**

**RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Comptroller; the County Attorney; the Commissioner of the Department of Environment and Planning; and the Chairperson of the Erie County Agricultural and Farmland Protection Board.**

# ATTACHMENT A



## COUNTY OF ERIE

**MARK C. POLONCARZ**  
County Executive

### Executive Order #012 Implementation of the Erie County Agricultural and Farmland Protection Plan

**WHEREAS**, An emerging interest in local farms and local foods has boosted agriculture's visibility as an economic driver creating new opportunities for farmers in both rural and urban areas of Erie County;

**WHEREAS**, Supporting farm business viability and protecting the land base needs to farm provides a host of benefits;

**WHEREAS**, Farms contribute to the local economy—in 2007 the market value of agricultural products sold in Erie County was over \$117 million;

**WHEREAS**, Farms also provide jobs, use less in services than they pay in property taxes, maintain wildlife habitat and water quality when well-managed, create beautiful scenic vistas, highlight the cultural heritage of many rural areas in the County, and offer fresh, local food to County residents;

**WHEREAS**, Farming can also fall prey to the variability of markets and weather, regulations, and low profit margins, all of which may contribute to a decision to sell a farm for development;

**WHEREAS**, Strengthening land tenure, improving profitability, and building support among consumers and elected officials will ensure that agriculture remains viable in Erie County, and contributes to the well-being of all County residents;

**WHEREAS**, Erie County's first Agricultural and Farmland Protection Plan was developed in 1996 and, in the past 16 years, much has changed throughout the region;

**WHEREAS**, In 2010, Erie County embarked on a process to develop a new Agricultural and Farmland Protection Plan to guide County efforts to support local farms and protect farmland. The New York State Department of Agriculture and Markets and the Erie County Community Development Block Grant program provided key funding for the project, and the Erie County Department of Environment and Planning led the local effort to gather and assess public input with guidance from the Erie County Agricultural and Farmland Protection Board;

**WHEREAS**, The result of the more than two-year process is an Agricultural and Farmland Protection Plan intended to direct Erie County's agricultural planning for the next decade;

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**WHEREAS,** There were substantial opportunities for public input as the Plan was developed;

**WHEREAS,** While agriculture has many challenges—during this 20-month planning timeframe County farms experienced very damaging frosts and a significant drought—farmers and consumers alike see opportunities in Erie County to improve farm profitability and connect farms with the consuming public by addressing interest in local farms and local food; and,

**WHEREAS,** Included in the Plan are:

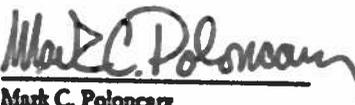
1. An analysis of agriculture and development pressure in the County;
2. Summaries of the various public meetings and individual interviews that were conducted as part of the process;
3. Summaries of other planning documents specific to agriculture that are currently being used in the County;
4. Information about the “tools in the toolbox” that Erie County does and can use to support farms in protecting farmland; and,
5. A set of strategies with goals and recommended actions for implementation.

**NOW, THEREFORE, I MARK C. POLONCARZ,** Erie County Executive, by virtue of the authority vested in me by the Erie County Charter §§301 & 302, do hereby order as follows:

1. It is ordered all applicable Erie County Departments to follow the policies and recommendations contained within the Erie County Agricultural and Farmland Protection Plan in connection with all actions and decisions affecting agriculture and farmland preservation within Erie County; and it is,
2. Further ordered that the findings contained therein be utilized in carrying out departmental missions, especially within the areas of capital programming, sewer district extensions, agricultural district activity, review of municipal development actions under General Municipal Law §239(L) & (M), water and sewer system approvals, SEQR reviews, and all other activities that influence where and how development occurs within Erie County’s rural areas.

**GIVEN,** under my hand and the Privy Seal of the County of Erie in the City of Buffalo this twentieth day of February, in the year two thousand thirteen.

County of Erie

By:   
Mark C. Poloncarz  
Erie County Executive

