

ST. LAWRENCE COUNTY
AGRICULTURAL AND FARMLAND PROTECTION BOARD

Public Safety Complex, 2nd Floor, 48 Court Street

Canton, New York 13617-1169

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MEETING MINUTES

Thursday, February 3, 2022

Zoom Meeting ID: 812 8323 6085

Passcode: 547863

I. Call to Order

A. Members present: P. Ames, R. Andrews, L. Denesha, M. Finen, B. Green, J. Greenwood, S. McKnight, J. Pfothenhauer and J. TeRiele. **Members Absent:** D. Fisher. **Staff present:** M. Larson. **Others present:** Raeanne Dulanski, Soil and Water Conservation District Manager; Bob Beckstead, Watertown Daily Times; Rachel Hunter, Gouverneur Tribune Press.

Roll Call and Determination of a Quorum. Andrews called the meeting to order. Larson did a roll call for attendance; a quorum was established.

B. Adoption of the Agenda. Larson reviewed the agenda items and asked two items be added: A moment of silence for former member Reggie Sapp who died two days after the AFPB's meeting in December, and a discussion of suggested candidates to fill a vacancy on the Board. Andrews asked if there were any additions to the agenda. Hearing none, the meeting agenda was unanimously accepted (Ames/Pfothenhauer).

C. Approval of the Minutes. The December 2, 2021 meeting minutes were unanimously adopted by consensus.

II. New Business

A. Moment of Silence. After Larson and Ames summarized Sapp's contributions to the Farmland Protection Board and to Cooperative Extension's Advisory Board, the Board observed a moment of silence for Reggie Sapp.

B. Candidates for AFPB vacancy. Larson asked for suggestions from members about candidates she could contact for possible appointment to the Board, and reviewed some of the obligations as a member. Green suggested reaching out to Megan Bowdish with Never Tire Farm based out of Lisbon. Ames suggested Dekalb based dairy operator Mary Kelly. Finen suggested Amanda Hitterman who recently purchased a farm. Finen also suggested Tracy Adele who

owns horses and is an advisory board member for the Potsdam Humane Society. Andrews suggested Emily Huntley with Farm Credit East. Greenwood suggested Patty Gilbert who staffs BOCES' Ag Academy at Cooperative Extension's Learning Farm.

III. Old Business

- A. Ag District Removal Requests and County Ag Development Plan.** Larson summarized a one page document which summarized the intent of Ag and Markets Law to minimize the displacement of farmland by publicly-funded projects. Larson said she spoke with NYS Department of Agriculture and Markets staff and learned that the Department is an interested party in the State's review process for renewable energy projects that generate 10 or more MW. For projects that are less than 10 MW, the Department is only involved if the land is located in an Agricultural District. If land is outside an Ag District, the Department will not receive a Notice of Intent in the environmental review process. Larson then reviewed the suggested criteria the AFPB could apply when considering requests to remove lands from an Ag District. Greenwood asked if the Board can deny a request to remove lands from an Ag District; Larson said Ag and Markets Law doesn't prohibit the Board from recommending a denial. Larson listed examples of lands there were removed from Ag District 1 in its last eight year review. Pfothenhauer and Andrews said it was a good list when considering requests for removal. The Board unanimously adopted criteria to apply when examining requests for removal (Denesha/Finen).

IV. Reports

- A. NYS Department of Ag and Markets Farmland Protection Working Group.** Larson summarized her participation in a virtual meeting Chaired by Department of Agriculture and Markets Commissioner Ball. Larson identified members, presenters and stakeholders in attendance. Larson said American Farmland Trust presented results from a recent survey on solar siting, and suspects the Group will transition from information gathering to discussing recommendations to strengthen farmland preservation. Larson reviewed recommendations she shared with the Working Group, including: lowering the threshold of lease sites that trigger mandatory mitigation measures from 30 to 20 acres; and incorporating solar lease values in the appraisal process for the Department's Farmland Conservation Program. Greenwood said solar facilities are the biggest development threat to farmland in the county. Denesha said there are plans to transition fossil fuel peaker plants to renewable energy resources; if the renewable resource was solar facilities, it would displace thousands of acres of farmland. Ames suggested inviting representatives from Boralex to deliver a presentation about how their solar facilities have been designed to accommodate agricultural activities within lease sites. Pfothenhauer added Boralex is proposing a 200 MW solar array in Massena and Brasher that would be east of Next Energy's 180 MW facility which is currently under State review.
- B. Update on Article 10 Application by North Side Energy Center.** Pfothenhauer described the project's location in Brasher, Massena and Norfolk, and said an evidentiary hearing originally scheduled in January was not held as all issues have been settled by stakeholder agencies, with the exception of DEC's concern about the delineation of wetlands that will be impacted in the

lease site. Pfothenhauer said the next step is the filing of opening briefs which are due to the Administrative Law Judges on March 4th, which will be forwarded to the seven-member Siting review board in late June, July. Once a permit is issued, construction is anticipated to begin in the fall 2022. Pfothenhauer answered Andrews' question about the project's size; 1,000 acres will be occupied by solar panels, and about 2,000 acres will be located within the fence line. Green asked whether the project transitioned to the 94-C review process. Pfothenhauer said no, it is being permitted through Article 10 review.

Pfothenhauer gave an update on a 240 MW solar facility with 20 MW of battery storage proposed by EDR off the Rich Road in the Town of Canton, which pivoted to the 94-C review process that will be conducted by the Office of Renewable Energy Siting (ORES). Pfothenhauer said the Office received correspondence from the applicant about discontinuing the Article 10 review, but as of January, it has not yet been assigned a project review number by ORES. Andrews asked about the project's size; Pfothenhauer said it is about 5,000 acres.

Pfothenhauer said he received correspondence from the NYS Association of Counties about a pending bill to revise the 94-C review requirements, and read a summary of the bill that would apply to projects greater than 25 MW, which would cap the cumulative displacement of farmland for solar projects to no more than 15% of the total lands in a county.

- C. Updates from AFPB Members.** Ames said winter months are busy programming months for Cooperative Extension. Ames said a side benefit for delivering events virtually has allowed CCE to reach a larger audience statewide. Ames reviewed recent workshops held by CCE staff, and identified upcoming events to be held in February and March. Ames said CCE received funding to hire a professional photographer to hold photo shoots and interview direct market producers, and recently received funds to hire a curator to develop a spring and summer exhibit at TAUNY. Ames said 16 students are currently enrolled at the Ag Academy, and said 26 students are in the application process for the next academic year. Ames said offering a half day option increased the level of interest among prospective students, who helped market the program to other students at their respective schools.

Green said the office is fully staffed with 11 employees, and said Depeyster, Louisville, Edwards and Ogdensburg will hold revaluations this year for 2023. Green also reported their office was informed by the State that residential property values grew by 8%, vacant property values rose between 6 and 10%, and waterfront values along the St. Lawrence rose by 16% over the prior year, which means the equalization rates for most towns decreased. Green also said ag exemptions are due to local assessors on March 1st. Green said local assessors are needed in Dekalb and Colton.

Dulanski said the office is at 25% in-person staffing capacity, and anticipates staffing will rise to 50% soon. Dulanski said the office is accepting online orders for trees and shrubs due to limited stock. Dulanski said ag value assessments are lower than usual, and they are working 2022 programming and site selections. Larson reviewed Kelly's summary of recent IDA activities, which includes identifying what role they would play will applications to install manure digesters in the county. Larson also reviewed the IDA's recent assistance provided to agricultural operators and agribusinesses, and its continued involvement with COVID19

response with the County Chamber and County Administrator's Office. Denesha reviewed the number of new COVID19 cases per day, current hospitalizations, and vaccination rate. Denesha said the County's sales tax revenue collected for 2021 was \$73 million, which is more than the \$60 million originally projected. Denesha also said the County signed a grant agreement with the DEC for four sites that will be cleaned up and be offered for auction at a future tax sale.

Pfotenhauer said the County Planning Board recently reviewed a project for a manure digester at the Stauffer farm in Lawrence, which was returned for local action as the facility is considered an accessory use to the dairy operation. Pfotenhauer said the County Planning Board is scheduled to review a 4.4 MW solar project at Cogswell Corner Road in the Town of Madrid. Andrews said a 60 wind mills will be installed in Copenhagen this spring, and large solar energy projects will be constructed in Jefferson County; Andrews said the North County is projected to produce 10 GW of renewable energy by 2030.

VI. Other Items

- A. Correspondence.** Larson said the Office received an email from NYSERDA about a correction to unified assessment formula for solar and wind projects, which undervalued solar projects that were less than 5 MW.
- B. Announcements.** Larson said she forwarded an email from Ames about an online NNY Soil Health Survey that will close March 12th. Larson said American Farmland Trust announced the online publication of their smart solar siting survey, and will deliver a virtual presentation about the results on March 3rd.
- C. Next Meeting Date.** The next Agricultural and Farmland Protection Board meeting will be held on Thursday, April 7, 2022 at 6:00 pm.

VII. Adjourn

The meeting adjourned by consensus (Greenwood/Green).

Respectfully submitted,

Matilda Larson