New York Farm Bureau
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MEMORANDUM OF OPPOSITION

Assembly Bill 6282 (Assemblyman Englebright) / Senate Bill 1749 (Senator Latimer)

AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN RELATION TO FRESHWATER WETLANDS AND REPEALING SECTION 24-1305 RELATING THERETO

Date: 1/8/2018

New York Farm Bureau, the state's largest general farm organization, urges you to oppose the above legislation. If enacted this legislation would reduce the amount of acreage needed for a wetland to be regulated. In doing so this would create a burden on landowners and increase the difficulty of enforcement.

As large landowners in the state, New York farmers are opposed to reducing minimum regulated wetlands from 12.4 acres to one acre in size. The acreage reduction alone would certainly cause an undue burden on landowners of this state. However, the acreage reduction along with the new provisions protecting rare, threatened or endangered species within wetlands may make the state's wetlands regulatory program extremely difficult to either regulate from the State's perspective or impossible to achieve compliance from a landowner perspective.

In addition, New York Farm Bureau opposes the insertion of "subdivision of parcels of land" within the regulated activities under the new wetlands acreage limit of one acre. Farmers, for a variety of reasons, may choose to sell a portion of their land to raise capital to purchase needed equipment, new buildings or fund a well-deserved retirement. Farmers, as sole proprietors, do not have the luxury of investing in a 401K plan and many times use land sales to help make ends meet as the farm transfers from one family to the next or transitions to other uses. A minimum requirement of one acre for wetlands regulation, in cases of subdivisions of parcels would drastically impact the ability of farmers to take advantage of this opportunity.

To prevent burdensome regulations and help preserve the financial integrity of New York farms, New York Farm Bureau respectfully requests that you oppose the above-mentioned bill.