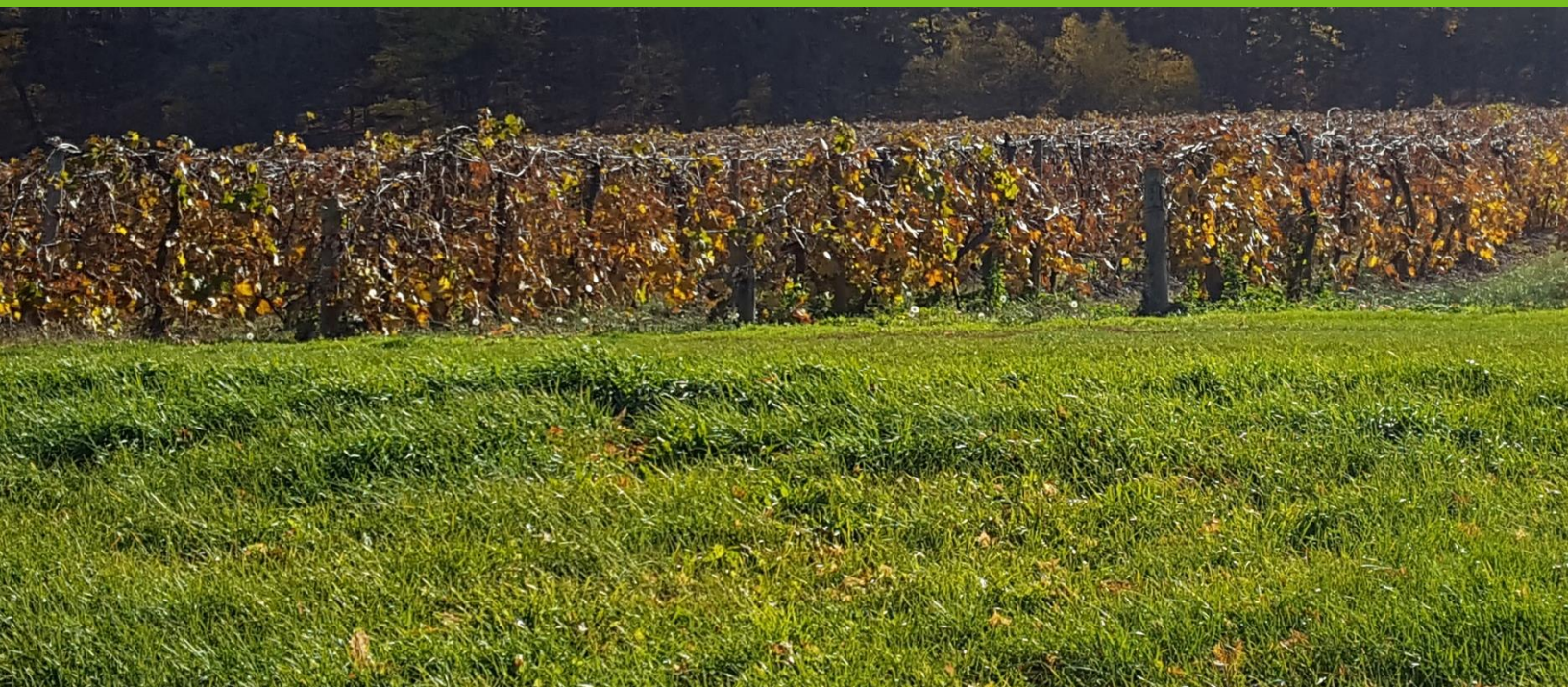




NIAGARA COUNTY

AGRICULTURAL & FARMLAND PROTECTION PLAN

SEPTEMBER 2018



NIAGARA COUNTY

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SEPTEMBER 2018

Prepared for
Niagara County

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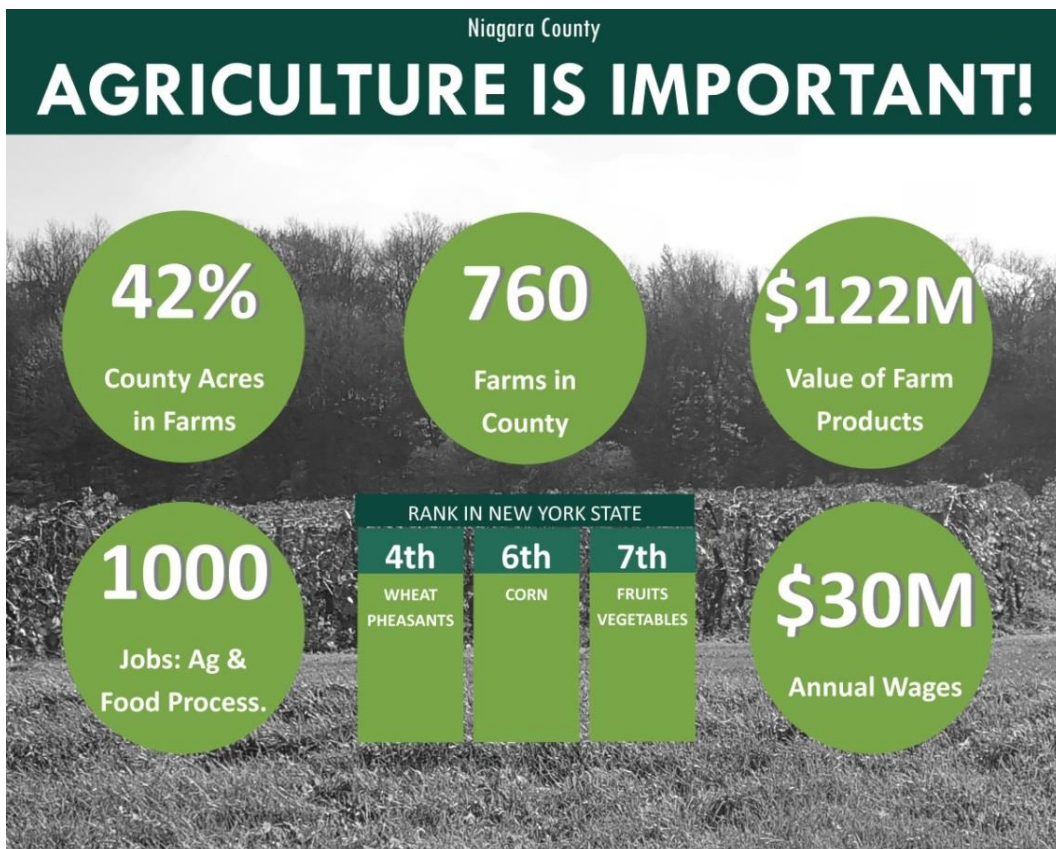
EXECUTIVE SUMMARY

More than 760 farms in Niagara County generate a market value of more than \$122 million in sales and employ approximately 1,000 individuals. Its high quality soils and relatively moderate Upstate climate along Lake Ontario help to make it one of the most productive agricultural areas in New York State.

Niagara County has developed this Agricultural and Farmland Protection Plan. The updated plan provides information on existing agricultural and farming conditions in the County and also includes recommendations to protect, grow and improve the County's agricultural economy while supporting new and emerging agriculture related businesses.

The overall purpose of the plan is to increase the economic viability of agriculture in Niagara County by assessing and providing recommendations for the following:

- < Production agriculture;
- < Agritourism & local and regional food markets;
- < Attracting new farmers and retaining existing ones; and
- < Marketing and Education.



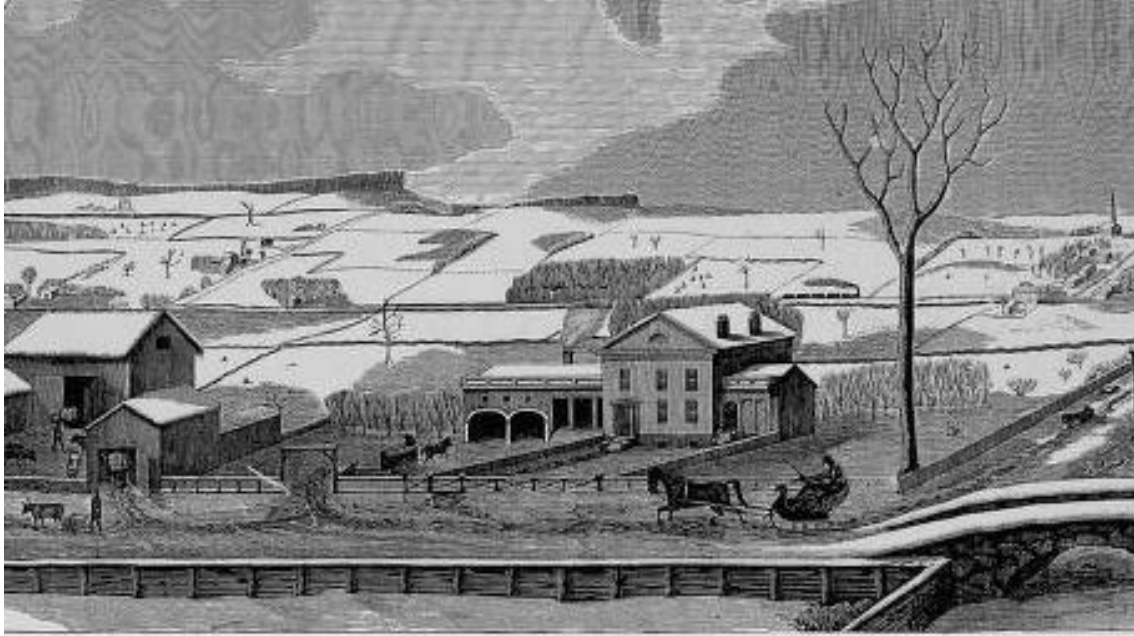


Fig. 29. An old story: An example of an orchard in which the trees are crowding each other and are now "fighting it out" Area in apples. The entire area of the county comprises 522 square miles, or 334,080 acres, with an average of 46 acres in apples to the square mile. Furthermore, since there are 924,086 trees in the county, and since the average number of trees per acre is 38.2 it follows that there are about 24,190 acres in apples. This means that 7.2 per cent of the area of the county is planted to apple orchards. About three-fourths of the orchards are in the northern half of the county.

Top: A rendering of a farm from *A History of Niagara County*, published in 1887.

Bottom: Photo and text from *An Inventory of Apple Orchards in Niagara County*, published by Cornell University in 1900.

Niagara County adopted its first Agriculture and Farmland Protection Plan in 1999. That plan documented agricultural land uses, the economic impact of agriculture, identified the agricultural areas to be preserved and analyzed conversion pressure. The plan included a myriad of economic development, policy, farmland protection, education, promotion and public relations strategies. The 1999 plan was an effective one and many of its recommendations were implemented.

PUBLIC PARTICIPATION

A significant amount of public and stakeholder outreach efforts were undertaken as part of the Niagara Agricultural and Farmland Protection Plan. Outreach efforts included:

- < Steering Committee meetings
- < A tour of area farms
- < Attendance and promotion of the plan at two Cornell Cooperative Extension events: Annual Fair and the Annual Dinner
- < Focus groups
- < Farmer and Stakeholder interviews
- < Consumer survey
- < Farmer and Landowner surveys



A farmer explaining issues and opportunities in agriculture during the Farm Tour

A VISION FOR AGRICULTURAL ECONOMIC DEVELOPMENT

A Vision Statement was developed by the Steering Committee to provide a framework and filter for future decisions and actions related to agricultural and farmland protection in Niagara County. The Steering Committee wanted the statement to recognize the following:

- ◁ Economic development activities;
- ◁ Protection of agricultural and farmland is important to retain opportunities for economic development and to provide opportunities for jobs; and
- ◁ Promotion of current agricultural activities and future opportunities in agriculture will facilitate the long term viability of agriculture in Niagara County.

Local agriculture will thrive by providing opportunities for economic development, protecting agricultural lands, and promoting the unique and diverse agricultural products available locally.

The Vision Statement was supported by the following goals:

- ◁ Opportunity: Niagara County will provide economic development opportunities to support agriculture and farm related businesses
- ◁ Awareness: Niagara County will promote the quality, variety, and importance of farm products and agriculture locally and regionally
- ◁ Protection: Niagara County will protect land for agricultural production.
- ◁ Viability: Niagara County will facilitate the long term economic viability of agriculture

RECOMMENDED ACTIONS

Recommendations were developed for each of the goals established by the Steering Committee. The number of recommendations is limited so they are achievable over the next decade and also

Recommendation	Timeframe	Responsibility
O-1: Increase the number of meat processing facilities in Niagara County	2-5 years	CCE & Niagara County DED
O-2: Establish or attract a cooperative produce distribution enterprise	2-5 years	CCE & Niagara County DED
O-3: Create an Agricultural Economic Development Coordinator in Niagara County	2 years	Niagara County
O-4: Integrate agritourism into Niagara County tourism activities, programs and direct consumer sales.	1 year	Destination Niagara USA
A-1: Launch a Family Farm Day in Niagara County that would include farm tours, rides, food/beverage tastings and other activities.	1 year	CCE
A-2: Identify a location near the Niagara Falls Culinary Institute in the Niagara Falls Tourist district	5 years	Destination Niagara USA
A-3: Develop a comprehensive ag-tourism marketing and branding campaign.	1-2 years	CCE, Destination Niagara USA
P1: Develop a brochure and companion training component for local municipalities and farmers on how to update zoning/land use controls to promote agricultural economic development and protect valuable farmland.	1 year	CCE, Niagara County DED municipalities
P2: Apply for Farmland Protection Implementation grants from New York State Ag & Markets to facilitate the purchase of development rights or conservation easements.	Ongoing	Niagara County & municipalities
V1: Establish an agricultural packaging and processing program at Niagara Community College.	2-5 years	Niagara Community College
V2: Obtain funding for small/new farmers.	Ongoing	CCE, Niagara County JDA, SBDC, municipalities
V3: Advocate for robust funding to ensure Cornell Cooperative Extension can enhance its effectiveness	Ongoing	CCE

Notes: Recommendations in **bold** are high priority projects. CCE - Cornell Cooperative Extension, DED - Department of Economic Development, JDA - Industrial Development Agency, SBDC - Small Business Development Center.

HOW TO USE THE PLAN

The adoption of the Agriculture Plan is a commitment to a coordinated vision for the future of agriculture in Niagara County. The Plan is a product of a collaborative process involving the Farmland Protection Board, Cornell Cooperative Extension, regional and local economic developers, elected officials, boards and committees, municipal employees, residents and the farmers themselves.

- ◀ Elected officials will use the plan to learn about the vision of the agriculture and farmland protection and ways they can support farming through increased knowledge and understanding as well as by adopting local codes and ordinances to support agriculture.
- ◀ In specific areas of the county where conversion of farmland is a threat, local zoning and planning boards can use the plan to measure the desirability of development applications by their conformity with plan goals. They can also recommend policies and procedures that actively assist those projects that comply with the plan and discourage projects that do not.
- ◀ Working closely with developers, economic developers can target investment with projects that promote plan objectives and increase agricultural activity and employment in agricultural enterprises.
- ◀ Many municipal employees will find the plan useful when interpreting legislative mandates, making administrative decisions, enforcing development-related codes and prioritizing work efforts. They will use the plan as a source of pertinent local information for grant applications and support applications for funding that support farming and the farm economy here.
- ◀ Finally, local residents will use the plan as a reference when making residential location choices, in understanding agriculture's importance and how right to farm laws could impact them. True readers of the plan will be surprised to learn how much of their food is sourced locally and will want to learn more.
- ◀ Overall the plan will help farming and other land uses coexist peacefully.

The Plan should be updated every 10 years at a minimum, but it should also be subjected to regular review and maintenance. The review and maintenance process can accommodate changes in philosophy or changing philosophies without necessitating a commitment to a new planning process. To ensure the plan is implemented, it is strongly recommended that an implementation committee or task force be formed with the responsibility of guiding the recommendations through to implementation. The group should report to the Farmland Board on a regular basis and receive technical assistance and guidance as is needed from Cornell Cooperative Extension.

**AGRICULTURAL AND
FARMLAND PROTECTION
PLAN**

NIAGARA COUNTY

Section I:
Agricultural Profile
and Assessment



INVENTORY OF AGRICULTURAL DISTRICTS, LAND, AND SOIL

High quality agricultural land is a necessary resource for agriculture. This section summarizes the quality of soils, the location of farmland and the types of farms in Niagara County.

AGRICULTURAL DISTRICTS

Agricultural Districts in New York State are created to protect farmland and farming. Every eight years agricultural districts can be amended.

Circular 1150, Article 25 of the laws of New York State established both Agricultural Districts and Agricultural and Farmland Protection Boards. Several statements in Section 300a of the Declaration of legislative findings summarize the purpose of the law:

- < It is hereby found and declared that many of the agricultural lands in New York are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited land resources results.
- < The socio-economic vitality of agriculture in this state is essential to the economic stability and growth of many local communities and the state as a whole. It is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products.
- < It is the purpose of this article to provide a locally controlled mechanism for the protection and enhancement of New York state's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance.



The NYS Agricultural Districts Law protects agriculture and farmland like this parcel in Niagara County through the County Agricultural and Farmland Protection Board

NIAGARA COUNTY AGRICULTURAL & FARMLAND PROTECTION PLAN

The County Agricultural and Farmland Protection Board, in coordination with the County Legislature and County Planning Department, administer Agricultural Districts by:

- ◁ Reviewing, assessing and recommending the establishment, modification or continuance of lands included within Agricultural Districts;
- ◁ Advising the County Legislature on acquisition of any land within Agricultural Districts;
- ◁ Assessing and approving Agricultural and Farmland Protection Plans;
- ◁ Reviewing any State agency laws or rulings impacting lands in Agricultural Districts and potentially requesting assistance from the New York State Department of Agriculture and Markets with the impacts of those laws on agricultural lands;
- ◁ Notifying the New York State Department of Agriculture and Markets of any potential sitings of solid waste facilities on agricultural lands; and
- ◁ Reviewing and recommending changes to land classifications within Agricultural Districts.

Niagara County has five agricultural districts (Figure 1):

- ◁ Ag District 2: Primarily in the Towns of Hartland and Royalton
- ◁ Ag District 4: Primarily in the Town of Newfane
- ◁ Ag District 6: Primarily in the Town of Cambria
- ◁ Ag District 7: Scattered on the outskirts of sprawling areas outside of the Town of Lewiston, Niagara, Wheatfield and Lockport.
- ◁ Ag District 8: Primarily in the Towns of Porter and Wilso

¶ The Agricultural District Law (ADL) is designed to protect the long-term economic viability of farming through the following benefits (taken from Ag & Markets website)

- ◁ The agricultural assessment program allows eligible farmland located both within and outside agricultural districts to be taxed at its agricultural assessment, rather than at its fair market value.
- ◁ Agricultural District Law prohibits the enactment and administration of comprehensive plans, laws, ordinances, rules or regulations by local governments which would unreasonably restrict or regulate farm operations within an agricultural district, unless it can be shown that the public health or safety is threatened
- ◁ Opinion and interpretations by Ag & Markets regarding whether agricultural uses are a nuisance.
- ◁ Requires that State agencies, local governments and public benefit corporations which intend to acquire more than one acre of land from any active farm within an agricultural district or more than 10 acres in total from a district, must file a notice of intent with the Commissioner and the county agricultural and farmland protection board.
- ◁ The ADL restricts assessments for local improvements to a lot not exceeding one acre surrounding any dwelling or farm structure located on land used in agricultural production in an agricultural district, and to farm structures directly benefited by the services.

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Figure 1. Agricultural Districts

**AGRICULTURAL
DISTRICTS MAP**

Legend

Agricultural District No.

- 2
- 4
- 6
- 7
- 8

--- Major Roads

Water

Indian Territories

Municipal Boundaries

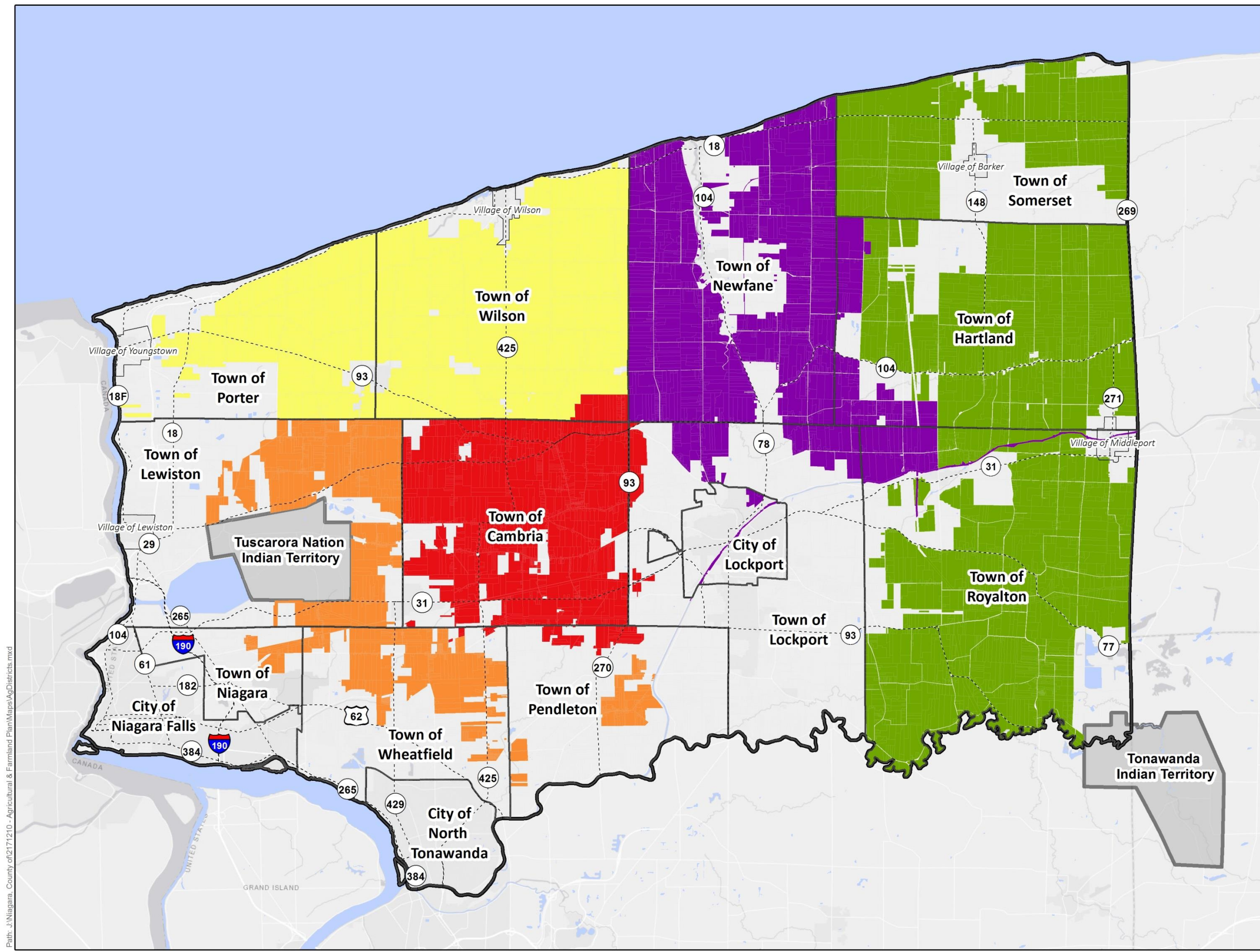


0 1.5 3 Miles

1:168,000

Sources:
 1. Water and Municipal Boundaries including Indian Territories: NYS GIS Clearinghouse database
 2. NYS Agricultural District: CUGIR database
 3. Roads: TIGER/Line database
 4. Parcel Boundary: Niagara County Office of Real Property
 5. Gray Basemap: Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

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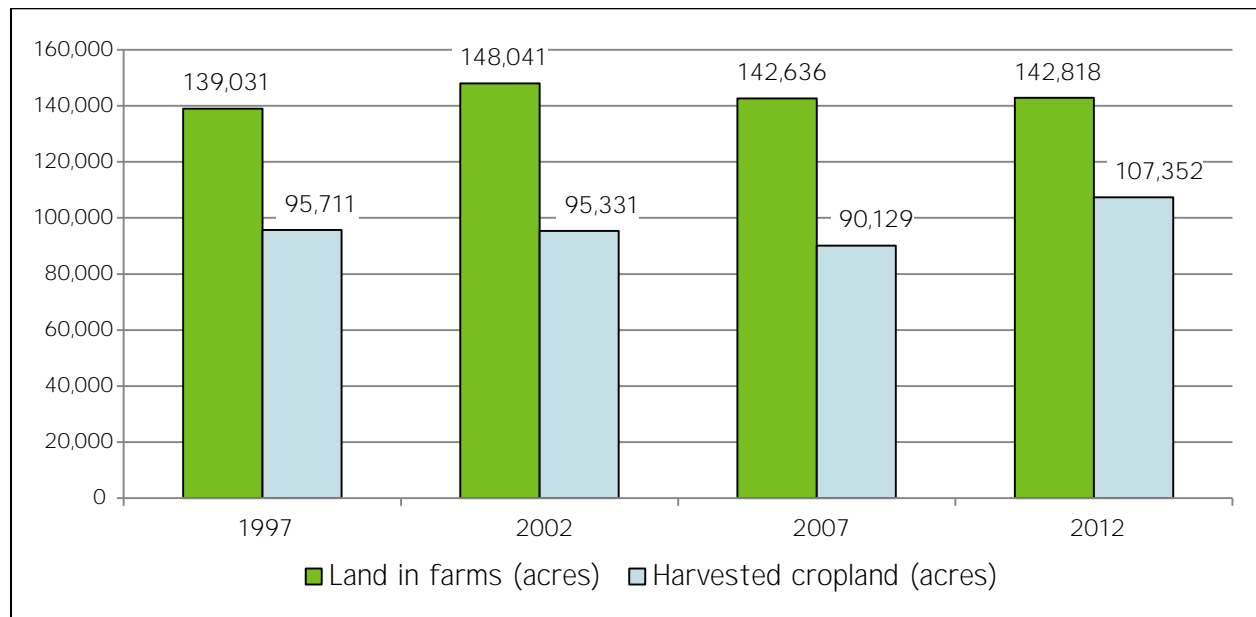


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LAND IN FARMS

According to the 2012 Census of Agriculture, approximately 142,818 acres of Niagara County were classified as land in farms, 107,352 acres of which were harvested cropland (Chart 1). Land in farms includes cropland, pasture, or grazing land and also includes woodland and wasteland not actually under cultivation or used for pasture or grazing, provided it was used to produce a crop. Land in farms also includes land from which crops were harvested and hay was cut, land used to grow short rotation woody crops, Christmas trees, and land in orchards, groves, vineyards, berries, nurseries, and greenhouses. The amount of land in farms and harvested cropland has essentially been stable between 1997 and 2012.

Chart 1. Land in Farms, 1997-2012



SOURCE: 2012 Census of Agriculture, Niagara County

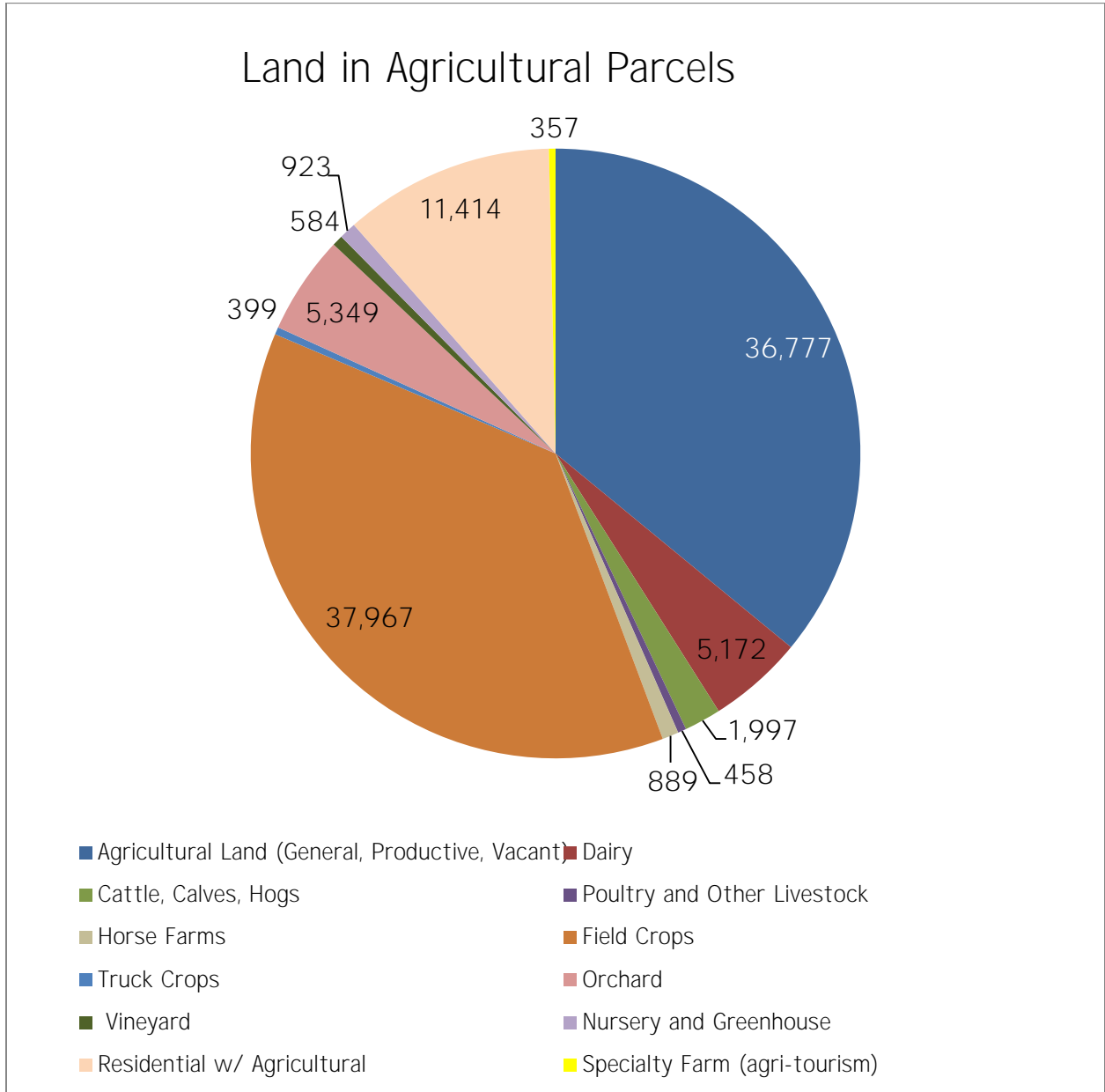
Most of the cropland in Niagara County is devoted to corn, grain, hay and other forage crops, and soybeans. Orchards comprised 4,700 acres and vegetables used 4,575 acres.

¹ SOURCE: 2012 Census of Agriculture

AGRICULTURAL PARCELS

A total of 7,877 parcels in Niagara County are classified for assessment purposes as agricultural. These parcels comprise 1,028,838 acres (Chart 2 and Figure 2)

Chart 2. Acres in Agricultural Parcels, by Parcel Classification



SOURCE: Niagara County Real Property Services

NIAGARA COUNTY
AGRICULTURAL & FARMLAND
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Figure 2. Agricultural Parcel

AGRICULTURAL PARCELS MAP

Agricultural Parcel Use

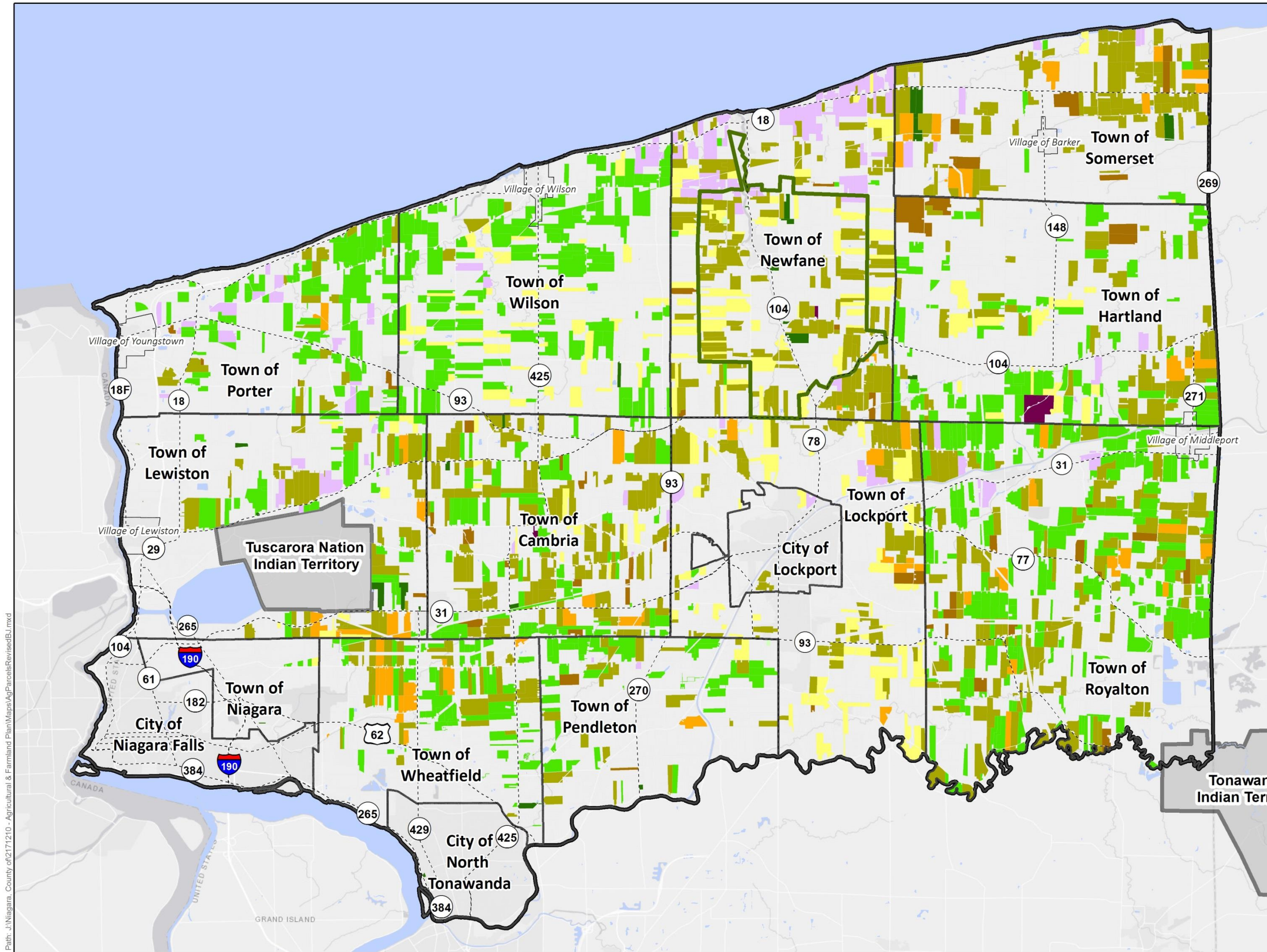
- Agricultural Land (no buildings)
- Dairy
- Other Livestock
- Field/ Truck Crops
- Orchard/ Vineyard
- Nursery/ Greenhouse
- Residential with Ag
- Riding Stable
- Specialty Farm
- NewfaneRR
- Major Roads
- Water
- Indian Territories
- Municipal Boundaries



0 1.5 3 Miles

1:156,597

Sources:
 1. Water and Municipal Boundaries including Indian Territories: NYS GIS Clearinghouse database
 2. Roads: TIGER/Line database
 3. Parcel Classification and Boundary: Niagara County Office of Real Property
 4. Gray Basemap: Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



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NIAGARA COUNTY AGRICULTURAL & FARMLAND PROTECTION PLAN

A majority (64%) of the farmland in Niagara County is located in five Towns: Cambria, Hartland, Newfane, Royalton and Wilson (Table 1.)

Table 1. Acres in Agricultural Parcels by Town

Municipality	# Parcels	Acres	% of Total Acres
Royalton (town excluding village of Middleport)	323	19,201	18.8%
Newfane (town)	265	14,279	14.0%
Wilson (town excluding village of Wilson)	175	11,154	10.9%
Hartland (town excluding village of Middleport)	144	10,666	10.4%
Cambria (town)	190	10,611	10.4%
Lockport (town)	146	7,669	7.5%
Somerset (town)	106	7,445	7.3%
Porter (town)	126	6,251	6.1%
Lewiston (town)	106	6,036	5.9%
Wheatfield (town)	116	5,049	4.9%
Pendleton (town)	68	3,579	3.5%
Lockport (city)	8	206	0.2%
Niagara (town)	5	74	0.1%
Wilson (village)	4	24	0.0%
Middleport (village)	3	39	0.0%
North Tonawanda (city)	2	5	0.0%
Total:	1,787	102,288	100.0%

SOURCE: Niagara County Real Property Services

AGRICULTURAL SOILS

High quality agricultural soils include those soil types designated by the USDA Natural Resource Conservation Service as prime farmland, prime farmland if drained and farmland of statewide importance.² Countywide, high quality agricultural soils occupy a total of 283,256 acres in Niagara County (Table 2 and Figure 3).

Table 2 Agricultural Soil Suitability

Agricultural Soil Suitability	Acres	% of Total
Prime farmland	81,299	24.3%
Farmland of statewide importance	48,613	14.5%
Prime farmland if drained	153,344	45.8%
Other soils	51,451	15.4%
Total:	334,707	100.0%

SOURCE: USDA Soil Survey

Drainage improvements have been installed in most of the actively farmed land in Niagara County with these types of soils. Tills are installed underground to guide stormwater runoff to drainage ditches and waterbodies.

One of the primary purposes of an Agricultural and Farmland Protection Plan is to preserve lands for agriculture that have prime soils. Similarly, the Evaluation and Site Assessment (LESA) analysis will include an assessment of whether factors, like land development, impact prime soils.

²As defined by the U.S. Farmland Protection Policy Act, prime farmland is farmland that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops, and is also available for these uses. Farmlands of statewide importance, identified by the NRCS State Conservationists, are those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Soils that are prime if drained require artificial drainage to support yields comparable to prime soils.

³SOURCE: Mike Clifford, Niagara County Soil & Water Conservation District, Phone conversation 11/15/17

Figure 3. Soils

