



# Louisville Metro Government

Metro Development Center  
444 S. 5th Street  
Louisville, KY 40202

## Agenda - Final

### Louisville/Jefferson County Environmental Trust Oversight Board

Friday, May 15, 2026

10:00 AM

444 S 5th Street, Room 101

*The Louisville/Jefferson County Environmental Trust Oversight Board meeting will be conducted in-person at the Metro Development Center, Conference Room 101, 444 S. 5th Street, Louisville, KY 40202.*

*Anyone wishing to join the meeting virtually using a computer, laptop, or mobile device, as well as anyone wishing to sign up to speak in support, in opposition, or as other for any case, should visit the following link:*

<https://louisvilleky.gov/government/upcoming-public-meetings>

*You can access case materials (staff reports, proposed plans, etc.) by clicking on the link below and selecting this meeting in the Calendar tab:*

<https://louisville.legistar.com/Calendar.aspx>

*If you have any questions, please contact the case manager or call the Office of Planning at 502-574-6230.*

#### Call To Order

#### Minutes

[04.17.2026 LJCET Minutes](#)

#### New Business

##### [Financial Report](#)

Request:	Financial Report
Project Name:	Financial Report
Location:	NA
Applicant:	NA
Representative:	NA
Jurisdiction:	Louisville Metro
Council District:	NA
Case Manager:	Bob Schindler

[HB 542](#)

Request: Discussion  
Project Name: HB 542: An act relating to eminent domain and declaring an emergency  
Location: NA  
Applicant: NA  
Representative: NA  
Jurisdiction: Louisville Metro  
Council District: NA  
Case Manager: Anne Scholtz, Assistant County Attorney

[Bylaws](#)

Request: Bylaws Update  
Project Name: Bylaws Update  
Location: NA  
Applicant: NA  
Representative: NA  
Jurisdiction: Louisville Metro  
Council District: NA  
Case Manager: Anne Scholtz, Assistant County Attorney

[Donation Acceptance Policy](#)

Request: Policies for Considering Donations of Conservation Easements and Land  
Project Name: Policies for Considering Donations of Conservation Easements and Land  
Location: NA  
Applicant: NA  
Representative: NA  
Jurisdiction: Louisville Metro  
Council District: NA  
Case Manager: Kurt Mason

[Culbertson](#)

Request: Monitoring Visit  
Project Name: Culbertson Conservation Easement  
Location: 8401 Dawson Hill Road  
Applicant: NA  
Representative: NA  
Jurisdiction: Louisville Metro  
Council District: 20-Stuart Benson  
Case Manager: John Studer, Parks and Rec. Manager

[Holiday](#)

Request: Monitoring Visit  
Project Name: Holiday Farm Conservation Easement  
Location: 3800 Shiloh Lane  
Applicant: NA  
Representative: NA  
Jurisdiction: Goshen, KY  
Council District: NA  
Case Manager: John Studer, Parks and Rec. Manager

[Waste Management](#)

Request: Monitoring Visit  
Project Name: Waste Management Conservation Easement  
Location: 9005 Brown Austin Road  
Applicant: NA  
Representative: NA  
Jurisdiction: Louisville Metro  
Council District: 13-Dan Seum Jr.  
Case Manager: John Studer, Parks and Rec. Manager

[Closed Session](#)

**Adjournment**



# Louisville Metro Government

## Text File

File Number: 04.17.2026 LJCET Minutes

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** Minutes to be Approved

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Minutes

**MINUTES OF THE MEETING  
OF THE  
LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
APRIL 17, 2026**

A meeting of the Louisville/Jefferson County Environmental Trust Oversight Board was held on March 20, 2026, at 10:00 a.m. at the Metro Development Center, 444 S. 5th Street, Louisville, KY 40202.

**Board Members Present:**

Kurt Mason, Chair  
Noel Rueff, Vice Chair  
Joseph Haberman (Office of Planning)  
Erin Wagoner (Metropolitan Sewer District)  
Lou Lepping (Public Works)  
Patti Clare  
Bob Schindler

**Board Members Absent:**

Ed Morris  
John Studer (Metro Parks)

**Staff Members Present:**

Dante St. Germain, Senior Planner  
Anne Scholtz, Assistant County Attorney

The following matters were considered:

**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**APPROVAL OF MINUTES**

**MARCH 20, 2026, LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD MINUTES**

00:00:51 On a motion by Member Rueff, seconded by Member Wagoner, the following resolution was adopted:

**RESOLVED**, that the Louisville/Jefferson County Environmental Trust Oversight Board does hereby **APPROVE** the Minutes of its meeting conducted on March 20, 2026.

**The vote was as follows:**

**YES: Board Members Rueff, Haberman, Wagoner, Clare, Lepping, Schindler, and Mason**

**ABSENT: Board Members Studer and Morris**

**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**PARKS ALLIANCE OF LOUISVILLE PRESENTATION**

Request: Parks Alliance of Louisville Presentation  
Project Name: Parks Alliance of Louisville Presentation  
Case Manager: Kurt Mason

00:05:01 Kurt Mason introduced Alice Bridges from Parks Alliance of Louisville. Mason mentioned that LJCET has a close relationship with Parks Alliance of Louisville and noted that Parks Alliance manages the Boards financial account (see recording for details).

00:07:05 Alice Bridges provided a presentation and mentioned she was visiting LJCET on behalf of Four Parks Education Fund. Bridges noted that the Four Parks Education Fund is a non-partisan initiative focused on raising money through a dedicated 0.2% tax that would be used for deferred maintenance work on public parks. She stated that Louisville operates more than 120 public parks and 13 community centers. This initiative is proposed to be on the November ballot this fall & can proceed either if Metro Council refers it to the ballot or if there are enough signatures on a petition. Bridges responded to questions from Board Members (see recording for details).

00:15:34 Kurt Mason discussed the possible impacts of a LJCET endorsement as a quasi-governmental body (see recording for details).

00:29:01 Anne Scholtz mentioned that Anna-Leigh Taylor is in charge of all agencies within Metro. Scholtz stated that she and Taylor reviewed the statutes and ordinance and concluded that the oversight board could make a decision for the Board but not the Trust in regards to supporting the Fund being put on the ballot for voting this coming November, but there are some issues.

**An audio/visual recording of the Louisville/Jefferson County Environmental Trust Oversight Board meeting related to this case is available on the Office of Planning website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**FINANCIAL REPORT**

Request:	Financial Report
Project Name:	Financial Report
Case Manager:	Bob Schindler

00:39:38 Bob Schindler noted that no new information has been provided pertaining to the financial report (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**BYLAWS**

Request: Bylaws  
Project Name: Bylaws  
Case Manager: Anne Scholtz, Assistant County Attorney

00:40:25 Anne Scholtz noted that two versions of the bylaws were sent to board members: a redlined version and a clean version. Scholtz noted that she was able to consolidate two nominating committees into one and that an advisory committee will be established. Scholtz mentioned that each committee includes a provision allowing the board to appoint a chair to lead the other committees. Scholtz noted that some wording could be improved regarding the distribution of the citizen members for the A, B, and C district. Scholtz responded to questions from Board Members (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**POLICIES FOR CONSIDERING DONATIONS OF CONSERAVTION EASEMENTS  
AND LAND**

Request: Policies of Considering Donations of Conservation  
Easements and Land  
Project Name: Polices for Considering Donations of Conservation  
Easements and Land  
Case Manager: Kurt Mason

00:59:30 Anne Scholtz stated that the language in the Policies for Considering Donations of Conservation Easements was not presented in the chronological order in which the board follows the process for accepting donations. Scholtz also noted that some polices do not mesh with what the mission statement or the ordinance. Scholtz suggested that the board either discuss the policies during the meeting or wait for a redlined version of the document. Scholtz mentioned that at the next meeting the board would discuss the redline document. Scholtz responded to comments regarding the language of the donation policy (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**DONOHO CONSERVATION EASEMENT MONITORING**

Request: Donoho Conservation Easement Monitoring  
Project Name: Donoho Monitoring  
Location: 9207 James Hill Road, Parcel ID 104903860000,  
104904990001, & 104904990002  
Owner: Steven and Lillian Van Tilburg  
Owner: Steven and Lillian Van Tilburg  
Jurisdiction: Louisville Metro  
Council District: 12 – Jonathan Joseph  
Case Manager: John Studer, Parks, and Rec. Manager

01:26:26 Noel Rueff noted that the property appeared to be in good condition, with minimal invasive species present. Rueff stated that while no major issues were present, a few tires remained on the property and erosion was noted in some areas. (see recording for details)

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**TYLER CONSERVATION EASEMENT MONITORING-5801**

Request:	Tyler Conservation Easement Monitoring
Project Name:	Tyler Monitoring- Reeves
Location:	5801 Billtown Road
Owner:	Stephen and Jane Reeves
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	John Studer, Parks, and Rec. Manager

01:29:34 Kurt Mason elaborated on who was in attendance for the site visit. Mason mentioned that the owners purchased the property with the intention of homesteading and planned to place a few animals on the property, as well as plant vegetables and fruit trees. Mason noted that they plan to install fencing along the wooded area as well as around the grazing area. Mason noted that the owner would like to construct a storage building or barn to provide shelter for farm equipment and advised that the structure would need to be located in an open area. Mason responded to questions from Board Members (see recording for details).

01:30:05 Erin Wagoner elaborated on the discussion she had with the property owner (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**TYLER CONSERVATION EASEMENT MONITORING-5901**

Request:	Tyler Conservation Easement Monitoring
Project Name:	Tyler Monitoring- Vanderhaar
Location:	5901 Billtown Road
Owner:	Michael Vanderhaar
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	John Studer, Parks, and Rec. Manager

01:34:34 Kurt Mason stated that the property currently does not contain any structures; however, the owner has contacted the highway department, and an area has been staked off for the construction of a driveway. Mason noted that the owner is planning to build with in the next three to five years and would like to redo the pond (see recording for details).

01:35:06 Noel Rueff noted that the property owners have cleared a path through the woods for the future construction of a structure (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**TYLER CONSERVATION EASEMENT MONITORING-5900**

Request:	Tyler Conservation Easement Monitoring
Project Name:	Tyler Monitoring- AB Property Rentals LLC
Location:	5900 Billtown Road
Owner:	AB Property Rentals LLC
Jurisdiction:	Louisville Metro
Council District:	20 – Stuart Benson
Case Manager:	John Studer, Parks, and Rec. Manager

01:39:55 Kurt Mason noted that the owner built a gravel road and that they did reach out to the state to acquire a permit for the placement and construction of an access driveway off Billtown Road due to measurements along Billtown Rd. Mason mentioned that the gravel road has a concrete apron but only 300 square feet is actually on the easement and the remainder of the impervious area of the pad is in the highway right-of-way. The 300 square feet impacts the total available square footage of impervious area allocated for the property. Mason also mentioned that the owner had a surveyor stake off and mark a two-acre building envelope. Mason responded to questions from Board Members (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**NEW BUSINESS**

**DOGWOOD HILL CONSERVATION EASEMENT MONITORING**

Request:	Dogwood Hill Conservation Easement Monitoring
Project Name:	Dogwood Hill Monitoring
Location:	7001 US Hwy 42
Owner:	Leslie D Taylor Revocable Trust
Jurisdiction:	Louisville Metro
Council District:	16 – Scott Reed
Case Manager:	John Studer, Parks, and Rec. Manager

01:48:49 Bob Schindler noted that there were no new changes to the site; however, it was observed that cleanup activities had taken place around the property. Schindler and Noel Rueff responded to questions from Board Members (see recording for details).

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**LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST  
OVERSIGHT BOARD  
MINUTES  
APRIL 17, 2026**

**ADJOURNMENT**

The meeting adjourned at approximately 11:57 a.m.



# Louisville Metro Government

## Text File

File Number: Financial Report

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case



# Louisville Metro Government

**Text File**

**File Number: HB 542**

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case

1 AN ACT relating to eminent domain and declaring an emergency.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 382.850 is amended to read as follows:

4 **(1) As used in this section, "feasible alternative location" means a location that:**

5 **(a) Impacts the same property but does not impact the conservation easement**  
 6 **on the property; and**

7 **(b) Does not materially increase the cost of the project.**

8 ~~(2)~~~~(1)~~ A conservation easement shall not be transferred by owners of property in  
 9 which there are outstanding subsurface rights without the prior written consent of  
 10 the owners of the subsurface rights.

11 ~~(3)~~~~(2)~~ A conservation easement shall not operate to limit, preclude, delete, or require  
 12 waivers for the conduct of coal mining operations, including the transportation of  
 13 coal, upon any part or all of adjacent or surrounding properties; and shall not  
 14 operate to impair or restrict any right or power of eminent domain created by  
 15 statute, and all such rights and powers shall be exercisable as if the conservation  
 16 easement did not exist.

17 **(4) (a) Notwithstanding subsection (3) of this section, in a condemnation action**  
 18 **under the Eminent Domain Act of Kentucky, KRS 416.540 to 416.670,**  
 19 **involving privately owned property that is subject to a conservation**  
 20 **easement, the condemnor shall provide a sworn written report to the court**  
 21 **justifying the condemnation of the specific property at issue due to the lack**  
 22 **of feasible alternative locations to satisfy the purposes of the project unless**  
 23 **the condemnation action:**

24 **1. Is initiated by a city, county, municipal utility, investor-owned utility,**  
 25 **utility cooperative, water district, or water association; and**

26 **2. Involves easements for utilities that do not interfere with agricultural**  
 27 **operations or result in a taking of agricultural infrastructure.**

1        *(b) If the court, in its discretion, determines that the report does not*  
 2                *demonstrate a lack of feasible alternative locations to satisfy the purposes of*  
 3                *the project, the condemnation action shall be dismissed in accordance with*  
 4                *subsection (4) of Section 5 of this Act.*

5        *(5) This section shall not prevent a property owner from:*

6                *(a) Challenging the necessity of condemnation for the project; or*

7                *(b) Offering additional feasible alternative locations to satisfy the purposes of*  
 8                *the project.*

9        ➔Section 2. KRS 262.850 is amended to read as follows:

10        (1) This section shall be known as "the Agricultural District and Conservation Act."

11        (2) It is the policy of the state to conserve, protect, and to encourage development and  
 12        improvement of its agricultural lands for the production of food and other  
 13        agricultural products. It is also the policy of this state to conserve and protect the  
 14        agricultural land base as a valuable natural resource which is both fragile and finite.  
 15        The pressure imposed by urban expansion, transportation systems, water  
 16        impoundments, surface mining of mineral resources, utility rights-of-way, and  
 17        industrial development has continually reduced the land resource base necessary to  
 18        sufficiently produce food and fiber for our future needs. It is the purpose of this  
 19        section to provide a means by which agricultural land may be protected and  
 20        enhanced as a viable segment of the state's economy and as an important resource.

21        (3) The local governing administrative body for an agricultural district shall be the  
 22        conservation district board of supervisors. The Soil and Water Conservation  
 23        Commission shall be responsible for statewide administration of the agricultural  
 24        district program and shall have sole authority to certify or deny agricultural district  
 25        petitions. The commission may apply for assistance and funds from the Federal  
 26        Farmland Protection Act of 1981, Pub. L. No. 97-377, which may be available for  
 27        the development of the agricultural district program and may accept easements as

- 1 provided in KRS 65.410 to 65.480.
- 2 (4) Any owner or owners of land may submit a petition to the local conservation  
3 district board of supervisors requesting the creation of an agricultural district within  
4 the county. The petition shall include a description of the proposed area, description  
5 of each land parcel, location of the proposed boundaries, petitioners' names and  
6 addresses, adjacent landowners' names and addresses, and other pertinent  
7 information as required in the petition application. The boundary of an agricultural  
8 district shall be contiguous. ~~Land~~ Land shall **not** be included in an agricultural  
9 district without the consent of the owner.
- 10 (5) Upon receipt of a petition, the local conservation district board of supervisors shall  
11 notify the fiscal court and any local or regional planning or zoning body, if any, of  
12 the proposed agricultural district, and shall notify each city that is located less than  
13 one (1) mile from the boundaries of the proposed agricultural district~~;~~ by sending  
14 a copy of the petition and accompanying materials to that body.
- 15 (6) The following factors shall be considered by the local conservation district board of  
16 supervisors and the Soil and Water Conservation Commission when considering the  
17 formation of any agricultural district:
- 18 (a) The capability of the land to support agricultural production, as indicated by:  
19 soil, climate, topography or other natural factors;
- 20 (b) The viability of active farmlands, as indicated by~~;~~ markets for farm  
21 products, **the** extent and nature of farm improvements, **the** present status of  
22 farming, **and** anticipated trends in agricultural economic conditions and  
23 technology;
- 24 (c) That the proposed agricultural district meets the minimum size limit of fifty  
25 (50) contiguous acres, unless the local conservation district board and the Soil  
26 and Water Conservation Commission allow fewer than fifty (50) contiguous  
27 acres if the proposed area meets a minimum annual production performance

- 1 established by the district board and approved by the commission;
- 2 (d) County development patterns and needs and the location of the district in  
3 relation to any urban development boundaries within the county;
- 4 (e) Any matter which may be relevant to evaluate the petition; and
- 5 (f) Whether an application is from more than one (1) farm owner, in which case a  
6 preference shall be given to the application.
- 7 (7) The local soil and water conservation district board of supervisors shall review the  
8 petition application and submit a recommendation to the Soil and Water  
9 Conservation Commission within one hundred (100) days of receipt. The local  
10 conservation district recommendation shall be submitted to the commission in the  
11 form of approval, approval with modifications, or denial of the petition  
12 accompanied by justification for such a denial.
- 13 (8) The Soil and Water Conservation Commission shall review the recommendation of  
14 the district board of supervisors and certify or deny the agricultural district's  
15 petition within one hundred (100) days of receipt.
- 16 (9) Upon the approval of a petition by the Soil and Water Conservation Commission,  
17 the commission shall notify the area development district in which the agricultural  
18 district will lie, the local county clerk, the clerk of each city that is located less than  
19 one (1) mile from the boundaries of the approved agricultural district, and the  
20 secretary of the Governor's Executive Cabinet by sending a description of the  
21 boundaries and the names and addresses of the property owners within the district.
- 22 (10) Land within the boundary of an agricultural district shall not be annexed.
- 23 (11) The owners of land within the boundary of an agricultural district shall be exempt  
24 under KRS 74.177 from any assessment authorized for the extension of water  
25 service lines until the land is removed from the district and developed for  
26 nonagricultural use.
- 27 (12) Any member, or any successor heir of the member, of an agricultural district may

1 withdraw his or her property from the district upon notifying the local conservation  
2 district board of supervisors in writing. The removal of the property from the  
3 agricultural district shall be effective immediately upon the district board of  
4 supervisors' receipt of the written notification, at which time the district board of  
5 supervisors shall remove the property from the agricultural district and shall  
6 immediately provide written notice of the changed boundaries to ~~the~~ those entities  
7 listed in subsection (9) of this section.

8 (13) It shall be the policy of all state agencies to support the formation of agricultural  
9 districts as a means of preserving Kentucky's farmlands and to mitigate the impact  
10 of their present and future plans and programs upon the continued agricultural use  
11 of land within an agricultural district.

12 (14) Agricultural districts shall be comprised only of agricultural land as defined in KRS  
13 132.010.

14 (15) An agricultural district shall be established for five (5) years with a review to be  
15 made by the local soil and water conservation district board of supervisors at the  
16 end of the five-year period and every five (5) years thereafter. Each owner of land  
17 shall agree to remain in the district for a five (5) year period, unless a member  
18 elects to withdraw his or her property pursuant to subsection (12) of this section,  
19 which is renewable at the end of the five (5) years. However, the board shall make a  
20 review any time upon the written request of a local government which demonstrates  
21 that the review is necessary in order to consider development needs of the local  
22 government. The board shall consider whether the continued existence of the  
23 district is justified, any adjustments which may be necessary due to urban or county  
24 development, and other factors the board finds relevant. The board shall revise the  
25 district as necessary based on the review and subject to approval of the State Soil  
26 and Water Conservation Commission. Before the state commission takes final  
27 action, all interested parties shall be given the opportunity to request the state

1 commission to amend or overturn the local board's decision.

2 (16) The withdrawal of a member from a district reducing the remaining acreage of  
3 agricultural district land to less than fifty (50) acres or resulting in the remaining  
4 land being noncontiguous shall not cause the decertification of the district. The  
5 local district board of supervisors may consider a dissolution of the agricultural  
6 district if the withdrawal results in the remaining property within the agricultural  
7 district no longer meeting the definition of agricultural land as defined in KRS  
8 132.010.

9 (17) (a) As used in this subsection, "feasible alternative location" means a location  
10 that:

11 1. Impacts the same property but does not impact the agricultural district  
12 on the property; and

13 2. Does not materially increase the cost of the project.

14 (b) Any member of an agricultural district who has received a summons of  
15 condemnation proceedings being instituted concerning the member's land  
16 located in the district may request the local soil and water conservation district  
17 board of supervisors to hold a public hearing on the proposed taking of land. ~~¶~~  
18 ~~However a hearing under this section shall not be held if the petitioner in the~~  
19 ~~condemnation proceeding is a utility as defined in KRS 278.010(3) and~~  
20 ~~obtained a certificate of convenience and necessity as required by KRS~~  
21 ~~278.020(1).¶~~

22 (c) In a condemnation action under the Eminent Domain Act of Kentucky,  
23 KRS 416.540 to 416.670, involving privately owned property that is located  
24 in an agricultural district, the condemnor shall provide a sworn written  
25 report to the court justifying the condemnation of the specific property at  
26 issue due to the lack of feasible alternative locations to satisfy the purposes  
27 of the project unless the condemnation action:

1 1. Is initiated by a city, county, municipal utility, investor-owned utility,  
 2 utility cooperative, water district, or water association; and

3 2. Involves easements for utilities that do not interfere with agricultural  
 4 operations or result in a taking of agricultural infrastructure.

5 (d) If the court, in its discretion, determines that the report does not  
 6 demonstrate a lack of feasible alternative locations to satisfy the purposes of  
 7 the project, the condemnation action shall be dismissed in accordance with  
 8 subsection (4) of Section 5 of this Act.

9 (e) This subsection shall not prevent a property owner from:

10 1. Challenging the necessity of condemnation for the project; or

11 2. Offering other feasible alternative locations to satisfy the purposes of  
 12 the project.

13 (18) (a) The board shall notify the local property valuation administrator of the farms  
 14 which belong to an agricultural district and whenever a farm is withdrawn  
 15 from a district. The board shall also inform all members of a district of the  
 16 right to have their land assessed by the local property valuation administrator  
 17 at the land's agricultural use value and shall offer advice and assistance on  
 18 obtaining such an assessment.

19 (b) The board shall also notify the local property valuation administrator  
 20 whenever a farm is released or withdrawn from an agricultural district.

21 (19) The board may allow an amendment to an existing certified agricultural district if  
 22 approved by the commission.

23 ➔Section 3. KRS 416.550 is amended to read as follows:

24 (1) Whenever any condemnor cannot, by agreement with the owner thereof, acquire the  
 25 property right, privileges or easements needed for any of the uses or purposes for  
 26 which the condemnor is authorized by law, to exercise its right of eminent domain,  
 27 the condemnor may condemn such property, property rights, privileges or

1 easements pursuant to the provisions of KRS ~~416.540~~[416.550] to 416.670.

2 **(2) In obtaining an agreement under subsection (1) of this section:**

3 **(a) The condemnor and its employees or agents shall not make any materially**  
4 **false statements or engage in intimidating or misleading negotiating tactics;**

5 **(b) Any offer for the purchase of property shall be in writing and delivered to**  
6 **the property owner via:**

7 **1. Certified mail, return receipt requested; or**

8 **2. Hand delivery, verified by government-issued identification and**  
9 **accompanied by the signature of the property owner; and**

10 **(c) 1. a. The property owner shall be afforded the opportunity to obtain**  
11 **an independent appraisal of the property, conducted by an**  
12 **appraiser certified or licensed under KRS Chapter 324A, within**  
13 **sixty (60) days of the receipt of the initial offer for purchase**  
14 **under paragraph (b) of this subsection.**

15 **b. If the property owner refuses to take delivery of the initial offer**  
16 **for purchase under paragraph (b) of this subsection, the**  
17 **independent appraisal period shall be reduced to thirty (30) days**  
18 **from the date of the refusal. The condemnor shall certify the**  
19 **refusal in a sworn affidavit.**

20 **2. The condemnor and property owner may continue to negotiate**  
21 **following the initial offer for the purchase of property. Subsequent**  
22 **offers following negotiation between the property owner and the**  
23 **condemnor shall not be subject to the independent appraisal period**  
24 **described in subparagraph 1. of this paragraph.**

25 **3. The condemnor shall:**

26 **a. Take into consideration the property value indicated by the**  
27 **independent appraisal obtained by the property owner under**

1 subparagraph 1. of this paragraph at all stages of negotiation for  
 2 purchase of the property; and

3 b. If it conducts its own appraisals on the property, use an  
 4 appraiser certified or licensed under KRS Chapter 324A unless  
 5 the value of the portion of the property to be condemned is  
 6 reasonably estimated by the condemnor to be less than twenty-  
 7 five thousand dollars (\$25,000), in which case the condemnor  
 8 may use in-house appraisal services.

9 4. The condemnor shall not file a petition for the initiation of a  
 10 condemnation action until after the independent appraisal period  
 11 described in subparagraph 1. of this paragraph has expired.

12 A violation of any requirement in this section shall result in a dismissal of  
 13 the condemnation action pursuant to subsection (4) of Section 5 of this Act.

14 A violation of subsection (2)(a) of this section shall, in addition to dismissal  
 15 of the action, entitle the property owner to recovery of costs, expenses, and  
 16 reasonable attorney's fees in the action.

17 **(3)** It is not a prerequisite to an action to attempt to agree with an owner who is  
 18 unknown or who, after reasonable effort, cannot be found within the state or with an  
 19 owner who is under a disability.

20 ➔Section 4. KRS 416.560 is amended to read as follows:

21 (1) Notwithstanding any other provision of ~~the~~ law, a department, instrumentality or  
 22 agency of a consolidated local government, city, county, or urban-county  
 23 government, other than a waterworks corporation the capital stock of which is  
 24 wholly owned by a city of the first class or a consolidated local government, having  
 25 a right of eminent domain under other statutes shall exercise such right only by  
 26 requesting the governing body of the consolidated local government, city, county,  
 27 or urban-county **government** to institute condemnation proceedings on its behalf. If

1 the governing body of the consolidated local government, city, county, or urban-  
 2 county government agrees, it shall institute condemnation~~[such]~~ proceedings under  
 3 KRS 416.570, and all costs involved in the condemnation shall be borne by the  
 4 department, instrumentality, or agency requesting the condemnation.

5 (2) If any department, instrumentality, or agency of a consolidated local government,  
 6 city, county, or urban-county government, other than a waterworks corporation the  
 7 capital stock of which is wholly owned by a city of the first class or a consolidated  
 8 local government, operates in more than one (1) governmental unit, it shall request  
 9 the governing body of the consolidated local government, city, county, or urban-  
 10 county government wherein the largest part of the individual tract of the property  
 11 sought to be condemned lies, to institute condemnation proceedings on its behalf.

12 (3) A department, instrumentality, or agency of the Commonwealth of Kentucky, other  
 13 than the Transportation Cabinet and local boards of education, having a right of  
 14 eminent domain under other statutes shall exercise that~~[such]~~ right only by  
 15 requesting the Finance and Administration Cabinet to institute condemnation  
 16 proceedings on its behalf. If the Finance and Administration Cabinet agrees, it shall  
 17 institute such proceedings under KRS 416.570, and all costs involved in the  
 18 condemnation shall be borne by the department, instrumentality, or agency  
 19 requesting the condemnation.

20 (4) (a) Prior to the filing of the petition to condemn, the condemnor or its employees  
 21 or agents shall have the right to enter upon any land or improvement which it  
 22 has the power to condemn, in order to make studies, surveys, tests, sounding,  
 23 and appraisals, provided that the owner of the land or the party in whose name  
 24 the property is assessed has been notified in accordance with paragraph (b)  
 25 of this subsection no later than ten (10) days prior to entry on the property.

26 (b) Notification under paragraph (a) of this subsection shall:

27 1. Be delivered to the property owner by:

- 1                    a. Certified mail, return receipt requested, to the last known  
2                    address of the property owner listed on the real property tax rolls  
3                    of the county; or
- 4                    b. Hand delivery to the property owner, verified by government-  
5                    issued identification and accompanied by the signature of the  
6                    property owner; and
- 7                    2. Include the following information:
- 8                    a. That all or a portion of the property is necessary for a public  
9                    project;
- 10                   b. The nature of the project for which the property is considered  
11                   necessary and the parcel designation of the property to be  
12                   acquired. If disclosure of specific project details is restricted by a  
13                   legally binding nondisclosure agreement entered into in  
14                   connection with an economic development project, the  
15                   condemnor may describe the project in general terms sufficient  
16                   to identify the public purpose without disclosing confidential or  
17                   proprietary information;
- 18                   c. A copy of the provision of law granting the condemnor the power  
19                   of eminent domain;
- 20                   d. The estimated timeline for completion of the portion of the  
21                   project for which the property is to be taken;
- 22                   e. That, within fifteen (15) business days after receipt of a request  
23                   by the property owner, the condemnor will provide copies, to the  
24                   extent prepared, of:
- 25                   i. Right-of-way maps or other documents that depict the  
26                   proposed taking; and
- 27                   ii. Nonconfidential construction plans that depict project

1 improvements to be constructed on the property taken and  
2 improvements to be constructed adjacent to the remaining  
3 property, including but not limited to plan, profile, cross-  
4 section, drainage, pavement marking sheets, and driveway  
5 connection detail;

6 f. That the property owner may obtain an independent appraisal of  
7 the property as described in subsection (2) of Section 3 of this  
8 Act; and

9 g. That the property owner has the right to request one (1) public  
10 meeting under subsection (6)(a) of this section if a public  
11 meeting regarding the proposed project, of which the property  
12 owner was notified, has not previously been held.

13 (c) Surveys and appraisals conducted under paragraph (a) of this subsection  
14 shall be:

15 1. Conducted using only up-to-date data; and

16 2. Provided to the property owner within fifteen (15) days of completion.

17 (d) Any actual damages sustained by the owner of a property interest in the  
18 property entered upon by the condemnor shall be paid by the condemnor and  
19 shall be assessed by the court or the court may refer the matter to  
20 commissioners to ascertain and assess the damages sustained by the  
21 condemnee, which award shall be subject to appeal.

22 (5) The condemnor shall notify the property owner of a material change to the  
23 information disclosed under subsection (4)(b)2. of this section via:

24 (a) Certified mail, return receipt requested; or

25 (b) Hand delivery, verified by government-issued identification and  
26 accompanied by the signature of the property owner;

27 within fifteen (15) days of the condemnor's determination to proceed with the

1 material change.

2 (6) (a) 1. After receiving notification under subsection (4)(b) or (5) of this  
 3 section, the property owner may, within thirty (30) days of receipt,  
 4 request that the condemnor host a public meeting regarding the  
 5 proposed taking if a public meeting regarding the proposed taking, of  
 6 which the property owner was notified, has not previously been held.  
 7 The public meeting shall be held in the county where the property  
 8 needed for the project is located and at a site secured by the  
 9 condemnor.

10 2. The meeting shall be held within thirty (30) days of the request, and  
 11 the condemnor shall attend the meeting.

12 3. The sole purpose of the meeting shall be to accept comments from the  
 13 public regarding the proposed project.

14 (b) Failure to provide notification under subsection (4)(b) or (5) of this section  
 15 shall result in a dismissal of the condemnation action pursuant to  
 16 subsection (4) of Section 5 of this Act.

17 ➔Section 5. KRS 416.610 is amended to read as follows:

18 (1) After the owner has been summoned twenty (20) days, the court shall examine the  
 19 report of the commissioners to determine whether it conforms to the provisions of  
 20 KRS 416.580. If the report of the commissioners is not in the proper form, the  
 21 court shall require the commissioners to make such corrections as are necessary.

22 (2) If no answer or other pleading is filed by the owner or owners putting in issue the  
 23 right of the petitioner to condemn the property or the use and occupation of the  
 24 property~~thereof~~ sought to be condemned, the court shall enter an interlocutory  
 25 judgment which shall contain, in substance:

26 (a) A finding that the petitioner has the right, under the provisions of KRS  
 27 416.540~~[416.550]~~ to 416.670 and other applicable law to condemn the

- 1 property or the use and occupation of the property~~[thereof]~~;
- 2 (b) A finding that the report of the commissioners conforms to the provisions of
- 3 KRS 416.580;
- 4 (c) An authorization to take possession of the property for the purposes and under
- 5 the conditions and limitations, if any, set forth in the petition upon payment to
- 6 the owner or to the clerk of the court the amount of the compensation awarded
- 7 by the commissioners;
- 8 (d) Proper provision for the conveyance of the title to the land and material, to the
- 9 extent condemned, as adjudged therein in the event no exception is taken as
- 10 provided in KRS 416.620(1); and
- 11 (e) In cases where only a portion of the property has been condemned, a
- 12 requirement that the condemnor take appropriate measures to ensure
- 13 reasonable, direct access to the property for the duration of the on-site work
- 14 for the project.
- 15 (3) Any exception from the~~[such]~~ interlocutory judgment by either party or both parties
- 16 shall be confined solely to exceptions to the amount of compensation awarded by
- 17 the commissioners.
- 18 (4) If the owner has filed an answer or pleading putting in issue the right of the
- 19 petitioner to condemn the property or use and occupation thereof sought to be
- 20 condemned, the court shall, without intervention of a jury, proceed
- 21 immediately~~[forthwith]~~ to hear and determine whether ~~[or not]~~ the petitioner has
- 22 that~~[such]~~ right. If the court determines that petitioner has condemnation~~[such]~~
- 23 rights, an interlocutory judgment, as provided for in subsection (2) of this section,
- 24 shall be entered. If the court determines that petitioner does not have that~~[such]~~
- 25 right, it shall enter a final judgment which shall contain, in substance:
- 26 (a) A finding that the report of the commissioners conforms to ~~[the provisions of~~
- 27 ~~]KRS 416.580;~~

1 (b) A finding that the petitioner is not authorized to condemn the property or the  
 2 use and occupation of the property~~thereof~~ for the purposes and under the  
 3 conditions and limitations set forth in the petition, stating the particular  
 4 ground or grounds on which the petitioner is not so authorized; and~~[-]~~

5 (c) An order dismissing the petition and directing the petitioner to pay all costs.

6 ➔Section 6. KRS 416.660 is amended to read as follows:

7 (1) In all actions for the condemnation of lands under the provisions of KRS  
 8 416.540~~[416.550]~~ to 416.670, except temporary easements, there shall be awarded  
 9 to the landowners as compensation ~~[such -]~~ a sum that~~[as]~~ will fairly represent the  
 10 difference between the fair market value of the entire tract, including  
 11 improvements existing at the time of the filing of the action, all or a portion of  
 12 which is sought to be condemned, immediately before the taking and the fair market  
 13 value of the remainder ~~[thereof -]~~ immediately after the taking, including in the  
 14 remainder all rights which the landowner may retain in the lands sought to be  
 15 condemned where less than the fee simple interest ~~[therein -]~~ is taken, together with  
 16 the fair rental value of any temporary easements sought to be condemned.

17 (2) Any change in the fair market value prior to the date of condemnation which the  
 18 condemnor or condemnee establishes was substantially due to the general  
 19 knowledge of the imminence of condemnation or the construction of the project  
 20 shall be disregarded in determining fair market value. The taking date for valuation  
 21 purposes shall be either the date the condemnor takes the land, or the date of the  
 22 trial of the issue of just compensation, whichever occurs first.

23 (3) The value of agricultural infrastructure improvements, including but not limited  
 24 to drainage tile, water systems, livestock fencing, and permanent on-farm  
 25 structures, shall be considered in determining the fair market value of property  
 26 actively used for farm or agricultural purposes.

27 ➔Section 7. KRS 416.570 is amended to read as follows:

1 Except as otherwise provided in KRS 416.560, a condemnor seeking to condemn  
2 property or the use and occupation of the property~~thereof~~, shall file a verified petition  
3 in the Circuit Court of the county in which all or the greater portion of the property  
4 sought to be condemned is located, which petition shall state that it is filed under the  
5 provisions of KRS 416.540~~416.550~~ to 416.670 and shall contain, in substance:

6 (1) Allegations sufficient to show that the petitioner is entitled, under the provisions of  
7 applicable law, to exercise the right of eminent domain and to condemn the  
8 property, or the use and occupation thereof, sought to be taken in such proceedings;

9 (2) A particular description of the property and the use and occupation thereof sought  
10 to be condemned; and

11 (3) An application to the court to appoint commissioners to award the amount of  
12 compensation the owner of the property sought to be condemned is entitled to  
13 receive therefor.

14 ➔Section 8. KRS 416.600 is amended to read as follows:

15 Any answer or other pleading filed by the owner in response to the summons shall be  
16 filed on or before the twenty (20) days after date of service and shall be confined solely  
17 to the question of the right of the petitioner to condemn the property sought to be  
18 condemned, but without prejudice to the owner's right to except from the amount of the  
19 compensation awarded in the manner provided in KRS 416.540~~416.550~~ to 416.670.

20 ➔Section 9. KRS 416.630 is amended to read as follows:

21 All money paid into court or paid or transferred to the clerk of a court under the  
22 provisions of KRS 416.540~~416.550~~ to 416.670 shall be received by the clerk of the  
23 court and held subject to the order of the court, for which the clerk and his sureties on his  
24 official bond shall be responsible to the persons entitled thereto.

25 ➔Section 10. KRS 416.640 is amended to read as follows:

26 Where there are conflicting claimants to the land sought to be condemned and all such  
27 parties are before the court, each claimant, for the purposes of the condemnation

1 proceeding only, shall be deemed to be an owner, and the procedure for the  
2 condemnation of the land shall be as provided in KRS ~~416.540~~~~[416.550]~~ to 416.670  
3 except that, before the condemnor shall be entitled to take possession of the land, it shall  
4 be required to pay the compensation awarded therein to the Circuit Court clerk to be held  
5 for the benefit of, and paid over to such persons as may thereafter be determined to be  
6 entitled to receive it. In such cases, the claimants may have their rights determined in a  
7 separate action, but the filing of such action or its pendency shall in no wise stay or delay  
8 said condemnation proceedings.

9       ➔Section 11. KRS 416.650 is amended to read as follows:

10 All proceedings under KRS ~~416.540~~~~[416.550]~~ to 416.670 shall be governed by the  
11 provisions of the Rules of Civil Procedure except where the provisions of KRS 416.550  
12 to 416.670 specifically or by necessary implication provide otherwise.

13       ➔Section 12. This Act shall not be interpreted to supersede or otherwise interfere  
14 with the provisions of the Uniform Relocation Assistance and Real Property Acquisition  
15 Policies Act, 42 U.S.C. 4601 et seq., its accompanying regulations at 49 C.F.R. pt. 24, or  
16 any other federal law related to eminent domain.

17       ➔Section 13. Whereas citizens of the Commonwealth require protection from  
18 unfair practices related to taking of private property through eminent domain, an  
19 emergency is declared to exist, and this Act takes effect upon its passage and approval by  
20 the Governor or upon its otherwise becoming a law.



# Louisville Metro Government

**Text File**

**File Number: Bylaws**

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case

BYLAWS OF THE  
LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST

Adopted June 8, 1999

Last Revised November 19, 2010

Restated October 19, 2012

Working Draft September 17, 2024, and March 20, 2026

ARTICLE I

Policy Purpose

The Louisville/Jefferson County Environmental Trust saves land and waterways to protect natural areas, healthy streams, historic landscapes, and land for growing local food in our community and region through the development, execution and promotion of voluntary conservation and preservation strategies.

~~It is the policy of the Louisville/Jefferson County Environmental Trust ("Trust") to follow the legislative directive expressed in Chapter 158 of the Louisville Metro Code of Ordinances ("LMCO"), and any amendments thereto, and, in doing so, to endeavor to influence the attitudes and actions of area citizens to improve the quality of the environment including natural, historic, and agricultural resources.~~

~~It is recognized that environmental issues often create controversy. The Trust may state publicly its position on environmental issues when consistent with its State and local regulatory objectives.~~

~~When it deems appropriate, the Trust, through its officers and employees, will furnish scientific facts, information, and materials and give other such assistance as may be in the interest of constructive solutions and better understanding of environmental problems and/or natural, historic, and agricultural resource stewardship and management. It is considered a function of the Trust to promote, through education, increased awareness on the part of the public of its responsibility to demonstrate principled stewardship in all activities affecting the environment.~~

ARTICLE II

Oversight Board Members

Section 1. General Qualifications. The Trust Oversight Board shall consist of nine (9) members, four of whom shall be the Director of Louisville Parks and Recreation, the Director of Metropolitan Sewer District, the Director of Louisville Metro Office of Planning, and the Director of Louisville Metro Department of Public Works and Assets, or their designates or successors departments. In addition, the Board shall consist of five (5) residents of Jefferson

County representing diverse geographic areas of the Louisville Metro area (the "Resident Members").

Section 2. Oversight Board Members, Terms.

Section 2.1 Initial Members, Terms. Resident Members shall serve three-year staggered terms with the initial members appointed by the County Judge/Executive and approved by Fiscal Court. One appointed Resident Member shall serve an initial two-year term, and one appointed Resident Member shall serve an initial one-year term.

Section 2.2. Successor Members, Terms. Upon expiration of each initial Resident Member's term, the remaining Board members shall elect a successor at any regular meeting by a majority vote of the Board. Board members may serve more than one term.

Section 3. Qualifications. The Board shall endeavor to elect Resident Members with the following characteristics: attorney with federal tax law and/or estate planning expertise, a land resource specialist and/or environmental planning expert, and communication professional and/or environmental education professional. The Board shall ensure that residents representing a diversity of areas in Louisville Metro shall serve on the Board at all times. One Resident Member must live in the Jefferson County Commissioner "A" District; one Resident Member must live in the Jefferson County Commissioner "B" District, and one Resident Member must live in the Jefferson County Commissioner "C" District. The other two Resident Members (the "at-large Resident Members") may live in any Jefferson County Commissioner District ~~and such "at large" positions shall be filled in years two and three following the "A," "B" and "C" District seats. The initial Resident Members representing the Jefferson County Commissioner "A," "B" and "C" Districts shall be appointed to three-year terms; one initial at-large Resident Member shall be appointed to a two-year term; and one initial at-large Resident Member shall be appointed to a one-year term. Following the initial terms, all Resident Members shall serve three-year, staggered terms.~~

Section 4. Vacancy. A vacancy shall exist upon the death or resignation of an Oversight Board member and may also be declared by a majority vote at any regularly called meeting with respect to the office of any Board member who has failed to attend (a) any three successive meetings, or (b) one-half of the regularly called meetings held in any one year, dating from the commencement of the term for which elected.

## ARTICLE III

### Meetings

Section 1 . Time and Place. Meetings of the Trust, not less than ten in each calendar year, shall be held at such time and place as shall be determined by the Oversight Board, except that at least one meeting shall be held during the month of November, each year, at which meeting members of the Oversight Board and officers shall be elected to replace those incumbents whose terms expire on December 31 of said year.

Section 2. Open Meetings and Executive Sessions. All meetings shall be general open meetings and open to the transaction of any and all business, including the election of Resident Members. Closed sessions may be conducted as authorized by KRS 61.810 and KRS 61.815.

Section 3. Notice. Oversight Board meetings shall be held at 10:00 a.m. Eastern time (9:00 a.m. Central time) on the third Friday of each month in ~~the first floor conference room of the Metro Development Center, 444 South Fifth Street,~~ a suitable location in Louisville, Jefferson County, Kentucky, unless otherwise provided. The meeting schedule shall be made available to the public as provided by KRS 61.820. Notice of special meetings shall be given at least twenty-four (24) hours in advance of the special meeting and the notice shall contain the date, time and place of the special meeting along with the agenda for the special meeting.

Section 4. Order of Business. The order of business at meetings of the Oversight Board shall ordinarily be as follows:

- (a) Calling meeting to order
- (b) Consideration of minutes of previous meeting and their approval
- (c) Staff report on budget, meetings and conservation activities
- (d) Reports of committees
- (e) Consideration of conservation easement donations
- (f) Consideration of grant applications
- (g) Other business
- (h) Adjournment

Section 5. Quorum. A simple majority of the total voting membership of the Oversight Board shall constitute a quorum for the transaction of business. Any action of the Oversight Board ~~relating to the expenditure, investment, or transfer of money or property~~ shall require the affirmative vote of a majority of the number of members of the Oversight Board required for a quorum.

Section 6 Voting. Each Oversight Board Member shall be entitled to one vote, in person or by video teleconference with the Oversight Board Member visible on the screen. There shall be no voting by proxy.

#### ARTICLE IV

##### Officers—Executive Committee—Director

Section 1. Election of Officers. The Oversight Board shall elect from its membership a Chair, Vice-Chair, and Secretary/Treasurer.

Section 2. Term. The term of officers shall be for two years. Officers so elected shall serve until their successors have been elected and qualified.

Section 3, Duties. The duties of the officers shall be those that usually devolve upon the respective offices, and are generally defined as follows:

(1) Chair. The Chair of the Oversight Board shall, in addition to presiding at meetings and performing the responsibilities set forth in Robert's Rules of Order, have such other duties as may from time to time be assigned by the Oversight Board or otherwise prescribed by law, or these Bylaws,

(2) Vice-Chair. At the request, absence, or disability of the Chair, the Vice-Chair shall perform all the duties of the Chair and, when so acting, shall have all the powers of the Chair.

(3) Secretary/Treasurer

- (a) Periodically review the records and record-keeping procedures of the staff, and advise on how to improve them;
- (b) Ensure that the staff makes adequate written or recorded proceedings of all meetings and keeps these at the principal office of the Trust, or such other place as ordered, including typed, digital and video records of all official acts of the Oversight Board and such other matters as the Board shall direct;
- (c) Ensure that the meeting minutes are available for inspection no later than the time of the next Oversight Board meeting;
- (d) See that all notices of meetings are duly given in accordance with instructions from the Oversight Board and these Bylaws, or as may be required by law;
- (e) Oversee all private funds and securities of the Trust, which shall be deposited in the name of the Trust in such banks or depository as shall be selected by the Oversight Board;
- (f) Keep and maintain, or supervise the keeping and maintaining of adequate accounts and records of the assets, liabilities, receipts and disbursements related to the private funds and securities of the Trust;
- (g) Render a statement or report of the finances of the Trust as may be required by the Oversight Board; and
- (h) Perform all the duties incident to the office of Secretary/Treasurer and such other duties as from time to time may be assigned by the Oversight Board, including but not limited to, the review and presentation of the LJCET Stewardship Fund and other financial information for approval by the Oversight Board, with the assistance of the Director.

Section 4. Executive Committee. The Executive Committee of the Trust shall consist of the officers and such other Board members as the Chair may direct and shall have such duties and perform such functions as may be authorized by the Oversight Board members in the administration of the affairs of the Trust. The Executive Committee is authorized to act upon administrative matters between meetings of the Oversight Board subject to ratification at the next regularly scheduled Oversight Board meeting. Executive Committee meetings shall be noticed and conducted in accordance with the Kentucky Open Meetings Act. The Executive Committee shall maintain a record, as minutes, of its proceedings and shall report regularly to the Oversight Board.

Section 5. Director. The Mayor will appoint a Director to administer Oversight Board activities of the Trust as provided by Chapter 158 of the LMCO. As provided by LMCO chapter 158, the Mayor shall take under advisement any staffing concerns or needs recommended by the Oversight Board. The Oversight Board may, in writing, delegate and assign to the Director any duties and responsibilities it deems appropriate and necessary. Written documents of delegation or assignment shall be reviewed and renewed at least every four years. The Director shall have the sole power to supervise, hire and fire all other staff of the Trust, subject to personnel policies and rules of the Louisville Metro Government and with notice to the Chair.

Section 6. Jefferson County Attorney. The Jefferson County Attorney's Office shall provide legal counsel for the Trust.

## ARTICLE V

### Finances

Section I. Fiscal Year. The fiscal year of the Trust shall begin on July 1 and end on June 30 of the following year.

Section 2. Fiscal Control. The Oversight Board shall review the activity in the Stewardship Fund and any other Trust fund at least quarterly. .

It shall be the duty of the Director, with review and consultation with the Oversight Board, to prepare an annual budget for presentation to the Office of the Mayor and Metro Council, if required, and to report to the Oversight Board monthly at its regular meetings regarding the annual budget and expenditures of money by the Trust.

## ARTICLE VI

### Other Committees

Section 1. Nominating Committee. A committee may be designated not for the purpose of filling vacancies on the Oversight Board. The Oversight Board shall designate a Chair and a Vice-Chair of the Nominating Committee. A member of the Nominating Committee who is eligible to fill a vacancy shall be prohibited from selecting, discussing or voting on a nominee for such vacancy. Meetings of the Nominating Committee shall be noticed and conducted in accordance with the Kentucky Open Meetings Act.

Section 2. Advisory Committee. There shall be an Advisory Committee to provide general technical assistance to the Oversight Board on land and water conservation matters. The Advisory Committee shall be made up of citizens interested in furthering land conservation and/or have specialized expertise in the areas of federal tax law and/or estate planning, land resources, environmental planning, communications, environmental education or other expertise that would be valuable to the Oversight Board. The Advisory Committee shall be permitted to attend all Oversight Board meetings other than closed sessions and shall make recommendations to the Oversight Board, but Advisory Committee members are not permitted to vote on any matter before the Oversight Board. Meetings of the Advisory Committee shall be noticed and conducted in accordance with the Kentucky Open Meetings Act.

Section 4. Ad Hoc Committees. There may be appointed committees for any other legal purpose. An Ad Hoc Committee shall be composed of Oversight Board Members or other non-Members whose expertise is sought by the Oversight Board. The Oversight Board shall designate a Chair and a Vice-Chair of any Ad Hoc Committee. Such committee, so appointed, may add additional members, establish subcommittees to facilitate its function, determine the specific areas of study and a manner of conducting its proceedings. Meetings of Ad Hoc Committees shall be noticed and conducted in accordance with the Kentucky Open Meetings Act.

## ARTICLE VII

### Amendment of Bylaws

Section I , Amendments. The Oversight Board may amend these Bylaws at any regular meeting, by an affirmative vote of not less than seven Oversight Board Members, provided that any amendment to be so voted upon shall be mailed or e-mailed to each Trustee with the at least seven (7) days in advance of said meeting.

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APPROVED

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APPROVAL DATE



# Louisville Metro Government

## Text File

**File Number: Donation Acceptance Policy**

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case

**THE LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST**  
**Policies for Considering Donations of**  
**Conservation Easements and Land**

**Adopted**  
**January 11, 2000**

*Re-adopted August 20, 2010*  
*Revisions adopted November 15, 2013*  
*Revisions adopted \_\_\_\_\_, 2026*

**PURPOSE**

The purpose of this document is to define the policies of the Louisville/Jefferson County Environmental Trust (“Trust”) for considering offers of conservation easements and land. It is intended to aid potential donors of partial or full interests in conservation lands in selecting an appropriate organization for their gift and to establish a set of guidelines for the staff and the Trust’s Oversight Board. This statement is intended to guide rather than limit the actions of the Trust. Easement donations and lands offered to the Trust will continue to be evaluated on a ease-case-by-by-case basis. ~~This policy statement should be used in conjunction with the Trust’s informational materials, which outline the specific provisions of the typical conservation easement in greater detail. These materials are available from the Trust’s office.~~

**POLICY**

**A. The Role of the Trust.**

The Trust ~~has a dual role in considering offers of conservation easements and land in Jefferson County, Kentucky. First, it refers potential donors to appropriate recipients, including other conservation organizations and units of government, where the best interests of the environment so require. Second, the Trust~~ reviews and recommends acceptance of offers of conservation easements and land to the Legislative Council of the Louisville/Jefferson County Metro Government (“Metro Council”) subject to the policies enunciated below.

**B. Cooperation with Other Organizations.**

Because the principal goals of the Trust ~~is-are~~ to preserve and protect open space, natural areas, healthy streams, historic landscapes, and land for growing local food in the community and region, it is the Trust’s policy to cooperate in every possible way with other organizations whose purposes and goals are similar. The Trust, within its capabilities, ~~will lend assistance to other conservation groups and agencies,~~ and will refer

**Commented [AS1]:** What does this mean? Does this commit Metro Government resources to private land trusts? I recommend that this section be removed.

potential ~~donors~~ to other conservation organizations or government units as requested. The Trust will publicize its program.

The Trust ~~staff~~ will ~~be informed~~ know about land protection and land acquisition programs of government agencies, private conservation groups, and other easement-holding organizations such as Louisville Metro ~~Division Office~~ of Planning and Design Services, Louisville Metro Department of Public Works and Assets, Louisville Metro ~~Department of Cabinet for~~ Economic Development, Louisville ~~Metro Department of~~ Parks and Recreation, Louisville/Jefferson County Metropolitan Sewer District, and private land trusts.

Commented [AS2]: Should this be staff or the Board?

The Trust accepts most of its conservation easement and land by gift. As much as possible, the Trust's programs will complement other land protection programs. Routinely, if historically or architecturally important structures are located on properties for which the Trust is preparing a conservation easement, the Trust will inform the ~~Louisville Metro Division of Planning and Design Services or the Department of Economic Development so that a preservation easement can be considered~~ potential ~~Donor of the opportunities to protect those assets.~~

Commented [AS3]: LJCET does not want to hold historic preservation easements. This could be removed; or it could be left in in the event the primary reason for the easement is land conservation rather than historic preservation.

### C. Legal Authority

The Kentucky Revised Statutes 382.800 through 382.860 permit the use of easements for conservation purposes, and Kentucky Revised Statutes Chapter 67C authorizes conveyance of real property to the Metro Council. Chapter 158 of the Louisville/Jefferson County Metro Code of Ordinances authorizes the Louisville/Jefferson County Environmental Trust to make recommendations to the Metro Council about acceptance of any real property interest related to conservation of lands, properties and scenic resources. The Trust is ~~authorized as~~ a program of Metro ~~government~~ Government devoted to the development, execution and promotion of voluntary conservation and preservation strategies for the purpose of enhancing Louisville Metro's ability to implement the open space and cultural heritage goals and objectives of the Comprehensive Plan of Louisville and Jefferson County.

### D. Method and Process of Application

Recommendation of acceptance of a conservation easement or land by the Trust must be preceded by thorough staff work and investigation. The Trust negotiates the terms of the donation with the Donor and uses its Model Conservation Easement document, as revised from time to time, as the start of such negotiations. Terms of the Model Conservation Easement are informed by the policies contained herein.

The Oversight Board reviews each offer and recommends acceptance or denial of easements by the Metro Council. In each case, the Trust must be satisfied that it can guarantee compliance with the easement terms. Factors relevant to this determination include the location and accessibility of the land, the size of the tract, the type of land,

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and the availability of monitoring assistance from private conservation organizations or other government agencies.

The Metro Council ~~accepts or denies~~approves or rejects the ~~offer~~recommendation of the Oversight Board to accept of an easement. Generally, six or more months are required for processing easement offers from the first time of contact with the Trust's offices. ~~The After Metro Council approval of the Oversight Board's recommendation to accept and easement, the~~ easement is ~~then~~ recorded with the Office of the applicable County Clerk. Easements ~~are~~may also be accepted by the Trust jointly with other agencies or land trusts as co-holders.

#### **E. Responsibilities of the Trust as Easement Holder**

Recommendations for accepting any easement or land are given at the discretion of the Oversight Board. ~~It is the responsibility of the Oversight Board to recommend that any offer that is not in the best interests of the public is not accepted.~~

In acceptance of an easement, the Trust does not undertake any ~~affirmative~~-management duties other than the monitoring of the enforcement of the terms, conditions and restrictions of the easement ~~as holder~~. The Trust assumes no legal liability or responsibility for management or maintenance of the property including any discharge of hazardous material affecting the property.

The Trust will, after notifying the owners, ~~periodically~~ inspect properties subject to accepted easements annually in order to guarantee adherence to the easement terms.

Although monitoring easement terms is the ultimate responsibility of the Trust, the Trust may delegate monitoring of such terms to appropriate individuals, co-holders, or other organizations. ~~In each case, the Trust must be satisfied that it can guarantee compliance with the easement terms. Factors relevant to this determination include the location and accessibility of the land, the size of the tract, the type of land, and the availability of monitoring assistance from private conservation organizations or other government agencies.~~

The Trust will have the right and obligation to ~~recommend enforcement of~~enforce all terms of the easement agreement, as described in the ~~standard~~conservation easement.

#### **F. Obligations of the Donor**

The Donor, or his or her successors in interest, retains all ~~affirmative~~-management responsibilities, including maintenance, the construction and repair of improvements if permitted by the terms of the easement, the payment of real estate taxes ~~(except where a property tax credit is applied for and granted)~~ and other legal responsibilities of property ownership. ~~For example, all~~All normal functions and obligations of property ownership continue to be performed by the property owner, such as the pruning of trees, the removal of illegally dumped trash and the carrying of liability insurance. In addition, the property

owner must abide by the specific terms of the easement, and allow ~~periodic~~ access to the property at least annually, after prior notice by Trust representatives, for monitoring purposes.

Except where an easement deed affirmatively provides to the contrary, or where interiors of historic structures are protected by the easement, the right of public access to the property remains the option of the owner.

The Trust will be responsible for seeing that the deed is properly recorded with the Office of the County Clerk; ~~and~~ the Donor will pay all ~~local~~ charges for the recordation of deeds of easement.

In the event public access is required as a provision of the easement, the easement deed shall indemnify and hold the Trust, Oversight Board, Louisville/Jefferson County Metro Government, its employees, officials, contractors, and the Metro Council harmless from any legal liability related to public access.

**Commented [AS4]:** Two questions here: 1) how to handle historic structures; and 2) access. LMCO 158.01(D) states that the conservation easement "shall provide, where possible, for limited public access (supervised or unsupervised)."

**Commented [AS5]:** The Model conservation easement includes an indemnification provision. Do we need to include this here? If so, we should remove "In the event public access is required as a provision of the easement."

#### G. Duration of Easement

Only perpetual easements are accepted by the Trust, except in unusual circumstances. Perpetual easements afford greater protection to the land than those that expire after a period of years. Term easements will be accepted by the Trust only where significant conservation values of a property may be threatened only during the limited term of the easement.

#### H. Lands That May be Subject to a Conservation Easement

~~State and federal laws generally limit the types of land that meet the conservation purposes of the Trust's easement program and the types of land for which conservation easement donations will qualify for various tax incentives.~~ The Trust will evaluate each offer of an easement or land donation individually to ensure that the donation will further the Trust's mission and goals to preserve and protect open space, natural areas, healthy streams, historic landscapes, and land for growing local food in the community and region.~~will serve a valid public purpose.~~

##### 1. General Categories of Land which Meet the Trust's Conservation Purposes

Offers of land and easements will generally be considered on lands that will, through their preservation, yield a significant public benefit, including but not limited to lands which meet one or more of the following conservation purposes:

- a. The protection of relatively natural habitats of fish, wildlife, or plants, or similar ecosystems;
- b. The preservation of ~~certain~~ open space, including farmland or forestland, for the scenic enjoyment of the general public;

- c. The protection and preservation of wetlands or open space for flood control;
- ~~ed.~~ The preservation of historically important land areas or certified historic structures or districts;
- ~~de.~~ The preservation of land areas for outdoor recreation by, or the education of, the general public; and-
- f. The protection of viably important farmlands for their productive agriculture potential and their watershed enhancement capabilities.

**Commented [AS6]:** Discuss the role of historic preservation.

~~2. Parks and Greenways Open Space Goals~~

Offers of land and easements will generally be considered where the protection offered by a conservation easement will be consistent with and help to achieve the adopted Comprehensive Plan Goals and Objectives of Louisville and Jefferson County. A list of the adopted Goals and Objectives are in Appendix A of this document, and include the following:

**Commented [AS7]:** This is copied from the Model Easement.

Community Form 4.1

Goal 3. Enhance neighborhoods by protecting and integrating open space, watersheds and other natural areas.

Objective b. Environmentally sensitive areas are preserved and/or enhanced.

Policy 8. Conserve, restore and protect vital natural resource systems such as mature trees, steep slopes, streams and wetlands. Open spaces should be integrated with other design decisions to shape the pattern of development. Encourage the use of greenways as a way to connect neighborhoods. Encourage use of conservation subdivisions, conservation easements, transfer of development rights and other innovative methods to permanently protect open space.

Policy 13. Provide for the continuing maintenance of common open space. Provisions may include joint ownership by all residents in a homeowners association, donation of open space or conservation easements to a land trust or government entity or other measures.

Goal 4. Promote and preserve the historic and archaeological resources that contribute to our authenticity.

Objectives a. Historic resources are inventoried and evaluated. b. Revitalization is supported within historic neighborhoods. c. Adaptive reuse of historic structures is promoted and incentivized.

Policy 1. Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.

Policy 2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.

Policy 3. Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies.

Livability 4.5

Goal 1. Protect and enhance the natural environment and integrate it with the built environment as development occurs.

Objective b. Existing waterways are conserved, protected or improved to enhance water quality.

Policy 3. Investigate the use of conservation easements to protect critical forest areas, wildlife habitat, water quality, agricultural land, scenic views, historic sites, and recreational land.

Policy 6. Encourage the natural process of landscape succession by adding to and connecting a system of natural corridors that can provide habitat areas and allow for migration.

Policy 8. Enhance the quality of both water and streambanks to protect and preserve drinking water.

Policy 11. Protect solid blueline streams, defined by the current floodplain management ordinance, from channelization, stripping, relocation or other alterations. Ensure a vegetative buffer on the banks of blueline streams to protect the functional integrity of the channel.

Policy 12. Minimize impervious surface area and take advantage of soil saturation capacities.

Policy 14. Include greenways as integral components of a comprehensive water quality program (consistent with the Multi-Objective Stream Corridor/Greenways Plan).

Policy 19. Establish buffer areas around lakes and streams to protect the riparian zone as a critical wildlife habitat and/or as a filter to catch waterborne pollutants from site construction activities, on-lot sewage disposal and stormwater runoff.

Goal 4. Integrate sustainability and resilience in community planning processes.

Objective b. Clean air, water and soil promote a healthy environment.

Policy f. The community's existing tree canopy is maintained, and the tree canopy in the areas of greatest need is improved and increased.~~a. Enhance the quality of life in Louisville Metro by affirming and protecting the economic value of neighborhoods and natural resources.~~

~~b. Protect, to the extent possible, wildlife sanctuaries, wetlands, major forested areas, nature preserves, publicly owned parks, unique natural areas or other areas with significant landscape features.~~

~~c. Encourage the preservation of significant farmland through public acquisition or voluntary land protection strategies for landowners.~~

- ~~d. Support landowners who wish to maintain or establish agricultural operations in Louisville and Jefferson County.~~
- ~~e. Form a network of open spaces and greenway corridors which protect significant natural resources.~~
- ~~f. Promote a parks and open space system which preserves and enhances visual quality, protects historic and architectural resources, provides for education, and accommodates agricultural and forest resources.~~
- ~~g. Protect and provide public access to scenic resources.~~
- ~~h. Provide, through a system of stream corridor/greenways, diverse, universally accessible recreational opportunities for citizens to maintain a fit and healthy lifestyle.~~
- ~~i. Safeguard the historical, cultural and archaeological resources (districts, sites, buildings, structures and objects) that are significant to the region.~~

32. Types of Lands Preferred by the Trust

Within the general categories of land that will be considered for donations above, the Trust will ~~give preference to~~only accept donations offered on lands identified by the following characteristics:

- a. Lands that are currently or potentially productive farmland, significant woodlands (especially large unfragmented forest), wetlands or wildlife habitat, lands rich in biological diversity, functioning ecosystems, or other particularly environmentally or scenically significant properties;
- b. Lands contiguous to other open space property protected, either by fee ownership or easement, by a federal, state or local government body or land conservation, agricultural protection or historic preservation organization; or
- c. Lands that, through their protection, could encourage compact development and contribute to greenway networks, other open space corridors or clusters, or ecosystem linkages.
- d. Lands on which historically or culturally significant properties are located.
- e. Lands that have been identified as having potential for future parkland or greenways.

**Commented [AS8]:** Discuss role of historic preservation.

**Commented [AS9]:** Discuss role of historic preservation. Are these "properties" or "structures"?

**Commented [AS10]:** Discuss the possibility of taking a conservation easement for use as future parkland or greenways.

43. Examples of Special Conservation Values for Easement Acceptance:

~~Such e~~Examples of lands that frequently possess special conservation values include:

- a. Lands in the ~~Floyds Fork Corridor~~, Harrods Creek and Minor Tributaries of the Ohio River Corridor~~watersheds~~, or the Jefferson Memorial Forest ~~target acquisition~~ areas.

- b. Lands adjacent to or within the viewshed of park land, scenic roads and/or highways.
- c. Lands adjacent to or occupied by endangered, threatened or rare species or their habitat as identified by the ~~Kentucky State Nature Preserves Commission~~ Office of Kentucky Nature Preserves or the Kentucky Department of Fish and Wildlife.
- d. Lands adjacent to existing easements, including those held by ~~the~~ other qualified conservation organizations; public parklands or natural area preserves, or that are located within National Register Districts.
- e. Important historical or archaeological sites, in addition to those listed on the National Register of Historic Places.
- f. Lands sought for future open space, natural area protection or enhancement, or other valid public conservation purposes, but for which public acquisition funds and procedures have not been available or completed.

**Commented [AS11]:** Is this the National Historic Register or some other National Register? Is this still applicable?

**Commented [AS12]:** Discuss LJCE's role regarding historic preservation.

**Commented [AS13]:** The highlighted statement seems irrelevant.

#### I. Size of Properties

The Trust generally prefers donations of land or easements consisting of at least 25 acres. However, the Trust may consider accepting a donation of less than 25 acres if one or more of the following criteria are met:

- 1. The property is adjacent to or contiguous with existing properties protected by fee or easement ownership, is or has the potential to be linked or closely clustered with other such parcels, or the prospective ~~De~~onor has the ability to enlarge the size of the easement area through acquisition, encouragement of neighbor donations, or other means.
- 2. The donation would protect special resources such as endangered or threatened species habitat, historic or archaeological resources, wetlands or riparian buffer.
- 3. There is an imminent threat to the conservation values of the property if the easement or land is not accepted.
- 4. There is substantial public support for the proposed easement or land donation.
- 5. A local land trust or other organization can assume much of the processing, documentation and monitoring responsibilities for the easement or land.
- 6. There are no available protection alternatives, such as an easement to a local land trust or other agency.

**Commented [AS14]:** Consider removing.

**Commented [AS15]:** I have never seen this occur. Should it be removed?

**Commented [AS16]:** I have never seen this occur and it does not seem consistent with the mission of the Trust to offload these responsibilities to another entity.

#### J. Offers of Easements not in Jefferson County

The Trust will ~~primarily~~ consider offers of land or easements located in Jefferson County and watersheds that contribute runoff into Jefferson County. In some circumstances, the Trust may consider offers if the subject land is located in one of the counties contiguous

to Jefferson ~~or the Louisville metropolitan region~~ and if the conservation value of the property meets the Trust's criteria. The Trust will ensure that any recommendation for acceptance is consistent with the government policies of and approved by the legislative bodies of both Jefferson ~~and the other county~~. ~~When possible, the Trust will assist other counties in establishing their own easement programs or identifying a local land trust or organization that can hold land or easements outside Jefferson County.~~

**Commented [AS17]:** This is probably either duplicative or inaccurate.

**Commented [AS18]:** Does LJCT want to or need to commit this to being a policy?

### K. Density of Development on Easement Property

It is the Trust's policy to accept easements that extract substantially all of the future development rights or potential from the land. However, in certain cases additional residences may be permitted on the property, where its conservation values would not be adversely affected and the economic viability of the restricted property would be enhanced. In the event of a conflict between economic viability and the conservation values of a property regarding the issue of permitted density, the Trust will give primary consideration to conservation values.

~~Additional development will be considered only when it does not change substantially the existing open space character of the property. The Trust will assess the impact of the proposed density of residences, appurtenant structures and other uses on proposed easement properties on the conservation purposes of the easement. In general, the Trust prefers to maintain the density of existing and proposed structures on easement property substantially below that allowed for similar property under existing local comprehensive plans or zoning ordinances. Factors that will be considered by the Trust in making determinations of allowable increased density on proposed easement property include:~~

- ~~1. Density allowed by the comprehensive plan and zoning ordinance, and existing density of the surrounding area;~~
- ~~2. Rate of land conversion in the area from conservation or open space uses to residential or commercial uses (i.e., degree and timing of development)~~
- ~~3. Number, size and location of existing structures on the property, and how these structures contributed to the conservation purposes of the easement (e.g. historic character, agricultural production)~~
- ~~4. Topography and visual features of the property and the compatibility of proposed new structures with these features~~
- ~~5. Potential impacts of proposed new structures on vegetation, water quality, wildlife habitat, and other conservation values of the property;~~
- ~~6. Plans for clustering or grouping of existing and additional structures to minimize impacts on conservation values;~~
- ~~7. Effect of additional structures or uses on the long term economic viability of the property under the restrictions of the perpetual easement; and~~
- ~~8. Whether the overall density of residences permitted on the property is made up of residences existing prior to the date of the easement, in proposed conversions of non residential buildings to residential use (e.g. "mother in law" apartments), or will exist through reserved new construction.~~

In general, the Trust will seek to restrict additional residences ~~and~~ subdivisions of the property; ~~and the lot size of new subdivisions, when permitted,~~ to require clustering of additional residences near existing residences, and will encourage a maximum amount of undeveloped, undivided land. The Trust may also require its prior written approval for the location of additional residences or limit the location of the residences to sites or areas specified in the easement deed, and for any ~~off-conveyance~~ conveyances of subdivided lots.

**L. Subdivision of Principal Residences Limited to Minimum Lot Size to Promote Clustering**

As a matter of general practice, when an easement property contains, or the landowner reserves, more than one residence intended by the ~~De~~donors to be a principal residence, ~~the second principal residence (or each additional principal residence)~~ may be subdivided to the minimum lot size allowed by zoning at the time of subdivision. ~~Other subdivision will be prohibited.~~ The Trust may, however, approve the division of the property for reasons, determined by the Trust to be sufficiently extraordinary to justify an exception to the prohibition. Other approaches will be considered when property configuration, topography, or circumstances on adjacent properties warrant.

**M. Tenant, Guest or Other Accessory Residences Not to be Subdivided**

The Trust will generally require tenant houses or other accessory structures to remain on the same lot as the primary dwelling where such structures exist at the time of land or easement donation or where such structures are reserved through the terms of the easement. Such structures, generally, may not be expanded and can only be replaced with a similar structure with the same footprint as the original. Appurtenant structures associated with the tenant house are prohibited.

Commented [AS19]: Is this accurate?

**N. Easements on Land Protected by Other Easements or Deed Restrictions**

The Trust will consider accepting easements on land subject to existing easements held publicly or by private land trusts only in limited circumstances where the conservation values of the property are significantly better protected with an overlay conservation easement. Such additional protection may be achieved where an overlay easement would allow for the extinguishment of residential lots ~~to be developed~~ allowed for family conveyance, limits on the size and location of permitted agricultural structures that could otherwise harm the conservation values of the property, ~~the addition of conservation measures for historic or archaeological sites,~~ or additional protection for endangered or threatened species, mature trees, or stream vegetative buffers. The Trust prefers to combine its conservation easement protection with the protection offered by other easement programs on separate or adjacent parts of the property, rather than in addition to existing easements on a property.

Commented [AS20]: Discuss LJCE's role in historic preservation.

Commented [AS21]: Is this accurate?

**O. Conservation Easements Offered to Protect Environmental Mitigation Sites**

The Trust will cooperate with federal, state and local agencies seeking to enhance and permanently protect environmentally sensitive areas (e.g. wetlands, reforestation, afforestation, wildlife corridors, etc.) as mitigation for the loss of environmental areas caused by development. The Trust will review offers of conservation easements for mitigation purposes if the easement meets the Trust’s usual criteria, and also taking into account the following:

- (1) Whether the mitigation fully meets the requirements of federal and state laws and policies for successful mitigation;
- (2) Whether the regulatory agency, property owner or private land manager has the capability to effectively monitor the mitigation site and ensure the maintenance of conservation values;
- (3) Whether sufficient financial support is provided to the Trust, and other monitoring officials, to carry out monitoring responsibilities;
- (4) Whether alternatives to the environmental impacts that are to be mitigated have been sufficiently explored; and
- (5) Whether the Trust’s acceptance of the conservation easement on the proposed mitigation site will enable undesirable development projects to be approved that would otherwise not be permitted.

**Commented [AS22]:** How does LJCET make this determination?

**Commented [AS23]:** Does LJCET analyze this or consider only whether LJCET has the financial support to monitor?

**P. Regulatory Easements**

The Trust may accept “regulatory easements” or “developer easements” e.g., easements pursuant to cluster ordinances or other regulations and statutes where the easement is granted as a *quid pro quo* for accompanying development. The Trust may accept such easements, if they meet the Trust’s usual guidelines.

**Commented [AS24]:** This language is not consistent with the bold language below if LJCET will not consider an easement until all approvals have been obtained. The Board should discuss the scenarios under which such an easement would be accepted. It appears that the criteria for acceptance is that the proposed “regulatory easement” is the same for any other easement.

The Trust supports the use of such easements as a tool for effective growth management, protection of greenways and linked clusters and corridors of sensitive areas, and compact rather than sprawling development. The Trust actively will assist in training interested local land trusts, counties and other organizations in encouraging such easements for such purposes.

**Commented [AS25]:** Is this accurate?

**In those cases where the Trust accepts regulatory easements, the Trust generally will not consider or process offers of easement donations on the subject property until all government approvals necessary to carry out development plans are approved and until all litigation over such approvals has been settled.**

Prospective **D**donors of easements for such property are not authorized to promise the donation of easements to the Trust as a means of obtaining approval for development projects, and are requested to refrain from making any representations of Trust interest in such donations. Any representation of Trust interest in the property made by applicants that do not follow this guideline will jeopardize the Trust’s consideration or acceptance of any easement on the property.

In those cases where the Trust considers regulatory easements and a public agency is seeking the Trust's assistance in providing permanent protection for open spaces or natural areas as part of planned development proposals, the Trust will work with the agencies and project sponsors to establish the maximum practical amount of permanent environmental protection with the use of the Trust's conservation easement program consistent with these policies.

Negotiations for such easements shall be initiated by the government agency, and shall not be used to provide a rationale or basis for development project approval where such approval would not otherwise be granted.

**Commented [AS26]:** This does not seem accurate.

**Commented [AS27]:** This is not decided by LJCEt.

**Q. Amendment Policy**

Amendments to existing easements held by the Trust may be considered at the discretion of the Trust in accordance with the Trust's Amendment Policy. ~~Amendments to existing easements may only be approved by the Trust if the consequent of the amendment is to strengthen the protections offered by the easement, or to otherwise protect the conservation value of the property that is the subject of the easement.~~

**R. Expenses and Fees Associated with Potential Easement Donation**

The Trust, at its discretion, may require fees for the monitoring, maintenance, and related activities in order to offset its costs of examination and administration and any other costs incurred incidental to its activities as set out in its Stewardship Policy.

APPENDIX A

Cornerstone 2020 Goals and Objectives that support the  
Jefferson County Environmental Trust Policies

**Commented [AS28]:** The document itself lists these goals and objectives and it doesn't appear to need them in two places. I recommend including them all in the body of the policy; if that is too wordy, then put them all on an Appendix.

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**Parks, Open Space, Greenways, Farmlands and Cultural Resources Goals**

Easements will generally be considered on lands on which easements are consistent with and help to achieve the adopted Goals and Objectives of Jefferson County including the following:

- a. ~~Marketplace Objective D2.1. Enhance the quality of life in Jefferson County by affirming and protecting the economic value of neighborhoods and natural resources.~~
- b. ~~Livability Goal B.2. Water Quality. Improve water quality throughout the metro region in order to preserve and enhance biological integrity and to support human use and contact recreation.~~
- e. ~~Livability Objective B2.2. Encourage the multi purpose use of stream corridors and drainage facilities as a means of improving water quality.~~
- d. ~~Livability Goal B.4. Wetlands. Recognize wetlands as important ecological systems that can serve a beneficial function including water quality improvements, flood control, or enhancement to resident or migratory wildlife.~~
- e. ~~Livability Objective B4.2. Protect functional wetlands from disturbance, degradation or infringement.~~
- f. ~~Livability Goal E.4. Protect steep slopes and sensitive soils.~~
- g. ~~Livability Goal F.1. Habitat and Biodiversity. Protect, to the extent possible, wildlife sanctuaries, wetlands, major forested areas, nature preserves, publicly owned parks, unique natural areas or other areas with significant landscape features.~~
- h. ~~Livability Objective F.1.1. Develop and implement strategies to inventory, preserve, enhance and acquire the best examples of the diverse natural habitats and ecosystems of Jefferson County for future generations and research purposes.~~
- i. ~~Livability Objective F1.2. Encourage, as part of a voluntary habitat protection strategy, preservation and restoration of significant habitat areas in new developments through sensitive site design techniques. Privately owned open space, unique natural areas and other landscape features determined to be of community wide significance may be preserved through voluntary measures, such as outright public acquisition, conservation easements and scenic easements.~~
- j. ~~Livability Goal F.2. Enhance, preserve and restore the natural landscape character of Jefferson County.~~
- k. ~~Livability Goal G.1. Preserve notable archaeological resources.~~
- l. ~~Livability Goal G.2. Agricultural Operations. Encourage programs that help support landowners who wish to maintain or establish agricultural operations in Louisville and Jefferson County.~~
- m. ~~Livability Objective G2.1. Support landowners who wish to maintain or establish traditional agricultural operations.~~

- n. — Livability Objective G2.2. Support the trend toward alternative farming methods that will allow production of fresh, good quality, local produce and other locally grown farm products.
- o. — Livability Goal G.3. Farmland Preservation. Encourage the preservation of significant farmland through public acquisition or voluntary land protection strategies for landowners.
- p. — Livability Objective G3.1. Develop methods and explore funding sources to preserve important agricultural lands identified as part of the public evaluation process.
- q. — Livability Goal H1. Recreation. Provide a system of well-maintained parks and recreation facilities which meet the needs of the residents of Louisville and Jefferson County.
- r. — Livability Objective H1.1. Provide a network of parks of varying sizes and functions equitably distributed throughout Jefferson County.
- s. — Livability Objective H1.3. Establish a comprehensive, coordinated bicycle and pedestrian system connecting parks, greenways and recreational facilities.
- t. — Livability Goal H2. Natural Resources. Form a network of open spaces and greenway corridors which protect significant natural resources.
- u. — Livability Objective H2.1. Identify, preserve and restore riparian corridors, wetlands, woodlands and important groundwater recharge areas to protect water quality.
- v. — Livability Objective H2.2. Preserve and enhance significant habitat for wildlife and threatened, endangered and special concern species.
- w. — Livability Goal H3. Open Space for Aesthetic, Cultural and Educational Purposes. Promote a parks and open space system which preserves and enhances visual quality, protects historic and archaeological resources, provides opportunities for education, and accommodates agricultural and forest resources.
- x. — Livability Objective H3.1. Protect and provide public access to scenic resources.
- y. — Livability Objective H3.2. Preserve and restore cultural resources as part of the parks and open space system.
- z. — Livability Objective H3.4. Promote the long-term preservation and economic viability of active farmland, prime agricultural soils, and productive woodland.
- aa. — Livability Goal H4. Public Health and Safety. Incorporate land needed to protect public health and safety into the open space network.
- bb. — Livability Goal I2. Recreation, Health and Fitness. Provide, through a system of stream corridor/greenways, diverse, universally-accessible recreational opportunities for citizens to maintain a fit and healthy lifestyle.
- cc. — Livability Objective I2.1 Provide interconnecting park like open space opportunities throughout Jefferson County, linking various land uses together with an off-street network of trails.
- dd. — Livability Goal I4. Operations and Management. Develop strategies for public private partnerships to ensure the establishment and long-term management of the multi-objective stream corridor/greenway system.
- ee. — Livability Goal K2. Recognize the Ohio River Corridor as a place where people connect to the River, in an accessible landscape for gathering, celebration, contemplation, and recreation.
- ff. — Livability Objective K1.2. Enhance connections providing access for pedestrians and bicyclists between the river's edge and adjacent neighborhoods.

- gg. — Livability Objective K1.4. Enhance and maintain views of the Ohio River from the River's edge, including the Ohio River Trail, roads, parks and other public open spaces.
- hh. — Livability Objective K3.1. Identify, and preserve and encourage restoration of important natural resources within the river corridor such as wetlands, steep slopes, and significant habitat areas.
- ii. — Livability Goal K5. Recognize the Ohio River corridor as a place where people connect to the past, present and future, by defining, preserving and interpreting the community's cultural heritage and identity.
- jj. — Livability Objective K5.1. Encourage the preservation of significant history and archaeological sites, buildings and landscapes within the River corridor.
- kk. — Livability Goal L1. Jefferson Forest Natural Resource Protection. Protect the unique natural communities and preserve the biological diversity within the woodlands, meadows, streams and ponds of the Jefferson County Memorial Forest.
- ll. — Livability Goal L2. Restore impacted areas, improve biological diversity, and enhance wildlife habitat within the Jefferson County Memorial Forest.
- mm. — Mobility Objective C1.4. Encourage the preservation of important cultural resources, landscapes and scenic vistas in the design, maintenance and development of major thoroughfares and parkways.
- nn. — Mobility Objective D1.1. Safeguard the historical, cultural and archaeological resources (districts, sites, buildings, structures and objects) that are significant to the region.
- oo. — Community Form Objectives J1.1, J1.2, J1.3. Recognize the community wide importance of the resources contained in the areas surrounding Floyds Fork, the Ohio River and their major tributaries, and the Jefferson County Memorial Forest.
- pp. — Community Form Objective J2.3. Develop and implement non regulatory programs and mechanisms to protect views, scenic resources and visual quality of life.



**THE LOUISVILLE/JEFFERSON COUNTY ENVIRONMENTAL TRUST**  
**Policies for Considering Donations of**  
**Conservation Easements and Land**

**Adopted**  
**January 11, 2000**

**Re-adopted August 20, 2010**  
**Revisions adopted November 15, 2013**

**PURPOSE**

The purpose of this document is to define the policies of the Louisville/Jefferson County Environmental Trust (“Trust”) for considering offers of conservation easements and land. It is intended to aid potential donors of partial or full interests in conservation lands in selecting an appropriate organization for their gift and to establish a set of guidelines for the staff and the Trust’s Oversight Board. This statement is intended to guide rather than limit the actions of the Trust. Easement donations and lands offered to the Trust will continue to be evaluated on a case by case basis. This policy statement should be used in conjunction with the Trust’s informational materials, which outline the specific provisions of the typical conservation easement in greater detail. These materials are available from the Trust’s office.

**POLICY**

**A. The Role of the Trust.**

The Trust has a dual role in considering offers of conservation easements and land in Jefferson County, Kentucky. First, it refers potential donors to appropriate recipients, including other conservation organizations and units of government, where the best interests of the environment so require. Second, the Trust reviews and recommends acceptance of offers of conservation easements and land to the Legislative Council of the Louisville/Jefferson County Metro Government (“Metro Council”) subject to the policies enunciated below.

**B. Cooperation with Other Organizations.**

Because the principal goal of the Trust is to preserve open space, it is the Trust’s policy to cooperate in every possible way with other organizations whose purposes and goals are similar. The Trust, within its capabilities, will lend assistance to other conservation groups and agencies, and will refer potential donors to other conservation organizations or government units as requested. The Trust will publicize its program.

The Trust staff will be informed about land protection and land acquisition programs of government agencies, private conservation groups, and other easement-holding organizations such as Louisville Metro Division of Planning and Design Services, Louisville Metro Department of Public Works and Assets, Louisville Metro Department of Economic Development, Louisville Metro Department of Parks and Recreation Metropolitan Sewer District, and private land trusts.

The Trust accepts most of its conservation easement and land by gift. As much as possible, the Trust's programs will complement other land protection programs. Routinely, if historically or architecturally important structures are located on properties for which the Trust is preparing a conservation easement, the Trust will inform the Louisville Metro Division of Planning and Design Services or the Department of Economic Development so that a preservation easement can be considered.

### **C. Legal Authority**

The Kentucky Revised Statutes 382.800 through 382.860 permit the use of easements for conservation purposes, and Kentucky Revised Statutes Chapter 67 authorizes conveyance of real property to the Metro Council. Chapter 158 of the Louisville/Jefferson County Metro Code of Ordinances authorizes the Louisville/Jefferson County Environmental Trust to make recommendations to the Metro Council about acceptance of any real property interest related to conservation of lands, properties and scenic resources. The Trust is authorized as a program of Metro government devoted to the development, execution and promotion of voluntary conservation and preservation strategies for the purpose of enhancing Louisville Metro's ability to implement the open space and cultural heritage goals and objectives of the Comprehensive Plan of Louisville and Jefferson County.

### **D. Method and Process of Application**

Recommendation of acceptance of a conservation easement or land by the Trust must be preceded by thorough staff work and investigation. The Oversight Board reviews each offer and recommends acceptance or denial of easements by the Metro Council. The Metro Council accepts or denies the offer of an easement. Generally, six or more months are required for processing easement offers from the first time of contact with the Trust's offices. The easement is then recorded with the Office of the County Clerk. Easements are also accepted by the Trust jointly with other agencies or land trusts as co-holders.

### **E. Responsibilities of the Trust as Easement Holder**

Recommendations for accepting any easement or land are given at the discretion of the Oversight Board. It is the responsibility of the Oversight Board to recommend that any offer that is not in the best interests of the public is not accepted.

In acceptance of an easement, the Trust does not undertake any affirmative management duties other than the monitoring of the enforcement of the terms, conditions and restrictions of the easement as holder. The Trust assumes no legal liability or responsibility for management or maintenance of the property including any discharge of hazardous material affecting the property.

The Trust will, after notifying the owners, periodically inspect properties subject to accepted easements in order to guarantee adherence to the easement terms.

Although monitoring easement terms is the ultimate responsibility of the Trust, the Trust may delegate monitoring of such terms to appropriate individuals, co-holders, or other organizations. In each case, the Trust must be satisfied that it can guarantee compliance with the easement terms. Factors relevant to this determination include the location and accessibility of the land, the size of the tract, the type of land, and the availability of monitoring assistance from private conservation organizations or other government agencies.

The Trust will have the right and obligation to recommend enforcement of all terms of the easement agreement, as described in the standard easement.

#### **F. Obligations of the Donor**

The donor, or his or her successors in interest, retains all affirmative management responsibilities, including maintenance, the construction of improvements if permitted by the terms of the easement, the payment of real estate taxes (except where a property tax credit is applied for and granted) and other legal responsibilities of property ownership. For example, all normal functions and obligations of property ownership continue to be performed by the property owner, such as the pruning of trees, the removal of illegally dumped trash and the carrying of liability insurance. In addition, the property owner must abide by the specific terms of the easement, and allow periodic access to the property, after prior notice by Trust representatives, for monitoring purposes.

Except where an easement deed affirmatively provides to the contrary, or where interiors of historic structures are protected by the easement, the right of public access to the property remains the option of the owner.

The Trust will be responsible for seeing that the deed is properly recorded with the Office of the County Clerk and will pay all local charges for the recordation of deeds of easement.

In the event public access is required as a provision of the easement, the easement deed shall indemnify and hold the Trust and the Metro Council harmless from any legal liability related to public access.

#### **G. Duration of Easement**

Only perpetual easements are accepted by the Trust, except in unusual circumstances. Perpetual easements afford greater protection to the land than those that expire after a period of years. Term easements will be accepted by the Trust only where significant conservation values of a property may be threatened only during the limited term of the easement.

#### **H. Lands That May be Subject to a Conservation Easement**

State and federal laws generally limit the types of land that meet the conservation purposes of the Trust's easement program and the types of land for which conservation easement donations will qualify for various tax incentives. The Trust will evaluate each offer of an easement or land donation individually to ensure that the donation will serve a valid public purpose.

##### 1. General Categories of Land which Meet the Trust's Conservation Purposes

Offers of land and easements will generally be considered on lands that will, through their preservation, yield a significant public benefit, including but not limited to lands which meet one or more of the following conservation purposes:

- a. The protection of relatively natural habitats of fish, wildlife, or plants, or similar ecosystems;
- b. The preservation of certain open space, including farmland or forestland, for the scenic enjoyment of the general public;
- c. The preservation of historically important land areas or certified historic structures or districts;
- d. The preservation of land areas for outdoor recreation by, or the education of, the general public.

## 2. Parks and Greenways Open Space Goals

Offers of land and easements will generally be considered where the protection offered by a conservation easement will be consistent with and help to achieve the adopted Comprehensive Plan Goals and Objectives of Louisville and Jefferson County. A list of the adopted Goals and Objectives are in Appendix A of this document, and include the following:

- a. Enhance the quality of life in Louisville Metro by affirming and protecting the economic value of neighborhoods and natural resources.
- b. Protect, to the extent possible, wildlife sanctuaries, wetlands, major forested areas, nature preserves, publicly owned parks, unique natural areas or other areas with significant landscape features.
- c. Encourage the preservation of significant farmland through public acquisition or voluntary land protection strategies for landowners.
- d. Support landowners who wish to maintain or establish agricultural operations in Louisville and Jefferson County.
- e. Form a network of open spaces and greenway corridors which protect significant natural resources.
- f. Promote a parks and open space system which preserves and enhances visual quality, protects historic and architectural resources, provides for education, and accommodates agricultural and forest resources.
- g. Protect and provide public access to scenic resources.
- h. Provide, through a system of stream corridor/greenways, diverse, universally accessible recreational opportunities for citizens to maintain a fit and healthy lifestyle.
- i. Safeguard the historical, cultural and archaeological resources (districts, sites, buildings, structures and objects) that are significant to the region.

## 3. Types of Lands Preferred by the Trust

Within the general categories of land that will be considered for donations above, the Trust will give preference to donations offered on lands identified by the following characteristics:

- a. Lands that are currently or potentially productive farmland, significant woodlands (especially large unfragmented forest), wetlands or wildlife habitat, lands rich in biological diversity, functioning ecosystems, or other particularly environmentally or scenically significant properties;
- b. Lands contiguous to other open space property protected, either by fee ownership or easement, by a federal, state or local government body or land conservation, agricultural protection or historic preservation organization; or

- c. Lands that, through their protection, could encourage compact development and contribute to greenway networks, other open space corridors or clusters, or ecosystem linkages.
- d. Lands on which historically or culturally significant properties are located.
- e. Lands that have been identified as having potential for future parkland or greenways.

4. Examples of Special Conservation Values for Easement Acceptance:

Such examples include:

- a. Lands in the Floyds Fork Corridor, Ohio River Corridor, or the Jefferson Memorial Forest target acquisition area.
- b. Lands adjacent to or within the viewshed of park land, scenic roads and/or highways.
- c. Lands adjacent to or occupied by endangered, threatened or rare species or their habitat as identified by the Kentucky State Nature Preserves Commission or the Kentucky Department of Fish and Wildlife.
- d. Lands adjacent to existing easements, including those held by the other qualified conservation organizations; public parklands or natural area preserves, or that are located within National Register Districts.
- e. Important historical or archaeological sites, in addition to those listed on the National Register of Historic Places.
- f. Lands sought for future open space, natural area protection or enhancement, or other valid public conservation purposes, but for which public acquisition funds and procedures have not been available or completed.

**I. Size of Properties**

The Trust generally prefers donations of land or easements consisting of at least 25 acres. However, the Trust may consider accepting a donation of less than 25 acres if one or more of the following criteria are met:

- 1. The property is adjacent to or contiguous with existing properties protected by fee or easement ownership, is or has the potential to be linked or closely clustered with other such parcels, or the prospective donor has the ability to enlarge the size of the easement area through acquisition, encouragement of neighbor donations, or other means.
- 2. The donation would protect special resources such as endangered or threatened species habitat, historic or archaeological resources, wetlands or riparian buffer.
- 3. There is an imminent threat to the conservation values of the property if the easement or land is not accepted.
- 4. There is substantial public support for the proposed easement or land donation.
- 5. A local land trust or other organization can assume much of the processing, documentation and monitoring responsibilities for the easement or land.
- 6. There are no available protection alternatives, such as an easement to a local land trust or other agency.

**J. Offers of Easements not in Jefferson County**

The Trust will primarily consider offers of land or easements located in Jefferson County. In some circumstances, the Trust may consider offers if the subject land is located in one of the counties contiguous to Jefferson or the Louisville metropolitan region and if the conservation value of the property meets the Trust's

criteria. The Trust will ensure that any recommendation for acceptance is consistent with the government policies of and approved by the legislative bodies of both Jefferson and the other county. When possible, the Trust will assist other counties in establishing their own easement programs or identifying a local land trust or organization that can hold land or easements outside Jefferson County.

#### **K. Density of Development on Easement Property**

It is the Trust's policy to accept easements that extract substantially all of the future development rights or potential from the land. However, in certain cases additional residences may be permitted on the property, where its conservation values would not be adversely affected and the economic viability of the restricted property would be enhanced. In the event of a conflict between economic viability and the conservation values of a property regarding the issue of permitted density, the Trust will give primary consideration to conservation values.

Additional development will be considered only when it does not change substantially the existing open space character of the property. The Trust will assess the impact of the proposed density of residences, appurtenant structures and other uses on proposed easement properties on the conservation purposes of the easement. In general, the Trust prefers to maintain the density of existing and proposed structures on easement property substantially below that allowed for similar property under existing local comprehensive plans or zoning ordinances. Factors that will be considered by the Trust in making determinations of allowable increased density on proposed easement property include:

1. Density allowed by the comprehensive plan and zoning ordinance, and existing density of the surrounding area;
2. Rate of land conversion in the area from conservation or open space uses to residential or commercial uses (i.e., degree and timing of development)
3. Number, size and location of existing structures on the property, and how these structures contributed to the conservation purposes of the easement (e.g. historic character, agricultural production)
4. Topography and visual features of the property and the compatibility of proposed new structures with these features
5. Potential impacts of proposed new structures on vegetation, water quality, wildlife habitat, and other conservation values of the property;
6. Plans for clustering or grouping of existing and additional structures to minimize impacts on conservation values;
7. Effect of additional structures or uses on the long term economic viability of the property under the restrictions of the perpetual easement; and
8. Whether the overall density of residences permitted on the property is made up of residences existing prior to the date of the easement, in proposed conversions of non-residential buildings to residential use (e.g. "mother-in-law" apartments), or will exist through reserved new construction.

In general, the Trust will seek to restrict additional residences, subdivisions of the property, and the lot size of new subdivisions, when permitted, to require clustering of additional residences near existing residences, and will encourage a maximum amount of undeveloped, undivided land. The Trust may also require its prior written approval for the location of additional residences or limit the location of the residences to sites or areas specified in the easement deed, and for any off-conveyances of subdivided lots.

#### **L. Subdivision of Principal Residences Limited to Minimum Lot Size to Promote Clustering**

As a matter of general practice, when an easement property contains, or the landowner reserves, more than one residence intended by the donors to be a principal residence, the second principal residence (or each additional principal residence) may be subdivided to the minimum lot size allowed by zoning at the time of subdivision. Other subdivision will be prohibited. The Trust may, however, approve the division of the property for reasons, determined by the Trust to be sufficiently extraordinary to justify an exception to the prohibition. Other approaches will be considered when property configuration, topography, or circumstances on adjacent properties warrant.

#### **M. Tenant, Guest or Other Accessory Residences Not to be Subdivided**

The Trust will generally require tenant houses or other accessory structures to remain on the same lot as the primary dwelling where such structures exist at the time of land or easement donation or where such structures are reserved through the terms of the easement. Such structures, generally, may not be expanded and can only be replaced with a similar structure with the same footprint as the original. Appurtenant structures associated with the tenant house are prohibited.

#### **N. Easements on Land Protected by Other Easements or Deed Restrictions**

The Trust will consider accepting easements on land subject to existing easements held, publicly or by private land trusts only in limited circumstances where the conservation values of the property are significantly better protected with an overlay conservation easement. Such additional protection may be achieved where an overlay easement would allow for the extinguishment of residential lots allowed for family conveyance, limits on the size and location of permitted agricultural structures that could otherwise harm the conservation values of the property, the addition of conservation measures for historic or archaeological sites, or additional protection for endangered or threatened species, mature trees, or stream vegetative buffers. The Trust prefers to combine its conservation easement protection with the protection offered by other easement programs on separate or adjacent parts of the property, rather than in addition to existing easements on a property.

#### **O. Conservation Easements Offered to Protect Environmental Mitigation Sites**

The Trust will cooperate with federal, state and local agencies seeking to enhance and permanently protect environmentally sensitive areas (e.g. wetlands, reforestation, afforestation, wildlife corridors, etc.) as mitigation for the loss of environmental areas caused by development. The Trust will review offers of conservation easements for mitigation purposes if the easement meets the Trust's usual criteria, and also taking into account the following:

- (1) Whether the mitigation fully meets the requirements of federal and state laws and policies for successful mitigation;
- (2) Whether the regulatory agency, property owner or private land manager has the capability to effectively monitor the mitigation site and ensure the maintenance of conservation values;
- (3) Whether sufficient financial support is provided to the Trust, and other monitoring officials, to carry out monitoring responsibilities;
- (4) Whether alternatives to the environmental impacts that are to be mitigated have been sufficiently explored; and
- (5) Whether the Trust's acceptance of the conservation easement on the proposed mitigation site will enable undesirable development projects to be approved that would otherwise not be permitted.

## **P. Regulatory Easements**

The Trust may accept “regulatory easements” or “developer easements” e.g., easements pursuant to cluster ordinances or other regulations and statutes where the easement is granted as a *quid pro quo* for accompanying development. The Trust may accept such easements, if they meet the Trust’s usual guidelines.

The Trust supports the use of such easements as a tool for effective growth management, protection of greenways and linked clusters and corridors of sensitive areas, and compact rather than sprawling development. The Trust actively will assist in training interested local land trusts, counties and other organizations in encouraging such easements for such purposes.

**In those cases where the Trust accepts regulatory easements, the Trust generally will not consider or process offers of easement donations on the subject property until all government approvals necessary to carry out development plans are approved and until all litigation over such approvals has been settled.**

**Prospective donors of easements for such property are not authorized to promise the donation of easements to the Trust as a means of obtaining approval for development projects, and are requested to refrain from making any representations of Trust interest in such donations. Any representation of Trust interest in the property made by applicants that do not follow this guideline will jeopardize the Trust’s consideration or acceptance of any easement on the property.**

In those cases where the Trust considers regulatory easements and a public agency is seeking the Trust’s assistance in providing permanent protection for open spaces or natural areas as part of planned development proposals, the Trust will work with the agencies and project sponsors to establish the maximum practical amount of permanent environmental protection with the use of the Trust’s conservation easement program consistent with these policies.

Negotiations for such easements shall be initiated by the government agency, and shall not be used to provide a rationale or basis for development project approval where such approval would not otherwise be granted.

## **Q. Amendment Policy**

Amendments to existing easements held by the Trust may be considered at the discretion of the Trust. Amendments to existing easements may only be approved by the Trust if the consequent of the amendment is to strengthen the protections offered by the easement, or to otherwise protect the conservation value of the property that is the subject of the easement.

## **R. Expenses and Fees Associated with Potential Easement Donation**

The Trust, at its discretion, may require fees for the monitoring, maintenance, and related activities in order to offset its costs of examination and administration and any other costs incurred incidental to its activities.

## APPENDIX A

### Cornerstone 2020 Goals and Objectives that support the Jefferson County Environmental Trust Policies

#### **Parks, Open Space, Greenways, Farmlands and Cultural Resources Goals**

Easements will generally be considered on lands on which easements are consistent with and help to achieve the adopted Goals and Objectives of Jefferson County including the following:

- a. Marketplace Objective D2.1. Enhance the quality of life in Jefferson County by affirming and protecting the economic value of neighborhoods and natural resources.
- b. Livability Goal B.2. Water Quality. Improve water quality throughout the metro region in order to preserve and enhance biological integrity and to support human use and contact recreation.
- c. Livability Objective B2.2. Encourage the multi-purpose use of stream corridors and drainage facilities as a means of improving water quality.
- d. Livability Goal B.4. Wetlands. Recognize wetlands as important ecological systems that can serve a beneficial function including water quality improvements, flood control, or enhancement to resident or migratory wildlife.
- e. Livability Objective B4.2. Protect functional wetlands from disturbance, degradation or infringement.
- f. Livability Goal E.4. Protect steep slopes and sensitive soils.
- g. Livability Goal F.1. Habitat and Biodiversity. Protect, to the extent possible, wildlife sanctuaries, wetlands, major forested areas, nature preserves, publicly owned parks, unique natural areas or other areas with significant landscape features.
- h. Livability Objective F.1.1. Develop and implement strategies to inventory, preserve, enhance and acquire the best examples of the diverse natural habitats and ecosystems of Jefferson County for future generations and research purposes.
- i. Livability Objective F1.2 Encourage, as part of a voluntary habitat protection strategy, preservation and restoration of significant habitat areas in new developments through sensitive site design techniques. Privately owned open space, unique natural areas and other landscape features determined to be of community-wide significance may be preserved through voluntary measures, such as outright public acquisition, conservation easements and scenic easements.
- j. Livability Goal F.2. Enhance, preserve and restore the natural landscape character of Jefferson County.
- k. Livability Goal G.1. Preserve notable archaeological resources.
- l. Livability Goal G.2. Agricultural Operations. Encourage programs that help support landowners who wish to maintain or establish agricultural operations in Louisville and Jefferson County.
- m. Livability Objective G2.1. Support landowners who wish to maintain or establish traditional agricultural operations.
- n. Livability Objective G2.2. Support the trend toward alternative farming methods that will allow production of fresh, good quality, local produce and other locally grown farm products.
- o. Livability Goal G.3. Farmland Preservation. Encourage the preservation of significant farmland through public acquisition or voluntary land protection strategies for landowners.
- p. Livability Objective G3.1. Develop methods and explore funding sources to preserve important agricultural lands identified as part of the public evaluation process.
- q. Livability Goal H1. Recreation. Provide a system of well-maintained parks and recreation facilities which meet the needs of the residents of Louisville and Jefferson County.
- r. Livability Objective H1.1. Provide a network of parks of varying sizes and functions equitably distributed throughout Jefferson County.
- s. Livability Objective H1.3. Establish a comprehensive, coordinated bicycle and pedestrian system connecting parks, greenways and recreational facilities.

- t. Livability Goal H2. Natural Resources. Form a network of open spaces and greenway corridors which protect significant natural resources.
- u. Livability Objective H2.1. Identify, preserve and restore riparian corridors, wetlands, woodlands and important groundwater recharge areas to protect water quality.
- v. Livability Objective H2.2. Preserve and enhance significant habitat for wildlife and threatened, endangered and special concern species.
- w. Livability Goal H3. Open Space for Aesthetic, Cultural and Educational Purposes. Promote a parks and open space system which preserves and enhances visual quality, protects historic and archaeological resources, provides opportunities for education, and accommodates agricultural and forest resource.
- x. Livability Objective H3.1. Protect and provide public access to scenic resources.
- y. Livability Objective H3.2. Preserve and restore cultural resources as part of the parks and open space system.
- z. Livability Objective H3.4. Promote the long-term preservation and economic viability of active farmland, prime agricultural soils, and productive woodland.
- aa. Livability Goal H4. Public Health and Safety. Incorporate land needed to protect public health and safety into the open space network.
- bb. Livability Goal I2. Recreation, Health and Fitness. Provide, through a system of stream corridor/greenways, diverse, universally accessible recreational opportunities for citizens to maintain a fit and healthy lifestyle.
- cc. Livability Objective I2.1 Provide interconnecting park-like open space opportunities throughout Jefferson County, linking various land uses together with an off-street network of trails.
- dd. Livability Goal I4. Operations and Management. Develop strategies for public private partnerships to ensure the establishment and long-term management of the multi-objective stream corridor/greenway system.
- ee. Livability Goal K2. Recognize the Ohio River Corridor as a place where people connect to the River, in an accessible landscape for gathering, celebration, contemplation, and recreation.
- ff. Livability Objective K1.2. Enhance connections providing access for pedestrians and bicyclists between the river's edge and adjacent neighborhoods.
- gg. Livability Objective K1.4. Enhance and maintain views of the Ohio River from the River's edge, including the Ohio River Trail, roads, parks and other public open spaces.
- hh. Livability Objective K3.1. Identify, and preserve and encourage restoration of important natural resources within the river corridor such as wetlands, steep slopes, and significant habitat areas.
- ii. Livability Goal K5. Recognize the Ohio River corridor as a place where people connect to the past, present and future, by defining, preserving and interpreting the community's cultural heritage and identity.
- jj. Livability Objective K5.1. Encourage the preservation of significant history and archaeological sites, buildings and landscapes within the River corridor.
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- ll. Livability Goal L2. Restore impacted areas, improve biological diversity, and enhance wildlife habitat within the Jefferson County Memorial Forest.
- mm. Mobility Objective C1.4. Encourage the preservation of important cultural resources, landscapes and scenic vistas in the design, maintenance and development of major thoroughfares and parkways.
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- pp. Community Form Objective J2.3. Develop and implement non-regulatory programs and mechanisms to protect views, scenic resources and visual quality of life.



# Louisville Metro Government

## Text File

File Number: Culbertson

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case

## Culbertson Field Notes

**Submitted By:** john.studer\_Metro

**Submitted Time:** April 21, 2026 11:14 AM

**Creation Time:** April 23, 2026 2:46 PM

Name of conservation easement

Culbertson

Date and time of visit?

April 21, 2026 9:00 AM

Address of property visited

8401 Dawson Hill Rd. Louisville, KY 40299

Who attended the visit

John Studer, Kurt Mason, Bob Schindler, Deb White

Did landowner or representative join the monitoring team for some or all of the visit?

No

Equipment used

Survey 123, iPhone 13

Weather conditions

Warm and sunny

Any renovations or significant changes to existing structures?

A new elevated platform building in the NW corner of Tract 2 has been constructed. (photo points #5, 6, and 7)

Any new structures?

New shed placed at entrance to SE meadow (photo point #11)

Any changes in land use or land management?

No change

Any changes instreams, water bodies, or water quality?

No change

Any soil erosion, changes in grade that might indicate filling or excavation of soil?

Excavated soil around water spigot at end of gravel drive, noted in 2025. (photo point # 9)

Any substantial clearing of woodlands? Or other vegetation alteration including invasive plant management?

No change

Encroachment from neighboring properties? Adjacent land use changes such as clearing?

No concerns observed

Any dumping of debris? Vandalism?

More miscellaneous equipment and debris on Tract 2, but does not appear to be trash/dumping.

Other issues of concern? (e.g., storm damage, flooding, fire, invasive species)

No concerns observed

Wildlife or plants of interest?

Whitetail deer, green milkweed, a lot of hemp dogbane in meadows

Note areas of property that may need further evaluation, areas not observed on this visit, other notes for future monitoring visits

Continue to monitor accumulation of debris on and around Tract 2.

#### SUMMARY OF MONITORING VISIT OBSERVATIONS:

On the visit, the monitoring team noted a few points of concern.

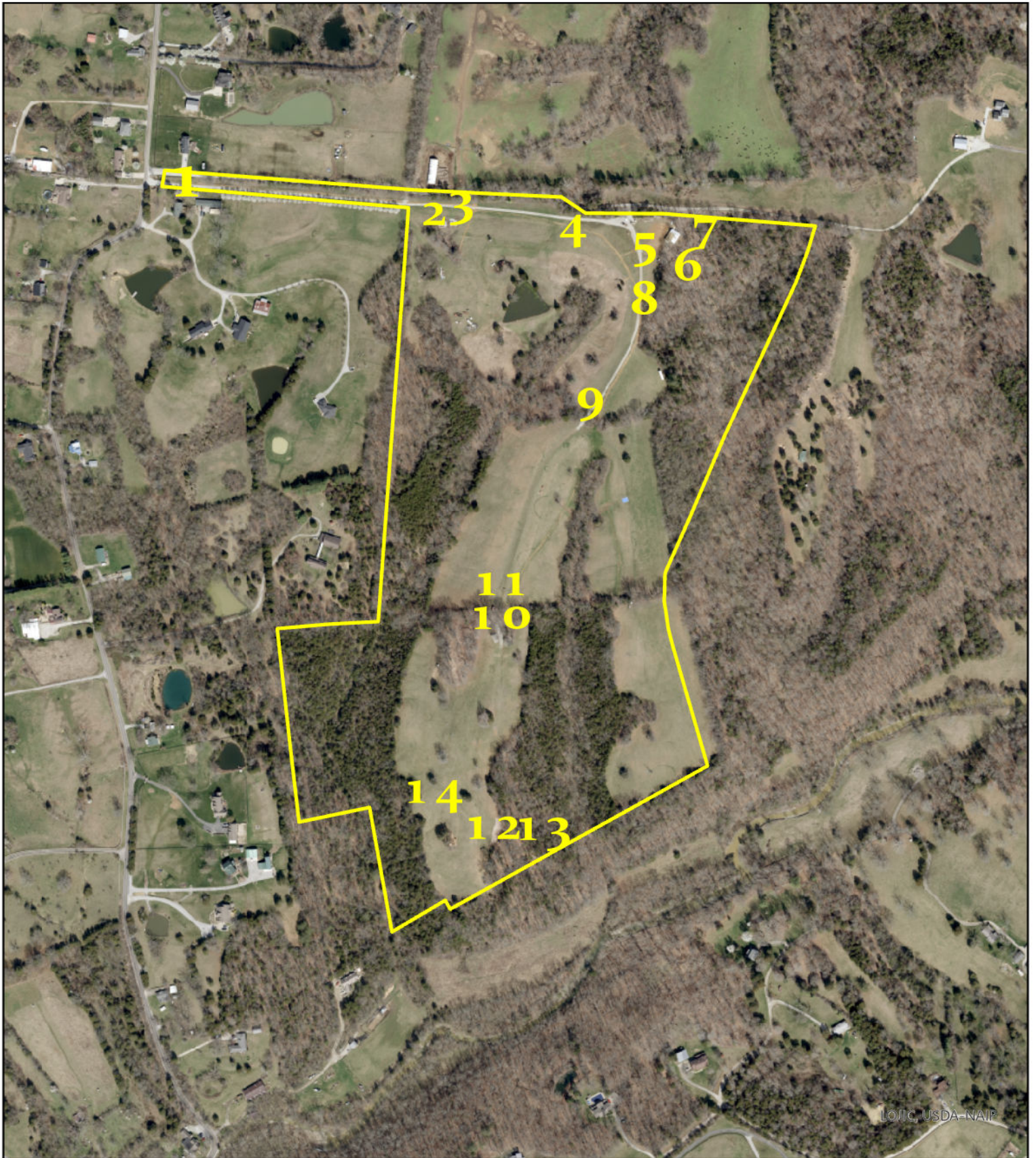
- There was evidence of livestock on the easement (point #4), although it was not clear what specific activities took place. Sections 3(o) and 4(e) of the Deed of Conservation Easement outline the restrictions associated with livestock; pasturing or grazing of any livestock is expressly prohibited.
- The monitoring team noted excavated soil around a water spigot (point #9). This was also noted on the 2025 monitoring visit. Section 3(e) of the Deed of Conservation Easement states that alteration of the surface of the land without approval of the Grantee is prohibited. The Reserved Rights in sections 4(i) and 4(j) regarding surface alteration and construction of drainage facilities may apply.
- A shed was placed at the entrance to the SW meadow. Section 3(d) of the Deed of Conservation Easement prohibits the placement of structures above or below the ground, except as permitted in the Reserved Rights. Section 4(g) reserves the right to construct agricultural-related buildings, however it was unclear of the purpose of the shed.
- More debris and equipment has accumulated on and around Tract 2. This should be monitored in subsequent visits.

The Board should review these findings and the Deed of Conservation Easement to determine whether any violations have occurred.

Signatures of attendees:




# Culbertson Monitoring Map, April 21, 2026




Map Created: 4/24/26 by JWS



<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 10:13
<b>Point:14</b>	<b>Long/Lat:</b> Lat: 38.113046 Lon: -85.497883
	
<b>Direction (South).</b>	
<b>Description: Mowed meadow in southwest corner of easement.</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 10:04
<b>Point:</b> 13	<b>Long/Lat:</b> Lat: 38.112349 Lon: -85.496425
	
<b>Direction (East).</b>	
<b>Description: Woodlands along southern boundary of easement.</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:58
<b>Point:</b> 12	<b>Long/Lat:</b> Lat: 38.112592 Lon: -85.497032
	
<b>Direction (North).</b>	
<b>Description: Mowed meadow in southwest corner of easement.</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:46
<b>Point:</b> 11	<b>Long/Lat:</b> Lat: 38.114883 Lon: -85.497014



<b>Direction (South).</b>
<b>Description: New shed placed at entrance to southwestern meadow.</b>

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:45
<b>Point:</b> 10	<b>Long/Lat:</b> Lat: 38.115009 Lon: -85.496987
	
<b>Direction (North).</b>	
<b>Description: Mowed meadow</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:36
<b>Point:</b> 9	<b>Long/Lat:</b> Lat: 38.117119 Lon: -85.495728



**Direction (Down).**

**Description: Excavated trench and water spigot at end of gravel drive.**

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:32
<b>Point:</b> 8	<b>Long/Lat:</b> Lat: 38.118441 Lon: -85.495185
	
<b>Direction (West).</b>	
<b>Description: Pollinator zone along gravel access road.</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:22
<b>Point:</b> 7	<b>Long/Lat:</b> Lat: 38.118871 Lon: -85.49432



**Direction (South).**

**Description: New construction of elevated building in NW corner of Tract 2.**

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:19
<b>Point:</b> 6	<b>Long/Lat:</b> Lat: 38.118832 Lon: -85.49474



<b>Direction (North).</b>
<b>Description:</b> New construction of elevated building in NW corner of Tract 2.

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:18
<b>Point:</b> 5	<b>Long/Lat:</b> Lat: 38.118874 Lon: -85.494917




<b>Direction (East).</b>
<b>Description: New construction in NW corner of Tract 2</b>

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:12
<b>Point:</b> 4	<b>Long/Lat:</b> Lat: 38.119154 Lon: -85.495948



**Direction (Down).**  
**Description: Cow patty along northern boundary gravel access drive.**

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:09
<b>Point:</b> 3	<b>Long/Lat:</b> Lat: 38.11929 Lon: -85.497674
	
<b>Direction (South).</b>	
<b>Description: Watertank tower and meadow in northeast corner of easement.</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:08
<b>Point:2</b>	<b>Long/Lat:</b> Lat: 38.119306 Lon: -85.497751
	
<b>Direction (West).</b>	
<b>Description: Gravelled access road along northern boundary of easement.</b>	

<b>Easement:</b> Culbertson	<b>Date:</b> 04/21/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:01
<b>Point:1</b>	<b>Long/Lat:</b> Lat: 38.119471 Lon: -85.501389



**Direction (West).**

**Description: Monitoring team photo: Kurt Mason, John Studer, Bob Schindler, and Deb White (taking photo)**



# Louisville Metro Government

## Text File

File Number: Holiday

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case

## Holiday Farm Field Notes and Report

**Submitted By: john.studer\_Metro**

**Submitted Time: May 5, 2026 1:17 PM**

**Creation Time: May 5, 2026 3:21 PM**

Name of conservation easement

Holiday

Date and time of visit?

May 5, 2026 9:00 AM

Address of property visited

other: 3800 Shiloh Ln

Who attended the visit

John Studer, Kurt Mason, Noel Rueff, Bob Schindler, Deb White

Did landowner or representative join the monitoring team for some or all of the visit?

No

Equipment used

Survey 123, iPhone 13, iPad 18

Weather conditions

Overcast

Any renovations or significant changes to existing structures?

No change

Any new structures?

No change

Any changes in land use or land management?

No change

Any changes instreams, water bodies, or water quality?

No change

Any soil erosion, changes in grade that might indicate filling or excavation of soil?

No change

Any substantial clearing of woodlands? Or other vegetation alteration including invasive plant management?

No change

Encroachment from neighboring properties? Adjacent land use changes such as clearing?

No concerns observed

Any dumping of debris? Vandalism?

No concerns observed

Other issues of concern? (e.g., storm damage, flooding, fire, invasive species)

No concerns observed

Wildlife or plants of interest?

White tail deer, Bobwhite quail, American bison, Eastern bluebird, Blue ash, and Salsify

Note areas of property that may need further evaluation, areas not observed on this visit, other notes for future monitoring visits

No concerns observed

SUMMARY OF MONITORING VISIT OBSERVATIONS:

The easement appeared to be in good condition, not concerns or potential violations were noted.

Signatures of attendees:

The image shows two sets of handwritten signatures. The first set on the left consists of three lines of cursive handwriting, with the name 'Schuller' clearly legible on the bottom line. The second set on the right consists of two lines of cursive handwriting, with the name 'Kurd' clearly legible on the bottom line.

# Holiday Farm Monitoring Map, May 5, 2026



0 500 1,000 2,000 Feet

Map Created: 5/5/26 by JWS



<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 11:39
<b>Point:14</b>	<b>Long/Lat:</b> Lat: 38.439067 Lon: -85.56049



**Direction (North).**

**Description: Meadow along western easement boundary in northern section.**

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 11:32
<b>Point:13</b>	<b>Long/Lat:</b> Lat: 38.438002 Lon: -85.558283
	
<b>Direction (South).</b>	
<b>Description: Meadow along gravel drive in northern section of easement.</b>	


<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 11:29
<b>Point:11</b>	<b>Long/Lat:</b> Lat: 38.43829 Lon: -85.558086
	
<b>Direction (North).</b>	
<b>Description: Meadow along gravel drive in northern section of easement.</b>	


<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 10:22
<b>Point:</b> 9	<b>Long/Lat:</b> Lat: 38.42734 Lon: -85.572179




**Direction (West).**


**Description: Pond on western boundary of easement.**

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 10:10
<b>Point:</b> 7	<b>Long/Lat:</b> Lat: 38.428532 Lon: -85.571438
	
<b>Direction (East).</b>	
<b>Description: Woodlands in southwest corner of easement.</b>	


<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 10:02
<b>Point:</b> 6	<b>Long/Lat:</b> Lat: 38.42956 Lon: -85.568117
	
<b>Direction (West).</b>	
<b>Description: Meadow in southwest corner of easement.</b>	

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:46
<b>Point:</b> 5	<b>Long/Lat:</b> Lat: 38.432675 Lon: -85.559571
	
<b>Direction (East).</b>	
<b>Description: Gravel drive through center of easement.</b>	

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:38
<b>Point:</b> 4	<b>Long/Lat:</b> Lat: 38.434381 Lon: -85.555058
	
<b>Direction (West).</b>	
<b>Description: Paddock in southeast corner of easement.</b>	

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> John Studer	<b>Time:</b> 09:30
<b>Point:</b> 3	<b>Long/Lat:</b> Lat: 38.435778 Lon: -85.551824
	
<b>Direction (North).</b>	
<b>Description: Meadow along eastern boundary of easement.</b>	



<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> Noel R	<b>Time:</b> 11:31
<b>Point:</b> 12	<b>Long/Lat:</b> Lat: 38.438054 Lon: -85.558298
	
<b>Direction (North).</b>	
<b>Description:</b> Hay storage on old tennis court	

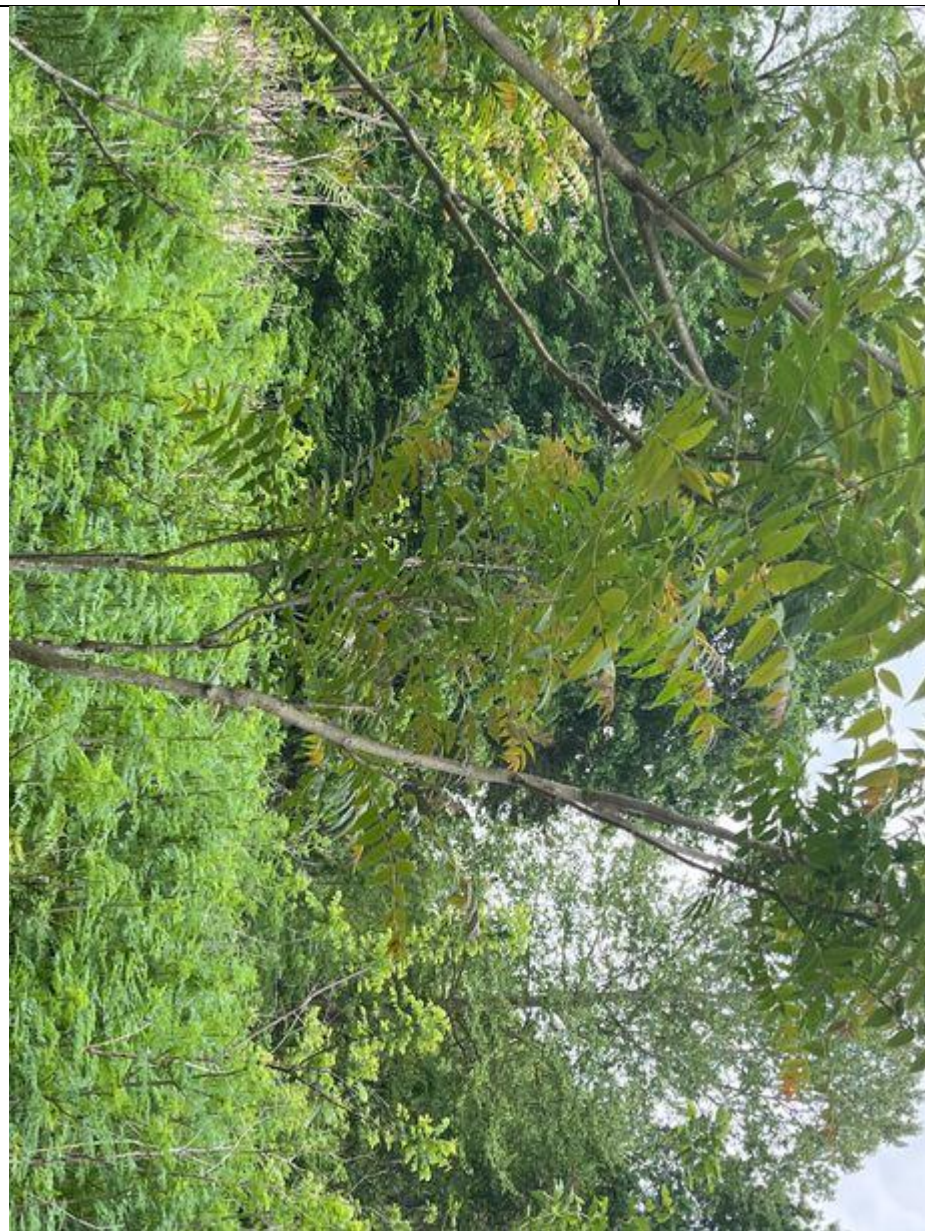
<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> Noel R	<b>Time:</b> 11:02
<b>Point:</b> 10	<b>Long/Lat:</b> Lat: 38.433567 Lon: -85.557355



**Direction (North).**

**Description:** Bison herd along northern boundary of easement.

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> Noel R	<b>Time:</b> 10:19
<b>Point:</b> 8	<b>Long/Lat:</b> Lat: 38.427446 Lon: -85.572174



**Direction (South).**

**Description:** Alanthus trees & poison hemlock next to pond.

<b>Easement:</b> Holiday Farm	<b>Date:</b> 05/05/2026
<b>Collector:</b> Noel R	<b>Time:</b> 09:15
<b>Point:1</b>	<b>Long/Lat:</b> Lat: 38.435712 Lon: -85.55162
	
<b>Direction (West).</b>	
<b>Description: Paddock in southeast corner of easement.</b>	



# Louisville Metro Government

## Text File

File Number: Waste Management

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**Agenda Date:** 5/15/2026

**Version:** 1

**Status:** New Business

**In Control:** Louisville/Jefferson County Environmental Trust Oversight Board

**File Type:** Planning Case

**Agenda Number:**

