

CHAUTAUQUA COUNTY AGRICULTURE & FARMLAND PROTECTION BOARD MINUTES

Gerace Office Building Room 331

3 North Erie Street

Mayville, N.Y. 14757

April 3,2019

PRESENT: Brian Aldrich, Jim Caflisch, Jay Gould, Jim Joy, Steve Kimball, Don McCord, Dan Steward, Katelyn Walley-Stoll

ABSENT: Fred Crosut, Dennis Rak, Heather Woodis

OTHERS: George Borrello, Matt Bourke, Dan Heitzenrater, Jeff Kehoe, Melissa Keller and Kathy Tampio

Administration / Organization

MINUTES	Chairperson Kimball called the meeting to order. Chairperson Kimball motioned to approve the minutes of the May 18, 2018 Agriculture and Farmland Protection Board ("Board") meeting. Motion made to approve minutes by Jay Gould. Motion seconded by Katelyn Walley-Stoll. Approved by unanimous consent.
CORRESP.	None.
PRIVILEGE OF FLOOR	None.

NEW BUSINESS

Introductions	Attendees introduced themselves, announcing their name.
Hops and Barley Discussion	George Borrello: I wanted to come here today to speak with you all about the hops and barley study. I apologize for not reaching out to you earlier, and I would like to explain the study a bit more. The conversation around hops and barley started with Senator Young, who had found that farmers were unable to commit to the level of production needed and buyers could not buy from them without that commitment. The other issue is that hops has to be used right away unless it is stabilized and put into pellet form. So, the question became, could we create a cooperative that would bring all of the crops in, allow them to be tested, and make sure they meet the quality standards? We would pelletize them stabilize them, and then go out and do an aggressive sales and marketing campaign. Fast forward a bit, and this gentleman by the name of Chris Lacorata wants to come back to Chautauqua County where his wife grew up, do something entrepreneurial, and help benefit local agriculture. I had the opportunity to sit down with him and talk to him about this idea, about some sort of cooperative for hops, barley, and other products. This would create a whole supply chain right here in Chautauqua County. Now some people say there are issues with growing hops and barley. I have a bit of farming in my background; my grandfather was a grape grower in Fredonia. Farming is not easy. You all know that better than me. Whatever the challenges are, with the help of the extension and other resources out there, we can help produce a consistent way to do it. There are folks having success out there in our area with growing hops and barley. here are growers right now that are supplying our local brewers. The idea here, and the reason for wanting to create this feasibility study,

Hops and Barley Discussion (Continued)

is not just about creating a cooperative but creating a whole supply chain that goes from working with our growers, bringing the product in, processing it, storing it, manufacturing it, to creating a network of sales and distribution and marketing along with that. Mr. Lacorata did a deep dive, used his own money and met with some consulting and engineering firms to talk about how we could structure this. He then came to us and presented the idea. It would not only utilize acreage in Chautauqua County, but stretch across the Southern Tier in order to supply the business plan he's put together. It would give those that are interested the opportunity to grow hops, barley, and other products, a place to take it to a central location, right here in Chautauqua County. It would eliminate the need for farmers to have to deal directly with particular companies. They can do what they do best, grow the grains, grow the hops, and be able to bring it to someone else to do the rest of the legwork. This is just a feasibility study. This is going to be a \$120,000 study. Mr. Lacorata is going to take \$60,000 of his own money to finance half the study. From the county, \$20,000 was allocated at a recent Legislature meeting, and the rest of it is being filled by the Chautauqua Region Community Foundation, the Northern Chautauqua County Foundation, and the Gebbie Foundation. As a part of the study, the outreach would be to all farmers throughout the area, growers, and people in agribusiness. This is all part of what the feasibility study will be. Do we have the right climate? Do we have the right acreage? Do we have those willing to get into the business and take that leap? These questions are all part of this study. I wanted to explain to you all that this is really about creating the opportunity for new investment, creating the opportunity for new business, and then creating the opportunity to help our growers hedge their investment. It's about giving our growers the opportunity to try something different with a support system underneath them. This is about the County taking the lead role in creating new opportunity to help stabilize and grow business.

Steve Kimball: Any questions or discussion?

Dan Steward: I've asked a lot of questions about this and I have concerns. Now that I do understand it, I can't say I'm any more in favor of it. I'm representing Farm Bureau, I'm also representing myself. I'm part of a cooperative myself, the Western New York Crop Management Association, and when the farmers decided to form that cooperative they took their own risk because they wanted independent crop consulting. They put the money forward on it. Now I know it came out of a pilot program put forth by Cooperative Extension, however, the farmers took their own risk on this. I don't quite understand why there needs to be funding put in place if there's an opportunity here. If Mr. Lacorata feels like there's an opportunity here and the farmers feel that there's opportunity for them, I think they ought to take the risk themselves. It seems unreasonable to me to do a \$120,000 study. After I read the board minutes from last year, I wasn't there but I read the meeting minutes, and it appeared to me that it's been challenging coming up with \$10,000 just to update our Farmland Protection Plan. People were coming with up ideas to go to agriculture businesses for that money. I find it ironic that the Legislature is so willing to spend money on this study that maybe benefits a few entities, when we can't even come up with \$10,000 to update our plan.

Hops and Barley Discussion (Continued)

George Borrello: I'm not aware of any difficulty getting the \$10,000 that you need, I think even in the past when I was a Legislator we were always very willing to keep our plans up to date. I want to address the question you asked about who should invest in this and why. As I mentioned Mr. Lacorata is going to spend \$60,000 of his own money and he has spent additional money to get us to this point. He could take this idea anywhere he wants, he doesn't have to do it here in Chautauqua County. We do this a lot, we fund studies, we do partnerships with private businesses so that we have skin in the game, as well as they do, to keep it here. I'd like this to stay here so I'd like have us committed at the ground level to be a part of this. Funding \$20,000 of a \$120,000 study seems like a relatively small investment to help agriculture, grow business, and have economic impact. I appreciate everything you're saying, I'm not discounting anything that you're saying, but at the same time there is private investment and as it moves forward there will have to be a lot more private investment. It's going to be a multimillion dollar project if it moves ahead and that's when investors are going to be needed. The reason you do a study is to find out if it is feasible. It is concerning to reject the idea without even doing a study. Give us the opportunity to see if this is a viable situation. I believe it is, but again we have to have a deeper dive into that.

Jay Gould: I'm one of the legislators that voted against this. There are quite a few reasons I voted the way I did. I've been in farming a long time now, and hops are not able to be grown here very well because of the climate. That's one of the main reasons I voted against it. There were probably about five or six of us that voted against it, most of which who are agricultural people.

Dan Steward: I'd like to follow up on that agronomic thing too. Again, we work with a lot of the farmers. Many of them did look into growing malt barley in response to the legislation put out by the state. I'll talk about one farmer in particular. He's been growing small grains for a bakery in Buffalo. He knows quite a bit about them, and he investigated it pretty strongly. He concluded that he would have a complete wash 50% of the time growing malt barley, mainly because of the weather, like Jay said. Farms do investigate these things, it's not like they're not willing to change their ways. I guess part of my problem is that this is really coming from top-down. It's not the farmers saying that they think they can produce malting barley here and they need a place to go with it.

George Borrello: Again, this is about investigating the feasibility.

Dan Steward: I don't think that should come from the top-down or from government.

Brian Aldrich: How big of a scope are we looking at here? Are we looking at 20 acres of hops or are we looking at 20,000 acres of hops.

George Borrello: We're talking thousands of acres. I'm not going to go ahead and disagree with someone who has great experience in this like Jay, but hops is difficult to grow in the sense that it needs a lot of water to grow – that's my understanding.

Hops and Barley Discussion (Continued)

However, it does grow in this area and people are selling it. We have Big Inlet Brewery here buying from a local guy right here in Mayville that went out and bought his own pelletizer. He delivers hops to them frequently. There's a grower in this county that's selling to Big Ditch Brewery in Buffalo. She's getting about five times the average market rate because she supplies them with what they want. We're not looking to compete with the pacific northwest. It's the craft brewers that, under the New York State Farm Brewery legislation, have to buy an increasing amount of locally grown product. If we can supply something to New York State and the surrounding areas at a lower transportation cost, that's a strategic advantage.

Dan Steward: How is it fair to the guy that went out and bought his own pelletizer? How is it going to be fair to the person who took the risk?

George Borrello: For the guy that's already bought his pelletizer, he's got a head start. What he has isn't going to be enough to supply the magnitude we're talking about, but he's going to be at the front line. I think this is being fair to everyone that took the leap because they were sold on this idea, and now they're going to have a place to bring their product.

Brian Aldrich: We have to look here in this county and see what our competitive advantage is. Do I see hops as a niche? Yes I do. I think what you're trying to say is, why don't we spend money on trying to find our competitive advantage here? What are we better at than everyone else? If we're not in a climate that can produce hops consistently, we won't be able to keep up with producers that are requiring that consistent product.

George Borrello: First off, I totally agree with you. That's why I like this concept, we're good at farming. We're good at food processing and manufacturing. We have growers, we have land, we're a great place for distribution and storage. To me, this is exactly to your point.

Jim Joy: I was talking to a couple of people that make beer and I asked what people did 100 years ago to make beer. The answer I got back was that they made wheat based beer. Now we're looking here at barley and hops, but beer can be made out of several different things. Correct me if I'm wrong here, but you can grow wheat here in Chautauqua County. When you're doing that study, you can consider looking at wheat as a possibility.

George Borrello: You're exactly right, that's what part of the discovery process is. The concept is asking if we can create that center here. The whole idea is to create a central repository here where we can create a consistent supply for those major markets. It's just an opportunity for us to explore that as an option. I know we haven't solved anything today, but I did want to take the opportunity to talk with you all about it.

<p>Hops and Barley Discussion (Continued)</p>	<p>Steve Kimball: I appreciate that and I've learned a lot here today. Unless anyone feels differently, I don't think we have to have a vote on this.</p> <p>Dan Steward: I also want to say I appreciate you coming down here.</p> <p>Steve Kimball: We've had some good discussion. Thank you and unless anyone else has any comments I think we can move onto the next item on the agenda.</p>
<p>Jeff Kehoe, Agriculture and Markets</p>	<p>Jeff Kehoe: I've been with the Department for about three years. I manage four programs and support an additional program. I can speak on a lot of different things, some being Agricultural Districts and the plan – but we can address those later on. I have limited exposure to Agriculture and Farmland Protection Boards and this is a great opportunity. One thing that I wanted to mention, and this is informal at this point, one thing we are looking to implement in the future is some sort of farm friendliness grant. It's not here yet and we don't know exactly what it's going to look like. One thing we don't have yet is feedback from farmland protection boards. Right now, this is an unofficial ask to the board. If you think there are any ways our Division can help the board, send them to me, the Commissioner, or Mike Latham – my director. At some point, I will have a more official, simple ask to ask how our Division and our programs can help you. You can start as soon as I leave, you can put together something formally if you would like. We don't typically receive much feedback, so if you put an idea down it's probably going to get heard.</p>
<p>Large Scale Solar Installations</p>	<p>Jeff Kehoe: Solar is really complicating things for Ag and Markets. We were not at the table when NYSERDA and the Governor's initiative came forward. We don't really have much guidance when it comes to protecting prime soils. All we can really say right now is make sure that as landowners you are protected against predatory leases. Very few of these things have come to fruition yet. Our guidance right now is that there are ways to work into your lease restoration of the site. Even though this may be a long-term lease, why make it a permanent conversation away from agriculture? We also point to the Town of Farmington. They just developed a local law which limits the development of solar on soil groups one through four. This goes beyond protecting prime soils. That's one of the models that's out there now. The best resource for municipalities right now is the NYSERDA guidebook for towns in New York State. Agritourism, that seems to be more and more on our list. Your plan is going to be able to address this. Hopefully you'll discuss the public participation process – we're looking for that to be robust. It should be all farmers, all meetings, all the time. Are there any questions while you've got me here?</p> <p>Dan Steward: You mentioned limiting the ability of solar installations to go onto prime soils, isn't this taking away property rights? What does the owner or farmer get in return?</p> <p>Jim Kehoe: We fall back on our New York State constitution, which says that prime soils are a nonrenewable resource. That's where we would applaud a local law that would protect prime soils. If towns value agriculture, and they recognize the value of prime soils, we want to keep that ball rolling. You're right, that does limit land rights.</p>

<p>Large Scale Solar Installations (Continued)</p>	<p>Brian Aldrich: In a way, there's an economic advantage to using soils one through four. If a solar company is willing to pay \$800 an acre per year, where does it make more sense to put that development? It's on that land that is worthless otherwise. It doesn't make as much economic sense to put it on that class one land.</p> <p>Jim Joy: In Pomfret we ended up with a couple of interesting situations. One in particular had good prime growing soils on Route 20 and poor ground further back – he was going to put the solar company back there. You know where they ended up wanting to go? Right on Route 20, right on that prime soil. The reason was three phase power. They wouldn't run any infrastructure a mile up the road. So, because they won't run it a mile up the road, we're going to lose potentially 45 acres of prime farmland. I understand it fell through, but we still need to be prepared. It's good to know about the Farmington example, that's something to look at.</p> <p>Jeff Kehoe: When proposal are 25 megawatts and greater, that goes into an Article 10 process. That goes through the Department of Public Service, not Ag and Markets. It's a lengthy process that quickly moves away from local laws. It leaves many local people feeling like their hands are tied. We promote local solar policy so that maybe they have a better seat at the table. We don't know how having something on the books impacts that larger process.</p> <p>Jim Joy: I've been hearing about these projects and thought it'd be better to get ahead of it before we're behind the eight ball.</p> <p>Steve Kimball: Are there any questions on what Jeff's talked about so far? Okay, we'll move on.</p>
<p>Food Policy Council</p>	<p>(Presentation given on Food Policy Council by Melissa Keller)</p> <p>Dan Steward: What authority would the council have?</p> <p>Melissa Keller: It is advisory in nature. If you think of anyone who would be interested in being on the council, please reach out to me. Thank you.</p> <p>Steve Kimball: Moving on, I guess we covered the large scale solar installations and we're moving into old business.</p>
<p>Old Business</p>	
<p>Farmland Protection Plan</p>	<p>Jeff Kehoe: There are a handful of things that need to be met to comply with the program. The idea is that this is going to be a two year long journey of public participation and collaboration. You want to vet your recommendations so that they make sense for you. You want to think about the end reader, it may be a business person or someone who wants to invest in agriculture, and how the plan can function as a resource guide for them. Everyone's going to come to it with a different perspective.</p>

Farmland Protection Plan (Continued)

You don't want to rewrite a resource guide that's already been done, so point them to the resource. Don't bury them in the links in the appendix. Make it a more interactive plan. I do want to talk about the lands to be protected analysis. This is usually misunderstood; we could call it priority farmlands. The easiest way to look at that is by looking at lands that are producing agriculture. If you support that you'd want to protect that.

Matt Bourke: We wanted to provide you with an update today to give you a sense of where we are with this process and talk a little bit about the content and the work we'll be doing. We're looking to get the grant application sent this month.

(Presentation given on Farmland Protection Plan update by Matt Bourke)

Matt Bourke: Any feedback the board would like to provide would be appreciated.

Don McCord: When we started looking at this a number of years ago, Steuben County did a great job of incorporating the economic development element. We reached out to them and their cost, with in-kind services, was around \$110,000 and that was about five years ago. We haven't put the RFP out yet, so I'm not sure what the exact cost will be. We have a couple venues I think we could reach out to to make up that \$10,000 that was discussed last May. I think the cash on the table could make the difference between in us getting the consultants that are going to do the work the Farmland Protection Board wants them to do versus a scaled down version.

Jeff Kehoe: Are there any questions about the plan in general?

Brian Aldrich: I'm going to be very blunt, I'm quite skeptical of these agriculture plans. I always refer back to Dwight Eisenhower before he became president, he said that planning for war is invaluable but the plans for war are worthless. We're going to undertake this process where we debate, discuss, and we really think about farmland protection and what we want from this. But the reality is, is that someone is going to come in and prepare this plan without that debate, without that discussion. Then it's going to get put on a shelf and when we go for grants, we'll point to the plan. It's a war plan, but it has nothing about the debate and discussion. You know I appreciate all of the discussion that's gone on today, that's what is going to make this plan better. How many people actually read our County plan from fifteen years ago?

Katelyn Walley-Stoll: I have an anecdote to that. I give an educational workshop series to beginning farmers, and I had a beginning farmer come in two weeks ago that had gone through our Farmland Protection Plan. He thought that was a support for him. I think that this is a really good opportunity for use to make sure the language in the Scope of Work says exactly what you're saying. We can say we really want this to be a plan that's utilized and we want to make sure we're having farmers come to the table. We can say that we want you to have these meetings in these areas with these farmers. I also think because we're gearing this toward economic development we can look at what we're good at and how we can do that successfully. We can use this as a

**Farmland
Protection Plan
(Continued)**

model to identify niche markets or enterprises within agriculture that will continue to be successful for the County. One other thing I wanted to mention was that \$10,000 buy in from ag businesses that we talked about before. Yes, we need that money to help make the plan happen, but it also helps to get buy in from agribusinesses and farmers to say that they did support that plan. They'll want to attend those meetings, they'll want to be a part of it, versus top-down where you have someone saying that you're spending their tax dollars to hire a consultant to come in and do this plan that they're never going to read. We need that buy-in to help boost the plan, but also to make sure we're getting buy-in.

Jeff Kehoe: If you have it on your website and you're able to distribute it electronically, that is different than the days of typewriters. People do look, especially entrepreneurs, people looking to locate in the County. They want to know that if they're going to invest in agribusiness or land, does the policy here make sense. The people looking to come to this state digest that, they look these plans over more than we have.

Dan Steward: Did the previous plan get us something? Did it qualify us for funding? How is the plan used on a government level?

Brian Aldrich: It's not just where did it get used. When they built it, what kind of input did she really get? From agribusiness? From farmers? From the community?

Don McCord: I wasn't really a part of that particular project. I know that there were a lot of different meetings, there were a lot of different people that came to the table. As the Director of Planning and Community Development, I'm a strong proponent for public participation. When I go out and work with a community on their comprehensive plan, what's the value of their comprehensive plan? It is not the document that's on the shelf. The value of the comprehensive plan is all of the debate and discussion that led up to it. The plan just documents it. The conversations drive the energy that makes change. We're going to have a lot of those discussions. We learn when we listen to you. We can't listen to you unless we're having those conversations. I can hire a consultant for \$60,000, but if I do then we have to cut out the public participation part. I'm not willing to do that.

Dan Steward: What weight does the plan have? There's no laws that come out of the plan, right?

Don McCord: There was a Right to Farm law that came about as a result of the last plan. If you don't have those conversations, and you don't make things like that a priority, you're not going to have change. If we don't bring agriculture back to the forefront of the discussion, it will remain at the status quo.

Dan Steward: So you put together an RFP and then bid it out?

Don McCord: Yes. We have a pretty good idea of what we want. The big trick with consultants is writing the RFP because you write it and hold their feet to the

Farmland Protection Plan (Continued)	<p>fire. We have a draft scope here and that’s why we want your feedback. This will be the basis for the RFP - not to say we can’t tweak it. While we draft things for you, we need your feedback to tell us if you think we have it right.</p> <p>Steve Kimball: Any further discussion? We’ll move onto the Agricultural Districts Update.</p>
Agricultural Districts Update	<p>(Presentation given on Agricultural Districts Update by Melissa Keller)</p> <p>Jay Gould: Any idea what order you’re going to do them in?</p> <p>Melissa Keller: We’ll start with Consolidated District No. 2, which is currently Districts 10 and 13. How it works is that you have an anniversary date and that district is up for review every eight years. It’s not based on when you do the review, it’s based on the anniversary date. I’ve gone through and identified when the anniversary dates are for the parent districts. I’ve seen the consolidation plan constructed in a number of different ways. The resolution that was passed has the parent districts laid out in one way, and the plan that was submitted to the state has the parent districts arranged another way. Depending on what parent districts we use, we want to maximize that certification period. We don’t want to do one, and then have to do it all over again because the anniversary date is up.</p> <p>Dan Steward: So these are out of date, what are the consequences of that?</p> <p>Jeff Kehoe: I call it a strategy. Some counties are decades behind, there’s no penalty. I think the greatest risk that the County faces is that if a landowner wants to remove their parcels they would have the opportunity to sue them. The opportunity here is to consolidate, and that is a massive time and cost saving opportunity.</p> <p>Steve Kimball: I think some of the thought behind our decision to consolidate down to four districts was so that you’d have them up for review every other year. That would make it easier on the Planning Department. Also, with the turnover of legislators, having them every other year would make it likely that sometime in their term they’d be reviewing an ag district – exposing them to agriculture. Then again we never really got that started, but here we go we’re getting started now. Another thought I have on this whole thing, this and the plan, is that we should invite the public and the press. This will keep our rural non-farm neighbors informed that agriculture is going on in this County. Most issues really arise from lack of information, usually no one is doing anything on purpose to irritate their neighbors. If people know about it and folks are coming out and joining us, it would be helpful. Anytime we can have the press there, I think that would be good - even if we’re going to argue.</p> <p>Dan Steward: Do we have to vote on this Farmland Protection Plan or anything?</p> <p>Matt Bourke: At the 2018 meeting the board did vote to pursue the grant and go forward. This was just an update to that process.</p>

Agricultural Districts Update (Continued)	<p>Katelyn Walley-Stoll: Is there anything prohibiting us from voting on it again since somethings changed and we have new people here?</p> <p>Jim Joy: Like a show of support?</p> <p>Don McCord: That’s fine with us.</p> <p>Steve Kimball: Any discussion on the motion?</p> <p>Jim Joy: I’ll second.</p> <p>Steve Kimball: All in favor?</p> <p>Approved by unanimous consent.</p>
Adjournment	
	<p>Steve Kimball: I’ll take a motion to adjourn.</p> <p>Jay Gould: I’ll motion.</p> <p>Jim Joy: I’ll second.</p> <p>Steve Kimball: All in favor?</p> <p>Approved by unanimous consent. Meeting adjourned.</p>