



New York Farm Bureau
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MEMORANDUM OF SUPPORT

Senate Bill 7859 (Senator LaValle) / Assembly Bill 10047 (Assemblyman Thiele)

AN ACT IN RELATION TO INTERESTS OR RIGHTS ACQUIRED IN REAL PROPERTY FOR THE PRESERVATION OF AGRICULTURAL LANDS

Date: 4/27/2018

New York Farm Bureau, the state's largest agricultural advocacy organization, requests your support of this important legislation. If enacted, this bill would permit the construction of buildings and structures necessary for agricultural production on privately owned farmland when interests or right in real property are acquired by municipalities for the preservation of lands.

Established in 1974, Suffolk County Farmland Program enables farmers to continue to use their land for agricultural production and maintain ownership after they sell their residential and commercial development rights. Since its inception, over 10,000 acres of farmland in Suffolk County have been saved by the program, the first land preservation program in the country. An additional 10,000 acres of farmland have been protected by town preservation programs.

Unfortunately, there has been confusion on the difference between farmland preservation versus open space preservation. Unlike parklands and open space preservation programs, the farmland is owned by the farmers and can be used for agricultural production. Farmers need to grow and update their operations in order to have a successful business which includes building new structures on the preserved farmland. Farmers must apply for permits to build these agricultural structures, but a court decision has restricted the ability of Suffolk County to grant these permits. Since the September 2016 court ruling, farmers in the Suffolk County Farmland Program have not been permitted to build structures crucial to farming. Recently, Suffolk County won their appeal and the verdict was overturned; however, this legislation would ensure the protection of these programs in New York State and prevent similar situations in the future.

It is essential that farmers have the ability to run their businesses effectively and continue to support New York's agricultural industry. For these reasons, New York Farm Bureau respectfully requests your support of this legislation.