

# **Cumberland County Agricultural Land Preservation Board**



## **2007 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

Fred Dillner, Vice-Chairman  
At Large Representative

Diane Stamy, Secretary  
Farmer Representative

Susan Dietrich  
Farmer Representative

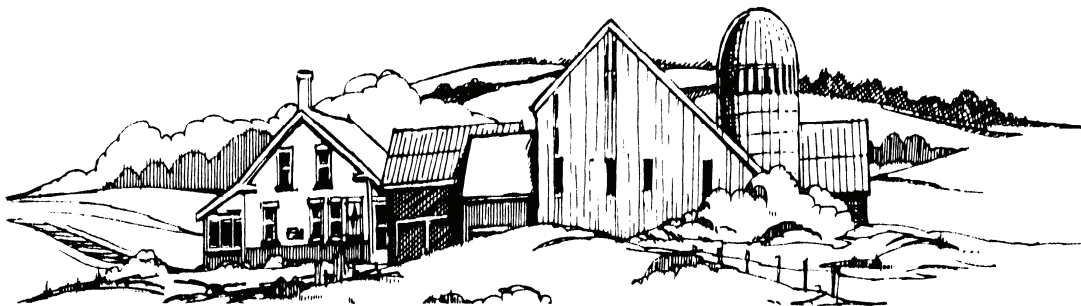
Vince DiFilippo  
Township Representative

**ADVISORY MEMBERS**

Rick Rovegno  
Cumberland County Board of Commissioners

Carl Goshorn  
Cumberland County Conservation District

John Rowehl  
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 Department. 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 Department  
18 North Hanover Street, 3rd Floor  
Carlisle, PA 17013

Telephone:  
(717) 240-6537 OR  
(717) 240-5383  
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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 interested in the Program 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 the farms with the highest score receive funding for easement purchase.

<b>Farmland Ranking System</b>	
<i>Land Evaluation and Site Assessment System</i>	
<b>Land Evaluation</b>	<b>Points</b>
Soil quality, as per the NRCS Soil Survey	50
<b>Site Assessment</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

### 13,000 Acre Celebration

The Cumberland County Board of Commissioners and Agricultural Land Preservation Board hosted a “13,000 Acre Celebration” in September 2007 to commemorate an important milestone in the history of the Cumberland County Agricultural Conservation Easement Program. From the Program’s inception in 1989 until the end of 2007, 13,431 acres of working farmland were preserved or pending settlement. Cumberland County was able to surpass the 13,000 acre mark due to a significant investment on the part of the County and the Commonwealth. In 2006, a record \$10 million was available to purchase easements on 25 farms covering 2,800 acres.

The celebration was part of “Buy Fresh, Buy Local Week”, which is a campaign that promotes local agriculture. Farmers, local officials, coordinating agencies, neighboring counties, and the Pennsylvania Bureau of Farmland Preservation attended the celebration and enjoyed locally grown foods. The event was held in Southampton Township at the preserved farm of Paul & Harry Hoch. Two generations of the Hoch family farm over 800 acres in support of their dairy operation.



### Signage Program

The Cumberland County “Preserved Farm” Signage Program was unveiled at the “13,000 Acre Celebration”. The sign is shown above. The purpose of the signage program is to raise awareness about the Program and highlight the properties preserved in Cumberland County. Landowners voluntarily post signs on their farm to identify the property as a preserved farm through the Agricultural Conservation Easement Program. Landowners of preserved farms may contact the County Planning Department if they would like a sign for their farm.

### Program Changes

In 2007, the Agricultural Land Preservation Board approved three changes to the Program Guidelines:

- Farmland Ranking System  
The Farmland Ranking System was amended in 2007 to change the weighted values. The Land Evaluation was lowered from 50% to 40% while the Farmland Potential and Cluster Potential Factors were increased from 20% to 25%. The Development Potential will remain the same at 10%. These changes were made to place more value on the Farmland Potential and Cluster Potential Factors and less on the soil quality. This new scoring system will be used to rank all new and backlogged applications for 2008 funding.
- Acquisition By Donation  
Provisions have been added to the County Program Guidelines to allow the County Board to accept a 100% donation of an agricultural conservation easement in accordance with state minimum criteria.
- Planning and Development Map  
The planning and development map was amended to reduce the target area boundary from 1.5 miles to 1 mile from other preserved farms. The goal of the target area is encourage clustering and to create large blocks of preserved farmland.

# AGRICULTURAL CONSERVATION EASEMENT PROGRAM

## 2007 Program Funding

Funding for the Cumberland County Agricultural Conservation Easement Program totaled over \$1.2 million in 2007. This amount includes a combination of county and state funding, as shown below. These funds are to be used exclusively for easement purchases. In 2007, nearly \$40 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 2007 was derived from a bond issue.

State	=	\$977,529
<u>County</u>	=	<u>\$251,470</u>
Total	=	\$1,228,999

## 2007 Application Round

Applications for the 2007 round of funding were received by staff between January 1, 2006 and December 31, 2006. Backlogged applications and new applications were eligible for consideration in 2007. 41 applications, totaling 5,285 acres of farmland, were submitted for consideration. During the first quarter of 2007, the Board staff ranked all applications eligible for the Program according to the approved farmland ranking system.

From the 41 applications, the top 4 ranking farms were selected for appraisal and easement purchase consideration. Of the 4 farms selected for consideration, 3 farms covering 287 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 for the top 4 ranking farms was \$3,700 per acre. See Table 1 for a summary of County Board offers.

**Table 1  
Summary of 2007 County Board Offers**

Name	Township	Acres	Board Offer/ Acre	Total Easement Value	Application Status
Nolt	Southampton	NA	\$3,144.50	NA	Declined offer
Weaver	Penn	71.917	\$4,000.00	\$287,668	Settlement pending
Wood	South Middleton	97.825	\$4,000.00	\$391,300	Settlement pending
Otto	South Middleton/ Dickinson	NA	NA	NA	Withdrew application
Hoch	Southampton	NA	NA	NA	Withdrew application
Nealy	Southampton	NA	NA	NA	Withdrew application
Keck	Penn	116.78	\$3,686.00	\$430,451	Settlement pending
<b>Average Board Offer/Acre</b>			<b>\$3,707.63</b>	<b>\$1,109,419.00</b>	

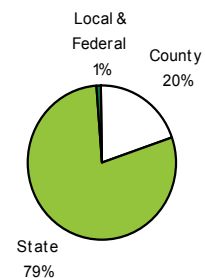
# AGRICULTURAL CONSERVATION EASEMENT PROGRAM

## County Program Status

Between 1989 and 2007, 12,553 acres of farmland have been preserved countywide through 102 easements. An additional 7 easements containing 878 acres of farmland are pending settlement. Refer to Figure 1 for a location map of all final and pending easements. Table 2 shows a summary of preserved and pending farmland by municipality. A total investment of \$32 million in federal, state, county and local funding was utilized to purchase these easements as shown in Figure 2.

<b>Table 2 Summary of Preserved Farms by Municipality 1989-2007</b>		
<b>Municipality</b>	<b>Acres Preserved</b>	<b>Acres Pending</b>
Dickinson Township	1,682	191
Middlesex Township	197	0
Monroe Township	1,693	0
North Middleton Township	100	148
North Newton Township	379	0
Penn Township	2,827	189
Shippensburg Township	84	0
South Middleton Township	1,091	209
Southampton Township	1,992	141
Upper Allen Township	109	0
West Pennsboro Township	2,399	0
<b>Total Countywide</b>	<b>12,553</b>	<b>878</b>

**Figure 2  
Funding (1989-2007)**



## 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. Cumberland County ranks 7th in the State for acres preserved through the Program.
- 377,910 acres of farmland are permanently protected statewide through 3,339 agricultural conservation easements.

## Annual Inspections

During the second quarter of 2007, the Board staff, in cooperation with the Cumberland County Tax Assessment Office and Conservation District, inspected all farms preserved through the Program. The County Board and staff are working with farmers to achieve full compliance on all farms. The following is a summary of inspections completed in 2007:

- 95 Farm inspections completed
- 81 Farms (85.3%) in full compliance
- 6 Farms (6.3%) require updates to the conservation plan
- 8 Farms (8.4%) require corrective deed language



## 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. ASAs do not provide permanent farmland protection.

### 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 70,950 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	4,011	Silver Spring	1,383
Hopewell	2,859	Southampton	10,458
Lower Frankford	2,571	South Middleton	4,702
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	3,413
North Newton	4,676	West Pennsboro	8,069
Penn	6,664	<b>Total</b>	<b>70,946</b>

