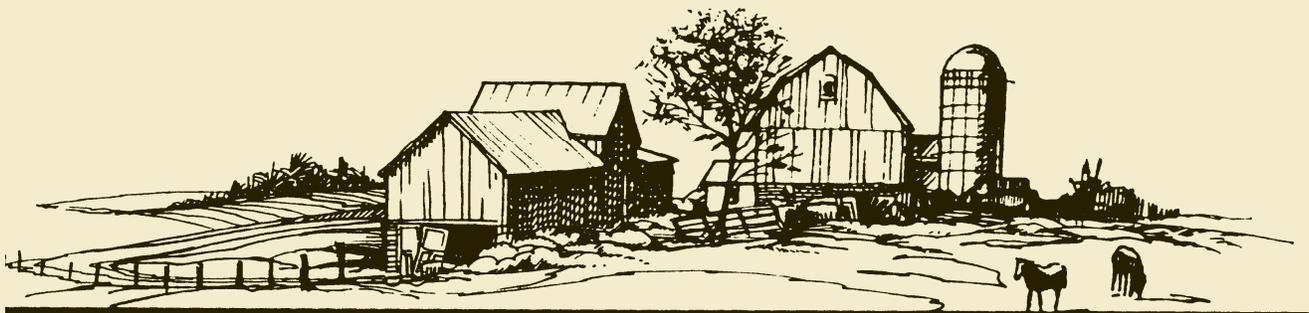


Cumberland County Agricultural Land Preservation Board



2006 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

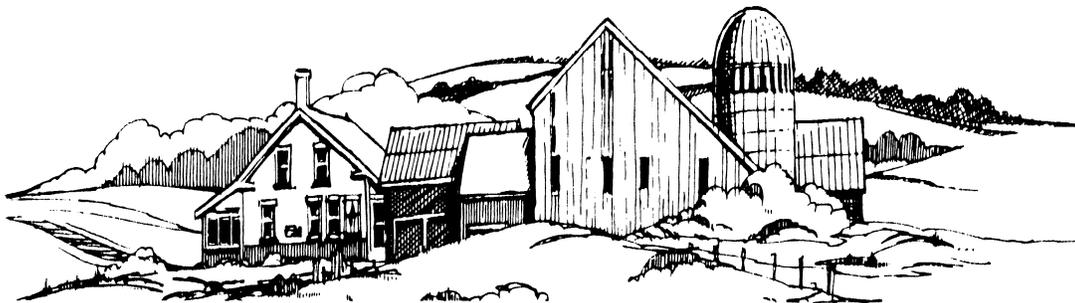


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MISSION STATEMENT

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 County 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, 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
Rebecca Wisner, Program Coordinator
Jennifer Crum, 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
Carlisle, PA 17013

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(717) 240-6537 OR
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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 high quality, functional farmland. 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 Program is completely voluntary and very competitive. 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.

Farmland Ranking System	
<i>Land Evaluation and Site Assessment System</i>	
<i>Land Evaluation</i>	Points
Soil quality, as per the NRCS Soil Survey	50
<i>Site Assessment</i>	
Development Potential Factors	
Extent of non-agricultural land use in area	4
Road frontage	4
Availability of public water	1
Availability of public sewer	1
Farmland Potential Factors	
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
Cluster Potential Factors	
Proximity to other preserved farms	8
Proximity to Agricultural Security Areas	6
Consistency with the County planning and development map	6
TOTAL	100

AGRICULTURAL CONSERVATION EASEMENT PROGRAM

Farmland Preservation Statewide

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

- 57 of the 67 counties in Pennsylvania participate in the Agricultural Conservation Easement Purchase Program
- 344,465 acres of farmland are permanently protected statewide through 3,048 agricultural conservation easements

2006 Program Funding

Funding for the Cumberland County Agricultural Conservation Easement Program totaled over \$10 million in 2006. This amount includes a combination of county and state funding, as shown below. These funds are to be used exclusively for easement purchases. In 2006, a record \$100 million was available from the Pennsylvania Department of Agriculture for distribution statewide. State funds are derived from cigarette tax revenues and Growing Greener 2. County funding in 2006 was derived from a bond issue.

State	= \$6,275,305
County	= \$3,637,092
2005 Carryover	= \$235,000
TOTAL	= \$10,147,397

2006 Application Round

Applications for 2006 were ranked and selected through two cycles. Backlogged applications and new applications received between January 1, 2005 and December 31, 2005 were eligible for consideration in the first round of funding. Due to the significant increase in program funding, the application period for 2006 funding was extended by the County Board until April 30. Applications received between January 1, 2006 and April 30, 2006 were eligible for consideration in the second round of funding, in addition to the remaining applicants from the first round.

In Round 1, 40 applications totaling approximately 5,500 acres were submitted for consideration. The top 12 ranking farms were selected for appraisal and easement purchase consideration. In Round 2, 50 applications totaling approximately 6,500 acres were submitted for consideration. Of those farms, the top 20 properties were selected for appraisal and easement purchase consideration. (Refer to Table 1 for a summary of 2006 County Board offers under both Round 1 and Round 2.) Of the 32 properties selected for consideration, approximately 25 farms covering 2,900 acres are expected to proceed to closing. The County Board offered landowners 95% of the appraised easement value, up to \$4,000/acre. The average offer was \$3,300/acre.

AGRICULTURAL CONSERVATION EASEMENT PROGRAM

Table 1
Summary of 2006 County Board Offers

2006 Round	Name	Township	Acres	Board Offer/ Acre	Total Easement Value	Application Status
Round 2	Bender	Southampton	130.00	\$4,000.00	\$520,000.00	Accepted offer-settlement pending
Round 1	Biddle	Silver Spring	NA	NA	NA	Withdrew application
Round 1	Coover	Middlesex	68.9902	\$4,000.00	\$275,960.80	Settled
Round 2	Dickinson College	South Middleton	NA	\$4,000.00	NA	Declined offer
Round 2	Dyarman	West Pennsboro	79.5	<i>pending</i>	<i>pending</i>	Appraisal & offer pending
Round 1	Fahnestock	West Pennsboro/Penn	159.5	\$3,942.50	\$628,828.75	Settlement pending
Round 2	Garman	North Middleton	150.15	<i>pending</i>	<i>pending</i>	Appraisal & offer pending
Round 2	Gutshall	Penn	111.14	\$3,315.50	\$368,484.67	Accepted offer-settlement pending
Round 2	Halteman	North Newton	86.00	\$2,755.00	\$236,930.00	Accepted offer-title issue pending
Round 2	Heckendorn	West Pennsboro	100.00	\$3,220.50	\$322,050.00	Accepted offer-settlement pending
Round 1	Hoch (App #1)	South Newton	NA	\$1,791.00	NA	Declined offer
Round 1	Hoch (App #2)	Southampton	110.62	\$3,087.50	\$341,539.25	Settled
Round 2	Hoch (App #3)	Southampton/S. Newton/N. Newton	140.78	<i>pending</i>	<i>pending</i>	Appraisal & offer pending
Round 2	Jones	South Middleton	107.20	\$3,344.00	\$358,476.80	Accepted offer-settlement pending
Round 2	Lebo	West Pennsboro	61.39	\$2,755.00	\$169,129.45	Accepted offer-settlement pending
Round 1	McKeehan, D. (App #1)	Dickinson	142.843	\$3,990.00	\$569,943.57	Settlement pending
Round 2	McKeehan, D. (App #2)	Dickinson	190.43	\$3,781.00	\$720,015.83	Accepted offer-settlement pending
Round 2	McKeehan, D. (App #3)	Dickinson	85.37	\$3,923.50	\$334,949.20	Accepted offer-settlement pending
Round 2	McKeehan, J. (App #1)	Dickinson	115.25	\$3,952.00	\$455,468.00	Accepted offer-settlement pending
Round 1	Miller	Southampton	121.0895	\$2,945.00	\$356,608.58	Settled
Round 1	Nealy	Southampton	NA	NA	NA	Withdrew application
Round 2	Otto	S.Middleton/Dickinson	NA	NA	NA	Withdrew application
Round 2	Peffer	South Middleton	118.13	\$4,000.00	\$472,520.00	Accepted offer-settlement pending
Round 1	Rankin	Penn	120.8	\$2,356.00	\$284,604.80	Settled
Round 1	Reiff (App #1)	Southampton	NA	NA	NA	Withdrew application
Round 2	Reiff (App #2)	Southampton	95.68	\$3,847.50	\$368,128.80	Accepted offer-settlement pending
Round 1	Schneider	West Pennsboro	147.418	\$4,000.00	\$589,672.00	Settlement pending
Round 2	Shughart	Penn	64.80	\$1,985.50	\$128,660.40	Accepted offer-settlement pending
Round 1	Stine	Southampton	88.236	\$1,629.25	\$143,758.50	Settled
Round 2	Swartz	Dickinson	64.00	\$2,945.00	\$188,480.00	Accepted offer-settlement pending
Round 2	Witter	Penn	149.20	\$3,581.50	\$534,359.80	Accepted offer-settlement pending
Round 2	Wolf	Penn	136.59	\$3,282.25	\$448,322.53	Accepted offer-settlement pending

Average/
Acre **\$3,297.18** **\$8,816,891.72** (Note additional offers pending)

AGRICULTURAL CONSERVATION EASEMENT PROGRAM

County Program Status

Between 1989 and 2006, 10,818 acres of farmland have been preserved countywide through 86 easements. An additional 20 easements and 2,435 acres of farmland are pending settlement. Refer to Figure 1 for a location map of all final and pending easements and Table 2 for a summary of preserved and pending farmland by municipality.

Table 2 Summary of Preserved Farms by Municipality 1989-2006		
Municipality	Acres Preserved	Acres Pending
Dickinson Township	1,273	598
Middlesex Township	197	0
Monroe Township	1,693	0
North Middleton Township	100	150
North Newton Township	379	86
Penn Township	2,200	462
Shippensburg Township	84	0
South Middleton Township	980	225
Southampton Township	1,772	366
Upper Allen Township	109	0
West Pennsboro Township	2,031	548
Total Countywide	10,818	2,435

Annual Inspections

During the third quarter of 2006, 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 2006:

- 88 Farm inspections completed
- 64 Farms (73%) in full compliance
- 19 Farms (22%) require updates to the conservation plan
- 6 Farms (7%) require corrective deed language

Education

The County Agricultural Land Preservation Board hosted two information meetings in 2006 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, farmland ranking system and the application process. Approximately 30 individuals attended the March 6 meeting and approximately 20 individuals attended the November 14 workshop.

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. ASAs 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 ASAs

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.

ASAs in Cumberland County

Currently, there are approximately 70,200 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.

Municipality	Acres	Municipality	Acres
Dickinson	4,011	Silver Spring	1,143
Hopewell	2,859	Southampton	10,458
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	4,676	West Pennsboro	7,877
Penn	6,664	TOTAL	70,212