

Agriculture and Horticulture in the CPB CLUP

January 15, 2014 Worksession

Agriculture and horticulture is currently addressed within Chapter 5 of the Comprehensive Land Use Plan in the Standards and Guidelines. The following is the current agriculture and horticulture section, excerpted from the CLUP:

CURRENT LANGUAGE AND LOCATION IN THE CLUP

5.3.3.10 Agriculture and horticulture

Scattered throughout the pine barrens are parcels devoted to agricultural and horticultural uses.

Guideline

5.3.3.10.1 Best management practices

Any existing, expanded, or new activity involving agriculture or horticulture in the Compatible Growth Area should comply with best management practices, as defined herein, and relevant requirements including local law. Best management practices are, for purposes of this Plan, the same practices stated in the most recent version of Controlling Agricultural Nonpoint Source Water Pollution in New York State (Bureau of Technical Services and Research, Division of Water, New York State Department of Environmental Conservation, 1991 and as later amended).

In the proposed CLUP amendments, because the agricultural and horticultural by themselves are exempt from the Act (with the exception of clearing of natural vegetation which the Commission has previously determined is development) it was suggested that this section be moved out of the Standards and Guidelines and placed in the preamble, just before the Standards and Guidelines portion of the CLUP. The following is the proposed new location and the language in the first sentence of this section has been proposed to be modified with the new language underlined below:

PROPOSED LANGUAGE AND NEW LOCATION IN THE CLUP

5.3 *Compatible Growth Area*

5.3.1 *Applicability and other policies*

Agriculture or horticulture in the Compatible Growth Area is encouraged to comply with best management practices. Best management practices are, for purposes of this Plan, the same practices stated in the most recent version of Controlling Agricultural Nonpoint Source Water Pollution in New York State (Bureau of Technical Services and Research, Division of Water, New York State Department of Environmental Conservation, 1991 and as later amended). (Source: Relocated from 5.3.3.10 and reworded as a policy statement. This document reference may need to be updated.)

The majority of the existing agricultural language in the CLUP is not changing. However, as noted above, the first sentence of this section is being revised (noted by underlining). As stated in the original blue-highlighted annotation language above, reference is made to a 1991 NYSDEC document. Staff research indicated that this document was never updated but found that a 2007 document, entitled *Agricultural Management Practices Catalogue for Nonpoint Source Pollution Prevention and Water Quality Protection in New York State*, and prepared by the New York State Nonpoint Source Management Practices Task Force (which included the NYSDEC) appears to be its successor. Accordingly, the Commission may wish to consider replacing the 1991 document with the aforementioned 2007 document.