

1 with the department of agriculture, on forms to be prescribed
2 and prepared by the department, and shall include but not be
3 limited to the following information for each private
4 agricultural park:

- 5 (1) The names and addresses of all of its members;
- 6 (2) The tax map parcel numbers and number of acres in each
7 parcel to be included in the private agricultural
8 park;
- 9 (3) The types of agricultural activities and products
10 being produced or to be produced by each member,
11 including non-agricultural by-products that may
12 include but not be limited to renewable sources of
13 energy for the production of electrical energy or
14 liquid fuel and cold water for cooling, processing,
15 and air conditioning purposes; and
- 16 (4) Other information that the department of agriculture
17 determines may be of assistance in promoting the
18 private agricultural park,

19 provided that, by subsequent filings, a private agricultural
20 park may add or delete members and parcels from its original
21 filing.



1 § -2 Activities permitted in a private agricultural
2 park. (a) Within a private agricultural park, pursuant to
3 private agreements between any or all of the members within the
4 private agricultural park, one or more members may:

5 (1) Engage in the generation of electrical energy from
6 fossil fuel or renewable energy sources, including but
7 not limited to the use of falling water, biomass,
8 wind, and solar energy. Any electrical energy
9 generated within the private agricultural park,
10 whether by a member or members or through an agreement
11 between a member or members and a nonmember
12 independent energy producer, may be produced, sold,
13 transmitted, and consumed by any other member within
14 the private agricultural park without regulation or
15 oversight by the public utilities commission, except
16 to ensure the public's health and safety;

17 (2) Collect, sell, and distribute cold water to any other
18 member within the private agricultural park for the
19 purpose of operating cooling and processing facilities
20 for agricultural products or for air conditioning,
21 without being subject to any regulation by any state
22 or county agency;



1 (3) Collect, store, sell, and distribute nonpotable water
2 for irrigation purposes to any other member within the
3 private agricultural park, without being subject to
4 regulation by any state or county agency; and

5 (4) Engage in any other lawful activity within the private
6 agricultural park for the benefit of one or more of
7 its members, without being subject to regulation by
8 any state or county agency.

9 § -3 Incentives and permit processing. Anything to the
10 contrary notwithstanding, the lands contained in a private
11 agricultural park, whether or not designated important
12 agricultural lands pursuant to section 205-49, shall be entitled
13 to the benefits of all incentive and protection programs granted
14 to important agricultural lands pursuant to section 205-46 and
15 any priority permit processing procedures extended to important
16 agricultural lands pursuant to section 205-46.5."

17 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 27 2009



Report Title:

Agriculture; Private Agricultural Parks

Description:

Allows one or more contiguous parcels within the agricultural district to establish a private agricultural park to: (i) generate electrical energy and transmit the electricity over parcel boundaries within the park without regulation by the PUC; and (ii) transmit cold water for cooling facilities and nonpotable water for irrigation across parcel boundaries within the park without state or county regulation.

