

146.280 Acquisition of stream areas by secretary for energy and environment.

- (1) Within the boundaries of a designated stream area, as established and authorized by the Kentucky General Assembly, the secretary for energy and environment is authorized and empowered to acquire by purchase, exercise of the rights of eminent domain, grant, gift, devise, or otherwise, the fee simple title, an easement, or any acceptable lesser interest in any lands, and by lease or conveyance, contract for the right to use and occupy any lands. Where property within such boundaries is owned by the federal government, the secretary can enter into agreements with the landowning agency concerning use of the property consistent with the objectives of KRS 146.200 to 146.360. Nothing in KRS 146.200 to 146.360 shall be construed to deprive a landowner of the fee simple title to or lesser interest in his property without just compensation.
- (2) The secretary for energy and environment may not exercise authority to acquire lands or interests in lands located within any incorporated city, village, or county when such entities have in force a duly adopted, valid ordinance or plan for the management, zoning and protection of such lands in accordance with the provisions of KRS 146.200 to 146.360.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 128, effective July 15, 2010. -- Amended 1976 Ky. Acts ch. 197, sec. 8. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(9). -- Created 1972 Ky. Acts ch. 117, sec. 9.