



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

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Overview

- Land Conservation Primer
- State Programs
- Federal Programs



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Land Conservation Primer

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



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Land Conservation Primer

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



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Land Conservation Primer

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



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Land Conservation Primer

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



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State programs

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



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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.



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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



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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



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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



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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



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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



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Federal programs

continued

- 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



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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.



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Questions?



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