DATE: July 16, 2025

ACTION: Notice of Intent to Adopt Georgia Farmland Conservation Fund Rules

TO ALL INTERESTED PERSONS AND PARTIES:

Pursuant to the Official Code of Georgia Annotated, O.C.G.A. § 50-13-4 and O.C.G.A. § 44-10-47, notice is hereby given that the Georgia Department of Agriculture will accept written comments regarding the proposed adoption of Chapter 40-33, Grant and Funding Programs, including GA. Comp. R. & Regs. r. 40-33-1-.01 through 40-33-1-.06 (collectively, the "Rules") relating to the Georgia Farmland Conservation Fund Program. **The Department will accept written comments from Thursday, July 17, 2025, until the close of business (4:30 p.m. ET) on Monday, August 18, 2025**.

SYNOPSIS, MAIN FEATURES AND DIFFERENCES:

Synopsis:

The Department seeks to adopt the Rules to implement the program established by O.C.G.A. §§ 44-10-41 through 44-10-47 (the "Act").

At the highest level, the proposed Rules (a) reaffirm the program's purpose; (b) provide for defined terms, (c) describe the timing to submit project proposals, (d) establish the framework for project proposal review and referral to the Georgia Farmland Advisory Council, (e) establish the process for awarded project agreements and implementation, and (f) affirm program reporting requirements.

The Department expects the Rules to be effective after adoption and appropriate filing with the Georgia Secretary of State.

Proposed Rule 40-33-1-.01 [Program Purpose and Establishment]:

Proposed Rule 40-33-1-.01:

- Reaffirms the purpose of the Georgia Farmland Conservation Fund Program; explains the purpose of the Rules in establishing relevant standards, practices, procedures, and requirements; and confirms that the proposed rules are being published with the support of the Georgia Farmland Advisory Council.

Proposed Rule 40-33-1-.02 [Definitions]:

Proposed Rule 40-33-1-.02:

- Sets out defined terms used in the Rules, drawing from the Act, and incorporating additional, necessary legal terms drawn from elsewhere in the O.C.G.A.

Proposed Rule 40-33-1-.03 [Project Proposal Timing]:

Proposed Rule 40-33-1-.03:

- (1) Establishes the default timeline, subject to modification by the Department and Council, during which the Department will accept, review, and refer project proposals to the Council for consideration and approval.

- (2) Provides for the potential announcement of a second application cycle during a given year, if needed to effectuate the purpose of the Act.

Proposed Rule 40-33-1-.04 [Project Proposal Review and Referral]:

Proposed Rule 40-33-1-.04:

- (1) Describes in general the project proposal and review process, as well as appropriate projects;

- (2) Describes that the Department will provide project proposal application forms, procedure for incomplete or deficient applications, and provides for electronic submission of project proposals; and

- (3) Sets out the project proposal review criteria, including minimum criteria set forth in the Act and establishes a scoring rubric for the priority factors determined by the Act. Describes the Department's referral process to the Council for approval votes. Clarifies that project proposal funding is always subject to fiscal funding limitations.

Proposed Rule 40-33-1-.05 [Awarded Projects]:

Proposed Rule 40-33-1-.05:

- (1) Provides that awarded project proposals will require entry into Project Agreements with the Department and provides basic included terms, including disbursement timing and requirements;

- (2) Provides a default timeframe of project completion within the state fiscal year of award; and

- (3) Provides for site inspections by the Department and Council at awarded projects.

Proposed Rule 40-33-1-.06 [Program Reporting]:

Proposed Rule 40-33-1-.06:

- Affirms the Department's reporting requirements to Executive and Legislative Branch partners.

COMMENT PERIOD AND ADDITIONAL INFORMATION:

The Department will be accepting written comments from Thursday, July 17, 2025, until the close of business (4:30 p.m. ET) on Monday, August 18, 2025. Public comments and the adoption of the amended Rules will be considered at 2 p.m. on Monday, August 18, 2025, at 47 Trinity Avenue, Room G-07, Atlanta, Georgia 30334. Please submit written comments to:

Reaganne Hart
Georgia Department of Agriculture
254 Washington Street, SW
Atlanta, Georgia 30334
E-mail: policy@agr.georgia.gov

Interested persons may call or submit a written request to obtain a copy of the proposed rule changes. A copy of the synopsis and the proposed rule changes may be downloaded from the Georgia Department of Agriculture website at www.agr.georgia.gov.

This notice is given in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.