

REPORT OF THE DEPARTMENT OF CONSERVATION AND
RECREATION

Calendar Year 2022
Land Preservation Tax Credit
Conservation Value Summary

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



COMMONWEALTH OF VIRGINIA
RICHMOND
DECEMBER 2023

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December 20, 2023

The Honorable Glenn A. Youngkin, Governor of Virginia
House Appropriations Committee Chair
House Finance Committee Chair
Senate Finance and Appropriations Committee Chair

Dear Governor Youngkin and Chairmen of the House Committee on Appropriations, House Committee on Finance, and the Senate Committee on Finance and Appropriations:

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, 2022, and December 31, 2022, for which a taxpayer received a Land Preservation Tax Credit (LPTC) within the \$75,000,000 cap for the tax year 2022, established pursuant to Virginia Code [§ 58.1-512\(D\)\(4\)\(c\)](#).

The Virginia Land Preservation Tax Credit (LPTC) program continues to be a key factor behind land conservation successes in the Commonwealth. The transferability of the LPTC has proven to be a valuable incentive to persons voluntarily protecting working farms, forests, recreational lands, scenic viewsheds, historic sites, and natural areas. A two 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 (and certain other requests as identified in state code, [§ 58.1-512](#)) to verify the conservation value of the donation (Va. Code [§ 58.1-512\(D\)\(3\)\(a\)](#)). DCR's responsive and timely review process also serves as an important oversight tool for the Commonwealth, ensuring that protected lands have significant conservation value and that the natural and historical resources within will be adequately protected into the future.

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DCR's verification process 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, the 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 the protection of known natural heritage resources. Additionally, DCR's review certifies that voluntary easements meet VLCF criteria aimed at safeguarding the long-term conservation values of the property. This review prohibits intentional harm to the property's conservation values and ensures the property's conservation value 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,



Matthew S. Wells

Attachment

cc: Virginia Land Conservation Foundation Board of Trustees
The Honorable Travis A. Voyles, Secretary of Natural and Historic Resources
Craig M. Burns, Commissioner, Department of Taxation
Michael D. Maul, Director, Department of Planning and Budget
April Kees, Director, Senate Finance and Appropriations Committee
Kendra Brown Shifflett, Legislative Fiscal Analyst, Senate Finance and Appropriations Committee
Anne E. Oman, 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 by December 1 of each year. This report covers those donations for which taxpayers claimed Land Preservation Tax Credits between January 1, 2022, through December 31, 2022, within the 2022 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 December 31, 2022, landowners have received tax credits for permanently protecting 1,030,921 acres across the Commonwealth through 4,732 land donations since program inception. The appraised value of this conserved acreage is about \$4.97 billion, with landowners receiving almost \$1.9 billion in tax credits.

DCR's review of LPTC applications for one million dollars or more (and for certain other circumstances as identified in state code ([§ 58.1-512](#)) began in January 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 is an important tool for the Commonwealth to ensure that the protected lands have worthy conservation values and that 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 2022 Land Preservation Tax Credits within that year's cap of \$75 million. Based on the information provided to DCR from TAX for 2022, 158 applications were granted, protecting 31,365 acres, and reaching the \$75 million cap.

For the calendar year 2022, taxpayers in 69 localities claimed tax credits. Loudoun County received 21 land donations - the most of any county, and received the highest value of tax credits, totaling \$21,567,203. Southampton County protected the largest amount of land (2,259.42 acres).

There are eight different conservation purposes that a landowner can claim to be eligible for an LPTC. Applicants may claim more than one conservation purpose, and many do; however, it is not necessary to qualify for the LPTC program. In the 2022 LTPC program year, the Scenic Open Space category was chosen for 82.0 percent of the total acreage preserved (25,730 acres). The next three largest categories claimed were Forestal Use at 18,712 acres or 59.7 percent of the total acreage, Watershed Preservation at 17,989 acres or 57.4 percent, and Agricultural Use at 12,329 acres or 39.3 percent.

As reported by landowners in their LPTC application packages to TAX, under the 2022 cap, about 7,109 acres of active agricultural land and 10,918 acres of active forestal land were conserved. Within the LPTC application, landowners 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 2022 indicate a total length of 508,063 linear feet of forested buffers and 157,889 linear feet of no-plow buffers along rivers, streams, wetlands, ponds, springs, and shorelines. The two categories of buffers differ in the 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 2022, 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 \$2,124,370 in stewardship funds to 40 land trusts, conservation organizations, and agencies to support their ongoing monitoring and enforcement of donated lands. The dedicated funding is generated from a two 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 for certain other LPTC requests as identified in state code, [§ 58.1-512](#). During the review, DCR must verify the conservation value of these donations in advance of TAX issuing a land preservation tax credit. DCR reviews these LPTC requests in accordance with criteria adopted by the VLCF for this purpose. In 2022, DCR reviewed and commented on the conservation value associated with 22 LPTC applications submitted for pre-file review by the applicants.

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 several 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 the Director of DCR 90 days to complete their review after receipt of a final application, on average, DCR took approximately 14 days to verify the conservation value of the final application and issue the final review letter.

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 on January 1, 2000, Virginia's tax credit program continues to leverage significant private investment to attain noteworthy land conservation levels every year. As of December 31, 2022, the Virginia Department of Taxation's (TAX) records indicated that a total of 1,030,921 acres of land, appraised at about \$4.97 billion, have been protected through 4,732 donations representing almost \$1.9 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 also provide state tax incentives for donations of conservation easements (Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Maryland, Massachusetts, Mississippi, New Mexico, New York, and South Carolina). Like Virginia, four states also provide for the transfer of those credits (Colorado, Georgia, New Mexico, and South Carolina). However, Virginia's tax-credit program is by far the largest in dollar value of property conserved. In Virginia, this is a program that 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 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 number of tax credits 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 the 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](#) (HB 1398) lowered the maximum annual amount of land preservation tax credits that could be issued to taxpayers to \$100 million beginning with the calendar year 2013. 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 a recommended appropriation from the general fund to fund other land conservation programs in an amount equal to the difference between the indexed amount and \$100 million. The amount was to be appropriated as follows: 80 percent 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 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 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 taxpayer 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, adopted by the Virginia Land Conservation Foundation, is used 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, 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\(h\)](#), provisions in [§ 58.1-512](#) of the Code of Virginia, and 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 applicants 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 for certain Conservation Purposes. For example, public recreation lands where development covers more than 15 percent of the site, such as 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 the number and size of permitted new buildings and structures;
3. Restrictions on the location of new buildings and structures;
4. Restrictions on the 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 protecting water quality and the stewardship of agricultural and forest lands. Concerning water quality protection, 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 impact 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.

2022 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 certain other requests as identified in state code, [§ 58.1-512](#). During our review, DCR verifies 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.

In 2022, DCR received 22 applications for review. As part of its pre-filing review process, DCR reviewed and commented on the conservation value associated with 19 LPTC applications. The agency provides this pre-file review service to applicants so that any potential issues can be resolved prior to the recordation of a donation and submission of a final LPTC application. In addition, DCR received and reviewed three applications after deeds had been recorded. Of those, one deed was required to be amended to meet the VLCF Conservation Value Review Criteria.

DCR sent final verification letters to TAX for six applications for which reviews began in 2022, four of which were issued land preservation tax credits that year. According to DCR's records, these four applications received over \$5.7 million in land preservation tax credits and protected 1,113 acres of land. Of the remaining 16 applications, one was valued below the threshold for our final review, one chose to request less than \$1 million in tax credits so as not to require our final review, and seven went on to complete their conservation value review and file with TAX in 2023. Another seven are continuing to work on their projects.

Additionally, DCR completed final reviews for nine pre-file applications that were reviewed in 2021. Combined, these nine property owners received over \$18.5 million in tax credits and protected 1,609 acres.

The objective of DCR's review is to ensure a basic level of protection for all 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 significantly modified many applications submitted to the agency. Through the collaborative pre-filing review process, DCR and the applicants resolved several 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 significant forest management and all timber 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 with adequate protections;
- 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 the protection of water quality, historic structures, and areas containing special habitats 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, whether working lands, historic battlefields, or natural areas, for generations to come. Most properties DCR reviewed in 2022 had some form of agricultural or forestal activity at the time of donation, whether a historic manor on hundreds of acres or a small farm in the foothills. Where the land was in agricultural use, the donation of a conservation easement was intended to ensure the opportunity for 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's Director to take up to 90 days to review a final, completed application before taking final action. On average, in 2022, DCR took about 14 days to review a final 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

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 been issued a tax credit for a land donation within the 2022 annual cap.

To apply for an 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 send a copy to DCR after completing the land donation. DCR has compiled this report from taxpayer information provided to the agency 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 2022 Land Preservation Tax Credit Summary

Based on the information provided by TAX and taxpayers in their tax credit applications, tax credits were awarded to 158 applications which, in total, reached the \$75 million cap for the calendar year 2022. These applications spanned 69 localities and conserved 31,365.44 acres of land in the Commonwealth.

Table 1 highlights the 11 counties where taxpayers each claimed four or more LPTCs. Loudoun County had the largest number of donations per county, with 21 donations (13.3 percent of the total donations in 2022). Loudoun County was also issued the most tax credit dollars (\$19,643,627, or 26.2 percent of the total LPTC value issued). Southampton County had the greatest amount of acreage preserved at 2,259 acres or 7.2 percent of the total acreage preserved statewide.

Fifty-eight localities each had at least one, but no more than three, land donations that were issued LPTC credits. In those 58 localities, the total dollar value of credits issued was \$27,005,318, or 36.0 percent of the statewide total. The total acreage preserved in those localities was 17,965 acres, 57.3 percent of the statewide total.

Of the total 31,365.44 acres preserved under the 2022 LPTC program, landowners reported in their LPTC application packages that approximately 7,109 acres were currently being used for production agriculture. On-site operational best management practices designed to protect water quality are reportedly required on 84 percent of those acres (5,966.71 acres). Approximately 10,918 acres were

reported as being used for active silvicultural land, of which 9,539.35 acres (87 percent) are required to have on-site operational best management practices or pre-harvest management plans.

Within the LPTC application, landowners are also 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 2022 indicated a total length of 508,063 feet of forested buffers and 157,889 feet of no-plow buffers along rivers, streams, wetlands, ponds, springs, and shorelines. The two categories of buffers differ in the activities 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.

Landowners may claim eight conservation purposes when applying for tax credits. A property must meet at least one conservation purpose, but the applicant may claim multiple purposes. In 2022, applicants claimed the following conservation purposes:

- Preservation of Scenic Open Space: 25,730 acres (82.0 percent of the total acreage),
- Forestal Use: 18,712 acres (59.7 percent of the total acreage),
- Watershed Preservation: 17,989 acres (57.4 percent of the total acreage),
- Agricultural Use: 12,329 acres (39.3 percent of the total acreage),
- Natural Habitat and Biological Diversity: 8,087 acres (25.8 percent of the total acreage),
- Lands Designated by Federal, State, or Local Government: 7,752 acres (24.7 percent of the total acreage),
- Historic Preservation: 2,491 acres (7.9 percent of the total acreage), and
- Natural Resource-Based Outdoor Education and Recreation: 996 acres (3.2 percent of the total acreage).

Table 1: 2022 Land Preservation Tax Credits by Locality

	Locality	Number of Donations	Tax Credits Issued	Percent of Total Tax Credits	Acres Preserved	Percent of Total Acres Preserved
1	Loudoun County	21	\$21,567,203	28.76	2,255.37	7.19
2	Albemarle County	6	\$13,040,000	17.39	432.01	1.38
3	Augusta County	6	\$1,775,000	2.37	1,221.50	3.89
4	Bath County	6	\$2,216,400	2.96	1,545.71	4.93
5	Nelson County	6	\$1,153,200	1.54	1,406.03	4.48
6	Fauquier County	6	\$3,100,000	4.13	765.09	2.44
7	Prince Edward County	6	\$632,060	0.84	500.77	1.60
8	Hanover County	5	\$2,238,600	2.98	1,542.63	4.92
9	Nottaway County	4	\$612,361	0.82	829.92	2.65
10	Rockbridge County	4	\$662,698	0.88	642.21	2.05
11	Southampton County	4	\$997,160	1.33	2,259.42	7.20
	Subtotal	74	\$47,994,682	63.99	13,400.66	42.72
	Other*	84	\$27,005,318	36.01	17,964.78	57.28
	Total	158	\$75,000,000	100%	31,365.44	100%

The 11 localities listed above had a minimum of four donations in 2022. Taxpayers claimed tax credits in a total of 69 localities.

* Other: 58 localities containing at least one but no more than three donations. These include the counties of Accomack, Amelia, Amherst, Appomattox, Bedford, Botetourt, Brunswick, Buckingham, Campbell, Caroline, Charles City, Charlotte, Chesterfield, Culpeper, Cumberland, Dinwiddie, Fairfax, Floyd, Franklin, Frederick, Gloucester, Halifax, Hanover, Henrico, Henry, Highland, Isle of Wight, King and Queen, Lancaster, Lee, Louisa, Lunenburg, Madison, Mecklenburg, Middlesex, Orange, Patrick, Pittsylvania, Powhatan, Prince George, Richmond, Roanoke, Rockingham, Shenandoah, Smyth, Spotsylvania, Stafford, Surry, Sussex, Warren, Westmoreland, and Wythe, in addition to the cities of Chesapeake, Franklin, Lynchburg, Norfolk, Richmond and Suffolk.

Table 2: 2022 LPTC Acreages of Lands Preserved by Conservation Value

	Locality	Agricultural Use	Forestal Use	Natural Habitat & Biological Diversity	Historic Preservation	Natural-Resource Based Outdoor Ed. & Rec.	Watershed Preservation	Preservation of Scenic Open Space	Open Space Lands Designated by Fed, State or Loc. Gov't
1.	Accomack County	130	30	34	0	0	58	164	58
2.	Albemarle County	351	93	0	153	0	210	243	376
3.	Amelia County	192	299	0	0	0	0	491	0
4.	Amherst County	150	125	275	0	0	275	275	0
5.	Appomattox County	85	100	0	0	0	0	185	0
6.	Augusta County	773.58	440	0	0	0	923	775	359
7.	Bath County	397.59	989.59	1291.59	0	0	1315.59	1315.59	279
8.	Bedford County	208	52	0	0	0	261	261	0
9.	Botetourt County	147	783	0	0	0	0	979	0
10.	Brunswick County	61	649	459	0	459	459	610	610
11.	Buckingham County	130	3	0	0	0	0	133	0
12.	Campbell County	20	62	0	0	0	82	82	0
13.	Caroline County	287	481	0	0	0	549	803	0
14.	Charles City County	63	4	0	0	0	67	67	0
15.	Charlotte County	249	835	901	0	0	1100	1100	0
16.	Chesterfield County	50	0	0	0	0	56	56	0
17.	City of Chesapeake	0	0	0	0	88	88	88	88
18.	City of Franklin	0	200	200	0	200	200	200	200
19.	City of Lynchburg	0	40	0	42	42	42	42	0
20.	City of Norfolk	0	0	0.18	0	2	2.18	2.18	0
21.	City of Richmond	0	0	0	0	3	4	4	0
22.	City of Suffolk	132	33	0	0	0	196	250	0
23.	Clarke County	234.23	202	0	0	0	0	180	241

	Locality	Agricultural Use	Forestal Use	Natural Habitat & Biological Diversity	Historic Preservation	Natural-Resource Based Outdoor Ed. & Rec.	Watershed Preservation	Preservation of Scenic Open Space	Open Space Lands Designated by Fed, State or Loc. Gov't
24.	Culpeper County	65	35	0	100	0	100	100	0
25.	Cumberland County	630	274	0	0	0	904	904	0
26.	Dinwiddie County	125	12	0	0	0	0	137	0
27.	Fairfax County	0	0	0	0	0	0	0	5.07
28.	Fauquier County	550	231	337	353	0	337	728	191
29.	Floyd County	126	126	126	126	126	126	126	126
30.	Franklin County	125	267	392	0	0	392	392	0
31.	Frederick County	0	162	175	0	0	175	175	0
32.	Gloucester County	114	114	0	0	0	228	228	0
33.	Halifax County	249	186	0	375	0	744	744	0
34.	Hanover County	741	803	0	0	0	1221	1542	0
35.	Henrico County	16	12	28	28	0	0	28	0
36.	Henry County	0	179	179	0	0	179	179	0
37.	Highland County	0	616	717	0	0	806	806	0
38.	Isle of Wight County	126	90	70	0	0	288	0	0
39.	King & Queen County	147	417	0	0	0	0	564	0
40.	Lancaster County	26	26	0	0	0	26	26	26
41.	Lee County	0	230	237	0	0	237	237	0
42.	Loudoun County	1440	705	305	367	76	1054.9	1768	1440
43.	Louisa County	544	171	0	640.5	0	0	74	640.5
44.	Lunenburg County	290	240	0	0	0	0	290	290
45.	Madison County	0	137	250	0	0	250	250	0
46.	Mecklenburg County	100	0	0	0	0	146	146	0
47.	Middlesex County	48	68	0	0	0	0	119	0
48.	Nelson County	173	1227	626	0	0	923	923	0

	Locality	Agricultural Use	Forestal Use	Natural Habitat & Biological Diversity	Historic Preservation	Natural-Resource Based Outdoor Ed. & Rec.	Watershed Preservation	Preservation of Scenic Open Space	Open Space Lands Designated by Fed, State or Loc. Gov't
49.	Nottoway County	410	419	0	0	0	0	829	605
50.	Orange County	232.35	232.35	0	232.35	0	0	232.35	0
51.	Patrick County	10	50	0	0	0	0	60	0
52.	Pittsylvania County	0	273	0	0	0	273	273	0
53.	Powhatan County	86	86	0	0	0	0	86	86
54.	Prince Edward County	120	470	0	0	0	0	500	0
55.	Prince George County	425	425	0	0	0	425	425	425
56.	Richmond County	0	150	0	0	0	30	185	0
57.	Roanoke County	0	61	57	0	0	69	69	0
58.	Rockbridge County	384	560	0	0	0	189	642	318
59.	Rockingham County	115	146	143	0	0	261	261	0
60.	Shenandoah County	25	266	112	0	0	312	312	0
61.	Smyth County	140	186	0	0	0	0	326	0
62.	Southampton County	254	1941	1102	0	0	1942	838	706
63.	Spotsylvania County	126	667	0	0	0	0	867	0
64.	Stafford County	8	8	70	0	0	78	78	78
65.	Surry County	70	120	0	0	0	192	192	0
66.	Sussex County	575	692	0	0	0	167	722	555
67.	Warren County	17	31	0	74	0	26	41	0
68.	Westmoreland County	0	0	0	0	0	0	0	49.86
69.	Wythe County	35.81	180	0	0	0	0	0	0
Acreage totals statewide		12,328.56	18,711.94	8,086.77	2,490.85	996	17,988.67	25,730.12	7,752.43
Percent of conserved acreage claiming Conservation Value		39.31	59.66	25.78	7.94	3.18	57.35	82.03	24.72

Virginia Land Conservation Foundation Stewardship Funding

In 2022, the VLCF distributed the annual land conservation Stewardship Fund deposits, pursuant to [§ 58.1-513\(C\)\(2\)](#) of the Code of Virginia. Monies for the fund are generated by a two percent fee imposed on the sale or transfer of land preservation tax credits. Distributions are calculated based on the formula in the Code of Virginia, using a three-year average of the number of donated interests accepted by the conservation agency or organization. To be counted in the calculation, the landowner 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.

On November 14, 2022, the Virginia Land Conservation Foundation approved the distribution of \$2,124,370 to 39 of the 40 conservation agencies and organizations slated to receive funding (Table 3). Funding supports the ongoing monitoring and enforcement of conservation easements and fee simple gifts. One of the organizations identified to receive funds, the Enrichmond Foundation, is no longer operating. The Board deferred the payment to the Enrichmond Foundation until information is available as to which organization is now responsible for monitoring and stewardship of the donated property received by the Enrichmond Foundation.

Table 3: 2022 VLCF Stewardship Funding Distribution

	Agency/Organization Name	Number of Donations	% of Total Donations	Amount of Funds
1	American Battlefield Trust	2	0.43%	\$9,107.70
2	Blue Ridge Land Conservancy	25.5	5.47%	\$116,123.12
3	Broad Water Innovations	1	0.21%	\$4,553.85
4	Capital Region Land Conservancy Inc	8.5	1.82%	\$38,707.71
5	Central Virginia Battlefields Trust	1	0.21%	\$4,553.85
6	City of Charlottesville	2	0.43%	\$9,107.70
7	City of Hampton	1	0.21%	\$4,553.85
8	City of Harrisonburg	1	0.21%	\$4,553.85
9	City of Staunton	1	0.21%	\$4,553.85
10	County of Albemarle	26	5.57%	\$118,400.04
11	County of Clarke	1	0.21%	\$4,553.85
12	County of Fauquier	13	2.79%	\$59,200.02
13	County of Loudoun	0.5	0.11%	\$2,276.92
14	County of Stafford	2.5	0.54%	\$11,384.62
15	County of Warren	1	0.21%	\$4,553.85

	Agency/Organization Name	Number of Donations	% of Total Donations	Amount of Funds
16	Enrichmond Foundation*	1	0.21%	\$4,553.85
17	Ever Green Team	72	15.43%	\$327,877.04
18	Friends of Dragon Run	1	0.21%	\$4,553.85
19	Friends of the Rappahannock	1	0.21%	\$4,553.85
20	Historic Green Springs Inc.	1	0.21%	\$4,553.85
21	Historic Virginia Land Conservancy	15	3.22%	\$68,307.72
22	Land Trust of Virginia	36	7.72%	\$163,938.52
23	New River Land Trust	1	0.21%	\$4,553.85
24	Northern Neck Land Conservancy	14	3.00%	\$63,753.87
25	Northern Virginia Conservation Trust	7.5	1.61%	\$34,153.86
26	Northern Virginia Regional Park Authority	1	0.21%	\$4,553.85
27	Old Dominion Land Conservancy, Inc.	47	10.08%	\$214,030.85
28	Outdoors Preservation Foundation	3	0.64%	\$13,661.54
29	Piedmont Environmental Council	4	0.86%	\$18,215.39
30	Shenandoah Valley Battlefield Foundation	2.5	0.54%	\$11,384.62
31	Southern Virginia Land Conservancy	0.5	0.11%	\$2,276.92
32	The 500-Year Forest Foundation	8	1.71%	\$36,430.78
33	The Conservation Fund	1	0.21%	\$4,553.85
34	The Nature Conservancy	4	0.86%	\$18,215.39
35	Valley Conservation Council	12	2.57%	\$54,646.17
36	Virginia Department of Conservation & Recreation	1	0.21%	\$4,553.85
37	Virginia Department of Forestry	9	1.93%	\$40,984.63
38	Virginia Department of Historic Resources	3	0.64%	\$13,661.54
39	Virginia Eastern Shore Land Trust	1	0.21%	\$4,553.85
40	Virginia Outdoors Foundation	133	28.51%	\$605,661.76
	TOTALS	466.5	100.00%	\$2,124,370.00

*No longer in business. Identifying the appropriate steward to receive these funds.

**Note that the US Navy holds 1/2 interest in one easement, but is ineligible to receive payment, per Va. Code § 58.1-513.