

THE COUNTY.

(D) LOCAL PROGRAMS SHALL BE APPROVED UPON THE AFFIRMATIVE VOTE OF A MAJORITY OF THE ECARD MEMBERS AT-LARGE, AND UPON APPROVAL OF THE SECRETARY AND THE STATE TREASURER.

2-513.

(A) AGRICULTURAL LAND PRESERVATION EASEMENTS MAY BE PURCHASED UNDER THIS SUBTITLE FOR ANY LAND IN AGRICULTURAL USE WHICH MEETS THE MINIMUM CRITERIA ESTABLISHED UNDER SECTION 2-509 IF THE EASEMENT AND COUNTY REGULATIONS GOVERNING THE USE OF THE LAND INCLUDE THE FOLLOWING PROVISIONS:

(1) ANY FARM USE OF LAND IS PERMITTED.

(2) OPERATION AT ANY TIME OF ANY MACHINERY USED IN FARM PRODUCTION OR THE PRIMARY PROCESSING OF AGRICULTURAL PRODUCTS IS PERMITTED.

(3) ALL NORMAL AGRICULTURAL OPERATIONS PERFORMED IN ACCORDANCE WITH GOOD HUSBANDRY PRACTICES WHICH DO NOT CAUSE BODILY INJURY OR DIRECTLY ENDANGER HUMAN HEALTH ARE PERMITTED INCLUDING, BUT NOT LIMITED TO, SALE OF FARM PRODUCTS PRODUCED ON THE FARM WHERE SUCH SALES ARE MADE.

(B) THE EASEMENT SHALL PROVIDE THAT RESIDENTIAL SUBDIVISION FOR COMMERCIAL PURPOSES IS NOT PERMITTED. HOWEVER, UPON WRITTEN APPLICATION TO THE FOUNDATION CONVEYANCE OF ONE ACRE OR LESS FOR THE OWNER WHO ORIGINALLY SOLD AN EASEMENT TO THE FOUNDATION AND FOR EACH OF HIS CHILDREN FOR THE PURPOSE OF CONSTRUCTION OF ONE DWELLING HOUSE INTENDED FOR HIS OR THEIR USE SHALL BE PERMITTED ONE TIME ONLY FOR THE THAT OWNER AND EACH CHILD, AND DOES NOT CONSTITUTE A RESIDENTIAL SUBDIVISION FOR COMMERCIAL PURPOSES. THE OWNER ALSO MAY CONSTRUCT HOUSING FOR TENANTS FULLY ENGAGED IN OPERATION OF THE FARM, BUT THIS CONSTRUCTION MAY NOT EXCEED ONE TENANT HOUSE PER 100 ACRES.

(C) PURCHASE OF AN EASEMENT BY THE FOUNDATION DOES NOT GRANT THE PUBLIC ANY RIGHT OF ACCESS OR RIGHT OF USE OF THE SUBJECT PROPERTY.

~~(D) ANY EASEMENT PURCHASED UNDER THIS SUBTITLE SHALL BE HELD IN PERPETUITY BY THE FOUNDATION.~~

2-514.

(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE EASEMENT PURCHASED UNDER THIS SUBTITLE BE HELD BY THE FOUNDATION FOR AS LONG AS PROFITABLE FARMING IS FEASIBLE ON THE LAND UNDER EASEMENT, AND AN EASEMENT MAY BE TERMINATED ONLY IN THE MANNER AND AT THE TIME SPECIFIED IN THIS SECTION.