

# Land Conservation Update

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## Farming & Conservation: A Perfect Mix

by Cindy Sabato

“Ken Smith and his family’s Cool Lawn Farm operation are a great example of how agriculture and land conservation go hand-in-hand to build a vibrant rural economy,” says Mike Kane, conservation director for The Piedmont Environmental Council.

When Smith, a fourth-generation dairy farmer, bought his father’s Remington dairy farm in 1992, Cool Lawn Farm was about 270 acres and 110 cows. Since then, Smith has expanded the operation, where he now milks more than 1,000 cows daily, owns

over 1,000 acres and leases another 1,900 acres in the area. Smith says one key to his success has been his conservation of 620 acres of farmland.

“Ken values land conservation because he understands working farms can’t grow if farmers don’t have access to land. And when it’s conserved farmland, as much of Cool Lawn Farm is, the provisions in conservation easements protect the soils, drinking water and other natural resources,” Kane said. “On top of that, a critical mass of viable farm operations supports a whole host of other businesses and industries and benefits the community as a whole.”

Smith estimates that for every 100 to 150 cows, a farmer puts back about \$1 million a year into the local economy at the hardware store, feed store, vet, buying farm equipment, putting up fencing, and so

forth, usually all within 25 miles of their farm. According to Ray Pickering, director of Fauquier County’s agricultural department, a Cost of Community Services study done by the county in 2015, found that agricultural land and open space are the most tax-positive land use for the county, above both residential and commercial/industrial land, which come with financial impacts of public services, schools and other support infrastructure.

Smith has been able to marry conservation and farming through Fauquier County’s Purchase of Development Rights (PDR) program, which pays landowners for the development rights on their land and then extinguishes those development rights with a conservation easement on the land. By buying development rights directly from landowners—in 2020, Fauquier County paid \$25,000 per right—PDR programs open up land conservation for folks who find that tax incentives associated with a more traditional donated easement are not an

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Fourth- and fifth-generation dairy farmers Kenny Smith (right) and son Ben Smith (left) at Cool Lawn Farm. Photo by Rose Jenkins



### Interested in Protecting Your Land?

The Piedmont Environmental Council’s conservation staff can help you explore your options. For more information, please contact your local PEC land conservation staff member.

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option. Fauquier County's PDR program is the most successful in the Commonwealth, with 13,525 acres of farmland protected from development, Pickering said.

Still, even with PDR programs, conservation comes with the same administrative expenses that are part of most real estate transactions—appraisals, title searches, surveys, attorneys. To assist Smith with his most recent conservation of 150 acres in 2020, PEC provided \$6,000 of a grant from the Volgenau Foundation. “We got to a point when we were tapped out, milk prices and

cow prices were so low that we didn't have the capital to move forward. PEC helped us get the appraisals done,” he said.

“Ken has participated in the PDR program three times, each time using its incentives to pay down debt on the next piece of land, even starting the value-added commercial enterprise Moo-Thru Ice Cream, which has strengthened support for locally-produced milk and now employs 50-70 people from the local community. The PDR program helps farmers by way of both capital and ensuring land remains available for farming,” Kane said. Smith compares the PDR program to a good crop. “If you take good care of it and manage it well, use the value out of it to plant for next year or buy the next parcel of land, it will do well for you.”

To learn more about conserving your land or Purchase of Development Rights programs, contact PEC Director of Conservation Mike Kane at [mkane@pecva.org](mailto:mkane@pecva.org).



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## Support Conservation

Since 1972, The Piedmont Environmental Council has proudly promoted and protected the natural resources, rural economy, history and beauty of the Virginia Piedmont. PEC empowers residents to protect what makes the Piedmont a wonderful place, and works with citizens to conserve land, protect air and water quality and restore wildlife habitat.



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Warrenton, VA 20188



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### **GIVE ONLINE:**

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## What Is a Conservation Easement? And is it right for me?

*A conservation easement is an agreement between a landowner and a private land trust or a governmental conservation agency that limits future development on a property. Its purpose is to protect that property's conservation values, whether that be its farm, forest, water, habitat, scenic or cultural attributes. Restrictions in easements run with the land and apply to all future landowners. With an easement, you can protect the land you love for the benefit of current and future generations.*

Conservation easements offer flexibility, and each one is unique. The terms of an easement and the protections placed on the property are negotiated between the landowner and the conservation organization. Typically, those terms:

- Limit the amount of subdivision and development allowed on the property;
- Protect important natural resources, including streams, productive agricultural soils, forests and natural habitat areas;
- Limit dumping, mining, grading, blasting on the property;
- Allow continuation of productive rural uses, such as agriculture, forestry, hunting, and fishing.

The landowner who donates the easement continues to own, use and control the land subject to the terms of the easement. The landowner still decides who has access to the property and for what purpose, just as before. The conservation organization is responsible for enforcing the terms of the conservation easement.

Landowners who donate conservation easements make a difference in shaping the future of their communities. Their actions also foster land and resource stewardship that benefits all of us with clean water, productive farm and forestland, thriving natural habitats, climate resiliency, and beautiful vistas.

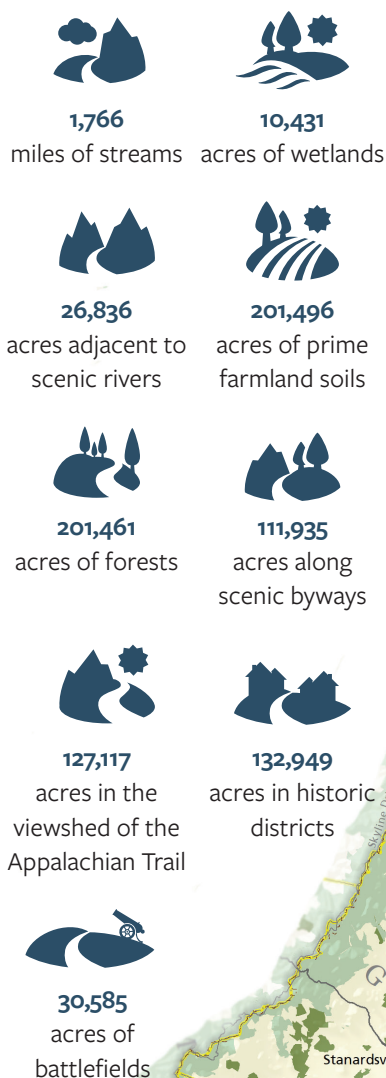
Because of these benefits, charitable donation of an easement may qualify landowners for some tax benefits. Some counties have PDR (Purchase of Development Rights) programs, in which the county buys development rights from a landowner and then places an easement on the land. You can read more about this option in the cover story on page 1.

If you or someone you know is interested in learning more, please reach out to The Piedmont Environmental Council and visit [www.pecva.org/easements](http://www.pecva.org/easements). PEC is a private nonprofit land trust, and our knowledgeable staff can guide you through the easement donation process and provide you with up-to-date information on tax incentives or other tools available to help protect your land!

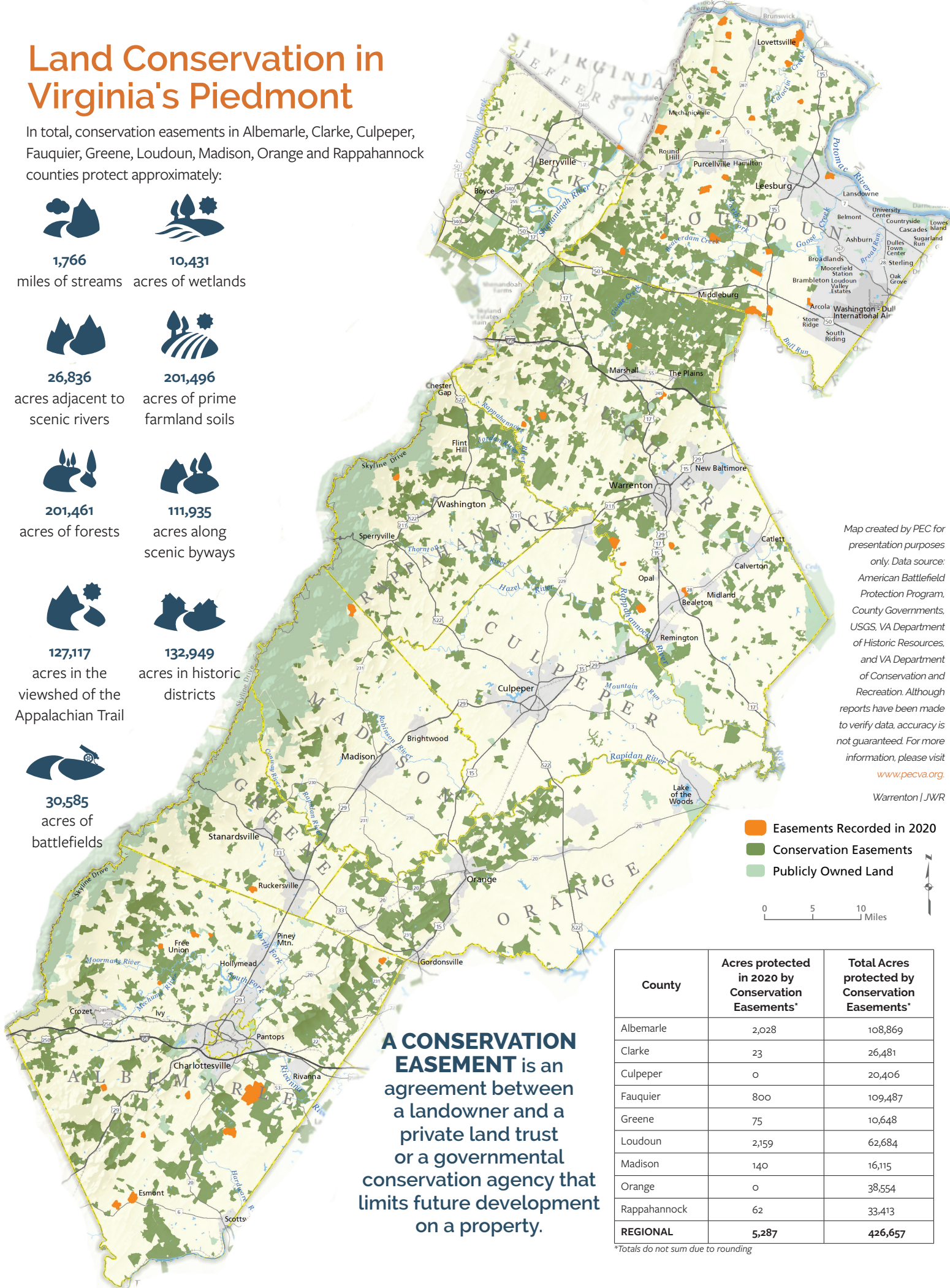


# Land Conservation in Virginia's Piedmont

In total, conservation easements in Albemarle, Clarke, Culpeper, Fauquier, Greene, Loudoun, Madison, Orange and Rappahannock counties protect approximately:



**A CONSERVATION EASEMENT** is an agreement between a landowner and a private land trust or a governmental conservation agency that limits future development on a property.



Map created by PEC for presentation purposes only. Data source: American Battlefield Protection Program, County Governments, USGS, VA Department of Historic Resources, and VA Department of Conservation and Recreation. Although reports have been made to verify data, accuracy is not guaranteed. For more information, please visit [www.pecva.org](http://www.pecva.org).  
Warrenton | JWR

County	Acres protected in 2020 by Conservation Easements*	Total Acres protected by Conservation Easements*
Albemarle	2,028	108,869
Clarke	23	26,481
Culpeper	0	20,406
Fauquier	800	109,487
Greene	75	10,648
Loudoun	2,159	62,684
Madison	140	16,115
Orange	0	38,554
Rappahannock	62	33,413
<b>REGIONAL</b>	<b>5,287</b>	<b>426,657</b>

\*Totals do not sum due to rounding





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[pecva.org/conservation](http://pecva.org/conservation)

"A conservation easement allowed us to stay on the farm  
and keep it in the family and keep the land open, intact and beautiful.  
**"You take care of the land and the land takes care of you."**

-Dean and Carina Elgin, Mountain Hollow Farm,  
Fauquier County dairy and cattle operation, Virginia Century Farm.



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