



PURPOSE

Nationwide, America is losing farmland. According to the American Farmland Trust, the United States is losing 2.2 million acres of rural lands to urban sprawl every year. This means that, across the United States, over 4 acres of rural lands are consumed every single second.

In an effort to address the loss of farmland, over 50 states have implemented farmland protection programs to and including fiscal year 2003-2004.

- Alabama
- Alaska
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- Florida
- Georgia
- Hawaii
- Idaho
- Illinois
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
- Ohio
- Oklahoma
- Oregon
- Pennsylvania
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming
- Pacific Basin
- Puerto Rico

In 1996, the U.S. Department of Agriculture funded a farmland protection effort with a 6-year goal of protecting between 170,000 and 340,000 acres of farmland.

West Virginia has not escaped the loss of farmland. From 1964 to 1997 the U.S. Department of Agriculture reports West Virginia lost an incredible 17,732 farms and 1,823,060 acres of farmland.

From 1982 through 1997 twenty-five of the most productive counties in West Virginia had a combined loss of 103,519 acres of productive farmland. However, 40% of that loss was recorded from the Eastern Panhandle counties; Berkley, Jefferson and Morgan County, respectfully.



The U.S. Department of Agriculture also reports West Virginia lost 21,676 acres of orchard land from 1964 to 1997.

To address the loss of agriculture land and woodland as farmland², the West Virginia legislature passed into law on March 10, 2000 the Voluntary Farmland Protection Act.

See Endnotes²



Agriculture is an integral part of Jefferson County's economy, landscape and natural resource base.

The industry consists of predominately family owned businesses with 83 percent of farms in 1997 owned by individuals or families. Partnerships and family corporations account for 15 percent of the remaining farms. In 1974, there were 434 farms in Jefferson County. Since that time the number of farms has declined to 357 farms according to the 1997 Census of Agriculture. In that same time period, the average farm size has also decreased from 227 acres to 204. In 1997 over 34 percent of Jefferson County farms were 180 acres or more in size. This has fluctuated no more than 5 percent since 1974. There has been a steady decline since 1974 of the number of farms that are 50 to 179 acres. There has also been a dramatic increase in the number of farms between 10 and 49 acres (72%) and those that are less than 10 acres (100%).

The crops grown and the intensity of agricultural land uses has changed dramatically since 1974. The most significant changes have occurred in the land in orchards that has declined from 3,325 acres to 1,490 acres and in the number of dairy cows that have declined from 6,883 cows to 3,305 cows. Both of these agricultural enterprises are capital intensive. There are fewer farms with beef cows than in 1974, but there has been a resurgence of nearly 1,000 cows and 33 farms since the 1992 Census of Agriculture. The acres in pasture have decreased from 20,310 in 1974 to only 13,216 in 1997 while the crop acreage has increased from 15,045 acres to 20,852 acres. Farms and acres of "truck crops" have also increased since 1974 and it is occurring on farms with an average size of less than 5 acres.

See Index to Census



The unknown commodity that has a major impact on agriculture services and opportunities for conventional agricultural producers is the horse owner.

There are no figures kept on the number of farms, size of farms or type of horse kept through the census of agriculture on pleasure or thoroughbred horses.

What is more telling about the status of agriculture in Jefferson County are the characteristics of those farms that have farm sales over \$10,000 representing 151 farms or 42 percent of the farms. These farms also represent 82 percent of the land in farms and have an average size of 398 acres. The average value of these farms is \$1,310,815. The majority of these farms are family owned (72%) while the rest of the farms are partnerships or family corporations. Comparing the 1997 Census with the 1982 Census of Agriculture, the number of farms in this category has decreased from 187 and the percent of all farms has decreased from 47 percent. The acreage per farm has increased by only 11 acres. The largest change since 1982 is the value of land and buildings, which has increased by 139 percent.

See Index to Census

The purpose of the Farmland Protection Program establishes uniform standards and guidelines for the eligibility of properties and the ranking criteria utilized to prioritize allocation of funds to purchase conservation easements, or to pay associated costs for the purchased or donated easements.



The guidelines established by this program outline the various methods of farmland protection available to prospective participating property owners, and the procedures to be followed in applying for program consideration. ♦

See Appendix - forms 1 thru 9



PRINCIPLES OF LAND PROTECTION

Every land trust or farmland protection board in the United States operates under well-established industry principles. Some of these principles are designed to meet legal or Federal tax requirements, while others are in keeping with sound, time-tested principles of land protection.

The following principles have been used by the Jefferson County Farmland Protection Board in its program design where possible, and will be used in any decision-making process:

- The property owner is willing to sell or donate the conservation easement on the property through a legally binding agreement that is perpetual and enforceable.
- The property owner(s) have clear title to the property.
- The property is either free of any mortgage, lien or tax assessment, the lender is willing to subordinate the loan to conservation easement, or the loan is not in excess of the agricultural value. If a secured loan exists, the donor understands that Federal tax benefits are not available.

- The conservation easement donation preserves², natural resources, an ecosystem, forestland, farmland, and/or native plants or animals.

See Endnotes²



- The property is either farmland or is in a relatively undisturbed natural condition, or contains natural features that need to be preserved.
- The property is not unduly subject to pollution or adverse influences from surrounding sources. The property itself is not polluted or subject to liability for any pollution cleanup.
- Protection of the property will be consistent with established public policy. (For instance, it may be inappropriate to accept a conservation easement on a piece