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June 2004

# Rappahannock Views

## Supervisors Adopt RCCA Farmland Preservation Program

By MONIRA RIFAAT

Farmland in Virginia is disappearing at the rate of 46,000 acres per year. Why? Because land is more valuable for housing or businesses than for farming. Rappahannock farmers are tempted to sell out to developers just to pay the taxes. Young farmers can't afford to purchase or even inherit farmland.

How can we encourage our farmers to keep farming? At their May 2004 meeting, the Rappahannock County Board of Supervisors unanimously approved the new Farmland Preservation Program, which was initiated by RCCA board member Monira Rifaat and supported by the full RCCA board.

The program encourages working farmers—farmers who are land rich but cash poor and want to keep farming—to donate a conservation easement on their property. In this way the property can be protected from development, and the farmers receive a cash settlement.

The program pays farmers who volunteer to give up their rights to develop their properties. Farmers retain their rights to own, use, and control the land in every other way. The program allows farmers who want to hold onto their farms to cash in a fair percentage of the equity in their land, thereby creating a financially competitive alternative to selling the land for nonagricultural purposes. Permanent easements prevent development, facilitate transfer

of the farm to the children of farmers, and make land more affordable to beginning as well as experienced farmers.

The Farmland Preservation Program has other benefits besides preserving land and helping to keep farmers in business. It also benefits our schools. Conservation easements lock in a lower value for the land in the eyes of the state, which results in higher funding for our public schools.

Another benefit the program offers is helping to keep our taxes low. Farms pay more in taxes and fees than the cost of services they use. Preserving farms helps to balance the local budget and keeps taxes down.

Funding for the program will come from several sources. One is roll-back taxes: landowners in land use taxation who convert to market value taxation must pay six years in back taxes. Other funding sources are state and federal grants, and private donations.

For more information on the Farmland Preservation Program, contact Monira Rifaat at (540) 987-8613 or by e-mail at [monira@manorfarm.us](mailto:monira@manorfarm.us).



Photo by Richard Lykes

## What Is a “Conservation Easement,” Anyway?

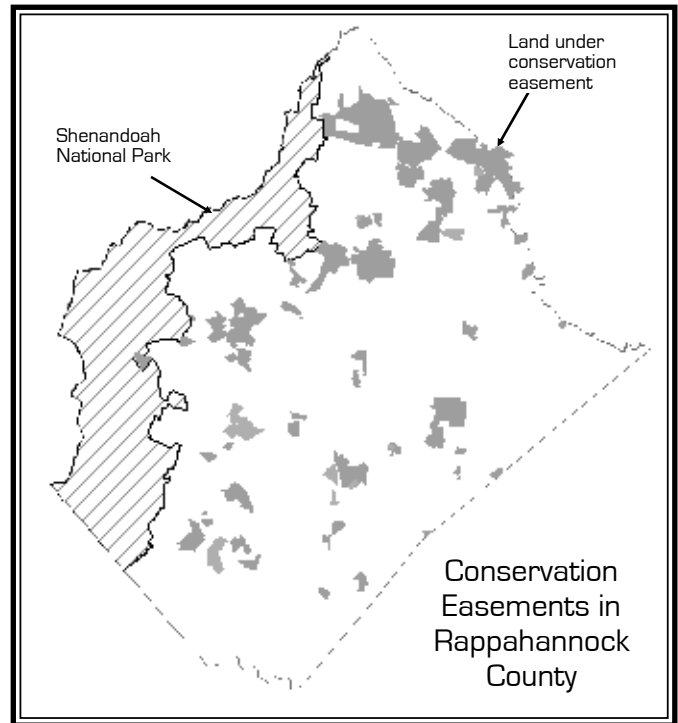
BY HAL HUNTER

As a land owner, you have certain rights. For example, you have the right to lease your land to a utility company, or give someone a right-of-way for a driveway, or let someone else graze cattle on the back forty.

If the zoning permits, you also have the right to subdivide your land and sell the lots to developers for houses. RCCA may not like it, but you do have that right. We don't like it because more houses on land zoned agricultural or conservation increase the taxes for rest of us, disturbs the natural beauty, and changes what we most value about Rappahannock County—its scenic and rural character. It is no coincidence that the mission of RCCA is to ensure that the county remains a scenic and rural community.

The Commonwealth of Virginia also considers that the preservation of natural, scenic, and open space is in the public interest, and will strike a bargain with you if you agree to give up your right to subdivide—as well as your rights to develop the land for industrial and commercial purposes, create dumps, and install billboards. The bargain includes the potential for lower property taxes, a federal income tax deduction, a state income tax credit, and estate tax benefits. RCCA is developing an “Easement Toolkit” that will spell it all out. (See the next page for more on the toolkit.)

Giving up your right to subdivide affects none of your other rights. You can sell your property, give it to your children, paint it pink, whatever. In fact, evidence is growing that donating an easement in Rappahannock County increases the value of your property on the open market. All future owners will be bound by your donation.



*Rappahannock County now has 16,245 acres under conservation easements, representing 11.92 percent of the privately held land in the county.*

Most people, however, don't donate easements for the financial benefits. Most do it because they want to preserve Rappahannock County for their children and future generations.

If you donate an easement—if you give up your development rights—who receives your donation? Typically, the recipient is an agency established by the State, called the Virginia Outdoors Foundation. Other land trusts in Virginia can accept your donation; RCCA is thinking about becoming a land trust so we can accept easements that VOF might be unwilling to accept.

More on that in another newsletter....

## Krebser Conservation Fund Grows

The Krebser Fund for Rappahannock County Conservation (KFRCC) was initiated by the Piedmont Environmental Council (PEC) and formed in honor of Dr. Werner Krebser's contributions to preserving Rappahannock County from development.

Dr. Krebser was an outspoken champion of protecting the scenic beauty and open spaces of Rappahannock County during his 45 years in the county. He served with distinction on the County Planning Commission for 22 years. During his tenure on the Commission, Rappahannock steered a careful course that has become a model for other communities throughout the Commonwealth.

The Krebser Fund will be used to protect selected county properties. An advisory committee that includes representatives from the Rappahannock League for Environmental Protection, RCCA, PEC, and the Rappahannock County Farmers Association directs the fund activities. Acquisitions of land or easements involving monies from the fund are limited to Rappahannock County. To date, the Krebser Fund has raised more than \$150,000 in contributions. An anonymous Rappahannock donor has agreed to match each \$2.00 donation with \$1.00, up to \$500,000. The fund is focusing on Rappahannock's gateways of Routes 522 and 211 for preservation. Plans are in the works for fall fundraising events.

For more information about the Krebser Fund, contact Robert Lander, Chair, (540) 987-8504; Merrill Strange, (540) 937-5858; or Fran Moore Krebser, (540) 631-0821.

## From the President...

More and more, Rappahannock County seems to evoke that wonderful phrase, "our island home." We all know what a very special place it is, and for that we have to thank many of our native families who long ago chose to enact zoning ordinances and building restrictions that were far ahead of their time. Time has moved on, though, and we need to maintain our vigilance.

Rappahannock is increasingly besieged on its borders by the monolith of bulldozer-happy developers; witness Rt. 522 on the road to Culpeper and the proposed Centrex development on our border with Culpeper along the Rt. 11 corridor. Even here, fields that were pastures not so very long ago sprout new houses and farming families struggle to pass their land along to the next generation.

One tool we have available to us to combat this is conservation easements. RCCA intends to ratchet up our public outreach this year by resurrecting a newsletter, the first issue of which you are reading, and also to offer ourselves as a resource for both the donation of conservation easements and the sale of those easements. We need your help for all this—we need articles for our newsletter, and we would also like to offer articles to the Rappahannock News on a frequent basis on land conservation issues. We need an active membership that helps maintain an information network for those who may be eligible for establishing conservation easements and those who may need help in selling tax credits from conservation easements.

RCCA was instrumental in encouraging the Farmland Preservation Program, recently passed by the Rappahannock County Board of Supervisors (see page 1). This program will help protect land while keeping farmers in business.

We intend to establish an RCCA Web site and for that, again, we need assistance. We would also like to have more frequent workshops, and we need suggestions and help and places to have them.

Please feel free to contact me, or any of the members of our board (see the list on page 1), if you can be of any help in these matters or if you have other related concerns and interests that are of relevance to RCCA. You can also fill out the inserted form and send the information to us.

Thank you.

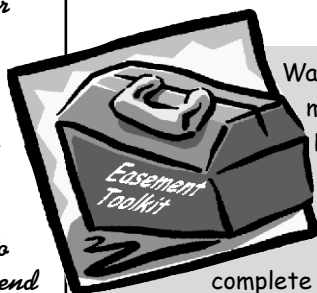
—Sharon C. Pierce  
RCCA President

## Is a Small-Parcel Easement an Oxymoron?

Have a small parcel and want to donate a conservation easement? If you own a 100-acre farm, it is fairly clear that the Virginia Outdoors Foundation, under its present easement guidelines ([www.virginiaoutdoorsfoundation.org](http://www.virginiaoutdoorsfoundation.org)), will accept a donation from you of an open-space conservation easement that surrenders any rights to subdivide the property. However, what if you own fewer than 50 acres and have no subdivision rights? Will an easement donation be accepted? The Small Parcels Committee of RCCA was formed to study this issue and to promote small-parcel easements.

Because of the interplay of the VOF easement guidelines and the subdivision provisions of the Rappahannock County Code, the only small parcels that may presently qualify are those adjacent to Shenandoah National Park, a scenic highway or river, or an existing easement. However, proximity to these areas is not enough by itself for VOF to find sufficient public benefit to accept an easement. Under VOF's guidelines, the property must add to the conservation values of, for example, the park, or the protection of the river, or a no-build or buffer area. VOF recently took a 25-acre parcel that is on the other side of the Thornton River from an existing larger easement, and another 25-acre parcel that is at the border of the park on the Thornton River. However, in many other cases, VOF has turned down offers of small-parcel easements.

The commonly held belief that VOF will accept a joint or "bundled" easement from a group of adjoining small-parcel owners who together own 100 or more acres turns out not to be correct. VOF's position is that each parcel must stand by itself—be separately worthy of acceptance as a conservation easement. However, the Small Parcels Committee is investigating alternatives for landowners who are interested in donating conservation easements of small parcels.



Want to put your land into a conservation easement, but it seems like too much trouble?

RCCA is developing a toolkit for easement donors. The toolkit, a step-by-step guide to donating land under easement conservation, will navigate a landowner through the complete easement donation process. It will contain background information, questions to consider when customizing your easement to your specific needs, forms to be submitted, resource material, and a checklist to get you through the process. The tool kit should be available this summer. For your free copy call Susan Strittmatter at (540) 364-4535 or send e-mail to [clorevia@erols.com](mailto:clorevia@erols.com).

## RCCA Continues to Support Historic Preservation

Perhaps you saw the article in the *Rappahannock News* about Laurel Mills seeking “historic district” status. That story is the latest chapter in a process that RCCA initiated and continues to support.

The story begins in 2001. The 1998 comprehensive plan had recommended that a survey be conducted of the county’s historic resources—historic homes and churches, but also historic sites, bridges, and out buildings. A review of previous comprehensive plans revealed that the same recommendation had been made in every plan since 1982—almost twenty years.

So RCCA decided to do something about it.

We solicited donations and support from community groups and wrote articles in the *Rappahannock News* explaining the benefits of a survey. The effort culminated in a presentation to the Board of Supervisors, at which the leaders of almost a dozen county groups expressed their support. The supervisors and the Virginia Department of Historic Resources provided financial support, as did the Rappahannock League for Environmental Protection, Piedmont Environmental Council, and other groups, but most of the funding came from RCCA.

The survey was completed last year and reported to the community in an overflow presentation at The Theatre. Copies of the final report are available on CD from our County Administrator, John McCarthy, (540) 675-5330.

The report recommended that residents seek formal recognition of Flint Hill, Laurel Mills, and Woodville, as new historic districts in addition to Washington and Sperryville's Main Street; six rural historic districts (of which we have none); and almost 30 individual properties, in addition to the seven currently recognized.

The Virginia Department of Historic Resources is the recognizing authority. It requires a formal nomination prepared by an architectural historian, and indications of community support. Recognition confers significant tax incentives, no restrictions on property rights whatever, and no discernible effect on taxes.

RCCA members are working on the Laurel Mills historic district, and the Wakefield and Yancey Road rural historic districts. If you live in or near any of the following areas and would like to help, call (540) 987-9118 or use the form accompanying this newsletter to let us know:

- ✠ Historic Districts: Flint Hill, Laurel Mills, and Woodville; Paola Mills and Slate Mills may also be eligible; further study would be needed.
- ✠ Rural Historic Districts: Wakefield Manor area, Ben Venue Road, Fodderstack Road, Yancey Road, F.T. Valley, and perhaps the hollows.



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