Rural Preservation Through Land Stewardship Tools

Overview

Private land owners can play a vital role in helping communities preserve their rural character and natural heritage. As economies shift, land owners can be caught between the challenges of maintaining traditional working lands for future generations, paying property taxes, and gaining access to some of their equity by converting these lands for near-term profit. Land stewardship programs provide the technical assistance, financial guidance, and other resources needed to help landowners protect their properties’ natural assets.

Local governments can encourage private conservation efforts by promoting stewardship programs and partnering with governmental agencies or non-profits to provide assistance to property owners in their jurisdiction. The following section describes agricultural, forestry and conservation stewardship programs and resources.

Common Land Stewardship Tools

- **Natural resource conservation programs** provide financial and technical assistance to landowners for conservation practices including erosion and sediment reduction, water quality improvement, wildlife habitat enhancement, and tree planting.

- **Conservation reserve enhancement programs** provide financial incentives for farmers to limit crop production and livestock grazing in fragile soil areas close to streams. This tool can also be useful for state and local governments in targeting critical resources for conservation.

- **Forest stewardship plans** help forest landowners maximize the value of their timber resources while ensuring long-term health of the land. Forest management plans also allow for long-term economic viability by creating harvest plans that allow for sustainable economic returns. By promoting healthy forests, local governments can ensure long-term viability of local forest economies.

- **Conservation easements** create financial incentives for preserving land by providing tax benefits to landowners who preserve farmland or forest.

- **Agricultural and forestal best management practices (BMPs)** help reduce erosion and pollution from agricultural runoff by adopting measures like conservation tillage and buffering streams from crop production and livestock grazing.

Resources

- **American Farmland Trust - Farmland Protection Toolbox**
  - Provides an overview of farmland protection tools available to landowners and local governments. ([www.farmland.org/resources/publications/default2.asp](http://www.farmland.org/resources/publications/default2.asp))

- **Conserve On-line: Private Forest Resources**
  - Offers general information and resources to forest landowners, technical information on using forest management practices, an overview of the principles of forest management, and links to state resources. ([conserveonline.org/workspaces/privateforests](http://conserveonline.org/workspaces/privateforests))
Overview

Conservation easements (CEs) offer a way for private landowners to preserve their quality of life and help preserve the rural character of their communities. A conservation easement is a legal document between a landowner and a public agency or organization that allows a property owner to place permanent land use restrictions on their property. A property owner may do this to ensure that the land can continue to be used for farms or forests into the future, or to protect the natural beauty of the landscape. In exchange for placing land in a CE, a landowner may receive federal tax deductions and state tax credits.

CEs commonly reduce the number of subdivisions allowed, restrict the number of new buildings and roads, or limit other land uses that would harm the conservation value of the property. They do not, however, require the public be given access to the land. The landowner retains title to the property and can sell, donate, or use the property as collateral for a loan. A CE is granted by a landowner (the grantor) to an agency or organization qualified to hold easements (the grantee). Grantees may be government agencies or land trusts, which are non-profit organizations formed for the purpose of land conservation.

Using Conservation Easements for Open Space Preservation

Local governments can support private landowner conservation efforts in the following ways:

- Developing a community-wide strategy for land conservation, working with and supporting local land trusts, and partnering with regional agencies and non-profits to conserve significant community resources.

- Developing Purchase of Development Rights programs to enable protection of areas with special conservation values.
Special Considerations

- CEs in general limit development and some land uses but otherwise do not affect private property rights.
- Land protected by CEs remains on local tax rolls, though the easement may lower the real estate property tax assessment.
- CEs can be applied to an entire property or just a portion of the property.
- CEs typically remain in place in perpetuity regardless of a property’s ownership or changes in local zoning.
- The donation of a permanent conservation easement may qualify a landowner for federal income tax deductions, state tax credits and reduced property taxes.

Land Trusts in Virginia

Any non-profit organization whose mission includes land conservation and that has maintained a principal office in Virginia for at least five years may serve as a grantee and hold easements. Grantee organizations also must have a mechanism in place for easement enforcement, to ensure that landowners continue to comply with easement restrictions.

Resources

- **Virginia’s Land Conservation Program**

- **The Virginia Outdoors Foundation (VOF)**
  - Holds many of the VA’s conservation easements. VOF’s web site includes a sample deed and additional tax credit details. ([www.virginiaoutdoorsfoundation.org](http://www.virginiaoutdoorsfoundation.org))

- **Piedmont Environmental Council**
  - Assists landowners in achieving stewardship goals, including the implementation and transfer of conservation easements. ([www.pecva.org](http://www.pecva.org))

- **The Nature Conservancy**
  - National organization with a land stewardship strategy for Virginia’s Piedmont region. ([www.nature.org/wherewework/northamerica/states/virginia/preserves/art15031.html](http://www.nature.org/wherewework/northamerica/states/virginia/preserves/art15031.html))
Overview

Local governments are recognizing the growing importance of protecting their community’s drinking water supply and other water resources. Agricultural and forestal land, if not managed carefully, can be a significant source of water pollution. Adopting BMPs can help ensure that working lands are not polluting water supplies with sediment and other contaminants. Agricultural BMPs are farming practices that reduce the amount of nutrients used on crops, limit grazing in areas close to streams and water bodies, and control erosion of agricultural soils. Forestal BMPs provide guidance for prescribed burning, timber harvesting, construction of logging roads and silviculture practices.

BMPs for Natural Resource Preservation

There are several common agricultural BMPs that farmers can use to reduce agricultural runoff.

- **Conservation Tillage**: By leaving crop residue (plant materials from past harvests) on the soil’s surface, farmers can reduce runoff and soil erosion, maintain soil moisture, and keep nutrients and pesticides on the fields, improving soil and water quality.

- **Crop Nutrient Management**: Managing and tracking nutrient inputs helps ensure that required nutrients are available to meet crop needs.

- **Conservation Buffers**: Maintaining native riparian vegetation in areas along streams and water bodies (buffers) provides an agricultural runoff barrier that stabilizes eroding stream banks and captures potential pollutants that might otherwise move into surface waters. A 100-foot vegetated buffer can remove 97 percent of sediment, 80 percent of nitrogen, and 77 percent of phosphorus.

- **Alternative Watering Systems**: Livestock and other animals can be kept out of streams by fencing streams and providing alternative water systems.

- **Silviculture and Forest Management Plans**: The first step toward a healthy, productive woodland is a Forest Management or Stewardship Plan. Silviculture is the art and science of controlling the establishment, growth, composition, health, and quality of forests to meet diverse needs and values of the landowners, societies, and cultures. These may be human needs for pretty scenery, wood products or safe places to recreate. Conversely, these needs may be ecological, such as providing a suitable place to live for a particular type of animal or sustaining a particular type of forest. Silviculture typically involves developing an inventory of what exists in an area of forest and then implementing proper forest management practices that help to maintain forest health, water quality, and habitat protection.
Special Considerations

- The application of BMPs will vary based on the farmland’s physical characteristics (e.g., location of water resources and soils prone to erosion), the type of farming (e.g., crop production, grazing), and amount of acreage farmed or harvested.

- Large farms and ranches may benefit from technical and financial assistance to identify, finance and implement BMPs; state and federal cost-share programs can help farmers select appropriate BMPs and recover costs for implementation.

BMPs in Virginia

- Soil and Water Conservation Districts (SWCDs) in Virginia assist farmers interested in developing an agricultural conservation plan. SWCDs also focus on promoting agricultural BMPs in priority watersheds, where water pollution is a significant concern. SWCDs can help farmers obtain financial assistance to offset the costs of implementing conservation farming practices.

- Foresters from the Virginia Department of Forestry (VDOF) are available in every county to provide management plans for woodland owners. Some tax benefits and cost-share incentive programs require a Forest Stewardship Plan to ensure the landowner’s commitment to conservation practices in return for financial benefits. VDOF charges $1.50 per acre for every planned acre with a minimum charge of $200.00 per plan.

Resources

- The American Farmland Trust
  - Sponsors a program called the BMP Challenge, a risk-free option for farmers interested in testing conservation tillage, and nutrient management BMPs.
  (www.farmland.org/resources/bmpchallenge/default.asp)

- Virginia’s Soil and Water Conservation Program
  - Provides information on technical and financial assistance available for farmland owners interested in implementing agricultural BMPs in Virginia.
  (www.dcr.virginia.gov/soil_&_water/costshar.shtml)
Overview

Federal, state and local governments have recognized the financial limitations faced by many agricultural landowners when balancing land conservation and farming activities. There are natural resource conservation programs that provide financial and technical assistance to landowners for conservation practices including erosion and sediment reduction, water quality improvement, wildlife habitat enhancement, and tree planting. Some of the federal programs include:


- **Environmental Quality Incentives Program (EQIP)** provides technical and financial assistance and education from the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) and the Farm Service Agency (FSA). EQIP aims to help farmers and ranchers address soil, water and related natural resource concerns on their lands in an environmentally beneficial and cost-effective manner. EQIP also assists farmers and ranchers in complying with federal, state, and local environmental regulations. ([www.nrcs.usda.gov/programs/eqip/](http://www.nrcs.usda.gov/programs/eqip/))

- **Wildlife Habitat Incentives Program (WHIP)** provides landowners with technical and financial assistance in the form of cost-share payments to develop wildlife habitat on private land. Agreements generally last from five to 10 years. WHIP is sponsored by the NRCS in partnership with the Department of the Interior (DOI), Fish and Wildlife Service (FWS), and state wildlife agencies. ([www.nrcs.usda.gov/programs/whip/](http://www.nrcs.usda.gov/programs/whip/))

- **Wetlands Reserve Program (WRP)** provides technical assistance to landowners for protecting and restoring wetlands and evaluating options for wetland protection and wildlife habitat including conservation easements. WRP is operated by the NRCS, DOI, and FWS in partnership with the Forest Service (FS) and the FSA. ([www.nrcs.usda.gov/programs/wrp/](http://www.nrcs.usda.gov/programs/wrp/))

**Using CREP to Support Community Conservation Goals**

Conservation Reserve Enhancement Programs (CREPs) are state- and federally-funded programs that provide an opportunity for farmers to replace active cropland or grazing land with vegetation that is erosion resistant. In exchange, farmers can receive financial compensation in the form of rental payments for the period of time that the land is not farmed. These programs provide economic benefits to farmers and help to preserve the long-term health of agricultural land and water resources.

- CREPs are typically established in specific regions where water quality is threatened by farmland erosion and agricultural runoff.
- CREPs require the planting of hardwood trees and native grasses on pastureland and the reduction of grazing land within 100 feet of streams or water bodies. The practice of replacing cropland or grazing land within stream buffer areas helps reduce erosion and nutrient loading to streams to improve health of land and quality of water.
- CREPs offer compensation for participating landowners based on acres of farmland placed in conservation. Rental payments, cost-share arrangements, and tax incentives can help defray costs to remove productive land from farming operations and to implement conservation practices.
Special Considerations

- Landowners pay upfront costs for conserving cropland and riparian areas. Cost-share arrangements can help defray costs by reimbursing landowners for material costs.
- Landowners maintain conservation practices on land enrolled in a CREP for a period of 10 to 15 years. This requires a long-term commitment from participating landowners.
- CREPs are administered through the FSA. Local soil and water conservation districts and state conservation agencies are the primary contacts for landowners interested in participating in a CREP.

CREP in Virginia

Landowners in Virginia are eligible for CREP rental payments and additional financial incentives.

- Virginia’s CREP divides the state into two regions: the Chesapeake Bay CREP and the Southern Rivers CREP.
- Within the Chesapeake Bay region, land owners can receive annual rental payments of $100 per acre for conserving farmland and areas adjacent to streams.
- In Augusta County, Virginia, 42 acres along Blackcreek River have been placed in a CREP. The 12,000 feet of fencing keep the cattle out of the river, and native grasses and trees have been planted within a 100-foot stream buffer. Fifteen watering stations were constructed for the cattle. Cost-share agreements with the FSA, and grants from conservation organizations have helped reimburse farmers for 85 percent of the cost to make these improvements.

Resources

- Virginia’s Conservation Reserve Enhancement Program
  - Provides technical assistance and application materials for landowners interested in enrolling farmland in a CREP.
  - [www.dcr.virginia.gov/soil_&_water/crep.shtml]
Forest Stewardship Plans

**Overview**

Forest Management Plans (FMPs) can help to improve the long-term viability and sustainability of forest lands. They can also help landowners elevate forest health, forest productivity and economic returns. Landowners can use FMPs to identify which trees to leave in place and which trees to harvest in order to ensure that the entire forest receives adequate sunlight, water, and nutrients. FMPs can also be used to help landowners identify specific ways to harvest valuable timber resources, while conserving fragile habitats that are essential to long-term forest health.

FMPs can help forest landowners identify opportunities for non-timber uses, such as hiking, biking, off-road vehicle use, hunting, and fishing. Former logging roads may serve as trail systems for hiking and biking or may be restored to enhance wildlife habitat.

**Using Forest Stewardship Plans to Support Community Conservation Goals**

The conversion of forestland into urbanized or intensively developed land is contributing to the fragmentation of forests across the United States. This fragmentation limits the economic vitality of forests and results in the loss of habitat critical for the preservation of water quality. Local governments are increasingly looking to FMPs to help reduce the effects of forest fragmentation and preserve the value of forest assets, including timber, non-timber forest products, and scenic, recreational, and water resources. Developing strategic FMPs can help to ensure that forestland remains intact over the long-term.

FMPs are based on the objectives of the landowner and typically include the following components:

- Inventory of forest land characteristics.
- Forestland maps of timber, use, soil type and other physical features.
- Harvest strategies and practices.

**Resources**

- **Forest Health Protection Program**
  - Provides technical assistance to landowners on forest health issues, particularly those related to outbreaks of disturbance agents such as insects, pathogens, and plants.
  - [www.fs.fed.us/foresthealth/](http://www.fs.fed.us/foresthealth/)

- **Forest Land Enhancement Program**
  - A voluntary program for non-industrialized private forest landowners that provides technical and educational assistance to foster forest sustainability through activities such as tree planting, thinning, habitat and water quality enhancement, and cost sharing.

- **Forest Legacy Program**
  - A voluntary program that supports property acquisition and efforts to acquire donated conservation easements to support public purposes identified by the state and agreed to by the landowner.

- **Forest Stewardship Program**
  - Assists landowners in developing management plans for watershed protection, wildlife habitat, and recreational opportunities and other amenities, and assists states in working with landowners to improve tree and seedling production and landowner education.
Special Considerations

- **Sustainable Forest Branding**: Landowners can use sustainable forest management practices to command premium prices for timber sales. Consumers are willing to pay more for finished timber products that have been harvested in ways that minimize impacts on forest land resources. There is a wide array of sustainable forestry certification programs that forest landowners can consider. These programs offer sustainable forestry accreditation and timber labeling.

Resources

- **Conserve On-line:Private Forest Resources** ([conserveonline.org/workspaces/privateforests](http://conserveonline.org/workspaces/privateforests))
- **FS – Backyard Woods Program** - Designed for landowners with small forested lots. ([www.na.fs.fed.us/spfo/pubs/misc/byw/byw.shtm](http://www.na.fs.fed.us/spfo/pubs/misc/byw/byw.shtm))

According to the U.S. Forest Service, “every day, America loses more than 4,000 acres of open space to development; that’s more than 3 acres per minute ...”

Forest Management Plans in Virginia

- Over 66 percent of Virginia’s forestland is privately owned. To encourage long-term forest planning, Virginia’s Department of Forestry (VDOF) has a forest stewardship program to assist land owners in the development of forest management plans.