



*VIRGINIA DEPARTMENT  
OF AGRICULTURE AND  
CONSUMER SERVICES*

**OFFICE OF FARMLAND PRESERVATION**  
**ANNUAL REPORT**

By:

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Commissioner of Agriculture and Consumer Services

December 1, 2023

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## EXECUTIVE SUMMARY

This report presents the primary accomplishments of the Office of Farmland Preservation (OFP) for the period of December 1, 2022 – November 30, 2023.

Significant accomplishments for OFP during this reporting period include the following:

- Continued to work with key agriculture, conservation, and government partners to refine the process for allocating state matching funds to local purchase of development rights (PDR) programs;
- Allocated \$875,000 in fiscal year (FY) 2023 state matching funds to five local PDR programs;
- Worked with local PDR programs to permanently preserve 148.52 acres (two easements) of working farm and forest lands. OFP provided \$47,122 of the \$94,243.50 total purchase price and transaction costs paid for these easements;
- Allocated \$16,000 to Virginia Cooperative Extension (VCE) to reimburse VCE for workshops it conducted to help farm families and professional service providers transition farms and farming operations; and
- Continued collaboration with the Virginia Farm Bureau Federation (VFBB) on the management of the Certified Farm Seekers Program and continued improvements to the Virginia Farm Link website and database.

## OVERVIEW

Section 3.2-203 of the Code of Virginia requires the Commissioner of Agriculture and Consumer Services (Commissioner) to submit a written report on the operation of the Office of Farmland Preservation (OFP) to the chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by December 1 of each year.

The following are the specific powers and duties of OFP as established in § 3.2-201 of the Code of Virginia:

- “1. To develop, in cooperation with the Department of Small Business and Supplier Diversity, the Virginia Farm Bureau Federation, the American Farmland Trust, the Virginia Land Conservation Foundation, the Virginia Outdoors Foundation, the Virginia Association of Counties, and the Virginia Cooperative Extension: (i) model policies and practices that may be used as a guide to establish local purchase of development rights programs; (ii) criteria for the certification of local purchase of development rights programs as eligible to receive grants, loans or other funds from public sources; and (iii) methods and sources of revenue for allocating funds to localities to purchase agricultural conservation easements;
2. To create programs to educate the public about the importance of farmland preservation to the quality of life in the Commonwealth;
3. To provide technical, professional, and other assistance to farmers on matters related to farmland preservation;
4. To provide technical, professional, and other assistance to local governments interested in developing additional farmland preservation policies and programs. Such policies and programs shall include (i) use value assessment and taxation pursuant to §§ 58.1-3230 and 58.1-3231; (ii) transfer of development rights pursuant to Article 7.1 (§ 15.2-2316.1 et seq.) of Chapter 22 of Title 15.2; (iii) agricultural and forestal districts pursuant to Chapter 43 (§ 15.2-4300 et seq.) of Title 15.2; and (iv) establishment of local lease of development rights; and
5. To administer the Virginia Farm Link program established pursuant to § 3.2-202.”

In addition, § 3.2-201 was expanded in 2008 to include the following language regarding the allocation of state matching funds to local purchase of development rights (PDR) programs:

“State grants shall be distributed to local purchase of development rights programs under policies, procedures, and guidelines developed by the Office of Farmland Preservation. In general, for each \$1 in grant moneys awarded by the Office, the applicable local purchase of development rights program of the county or city shall be required to provide a \$1 match. However, as part of these policies, procedures, and guidelines developed by the Office, the Office shall include incentives that recognize and encourage counties and cities participating in use value taxation pursuant to Article 4 (§ 58.1-3229 et seq.) of Chapter 32 of Title 58.1.”

In establishing OFP, the General Assembly created a program to address two challenges that threaten the future viability of Virginia's agricultural industry. The first of these challenges is an aging farm population coupled with the difficulty young prospective farmers face when seeking to enter the profession. The average principal farm operator in Virginia is 58.5 years of age, and 37 percent of principal farm operators are aged 65 or older. There are five times as many producers over the age of 65 as there are under the age of 35. According to the American Farmland Trust (AFT), nationwide, 371 million acres of agricultural land owned by aging landowners is expected to change hands over the next 15 years.

The second challenge relates to the continued loss of farm and forest land to developed uses in Virginia. In 2020, AFT released a report entitled "Farms Under Threat: the State of the States" that analyzed nationwide data to determine the total loss of agricultural land. Nationally, between 2001 and 2016, 11 million acres of farmland and ranchland were converted to urban and highly developed land use (UHD) or low-density residential land use (LDR). UHD represents the urban and suburban creep surrounding established urban centers. LDR represents the conversion of agricultural land to large-lot housing developments. AFT's analysis found that LDR often leads to UHD development. In addition, AFT created the Nationally Significant farmland designation to identify the most productive, versatile, and resilient land for sustainable food and crop production. AFT found that between 2001 and 2016, 4.4 million acres of Nationally Significant land were converted to UHD and LDR land uses.

In Virginia, 339,800 acres of agricultural land were converted to UHD or LDR land uses between 2001 and 2016. Significantly, 80 percent of that conversion (272,900 acres) was to LDR land use, which fragments the agricultural land base and limits the production, marketing, and management options for the remaining working landscape. Agricultural land located in LDR areas in 2001 was seven times more likely to convert to UHD by 2016, indicating the importance of land use policies that help keep working landscapes intact. Notably, these data do not include the growing threat of conversion to non-residential development, including utility-scale solar, which is a growing industry in Virginia.

These data illustrate a decreasing amount of farmland available for agricultural use in Virginia over time, which has the potential to adversely impact the agricultural industry and Virginia's economy. Agriculture remains Virginia's largest industry. AFT estimated that the farmland converted between 2001 and 2016 into UHD or LDR land uses in Virginia was sufficient acreage to generate \$164 million in annual revenue, not including income derived from agritourism activities. This loss also results in increased fragmentation of the remaining farm and forest land. Farmers and foresters will continue to face increasing threats as land prices increase and fragmentation expands.

## ACCOMPLISHMENTS

OFFP had many notable accomplishments during the year, despite a change in personnel in the Program Coordinator's position. The previous coordinator departed service on May 25, 2023. The current coordinator was onboarded July 25, 2023. Other staff from the Division of Marketing and Development handled the various duties of the coordinator position during the interim. The following are the accomplishments of the office during December 1, 2022 – November 30, 2023:

### **ADMINISTERING PDR MATCHING FUNDS**

Since its establishment in 2007, OFFP staff has worked with local governments, farm and conservation organizations, and other interested parties to establish local purchase of development rights (PDR) programs. PDR programs compensate landowners who permanently preserve their land by voluntarily placing a perpetual conservation easement on the property. Twenty-three local PDR programs exist to date in Virginia, seven of which have some level of current local funding available (see Appendix 1).

OFFP worked with key stakeholders to develop a two-part certification process for the use of state PDR matching funds. The first part was a certification of the amount of local matching funds that the locality had available for its PDR program. The second part was an application to certify the elements of the local PDR program based on *A Model Purchase of Development Rights (PDR) Program for Virginia* developed by the State Farmland Preservation Task Force in 2005.

During the fiscal year (FY) 2023 state matching funds grant round, OFFP allocated \$875,000. Localities had until November 18, 2022, to submit their fiscal and program certification forms. Five localities met the fiscal and certification deadline for FY 2023 funding. These five localities certified that they had a total of approximately \$24.8 million in non-state funding (\$3.9 million in FY 2023 and \$20.9 million from previous years) available to match state funds. The allocations for FY 2023 were awarded to localities in January 2023 (see Appendix 2).

Localities have up to two years from the execution of the Intergovernmental Agreement (IGA) between the locality and the Virginia Department of Agriculture and Consumer Services (VDACS) to close on approved agricultural conservation easements. As in recent years, OFFP gave localities with remaining FY 2021 funding until May 30, 2023, to close and record an approved agricultural conservation easement. Last year, the standard IGA template was amended to allow a year-long extension of funds if the funds are committed to an easement purchase also leveraging funding from the National Resources Conservation Service Agriculture Land Easement program. PDR managers requested this change as a result of sometimes lengthy delays during the federal review process.

During the reporting period, \$47,122 in state matching funds from the fund administered by OFFP (the Fund) were used in part to permanently protect two easements, comprising 148.52 acres, in partnership with local PDR programs. The total purchase price and transaction cost paid for these easements was \$94,243.50. Since the program's inception in 2007, a total of \$13.3 million in state matching funds from the Fund have been used in part to permanently protect 14,950 acres (115 easements) in partnership with 16 local PDR programs (see Appendix 3).

VDACS is currently in the process of allocating to local PDR programs the \$875,000 available for the FY 2024 grant round. Localities had until November 13, 2023, to submit their fiscal and program certifications.

#### **PROVIDING TECHNICAL ASSISTANCE AND EDUCATION ON FARMLAND PRESERVATION**

Since the establishment of OFP in 2007, staff has been asked to provide technical assistance to local and state governments, agricultural and conservation organizations, individual landowners and farmers, and others interested in learning more about farmland preservation in Virginia.

The following outlines efforts by OFP to provide technical assistance and outreach on farmland preservation issues from December 1, 2022 – November 30, 2023:

*Workshops/Presentations:* OFP delivered four workshops/presentations to a wide variety of audiences. Topics included PDR programs, farmland preservation tools and techniques, conservation easements, farmland loss data, the Virginia Farm Link program, and the Century Farm program (see Appendix 4).

*Outreach:* OFP engaged in greater media outreach throughout the reporting period. In October 2023, staff began to coordinate a new social media/outreach strategy to highlight the Virginia Farm Link Program. The new campaign seeks to better engage the existing farming community.

*Committees:* OFP represented VDACS as a member of the Virginia Land Conservation Foundation (VLCF) Interagency Taskforce, which is administered by the Department of Conservation and Resources. OFP provided updates to the grant manual, reviewed and scored all of the Farmland category grants, and presented the projects recommended for funding to the VLCF board on November 13, 2023.

*Website:* OFP continued to provide updated information on its website at: <http://www.vdacs.virginia.gov/conservation-and-environmental-farmland-preservation-tools.shtml>. The website provides information on the office as well as the issues and challenges related to the loss of Virginia's working farms and forest lands. It also includes links to the websites, program ordinances, easement templates, and other materials for many of the 22 local PDR programs and the two local transfer of development rights programs currently established.

*Landowner phone calls/e-mails:* The OFP Coordinator communicated with numerous landowners and farmers interested in understanding the range of options for permanently protecting their land. OFP also fielded numerous calls and e-mails from farm owners and farm seekers interested in the Virginia Farm Link program and the Virginia Century Farm program.

#### **VIRGINIA FARM LINK PROGRAM**

OFP is charged with administering the Virginia Farm Link program. Pursuant to Va. Code § 3.2-202, the purpose of the Virginia Farm Link program is to:

“ . . .provide assistance to retiring farmers and individuals seeking to become active farmers in the transition of farm businesses and properties from retiring farmers to active farmers. Such assistance shall include, but not be limited to, (i) assistance in the preparation of business plans for the transition of business interests; (ii) assistance in the facilitation of transfers of existing properties and agricultural operations to interested

buyers; (iii) information on innovative farming methods and techniques; and (iv) research assistance on agricultural, financial, marketing, and other matters.”

A new Virginia Farm Link website was launched at [virginiafarmlink.org](http://virginiafarmlink.org) on December 1, 2021. Since the official launch date, VDACS and VFBF have been promoting the website in multiple forums both in-person and virtually. The staff person hired by VFBF and partially funded by VDACS has been maintaining new social media accounts on Facebook and Instagram. Since the launch, hundreds of individuals have signed up to be Farm Seekers and, as of the time of this report, there are 40 active Farm listings. This is a substantial increase in the number of active accounts, particularly in the available Farms category, indicating that the website redesign and targeted outreach have led to greater interaction with the site.

The Certified Farm Seeker (CFS) program, which was developed in 2012 in collaboration with the VFBF’s Young Farmers group, continues to operate in its current form. The CFS program helps farm seekers develop a farm business plan and resume and demonstrate on-farm experience by using five curriculum modules (whole farm planning introduction, business, land acquisition and tenure, marketing, and on-farm experience) that were developed by the Virginia Beginning Farmer and Rancher Coalition Project. The program was designed to help all levels of beginning and experienced young farmers who are looking to farm or expand their farms.

OFP also continued to allocate funding for farm transition workshops designed to help farm families and their service providers transition farms and farming operations to the next generation. Last year’s grant award to VCE was modified to not only allow reimbursements for workshops but also innovative marketing and outreach ideas.

#### **VIRGINIA AGRICULTURE LICENSE PLATES**

Chapter 653 of the 2004 Acts of Assembly established a new revenue-generating license plate for supporters of Virginia agriculture. As established in Va. Code § 46.2-749.102, the annual fee for the Virginia agriculture plate is \$25 in addition to the prescribed fee for state license plates. For each \$25 fee collected in excess of 1,000 registrations, \$15 is credited to a special non-reverting fund known as the Virginia Agricultural Vitality Program Fund established within the Department of Accounts. The revenue generated by this fee is paid annually to OFP and to date has been used to fund projects primarily related to the Virginia Farm Link program.

#### **VIRGINIA CENTURY FARM PROGRAM**

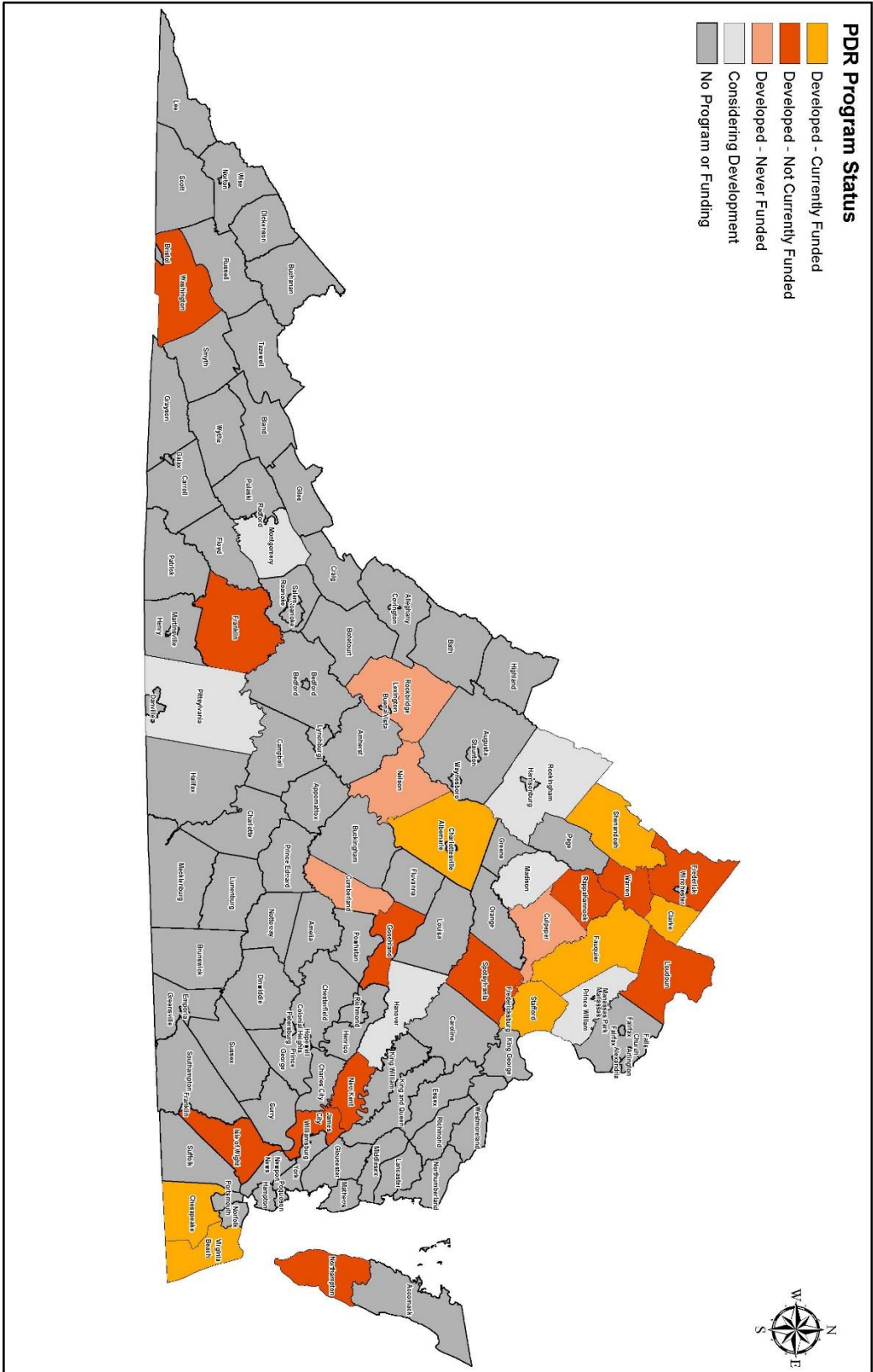
In October 2010, OFP was assigned the administration of the Virginia Century Farm program, which honors and recognizes those Virginia farm families whose land has been in the same family and actively farmed for more than 100 years. As of November 15, 2023, there are now 1,557 certified Century Farms on record since the beginning of the program in 1997.



**APPENDIX 1**

**STATUS OF LOCAL PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAMS**

- PDR Program Status**
- Developed - Currently Funded
  - Developed - Not Currently Funded
  - Developed - Never Funded
  - Considering Development
  - No Program or Funding



Map updated on 11/15/22

**APPENDIX 2**

**FY 2023 ALLOCATIONS FOR LOCAL PDR PROGRAMS**

<b><u>Locality</u></b>	<b><u>Local Funds Available</u></b> <b><u>(As of Nov 2022)</u></b>	<b><u>Previous State Funds</u></b> <b><u>Remaining</u></b> <b><u>(As of Nov 2022)</u></b>	<b><u>FY 2023 State Funds</u></b> <b><u>Awarded</u></b>
County of Albemarle	\$75,619.00	\$75,619.00	\$0.00
City of Chesapeake	1,819,328.61	\$0.00	\$175,000.00
County of Clarke	\$242,983.04	\$150,176.70	\$175,000.00
County of Fauquier	\$3,388,659.00	\$154,070.00	\$175,000.00
County of Shenandoah	\$142,000.00	\$142,000.00	\$0.00
County of Stafford	\$1,322,545.74	\$156,476.00	\$175,000.00
City of Virginia Beach	\$17,976,138.00	\$0.00	\$175,000.00
<b>TOTAL</b>	<b>\$24,967,273.39</b>	<b>\$678,341.70</b>	<b>\$875,000.00</b>

**APPENDIX 3**

**TOTAL ACRES PROTECTED WITH STATE PDR MATCHING FUNDS**

**AS OF NOVEMBER 15, 2023**

<b><u>Locality</u></b>	<b><u>Easements</u></b>	<b><u>Acres Protected</u></b>	<b><u>*Local Funding</u></b>	<b><u>*State PDR Funding</u></b>	<b><u>*Other Funding</u></b>
Albemarle County	17	2,829.51	\$2,850,255.20	\$2,101,799.89	\$0.00
City of Chesapeake	4	212.36	\$1,707,449.87	\$578,329.98	\$0.00
Clarke County	42	3,299.64	\$1,376,415.08	\$1,376,412.57	\$3,043,265.36
Fauquier County	16	4,277.43	\$2,867,060.07	\$2,284,815.43	\$100,000.00
Frederick County	1	89.75	\$5,000.00	\$130,027.00	\$260,000.00
Goochland County	1	500.93	\$155,623.50	\$155,623.50	\$0.00
Isle of Wight County	3	585.40	\$1,794,862.79	\$1,547,744.21	\$0.00
James City County	5	476.16	\$1,775,974.11	\$994,967.24	\$0.00
Northampton County	3	637.25	\$139,578.10	\$139,578.10	\$1,376,000.00
Rappahannock County	2	343.23	\$157,431.00	\$156,666.00	\$0.00
Shenandoah County	2	308.87	\$100,000.00	\$100,000.00	\$525,000.00
Spotsylvania County	2	115.70	\$93,072.65	\$93,072.65	\$147,500.00
Stafford County	7	528.35	\$1,625,631.92	\$1,606,170.18	\$180,000.00
City of Virginia Beach	8	534.40	\$2,849,768.61	\$1,887,987.43	\$0.00
Warren County	1	50	\$64,745.00	\$64,745.00	\$0.00
Washington County	1	161.24	\$41,000.00	\$41,000.00	\$190,426.00
<b>TOTAL</b>	<b>115</b>	<b>14,950.37</b>	<b>\$17,603,867.88</b>	<b>\$13,211,817.18</b>	<b>\$5,796,093.00</b>

\* Includes easement purchase price and in some cases incidentals such as surveys, title insurance, appraisals, reasonable legal fees, etc.

## **APPENDIX 4**

### **OFFICE OF FARMLAND PRESERVATION PRESENTATIONS**

**\*DECEMBER 1, 2022 – NOVEMBER 30, 2023**

\*Note: Activities listed here only include those executed by the current Farmland Preservation Coordinator, onboarded July 25, 2023.

- Met with other land acquisition agencies at the Blandy Experimental Farm outside of Winchester. Hosted by the Virginia Department of Forestry, this meeting reviewed current funding opportunities and challenges to land acquisition while establishing new contacts for the state agencies (August 30, 2023).
- Staffed a booth at the Virginia State University Small Farm Outreach Boots 2 Roots event in Culpeper. Office of Domestic Marketing and Promotions and Office of Agriculture and Forestry Development staffed an exhibit table and met with participants to discuss Virginia Grown, VDACS marketing services, agritourism, the Governor's Agriculture and Forestry Industry Development program, and Farmland Preservation (August 31, 2023).
- Attended the 2023 Agricultural Marketing and Rural Development Officers Conference in Aberdeen, Maryland. Provided information on OFP's programs and services. (September 25-28, 2023).
- Presented at the Virginia United Land Trust's agency retreat in Charlottesville. Through break-out groups and activities, the conference provided OFP the opportunity to network with other conservation professionals and develop strategies to enhance its programs (October 5, 2023).
- Presented at the Virginia Farm Bureau Federation Annual Convention and Meeting of Voting Delegates in Virginia Beach, Virginia. Staffed a booth and shared program information with interested groups (November 27-29, 2023).