

**REPORT OF THE DEPARTMENT OF CONSERVATION AND
RECREATION**

**Calendar Year 2016 Land Preservation
Tax Credit Conservation Value Summary**

**TO THE GOVERNOR AND
THE CHAIRMEN OF THE SENATE FINANCE
COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE,
AND THE HOUSE COMMITTEE ON FINANCE**



**COMMONWEALTH OF VIRGINIA
RICHMOND
December 2017**

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director



Rochelle Altholz
*Deputy Director of
Administration and Finance*

Darryl Glover
*Acting Deputy Director of
Soil and Water Conservation
and Dam Safety*

Thomas L. Smith
Deputy Director of Operations

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

December 1, 2017

The Honorable Terence McAuliffe, Governor of Virginia
The Honorable Emmett W. Hanger, Jr., Co-Chairman, Senate Finance Committee
The Honorable Thomas K. Norment, Jr., Co-Chairman, Senate Finance Committee
The Honorable S. Chris Jones, Chairman of the House Committee on Appropriations
The Honorable R. Lee Ware, Chairman, House Committee on Finance

Dear Governor McAuliffe, Senator Hanger, Senator Norment, Delegate Jones, and Delegate Ware:

We are pleased to provide you with this report prepared in accordance with Virginia's Land Conservation Incentives Act ([§§ 58.1-511 through 58.1-513 of the Code of Virginia](#)). Subdivision (C)(2) of [§ 58.1-512](#) of the Act requires the Department of Conservation and Recreation (DCR) to compile an annual report on qualified tax credit donations of less-than-fee interests in land accepted by any qualified public or private conservation agency or organization. This report focuses on those donations made between January 1, 2016, and December 31, 2016, for which a taxpayer requested a Land Preservation Tax Credit (LPTC) within the \$75,000,000 cap for tax year 2016, established pursuant to Virginia Code [§ 58.1-512\(D\)\(4\)\(c\)](#).

The Virginia LPTC program continues to be the key factor behind the land conservation successes the Commonwealth has realized to date. The transferability of the LPTC has proven to be a valuable incentive to persons voluntarily protecting working farms and forests, recreational lands, scenic view sheds, historic sites, and natural areas. A 2 percent fee on the transfer of tax credits helps to provide much needed support to land trusts and other conservation agencies and organizations for their ongoing responsibilities for the hundreds of thousands of acres of conserved lands they steward.

DCR is charged with reviewing LPTC applications for one million dollars or more to verify the conservation value of the donation (Va. Code [§ 58.1-512\(D\)\(3\)\(a\)](#)). DCR's review process is both responsive and timely, and serves as an important oversight tool for the Commonwealth to ensure that

The Honorable Terence McAuliffe, Governor of Virginia
Members of the Virginia General Assembly
December 1, 2017
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the lands protected have significant conservation value and that the natural and historical resources they contain will be adequately protected into the future.

DCR's verification of tax credit applications utilizes conservation review criteria adopted by the Virginia Land Conservation Foundation (VLCF). The criteria ensure that the conservation easements will require, where applicable: a forest management plan, development and implementation of an agricultural conservation plan, visual public access to scenic resources, establishment of riparian buffer areas to protect water quality, protection of resources listed on the Virginia Landmarks Register or the National Register of Historic Places, and that known natural heritage resources are also protected. Additionally, DCR's review certifies that the voluntary easements meet VLCF criteria aimed at safeguarding long-term conservation values of the property, prohibiting intentional harm to the conservation values of the property, and ensuring that the conservation value of the property will not be adversely affected by future on-site development. Such revisions to the easements significantly improve the conservation quality of the donations made under Virginia's tax credit program.

We trust that this report fulfills the required statutory obligations and demonstrates the importance of the Land Preservation Tax Credit Program.

Respectfully submitted,



Clyde E. Cristman

Attachment

cc: Virginia Land Conservation Foundation Board of Trustees
The Honorable Molly Joseph Ward, Secretary of Natural Resources
Daniel Timberlake, Director, Department of Planning and Budget
Craig M. Burns, Commissioner, Department of Taxation
Betsey Daley, Staff Director, Senate Finance Committee
Robert P. Vaughn, Staff Director, House Appropriations Committee

PREFACE

This report has been prepared in accordance with and fulfills the requirements of:

§ 58.1-512(C)(2) of the *Code of Virginia* (Virginia's Land Conservation Incentives Act), which requires the Department of Conservation and Recreation to compile an annual report on qualified tax credit donations of less-than-fee interests accepted by any public or private conservation agency. This report covers those donations for which taxpayers claimed Land Preservation Tax Credits between January 1, 2016, through December 31, 2016, within the 2016 cap of \$75 million established by Virginia Code § 58.1-512(D)(4)(c).

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EXECUTIVE SUMMARY

The Virginia Land Preservation Tax Credit (LPTC) Program has proven to be a valuable incentive for landowners interested in voluntarily conserving their property through perpetual conservation easements or fee-simple donations. The transferability feature of Virginia's tax credit program is especially valuable to landowners with little or no state income tax liability, enabling them to sell their tax credits for income. Responsibilities for oversight of the LPTC program are shared by the Virginia Department of Taxation (TAX) and the Virginia Department of Conservation and Recreation (DCR).

Virginia's Land Preservation Tax Credit Program began in January 2000 and continues to advance the preservation of important lands across the Commonwealth. TAX's records indicate that as of August 31, 2017, landowners have received tax credits for permanently protecting 819,962 acres across the Commonwealth through 3,774 land donations since program inception. The appraised value of this conserved acreage is about \$4.02 billion, with landowners receiving \$1.58 billion in tax credits.

DCR's review of LPTC applications for one million dollars or more began in January of 2007. As directed by [§ 58.1-512\(D\)\(3\)\(a\)](#) of the *Code of Virginia*, DCR follows the Conservation Value Review Criteria as adopted by the Virginia Land Conservation Foundation to verify the conservation value of donated land or conservation easements. This verification process serves as an important tool for the Commonwealth to ensure that the lands protected have worthy conservation values and the natural and historical resources are adequately protected in perpetuity.

The tax credit report contained herein summarizes the land donations for which landowners applied for 2016 Land Preservation Tax Credits, within that year's cap of \$75 million. Based on information provided to DCR from TAX, 163 applications were granted \$59,968,175 in land preservation tax credits protecting 31,869 acres for 2016. TAX retired the unexpended balance for the LPTC cap on January 1, 2017, pursuant to [§ 58.1 – 512 \(C\) \(1\)](#).

For calendar year 2016, taxpayers in 67 localities claimed a tax credit. The largest number of land donations occurred in Loudoun County with 16 properties. The greatest total acreage preserved occurred in Loudoun County with 3,142.34 acres. Loudoun County landowners requested the largest amount of total tax credit dollars at \$15.88 million.

During the 2016 LPTC program year, of the eight conservation purposes that a landowner can claim to be eligible for a LPTC, approximately 90 percent of the total acreage preserved were claimed to be in the Scenic Open Space category. Applicants may claim more than one conservation purpose and many in fact do; however, it is not necessary in order to request or qualify for the LPTC program. The other prominent categories claimed were Forestal Use at 52 percent of

the total acreage and Agricultural Use at 50 percent. The remaining purposes claimed in order of rank were Watershed Preservation at 37 percent; Lands Designated by Federal, State, or Local Government at 30 percent; Natural Habitat and Biological Diversity at 24 percent; Historic Preservation at 5 percent; and Natural Resource Based Outdoor Education and Recreation at 1 percent of the total acreage.

As reported by landowners in their LPTC application packages to TAX, under the 2016 cap, about 16,022 acres of active agricultural land and 16,562 acres of active forestal land were conserved. Within the LPTC application, landowners are asked to report on the total length of riparian buffers, with a required minimum width of 35 feet, in their donated easements or gifts of land. The applications for 2016 indicate a total length of 599,523 linear feet of forested buffers and 43,437 linear feet of no-plow buffers along rivers, streams, wetlands, ponds, springs, and shorelines. The two different categories of buffers are differentiated by the types of activities that are restricted or allowed within the conservation easement or deed of gift. Activities such as mowing or timber harvesting are restricted in forested buffers, but are allowed within no-plow buffers to maintain non-woody vegetation such as pasture or grasslands.

In 2016, the Virginia Land Conservation Foundation (VLCF) distributed dedicated funding to land conservation agencies and organizations for their stewardship efforts. Pursuant to the authority granted in Virginia Code [§ 58.1-513\(C\)\(2\)](#), the VLCF Board of Trustees distributed a total of \$1,043,198 in stewardship funds to 49 land trusts, conservation organizations, and agencies to support their ongoing monitoring and enforcement of donated lands. The dedicated funding is generated from a 2 percent fee imposed on the sale of LPTCs.

DCR is also charged with conducting reviews of the Conservation Value of LPTC requests of one million dollars or more (based on a 40 percent credit for a donation valued at \$2.5 million or greater) and with verifying the conservation value of these donations in advance of TAX issuing a land preservation tax credit. DCR's review is carried out in accordance with criteria adopted by the VLCF for this purpose. In 2016, DCR reviewed and commented on the conservation value associated with 16 LPTC applications that were above the one million dollar review threshold.

DCR's oversight continued to enhance the Commonwealth's efforts to ensure the conservation value of properties applying for the LPTC. DCR's review process resolved a number of issues with applications that would have negatively affected the donation's conservation value if the applicants had recorded their deeds as originally submitted during DCR's pre-filing review. In addition, DCR's review helped to ensure that persons eligible for one million dollars or more in state land preservation tax credits also addressed water quality and forest stewardship protections associated with their conserved lands. Although state law allows DCR 90 days to complete its review, on average DCR took 21 days to review a pre-filing application (including a site visit) and five days to verify the conservation value of final applications.

LAND PRESERVATION TAX CREDIT OVERVIEW FOR 2016

Land Conservation Tax Credit Program Overview

Virginia's land preservation tax credit (LPTC) program is considered one of the most effective conservation tools available in the Commonwealth. Since its beginning in January 1, 2000, Virginia's tax credit program continues to leverage significant private investment to attain noteworthy land conservation levels every year. As of August 31, 2017, the Virginia Department of Taxation's (TAX) records indicated that a total of 819,962 acres of land appraised at about \$4.02 billion have been protected through 3,774 donations representing \$1.58 billion in tax credits. This extensive level of tax credits, as well as the number of land donations and acres conserved, demonstrates great public interest and participation in this valued tax credit program.

Thirteen other states currently provide state tax incentives for donations of conservation easements (Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Iowa, Maryland, Massachusetts, Mississippi, New Mexico, New York, and South Carolina). Four of those states also provide for transfer of those credits (Colorado, Georgia, New Mexico, and South Carolina), but Virginia's tax-credit program is by far the largest in dollar value of property conserved. In Virginia, this program has enormous land conservation benefits.

As a result of legislative amendments enacted in 2006, effective January 1, 2007, the LPTC program was capped at \$100 million per year, with donations in excess of the annual cap to be rolled over to subsequent years. The amount of the tax credit cap was adjusted annually to the Consumer Price Index, increasing to \$102.3 million in 2008; \$106.6 million in 2009; \$106.8 million in 2010; \$108.4 million in 2011; and \$111.1 million in 2012. Additionally, in 2006, the amount of tax credits that can be requested for any land donation was limited to 40 percent of the fair market value of the qualified donation; reduced from the previously allowed 50 percent. These compromises represented a diminution in the state's peak annual tax credit expenditures, which reached \$155.9 million in tax year 2005 and \$247.8 million in 2006, but still allowed for an exemplary program that the state can budget for into the future.

In the 2013 Legislative Session, the cap was further modified. [Chapter 798 of the 2013 Virginia Acts of Assembly \(HB1398\)](#) directed that, beginning with calendar year 2013, the maximum annual amount of land preservation tax credits that could be issued to taxpayers was lowered to \$100 million. However, the \$100 million was to continue to be annually indexed. The intent of the legislation was for the Governor to include in the Budget Bill or in amendments to the general appropriation act a recommended appropriation from the general fund in an amount equal to the difference between the indexed amount and \$100 million. The amount to be appropriated as follows: 80 percent of the unissued credits to the Virginia Land Conservation Fund; 10 percent to the Civil War Site Preservation Fund; and 10 percent to the Virginia Farmland Preservation Fund.

The LPTC program saw further revisions again during the 2015 Legislative Session with the enactment of [Chapter 680 of the 2015 Virginia Acts of Assembly](#) (SB 1019). Most notably, any unused balance left in the annual tax-credit cap is now closed out at the end of the calendar year. In the past, those balances carried forward until they were expended. Other aspects of the program were amended by (i) reducing the annual tax-credit cap from \$100 million to \$75 million; (ii) with the exception of credits issued for fee simple interest donations to the Commonwealth, reducing the maximum amount of the tax credits that can be claimed by a tax payer from \$100,000 to \$20,000 in 2015 and 2016 and \$50,000 for each year thereafter; and (iii) requiring that a complete application for the tax credit be filed with TAX by December 31 of the year following the year of the conveyance.

Benefits of the Land Preservation Tax Credit DCR Review

DCR reviews LPTC applications for one million dollars or more as directed by the *Code of Virginia* ([§ 58.1-512\(D\)\(3\)\(a\)](#)). Conservation Value Review Criteria was adopted by the Virginia Land Conservation Foundation for use by DCR in verifying the conservation value of donated land and conservation easements. The VLCF Board adopted the LPTC Conservation Value Review Criteria in November 2006, and amended them on August 7, 2008, and March 27, 2009. The review criteria encompass three factors, which taken together make up the Conservation Value of the donated land. The three factors are (i) Conservation Purpose, (ii) Public Benefit, and (iii) Water Quality and Forest Management. The review criteria are based on [IRS Code § 170\(h\)](#) and provisions set out in [§ 58.1-512](#) of the Code of Virginia, and contain specific requirements that reflect state policy.

The first factor of the criteria is Conservation Purpose. DCR assesses the land being conserved and the legal documents submitted to verify the purpose for which it is being conserved; i.e., what conservation purposes are being protected by the conservation easement that will be of value to the Commonwealth. Applicants only need to satisfy one of the eight potential Conservation Purposes; however, many select more than one to reflect the multiple attributes of their donated land. The eight Conservation Purposes identified in the criteria are:

1. Agricultural Use;
2. Forestal Use;
3. Natural Habitat and Biological Diversity;
4. Historic Preservation;
5. Natural-Resource Based Outdoor Recreation or Education;
6. Watershed Preservation;
7. Preservation of Scenic Open Space; and
8. Conservation and Open Space Lands Designated by Federal, State, or Local Governments.

There are several options for meeting each Conservation Purpose and designated safe harbors are provided to satisfy each purpose. If a donation meets a safe harbor, then the donation fulfills the specific Conservation Purpose. For example, within the Conservation Purpose of Agricultural Use, land that a locality has designated as being subject to use value taxation is deemed to have a valid Agricultural

Use Conservation Purpose. Within the Conservation Purpose of Historic Preservation, a battlefield individually listed in the Virginia Landmarks Register or the National Register of Historic Places is also deemed to have a valid Historic Preservation Conservation Purpose.

Conversely, some land uses may be specifically ruled out of certain Conservation Purposes. For example, public recreation lands where development covers more than 15 percent of the site, such as with amusement parks, will not meet the Conservation Purpose of Natural-Resource Based Outdoor Recreation or Education.

The second factor of the criteria, Public Benefit, ensures that safeguards exist in the proposed deed to protect the conservation values of the donated land in perpetuity, prohibit intentional destruction or significant alteration of the conservation values of the protected property, and ensure that the conservation value of the property will not be adversely affected by future division or development. The deed of easement must contain the following restrictions:

1. Limits on the number of permitted subdivisions of property;
2. Limits on number and size of permitted new buildings and structures;
3. Restrictions on location of new buildings and structures;
4. Restrictions on location of new roads or access ways; and
5. Limits on alterations, demolition, or ground-disturbing activity that may impact historic or natural heritage resources.

The final factor of the Conservation Value Review Criteria is Water Quality and Forest Management. This factor focuses on protection of water quality and the stewardship of agricultural and forest lands. Concerning the protection of water quality, if the property contains wetlands, frontage on a perennial stream or river, lakes, or tidal waters, then the deed must prevent certain activities determined to be impactive of water quality within the required 35-foot riparian buffer. In addition, if the property contains lands in agricultural use, then the deed must provide for the implementation of a written conservation plan that stipulates the use of best management practices. If the property contains 20 acres or more of forest lands, the deed must require that a written forest management plan or Virginia Forest Stewardship Plan be in place prior to the commencement of timber harvesting or other significant forest management activities. This plan is to be developed by or in consultation with the Virginia Department of Forestry or be consistent with Forestry Best Management Practices.

2016 Review of the Conservation Values of Land Preservation Tax Credits

DCR is responsible for conducting reviews of the Conservation Value for LPTC requests of one million dollars or more (based on 40 percent of the fair market value of a land donation valued at \$2.5 million or greater) and for verifying the conservation value of these donations in advance of TAX issuing a land preservation tax credit. This review is performed in accordance with Conservation Value Review Criteria adopted by the VLCF for this purpose.

As part of its pre-filing review process, in 2016, DCR reviewed and commented on the conservation value associated with 16 LPTC applications. The Agency provides this pre-file review service to taxpayers so that any potential issues can be resolved prior to the recordation of a donation and submission of a final LPTC application. Of the 16 pre-filing applications reviewed by DCR, ten final applications were filed with TAX in 2016 requesting \$15.58 million in tax credits for a combination of 1,743 acres. In addition, six pre-file applications reviewed by DCR in 2012, 2013 and 2015 filed applications in 2016 requesting \$9.78 million protecting 2,350 acres. Together, these 16 DCR-reviewed applications represent 10 percent of the total number of applications, 13 percent of the LPTC acres preserved, and 42 percent of the total dollar value requested under the 2016 cap.

The remaining six sites reviewed by DCR in 2016 did not file for tax credits by the end of the calendar year. However, four of those applicants did proceed to record their land donations and apply for tax credits in 2016. The remaining two landowners requested their applications be withdrawn from the application process.

The objective of DCR's review is to ensure a basic level of protection for all of the known conservation values of the property at the time of the donation in accordance with the VLCF Conservation Value Review Criteria. DCR's reviews resulted in considerable modifications to many of the applications submitted to the Agency. Through the collaborative pre-filing review process, DCR and the applicants were able to resolve a number of substantial issues with the applications that could have negatively affected the land donation's conservation value if the donation had been recorded as submitted. Applicants modified their draft deeds following the DCR review process to ensure the appropriate protection of the conservation values of the properties in perpetuity as follows:

- For Forestland, deeds were modified to require a forest management plan for forest management and harvesting activities;
- For Farmland, deeds were modified to require the development and implementation of a written agricultural conservation plan;
- For Water Quality Protection, deeds were modified to ensure the placement of appropriate riparian buffer areas;
- For Historic Resources, deeds were modified to ensure the protection of resources listed on the Virginia Landmarks Register or the National Register of Historic Places from demolition and alteration; and
- For Natural Heritage Resources, deeds were modified to protect known resources documented in state databases.

Additionally, deeds were often refined to specify no-build areas, limitations on paved roads and the placement of utilities, and the establishment and limitations on the disturbance of vegetated buffers along perennial streams and other specified water bodies. The reviews also led to other minor changes for clarification and often required the applicant to provide additional documentation of the conservation purposes claimed. In several cases, the review required additional language in the deeds

of easement to ensure protection of water quality, historic structures, and areas containing special habitat supporting known natural heritage resources.

The common factor that ran through each review conducted by DCR was the obvious pride landowners have in their land and the fulfillment they achieve in ensuring their land will remain open space working lands or natural areas for generations to come. Most properties DCR reviewed in 2016 had some form of agricultural or forestal activity at the time of donation, whether a multi-generation orchard in the rolling hills of Loudoun County or a forested mountainside in Warren County. Where the land was in agricultural-use, the donation of a conservation easement was intended to ensure the opportunity of future generations to farm the land.

In addition to improving the conservation value of the donations, DCR sought to complete its reviews in a timely fashion and worked closely with applicants, their attorneys, and land trusts. The law, Virginia Code [§ 58.1-512\(D\)\(3\)](#), allows DCR to take up to 90 days to review an application before taking a final action. On average in 2016, DCR took 21 days to review a pre-filing application and five days to verify the conservation value of final applications where the applicant had submitted a pre-filing application.

DCR's review of tax credits that claim one million dollars or more has been both responsive and timely and serves as an important tool for the Commonwealth to ensure that the lands protected for which a Land Preservation Tax Credit is issued are worthy of protection and that the natural and historical resources will be adequately protected in perpetuity.

Issuance of Land Preservation Tax Credits by TAX

The Virginia's Land Conservation Incentives Act, Virginia [Code § 58.1-512\(C\)\(2\)](#), requires DCR to compile an annual report on qualified donations of less-than-fee interests accepted by any public or private conservation agency. The following sections of this report detail those land conservation donations for which a taxpayer has requested a tax credit for a land donation within the 2016 annual cap.

To apply for a LPTC, a taxpayer must have successfully recorded a conservation easement or donated land to a qualified conservation organization. The taxpayer must then submit a form LPC-1 to TAX and DCR after completing the land donation. DCR has compiled this report from the information provided to the Agency by taxpayers in form LPC-1 and confirmed this initial data with TAX. This section only summarizes the information submitted as part of the application process and may vary somewhat from the final totals managed by TAX.

Calendar Year 2016 Land Preservation Tax Credit Summary

Based on information provided by taxpayers in their tax credit applications for land donations recorded in 2016, there were 163 applications filed towards the \$75 million cap for calendar year 2016. Those

applications requested a total of \$59,968,175 in tax credits for donations of 31,869 acres. A balance of \$15,031,825 remained in the 2016 tax-credit cap at the end of the year, which was retired by TAX pursuant to the provisions of [§ 58.1 – 512 \(C\)\(1\)](#)

Of the 31,869 acres conserved statewide through the 2016 LPTC program, taxpayers conserved land in 67 localities. Table 1 highlights the eight counties where taxpayers claimed five or more LPTCs each in 2016. The largest number of donations per county occurred in Loudoun County with 16 donations (10 percent of the total donations in 2016). Loudoun County had by far the greatest number of acreage preserved per county, at 3,142 acres or 10 percent of the total acreage. The largest number of credit dollars requested per county was in Loudoun County for \$15,882,000 (26 percent of the total LPTCs requested).

Fifty-nine localities each had at least one but no more than four requests for LPTC credits. In those 59 localities, the total dollar value of credits requested was \$27,571,715, or 46 percent of the statewide total. The total acreage preserved in those localities was 20,638 acres, 65 percent of the statewide total.

Of the total 31,869 acres preserved under the 2016 LPTC program, landowners reported in their LPTC application packages that approximately 10,355 acres were currently being used for production agriculture, of which 9,512 acres (92 percent) are reported to be under onsite operational best management practices designed to protect water quality. Approximately 6,571 acres were reported as being used for active silvicultural land, of which 5,971 acres (91 percent) reported that their conservation easements require onsite operational best management practices or pre-harvest management plans.

Within the LPTC application, landowners are asked to report on the total length of vegetated riparian buffers, with a minimum width of 35 feet, required to be maintained in their conservation easement or fee simple deed of gift. The applications for 2016 indicated a total length of 599,523 feet of forested buffers and 43,437 feet of no-plow buffers along rivers, streams, wetlands, ponds, springs, and shorelines. The two categories of buffers are differentiated by the types of activities that are restricted or allowed within the easements or deeds. Activities such as mowing or timber harvesting are restricted in forested buffers but are allowed within no-plow buffers to maintain non-woody vegetation such as pasture or grasslands.

For 2016, of the eight conservation purposes (projects may claim multiple purposes), 90 percent of the total acreage preserved in the LPTC program or 28,808 acres were claimed to be in the Scenic Open Space category (Table 2). The other prominent categories claimed were Forestal Use at 16,562 acres or 52 percent of the total acreage, and Agricultural Use at 16,022 acres or 50 percent. The remaining purposes claimed in order of rank were Watershed Preservation at 11,767 acres or 37 percent; Lands Designated by Federal, State, or Local Government at 9,456 or 30 percent; Natural Habitat and Biological Diversity at 7,576 acres or 24 percent; Historic Preservation at 1,635 acres or 5 percent; and Natural Resource Based Outdoor Education and Recreation at 423 acres or 1 percent of the total acreage.

Table 1: 2016 Land Preservation Tax Credits by Locality

	Locality	Number of Donations	Tax Credits Requested	Percent of Total Tax Credits	Acres Preserved	Percent of Total Acres Preserved
1.	Albemarle County	13	\$6,975,800	11.63%	1,644.22	5.16%
2.	Augusta County	9	\$1,512,600	2.52%	1,429.30	4.48%
3.	Clarke County	6	\$981,080	1.64%	1,025.02	3.22%
4.	Essex County	7	\$1,555,580	2.59%	1,542.80	4.84%
5.	Fauquier County	6	\$1,962,000	3.27%	593.78	1.86%
6.	Frederick County	5	\$2,326,800	3.88%	768.03	2.41%
7.	Loudoun County	16	\$15,882,000	26.48%	3,142.34	9.86%
8.	Madison County	5	\$1,200,600	2.00%	1,085.11	3.40%
	Subtotal	67	\$32,396,460	54.02%	11,230.60	35.24%
	Other*	115	\$27,571,715	45.98%	20,638.30	64.76%
	Total	182	\$59,968,175	100.00%	31,868.90	100.00%

The eight localities listed above had a minimum of five donations in 2016.

* Other: Localities containing at least one but no more than four donations: The Counties of Accomack, Alleghany, Amelia, Bath, Bedford, Bland, Botetourt, Brunswick, Buckingham, Campbell, Caroline, Charles City, Charlotte, Culpeper, Cumberland, Dinwiddie, Fairfax, Floyd, Fluvanna, Gloucester, Goochland, Grayson, Greene, Halifax, Henrico, Isle of Wight, James City, King George, Louisa, Lunenburg, Lynchburg, Mecklenburg, Nelson, Northumberland, Orange, Patrick, Pittsylvania, Prince Edward, Prince William, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Smyth, Southampton, Spotsylvania, Stafford, Suffolk, Surry, Sussex, Washington, Westmoreland, Wythe and York, and the Cities of Alexandria, Fredericksburg and Richmond.

Table 2: 2016 LPTC Acreages of Lands Preserved by Conservation Value

	Locality	Agricultural Use	Forestral Use	Natural Habitat & Biological Diversity	Historic Preservation	Natural-Resource Based Outdoor Ed. & Rec.	Watershed Preservation	Preservation of Scenic Open Space	Conservation of Open Space Lands Designated by Fed, State or Loc. Gov't
1.	Accomack County	88.00	34.00	0.00	0.00	0.00	1.00	123.00	0.00
2.	Albemarle County	1131.96	914.78	82.43	0.00	0.00	1394.73	1599.50	1376.73
3.	Alexandria, City of	0.00	0.00	0.43	0.00	0.00	0.43	0.43	0.43
4.	Alleghany County	3.00	10.00	119.00	10.00	10.00	5.00	5.00	0.00
5.	Amelia County	0.00	118.00	0.00	0.00	0.00	17.00	133.00	0.00
6.	Augusta County	961.50	416.00	660.60	0.00	0.00	494.56	1319.60	92.00
7.	Bath County	168.00	267.00	436.93	0.00	0.00	436.93	798.09	0.00
8.	Bedford County	7.00	31.00	31.00	0.00	0.00	40.00	40.00	0.00
9.	Bland County	309.00	464.00	0.00	0.00	0.00	0.00	773.28	0.00
10.	Botetourt County	0.00	0.00	0.00	0.00	0.00	0.00	0.00	156.90
11.	Brunswick County	55.00	190.00	0.00	0.00	0.00	0.00	257.23	0.00
12.	Buckingham County	0.00	0.00	0.00	0.00	0.00	0.00	323.88	323.88
13.	Campbell County	365.00	200.00	0.00	0.00	0.00	0.00	565.57	163.41
14.	Caroline County	197.00	405.00	0.00	0.00	0.00	17.00	619.00	0.00
15.	Charles City County	196.00	196.00	0.00	0.00	0.00	196.00	196.00	196.00
16.	Charlotte County	0.00	208.00	0.00	0.00	0.00	0.00	208.00	0.00
17.	Clarke County	198.39	396.59	315.02	0.00	0.00	262.02	1024.53	198.39
18.	Culpeper County	265.00	190.00	345.00	335.00	0.00	345.00	335.00	335.00
19.	Cumberland County	150.00	399.00	0.00	0.00	0.00	0.00	549.00	0.00
20.	Dinwiddie County	155.30	155.30	0.00	0.00	0.00	155.30	155.30	155.30
21.	Essex County	484.00	913.00	0.00	0.00	0.00	142.00	1541.84	0.00
22.	Fairfax County	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.43
23.	Fauquier County	314.48	144.61	163.53	49.34	163.53	163.53	588.78	250.12

	Locality	Agricultural Use	Forestral Use	Natural Habitat & Biological Diversity	Historic Preservation	Natural-Resource Based Outdoor Ed. & Rec.	Watershed Preservation	Preservation of Scenic Open Space	Conservation of Open Space Lands Designated by Fed, State or Loc. Gov't
24.	Floyd County	67.64	67.64	67.64	0.00	0.00	67.64	0.00	67.64
25.	Fluvanna County	419.50	560.47	278.00	0.00	0.00	288.00	567.92	0.00
26.	Frederick County	340.60	398.99	0.00	26.28	1.70	106.92	741.75	0.00
27.	Fredericksburg, City of	0.00	0.00	0.00	5.76	2.78	0.00	8.54	5.76
28.	Gloucester County	0.00	0.00	0.00	0.82	0.00	0.00	0.00	0.00
29.	Goochland County	125.00	50.00	0.00	0.00	0.00	175.18	175.18	0.00
30.	Grayson County	196.00	10.00	0.00	0.00	0.00	0.00	0.00	0.00
31.	Greene County	0.00	73.57	73.57	0.00	0.00	73.57	73.57	73.57
32.	Halifax County	815.00	361.00	0.00	0.00	0.00	0.00	1176.88	429.88
33.	Henrico County	3.60	0.00	0.00	3.60	0.00	0.00	3.60	3.60
34.	Isle of Wight County	0.00	111.44	111.44	0.00	0.00	111.44	0.00	111.44
35.	James City County	0.00	0.00	0.00	0.00	0.00	0.00	8.00	8.00
36.	King George County	144.00	144.00	14.00	0.00	0.00	144.00	164.02	144.00
37.	Loudoun County	2973.15	2466.26	301.15	355.68	0.00	2823.65	2834.66	3142.34
38.	Louisa County	760.48	362.00	454.35	691.48	0.00	719.35	910.83	0.00
39.	Lunenburg County	0.00	126.68	126.68	0.00	0.00	126.68	126.68	0.00
40.	Lynchburg County	0.00	0.00	0.00	0.00	0.00	0.00	33.00	0.00
41.	Madison County	433.58	385.00	349.64	0.00	0.00	9.00	870.47	0.00
42.	Mecklenburg County	532.00	985.38	0.00	0.00	0.00	0.00	1586.41	0.00
43.	Nelson County	0.00	1228.75	1285.75	0.00	0.00	328.75	1285.75	1285.75
44.	Northumberland County	0.00	864.00	864.00	20.00	0.00	864.00	864.00	0.00
45.	Orange County	0.00	0.00	1.00	0.00	0.00	1.00	1.00	1.00
46.	Patrick County	0.00	0.00	0.00	0.00	0.00	0.00	0.00	109.50
47.	Pittsylvania County	35.00	38.86	0.00	0.00	0.00	73.86	30.00	0.00

	Locality	Agricultural Use	Forestal Use	Natural Habitat & Biological Diversity	Historic Preservation	Natural-Resource Based Outdoor Ed. & Rec.	Watershed Preservation	Preservation of Scenic Open Space	Conservation of Open Space Lands Designated by Fed, State or Loc. Gov't
48.	Prince Edward County	245.00	56.78	56.78	0.00	0.00	56.78	306.78	0.00
49.	Prince William County	35.00	0.00	0.00	42.00	0.00	0.00	42.00	42.00
50.	Pulaski County	133.00	72.00	0.00	0.00	243.99	0.00	449.99	0.00
51.	Rappahannock County	0.00	147.00	0.00	0.00	0.00	15.00	366.11	0.00
52.	Richmond County	376.53	376.53	376.53	0.00	0.00	376.53	376.53	0.00
53.	Richmond (City)	0.00	0.00	0.00	0.00	0.00	1.41	1.41	0.00
54.	Roanoke County	9.00	109.19	100.69	0.00	0.00	0.00	100.69	0.00
55.	Rockbridge County	522.00	308.00	663.28	0.00	1.00	496.35	915.28	0.00
56.	Rockingham County	151.52	0.00	0.00	0.00	0.00	0.00	151.52	0.00
57.	Smyth County	260.00	70.00	10.00	0.00	0.00	0.00	100.00	0.00
58.	Southampton County	134.50	124.32	170.00	0.00	0.00	170.00	0.00	0.00
59.	Spotsylvania County	0.00	0.00	0.00	25.01	0.00	0.00	25.01	25.01
60.	Stafford County	100.00	56.50	30.00	5.00	0.00	98.39	178.87	178.87
61.	Suffolk County	88.00	63.00	88.00	0.00	0.00	88.00	88.00	88.00
62.	Surry County	426.00	429.00	0.00	0.00	0.00	881.42	881.42	0.00
63.	Sussex County	80.00	354.00	0.00	0.00	0.00	0.00	434.70	0.00
64.	Washington County	421.00	286.00	0.00	0.00	0.00	0.00	300.00	0.00
65.	Westmoreland County	320.00	61.50	0.00	0.00	0.00	0.00	487.50	487.50
66.	Wythe County	825.87	162.00	0.00	0.00	0.00	0.00	984.18	0.00
67.	York County	0.00	0.00	0.00	64.72	0.00	0.00	0.00	0.00
Acreage totals statewide		16,021.60	16,562.14	7,576.44	1,634.69	423.00	11,767.42	28,808.28	9,456.45
Percent of conserved acreage claiming Conservation Value		50.27%	51.97%	23.77%	5.13%	1.33%	36.92%	90.40%	29.67%

Virginia Land Conservation Foundation Stewardship Funding

In 2016, the VLCF distributed the annual land conservation Stewardship Fund deposits for the sixth time, pursuant to [§ 58.1-513\(C\)\(2\)](#) of the Code of Virginia. Monies for the fund are generated by a 2 percent fee imposed on the sale or transfer of land preservation tax credits. Distributions are calculated based on a three-year average of the number of donated interests accepted by the conservation agency or organization. To be counted in the calculation, the land owner must have applied for a tax credit during the immediately preceding three years. During the 2012 Session of the General Assembly, legislation was enacted to clarify that Federal governmental entities are prohibited from receiving these state generated funds.

In October 2016, VLCF distributed a total of \$1,043,198 to 49 conservation agencies and organizations to support their ongoing monitoring and enforcement of conservation easements and fee simple gifts (Table 3).

Table 3: 2016 VLCF Stewardship Funding Distributions

	Conservation Agency/Organization	Number of Donations	% of Total Donations	Amount of Funds
1	American Conservation Legacy Fund, Inc.	1	0.19%	\$2,010.02
2	Archaeological Conservancy	1	0.19%	\$2,010.02
3	Blue Ridge Land Conservancy	3	0.58%	\$6,030.05
4	Capital Region Land Conservancy Inc.	0.5	0.10%	\$1,005.01
5	Cedar Creek Battlefield Foundation	1	0.19%	\$2,010.02
6	Central Virginia Battlefields Trust Inc.	3	0.58%	\$6,030.05
7	Chesapeake Airport Authority	1	0.19%	\$2,010.02
8	City of Danville	2	0.39%	\$4,020.03
9	Civil War Preservation Trust	1	0.19%	\$2,010.02
10	County of Albemarle	20	3.85%	\$40,200.31
11	County of Clarke	6	1.16%	\$12,060.09
12	County of Fauquier	13	2.50%	\$26,130.20
13	County of Fluvanna	1	0.19%	\$2,010.02
14	County of Henrico	2	0.39%	\$1,005.01
15	County of King William	1	0.19%	\$2,010.02
16	County of Northumberland	0.5	0.10%	\$1,005.01
17	County of Stafford	1	0.19%	\$2,010.02
18	County of Warren	1	0.19%	\$2,010.02
19	Eastern Shore Land Trust	1	0.19%	\$2,010.02
20	Henricopolis Soil & Water Conservation District	0.5	0.10%	\$1,005.01
21	Historic Fredericksburg Foundation, Inc.	1	0.19%	\$2,010.02
22	Historic Green Springs, Inc.	3	0.58%	\$6,030.05
23	Historic Virginia Land Conservancy	7	1.35%	\$14,070.11

	Conservation Agency/Organization	Number of Donations	% of Total Donations	Amount of Funds
24	Jefferson Soil and Water Conservation District	1	0.19%	\$2,010.02
25	Land Trust of Virginia	19	3.66%	\$38,190.29
26	Middle Peninsula Chesapeake Bay Public Access	1	0.19%	\$2,010.02
27	Middle Peninsula Land Trust	3	0.58%	\$6,030.05
28	The Nature Conservancy	4	0.77%	\$8,040.06
29	New River Land Trust	2	0.39%	\$4,020.03
30	New River Soil & Water Conservation District	0.5	0.10%	\$1,005.01
31	North American Land Trust (NALT)	2	0.39%	\$4,020.03
32	Northern Neck Land Conservancy	1.5	0.29%	\$3,015.02
33	Northern Virginia Conservation Trust	5	0.96%	\$10,050.08
34	Northern Virginia Conservation Trust	1	0.19%	\$2,010.02
35	Old Dominion Land Conservancy, Inc.	16	3.08%	\$32,160.25
36	Piedmont Environmental Control	4	0.77%	\$8,040.06
37	Potomac Appalachian Trail Club, Inc.	2	0.39%	\$4,020.03
38	Potomac Conservancy	2	0.39%	\$4,020.03
39	Shenandoah County Conservation Easement Authority	1	0.19%	\$2,010.02
40	Shenandoah Valley Battlefield Foundation	1.5	0.29%	\$3,015.02
41	Town of Strasburg	0.5	0.10%	\$1,005.01
42	Town Tangier	1	0.19%	\$2,010.02
43	Virginia Conservation Legacy Fund, Inc.	2	0.39%	\$4,020.03
44	Virginia Department of Conservation & Recreation	2	0.39%	\$4,020.03
45	Virginia Department of Forestry	35	6.74%	\$70,350.54
46	Virginia Department of Game and Inland Forestry	2	0.39%	\$4,020.03
47	Virginia Department of Historic Resources	15	2.89%	\$30,150.23
48	Virginia Outdoors Foundation	322.5	62.14%	\$648,229.97
49	Wildlife Foundation of Virginia	1	0.19%	\$2,010.02
	TOTALS	519	100.00%	\$1,043,198.00