

American Farmland Trust

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American Farmland Trust (AFT) is a 501(c)(3) nonprofit organization established in 1980 by farmers and conservationists concerned about the future of farming in this country. AFT works to stop the loss of productive farmland and to promote farming practices that lead to a healthy environment. Our work includes:

- **Empowering communities:** AFT identifies “strategic” farmland – productive farmland threatened by sprawl – through mapping and other analysis, then works with communities to plan and effect farmland conversion.
- **Developing fair policies:** At the state and national level, AFT partners with other groups – from farm bureaus to environmentalist – to develop land conservation tools.
- **Engaging the public:** Using public appearances, publications, media outreach and the web, AFT builds awareness of the need to protect our nation’s agricultural resources.
- **Working with landowners:** Through land protection projects and consulting, AFT works with landowners to protect farmland and to develop sustainable farming practices.

AFT Ohio Field Office

In 1997, American Farmland Trust identified Northeastern Ohio (Eastern Ohio Till Plain) as the seventh most threatened farming region in the nation. This means that the area was determined to have some of our nation’s best soils and at the same time this area is experiencing immense development pressure.

This loss affects not only rural areas, but our city center and older suburbs too. These places have declining numbers of households and household income, while population and funding for infrastructure goes to the new suburbs. For example, Cuyahoga County lost 18% of its residents between 1970 and 1990.

The state as a whole is losing farmland as well. Between 1987 and 1997, Ohio lost a total of 363,100 acres of prime, unique and locally important farmland to sprawling development—that’s an area approximately the size of two Ohio counties! These days, Ohio ranks second only to Texas in the amount of prime farmland lost to development.

Because of these reasons listed above, AFT opened the Ohio Field Office in 1997. Some recent activities undertaken by the Ohio Field Office include:

- Managing and editing the writing of the guidebook for the state’s new farmland protection program, which is intended to help communities and landowners access the program.
- Organizing a series of regional one-day workshops for locally elected officials and evening meetings for landowners to publicize the availability of the guidebook.
- Providing partner communities with technical assistance on the new state farmland protection program. This included conducting sessions in Lake, Geauga and Wayne Counties. In addition, AFT staff worked closely with Northeastern Ohio county farmland preservation task forces to educate the public.
- Collaborating with the Grand Rivers Partners, Inc. on its first agricultural easement. This group protects land in Lake, Geauga, Ashtabula and Trumbull Counties.
- Supporting participants from Northeastern Ohio on the Ultimate Farmland Preservation Tour. This tour shows local officials and farmers first-hand how farmland protection is working in other states.
- Hosting a luncheon for religious leaders in Northeastern Ohio. Over fifteen leaders from different faiths attended and discussed the moral and ethical issues of farmland preservation.
- Coordinating the annual the Ohio Farmland Preservation Summit, which has become a staple annual event for farmland preservationists and concerned citizens. This year’s summit will take place on November 7, 2002.
- Serving as vice chair of the Ohio Farmland Preservation Advisory Board, appointed by Ohio Department Agriculture’s Director Fred L. Dailey.
- Providing testimony before the Ohio legislature on agricultural bills.

The Ohio Agricultural Easement Purchase Program

Much of AFT Ohio Field Office staff efforts in the last few years have been directed towards the Ohio Agricultural Easement Purchase Program, one tool used to protect Ohio's best agricultural lands.

This program is based on purchasing agricultural easement from willing farmers. (Though agricultural easements can be donated as well.) An agricultural easement is a voluntary legal agreement by a landowner to retain the use of land predominantly in agriculture. When a landowner grants an agricultural easement, the landowner forfeits the right to develop the land for non-agricultural activities and agrees to use the land only for agricultural purposes.

A governmental entity or non-profit organization "holds" the easement and has the legal right to require the landowner to abide by the agreement. The agricultural easement is a permanent and legally binding restriction that remains with the land as the land passes from one owner to another.

Ohio is now the 19th state to offer a statewide agricultural easement purchase program.

This effort began when former Governor George V. Voinovich appointed the Ohio Farmland Preservation Task Force in 1996. The Task Force recommended the creation of an Office of Farmland Preservation within the Ohio Department of Agriculture. It also recommended the creation of an agricultural easement purchase program (AEPP).

To make it possible to create an AEPP in Ohio, in January 1999, Senate Bill 223 was signed into law. This law enabled the Ohio Department of Agriculture, local governments, and nonprofit organizations to hold, acquire, and accept agricultural easements. It specified that the program would be voluntary, but it did not provide funding. In effect, SB 223 provided the legal basis for the Clean Ohio Fund Agricultural Easement Purchase Program, as well as for a donation program. This same law also provides the ability for townships to start their own donation or purchase program.

With the legal basis created for the program, funding had to be secured. In November 2000, Ohio voters approved Governor Bob Taft's proposed \$400 million Clean Ohio Fund (Issue 1). Governor Taft signed the Clean Ohio Fund into law in July 2001, which included the Ohio Agricultural Easement Purchase Program. The Clean Ohio Fund also provided \$200 million for brownfield restoration, \$150 million for open space and stream corridor protection, and \$25 million for recreational trails.

The Clean Ohio Fund Agricultural Easement Purchase Program (AEPP) provides matching grants to counties, townships, municipal corporations and charitable organizations for the voluntary purchase of agricultural easements from farmland owners. The Office of Farmland Preservation, housed within the Ohio Department of Agriculture, administers the program with funds from the Clean Ohio Fund. The program includes an application and ranking process to select eligible farms, followed by the distribution of state matching grants to the counties, townships, municipalities or charitable organizations that will purchase the eligible agricultural easements.

For this program, the minimum local match to AEPP is 25% of the value of the easement (to the state's 75%). The match can be in the form of cash or in the form of donated value from the landowner. Local governments can raise matching dollars several ways to purchase, monitor, and enforce agricultural easements. First, a property tax can be levied, for up to five years with voter approval. Similarly, a local sales and use tax, with voter approval, could be levied to raise revenue.

It is important to note that the same law that created the AEPP also enabled local governments and nonprofit land trusts to create their own donation and/or purchase of agricultural easement programs.