

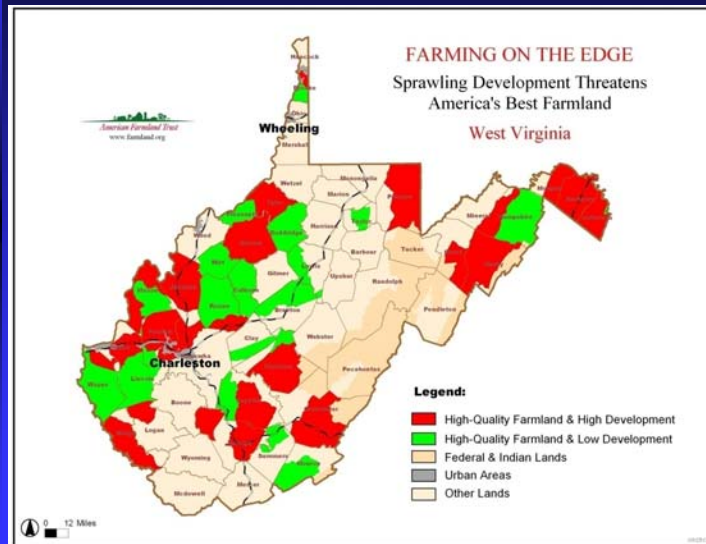
# WV Farmland Protection



## A Grassroots Effort

- Begun in 1999 by a citizens group in the Eastern Panhandle
- Legislation passed unanimously in the WV legislature in 2000; funding for county farmland protection boards passed in 2002
- Funding at the state level passed in 2008

## Why in West Virginia?



## Goals of the WV Farmland Protection Programs

- Control urban expansion
- Protect agricultural land and woodland
- Protect worthwhile community values, institutions and landscapes which are inseparably associated with traditional farming
- The conservation easement is PERPETUAL



## How the Farmland Protection Programs Work

- Landowners  
VOLUNTARILY  
participate in the program
- The county board or WV  
Agricultural Authority  
acquires the development  
rights from the landowner  
through a Deed of  
Conservation Easement



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## WV Has a Two-tier System

- County level— each county may  
opt in and create a farmland  
protection board (FPB); the  
earliest FPBs were created in  
2000
- State level— the West Virginia  
Agricultural Land Protection  
Authority covers the entire state
- The county and the state efforts  
are parallel and supportive  
efforts



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## How Does a County Get Started?

- The County Commission creates a Farmland Protection Board through a simple majority vote
- 7-Member Board
  - 1 – Resident Farmer that is a member of the County Farm Bureau
  - 1 – Resident Farmer that is a member of the Soil Conservation District
  - 1 – Resident Farmer
  - 2 – County Residents that are not described by the other groups
  - 1 – The Executive Director of the County Development Authority
  - 1 – County Commissioner (Nonvoting)

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## WV Agricultural Authority

- 12-member board – appointed by Governor, confirmed by Senate
- Can operate in any of WV's 55 counties – currently landowners in non-FPB counties may apply to the state
- Authority has used over 96 percent of its money to assist FPBs:
  - Landowner applicants are to county FPBs
  - Authority co-holds easement

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## WV Code Parameters

- Relative weight of ranking criteria is left to the county on 7 factors defined in the WV Code
- Farmland is defined broadly
- The County Commission must approve all recommended purchases (county level)
- Require appraisal (Yellow Book)

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## Definition of Farmland

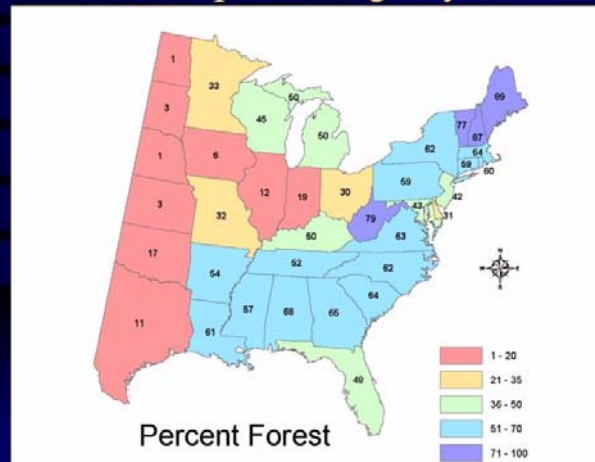
Farmland is a tract, or contiguous tracts of land, of any size, used *OR USABLE* for agriculture, horticulture or grazing and includes all real property designated as wetlands . . .



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## WV Forestland – 79% of state

### Forest percentage by state



25

## Forestland Counts !

Woodland shall be considered land of a farm only if it is part of or appurtenant to a tract of land which is a farm, or held by common ownership of a person or entity owning a farm . . .



Yes . . . We have this



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. . . But we also have this



## How are the Programs Funded?

- Sustained funding is from a real estate transfer tax of up to \$2.20 per \$1,000 of real estate transfers where the counties may 'opt in'
- This tax is imposed by a majority vote of the County Commission—does not go to voter referendum
- WV Agricultural Authority funding is from a court house recordation fee

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## How is Our Funding Secure?

- Economic times are causing budget cuts
- Farmland protection is often one of the first programs to feel the effects
- WV Farmland protection funding may not be used for other purposes



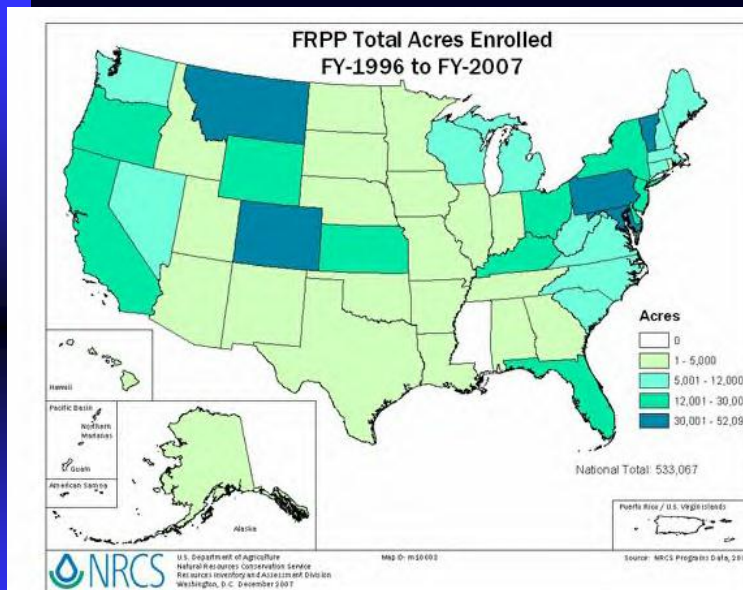
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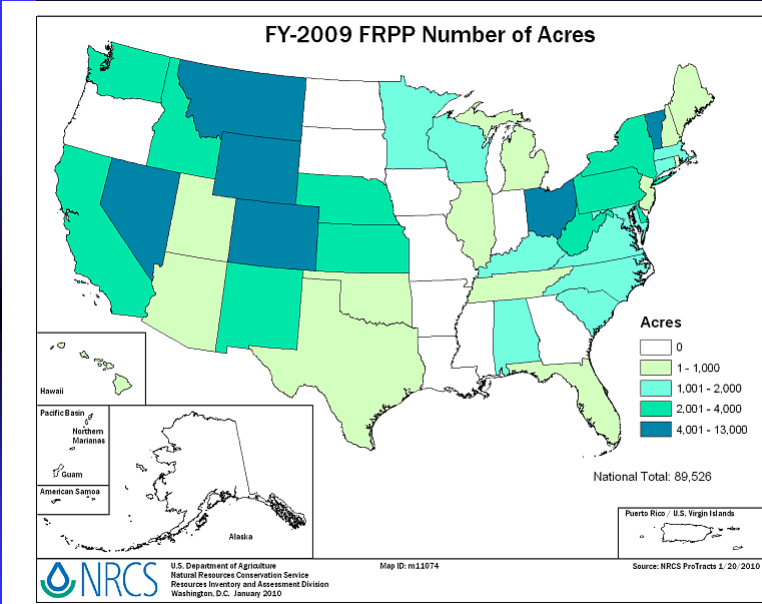
## Federal Matching Funds

- 70 percent of our local/state dollars are matched with a Federal dollar
- Funding comes from:
  - USDA-NRCS FRPP Program
  - Park Service – Battlefield Protection Program

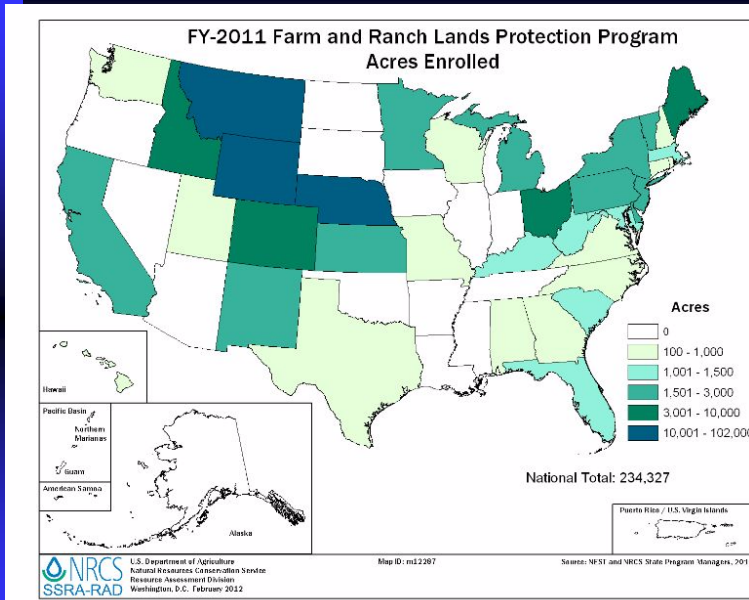
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## Estimated Annual Dollars— Land Protection

- \$ 3.0 – 5.0 million County transfer tax
- \$ 800,000 WV Agricultural Land Protection Authority
- \$1.8 – 5.0 million Federal match
- Total acres funded/donated: 21,330 acres

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## What Does this Add up to?

- \$49 million back into the lands of landowners
- Protection of 21,000 acres of farmland and forestland
- No local/state debt for farmland protection
  - no bonding
  - no IPAs



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## Orchards in the Eastern Panhandle Protected



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## Land Available for Future Generations



## Tourism Enhanced Through Land Protection



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## Landowners Protect Their Land for Their Children and Heirs



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## A Good Balance:

- Local programs can tailor-design a program to fit their circumstances
- Local desire for state and Federal matching funds ensures most significant farmland is protected

