



Clean **Ohio** Fund

Farmland Preservation

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To **Preserve and Protect**
Ohio's viable farmland for future agricultural use and to
Educate and Partner
with the public, governments,
and communities.





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- 1950-2007 Ohio lost over 7 Million acres of farmland
- Food & Agriculture is Ohio's No. 1 Industry
- 2nd Nationally for prime agricultural land loss and 31st in population growth





Programs

- I. Ohio Agricultural Easement Donation Program (AEDP)
- II. Clean Ohio Agricultural Easement Purchase Program (AEPP)
- III. Ohio Agricultural Security Area (ASA) Program

IV. Century Farms





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Agricultural Security Area (ASA)

Allows one or more land owners of at least **500 or acres of contiguous farmland** to enroll in an Agricultural Security Area (ASA) for a **10-year period**.



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ASA Benefits

- Protects against non-farm development
- Assembles a critical mass of land to help keep farming viable
- Can provide a new local tax benefit for investment on new agricultural real property
- Voluntary
- Respect private property rights
- Locally controlled



Agricultural Easement

- Agreement between farmland owner and the Ohio Department of Agriculture that limits usage of the land to predominantly agricultural activity
- While the landowner may sell, or pass the property on at any time, the agricultural easement stays with the property in perpetuity
- ODA acquires easements by donation or by purchase





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2001 Clean Ohio Fund



- Brownfield Redevelopment
- Open Space
- Trails
- Farmland



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- Continuation passed in November 2008
- \$25 million toward Farmland Preservation



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Includes Agricultural Easements held by ODA and Agricultural Security Areas

Clean Ohio AEPP 2002-2010

- 208 Farms
- 35 Counties
- 39,322 acres

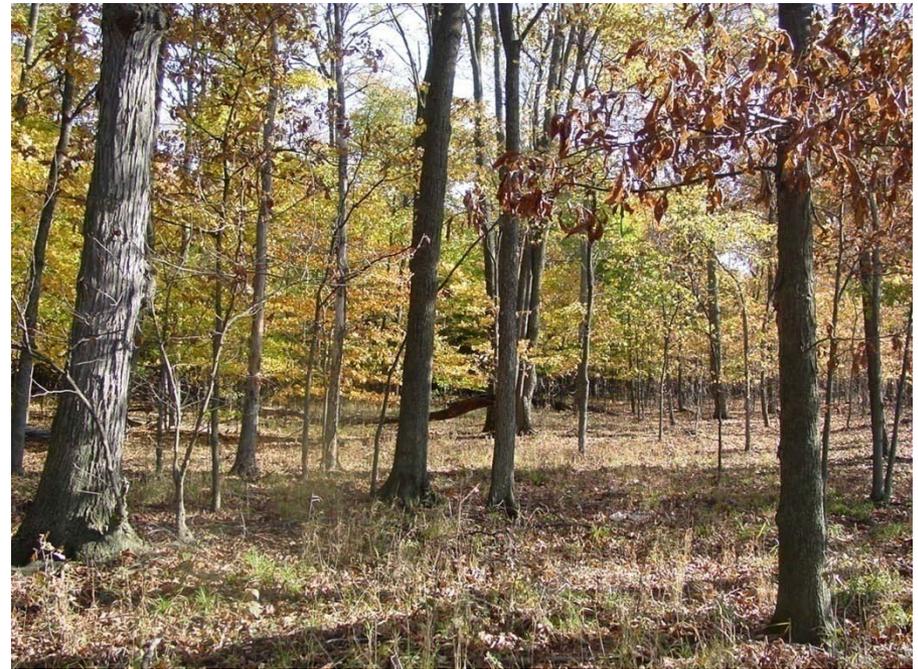




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2011 Funding Round

- Application dates:
Jan. 5 - April 5
- \$6.25 million
currently available





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Clean Ohio AEPP

- Local Sponsors apply on the landowner's behalf
- Local Sponsor = county, township, municipality, soil and water conservation district, or charitable organization





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Eligibility

- At least 40 acres in size
- Enrollment in CAUV & Agricultural District Program
- Minimum 25% donation of the agricultural easement value from the Landowner and/or local sponsor
- Parcels are contiguous



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Eligibility

- Parcels are owned by same legal entity
- No portion of applicant farm is omitted from application
- Property cannot contain hazardous substances
- Landowner must be in compliance with state and federal agricultural laws



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Tier One

- Soils = 20 points
- Proximity to Protected Properties = 15 points
- Development Pressure = 15 points
- Local Planning Efforts = 16 points
- Best Management Practices = 5 points
- Other Factors = 29 points



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Soil

- Maximum 20 points
- Preference- prime soils, unique or locally important soils
- Purpose- to protect the most agriculturally productive and conducive soils





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Proximity to Protected Properties



- Maximum 15 points
- Preference- to land that is adjacent to or in close proximity to other agricultural land or land that is conducive to agriculture
- Purpose- ensure long-term farm viability



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Development Pressure

- Maximum 15 points
- Preference- to land that is imminent, but not currently, in the direct path of urban development
- Purpose- protect farms facing intermediate development pressures





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Local Planning Efforts



- Maximum 16 points
- Preference- areas identified for agricultural protection in local comprehensive land use plans
- Purpose- acknowledge the importance of local efforts to manage growth and preserve productive farmland

Best Management Practices

- Maximum 5 points
- Preference- farms which have federally or state approved conservation plans and a history of substantial compliance with applicable federal and state laws
- Purpose- acknowledge the importance of conservation planning





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Other Criteria



- Maximum 29 points
- Purpose- allow for the director to determine other preferential criteria for selecting applications
- Ex: ASA, historical designation, local match



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How Is My Land Value Determined?

- ODA uses a formula that incorporates Market Value, CAUV, and information from the Tier 1 portion of the application to determine the value of the Agricultural Easement
- Please refer to the Tier 1 Estimator and Calculation Worksheet on the Application website



Tier Two

- Agricultural Support Infrastructure
- Management, estate & business planning, investments in the farm
- Showcase for farmland preservation
- Local government's preservation efforts
- Sustainable agriculture



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Landowner Acknowledgement Statement

Including but not limited to:

- Farm may be submitted for FRPP matching dollars, requiring additional documentation and appraisal
- May have to arrange and pay for survey
- Interests that limit the property's Title must be cleared or subordinated prior to closing
- Acknowledgement of restrictions outlined in sample deed
- No subdivisions of applicant property are permitted
- Homestead policy
- Must have and abide by whole farm conservation plan prior to closing
- Length of process (up to 24 months)



2011 Changes

- OAC Revisions had an impact on 2011 application, resulting in fewer attachments and fewer application steps
- All soils must be included in application, including homestead
- Signature Page and Landowner Acknowledgement Statement



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2011 Changes

- **Clear Title Fast Track – If the title is deemed “Clear Title” at the time of ODA’s title search the farm will be prioritized, with the goal of having the easement closed within one year of the returned title search.**
- **All other properties that do not meet the requirements of the “Clear Title” at the return of the title search initiated by ODA will be prioritized to close within the normal 18-24 month timeframe.**
- **Definition of “Clear Title” for the “Clear Title Fast Track” – The “Clear Title” must meet both the requirements of the Clean Ohio AEPP and the FRPP programs.**



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2011 Changes

- **According to the OAC 901-2-06 (B) (4):
“Interests that limit the title of a property,
such as mortgages, leases, liens,
restrictions, or legal or equitable interest,
must be cleared or subordinated, unless
exempted by the Director.”**



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Regional Balance





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2002-2010

Applicant Farms	Funded Farms
2,209 applications	208 applications



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Expected Limitations



- \$500,000/County
- \$500,000/Farm
- \$2,000/Acre
- One funded application per legal entity
- Additional guidelines



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Resources

- Sample Deed of Agricultural Easement
- 2011 Guidelines and Policies
- Tier One Estimator
- Local Sponsors
- Applicant Handbook
- AEPP Participants
- ODA's Web Site: www.agri.ohio.gov





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FRPP Matching Funds

- If your application qualifies you for funding, your application may be selected for federal cost-sharing through the Farm and Ranch Lands Protection Program (FRPP), administered through the Natural Resources Conservation Service (NRCS)
- Federal matching funds have allowed ODA to stretch preservation dollars



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FRPP Matching Funds

- If your farm is selected for FRPP matching funds, the federal agency will also review all documents before the closing. In addition, NRCS representatives may request that additional forms be completed by the landowner(s) throughout the closing process



Process For Funded Properties

Notice of Selection

Title Search/Title Search Review

Removal/Subordination of mortgages, oil/gas leases, etc.

Option to Purchase

Creation/Review of Deed of Agricultural Easement

Present Condition Report (PCR)

Appraisal (FRPP farms)

NRCS Review (FRPP farms)

Controlling Board Approval

Closing

*Entire process can take approximately 18-24 months



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Total Preserved Acres

48,572 acres

- Donation 6,310 acres
- Clean Ohio AEPP 39,322 acres
- Tobacco 2,940 acres



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