



*Submitted 3/13/08 by
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February 21, 2008

The Honorable Eliot Spitzer, Governor
New York State
The Capitol
Albany, NY 12224

Dear Governor Spitzer,

Thank you again for the support you have provided in your Executive Budget for New York agriculture. The focus you have placed during your administration on revitalizing the Upstate economy is important for the future of New York and the future of New York farms. As you know, accomplishing this revitalization will be the result of both incentive based approaches and the bettering of New York's business climate. From an agricultural perspective, a better business climate includes the ability for farms to utilize their lands without restrictive land use requirements that stymie farm expansion. New York Farm Bureau recently became aware of an issue that threatens to restrict agriculture in a large portion of the State and we would appreciate your consideration of the need to address this situation.

As you know, the Adirondack Park is a unique environmental treasure for the people of New York. The High Peaks and forested valleys have captured the imaginations of generations of New Yorkers. Adding to the stark beauty of the Park are the open meadows and fields of the farms of the Adirondack Park. This mix of landscapes provided by agriculture was deemed so important to maintain and so critical to the preservation and protection of the Park that agriculture was specifically exempted from land use regulations under the Adirondack Park Agency Act. In doing so the policy of the State melded together the Constitutional requirements to protect the Park and protect agriculture.

Unfortunately, recent enforcement actions by the Adirondack Park Agency (APA) have threatened to upset this balance and hinder agricultural growth within the Adirondack Park. The APA is currently moving forward with draconian enforcement against the Lewis Family Farm in Essex County. This enforcement action appears to us to be in direct conflict with the Department of Agriculture & Markets interpretations of the role of farmworker housing in a modern farm operation and the overall policy of the state to "...protect and encourage the development and improvement of agricultural for production of food and other animal products." (NYS CLS Ag & Mkts §300) The end result is the sustainability of one of New York's largest USDA Certified organic farms is currently being threatened. Additionally, this

attempt by the APA to establish restrictive land use requirements on agriculture could have negative impacts on farms throughout the Adirondack Park.

Because this apparent policy shift threatens the longstanding appropriate policy of protecting agriculture in the Park, we are requesting that the APA provide deference to determinations by the Department of Agriculture & Markets regarding agricultural use within the Park. NYFB also supports Sandy Lewis' recent request that an Executive Order be issued requiring the APA develop a farm plan that conforms with the Constitutional mandate to protect and preserve agriculture. (Copy of letter attached for your reference). In developing such a policy, NYFB also believes that the APA should be required to defer to the Department of Agriculture & Markets when making determinations regarding agriculture, to prevent egregious and anti-farm scenarios, such as the difficulties already experienced by Lewis Family Farm.

As always, we appreciate your consideration of the concerns of New York farmers and stand ready to assist in addressing this issue in any way possible. Again, thank you for your efforts to include agriculture as a key point of revitalizing Upstate. If you have any questions, please do not hesitate to contact our offices.

Sincerely,



John W. Lincoln
President

cc: Patrick M. Hooker, Commissioner, NYS Department of Agriculture & Markets
Curt Stiles, Chairman, Adirondack Park Agency
Board of Directors, Adirondack Park Agency
Judith Enck, Deputy Secretary for the Environment
Barbara and Sandy Lewis, Lewis Family Farm