



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



of property already indicated for intended public roads.)



- The property is of sufficient size that the conservation resources of the property are likely to remain intact.
- The conditions required to be agreed to by the property owner do not contain provisions, which are unworkable or inconsistent with the overall intent of the conservation easement. (The provisions, for instance, could not diminish the property's primary conservation value or be unenforceable.)
- The conservation easement is within the Jefferson County Farmland Protection Board's means and ability to monitor and enforce, and/or the landowner is willing to provide compensation to assist in this effort to make the effort financially feasible.
- The acceptance of the conservation easement will not create an unusual or special liability exposure.
- Adequate and permanent access to the property is available.
- A survey has been completed on the property at some point in time, and current property lines can be verified by this survey. ♦