

§164. Maine Working Farmland Access and Protection Program

1. Program established; administration. The Maine Working Farmland Access and Protection Program, referred to in this section as "the program," is established to provide protection to strategically significant working farmland properties as defined in Title 5, section 6201, subsection 4-A whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector. The department shall administer the program either directly or by contract with a suitable organization.

[PL 2021, c. 135, §5 (NEW).]

2. Review panel. The department shall establish a review panel to advise the commissioner in the operation of the program, including, but not limited to, evaluating applications and recommending to the department applicants for participation in the program.

[PL 2021, c. 135, §5 (NEW).]

3. Selection criteria. The selection criteria with which to evaluate applications for protection of working farmland property under the program must include, but are not limited to:

A. The interest of the owner of the working farmland property to make the farmland available via lease or transfer the protected property to another farmer or other farmers to advance the department's goal of preserving and increasing access to farmland for new and growing farms; [PL 2021, c. 135, §5 (NEW).]

B. The threat of conversion of the working farmland property such that it would become unavailable for commercial production of agricultural products; [PL 2021, c. 135, §5 (NEW).]

C. The percentage of soils classified by the United States Department of Agriculture as prime farmland, unique farmland, farmland of statewide importance and farmland of local importance; [PL 2021, c. 135, §5 (NEW).]

D. The agricultural structures and improvements associated with the working farmland property; [PL 2021, c. 135, §5 (NEW).]

E. The economic viability of the working farmland property in terms of current and potential future commercial agricultural activities in local, regional and statewide markets; connection of the working farmland property to agricultural services including processors, aggregators and distributors; and number of on-farm jobs supported by the working farmland property; [PL 2021, c. 135, §5 (NEW).]

F. The proximity of other working farmland properties in the town or region; [PL 2021, c. 135, §5 (NEW).]

G. The degree of community support for the proposed protection of the working farmland property; [PL 2021, c. 135, §5 (NEW).]

H. The multiple natural resources values associated with the working farmland property, including open space land, forested land and wetlands; riparian buffers; wildlife habitat; and freshwater aquifers; and [PL 2021, c. 135, §5 (NEW).]

I. Whether the applicant is from or serving an underserved or underprivileged community as defined by the department by rule. Rules adopted under this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. [PL 2021, c. 135, §5 (NEW).]

[PL 2021, c. 135, §5 (NEW).]

4. Grant agreements. The commissioner shall enter into grant agreements with state agencies and cooperating entities for the purpose of receiving grants from the Maine Working Farmland Access and Protection Fund under Title 5, section 6203-C.

[PL 2021, c. 135, §5 (NEW).]

SECTION HISTORY

PL 2021, c. 135, §5 (NEW).

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