

**A RESOLUTION SUBMITTED BY CHAIRMAN MILLS AND LEGISLATOR MORTON**

**Notice of Public Comment Period and request for a report on the Modification and Consolidation of Agricultural Districts: #2 – Eden, #4 – North Collins, #8 – Collins, #9 – Brant-Evans, and #15 – Concord**

WHEREAS, Agricultural District #2 – Eden (“Eden”) was initially created on April 16, 1973 pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303; and

WHEREAS, Agricultural District #4 – North Collins (“North Collins”) was initially created on April 16, 1973 pursuant to Agriculture and Markets Law Section 303; and

WHEREAS, Agricultural District #8 – Collins (“Collins”) was initially created on March 17, 1976 pursuant to Agriculture and Markets Law Section 303; and

WHEREAS, Agricultural District #9 – Brant-Evans (“Brant-Evans”) was initially created on June 21, 1976 pursuant to Agriculture and Markets Law Section 303; and

WHEREAS, Agricultural District #15 – Concord (“Concord”) was initially created on December 21, 1981 pursuant to Agriculture and Markets Law Section 303; and

WHEREAS, Eden, North Collins, Collins, Brant-Evans, and Concord (the “districts”) have been recertified every eight years thereafter pursuant to Agriculture and Markets Law Section 303-a(1); and

WHEREAS, on August 17, 2015 the Erie County Legislature (the “Legislature”) received notification from the New York State Department of Agriculture and Markets that the next eight-year anniversary date of the districts is June 21, 2016; and

WHEREAS, pursuant to the Erie County Agricultural District Consolidation Plan approved by the N.Y.S. Department of Agriculture and Markets on November 19, 2012, the 15 Erie County agricultural districts shall be consolidated into 4 districts for administrative efficiencies; and

WHEREAS, pursuant to the Erie County Agricultural District Consolidation Plan Districts #2, 4, 8, 9, and 15 shall be consolidated during this eight year review into one district; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2) the notification directs the Legislature to prepare a review schedule for the districts and publish a public notice to notify municipalities and land owners within the district that they may propose a modification of the district by filing a proposal with the County Clerk of the Erie County Legislature within thirty days after the publication of such notice; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-a(2) the notification directs the Legislature to request that the Erie County Agricultural and Farmland Protection Board prepare a report on the districts; and

WHEREAS, pursuant to Agriculture and markets Law Section 303-a(2) the notification directs the Legislature to hold a public hearing on the district review at least 120 days and not more than 180 days prior to the district review anniversary; and

NOW, THEREFORE, BE IT

RESOLVED, that Clerk of the Legislature publish in a newspaper having general circulation a public notice to notify municipalities and land owners within the districts that they may propose a modification of the district by filing a proposal with the Clerk of the Erie County Legislature within thirty days after the publication of such notice and that notice also be sent to the affected municipalities and that the notice of proposal be posted in five places within the district; and be it further

RESOLVED, that the Legislature requests that the Erie County Agricultural and Farmland Protection Board prepare a report on the district; and be it further

RESOLVED, that the Legislature hold a public hearing on the district review at least 120 days and not more than 180 days prior to the district review anniversary; and be it further

RESOLVED, that upon conclusion of this Agricultural District review and consolidation process, the former districts will form Consolidated Agricultural District # 8 – Southwest; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Eden Town Supervisor, the Hamburg Town Supervisor, the Boston Town Supervisor, the Orchard Park Town Supervisor, the North Collins Town Supervisor, the Collins Town Supervisor, the Evans Town Supervisor and the Brant Town Supervisor.