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STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS

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Andrew M. Cuomo
Governor

Darrel J. Aubertine
Commissioner

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

Dear Mr. Graber:

In accordance with Section 303-a of the Agriculture and Markets Law, the Erie County Legislature submitted to me, by Resolution No. 15-5 of 2011, a proposal to continue without modification, Erie County Agricultural District No. 11.

Following review of the proposal and its companion documentation, I find that the County has complied with the procedural requirements of the statute and that the District, consistent with the established criteria in the Agricultural Districts Law, remains eligible for districting.

Further, in accordance with the Department's procedures for certification of agricultural district review plans, the Commissioner of Environmental Conservation has determined that the District is consistent with state environmental plans, policies and objectives.

In consideration of my review of the proposal and the determination of the Commissioner of Environmental Conservation, I hereby certify that:

- A. The District is eligible for redistricting.
- B. The District consists predominantly of viable agricultural land.
- C. The continuation of the District is feasible.
- D. The District will serve the public interest by assisting in maintaining a viable agricultural industry within the area and the State.

The County is required to complete the next review of Agricultural District No. 11 on or before August 9, 2017.

Signed and Sealed at the Town of Colonie,
County of Albany, New York,
This 19th day of September, 2011.

DARREL J. AUBERTINE
Commissioner of Agriculture and Markets
of the State of New York

DJA/jb

cc: James Vincent, Chair, Advisory Council on Agriculture
Susan Hoskins, IRIS
Dino J. Fudoli, Chair, AFPB
Darren Kempner, Deputy Commissioner, Planning
McCrea Burnham, Div. of Land and Forests, DEC