



ALBANY COUNTY LEGISLATURE
HAROLD L. JOYCE OFFICE BUILDING
112 STATE STREET, ROOM 710
ALBANY, NEW YORK 12207
(518) 447-7168 - FAX (518) 447-5695
WWW.ALBANYCOUNTY.COM

SEAN E. WARD
CHAIRMAN

PAUL T. DEVANE
CLERK

AGENDA
CONSERVATION AND
IMPROVEMENT COMMITTEE

OCTOBER 25 2016

PREVIOUS BUSINESS:

APPROVING PREVIOUS MEETING MINUTES

1. LOCAL LAW NO. "J" FOR 2016: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW NO. 1 FOR 2001 ENTITLED "A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ADOPTING COUNTYWIDE NOTIFICATION REQUIREMENTS FOR COMMERCIAL AND RESIDENTIAL LAWN PESTICIDE APPLICATIONS" TO PROVIDE THAT THE SIGNS GIVING NOTICE OF PESTICIDE APPLICATIONS REQUIRED BY ENVIRONMENTAL CONSERVATION LAW SECTION 33-1005(1) MADE AVAILABLE AT THE POINT OF SALE

CURRENT BUSINESS:

2. ADOPTING THE PROPOSED MODIFICATIONS TO AGRICULTURAL DISTRICT NO. 2

Honorable Sean E. Ward and Members of the Albany County Legislature:

LADIES AND GENTLEMEN:

The Conservation and Improvement Committee of the Albany County Legislature met on September 27, 2016. Chairman Feeney, Messrs. Reinhardt, Touchette, Mauriello, Mendick, Mss. Cunningham and Lekakis were present. Messrs. Ethier and Smith were excused. The following items were discussed and/or acted upon:

Approving Previous Meeting Minutes: Unanimously approved.

1. Resolution No. 294: Public Hearing on proposed Local Law No. "J" for 2016. After a brief discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.
2. Local Law No. "J" for 2016: A Local Law of the County of Albany, New York, Amending Local Law No. 1 for 2001 Entitled "A Local Law of the County of New York Adopting Countywide Notification Requirements for Commercial and Residential Lawn Pesticide Applications" To Provide That the Signs Giving Notice of Pesticide Applications Required by Environmental Conservation Law Section 33-1005(1) Made Available at the Point of Sale: Tabled at the Request of the Sponsor.
3. Authorizing an Agreement with the NYS Department of Agriculture and Markets Regarding the County Agricultural and Farmland Protection Plan and Amending 2016 Department of Economic Development, Conservation and Planning Budget: The Department of Economic Development, Conservation and Planning requested authorization to enter into an agreement with the New York State Department of Agriculture and Markets to accept grant funding in the amount of \$50,000 for the enhancement of the farming industry in Albany County for the period of November 1, 2016 to January 31, 2018. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.
4. Authorizing an Agreement with Capital Roots Regarding the Installation of a Bicycle "Fix-It" Station on the Rail Trail at the South Pearl Street Trail Head: The Commissioner of the Department of Public Works requested authorization to enter into a licensing agreement with Capital Roots in regards to installing a bicycle "fix-it" station on the Albany County Rail Trail at the South Pearl Street trail head. After further discussion, the Committee voted unanimously to move the proposal forward for legislative action with a favorable recommendation.

Respectfully submitted,
THE CONSERVATION AND IMPROVEMENT COMMITTEE

DENNIS A. FEENEY, Chairperson
CHRISTOPHER H. SMITH
LYNNE LEKAKIS
WILLIAM W. REINHARDT
JOANNE E. CUNNINGHAM

RICHARD N. TOUCHETTE
GILBERT F. ETHIER
RICHARD W. MENDICK
FRANK A. MAURIELLO

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LOCAL LAW NO. "J" FOR 2016

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING LOCAL LAW NO. 1 FOR 2001 ENTITLED "A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK ADOPTING COUNTYWIDE NOTIFICATION REQUIREMENTS FOR COMMERCIAL AND RESIDENTIAL LAWN PESTICIDE APPLICATIONS" TO PROVIDE THAT THE SIGNS GIVING NOTICE OF PESTICIDE APPLICATIONS REQUIRED BY ENVIRONMENTAL CONSERVATION LAW SECTION 33-1005(1) MADE AVAILABLE AT THE POINT OF SALE

Introduced: 07/11/16

By Messrs. Domalewicz, Beston, Bullock, Ms. Chapman, Messrs. Clenahan, Commisso, Ms. Cunningham, Messrs. Ethier, Fein, Ms. Lekakis, Mr. Mackey, Ms. McKnight, Messrs. Signoracci, Simpson, Smith, Touchette, Ms. Willingham, Messrs. Feeny and Reinhardt:

BE IT ENACTED, by the Legislature of the County of Albany as follows:

SECTION 1.

Section 3(a) of Local Law 1 for 2001 is amended to read as follows:

a. All retail establishments that sell general use pesticides for commercial and residential lawn application shall display a sign meeting standards established by the Commissioner of Environmental Conservation pursuant to subdivision 1 of Section 33-1005 of the Environmental Conservation Law, in a conspicuous place, and such sign shall be placed as close as possible to the place where such pesticides are displayed. The signs by required by Section 3 giving notice of such pesticide application shall be made available at the point of sale to the purchasers of general use pesticides at the retail establishments which sell such general use pesticides for commercial and residential lawn application and shall be placed as close as possible to the place where such pesticides are displayed for sale.

SECTION 2.

Section 3(c)(i) of Local Law 1 for 2001 is amended to read as follows:

c.(i) All persons, including, but not limited to, commercial entities and property owners, performing residential lawn applications treating an area more than one hundred square feet shall affix markers to be placed within or along the perimeter of the area where pesticides will be applied. Markers are to be placed so as to be clearly visible to persons outside the perimeter of such property. Such markers shall be posted at least twelve inches above the ground and shall be at least four inches by five inches in size.

SECTION 3.

This Local Law shall take effect immediately filing with the Secretary of State

Referred to Law and Conservation and Improvement Committees. 7/11/16

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DANIEL P. MCCOY
COUNTY EXECUTIVE



COUNTY OF ALBANY
OFFICE OF NATURAL RESOURCE CONSERVATION
112 STATE STREET
ALBANY, NEW YORK 12207-2021
(518) 447-5670 - FAX (518) 447-5662

October 3, 2016

Hon. Sean Ward, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Ward,

Please find enclosed a Request for Legislative Action to be considered at the October 2016 Conservation and Improvements Committee meeting.

As required by Agriculture and Markets Law 25AA Section 303-a(2) all Agricultural Districts must be reviewed every eight(8) years. As part of this review process for Agricultural District #2, the County Legislature, after receiving the reports and recommendations of the County Agricultural and Farmland Protection Board and after a public hearing has been held, shall make a finding whether the district should be continued with the proposed modifications.

Sincerely,

Laura DeGaetano
Sr. Natural Resource Planner

cc: Frank Commisso, Majority Leader
Frank Mauriello, Minority Leader
Pat Jeffers, Majority Counsel
Arnis Zilgme, Minority Counsel

FOR COUNSEL USE ONLY	
Date Received:	<u>10-12-16</u>
Received by:	<u>AM</u>
Method: Hand:	<u>✓</u>
Courier:	_____
Mail:	_____

REQUEST FOR LEGISLATIVE ACTION

RLA #2027: Approval of modifications to Agricultural District #2

DATE: Monday, October 03, 2016

DEPARTMENT: Planning

Contact Person: Laura DeGaetano, Sr. Natural Resource Planner

Telephone: 518-447-5670

Dept. Representative Attending Committee Meeting: Laura DeGaetano, Sr. Natural Resource Planner

PURPOSE OF REQUEST:

- Adopting of Local Law _____
- Amendment of Prior Legislation _____
- Approval/Adoption of Plan/Procedure X
- Bond Approval _____
- Budget Amendment (see below) _____
- Contract Authorization (see below) _____
- Environmental Impact _____
- Home Rule Request _____
- Property Conveyance _____
- Other: (State briefly if not listed above) _____

CONCERNING BUDGET AMENDMENTS

STATE THE FOLLOWING:

Increase Account/Line No. _____

Source of Funds: _____

Title Change: _____

CONCERNING CONTRACT AUTHORIZATION

STATE THE FOLLOWING:

TYPE OF CONTRACT:

- Change Order/Contract Amendment _____
- Purchase (Equipment/Supplies) _____
- Lease (Equipment/Supplies) _____
- Requirements Professional Services _____
- Education/Training _____
- Grant: _____
- New _____
- Renewal _____
- Submission Deadline Date _____
- Settlement of a Claim _____
- Release of Liability _____
- Other: (State briefly) _____

CONCERNING CONTRACT AUTHORIZATION (Cont'd)
STATE THE FOLLOWING:

Contract Terms/Conditions:

Amount/Raise Schedule/Fee _____

Scope of Services _____

Contract Funding:

Bond Res. No.: _____

Date of Adoption: _____

CONCERNING ALL REQUESTS:

Mandated Program/Service:

Yes _____

If Mandated Cite: Authority

NYS Agriculture and Markets Law 25AA _____

Anticipated in Current Adopted Budget

No _____

County Budget Accounts:

Revenue _____

Appropriation _____

Fiscal Impact - Funding: (Dollars or Percentages)

Federal _____

State _____

County _____

Local _____

Term/Length of Funding: _____

Impact on Pending Litigation

No _____

If yes, please explain: _____

Previous Requests for Identical or Similar Action

Resolution/Law Number

206 _____

Date of Adoption

06/09/14 _____

Justification: (State briefly why legislative action is requested)

As required by Agriculture and Markets Law 25AA Section 303-a(2) all Agricultural Districts must be reviewed every eight(8) years. As part of this review process for Agricultural District #2, the County Legislature, after receiving the reports and recommendations of the County Agricultural and Farmland Protection Board and after a public hearing has been held, shall make a finding whether the district should be continued with the proposed modifications.

**Report by the Albany County
Agricultural and Farmland Protection Board
Pertaining to the Eight Year Review of Agricultural District #2**

Prepared by:
Laura DeGaetano
Sr. Natural Resource Planner
Albany County Office of Natural Resources
September 2016

The following recommendations by the Albany County Agricultural and Farmland Protection Board pertain to proposed modifications to Agricultural District #2 following a review of the District pursuant to NYS Agriculture and Markets Law 25AA Section 303(a).

Members of the Albany County Agricultural and Farmland Protection Board Include:

Mr. Howard Zimmer	Farmer, Chairman AFPB
Ms. Laura DeGaetano	Albany County Department of Economic Development, Conservation and Planning
Mr. Thomas Gallagher	Cornell Cooperative Extension of Albany County
Hon. Paul Miller	County Legislator
Ms. Patricia McVee	Albany County Real Property Tax Service
Mr. John Santacrose	Soil and Water Conservation District Board, Chairman
Mr. Mark Stanton	Farmer
Mr. Ed Kleinke	Farmer
Mr. Tom DellaRocco	Farmer
Mr. Harold Hahn	Albany County Farm Bureau
Mr. John O'Pezio	Agribusiness

In fulfilling its responsibility on behalf of the Albany County Legislature, the Albany County Agricultural and Farmland Protection Board has completed a review of staff recommendations pertaining to the eight-year review of Albany County Agricultural District #2 located in the towns of Westerlo and Rensselaerville. Based on this review the following comments are presented for consideration.

The review of Agricultural District #2 was performed in conjunction with Cornell Cooperative Extension of Albany County and the Albany County Office of Natural Resource Conservation. Resources utilized in this review included analysis of aerial photographs, field assessment, state and local maps, tax maps and tax rolls for the respective municipalities, the extensive knowledge of Cooperative Extension agents and Board members, and feedback from local farmers. In addition, Agricultural District #2 boundaries were adjusted using updated 2015 digital tax map data.

Applications from landowners seeking inclusion in the District make up all of the acreage proposed for addition. Proposed additions to the District include approximately 105 acres of active farmland and related adjacent areas in addition to the 1138 acres that have been added through the annual review process under 303B.

Approximately 255 acres were found to be either developed or otherwise not in agriculture and, therefore, proposed for removal from the District. Lands removed from the district consisted primarily of residences and forested land that were originally included as part of the adjacency requirement or have been developed. All removals proposed are at the request of the landowner.

After the previous 8-year review, Agricultural District #2 totaled approximately 17,719 acres. The above proposed since the last 8-yr review will result in a net increase of 988 acres. The resulting District includes 18,707 acres of predominantly viable farmland.

Specific factors considered by the Albany County Agricultural and Farmland Protection Board as identified in Circular 1150 on Article 25AA-Agricultural Districts are as follows:

The nature of farming and farm resources within the district.

Farming continues to be the dominant land use throughout Albany County Agricultural District #2. Open, contiguous, active and productive land keeps farming a viable industry in the District.

The majority of the land in the District is comprised of productive prime soils (mostly in Westerlo) or soils of statewide importance (Rensselaerville). Farmers reported a total of 2534 acres cropped in the District and five farms reported growing vegetables as their primary or secondary enterprise. There is also a good deal of open land available for hay and for grazing with 41 farmers reporting their primary or secondary enterprise as hay.

Based on the Agricultural District Worksheets returned, hay is the most prevalent principal farm enterprise (32). Many farmers also reported that livestock was their principle (9) or secondary (7) enterprise. There is one large scale dairy operator who has the highest annual gross farm sales in the District. Other types of farm enterprises include beef, vegetables, vineyard, horticulture, poultry, orchard, hops, bees and pigs. Most producers identified more than one principal and secondary farm enterprise. This is most likely because the District is characterized by small family farms that have had to diversify and rely on income from multiple products.

Rental land is very important in this district with 1922 acres rented by farmers. There are many downstate landowners in Ag District #2 who have elected to keep their land in the District to support agricultural uses. Some also let farmers use land free of charge.

The recent resurgence of local craft brewing has led to an interest in growing crops to support this industry. Cornell Cooperative Extension has been working with several farmers to experiment with different varieties to see what grows best here. The Carey Institute For Global Good in Rensselaerville has held several workshops to teach local farmers how to grow barley and hops and work with local brewers. In addition they have opened a farm brewery on site. They have also initiated The Hill & Mountain Farming Project to assess underutilized land resources and expand the knowledge of hill and mountain farming systems that are typical in the Albany Hilltowns. The intention is to support market development for the products and services created by these farms with unique challenges. Crops to support craft brewing may be an emerging new market in the county with one farm in the district already renting land for hops production. There was also a vineyard reported.

The overall status of farming, the farming economy and farm investments within the district.

Agricultural District Review worksheet RA-113 was used to evaluate the farming economy. While not all worksheets included complete information on gross sales, the following summary is useful for estimating the health of the agricultural economy in the district.

Est. annual gross farm sales	# of farms
Below \$10,000	17
\$10,000-\$39,000	13
\$40,000-\$99,999	2
\$100,000-\$199,999	2
\$200,000-\$499,999	0

The highest reported annual gross farm sales were from a dairy and a cattle operation. Farms in the \$10,000-\$99,000 range are generally livestock and hay operations with one large CSA producer. The remainder of farms that reported gross sales were below \$10,000.

The capital investment reported by farmers is also an indicator that there is a fair level of confidence and investment in the agriculture industry across the District.

Capital investment	# of farms
Below \$10,000	16
\$10,000-\$39,000	13
\$40,000-\$99,999	3
\$100,000-\$199,999	2
Over \$200,000	

Another indicator of strength in the agriculture industry is the number of full (19) and part-time (26) farmers.

A testament to the economic success and community support of District farms are the efforts toward promoting local products and the increased interest in purchasing locally grown food. There are farms in the District offering CSA shares for vegetables, meats, and other farm products and delivering throughout the Capital Region. In addition, Helderberg Hilltowns organization also organizes periodic events and farmers markets to promote local products.

Consistency with local plans etc.

All types of agricultural businesses are permitted by right in all zones in Rensselaerville except in the Hamlet, where they are allowed by special use permit. The Town's Comprehensive Plan, adopted in 2007, is strongly supportive of agricultural districts, agricultural businesses and preserving large blocks of farmland.

The Town of Westerlo prepared an updated Comprehensive Plan in 2014 but has not adopted it yet. It does not include any specific information about agriculture other than a map of Ag District land. The zoning is supportive of agricultural uses and is generally consistent with the Agricultural Districts program.

The extent to which the number of district farms and farm acres further the purposes for which it was originally established.

The District, as modified, is made up of predominantly viable, active farmland and related adjacent areas. Much of the District is still made up of contiguous parcels. By maintaining these areas as primarily agricultural, the number of conflicts with potentially non-compatible land uses can be avoided. In addition, the proximity of farms to each other and the availability of land to rent within the District remains important to many farmers who rely on rental land for hay, for growing corn for feed, and for manure management.

The extent to which the district has achieved its original objectives.

The District, as proposed achieves its original objectives specifically, encouraging the continued use of land for farming and protecting and enhancing agriculture in Albany County.

The status of any county agriculture and farmland protection planning or implementation efforts made pursuant to article 25-AAA of the Agriculture and Markets Law.

Since completion of the last review, Albany County has implemented several recommendations of the County Agricultural and Farmland Protection Plan (AFPP) including passage of a County Right to Farm Law. Several events including a drive-it yourself farm tour and Farms to Restaurant days were held to promote local farms and farm products, another recommendation of the County AFPP. The County has recently been awarded a \$50,000 grant from NYS Department of Agriculture and Markets to update the plan. The updates will focus on targeted economic development and farmland protection strategies.

Recommendations to continue, terminate or modify the district.

Based on this review, the Albany County Agricultural and Farmland Protection Board finds that the continuance of Agricultural District #2 is consistent with the provisions and intent of Article 25-AA of the New York State Agriculture and Markets Law and should be approved with the proposed modifications.
District

Proposed Additions

Parcel No.	Class	Acres	Municipality	No	Location	Owner Name	Principal Farm Enterprise
172.00-2-20.10	242	105.00	Rensselaerville	8	Louis Fink Ln.	Whalen, Thomas	Christmas tress, hay

REMOVE PARCELS

Parcel No.	Class	Acres	Municipality	No	Location	Owner Name	Reason
17500000010230130000	322	75.20	Westerlo		City Rte 403	Barrowman, Theresa	Former farmland, wooded remove per owner
16400000010130000000	210	2.00	Westerlo	6323	St Rte 32	Zimmerman, Jerome L.	no ag remove per owner
16300000020060100000	210	2.00	Westerlo	224	Creamery	Gage, Richard	residential remove per owner
16300000020410000000	695	3.00	Westerlo		City Rte 401	Westerlo Central Cemetery,	Cemetery
16200000020020000000	210	2.00	Westerlo	23	City Rte 408	Gulizon, August David	house remove per owner
15200000020320100000	695	5.00	Westerlo	888	City Rte 411	Hannacroix Rural Cemetery,	Cemetery
15100000010110200000	240	22.90	Westerlo	104	City Rte 410	Rufa, Marisa	remove per owner
13800000020310000000	260	33.00	Westerlo	68	City Rte 413	Alla, Jean	remove per owner
13800000010080200000	270	1.40	Westerlo	17	Goodfellow	Ragone, Anthony Jr	trailer remove per owner
12600000020160200000	210	3.00	Westerlo	11	Stewart	Creter, Edward	house remove per owner
17300000020010120000	210	5.23	Rensselaerville	100	CR 357	Weidman, Trust, Bette S.	house no ag per owner
12600000010300000000	433	1.80	Rensselaerville	4846	Delaware Tpk	Fritz, Michael	no ag per worksheet
16300000020050100000	441	3.40	Westerlo	141	CR 406	Heritage Operating L.P.,	remove per owner
13800000020320200000	210	42.27	Westerlo		Goodfellow Rd.	Porte, Douglas	remove per owner
17600000010040000000	411	1.25	Westerlo	6680	SR 32	Boyle, Bernard	remove per owner
12700000020280000000	241	51.72	Westerlo	3861	SR 85	Berchielli, Lous	remove per owner, not farmland

Total Acres 255.17

KnoxNEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I – PROJECT INFORMATION

1. The proposed action is located in the County of Albany
and the Town(s) of Westerlo and Rensselaerville
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the County Legislative Body of Albany County.
3. The name and address for the Clerk of the above named County is Hon. Bruce A. Hidley -- Albany County Court House Room 128, 16 Eagle Street, Albany NY 12207-1077

4. Is this an application to modify an existing agricultural district? Yes No

If yes, what is the total number of acres comprising the district as it exists prior to modification?
17,719 acres

5. If this application involves a modification, will such modification result in a change in the size of the district? Yes No
- If yes, how many acres are involved in the change? 1243 acres added, 255 removed
 - Does this represent an increase or decrease?

6. Zoning and Planning Information

- Does the agricultural district correspond with a town(s) zoning district(s)?

Yes No

If Yes, please cite the applicable zoning district(s):
Rensselaerville -Agricultural Rural Residential, Resource Conservation
Westerlo – Rural Development, Agricultural District

- Is/are the zoned district(s) within the modified agricultural district compatible with the goals and objectives of the Agricultural Districts Law, as set forth in Article 25-AA of the Agriculture and Markets Law? Yes No
- If Yes, please cite the applicable language:

7. What is present land use in the vicinity of the proposed modification?

Residential Industrial Commercial Agriculture Park/Forest/Open Space Other

Describe: _____

8. Is there a public controversy related to this district proposal? Yes No If yes, describe below:

(Attach additional sheets if necessary.)

9. Attach any additional information as may be needed to clarify the proposed action.

I CERTIFY THAT THE INFORMATION PROVIDED
ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Authorized signature: _____

Date: _____

PART II- ENVIRONMENTAL ASSESSMENT

General Information

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification or termination of an agricultural district or districts. 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 action 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.

A. Does action exceed any Type I threshold in 6 NYCRR, Part 617.4 ? Yes No

If Yes, coordinate the review process and use the FULL EAF.

B. Will action receive coordinated review as provided for Unlisted actions in 6 NYCRR, Part 617.5 ?

Yes No

If No, a negative declaration may be superseded by another involved agency.

C. Could action result in any adverse effects associated with the following:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

NO _____

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

NO _____

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

NO _____

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

NO _____

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

NO _____

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

NO _____

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

NO _____

D. Will the project have an impact on the environmental characteristics that caused the establishment of a CEA? Yes No

E. Is there, or is there likely to be, controversy related to potential adverse environmental impacts?

Yes No If Yes, explain briefly:

PART III- DESIGNATION OF LEAD AGENCY

Please indicate desire for lead agency status by checking the appropriate box below:

Since the proposed action will be undertaken by this County Legislative Body and since any adverse environmental impacts will be primarily of local significance, it is hereby recommended that this County Legislative Body serve as lead agency to ensure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.

The County Legislative Body does not choose to nominate itself to serve as lead agency.

PART IV - DETERMINATION OF SIGNIFICANCE

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 **AND** provide on attachments as necessary, the reasons supporting this determination:

Albany County Legislature

Name of Lead Agency

Hon. Sean E. Ward

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from Responsible Officer)

Date