Agricultural Security Areas

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Farmland owners, in cooperation with local governments, can establish agricultural security areas (ASAs) in places where agriculture is the primary land use.

Participating farms and landowners benefit from local & state programs and policies that help to protect farmland and maintain the viability of agricultural businesses. The ASA program was started in 1981 with the passage of Act 43.



Eligibility Requirements

At least 250 acres of farmland are needed (collectively) to form an agricultural security area. ASAs are usually composed of multiple tracts of farmland owned by multiple owners. ASAs can be created jointly by more than one municipality.

To be eligible, farm properties must:

1. Be at least 10 acres in size if noncontiguous to other properties that are in or proposed for inclusion in an ASA.

2. Be viable agricultural land. Cropland, pasture and woodland can all be included in an ASA.

3. Have at least 50% of the land in Soil Capability Classes I-IV (as mapped & defined by the Natural Resources Conservation Service).

4. Be located in a zoning district that permits agricultural uses.

Agricultural Security Area Benefits

There are three important landowner benefits for having farmland included in an agricultural security area.

1. Landowners who have their farmland enrolled in an ASA of at least 500 acres are eligible to apply to preserve their farms by selling agricultural conservation easements to the Commonwealth and/or Lehigh County.

2. Local governments are not permitted to enact laws or nuisance ordinances that will unreasonably restrict farm structures and farm practices within their ASAs.

3. It is more difficult for local and state governments to take land in ASAs by eminent domain for schools, parks, highways and other public uses.

Unless a landowner has chosen to preserve their farm with an agricultural conservation easement, an ASA <u>does not</u> add any restrictions to the use of a property.

Adding Your Land to an ASA

1. Complete and submit an ASA proposal form to your township office. The proposal must include your printed name, signature, address, tax parcel identification number and acreage of each parcel. ASA proposal forms are available at the Lehigh County Farmland Preservation Office.

The proposal form should be submitted to your township by certified mail return receipt. If hand delivered, ask for a receipt that includes the date of your submission.

2. If your proposal includes land in more than one township, the proposal form must be submitted to each township where your land is located.

3. The township supervisors should acknowledge receipt of your proposal at their next meeting, publish a notice in the newspaper and post five notices on and near your property stating that your proposal has been received.

4. For 15 days after publishing the notice, the supervisors and the township planning commission may receive other proposals for the modification of the ASA.



5. The township supervisors, at the expiration of the 15 day modification period, send your ASA proposal to the township planning commission and the township agricultural security area advisory committee for review. The ASA advisory committee is made up of 3 farmers, 1 non farmer and 1 supervisor. Each group has up to 45 days to review and comment as to whether or not your land should be added to the ASA.

6. After receiving comments from the planning commission and ASA advisory committee, the supervisors hold an advertised public hearing on your proposed addition to the ASA.

7. Following the public hearing, the supervisors may act to approve or deny the addition of your land to the ASA.

8. The supervisors must make a decision within 180 days of the date you submit your proposal form. If the supervisors fail to act within 180 days, your land is automatically added to the ASA without modification.

9. Within 10 days of the addition to an ASA, a description of the added land must be filed in the Lehigh County Recorder of Deeds' Office and the PA Department of Agriculture should be notified.

10. An ASA should be reviewed by the township every 7 years. Land can be removed from an ASA at the end of the 7 year review process.

For More Information:

Lehigh County Farmland Preservation Program
4234 Dorney Park Road Suite 2
Allentown, PA 18104
Diane Matthews-Gehringer, Director
Phone:
610-336-5680
Website: www.lehighcounty.org. Agricultural Land Preservation Department

County of Lehigh
Bureau of Agricultural Land Preservation
4234 Dorney Park Road
Allentown, PA 18104
610-338-5680

How to Apply to add your land to an Ag Security Area

Fill out Proposal for the Creation or Modification of an Agricultural Security Area

(** all owners must sign) following all directions. Any assistance needed for mapping or tax parcel numbers can be given by the Farmland Preservation Office.

Submit to township (preferably in person if possible). Ask for a receipt that shows the date that it was submitted.

If submitted by mail, submit by Certified Mail return receipt as on the instructions.

The Township will do all of the next steps. The Township has 180 days to act on the application. Usually the Townships simply lets the 180 days lapse and then they pass a Resolution and have it recorded at the Lehigh County Recorder of Deeds.

The Township send a copy of the recorded Resolution to the landowner, to the Lehigh County Farmland Preservation Office, and the Lehigh Valley Planning Commission.

PA DEPARTMENT OF AGRICULTURE
ABFP-14, REV. 4/2005

LOCAL GOVERNMENT USE ONLY

DATE RECEIVED _____
HEARING DATE _____
ACTION DATE:
____APPROVED W/O MODIFICATION
____MODIFIED, THEN APPROVED
____REJECTED

PROPOSAL FOR THE CREATION OR MODIFICATION OF AN AGRICULTURAL SECURITY AREA

This form is to be completed by the landowner(s) who propose(s) to form an agricultural security area under the Agricultural Security Law (Act 43 of 1981). Three copies of this form, including the required map (see below) shall be submitted certified mail, return receipt requested, to the township in which the proposed agricultural area is located. If the proposed area is located in more than one township (municipality), the proposal shall be submitted to all governing bodies affected. The tax parcel number may be obtained from the property tax notice or the county mapping office. If a number cannot be found, the deed reference numbers/account numbers of the property may be substituted. A map showing the boundary of the proposed agricultural area and boundaries of the of the properties owned by the undersigned landowners within the proposed agricultural security should be attached to each copy of this form (a county tax map, US Geologic Survey topographic map, or other map as specified by the local government). Properties owned by each petitioner shall be identified on each map. In cases of joint ownership, all owners must sign the proposal.

1. Location of the proposed area: _____ 2. Total Acreage in area: _____
(Township, Borough or City) (County)

3. Names and addresses of landowners proposing the area. Use additional paper with just columns if needed. Signers to this proposal give their consent to include the described land in the agricultural security area once it is approved.

Landowners Name (PRINTED) and Signature (BELOW THE DOTTED LINE)	Address (PRINT)	County Tax Parcel ID Number (PIN) or Account Number	Acreage

Landowner's Name (PRINTED) and Signature (BELOW THE DOTTED LINE)	Address (PRINT)	County Tax Parcel ID Number (PIN) or Account Number	Acreage