



Agriculture and Markets

KATHY HOCHUL
Governor

RICHARD A. BALL Commissioner

July 6, 2022

Genesee County Economic Development Center
Mark Masse
99 MedTech Drive Suite 106
Batavia, NY 14020

RE: Updated SEQR: GCEDC STAMP Project

Dear Mr. Masse,

The Department does not object to the Genesee County Industrial Development Agency (GCEDC) request to continue to act as lead agency pursuant to Sections 617.6(b)(2) and (3) of 6 N.Y.C.R.R. of the Environmental Conservation Law. Based upon information provided, it appears that the proposed actions could possibly occur within a county adopted, State certified, agricultural district.

Because the proposed action could occur within an agricultural district, protection of farmland in the wake of public projects that benefit the residents of a municipality is a priority of the Department of Agriculture and Markets. A link to the Department's webpage is provided in this document. This site provides guidelines in regard to various construction projects on agricultural lands. These documents will provide you with some standards to follow and will address some of the possible concerns during construction.

<https://agriculture.ny.gov/land-and-water/about-agricultural-districts#notice-of-intent-requirement>

Section 305(4) of the Agriculture and Markets Law (AML) requires any state agency, public benefit corporation or local government which intends to acquire land or any interest therein within a state certified agricultural district in excess of one acre on an actively operated farm or in excess of ten acres within the district, or which intends to construct or advance public funds for the construction of dwellings, commercial, or industrial facilities, or water or sewer facilities to serve non-farm structures, to file a Final Notice of Intent with the Commissioner of Agriculture and Markets and with the County Agricultural and Farmland Protection Board.

If you have any questions concerning the processes noted, please contact me at (518) 457-6320

Sincerely,

A handwritten signature in black ink, appearing to read "Judy Littrell", is placed on a light yellow rectangular background.

Judy Littrell, Senior Environmental Analyst