

FIVE-YEAR REVIEW AND RECERTIFICATION PROCESS FOR AGRICULTURAL DISTRICTS - KRS 262.850

Pursuant to the amended act, KRS 262.850, all certified agricultural districts shall be reviewed for recertification every five years. Any amendments that have been made to the agricultural district within the five-year period have the same recertification date as the original acreage and should be included in the recertification process. Following are the steps to be followed by conservation districts in the review of each agricultural district:

1. To facilitate recertification and minimize problems that may occur, such as slow landowner response, difficulty acquiring landowner deed information, or requests from the required contacts listed in No.3 wanting more information, etc., begin the notification process no later than three (3) months before recertification due date listed on certification or previous recertification document.
2. Each landowner in the agricultural district must be notified by mail that it is time for their agricultural district to be reviewed for recertification. E-mail or text messaging may be used but only if landowner has provided permission for such notification.
 - a. A specific time frame, 30 days, should be set for the landowner to return the survey to the conservation district. **Inform landowner that failure to respond to the survey will result in their acreage being withdrawn from the agricultural district.**
 - b. **If any changes to landowner parcel boundaries in the agricultural district have occurred, an updated PVA map must be included with the recertification survey to the Commission.** It is the landowners' responsibility to provide the conservation district with a map depicting boundary changes or detailed information that can be used by the conservation district and Division of Conservation to update GIS database and ensure accurate landowner data.
3. Notify the county government (fiscal court), regional Area Development District (ADD), local planning & zoning agency, or clerk of any city or town within 1 mile of pending agricultural district recertification. These would be the same agencies notified during the certification process.
4. The Board of Supervisors shall review all landowner information plus any comments from the entities listed above in No. 2 before making their recommendation to the Commission as to whether the continued existence of the agricultural district is justified.
 - a. If the Board recommends recertification, a letter requesting recertification shall be sent to the Commission, with an updated list of participating landowners including addresses and acres enrolled, an updated map with landowners identified by name label or numbered legend if boundary changes have occurred, copies of the surveys returned by the landowners, and copies of any comments received from government entities, planning and zoning agency, or Area Development Districts.

- b. If the Board denies recertification, they shall send notification, written justification, and any supporting documents for denial to the Commission.
5. Once Division of Conservation has received the recertification request and supporting information, it will be presented to the Commission for consideration at its earliest, corresponding meeting date. Notification of the Commission's decision and all appropriate documentation will be mailed to the Conservation District as soon as possible.
6. The Conservation District shall notify the individual landowners and their local PVA office of Commission's decision.

If you have any questions or require assistance in the review process, please contact Mark J. Davis: MarkJ.Davis@ky.gov or 502-782-6594.