

ASSISTANCE FROM VIRGINIA STATE AGENCIES FOR

LAND CONSERVATION



VIRGINIA'S STATE AGENCIES

- DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
- DEPARTMENT OF CONSERVATION AND RECREATION
- DEPARTMENT OF ENVIRONMENTAL QUALITY
- DEPARTMENT OF FORESTRY
- DEPARTMENT OF GAME AND INLAND FISHERIES
- DEPARTMENT OF HISTORIC RESOURCES
- VIRGINIA OUTDOORS FOUNDATION

Virginia's State Agencies manage a variety of programs to help property owners conserve their land and land-based resources. Property owners preserve open space and working lands for many reasons. Some do so because of their love of land, others for historic or cultural reasons. Still others recognize the recreational and environmental benefits of conservation. Land conservation preserves heritage and improves waters, wildlife and quality of life. Property owners have a number of options available to preserve land and resources, many of which have potential tax benefits. Landowners can donate land, sell land at a reduced price, or pursue a conservation or open-space easement. (Although conservation easements and open-space easements are technically different, we call them "conservation easements" in this publication for simplicity's sake.) Donating land to a state agency, local government, land trust or conservation organization is one way to share the land's beauty with future generations.

Land donations can be arranged to allow you to continue to live on the land during your life. Selling land to a conservation or preservation agency or organization at less than fair market value (a "bargain sale") can make it affordable for the agency or organization while providing tax benefits for you.

Placing a conservation easement on your property requires a legal agreement with a private land trust or a

government agency. The agreement permanently protects land while you continue to own the property. The donation or sale of conservation easements offers several benefits. Conservation easements allow you – the owner – to ensure that your property permanently remains largely undeveloped as a farm, woodlot, historic dwelling, or natural area.

Additionally, land protected by a conservation easement is still private property. These easements have the flexibility to meet the specific desires of property owners and fit the property they protect. They provide financial benefits to property owners who protect their land and resources. They can reduce state and federal income taxes, estate taxes, and capital gains taxes. Conservation easements may also lower property taxes. The tax advantages of these easements can make it possible for future generations to keep a family's land. They can make conservation and historic preservation affordable that would otherwise be beyond the means of many people.

Virginia's state agencies have information, tools and funding alternatives to help you explore conservation and preservation options. For further links to information on state agencies, federal agencies, land trusts and conservation groups involved in Virginia's land conservation efforts, visit the Department of Conservation and Recreation website's land conservation content or e-mail landcon@dcr.virginia.gov.



VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES The Virginia Department of Agriculture and Consumer Services (VDACS) Office of Farmland Preservation provides technical assistance on farmland preservation, oversees the development and administration of state matching funds for local Purchase of Development Rights (PDR) programs, and manages the Virginia Farm Link program.

VDACS PROGRAMS

TECHNICAL ASSISTANCE FOR FARMLAND PRESERVATION

The Office of Farmland Preservation develops model policies and practices for local PDR programs, educates the public about the importance of farmland preservation to the quality of life in Virginia, and provides farmland preservation help for individual landowners.

STATE MATCHING FUNDS FOR LOCAL PDR PROGRAMS

The office also certifies local PDR programs and administers state matching funds for these programs.

THE VIRGINIA FARM LINK PROGRAM

This program's goal is to help active farmers work with retiring farmers so that farmland remains in operation. Assistance includes an online Farm Link database that links farm owners and farm seekers, and workshops and materials that provide successful farm transition strategies and information to landowners and their professional advisors.

(804) 786-1346 | www.vdacs.virginia.gov/preservation



VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION

The Virginia Department of Conservation and Recreation offers localities and landowners advice on land conservation strategies and recreational planning. DCR also protects Natural Area Preserves and conserves land for Virginia State Parks. DCR helps support the Virginia Land Conservation Foundation, which provides land conservation grants to public and private entities. DCR maintains a Conservation Lands Database and produces the Virginia Outdoors Plan (VOP) every five years. The VOP is the state's primary document regarding Virginia's outdoor recreation and open-space needs.

DCR PROGRAMS

OFFICE OF LAND CONSERVATION

DCR's Office of Land Conservation serves as a central contact, repository and clearinghouse for land conservation interests in Virginia. The office connects people with the information and agency, land trust or organization that fits their specific land conservation needs. It also facilitates cooperative ventures, provides technical assistance, and conducts workshops and training events.

NATURAL HERITAGE AREA DEDICATIONS AND REGISTRY

DCR's Natural Heritage staff administers land conservation programs for private and public owners of biologically significant natural areas. Such areas include habitat for rare plants and animals of Virginia and for significant natural community types such as forests, woodlands and wetlands. The Natural Area Registry includes natural areas that have been protected through a voluntary agreement that recognizes and rewards good stewardship demonstrated by private and public natural area owners. Natural Area Preserve Dedication, by contrast, is a perpetual and legally binding agreement that protects the property's rare plants, animals, natural communities and surrounding lands. Landowners participating in both programs receive management assistance from DCR staff and other experts.

DCR PROGRAMS (CONTINUED)

VIRGINIA LAND PRESERVATION TAX CREDITS

The Virginia Department of Taxation administers the Land Preservation Tax Credit, which allows individuals or corporations a tax credit against their Virginia income tax equal to 40 percent of the value of land set aside for conservation use. DCR uses criteria established by the Virginia Land Conservation Foundation to verify the conservation value of conservation donations that result in owners claiming state land preservation tax credits of \$1 million or more (which requires the donation of at least \$2.5 million).

GRANT PROGRAMS

DCR administers several grant and planning programs related to land conservation. The Virginia Land Conservation Foundation provides matching grants to localities and conservation organizations as well as grants to state agencies. Grants are used to purchase land or acquire easements on land to protect historic sites, natural areas, agricultural and forest lands, open space and parks. The federal Land and Water Conservation Fund provides a state grants-in-aid program for the acquisition and development of public outdoor recreation areas and facilities. The Virginia Recreational Trails Fund provides grants for developing and maintaining recreational trails and trail-associated facilities.

CONSERVATION RESERVE ENHANCEMENT PROGRAM

CREP improves Virginia's water quality and wildlife habitat by offering rental payments to farmers who voluntarily restore riparian buffers, filter strips and wetlands by installing approved conservation practices. CREP also has a related incentive component to pay farmers to establish permanent conservation easements on eligible lands statewide.

ADDITIONAL PROGRAMS

DCR also has information on scenic rivers, byways and highways programs, cave protection, and Virginia's online conserved lands and mapped open space resources.



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

The Department of Environmental Quality (DEQ) administers state and federal laws and regulations for air quality, water quality, water supply and waste management. Other DEQ programs cover a variety of environmental activities, such as improving the ability of businesses and local governments to protect the environment, and offering technical and financial assistance for air and water quality improvements. Through its seven regional offices, the agency issues permits, conducts inspections and monitoring, and enforces regulations and permits.

DEQ PROGRAMS

VIRGINIA WATER FACILITIES REVOLVING FUND

Since 1987, the Virginia Water Facilities Revolving Loan Fund has provided low-interest loans for water quality improvement projects throughout the state and funds to acquire the title or other rights to real property to protect or improve water quality and prevent the pollution of state waters. Funding for land acquisition is available only when a balance remains after the fund has satisfied all eligible loan requests from local governments.

THE VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM

DEQ is the lead agency among state agencies and Tidewater local governments in a network established to protect and manage Virginia's "coastal zone." Virginia's coastal zone is all cities, counties and towns that touch tidal water. It also includes the waters therein as well as out to the three-mile territorial sea boundary. The program is part of a national, voluntary partnership between the National Oceanic and Atmospheric Administration (NOAA) and coastal states. Virginia CZM programs include:

Section 306A Land Acquisition

Section 306A of the Coastal Zone Management Act provides for fee simple acquisition and other interests in land, such as conservation easements, timber rights and development rights. Each year about \$200,000 is set aside, which must be equally matched with non-federal funds, for land acquisition.

Coastal and Estuarine Land Conservation Program (CELCP)

The Virginia CZM Program awards grants through NOAA's Coastal and Estuarine Land Conservation Program, or CELCP. Coastal states nationwide, including Virginia, may submit three proposals each year to NOAA for the acquisition (fee simple or perpetual conservation easement) of coastal lands threatened by conversion. The lands must have high ecological value. Such land that also has conservation, recreational, historical and aesthetic value is given higher rank. Each proposal may be for up to \$3 million in federal funding and must be equally matched with non-federal funds.

(804) 698-4000 or (800) 592-5482 | www.deq.virginia.gov



VIRGINIA DEPARTMENT OF FORESTRY

One of the Virginia Department of Forestry's primary goals is the conservation of Virginia's forestland base. DOF manages more than 50,000 acres of state forestland and helps other state agencies manage their forestland. The agency's mission is to "protect and develop healthy, sustainable forest resources for Virginians." This statement indicates the agency's dedication to conserving working forests that provide forest products, wildlife habitat, water quality protection, recreation opportunities and aesthetic benefits. DOF professionals work with private, non-industrial landowners, localities and others to conserve, manage and protect Virginia's forests.

DOF PROGRAMS

FOREST STEWARDSHIP

DOF foresters guide and direct landowners in setting forest management objectives. DOF works with landowners on forest stewardship plans in which overall forestry goals and objectives are considered.

PRESERVATION OF WORKING FORESTS

DOF works with forest landowners, local governments and conservation groups to protect working forestland. DOF uses geographic information system (GIS) analysis to identify forests in Virginia that have high conservation value. This information is used by localities for green infrastructure planning or to identify forests for conservation. DOF accepts donations of land and conservation easements to protect working forests.

FOREST LEGACY

This federal grant program's goal is to protect and conserve important forests threatened by conversion to non-forest uses, such as development. Virginia may use the funds to buy conservation easements or land. Funding is targeted to areas where most-threatened forests provide the greatest benefits.

WATER QUALITY PROTECTION:

DOF works with organizations, businesses and private landowners to establish, enhance and maintain riparian buffers. DOF Water Quality Improvement Fund grants pay for timber harvest best management practices, rain gardens and riparian buffers. DOF also administers the Riparian Buffer Tax Credit Program, through which financial incentives are provided to landowners who leave in place riparian forest buffers during timber harvests.

URBAN AND COMMUNITY FORESTRY

Projects that promote tree planting, the care of trees, the protection and enhancement of urban and community forest ecosystems, and education on tree issues in communities are encouraged through this program. Grants and technical assistance are available to local governments and citizen organizations.

(434) 977-6555 | www.dof.virginia.gov



VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

It would be impossible to conserve Virginia's wildlife without habitats on private lands and the conservation work done by landowners. DGIF recognizes such contributions and works to help landowners conserve and manage property to benefit wildlife.

DGIF PROGRAMS

HABITAT PARTNERS[©]

Through Habitat Partners, corporate landowners, farmers, schools and homeowners are encouraged to improve habitat to benefit Virginia's songbirds, mammals, amphibians and other wildlife. Four types of habitat assistance are available:

1) *The Corporate Certification Program* is for businesses and industries interested in habitat projects that substantially improve the welfare of wildlife communities. By encouraging the use of wildlife conservation practices and recognizing corporate conservation projects, DGIF improves the awareness of wildlife opportunities for company employees the nearby community.

2) *Through the Habitat at Home program*, DGIF teaches homeowners to create mini-sanctuaries for birds, butterflies, frogs and other wild creatures by improving habitat elements in their yards.

3) *Through the Farm Habitat Technical Assistance Program*, rural landowners can request onsite technical assistance from a DGIF biologist who will craft a habitat management plan with recommendations for wildlife plantings and the maintenance of existing habitats. Cost-share programs, such as the Landowner Incentive Program, also are available to help landowners improve habitat.

4) *Free training is provided through the WILD School Sites program* for teachers interested in improving habitat on school property that can be used as an outdoor classroom.

FOREST STEWARDSHIP

DGIF employs a forest stewardship approach to resource management, recognizing that wildlife, clean water, recreational opportunities and endangered species need not be sacrificed when obtaining forest products.

WETLANDS RESTORATION AND PRESERVATION

DGIF works with the Migratory Bird Conservation Commission and the North American Wetlands Conservation Council to buy land for wetland conservation projects.

(804) 367-1000 | www.dgif.virginia.gov



VIRGINIA DEPARTMENT OF HISTORIC RESOURCES

The Virginia Department of Historic Resources (DHR), fosters, encourages and supports stewardship of Virginia's significant historic, architectural, archaeological and cultural resources. The department provides a range of programs and services, technical help, and financial incentives to property owners.

DHR PROGRAMS

STATE AND NATIONAL LANDMARK REGISTERS

Virginians are proud of their history. DHR administers two landmark register programs to preserve and honor Virginia's historic buildings, structures, archaeological sites, battlefields, cultural landscapes and historic districts. The Virginia Landmarks Register and the National Register of Historic Places include lists of resources that represent historical and cultural foundations of the state and nation. The registers rely on the same criteria for determining the historical significance of each property approved for listing, and listing a property on either register places no restrictions on what property owners may do with the property; the designation is strictly honorary. Listed register properties, however, may be eligible for historic rehabilitation tax credit or easement programs (see below).

SURVEY AND PLANNING COST SHARE PROGRAM

Surveying historic resources lies at the heart of a good preservation program. Through its cost-share program, DHR provides matching grants to localities for projects that support and foster

DHR PROGRAMS (CONTINUED)

sustainable, community-driven preservation activities. Cost-share survey projects also contribute to broadening DHR's database of detailed information on more than 178,000 inventoried historic architectural and archaeological resources throughout Virginia. Cost-share surveys often lead to the listing of new historic districts on the state and national registers.

HISTORIC PRESERVATION EASEMENT PROGRAM

Historic properties listed in the Virginia Landmarks Register, either individually or as a contributing resource in a listed historic district, are protected through this program. DHR works with property owners and their attorneys to individually draft easement donations. As easement holder, DHR reviews plans for modifications or alterations to historic resources, or plans for new construction, and provides technical assistance to landowners. In this way, DHR ensures any changes are in keeping with a property's historic character, protecting conservation values identified in the easement. Preservation easements cover a variety of resources including historic buildings and structures, viewsheds, archaeological sites, and cultural and historic landscapes. DHR also is the primary holder of battlefield easements and works with the American Battlefield Protection Program and other partners in battlefield preservation to conserve these historically significant open-spaces for the benefit of future generations.

HISTORIC REHABILITATION TAX CREDITS

Preserving historic buildings benefits communities. For owners of properties listed on the state and national registers or contributing to a listed historic district, federal and state tax credits are available for most building rehabilitation work. The federal tax credit is 20 percent of qualified expenditures; the state tax credit is 25 percent. Only income-producing properties are eligible for the federal program, whereas the state program is available for both owner-occupied residential and income-producing properties. In either case, completed projects must meet the Secretary of Interior's *Standards for Rehabilitation*.

THREATENED SITES

DHR has limited funding to address threats to archaeological sites of statewide significance for which no other funding is available. Sites are evaluated by a Threatened Site Committee including DHR staff and members of the archaeological community. Funds are committed for assessment, excavation, laboratory processing and analysis, and reporting.

(804) 367-2323 | www.dhr.virginia.gov



VIRGINIA OUTDOORS FOUNDATION

In partnership with private nonprofit groups, local government and other state agencies, VOF is the primary holder of more than 75 percent of Virginia easements. The easements protect a variety of scenic, natural and cultural resources, including watershed areas, settings for historic houses, agricultural lands, mountain views and land adjacent to parks.

VOF PROGRAMS

EASEMENT HOLDING AND ASSISTANCE

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OPEN-SPACE LANDS PRESERVATION TRUST FUND (PTF)

VOF manages this fund to help landowners with costs of donating easements and assist in purchasing easements. Most awards have been for payment of costs associated with the donation of an easement by owners of modest financial means, mostly for family farms. VOF also uses the fund to cost-share local governments' land conservation projects.

OWNED LANDS

VOF has also acquired 3,500 acres of important conservation lands in the state. The largest of these is 2,500 acres in the Bull Run Mountains in Fauquier and Prince William counties. Those mountains comprise one of the largest intact natural landscapes east of the Blue Ridge in northern Virginia and are dedicated as a state natural area preserve. These sites help meet demand for public access, passive recreation and scientific research.

(804) 225-2147 | www.virginiaoutdoorsfoundation.org

AGENCY	FUNDING	MAPPING/DATA RESOURCES	TYPES OF LANDS TO BE CONSERVED
VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (VDACS) (804) 786-1346 www.vdacs.virginia.gov/preservation	<ul style="list-style-type: none"> Office of Farmland Preservation PDR Funding 	Agricultural purchase of development rights, Farmlink	Agricultural lands
VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION (DCR) (804) 225-2048 www.dcr.virginia.gov	<ul style="list-style-type: none"> Virginia Land Conservation Fund Land and Water Conservation Fund Virginia Recreational Trails Fund Conservation Reserve Enhancement Program 	Conservation Lands Database, Virginia Conservation Lands Needs Assessment	Natural, historic, recreational, scenic, and cultural resources
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) (804) 698-4323 www.deq.virginia.gov/coastal	<ul style="list-style-type: none"> Virginia Coastal Zone Management Program Virginia Coastal & Estuarine Land Conservation Program 	“Coastal GEMS” internet mapping system	High ecological value lands that may also provide passive public access, aesthetic and historical value
VIRGINIA DEPARTMENT OF FORESTRY (DOF) (434) 977-6555 www.dof.virginia.gov	<ul style="list-style-type: none"> Forest Legacy Program 	Forest resource assessment, forest land use, forest property inventory, riparian buffers	Working forest easements and acquisitions
VIRGINIA DEPARTMENT OF GAME and Inland Fisheries (DGIF) (804) 367-1000 www.dgif.virginia.gov	Wetland conservation projects, small game and quail habitat cost share, promotion of wildlife viewing, riparian & instream restoration cost share	Hunting, fishing, boating, wildlife management areas, essential habitats, important wildlife areas, outdoors recreational opportunities	Wetlands, habitat, wildlife management areas, species of greatest conservation need, and wildlife viewing opportunities
VIRGINIA DEPARTMENT OF HISTORIC RESOURCES (DHR) (804) 367-2323 www.dhr.virginia.gov	Historic Preservation grants, state rehabilitation tax credits, threatened sites, and survey and planning cost share grants	Virginia Historic Resources Survey data, Virginia Landmarks Register	Architectural, archaeological, cultural resources, battlefields, and historic landscapes
VIRGINIA OUTDOORS FOUNDATION (VOF) (540) 347-7727 www.virginiaoutdoorsfoundation.org	Open-Space Lands Preservation Trust Fund	Open-space easements	Natural, scenic, historic, open space, and recreational areas

THE COMMONWEALTH OF VIRGINIA'S RESOURCE CONSERVATION OFFERINGS



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