

# Land Conservation in Virginia: state and federal programs

Presentation to the Joint Subcommittee to Study Long-Term Funding Sources for the Purchase of Development Rights to Preserve Open-Space Land and Farmlands

> August 23, 2006 Nikki Rovner, Deputy Secretary of Natural Resources





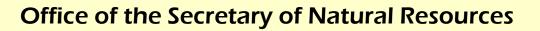
# Overview

- Land Conservation Primer
- State Programs
- Federal Programs





- Acquire what?
  - Fee simple
  - Conservation Easements
- Acquire how?
  - Donation
  - Purchase
- Who acquires?
  - State and federal agencies, local governments, SWCDs
  - Private land trusts







#### Acquire what?

- Fee simple
  - Public access usually allowed
  - E.g.: parks, wildlife management areas, state forests, natural area preserves
  - E.g.:National wildlife refuges, national parks, national forests
- Conservation Easement
  - a.k.a. Open Space Easement or Preservation Easement
  - Restriction on right to develop property
  - Usually perpetual
  - Under state law, can only be held by land trusts, conservation agencies, local governments
  - Land trusts must co-hold for first 5 years of existence





#### Acquire how?

- Donation
  - (State land preservation tax credit: about to change)
  - Federal income tax deduction: changed 8/17/06
    - Raised the deduction a landowner can take for donating a conservation easement from 30% of their income in any year to 50%;
    - Allows qualifying farmers and ranchers to deduct up to 100% of their income; and
    - Extends the carry-forward period for a donor to take tax deductions for a voluntary conservation agreement from 5 to 15 years.
    - Changes effective for two years
- Purchase at fair market value or through a bargain sale





#### Who acquires?

- State agencies
  - Department of Conservation and Recreation
  - Department of Forestry
  - Department of Game and Inland Fisheries
- Private land trusts
  - The Nature Conservancy
  - Middle Peninsula Land Trust
- Virginia Outdoors Foundation (hybrid)
- Federal agencies
- Local governments, SWCDs





# State programs

- State agency land acquisition
- Virginia Outdoors Foundation
- Virginia Land Conservation
  Foundation
- (Office of Farmland Preservation)





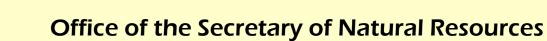
### State programs: State agency land acquisition

Examples

- Wildlife Management Areas
- State Forests
- State Parks
- Natural Area Preserves

#### Where does the funding come from?

- State general fund appropriations and treasury loans
- State general obligation bonds and Virginia Public Building authority bonds
- Federal grants and appropriations Nonprofits often facilitate these transactions.







### State programs: Virginia Outdoors Foundation

Virginia Outdoors Foundation

- Since 1966
- Primarily accepts donated conservation easements
- 330,000 acres under easement
- 1900 properties

Department of Historic Resources also holds easements

- Also since 1966
- 20,000 acres
- 400 properties





### State programs:

#### **VA Land Conservation Foundation**

Competitive matching grant program

- Eligible: state agencies, local governments, nonprofits
- Grant applications are ranked by an interagency team
- Grants awarded by a Board of Trustees

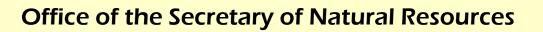




# State programs

Virginia Land Conservation Foundation

- Statutory formula
  - 75% split among 4 categories
    - Open spaces and parks
    - Farm and Forest Land
    - Natural areas
    - Historic resources
  - 25% to Open Space Lands Preservation Trust Fund
    - Administered by VOF to assist landowners







# State programs

Virginia Land Conservation Foundation (continued)

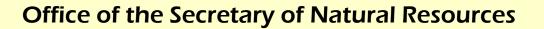
- \$12.5 million in FY 06
  - In \$10 million grant round VLCF received \$30 million in requests
- \$2.5 million in FY 07 & 08





### Federal programs (not exhaustive)

- Land and Water Conservation Fund
  - Federal side: appropriations for federal land acquisition
  - State side: states use and pass through to localities through grants
- Forest Legacy
  - States rank projects and Congress appropriates
- Coastal and Estuarine Land Conservation
  - Similar to Forest Legacy

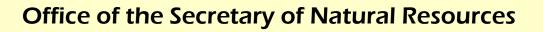






# Federal programs

- North American Wetlands Conservation
  - Competitive grant program
  - Administered by US Fish and Wildlife Service
- Farm and Ranchland Protection Program
  - Competitive grant program
  - Administered by Natural Resources Conservation Service
- Military buffers
  - E.g.: Fort A.P. Hill
- All of these programs have common elements







# Common elements of federal programs

- Shrinking overall amounts
  - State-level advocacy helps projects compete for limited dollars
- Nonfederal match required!
  - This is often a limiting factor.





### **Questions?**

