

February 2008

Ag Pulse

Madison County....The Heart of New York

Dear Town Official:

This is the eleventh issue in a series of newsletters being sent to you by Cornell Cooperative Extension of Madison County on behalf of the Madison County Farmland Protection Board. One of the goals of Madison County's Farmland Protection Plan is to inform decision makers about issues in county agriculture, describe its impact on the local economy, and clarify provisions that help maintain agriculture's predominance here.

Agriculture has always been a vital component of Madison County's economy. We are trying to make sure ALL town officials receive a copy of Ag Pulse.

We hope that you find the information in this newsletter helpful. We welcome your comments. Call us at 684-3001.

Sincerely,


Karen Baase
Extension Issue Leader


April Winslow
Community Educator



Farmland Protection Board Members:

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New York State's Farmland Protection Program: Purchase Of Development Rights

Taken from Fact Sheet American Farmland Trust Northeast Regional Office September 2004

Description

New York State's Farmland Protection Program was enacted in 1992 as part of the Agricultural Protection Act. The program encourages counties and towns to work with farmers to promote local initiatives that help maintain the economic viability of agriculture and protect the industry's land base.

Under this program, funds are available to develop county agricultural and farmland protection plans and implement farmland protection projects. Since the enactment of the Agricultural Protection Act, more than 49 counties have received planning grants to develop agricultural and farmland protection plans. In 1996, the

state amended Article 25-AAA to provide counties that have approved plans, or eligible municipalities, with implementation grants to purchase development rights (PDR) to farmland.

Purchase of development rights (PDR) is a voluntary farmland protection technique that pays farmland owners for permanently protecting the land for agriculture. In general, landowners possess a variety of rights to their property, including the rights to use water resources, harvest timber or build on the property consistent with local regulations. Each of these rights can be separated from the rest of the bundle of rights and sold or leased. When one right is restricted or removed from the land, all other rights and obligations of property ownership remain intact.

When farmland owners sell their development rights, they retain all other rights of ownership and can continue to farm their land as they did before. The land remains private and on the tax rolls; its taxable value should be based on the remaining rights. The purchase of development rights to a piece of farmland places a deed restriction – known as a conservation easement – on the property, permanently protecting the land for agriculture. Conservation easements may be held only by a public body (Federal, State, County or Municipal government) or a not-for-profit conservation organization, often called a land trust. The holder is obligated to uphold and enforce the terms of the easement.

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Valuation

The value of a conservation easement equals the fair market value of the property minus its restricted value, as determined by a qualified appraiser. For example, if the full market value of a parcel of farmland is \$300,000 when developable but worth only \$100,000 if restricted to agricultural use, then the farmer is eligible to be paid the difference of \$200,000 for selling the development rights.

Agricultural Conservation Easements

Because agriculture is evolving, it needs a flexible conservation easement that is tailored to its ever-changing conditions. Agricultural conservation easements have been developed to meet these needs. Generally, they have the following features:

- Limit future uses of the land that are inconsistent with or damage the agricultural value or productivity of the land
- Encourage the business of farming
- Permit the construction of new farm buildings and farm employee housing
- Complement the right to farm provisions in the Agricultural Districts Law
- Do not require public access
- Retain private ownership of the farm subject to the easement restrictions

Who Can Apply For PdR Grants -

Madison County's Farmland Protection Board is developing a protocol for pre-screening applications from the county

- A county Agricultural and Farmland Protection Board (AFPB) that has an approved county agricultural and farmland protection plan.
- A municipality that has adopted a local farmland protection plan (a

comprehensive plan or other land-use ordinances that consider agricultural uses and needs; the project must be endorsed by the county AFPB).

- Local land trusts and other non-profit conservation organizations interested in protecting agricultural land are not eligible to apply directly for implementation funds, but can work cooperatively with county or municipal governments in support of a project for which funding is requested.

Steps In Participating In The NYS Farmland Protection Program

1. Farmer informs AFPB and/or municipality of interest
2. Municipality /AFPB submits an application to New York State Department of Agriculture & Markets (NYSDAM)
3. NYSDAM scores, ranks, and selects farms
4. NYSDAM sends contracts to AFPB/municipalities
5. Land planning and conservation easement discussions completed with landowner
6. Appraisal and title work completed
7. Documents are finalized and sent to NYSDAM for review
8. NYSDAM approves documents and requests that the comptroller issue payment to the municipality
9. Municipality pays landowner and landowner signs easement at closing

Other resource about PDR: David Behm, (518) 457-2713, or visit www.agmkt.state.ny.us **david.behm@agmkt.state.ny.us** or at

David H. Behm, Farmland Protection Program Manager, Division of Agricultural Protection & Development Services, NYS Department of Agriculture and Markets

For more information about New York's Farmland Protection Program, or to request a copy of the most recent RFP, contact:

**NYS Agriculture & Markets,
Agricultural Protection Unit**
10 B Airline Drive, Albany, NY 12235
Tel: (518) 457-2713
www.agmkt.state.ny.us

For more information about farmland protection nationwide, go to the:

Farmland Information Center
www.farmlandinfo.org

Agricultural Economic Development (AED) Program Launch

March 13, 2008

6:45 until 9pm

The Agricultural Economic Development (AED) Program will have its official launch. Six months after its inception, the AED Program is ready to present the short, medium and long-term programs it has in place, including its website, livestock processing facility, dairy processing and mobile's farmers' market. There will also be an opportunity for Madison County's agricultural community to provide feedback and share ideas for future programming. Locally harvested ingredients will be used in the chicken pot pie, which will be served.

We hope you can join us!



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Information Forum about Purchase of Development Rights

On **Thursday, March 6 at 7:00pm**, farmers, farmland owners and community members are invited to an **Information Forum about Land Trusts, Purchase of Development Rights**, and ways to protect farmland. Judy Wright, Consultant with American Farmland Trust, and representatives from local land trusts will describe their work in Madison County. **The meeting will be held at: Cornell Cooperative Extension of Madison County's Ag Center, 100 Eaton Street, Morrisville.**