
 **New York State Department of
Agriculture and Markets** 

Before proceeding any further, two questions
about “farmland protection”:

- For what?
- From what?



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Farmland Protection Assertions

Any farmland protection program *should* consider –

- Productive farmland
- Farming as a business enterprise *and* as land use activities
- Achieving a strategic relevance of a protected farm to the community's / region's / State's agricultural industry

Productive agricultural lands are the fundamental asset of a sustainable agricultural industry: one is inseparable from the other.

Farmland protection is *not limited* to the acquisition of conservation easements, much less only Purchase of Development Rights.

Effective implementation of farmland protection activities can only be preceded with good land use planning.



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The New York Approach: Enabling Statute – Article 25-AAA of AML

- Agricultural and Farmland Protection Program
 - ❖ Financial and technical assistance provided via –
 - Farmland Protection Planning Grants (FPPG) – counties & municipalities
 - Farmland Protection Implementation Grants (FPIG) – counties, municipalities, soil & water conservation districts, and not-for-profit conservation organizations (called “land trusts”)
 - “Land Trust Grants”
 - ❖ Source of funding: Environmental Protection Fund, which principally receives real estate transfer taxes collected statewide



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Statutory Priorities of FPIG

- Viable agricultural land (*For what*)
- Facing significant development pressure (*From what*)
- Serving as buffer for significant natural public resource containing important ecosystem or habitat characteristics (*For what*)



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Key Considerations

- ⌘ What makes agricultural land “viable”?
 - Soil quality
 - Extent of acreage in productive use
 - Surrounding land use
 - Proximity to markets/processors and equipment/service providers
 - Community support for farming & agricultural industry
 - Relevance of farm to community/region/state agricultural industry



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Key Considerations

- ⌘ What does “significant development pressure” look like in your community/area?
 - Non-farm development of agricultural lands
 - Conversion of agricultural lands to non-farm use



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Key Considerations

- ⌘ What is the “significant natural public resource” and how does the subject farm “serve as a buffer” to it?
 - Named/identified/designated, not generic, that adjoins the farm
 - Scale of farm in relation to the “significant natural public resource” must also be considered – i.e., a 100-acre farm on the banks of the Hudson River would *not* serve as a “buffer” to the Hudson River



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FPIG Highlights

Request For Proposals (competitive)

- ⌘ 12 prior rounds awarded perpetual conservation easements
 - awards were up to 75% of total project costs
- ⌘ Next proposed round will include perpetual conservation easements
 - Revised statute now allows an award of up to 87.5% of total project costs



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FPIG Highlights

Request For Applications (non-competitive)

- ⌘ First-ever offering (December 2013; open application period)
- ⌘ Eligible applicants: exclusively for municipalities
- ⌘ Eligible Activities:
 - Amend local laws to remove unreasonable restrictions on farm operations and agricultural lands
 - Amend local law to establish implementation-ready Transfer of Development Rights (TDR) program to protect farmland



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**For more information regarding the
Agricultural & Farmland Protection Program:**

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**For more specific information regarding
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