

# A Guide to Preserving Agricultural Lands in the Chesapeake Bay Region:

## Keeping Stewards on the Land



**CHESAPEAKE BAY FOUNDATION**  
*Saving a National Treasure*

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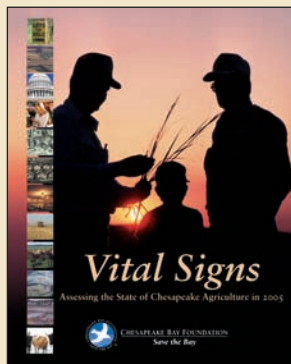
# INTRODUCTION

## *Farms and Farmland in the Chesapeake Bay Region*

In 2005, the Chesapeake Bay Foundation issued *Vital Signs*, a report on the state of Chesapeake agriculture. That report concluded that even though agriculture in our region is productive and extraordinarily important, it faces serious and growing threats. The greatest of these has proven to be loss of farmland to development. Preventing this ongoing loss is the purpose of this guide.



Loss of productive, well-managed farmland, like this acreage on Maryland's Eastern Shore, threatens the health of the Bay as well as regional economies. CBF's 2005 report, *Vital Signs*, explored this disturbing trend.



As a major industry in Virginia, Maryland, and Pennsylvania, agriculture plays a key role in the watershed's economy. Just as importantly, agriculture is important to our sense of community across the watershed, because farming helps define cultural values and a rural way of life, just as farmland helps define many a local landscape.

Agriculture is also important to the region's environment, because well-managed farmland provides crucial water filtering. It feeds the groundwater supply and supports a variety of habitats, including some of the forests essential for diverse wildlife and clean water. We cannot restore the health of the Chesapeake Bay without ensuring a healthy agricultural economy in the region.

As *Vital Signs* made clear, the threats that agriculture faces are real, and none is more pressing than that posed by farmland loss. The simple fact is that without good farmland, farmers can't farm. Despite its value, however, agriculture faces great pressure from our region's exploding human population. Since the best farmland has the most productive, well-drained soils, with moderate slopes and mostly-cleared land, it is also the land most commonly favored for growth and development.

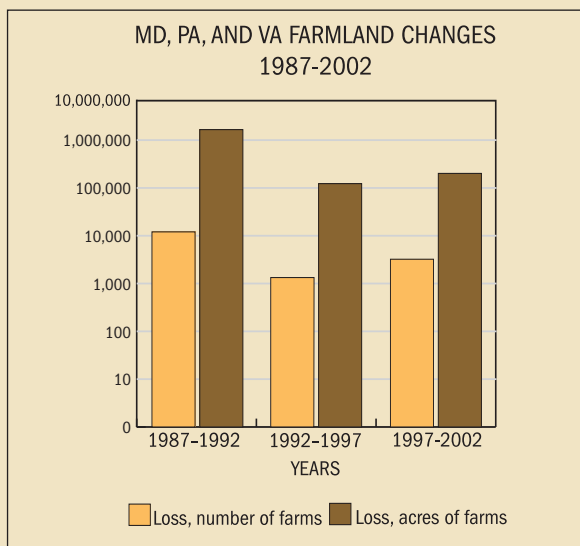
The rate of loss of prime farmland across the watershed has slowed a bit from the astonishing pace of previous decades, but agricultural land is still being converted to suburban development by **tens of thousands of acres per year**, a rate that the Chesapeake Bay Foundation considers unhealthy for the continuation of agriculture and unhealthy for the Bay.

Though the extraordinary loss of some **1.25M** acres of farmland in Maryland, Pennsylvania, and Virginia between the years 1987-1992 slowed to a loss of about 160,000 acres in those three states in the following five years, it accelerated again to

## Farmland losses have a way of feeding on themselves.



The competition for open land yields striking contrasts, as a paved parking lot encroaches on a working farm in Pennsylvania.



319,000 acres (almost 64,000 acres or 100 square miles per year) in 1997-2002.<sup>1</sup> The number of individual farms in the three Bay states went down by almost 11,000 between 1987-1992, leveled off at a loss of about 1,500 over the next five years, but rose again to a loss of almost 5,000 farms between 1997-2002.<sup>2</sup> These numbers surely represent a warning sign.

Farmers face a double-edged sword. As the economic margin for farming gets thinner and profitability shrinks, more and more farmers leave farming, encouraging the conversion of farmland to developed uses. Farmland conversion also occurs as a result of enormous outside economic pressures. The result, once again, is farmers leaving their farms.

Farmland losses have a way of feeding on themselves. At the most basic level, successful farming requires a critical mass of resources and markets. A sufficient land base is a crucial component. When farmers sell out to developers and prime cropland begins to grow houses, the resulting suburbanization erodes and fragments farmland. The mechanics of farming, such as moving equipment around, become more difficult. New homeowners object to unexpected sights, sounds, smells, and long work hours in the real world of agriculture. Land prices rise to match urbanization's value, which makes staying on the land to farm it even harder.

The increasing competition for open land endangers a way of life, a substantial proportion of the Chesapeake region's economic livelihood, and the environmental integrity of the watershed's open space and natural resources. The purpose of this guide is to provide farmers and others with information about farmland's importance to the Bay and some of the methods, tools, and programs available to help save it.

# FARMS AND THE BAY

## Farming vs. Development

**A**griculture is a major source of nitrogen, phosphorus, and sediment pollution. So if that's the case, isn't the conversion of farmland to urban development a good thing? Doesn't farming produce more pollution than new suburbs?

The general answer is no. Generally, urban/suburban development delivers the greatest amount of nitrogen and phosphorus pollution to local waterways and the Bay per acre: 30 lb/acre/year of nitrogen, compared with 17 lb/acre/year for agriculture, according to the Chesapeake Bay Program. Well-managed agricultural land is still the next best thing to forests in restoring the "Great Green Filter" of old-growth woodland and natural grasslands that covered the Chesapeake watershed for the first ten thousand years of the Bay's existence. Meanwhile, urban/suburban land uses are expanding at a furious pace, while farm uses shrink, so the net load to the Bay is increasing.



Farms are being lost to housing development at an accelerated rate—with permanent consequences for the land and the water.

An acre of well-managed agricultural land is better for the Bay than an acre of new development. Here's why:

*First, an acre of farmland—undeveloped—retains its rainwater filtration capacity. But an acre of development (even with just one house on it) never occurs alone, so filtration capacity in the area is soon compromised.* Accompanying the one developed acre, with its one or two houses, are many more acres of supporting development, from new and expanded roads to shopping centers, parking lots, rooftops, schools, fire stations, recreation centers, and churches. In other words, there is always a multiplier of additional land use changes that accompanies development. These uses customarily cause an increase in the pollution running off the land, well above that of equivalent well-managed farmland.

*Second, an acre of development permanently displaces an acre of the working landscape.* Farmland can always revert to forest. But developed land rarely, if ever, reverts to open land—it usually just becomes more intensively developed over time. Also, farmland can quite readily be managed to release much less nitrogen, phosphorus, and sediment pollution. (Urbanizing land can also be better managed; it's just that it usually entails significant engineering and construction expense and low pollutant-removal efficiencies.) Low-density sprawl—one house per one or more acres—also increases the use of septic systems as the sewage treatment method of choice, and such systems are responsible for a substantial amount of pollution.

## An acre of well-managed agricultural land is better for the Bay than an acre of new development.



Agricultural runoff can be remedied by installing conservation measures, as these before and after photographs demonstrate. Suburban development also contributes significant quantities of nitrogen, phosphorus and sediment to the Chesapeake and its rivers and streams.

### WHY DO WE SPRAWL?

*Consumption of open land outpaces population growth rates by several hundred percent. Why are we consuming so much more rich farmland and forest than we used to? Why are we spreading out so far and wide?*

*There's no one answer. Stagnant farm profitability and high land costs near population centers lead to residential development on lower-priced, formerly agricultural fields in rural communities. Demand for big homes on affordable large lots drives development "farther out." Local governments continue to subsidize uncontrolled sprawl that requires roads, schools, and other public services. Such development is all that many developers build today. Ultimately, housing and commercial construction consumers hold the cards. We can demand a better way to grow.*

**Third, much of the forest land in the watershed occurs in conjunction with farms.** A quarter of the region's farmland—more than 4.6M acres in three states—is forested.<sup>3</sup> This natural land comprises about 25 percent of the total forest in Pennsylvania, Maryland, and Virginia.<sup>4</sup> In addition, a significant proportion of farmland is managed in pasture or allowed to lie fallow at any given time, which produces some of the lowest nitrogen pollution loadings of any land use.

**Fourth, conversion of farmland to urban/suburban land displaces natural habitat.** An acre of lawn is a poor substitute for the wetlands, forests, pastures, and meandering headwater streams typically found among mid-Atlantic farmlands. Hundreds (or thousands) of acres of impervious surfaces created by development can actually endanger local habitat by heating streams and funneling fast-moving runoff into blown-out channels and sediment-choked shallows. These changes to the physical environment are permanent. Research has shown that as total imperviousness in a small watershed approaches 10 percent, stream water quality declines. As that percentage grows, so does stream degradation.

**Finally, air pollution is a regular by-product of converting farmland to sprawl.** Spread-out residential and commercial land uses on (former) farmland require people to use automobiles and trucks in an upward spiral that far outpaces the rate of population growth in an area. In the Chesapeake Bay region, emissions from transportation/mobile sources account for a quarter to a third of the nitrogen pollution in the Bay.

## TOOLS FOR CONSERVING FARMLAND

Given the importance of retaining farmland, it's essential that the public and private sectors work together for its preservation. Private individuals and organizations can preserve farmland by ensuring that land, or certain interests in it, is owned by individuals and organizations whose objective is to keep it in farming. Local government can lend a hand by regulating land use in a fair and appropriate way.



Family farms define cultural values and a rural way of life in the Bay watershed. Keeping them intact is essential for the region's economic and environmental health.

### *Farmland Preservation Through Ownership: Easements*

One of the most important ways to preserve farmland is to protect its future uses through ownership. Of course, it's great if a farm family owns farmland outright and declares that, as long as they own it, it will remain in that use. But things change, and simple "fee" ownership may not be enough. Outside pressures to develop the land can be substantial. Family members can move out of farming or out of the geographic area entirely. And the land—the most precious resource necessary for farming to continue—can get dribbled away, so that if this family ultimately decides to get out of farming, no family may ever again farm that land.

The most effective ownership tool for preventing such a circumstance is the **conservation easement**. This can also be a way to reduce current income and property taxes, and future estate taxes. Here's how conservation easements work.

A farmland or conservation easement is an agreement drawn up between the landowner and someone else, usually a government entity or private land trust (i.e., an organization formed to hold, manage, and enforce easements). An easement provides nothing more than what the landowner wants it to provide, since it is mutually drawn.

Usually, a conservation easement prevents non-agricultural uses on the farm (most often forever, though some "term" easements expire after a number of years). What can or cannot be done on the land is spelled out. For example, the easement may provide for the building of one additional family dwelling, but prevent any other residential or commercial development, or major excavation or mining. The easement is sold or donated to a land trust, and once it is executed, the land trust records the easement at the local court house. Then it is legally binding on current and future property owners.

Farmland preservation easements are among the best ways to assure that farmland will remain farmland in the future, but easements work best when combined with good local regulation.

## RIGHTS OF PROPERTY OWNERSHIP

*Property ownership is often likened to holding a “bundle” of rights. One has the right to use one’s property under federal, state and local law—the right to farm or timber it, sometimes the right to drill under it, the right to build on it, the right to take and use water from it, the right to bequeath it to children, the right to borrow against it, the right to restrict its use, and so on. One or another of the rights in that bundle can be “severed” from the property and sold or given to someone else, while the rest of the rights remain. An easement does this, specifying or restricting certain uses. Common “use” easements are those that are often granted to public utilities, so that pipelines can cross under one’s land or power lines above it. One can also grant a “negative” easement with respect to some part of that bundle of rights, meant to prevent something from happening.*

If a landowner donates a permanent easement to a local government or qualified land trust, he or she may receive a federal income tax deduction for its value. An easement usually reduces the value of land for the purposes of state or local property taxation, and it may reduce estate taxes as well. Thus, easements can be important tools for persons planning for the transition of farmland between generations, or planning an estate.

Farmland preservation easements are among the best ways to assure that farmland will remain farmland in the future, but easements work best when combined with good local regulation.<sup>5</sup>

Local planning and zoning is covered in the next section of this guide. See page 8 for information about some programs that support easement donations, purchases, and sales, and page 16 for further resources.

## Planning and Zoning

The regulation of land use isn’t a mystery, and it isn’t a communist plot. For farmland preservation, it is a crucial adjunct to ownership. Most local governments across the Chesapeake Bay region have the lawful and Constitutional authority to plan and zone. Indeed, government not only has the authority but, it can be argued, the responsibility to plan, so that the future of its landscape and its economy isn’t left to chance, trend, or the path of least resistance.

A community **comprehensive or master plan** that clearly asserts agricultural land preservation as an objective, and determines where development and farming are to occur, is a useful first step. Community master plans are given significant weight by the courts in determining the reasonableness of local regulations. If a local juris-

## INDIVIDUAL VS. COMMUNITY PROPERTY RIGHTS

*Aren’t there private property rights that must be protected, with which zoning would interfere? Yes, private property rights are protected under our Constitution, but they are not absolute. A useful analogy is this: We have every right to swing our arms in all directions—until our arms connect with another’s nose. Property rights are similar; we have every right to enjoy them—unless that “enjoyment” begins to interfere with the legitimate needs and lawfully expressed desires of the rest of the community.*



# The regulation of land use is a crucial adjunct to ownership.



Without zoning ordinances to assist farmland preservation, housing developments like this one in central Maryland make further inroads into farming communities.

diction develops its plan after careful, reasonable study and citizen input, and closely follows the guidance of the state statutes granting the power to plan and zone, the plan is likely to pass legal muster.

**Zoning** is the lawful way to *implement* local comprehensive plans. The local zoning ordinance and its maps should closely follow the direction provided by the master plan. Zoning, too, should be carefully, fairly, and openly developed and adopted, and provide for a variety of land uses and activities. Among the things a zoning ordinance can do is try to encourage and protect farmland uses.

Farming cannot be protected by so-called “rural zoning” that permits residential development at densities of one house per acre, one house per five acres, or even one house per ten acres. Such zoning usually just leads to large-lot homes and residential sprawl into what quickly become *former* farm areas.

Only *very low* residential densities, on the order of one dwelling per 25 or even 50 acres, can begin to protect farmland and farming. Mandatory clustering of new development in these areas can help, too. While such zoning is sometimes politically difficult to enact, it is a very important tool—both for communities who want to maintain a farmland base, and for farmers who want to remain in the industry and retain farmland for their children and grandchildren. Further, there are sometimes ways to make the “bite” of very low density zoning a little softer. Some of those ways are explained in the next section of this guide, under “local programs”.

## FARMLAND PRESERVATION PROGRAMS

### *Private Programs: Land Trusts*

Dozens of local, regional, and even national-level private **land trusts** undertake a wide variety of land preservation work across the Chesapeake Bay watershed. Their projects range in size from very small to very large. In 1999, The Conservation Fund, working with partners such as CBF, protected—but kept in active wood production use—some 50,000 acres of Maryland Eastern Shore forest land. In 2005, the Lancaster (PA) Farmland Trust protected, via easements, 28 farms and 1,630 acres of some of the richest agricultural land in the nation. At the other end of the spectrum, a small, all-volunteer land trust can close one 150-acre easement in a good year.

Private land trusts can often provide the expertise to help a farmer structure the right kind of easement. Some of these trusts depend entirely upon donated easements, while others can help put together an easement purchase package from a variety of private, state, and federal funding sources. Sometimes the “deals” are bigger than a small, volunteer local trust can handle, but usually these trusts are able to call for assistance from larger, sister organizations (for example, the Trust for Public Land or The Nature Conservancy at the national level; the Western Pennsylvania Conservancy, the Eastern Shore Land Conservancy in Maryland, or the Virginia Outdoors Foundation at regional or state levels).

### *Local Programs*

In addition to regulating the use of land through zoning, local government can also help landowners undertake farmland preservation. The two best-known local government “assists” are “purchase of development rights” (PDR) and “transfer of development rights” (TDR) programs.<sup>6</sup>

With PDR (also known as “PACE,” or Purchase of Conservation Easement) programs, local governments set up a regular source of funding to purchase development rights on farms. (Funds often come from real estate transfers, but are sometimes budgeted or created through single or multi-year bonds.) The development rights are “severed” or separated from the underlying real property, which remains fully in the hands of the landowner. The local program sets criteria and a fair process for selecting such properties, and a limited number are processed until the annual funding is exhausted. Again, what are purchased are the *development rights from farmland*, rather than the farmland itself or an easement on it.

TDR programs work differently. With TDRs, local governments help create a marketplace for the use of development rights. First, a local government identifies farmland preservation (“sending”) areas, as well as areas where it wishes to encourage new development (“receiving” areas). Then, the jurisdiction significantly reduces the allowable zoning density in preservation areas, and gives farmland a certain number of development rights per acre, usually based on what could have occurred before the allowable density was reduced. Farmers then sell their development rights directly to developers to use in the identified “receiving” areas, so the developers gain a bit more density than they could otherwise have. (In some programs, landowners can place their rights in development rights “banks” set up by local governments, which in turn sell them to developers and then reimburse the farmers.)

Once the development rights are sold, development can no longer occur on the farmland. This system provides additional equity to farmers whose development opportunities have been reduced. At the same time, it helps put growth in the right places, where local master plans and zoning say it should go.

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In Pennsylvania, well-managed working lands are a patchwork quilt of forests and farms. The Commonwealth has preserved more farmland permanently than any other state in the nation.

TDR programs are not panaceas. They do not work everywhere, and local governments must create them carefully. Where there is little demand for additional density in receiving areas, where the local government fails to set up the program properly, or where additional density in receiving areas is already achievable without the use of TDRs, such programs may not succeed. But TDR programs can work well in places where real estate pressures are high and local jurisdictions are willing to craft a viable program.

In addition to the programs noted here, some local governments (e.g., in Maryland) have created their own public land trusts. They advise farmers on the creation of easements and accept donated easements for stewardship and management. Some Pennsylvania counties also have local farmland preservation boards, set up through the Commonwealth’s Department of Agriculture.

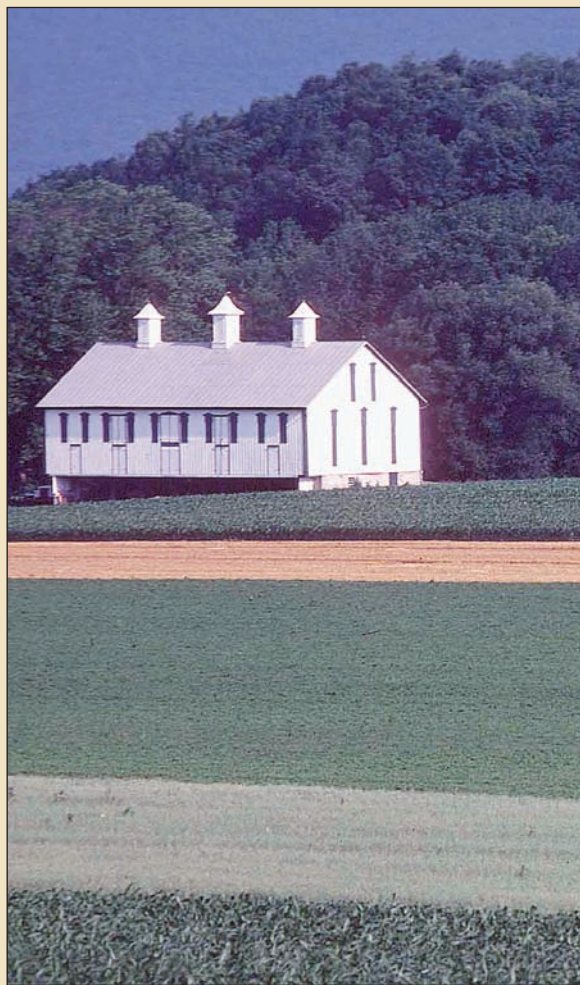
## State Programs

### Virginia

Virginia offers landowners who donate a conservation easement the opportunity to take an **income tax credit**—up to 40 percent of the fair market value of the easement, at up to \$100,000 per year or less. If the credit isn’t used up in a year, the owner may carry it forward for nine more years. If, because of the high value of the easement, a farmer has more available in tax credit than can be used over ten years by virtue of income tax level, he or she can sell the remaining tax credits to another taxpayer who needs them.

This transferable tax credit program has resulted in bringing tens of thousands of acres under easement very quickly. But its success has meant that \$100M worth of tax credits have been claimed over the past five years, and because of this, the program is undergoing review.

Virginia offers landowners who donate a conservation easement an income tax credit—up to 40 percent of the fair market value of the easement, at up to \$100,000 per year or less.



Contour strip-cropping on a farm in York County, Pennsylvania, is a “best management practice” that yields benefits for both the water and the soil.

Virginia also offers assistance to landowners seeking to protect their farms through the Virginia Outdoors Foundation, a state land trust. Finally, the Commonwealth provides **real estate tax breaks** for farmland within designated agricultural and forestal districts, and for land under easement.

### Maryland

Maryland has several notable programs that assist in preserving farmland. **The Maryland Agricultural Land Preservation Foundation (MALPF)**, part of the Maryland Department of Agriculture, funnels state funds into county-based farmland preservation programs to purchase easements. Not all counties participate, but the program is over-subscribed, with a multi-year wait for assistance.

Maryland also has an **income tax credit** program for land conservation. However, because it is limited to \$5,000/taxpayer/year and credits are not transferable, it is much less successful than Virginia’s. The tax credits can be carried forward for up to 16 years (and can total up to \$80,000 for an individual and \$160,000 per couple filing jointly).

**The Maryland Environmental Trust** is an expert state-chartered land trust that can undertake complex land conservation transactions with farmers and other landowners. It also provides support to small local land trusts.

Maryland also operates **Program Open Space** and the **Rural Legacy Program**. The former is a thirty-year old program that uses a share of each real estate transfer tax transaction to buy open space and parkland and assist with easements. The Open Space account has proved a too-tempting source of General Fund monies in times of state need, but conservation organizations have recently managed to force it back to its original purposes. The Rural Legacy program, a part of Maryland’s 1997 “Smart Growth” initiatives, focuses additional funds on large, multi-property areas, for which local jurisdictions with non-profit partners compete.

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### Pennsylvania

Pennsylvania has accelerated its farmland conservation activities in the past several years, through the bounty of state “**Growing Greener**” funds. With more than 325,000 acres protected, the Commonwealth has preserved more farmland permanently than any other state in the nation.<sup>7</sup> Through the Clean and Green Act of 1974, the state also authorizes special lower farmland use taxation on 10-acre or larger farm and forest-use tracts. County assessment offices administer this program, and rollback taxes and penalties help prevent quick conversion of land that is taking advantage of these benefits.

The **Agricultural Conservation Easement Program** allows the state, counties, and localities to purchase farmland easements. A state board oversees county preservation boards, distributing funds and monitoring their use at the local level. Criteria for choosing farms includes the quality of the farmland, development pressures, the use of good conservation practices on the farm, and participation in an Agricultural Security Area of at least 500 enrolled acres.<sup>8</sup>

### Federal Government Programs

Many federal programs provide financial support for farmland conservation and related activities (or are intended to do so, if adequately funded). Here are three directly related to farmland preservation.

**Farm and Ranchland Protection Program (FRPP)** provides modest matching funds to eligible entities (state and local government agencies, land trusts, etc.) for purchasing easements on productive agricultural land. The USDA’s Natural Resources Conservation Service (NRCS) administers the program through state NRCS offices.

Applications are reviewed in annual cycles. Before federal funds can be committed, a pending offer to a landowner to purchase an easement is required. The offer must be backed by existing funding from elsewhere (e.g., a state or local source) of at least 50 percent of the fair market value of the easement. If an application for funds is accepted, it may receive FRPP funding of up to 50 percent of the remainder of the easement purchase price.

Unfortunately, no actual regulations controlling how the program operates were ever adopted. Also, changing federal procedures (such as appraisal requirements) have played havoc with state matching funds. Finally, although this program has provided millions of dollars in assistance in the Chesapeake Bay watershed, it is vastly over-subscribed nation-wide.

The **Forest Legacy Program** aims to facilitate the purchase of conservation easements on working forest lands threatened with conversion. USDA’s Forest Service operates this program in conjunction

Pennsylvania has accelerated its farmland conservation activities in the past several years, through the bounty of state “Growing Greener” funds.



New homes are replacing cornfields in many rural areas, and increased land values make it difficult for farmers to resist development.

with state forestry agencies. After preparing a management plan, private landowners may apply to the program for up to 75 percent of the cost of easement acquisition. This assists land trusts in undertaking these acquisitions.

Again, the program has been highly subscribed, though its budgets have been severely limited. It is not clear at press time whether the program has survived recent budget cuts, but information is available through state forestry agencies.

**The Grassland Reserve Program** is a new program to protect and maintain grazing operations. It is limited to private lands of 40 or more contiguous acres historically dominated by grasses or shrubs and currently used for grazing. The program authorizes compensation to farmers for permanent or 30-year easements or shorter-term rental agreements. Conservation plans are required, and restoration agreements may also be entered into between NRCS and landowners.

State agencies develop their own selection criteria, which NRCS uses to rank and select applications. While the Chesapeake region participates in this program (in 2005, Maryland, Virginia, and Pennsylvania accounted for 87 contracts covering about 7,400 acres), states with extensive rangeland dominate. In 2005, the program enrolled some 385,000 acres nationwide.

## INCREASING FARMLAND PROTECTION

**W**hat can we as landowners, farmers, citizens, lawmakers, and government officials do to strengthen the programs and practices mentioned in this guide?

**Get information.** Find out where to get assistance in saving your farm or other farmland in your community. Is there a local or regional land trust in your area that can help with conservation easements? Does the local farm extension office have any contacts with farmland preservation groups? Do the state legislators from your area know about state funding for these programs?

Next, contact your township, city, or county planning and zoning office and inquire how the local comprehensive or master plan and the local zoning ordinance relate to saving farmland. You might ask:



- What kind of zoning is present on this area's farmland?
- Is it truly protective of that use? Or will it allow the kind of residential and commercial development that can ultimately lead to sprawling growth?
- Does this locality use any helpful tools, such as PDR/PACE, TDR, or state programs, to protect agricultural land?
- Will local elected officials be considering changes to the plan or the zoning ordinance any time soon, or should they? Should the community systematically think about what can and should be done to stem farmland losses?

**Seek change with others, and use the experience of other communities.** If you are troubled by the steady loss of farms and farmland in your area, and are interested in saving these resources, others undoubtedly are as well. Talk to neighbors, (other) farmers, members or leaders of local civic groups, churches, watershed organizations, or land trusts. Raise your concerns with local or state political leaders. If enough citizens and politicians see a local problem and seek remedies, change can happen.

Private land trusts and local government programs can help farmers preserve their lands. Farm extension offices or state legislators are also resources for assistance.

As noted in this guide, there are counties, towns, and townships across the Chesapeake region, in each of the watershed's states, that have wrestled

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with some of these same problems. Some communities have successfully confronted them; others are still experimenting with partial solutions. Use their experiences as examples. A variety of state agencies and non-profit organizations (some of which are mentioned in the Resources section of this guide) also can offer assistance. Go to them for help—that's what they're there for!

**Investigate state law and policy.** Good federal and state law, policy, and funding can take farmers a long way toward preserving agricultural land. If the programs and policies mentioned here are not available in your state, you and your group of like-minded citizens might wish to approach your area's state legislators. Bring your sincere concern and evidence of the problems you see, and seek their help in solving those problems with programs and policies.

**Take your own, small steps.** Each of us is a housing and commercial land consumer. Our individual decisions on where to live and where to put our businesses add up. As we make these personal choices, we should consider how they affect the farmland and streams we love, and whether different lifestyles might support these important values better.



## CONCLUSION

As great swaths of farmland change from pasturing cows to parking cars, and as green fields convert to gray pavement, maintaining well-managed farms in parts of the Bay region—and restoring good water quality—become ever more difficult. The dollar value that urbanization often places on good farmland makes resisting such change harder every day. Yet saving farmland, and saving the Bay, is vitally important.



Fresh, locally-grown produce is just one benefit of keeping regional farms in business. Another is improved water quality. Stemming the loss of farmland will boost restoration efforts throughout the watershed.

This guide presents a number of ways to think about and act on the objective of saving farmland. Some may be challenging to enact, and others arduous to undertake. But unless we employ such tools, we will lose our chance for long-term farmland preservation. In other words, by not taking action now, we stand the very real risk of losing our ability to remain stewards of the landscape into the future.

## RESOURCES

### **America Farmland Trust**

1200 18th Street NW  
Washington, D.C., 20036  
202/331-7300, info@farmland.org

### **Chesapeake Bay Foundation**

6 Herndon Avenue  
Annapolis, MD 21403  
410/268-8816, cbf.org

### **Eastern Shore Land Conservancy**

PO Box 169  
Queenstown, MD 21658  
410/827-9756, www.eslc.org

### **Maryland Agricultural Land Preservation Foundation**

**Maryland Department of Agriculture**  
50 Harry S. Truman Parkway, Room 104  
Annapolis, Maryland 21401-8960  
410/841-5860 (voice), 410/841-5730 (fax),  
www.malpf.info

### **Maryland Department of Agriculture**

50 Harry S. Truman Parkway  
Annapolis, MD 21401  
410/841-5700, www.mda.state.md.us

### **Maryland Environmental Trust**

100 Community Place, 1ST floor  
Crownsville, MD 21032  
410/514-7900, 1/877-514-7900 (toll-free)  
www.dnr.state.md.us

### **Maryland Department of Planning**

301 W. Preston Street Suite 1101  
Baltimore, MD 21201-2305  
1/877-767-6272 (toll free)  
www.mdp.state.md.us

### **Middle Peninsula Land Trust**

P.O. Box 585  
Mathews, VA 23109  
www.vwebstudios.com

### **Northern Neck Land Conservancy**

PO Box 3  
Kilmarnock, Virginia 22482  
804/435-2814  
www.nnconserve.org

### **NRCS**

**Natural Resources Conservation Service**  
14th and Independence Avenue, SW  
Washington, DC 20250  
202/720-7246  
www.nrcs.usda.gov

### **Pennsylvania Department of Agriculture**

2301 North Cameron Street  
Harrisburg PA 17110  
717/787-4737  
aginfo@state.pa.us

### **Pennsylvania Land Trust Alliance**

PO Box 587  
114 Walnut St  
Harrisburg, PA 17108-0587  
717/233-0221  
www.ltanet.org

### **PA Land Use Planning and Technical Assistance Prog. Department of Community and Economic Development**

400 North Street, 4th Floor  
Commonwealth Keystone Building  
Harrisburg, PA 17120-0225  
866/466-3972, www.nepa.com

### **The Conservation Fund**

National Office  
1655 N. Fort Myer Drive, Suite 1300  
Arlington, Virginia 22209-2156  
703/525-6300, 703/525-4610 (fax)  
www.conservationfund.org

### **The Nature Conservancy**

Home Office  
4245 North Fairfax Drive, Suite 100  
Arlington, VA 22203-1606  
703/841-5300, www.nature.org

### **Trust for Public Land**

Washington Office  
660 Pennsylvania Ave. S.E., Suite 401  
Washington, D.C. 20003  
202/543-7552, www.tpl.org

### **U.S. Department of Agriculture**

1400 Independence Ave., S.W.  
Washington, DC 20250  
www.usda.gov

### **Valley Conservation Council**

17 Barrister's Row  
Staunton, VA 24401  
877/216-1782, www.valleyconservation.org

### **Virginia Dept. of Agriculture & Consumer Services**

102 Governor St.  
Richmond, VA 23219  
804/786-2373, www.vdacs.virginia.gov

### **Virginia Dept. of Conservation & Recreation**

203 Governor Street, Suite 302  
Richmond, VA 23219  
804/225-2048, landcon@dcr.virginia.gov

### **Virginia Eastern Shore Land Trust**

PO Box 1114  
Exmore, VA 23350-1114  
757/442-5885, landtrust@earthlink.net

### **Virginia Outdoors Foundation**

101 N. 14th St., 17th Floor  
Richmond, VA 23219  
804/225-2147, www.virginiaoutdoorsfoundation.org

### **Western Pennsylvania Conservancy**

209 Fourth Avenue  
Pittsburgh, Pa. 15222  
412/288-2777, www.paconserve.org

## NOTES

1 U.S. Department of Agriculture, U.S. Census of Agriculture, 1997 and 2002. Over the years, the USDA has changed its definitions of farmland and its methodology for measuring change. While the above-noted statistics are generally reliable, they are not precise.

2 Ibid.

3 USDA, U.S. Census of Agriculture (2002)

4 USDA, U.S. Forest Service, Forest Inventory and Analysis (2005)

5 These two sets of tools are important for saving farmland. There is also a third, obvious requirement for saving farms and farming: the continued economic productivity of farm operations. There are a variety of state and federal programs that are available to help keep farming profitable; see CBF's Vital Signs report for more information. Local governments are also providing positive intervention with agricultural economic development assistance. Loudoun County, Virginia is one such example.

6 Several local jurisdictions in Maryland, Virginia, and Pennsylvania already employ such programs. Examples include the City of Virginia Beach, Virginia; Montgomery County, Maryland; and Mannheim Township in Lancaster County, Pennsylvania.

7 Pennsylvania Department of Agriculture, Bureau of Farmland Preservation (2006)  
[http://www.agriculture.state.pa.us/agriculture/CWP/view.asp?A=3&QUESTION\\_ID=128859](http://www.agriculture.state.pa.us/agriculture/CWP/view.asp?A=3&QUESTION_ID=128859)

8 Ibid.



## CHESAPEAKE BAY FOUNDATION

*Saving a National Treasure*

### **Maryland**

Philip Merrill Environmental Center  
6 Herndon Avenue  
Annapolis, MD 21403  
410/268-8816  
410/269-0481 (from Baltimore metro)  
301/261-2350 (from D.C. metro)

### **Pennsylvania**

The Old Water Works Building  
614 North Front Street, Suite G  
Harrisburg, PA 17101  
717/234-5550

### **Virginia**

Capitol Place  
1108 East Main Street, Suite 1600  
Richmond, VA 23219  
804/780-1392

**Web site:** [cbf.org](http://cbf.org)

**E-mail:** [chesapeake@cbf.org](mailto:chesapeake@cbf.org)

**Membership information:** 888/SAVEBAY

### **ABOUT THE COVER:**

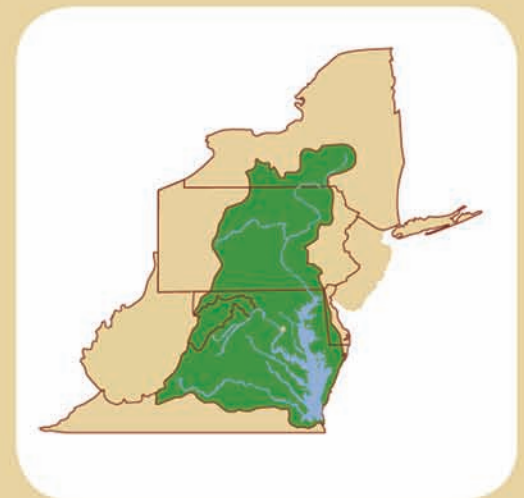
Soybeans are being planted in the residue of wheat as it is being harvested. Double-cropping of soybeans in the residue left by winter wheat yields two crops during a single growing season and protects the land from erosion.

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Natural Resources Conservation Service

### **PHOTO CREDITS:**

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## CHESAPEAKE BAY WATERSHED



**The Chesapeake Bay's 64,000 square mile watershed covers parts of six states and is home to more than 17 million people.**

