

# Agricultural Districts



Natalie Browning  
Marion Co. Conservation District  
KACDE President



Meghanne McClanahan  
Bracken Co. Conservation District  
KACDE Area 5 Representative

# Agricultural District and Conservation Act



- ▶ KRS 262.850, passed by the 1982 General Assembly
- ▶ “...to conserve, protect, and encourage development and improvement of agricultural lands for the production of food and other agricultural products... as a valuable natural resource which is fragile and finite.”
- ▶ Administered by the Soil and Water Conservation Commission

# Program Overview

## WHO?

- ▶ Landowners voluntarily enroll their land for a 5 year period to ensure the land is and will continue to be used for agricultural purposes.
- ▶ Landowner(s) must have at least 250 contiguous acres.
- ▶ Each parcel must be at least 10 acres (11 if farmstead).



# Program Overview

## HOW?



- ▶ Conservation Districts need a petition for establishment.
  - ▶ Petition signed by all parties
  - ▶ Maps from PVA
    - ▶ Land covers multiple counties?
      - ▶ County where a majority of the land is, is where establishment will be
  - ▶ Petition gets sent to local government for a 30 day comment period
  - ▶ Needs district board approval
  - ▶ Petition goes to the SWCC for final approval

# PETITION

## **TO ESTABLISH AN AGRICULTURAL DISTRICT**

Pursuant to Kentucky Revised Statute 262.850, the undersigned landowner(s) of agricultural land, petition the \_\_\_\_\_ County Conservation District Board of Supervisors in \_\_\_\_\_, Kentucky to establish an Agricultural District composed of the parcel(s) of land hereinafter described.

Attached to this Petition is a map(s) produced on an aerial photograph, 7.5-minute quadrangle, soil survey, or other medium approved by the Kentucky Division of Conservation, at approximately 1:24,000 scale, showing the boundaries of the proposed Agricultural District. The map also shows the boundaries of the properties within the district owned by the undersigned applicants, and the boundaries of the property owned by the landowners adjacent to the proposed Agricultural District. Boundaries of the proposed Agricultural District, boundaries of properties owned by the applicants, and boundaries of adjacent property owners are clearly marked and easily distinguishable from each other.

### PETITIONING LANDOWNERS

Name (Print)	Signature	Mailing Address	Acres Owned
1.			
2.			
3.			
4.			

This Photo

CC BY-NC

## ADJACENT PROPERTY OWNERS - NAMES AND ADDRESSES

Name	Address
1.	
2.	
3.	
4.	
5.	



# Opposition

- ▶ If a local government has comments or concerns with the ag district, those will be sent along with the petition to the soil and water commission. Additional documentation that may be needed for SWCC
  - ▶ Acreage with conservation or AWQ-Plan
  - ▶ Prime farmland acreage
  - ▶ Land's soil capability class breakdown
  - ▶ Other documentation



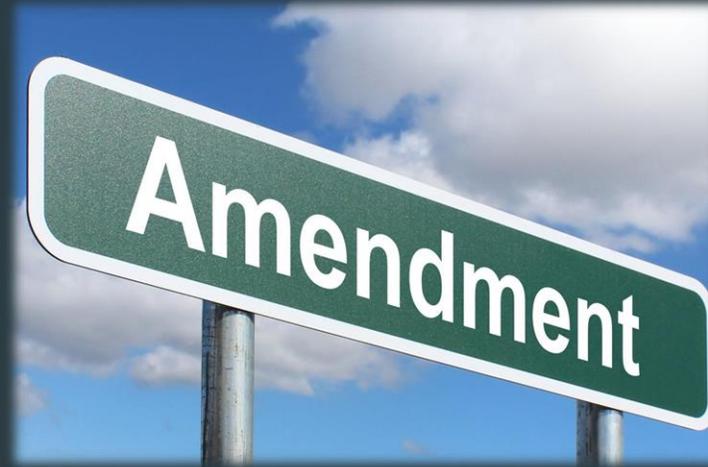
# SWCC's Recommendations

- ▶ Certify as submitted
  - ▶ Certify with modifications
  - ▶ Deny
- 
- ▶ District will disperse SWCC's Official Documentation to land owners and local government entities



# Recertification

- ▶ 3 months before expiration
  - ▶ PVA for current landowner/maps
  - ▶ Mail survey to landowner
  - ▶ Notify local governments
- ▶ Same steps for
  - ▶ Adding acreage
  - ▶ Maintaining acreage
  - ▶ Withdrawing acreage (once a Ag District is certified, if land reduces to less than the original 250 acres, it will NOT be de-certified).



## AGRICULTURAL DISTRICT PETITION TRACKING FORM

### To be Completed by Conservation District:

1. Petition filed in the \_\_\_\_\_ County Conservation District.
2. Date Petition filed in District Office: \_\_\_\_\_
3. Petition File No: \_\_\_\_\_
4. Number of Acres in Petition: \_\_\_\_\_
5. Number of Landowners: \_\_\_\_\_
6. Date Notification Mailed to Fiscal Court: \_\_\_\_\_
7. Date Notification Mailed to Regional Planning & Zoning Board: \_\_\_\_\_
8. Comments Received by any Local Agency:  YES  NO (If yes, attach comments.)

### Conservation District Board's Recommendation & Comments to Commission:

Date Board Meeting Held: \_\_\_\_\_

Recommend approval of petition as submitted.

Recommend approval with modifications.

Recommend denying petition. (Please attach written justification.)

#### Comments:

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\_\_\_\_\_  
District Chairman's Signature

\_\_\_\_\_  
Date



**BRACKEN COUNTY CONSERVATION DISTRICT**  
**218 FRANKFORT STREET**  
**P.O. BOX 35**  
**BROOKSVILLE, KY 41004**  
**BCCONSERVATION@WINDSTREAM.NET**  
**606.735.3256**

July 22, 2020

Dear \_\_\_\_\_,

Agricultural District \_\_\_\_\_ certified in \_\_\_\_\_ is due to be recertified.  
 Records show that you own \_\_\_\_\_ acres within the Agricultural District.

.....  
The following questionnaire needs to be filled out in order for the Agricultural District to be recertified.

1. Do you wish to keep your farm in the Agricultural District?  yes  no
2. Have you sold any land that was contained in the Ag District?  yes  no  
If yes, how many acres? \_\_\_\_\_
3. Have you purchased any land that can be included in the Ag District?  yes  no  
If yes, how many acres? \_\_\_\_\_
4. Do you have any land you want to remove from the Ag District?  yes  no  
If yes, how many acres? \_\_\_\_\_
5. Is your farm still being used mainly for agricultural purposes?  yes  no
6. Have you completed an agriculture water quality plan for these acres in compliance with the Kentucky Agriculture Water Quality Act?  yes  no

.....  
I certify that the information is true and correct to the best of my knowledge.

Date: \_\_\_\_\_ Landowner Signature: \_\_\_\_\_ Acres to be Recertified: \_\_\_\_\_

Our records show:  you have a current plan on file with our office.  
 you have an expired plan on file with our office.  
 you do not have a plan on file with our office.

If you do not have a current (within the past THREE years) Ag Water Quality Plan on file with our office, please call the office for instructions.

**Please complete and send/drop this questionnaire to/at Bracken County Conservation District by 8/14/2020.**

If you have any questions, call (606) 735-3256. Mailing address is P.O. Box 35 Brooksville, KY 41004.

# Examples

## local government notification landowner letter/reminder



We are currently in the process of re-certifying Bracken County's agricultural district #012-01 and 012-05. The Bracken County Conservation District Board plans to recommend to the Kentucky Soil and Water Conservation Commission that these agricultural districts be recertified for an additional 5-year period.

I have enclosed a map of the properties in this district, showing the owners of the individual tracts, along with tract sizes. No changes are being made to the number of acres involved, or the number of member landowners. The only change is that the property that was previously owned by Donohoo Properties, Ltd. is now owned by Jill Donohoo.

KRS 262.850 requires that we notify local government of this pending recertification, and allow thirty (30) days for comments to be received for review by the Conservation District's Board prior to making a final recommendation to the Commission. Please submit any comments to us by Friday, August 17, 2018. If there are no comments, I would appreciate you letting me know as soon as possible.

If you require any additional information, please let me know. Thank you.

Dear Landowner,

It is time to begin preparation for renewing the Agricultural District you are included in. In order for your land to be considered for renewal in the agricultural district, please complete and return the attached form to the Bracken County Conservation District by July 22, 2019. Otherwise it will be assumed that you no longer hold an interest in maintaining a partnership in the agricultural district.

Failure to respond to this survey by the date above could result in your acreage being withdrawn from the agricultural district. If you have any questions, please don't hesitate to contact the office at the number listed above.

Sincerely,

Dear Landowner,

Per the previous correspondence on June 16, 2021, regarding your membership to the Agricultural District 012-02, in order for your land to be considered for renewal in the agricultural district, please complete and return the attached form to the Bracken County Conservation District by July 15, 2021. Otherwise it will be assumed that you no longer hold an interest in maintaining a partnership in the agricultural district.

Failure to respond to this survey by the date above will result in your acreage being withdrawn from the agricultural district and loss of all benefits thereof. If you have any questions, please don't hesitate to contact the office at the number listed above.

Sincerely,

# “How does it benefit me?”

## ▶ Agricultural Districts

- ▶ Cannot be annexed
- ▶ Cannot be condemned without mitigation
- ▶ Taxed at the agricultural rate
- ▶ Eligible for deferred assessment costs when water lines are extended
- ▶ Receives additional points when applying for State Cost Share and PACE Program (Purchase of Agricultural Conservation Easements)



# Organizing your documentation

	First Name	Last Name	Address	City, State, Zip	Acres
1	Donald	Cummins	4326 Willow Lenoxburg Road	Foster, KY 41043	207.00
2	William R.	Figlins	1849 Willow Lenoxburg Road	Brooksville, KY 41004	217.00
3	Charlie	Walters	1208 Willow Lenoxburg Road	Brooksville, KY 41004	60.64
4	David & Don	Lonaker	183 Lonaker Lane	Brooksville, KY 41004	203.00
5	Steven & Na	Hamilton	2428 Willow Lenoxburg Road	Brooksville, KY 41004	152.00
6	Billy Ray	Harrison	517 Haley Ridge	Brooksville, KY 41004	126.00
<b>Total Acres:</b>					<b>965.64</b>

Expires November 16, 2020

Printed: 1/11/17

Name	Date modified	Type
Ag District 012-01	1/14/2021 3:29 PM	File folder
Ag District 012-02	6/15/2021 10:16 AM	File folder
Ag District 012-03	1/14/2021 3:29 PM	File folder
Ag District 012-04	1/14/2021 3:29 PM	File folder
Ag District 012-05	1/14/2021 3:29 PM	File folder
Ag District 012-06	1/14/2021 3:29 PM	File folder
Ag District 012-07	1/14/2021 3:29 PM	File folder
Ag District 012-08	1/14/2021 3:29 PM	File folder
Ag District 012-09	1/14/2021 3:29 PM	File folder
Ag District 012-10	1/14/2021 3:29 PM	File folder
Ag District 012-11	1/14/2021 3:29 PM	File folder

**Agriculture District 012-01**

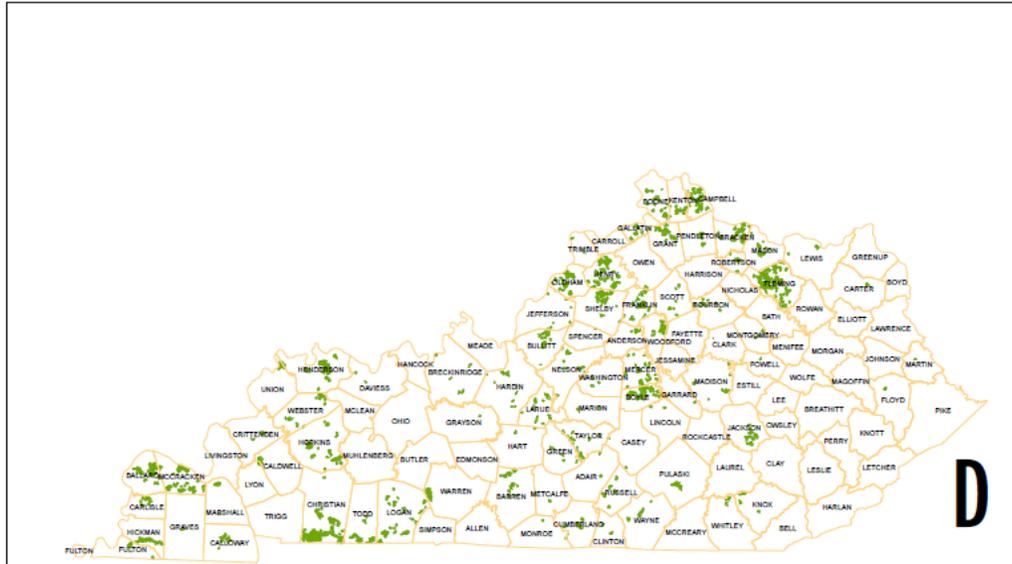
Expires July 6, 2025

LANDOWNERS	ACRES
1. Gary E. Coughlin & Carolyn C. Smiley, 4272 Clemons Drive, Lexington, KY 40514	116.83
2. Edward Gerhard Estate, 3421 Brooksville Chatham Road, Brooksville, KY 41004	131.41
3. George & Susan Gerhard Estate, P.O. Box 66, Augusta, KY 41002	188.98
4. John M. & James J. Goecke, 552 Shady Lane South, Augusta, KY 41002	168.48
5. Eddie R. & Pamela K. Hopkins, 2172 Dutch Ridge Road, Augusta, KY 41002	38.46
6. Everett & Carol Hopkins, 1896 Dutch Ridge Road, Augusta, KY 41002	227.67
7. Abby & Derek Fryman, 350 West Gillespie Lane, Augusta, KY 41002	13.58
8. Charles & Brenda Jett, 313 Hamilton Avenue, Augusta, KY 41002	63
9. Joseph V. & Beverly Kelsch, George R. Kelsch, 6439 Augusta - Minerva Road, Augusta, KY 41002	44.01
10. Laura Linville, Ellen Linville Wira, & Molly Linville Schultz, 315 Cigar Lane, Augusta, KY 41002	48.53
11. Maryview Farms LLC, 2456 Dutch Ridge Road, Augusta, KY 41002	240.88
12. Linda Rice, 244 Cigar Lane, Augusta, KY 41002	17.46
13. Charles & Patty Schweitzer, Jr, 3931 Dutch Ridge Road, Augusta, KY 41002	84
14. Janice Weiss-Hicks, 2359 Dutch Ridge Road, Augusta, KY 41002	71.06
15. Charles Keith Wilson, 491 Cigar Lane, Augusta, KY 41002	76.83
<b>Subtotal:</b>	<b>1,533.22</b>
<b>Amendment #1</b>	
16. Gregory & Nicole Gerhard, 230 Hook Lane, Augusta, KY 41002	157.61
17. Maryview Farms LLC, 2456 Dutch Ridge Road, Augusta, KY 41002	481.23
<b>Subtotal:</b>	<b>638.86</b>
<b>Amendment #2</b>	
18. James J. & Donna Goecke, John M. Goecke, 4091 Asbury Road, Augusta, KY 41002	97
19. James J. & John M. Goecke, 552 Shady Lane South, Augusta, KY 41002	32.66
<b>Subtotal:</b>	<b>129.66</b>
<b>Amendment #3</b>	
20. Charles Keith Wilson, 491 Cigar Lane, Augusta, KY 41002	71.38
<b>Subtotal:</b>	<b>71.38</b>
<b>TOTAL ACRES:</b>	<b>2,373.12</b>

Folders within each Ag District for recertification/amendment by year with landowner correspondence/tracking sheet

# Division of Conservation Contact

Certified Agricultural Districts



## Legend

-  Certified Ag Districts
-  County Boundary

Updated: 2/22/2010

Agricultural District Data Source: Ky Division of Conservation

- ▶ Mark Davis
- ▶ Sent via [conservation@ky.gov](mailto:conservation@ky.gov)
- ▶ 538 Certified Ag District's across the state
- ▶ 465,715 acres
- ▶ 81 counties

# Resource for Ag District Forms & Information

The screenshot shows a web browser window with the URL `eec.ky.gov/Natural-Resources/Conservation/Pages/default.aspx`. The page features a navigation menu with 'Natural Resources' selected, and a sub-menu with 'Conservation' highlighted. A large banner image displays the word 'CONSERVATION' in white text. Below the banner, a breadcrumb trail reads 'Home / Natural Resources / Conservation'. The main content area includes two paragraphs of text and a section titled 'Our Mission and Vision'. On the right side, a vertical list of links is displayed, with a green arrow pointing to the 'Agricultural Districts' link.

← → ↻ 🔒 eec.ky.gov/Natural-Resources/Conservation/Pages/default.aspx 🔍 ☆ ⚙️ M ⋮



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Conservation Forestry Mining Oil & Gas

## CONSERVATION

🏠 / [Natural Resources](#) / [Conservation](#)

The Division of Conservation is charged with providing assistance to Kentucky's 121 conservation districts to develop, administer and implement sound conservation programs across the state. Kentucky's conservation districts are subdivisions of state government, and districts are organized with their boundaries coinciding with county lines with the exception of Logan County, which is divided into two districts. Each local district is governed by a seven-member board of supervisors elected by the registered voters within that district.

The conservation districts have been organized for the special purpose of assisting landowners and land users in solving soil and water resource problems, setting priorities for conservation work to be accomplished and coordinating the federal, state and local resources to carry out these programs.

### Our Mission and Vision

The Division of Conservation's mission is to conserve Kentucky's natural resources through education and assistance to producers and local conservation districts.

The Division of Conservation partners with federal, state and local agencies to assist landowners in installing best management practices that protect the soil and water resources of Kentucky. We promote classroom education through material development and assist conservation districts in meeting the needs of their local communities. We provide administrative assistance to the Soil and Water Conservation Commission and the Agriculture Water Quality Authority as they develop sound policy.

- Division of Conservation Staff >
- Soil and Water Conservation Commission >
- Agriculture Water Quality Authority >
- Conservation Districts >
- Conservation Forms >
- Conservation Links >
- Agricultural Districts >**
- Purchase of Agricultural Conservation Easements >
- 2019 Annual Report 