**Section 700.APPENDIX A Illinois Department of Agriculture**

**Section 700.EXHIBIT B The Proposed Project Review Process**

Introduction

The DOA shall conduct reviews of agency project proposals which will or have the potential of converting farmland to nonagricultural use. The agencies shall notify the DOA in writing when a project proposal is eligible for review. The DOA shall then determine whether or not the project is in compliance with the agency's policy statement and working agreement. If the project is not in compliance, the DOA shall conduct a study of agricultural impacts on the project to assess its impact on farmland.

Notification

Review Eligibility

State agency projects shall be eligible for review if:

1. the agency is listed in Section 3 of the Act;

2. the project is supported wholly or in part by state capital development funds; or

3. the project causes farmland conversion or encourages farmland conversion through secondary impacts; or

4. notification of the project is processed through the Governor's Office.

Review Exemptions

State agency projects shall be exempt from review if:

1. the working agreement excludes the project under consideration; or

2. the project has been exempted by Section 7 of the Act.

Transference of Project Proposal to the DOA

When an agency project will lead to the conversion of farmland, the agency shall:

1. notify the Director of the DOA of the project in writing; and

2. provide the written notification to the DOA at the point in the agency's planning process specified in the cooperative working agreement.

Project Proposal Information Requirements

 The written notification provided to DOA shall include the following information describing the project to enable the DOA to determine compliance:

1. Project description (purpose and scope);

2. Map indicating specific project location in the county;

3. Modern soil survey map (if available) showing precise project boundaries;

4. Identification of the number of acres contained within the project boundaries;

5. Identification of all land classes (I-VIII) lying within project boundaries and the number of acres contained within each land class, if available;

6. Identification of the site's zoning designation(s) and whether the project is in compliance with an officially adopted comprehensive land use plan designating land uses in the project area, if applicable;

7. Identification of the land use within the project area and of that land contiguous to the project area;

8. Identification of secondary impacts which may result from implementation of the project (e.g., drainage, farmland devaluation, increased travel time incurred by the agricultural land owner, and potential development created by gas, water or sewer lines);

9. The project proposal shall discuss how the size and location of the proposed project shall meet and not exceed the goals of the project thereby avoiding unnecessary farmland conversion;

10. Rationale for the selection of the project site;

11. Name, address and telephone number of individual who provided the above information;

12. The project proposal shall describe how the farmland preservation policy has been followed and what steps were taken to minimize the proposed project's impact upon agricultural land; and

13. The information above shall be included for each alternative location examined in the project proposal.

Review

Time Limitation

The DOA shall complete its study of the project proposal within thirty (30) days of receipt of the project proposal within thirty (30) days of receipt of written notification with all required information, if a study is required. If the study is not completed within that time limit, the agency may proceed with the proposal without the benefit of the DOA's comments.

Determination of Compliance

 Upon receipt of written notification, the DOA shall conduct an initial analysis of the proposed project to ascertain whether it complies with the policy statement and working agreement as adopted as rules under the Farmland Preservation Act and Project Proposal Information Requirements.

The DOA's initial analysis shall result in one of two actions:

1. If the project is found to be in compliance, the DOA shall provide the agency with a sign-off letter.

2. If the project is not in compliance, the DOA shall initiate a study of agricultural impacts.

Study of Agricultural Impacts

The study of agricultural impacts is performed by the DOA to ascertain the level of disruption placed upon the agricultural environment by the project proposal. It is composed of a review of Project Proposal Information Requirements, of the total annual agricultural productivity that is displaced when a site devoted to agricultural use is converted to non-agricultural purposes, and the criteria enumerated below:

1) Distance between the project site and the nearest city.

2) Proximity of a central water system to the project site.

3) Proximity of central water disposal system (sewer) to the project site.

4) The type (e.g., earthen, aggregate, hard surface) of transportation facility that provides access to the project site.

5) Existing land use adjacent to the site.

6) Zoning classification of the land adjacent to the site.

7) Percentage of the project site contained within an adopted Agricultural Area.

8) Impact on the proposed project upon agricultural businesses.

9) Percent of the area devoted to agricultural use within 1½ miles of the project site.

10) Percent of the project site currently in agricultural use.

11) Soil limitations (e.g., high water table, flooding, slope of the parcel, frost heave) on the project site for the proposed use.

12) Soil productivity (crop yields).

13) The acreage of each land class.

The DOA shall provide a copy of the study to the persons and agencies listed in Section 5 of the Act and to the public upon written request. The conflict resolution process shall be invoked if the project is not in compliance with policy statements and working agreement, and the DOA and the originating agency cannot reach a compromise on how to avoid or reduce the impact on agricultural land. The conflict resolution process shall be invoked by DOA within 5 working days of DOA's determination that a compromise cannot be achieved.

(Source: Exhibit B renumbered from Exhibit A and amended at 11 Ill. Reg. 20527, effective December 2, 1987)