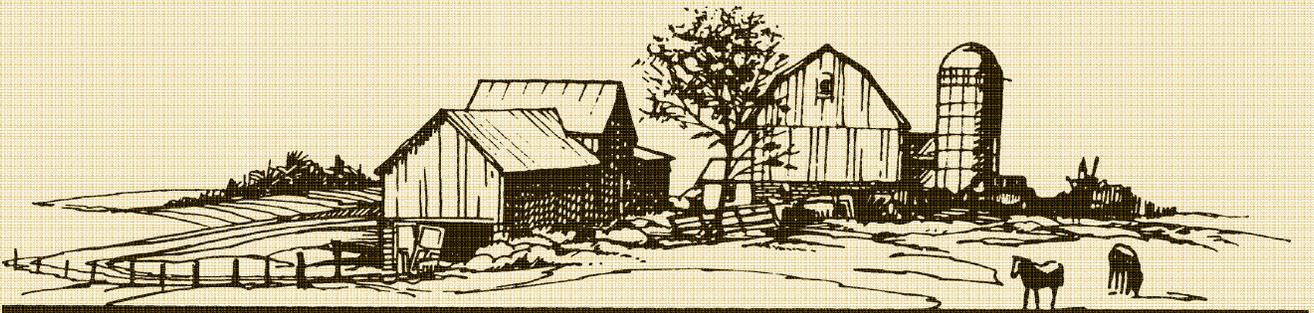


# Cumberland County Agricultural Land Preservation Board



## 2005 Annual Report

**CUMBERLAND COUNTY  
BOARD OF COMMISSIONERS**

Bruce Barclay, Chairman

Gary Eichelberger

Rick Rovegno

**CUMBERLAND COUNTY  
AGRICULTURAL LAND PRESERVATION BOARD**

Donald Mowery, Chairman  
Contractor Representative

Richard Adler, Vice-Chairman  
Township Representative

Susan Dietrich  
Farmer Representative

Fred Dillner  
At Large Representative

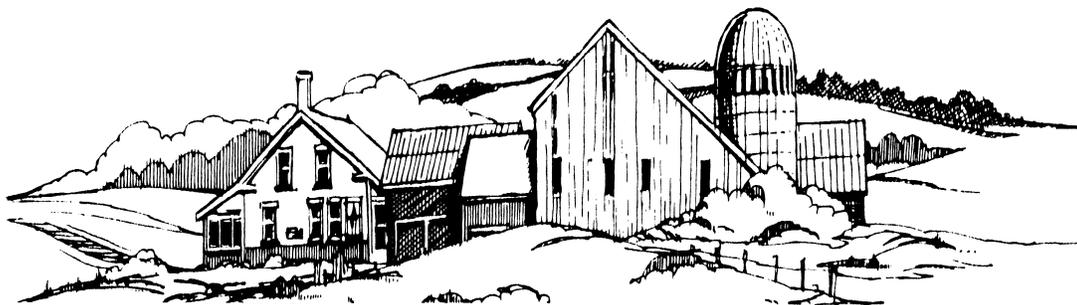
Diane Stamy  
Farmer Representative

**ADVISORY MEMBERS**

Rick Rovegno  
Cumberland County Board of Commissioners

Carl Goshorn  
Cumberland County Conservation District

Vacant  
Penn State Cooperative Extension



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## MISSION STATEMENT

*The purpose of the Cumberland County Agricultural Land Preservation Board is to protect viable agricultural lands by acquiring agricultural conservation easements that prevent the development or improvement of land for any purpose other than agricultural production. Further, it is the purpose of the Agricultural Land Preservation Board to:*

*Encourage landowners to make a long-term commitment to agriculture by offering them financial incentives and security of land use;*

*Protect normal farming operations in agricultural areas from incompatible non-farming uses that may render farming impracticable;*

*Protect farming operations from complaints of public nuisance against normal farming operations;*

*Assure conservation of viable agricultural lands in order to protect the agricultural economy of this Commonwealth;*

*Provide compensation to landowners in exchange for their relinquishment of the right to develop private property; and*

*Maximize agricultural easement purchase funds and protect the investment of taxpayers in agricultural conservation easements.*

*Adopted by the Cumberland County Agricultural Land Preservation Board  
December 1996.*

## ADMINISTRATION

### Board Membership

The Cumberland County Agricultural Land Preservation Board is comprised of five volunteer members who serve terms of three years. Appointments to the Agricultural Land Preservation Board are made by the County Commissioners. The Board includes two active farmers, one contractor, one township supervisor and one at large member.

In addition to the five regular members, the Agricultural Land Preservation Board has three advisory members. Advisory members provide representation from the Board of Commissioners, Conservation District and the Penn State Cooperative Extension. Advisory members may not vote.

### Meetings

The Agricultural Land Preservation Board meets the second Wednesday of each month at 7:30 AM. Meetings are open to the public and held at 18 North Hanover Street, Suite 102, Carlisle, PA.

### Staff

Staff support for Cumberland County Agricultural Land Preservation Board is provided through the Cumberland County Planning Commission. Robert G. Frey serves as the Board's solicitor.

Kirk Stoner, AICP, Director of Planning  
Stephanie Williams, Greenway & Open Space Coordinator  
Sam Simmons, Program Coordinator (January-March)  
Maria Misner, Program Coordinator (May-December)  
Brenda Donahue, Recording Secretary

Robert G. Frey  
Frey & Tiley  
5 South Hanover Street  
Carlisle, PA 17013

### Office Information

Cumberland County Agricultural Land Preservation Board  
c/o Cumberland County Planning Commission  
18 North Hanover Street, Suite 102  
Carlisle, PA 17013

Telephone:  
(717) 240-6537 OR  
(717) 240-5383  
Fax: (717) 240-6517  
Website: [www.ccpa.net](http://www.ccpa.net)

# AGRICULTURAL CONSERVATION EASEMENT PROGRAM

## Program Overview

The Agricultural Conservation Easement Purchase Program was developed to strengthen Pennsylvania's agricultural economy and to protect prime farmland. The Program incorporates the use of county, state, federal and local funds to purchase agricultural conservation easements (sometimes called development rights) on prime agricultural land from willing landowners. The Program is administered by the Commonwealth through the State Agricultural Land Preservation Board and the Pennsylvania Department of Agriculture, Bureau of Farmland Preservation. The Cumberland County Agricultural Land Preservation Board was established in 1989 by the Cumberland County Board of Commissioners to oversee and administer the County's Agricultural Conservation Easement Program.

The Agricultural Conservation Easement Program works by paying the farmer to place certain restrictions upon the land to maintain and permanently preserve functional farmland that is of high quality. The land continues to be the farmer's private property and the farmer retains all privileges of land ownership, except the ability to sell the land for non-agricultural development or to develop the land for non-agricultural purposes. An agricultural conservation easement is permanent; therefore, if a landowner wishes to sell the land the easement is transferred and the new landowner must continue to use the property exclusively for agriculture.

Participation in the easement program is completely voluntary and very competitive in nature. Farmers that wish to sell their development rights must meet several minimum requirements. In order to be eligible for the Program, the farm must contain at least 50 acres and be enrolled in an Agricultural Security Area. Then, farms are ranked against other eligible farms according to the Farmland Ranking System outlined below. Each property is given a numerical score and score determines which agricultural conservation easements will be obtained.

<b>Farmland Ranking System</b>	
<b><i>Land Evaluation and Site Assessment System</i></b>	
<b><i>Land Evaluation</i></b>	<b>Points</b>
Soil quality, as per the NRCS Soil Survey	50
<b><i>Site Assessment</i></b>	
<b>Development Potential Factors</b>	
Extent of non-agricultural land use in area	4
Road frontage	4
Availability of public water	1
Availability of public sewer	1
<b>Farmland Potential Factors</b>	
Size of farm	6
Percent of tract in agriculture production	4
Tenure of ownership	4
Conservation practices/Stewardship of land	4
Historic, scenic and environmental qualities	2
<b>Cluster Potential Factors</b>	
Proximity to other preserved farms	8
Proximity to Agricultural Security Areas	6
Consistency with the County planning and development map	6
<b>TOTAL</b>	<b>100</b>

## AGRICULTURAL CONSERVATION EASEMENT PROGRAM

### 2005 Program Funding

Funding for the Cumberland County Agricultural Land Preservation Program totaled over \$1,984,700 in 2005. This amount includes a combination of county, state, federal and local funding. These funds are to be used exclusively for easement purchases as detailed below. State funds are derived from cigarette tax revenues and the Environmental Stewardship Fund. In 2005, \$36 million was available from the Pennsylvania Department of Agriculture for distribution statewide. County funding in 2005 was derived from a 2004 bond issue.

State	= \$1,199,719
County	= \$560,014
Federal	= \$150,000
South Middleton Township	= \$75,000
<b>TOTAL</b>	<b>= \$1,984,733</b>

### 2005 Application Round

Applications for the 2005 round of funding were received by staff between January 1, 2004 and December 31, 2004. 27 applications, totaling approximately 3,700 acres of farmland, were submitted for consideration. During the first quarter of 2005, the Board staff ranked all applications eligible for the program according to the approved farmland ranking system.

From the 27 applications received, the County Board selected the top six ranked farms, representing over 800 acres of working farmland, for appraisal and easement purchase consideration. Refer to Table 1 below for a summary of location, acreage, appraisal value and County Board offers for the six farms selected for easement purchase. The average purchase price was approximately \$3,000/acre.

<b>Table 1 2005 Application Round</b>					
<b>Farm</b>	<b>Municipality</b>	<b>Acres</b>	<b>Appraised Value/Acre</b>	<b>Board Offer/Acre</b>	<b>Easement Cost</b>
Weary	West Pennsboro	213	\$3,090	\$2,933.50	\$634,508
Cala-J	South Middleton	160	\$3,655	NA	\$150,000
Jones	Dickinson	15	\$3,220	\$3,059.00	\$45,885
Jones	South Middleton & Dickinson	114	\$3,225	\$3,063.75	\$348,963
Thrush	Dickinson	102	\$3,095	\$2,940.25	\$299,207
Haycock	Southampton	202	\$2,970	\$2,821.50	\$569,943

## AGRICULTURAL CONSERVATION EASEMENT PROGRAM

### County Program Status

Between 1989 and 2005, 10,307 acres of farmland have been preserved countywide with 81 easements. Refer to Figure 1 for a location map of all final and pending easements and Table 2 for a summary of preserved farmland by municipality for acres preserved, total cost and average cost per acre.

<b>Table 2 Summary of Preserved Farms by Municipality 1989-2005</b>			
<b>Municipality</b>	<b>Total Acres Preserved</b>	<b>Total Cost</b>	<b>Average Cost/ Per Acre</b>
Dickinson Township	1,159.40	\$ 2,697,485.73	\$ 2,326.63
Middlesex Township	127.98	\$ 338,565.00	\$ 2,645.45
Monroe Township	1,693.10	\$ 5,209,364.30	\$ 3,076.83
North Middleton Township	99.99	\$ 225,879.60	\$ 2,259.02
North Newton Township	379.20	\$ 558,179.00	\$ 1,471.98
Penn Township	1,849.94	\$ 3,245,271.44	\$ 1,754.26
Shippensburg Township & Southampton Township	229.21	\$ 716,328.00	\$ 3,125.20
South Middleton Township	632.77	\$ 1,207,727.00	\$ 1,908.64
South Middleton Township & Dickinson Township	459.90	\$ 1,100,984.00	\$ 2,393.96
Southampton Township	1,306.73	\$ 2,802,193.00	\$ 2,144.43
Upper Allen Township	108.74	\$ 374,590.00	\$ 3,444.82
West Pennsboro Township	1,887.66	\$ 3,399,810.00	\$ 1,801.07
West Pennsboro Township & Penn Township	373.04	\$ 574,582.00	\$ 1,540.27
<b>Total Countywide</b>	<b>10,307.65</b>	<b>\$ 22,450,959.07</b>	<b>\$ 2,178.09</b>

### Farmland Preservation Statewide

Pennsylvania is a leader in farmland preservation and #1 in the nation for total acres of farmland protected.

- 55 of the 67 counties in Pennsylvania participate in the Agricultural Conservation Easement Purchase Program
- 318,350 acres of farmland are permanently protected statewide through 2,783 agricultural conservation easements

## AGRICULTURAL CONSERVATION EASEMENT PROGRAM

### Partners in Preservation

For the first time in the Program's history, Cumberland County partnered with a local municipality to purchase an agricultural conservation easement. In 2005, South Middleton Township and Cumberland County jointly purchased an easement on the historic Cala-J Farm.

James K. and Arlene L. Adams, general partners of Cala-J Farm, LP sold the easement at a greatly reduced cost. The farm is significant for its agricultural, historical and natural resource value. The manor house, icehouse and spring house date back to the 1730s and the brick end barn was constructed in the 1860s. In addition, and the Yellow Breeches Creek, a designated scenic river, flows across the property.

### Commercial Equine Program Amendment

In 2005, the Agricultural Security Area Law, Act 43, was amended to address equine activities. The purpose of the amendment was to add commercial equine activities as a permitted agricultural activity on farms preserved through the Agricultural Land Preservation Program.

Commercial equine activities are defined as, "the boarding of equines, training of equines, the instruction of people in handling, driving or riding equines, the use of equines for riding or driving purposes, the pasturing of equines." The amendment is retroactive and will apply to all agricultural conservation easements executed after June 29, 1981.

### Annual Inspections

During the second quarter of 2005, the Board staff, in cooperation with the Cumberland County Tax Assessment Office, inspected all farms preserved through the Program. The County Board and staff are working with farmers to achieve full compliance on all farms. Following is a summary of inspections completed in 2005:

- 80 Farm inspections completed
- 65 Farms (80%) in full compliance
- 19 Farms (24%) require updates to the conservation plan
- 7 Farms (9%) require corrective deed language

### Education

On November 15, 2005, the County Agricultural Land Preservation Board hosted an information meeting for all persons interested in enrolling in the Agricultural Conservation Easement Purchase Program. The purpose of the workshop was to provide an overview of the Program and review the provisions of the deed of easement, ranking system and the application process. Approximately 30 individuals attended the meeting.

## AGRICULTURAL SECURITY AREAS

### What is an Agricultural Security Area?

An agricultural security area (ASA) is a tract of agricultural land that has been officially designated as an agricultural district by the local municipality. ASA's are intended to promote more permanent and viable farming operations by strengthening the farming community's sense of security in land use and the right to farm.

### Benefits of ASA's

As a landowner, there are a variety of benefits to enrolling land in an agricultural security area. The benefits include:

- Landowners are given limited protection against local regulations. Municipalities may not enact ordinances that unreasonably restrict farming operations nor may municipalities deem normal farming operations as a nuisance.
- State agencies may not condemn a landowner's property without special permission from the State Agricultural Lands Condemnation Approval Board.
- Landowners enrolled in ASA are eligible to participate in the Pennsylvania Agricultural Conservation Easement Purchase Program.

### Establishing an ASA

Creating an agricultural security area is a collaborative effort between farmers and the local government. There is no cost to the landowner for enrolling in the program and involvement in the program is completely voluntary. To establish an ASA, the landowners must submit a proposal to the local municipality. The local officials review the proposals and a public hearing is conducted. Following the hearing, the local governing body will come to a decision on the creation of an agricultural security area. The local governing body is then responsible for reviewing the area every seven years.

### ASA's in Cumberland County

Currently, there are approximately 69,000 acres of land enrolled in ASA throughout 17 municipalities. This represents approximately 19% of the Cumberland County landscape. Refer to Table 3 for total acres enrolled in an ASA by municipality.

<b>Municipality</b>	<b>Acres</b>	<b>Municipality</b>	<b>Acres</b>
Dickinson	3,735	Silver Spring	1,143
Hopewell	2,859	Southampton	10,443
Lower Frankford	2,571	South Middleton	4,358
Lower Mifflin	5,423	South Newton	962
Middlesex	2,503	Upper Allen	843
Monroe	3,976	Upper Frankford	6,296
North Middleton	2,137	Upper Mifflin	3,263
North Newton	3,821	West Pennsboro	7,877
Penn	6,707	<b>TOTAL</b>	<b>68,917</b>