



GLOSSARY



. . . of terms and acronyms . . .

ACQUISITION OF EASEMENT:

The holding or co-holding of land-use restrictions under a Deed of Conservation Easement, whether obtained through purchase, gift, devise, bequest, grant or contract to co-hold with another holder.

upon it by the Deed of Conservation Easement.

AGRIBUSINESS:

Any business or operation which supports agriculture, either through the production or processing of agricultural products such as farm machinery dealer, food processor, feed mill, dairy co-op and others.



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AGRICULTURAL:

The production of plants and animals useful to man, including, but not limited to, forage, grain and field crops; pasturage, dairy and dairy products; poultry and poultry products; equestrian uses; livestock and fowl uses and livestock and fowl products; bees and apiary products; fruits and vegetables of all kinds; nursery, floral and greenhouse products; silviculture; aquaculture; viticulture which would include grape growing and wine making, micro-brewery or grain mill; and the primary processing and storage of the agricultural production of the property.

AGRITOURISM:

Activities conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation. These activities must be related to agriculture or natural resources. This term includes but is not limited to farm tours, hay rides, corn mazes, classes related to agricultural products or skills, picnic and party facilities offered in conjunction with the above and similar uses.

AGRICULTURAL VALUE:

The agricultural value of land is the price at the valuation date which a vendor, willing but not obligated to sell, would accept for the property, and which a purchaser, willing but not obligated to buy, would pay for the property subject to the restriction placed

CAVE:

An underground passage of at least 50 feet in length. Caves have a unique and fragile ecosystem that provides safe harborage for many species of flora and fauna. They are also unique in that they are direct vectors to the groundwater, and therefore must be protected from opportunities for surface contamination.



CLUSTER DEVELOPMENT:

A preservation tool intended to allow structures to be grouped on a portion of a development site in order to preserve the remaining agricultural land², forest land, or unique features of the remainder of the site.

CO-HOLD:

The act of having more than one grantee listed on the Deed of Conservation Easement.

COMMERCIAL (STRUCTURES):

Any wholesale, retail, or service business, or housing activity excluding single residential dwellings, but including apartment buildings, condominiums, or similar housing types. Structures needed for agricultural activities shall not be considered commercial structures.



COMMERCIAL FORESTRY:

The harvesting of timber, whether such trees are naturally present on the property or have been planted and grown for commercial purposes, for profit or trade. The growing of Christmas trees, orchards and nursery stock; or the removal, sale and renewal of such, shall not be deemed to be commercial forestry. In addition, ornamental plants and woodland products grown for human consumption are not considered commercial forestry. Uses of timber products on-site are allowable as permitted under the Deed of Conservation Easement.



CONSERVATION EASEMENT:

A non-possessory interest of a holder in real property, whether appurtenant or in gross, imposing limitations or affirmative obligations, the purposes of which include, but are not limited to:

- (a) retaining or protecting for the public benefit the natural, scenic or open-space values of real property;
- (b) assuring its availability for agricultural, forest, recreation or land² use;
- (c) protecting natural resources and wildlife;
- (d) maintaining or enhancing land, air or water quality; and/or
- (e) preserving the historical, architectural or cultural aspects of real property.

Conservation easements under *Article 24 - Voluntary Farmland Protection Program* must be perpetual and must be held by at least one "holder".



FARM, FARMLAND, OR AGRICULTURAL LAND:

A tract, or contiguous tracts of land, of any size, used or useable for agriculture,



horticulture or grazing; and includes all real property designated as wetlands that are part of a property used or usable as farmland.



FAIR MARKET VALUE:

The fair market value of the land is the price at the valuation date for the highest and best use of the property which a vendor, willing but not obligated to sell, would accept for the property, and which a purchaser, willing but not obligated to buy, would pay for the property if the property was not subject to any restriction imposed under the Deed of Conservation Easement.

GROUND WATER RECHARGE POTENTIAL:

Areas that have certain hydro-geologic soil characteristics that contributes to a significant replenishment of the groundwater aquifers, as determined by the Eastern Panhandle Conservation District.

HOLDER:

A grantee in the Deed of Conservation Easement defined as: (a) a governmental body empowered to hold an interest in real property under the laws of the state of West Virginia; or (b) a charitable corporation, charitable association or charitable trust registered with the Secretary of State and exempt from taxation pursuant to the *Internal Revenue Code of 1986, §501(c)(3)*, or other federal or state statutes or rules, the purposes or powers of which include retaining or protecting the natural, scenic, agricultural or land² values of real property; assuring the availability of real property for agricultural, forest, recreational or land² use; protecting natural resources and wildlife; maintaining or enhancing land, air

or water quality; or preserving the historical, architectural, archaeological or cultural aspects of real property.

HOME-BASED BUSINESSES:

Any occupation or business conducted entirely within the single residential structure or allowable accessory buildings, which is clearly incidental to the residential use of the building. Any occupation or business requiring a West Virginia Division of Environmental Protection permit to operate, such as an auto-repair business or a dry cleaning business, shall not be considered an allowable home-based business. In addition, any business requiring the on-site use of explosives or highly flammable or extremely hazardous materials as defined by the U.S. Environmental Protection Agency shall be disallowed.

INDUSTRIAL (STRUCTURES):

Any manufacturing process, material processing, warehousing, research and testing laboratories, product distribution centers, woodworking shops, furniture assembly, machine shops, recycling centers and uses of a similar nature. Structures needed for agricultural activities shall not be considered industrial structures.

JEFFERSON COUNTY COMPREHENSIVE PLAN:

A composite of mapped and written text, the purpose of which is to guide the systematic physical development of the County and is adopted by the County Commission.

KARST:

A terrain, generally underlain by limestone or dolomite, in which the topography is chiefly formed by the dissolving of rock, and which may be characterized by sinkholes, sinking streams, closed depressions, subterranean drainage, and caves. Karst is the result of natural processes in and on the earth's crust caused by the solution and leaching of limestone, dolomites, gypsum, halite, and other soluble



rocks.



MAJOR STREAM, MARSHES AND LAKES:

Defined as the following streams, creeks, marshes, lakes, or rivers in or bordering Jefferson County:

- Altona Marsh
- Bullskin Run
- Cattail Run
- Dry Run
- Elk Branch
- Elks Run
- Evitts Run
- Flowing Springs Run
- Forge Run
- Furnace Run
- Hog Run
- Hopewell Run
- Lake Louise
- Long Marsh Run
- North Fork Bullskin Run
- Opequon Creek
- Potomac River
- Rattlesnake Run
- Rocky Branch
- Rockymarsh Run
- Shenandoah River
- Town Run
- Town Run Marsh
- Turkey Run



MATURE FORESTS:

Woodlands that have had no significant tree removal for 30 years or more.

MAXIMUM EASEMENT VALUE:

The maximum easement value is the difference between the *fair market value* of the land and the *agricultural value* of the land.

MINOR STREAM:

Any stream or creek which runs year round, not listed as a major stream.

MOUNTAINOUS TERRAIN:

Parcels with at least 20 percent of the parcel comprised of slopes 25 percent or greater.



NATURAL RESOURCE CONSERVATION SERVICE PLAN:

A document that applies to highly erodible cropland and describes the conservation system applicable to the highly erodible cropland and the decisions of the land-owner with respect to location, land use, tillage systems and conservation treatment measures and schedules. It is approved by the local soil and conservation district in consultation with the local committees



established under the *Soil Conservation and Domestic Allotment Act* and NRCS.

OFFERING PRICE:

The amount the landowner is asking to be reimbursed for the sale of the conservation easement to the Jefferson County Farmland Protection Board. The offering price can be the maximum easement value, or it can be some fraction of this value.



OPEN SPACE:

Property left undeveloped in order to preserve natural features or scenic qualities. Such property may be held by a private owner or held as common area for the benefit of multiple property owners. Open space may consist of natural areas (meadows, fields or forested areas), agricultural areas, wetlands, streams or bodies of water, stormwater management areas, and lawns (with or without trees). Areas requiring an extensive commitment of land resources as required by golf courses, racetracks for uses other than equestrian use, tennis clubs, baseball, soccer and other ball fields and similar uses shall not be considered open space.



OTHER FARMLAND:

Land defined as farmland not otherwise classified as prime, unique, or of statewide or local significance.

POLLUTION:

The introduction of substances in the environment of such character and in such quantities that the quality of the environment is substantially impaired or rendered offensive to life.

PRESERVATION EASEMENT:

A conservation easement, also which includes a nonpossessory interest in an historical building.



PRIME FARMLAND / SOIL:

Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It includes crop land, pasture land, range land, and forest land. Properties containing prime or unique soils can be identified through a soils map prepared by the U.S. Geological Survey and maintained by the Eastern Panhandle Conservation District.

- AS Ashton Loam
- BaB Benevola Silty Clay Loam, 2-6% slopes
- BrB Braddock Gravelly Loam, 2-6% slopes
- DgB Duffields Silt Loam, 2-6% slopes
- FbB Frankstown Shaly Silt Loam, 2-6% slopes
- HbB Hagerstown Silt Loam, 2-6% slopes
- HfB Hagerstown and Frederick Cherty Silt Loams, 2-6% slopes
- Hn Huntington Silt Loam



- Ho Huntington Silt Loam, Local Alluvium
- Lf Landes Fine Sandy Loam
- Ln Linside Silt Loam
- Lo Linside Silt Loam, Local Alluvium
- MhB Monongahela Silt Loam, 2-6% slopes

PUBLIC PROPERTY-UNIMPROVED PARKLAND, WILDLIFE MANAGEMENT AREAS:

Lands including public park lands that are substantially unimproved or state-designated wildlife management areas. Unimproved park land can include open space areas designated for hiking, horseback riding, or general recreation. Parkland shall be considered to be improved, if the park consists primarily of lighted ball fields, skate parks, pool areas, or similar facilities.



QUALIFYING PROPERTY:

Property that meets the minimum eligibility requirements and the donation guidelines (if applicable) is to be considered for sale or donation to the Jefferson County Farmland Protection Board. The Farmland Protection Ranking Criteria as established by the Jefferson County Farmland Protection Board must rank qualifying property. Status as qualifying property does not guarantee acceptance into the Jefferson County Farmland Protection Program.

See Ranking Criteria page 35 of this report

SINGLE RESIDENTIAL DWELLING:

A detached residential dwelling *excluding*: apartment buildings, townhouses and

condominiums. The residential dwelling must appear as a single-family home, but may house one or more families or occupants. The residential dwelling shall in no case exceed 12,000 square feet.

Single residential dwelling, existing at time of sale of easement *West Virginia Code §8-24-80(c):*

A single residential dwelling which (a) is either completed at the time the conservation or preservation easement is executed; or (b) meets the requirements of a retained development right.



SINK OR SINKHOLE:

A depression in the land surface formed by solution or collapse directing surface runoff into the subsurface or to an underground drainage flow; common in areas of limestone, carbonate rock, or salt beds. Karst areas of Jefferson County have a substantial number of sinkholes.

SKETCH PLAT:

Property layout showing the entire parcel as it exists on the current tax map. Plat can be hand drawn but at an approximate reasonable scale (1 inch = 50 feet, 1 inch = 100 feet or 1 inch = 200 feet). The plat shall have USGS contour lines superimposed on it and it should show in simple form existing improvements, such as structures and driveways, and natural features, such as watercourses, ponds, woods and rock outcrops. The sketch plat should also show the area and acreage intended for easement dedication. It should also show all adjoining properties identified by owner and acreage. A tract location map, a soils report indicating the soil types



on the parcel and a map delineating the boundaries of each soil type, should accompany the sketch plat.



STATE-WIDE OR LOCALLY-SIGNIFICANT FARMLAND / SOIL:

Other productive farmland that is important either locally or to the state. The property must contain at least 50 percent of one or more of the following soil types and land contours, or must be otherwise designated as significant farmland by the Eastern Panhandle Conservation District:

- BkB Berks shaly silt loam, 2-6% slopes
- BIB Berks-Weikerrt shaly silt loams, 2-6% slopes
- BrC Braddock gravelly loam, 6-12% slopes
- CdB Chilhowie silty clay, 2-6% slopes
- DcC Dekalb channery fine sandy loam, 6-12% slopes
- FbC Frankstown shaly silt loam, 6-12% slopes
- HbC Hagerstown silt loam, 6-12% slopes
- HfC Hagerstown and Frederick cherty silt loams, 6-12% slopes
- LaC Laidig gravelly loam, 6-12% slopes
- Am Alluvial land, marl substratum
- BnB Blairton silt loam, 2-6% slopes
- Me Melvin consist of deep, nearly level, poorly drained soils

- BcC3 Benevola clay, 6-12% slopes, severely eroded
- DgC3 Duffields silt loam, 6-12% slopes, severely eroded
- FbC3 Frankstown shaly silt loam, 12-25% slopes
- FbD Frankstown shaly silt loam 12-25%
- HeC3 Hagerstown silty loam, 6-12% slopes, severely eroded
- HhC3 Hagerstown and Frederick cherty silty clay loams, 6-12% slopes, severely eroded
- BeC Benevola very rocky, silty clay, 6-12% slopes
- ScC Frankstown very rocky, silty loams, 6-12% slopes

SUBORDINATED LOAN:

A loan secured by easement property where the lender has agreed to abide by the terms of the Deed of Conservation Easement in the event of foreclosure of the property.



SUBSURFACE MINERAL RIGHTS:

The right to mine or otherwise extract minerals, oil or gas from below the surface estate. Mineral rights separated from the fee simple ownership of the property are known as third-party mineral rights.

WETLANDS:

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support,



and that, under normal circumstances, does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. The substratum is predominantly hydric soil.

WOODLAND(S):

Areas of substantial tree cover that are not currently usable for farming. Woodland shall be considered land of a farm only if it is part of or appurtenant to a tract of land

which is farm or held by common ownership of a person or entity owning a farm, but in no event may woodland include land used primarily in commercial forestry or the growing of timber for commercial purposes or any other use inconsistent with farm use. ♦



ACRONYMS:

CWT	Civil War Preservation Trust
DEP	Department of Environmental Protection
DoH	Division of Highways
EPA	Environmental Protection Agency
EPCD	Eastern Panhandle Conservation District
FEMA	Federal Emergency Management Agency
FPB	Farmland Protection Board
FPF	Farmland Protection Fund
FPP	Farmland Protection Plan
IRS	Internal Revenue Service
NASS	National Agricultural Statistics Service
NPS	National Park Service
NRCS	Natural Resources Conservation Service
USDA	United States Department of Agriculture
USGS	United States Geological Service
VFPA	Voluntary Farmland Protection Act
VFPP	Voluntary Farmland Protection Program
WVEC	West Virginia Environmental Council
WVFB	West Virginia Farm Bureau ♦