

Local Governments' Role in Purchase of Development Rights (PDR) Programs

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*VIRGINIA DEPARTMENT
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Office of Farmland Preservation

- General Assembly established Virginia Agriculture Vitality Program (2000)/Office of Farmland Preservation (2001)
- Office of Farmland Preservation is responsible for the following:
 - Developing model policies, certification criteria, and methods and sources of funding for local PDR programs
 - Creating public education programs about farmland preservation
 - Providing technical assistance on farmland preservation
 - Administering Virginia Farm Link program

Development of Model PDR Program for Virginia

- VDACS established Farmland Preservation Task Force
 - Diverse group of members
 - Task force agreed to several fundamental positions at outset
- “Part 1: Suggested Components of Local PDR Programs”
 - Released June 2004
- “Part 2: A Proposed State-Level Program to Complement Local PDR Programs”
 - Released November 2005

Suggested Components of Local PDR Programs

- Clearly defined program goals and purposes
- Action plan for education/outreach
- Adopted PDR ordinance/resolution
- Easement valuation process established

Suggested Components of Local PDR Programs (cont.)

- Broader agricultural enhancement strategy established
- Deed of easement that reflects program intent
- Monitoring program established
- Program evaluation mechanism established

Conservation Easements

- Legal agreements designed to permanently protect a desired conservation purpose
- Between landowners and a qualified conservation organization or public agency
- Deed of easement recorded locally and runs with the land
- Landowner retains all other ownership rights
- Allow for continued use of the property
- These are voluntary programs!

Conservation Easements (cont.)

- Easements can be donated
 - Federal tax benefits
 - Virginia state tax credits
- Easements can be sold
 - Purchase of Development Rights (PDR) programs
 - Transfer of Development Rights (TDR) programs

State Matching Funds for PDR Programs

- In 2007, Governor and General Assembly approved \$4.25 million for state matching funds to local PDR programs for FY 2007 and FY 2008
- Fifteen localities applied by first deadline, with almost \$45 million available in local PDR program funding
- Fourteen localities were certified for FY 2008 allocation round
- Award letters and intergovernmental agreements were released February 26

Allocation of State PDR Matching Funds

- Fund distribution:
 - Available funds divided equally by certified programs
 - Available on a \$1 to \$1 match
 - Remaining funds redistributed
- Other program mechanics:
 - Two years to use funds
 - Actual funds received upon closing of approved easement
 - Up to 50 percent reimbursement of easement purchase price and other reimbursable costs
 - Other state funds cannot be used as local match

State Matching Funds- FY 2009 and FY 2010

- Total of \$1.5 million in state matching funds for local PDR programs in current biennium
 - \$500,000 in FY 2009
 - \$1 million for FY 2010
- FY 2009 deadline for fiscal and program certification is October 17, 2008
- Total amount available subject to budget reductions

For Additional Information

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