

Other Agricultural Land Preservation Programs

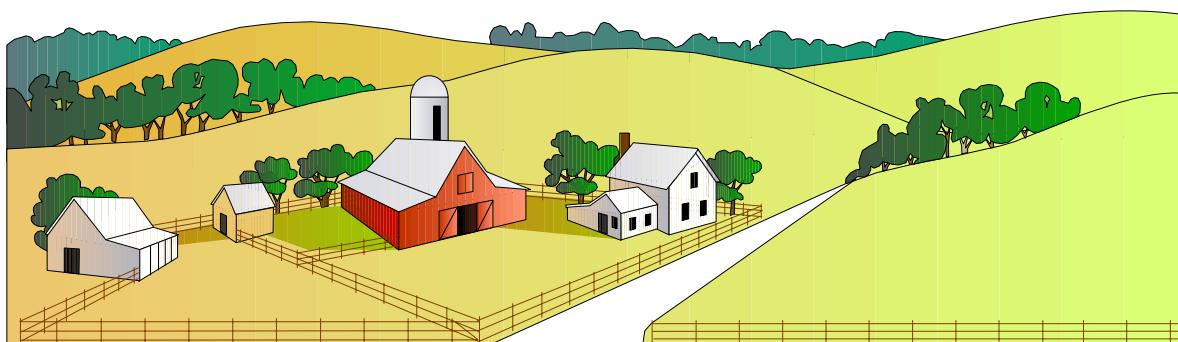
Although Agriculture Preservation Zoning is the most effective method of preserving Pennsylvania's farmland, Cumberland County utilizes two other programs to protect and strengthen its farming industry. These are Differential Assessment, commonly known as Clean and Green, and the Agricultural Security Area and Easement Program. Both of these programs may be used in conjunction with Agricultural Protection Zoning, but also may be used in municipalities that have not implemented a zoning ordinance.

Clean and Green

Clean and Green is the name for the differential assessment that is available and widely used in Cumberland County. Differential assessment (Acts 319 and 515) means agricultural land is assessed for its value as productive farmland rather than its value for potential development. This relieves the farmer of the burden of paying high taxes especially in areas where development is nearby. A rapidly developing area increases the demand for services from a municipality. The result is usually increased taxes. High tax bills can burden the farmer to the point his land is not profitable any longer as farmland. Differential Assessment ensures that farmland owners do not have to take on the tax burden caused by new development.

In Cumberland County, the Clean and Green Program has existed since 1977. It is a voluntary program and requires ownership of a minimum of 10 acres to be eligible. In 1997, the County showed 552 parcels totaling 43,546 acres in the Clean and Green Program. Of those acres, 40,449 acres were classified as farmland or agricultural reserve. The remaining 3,097 acres were classified as forest. Overall, roughly 12.6 percent of Cumberland County is assessed under the Clean and Green Program.

Through the Clean and Green program, farmers are not required to keep their land in agricultural production. The land may be used for any legal purpose. If the land is converted to a non-agricultural use, however, it is removed from the program and is subject to roll-back taxes. The landowner must pay back the taxes for the seven most recent years the land had been in the program, plus six percent interest.



Of Cumberland County's 33 municipalities, 21 townships had parcels in the Clean and Green program in 1997. Table below shows the breakdown of parcels and acreage by municipality.

Cumberland County Clean and Green Program - 1997				
Township	# of Parcels	Forest Acreage	Farmland Acreage	Total Acreage
Dickinson	97	245	8258	8503
East Pennsboro	6	250	0	250
Hampden	8	107	101	208
Hopewell	41	337	3420	3757
Lower Allen	2	0	41	41
Lower Frankford	15	132	224	356
Lower Mifflin	21	820	1462	2282
Middlesex	43	27	1665	1692
Monroe	38	30	2535	2565
North Middleton	17	52	1118	1170
North Newton	32	229	2782	3011
Penn	37	210	3343	3553
Shippensburg Twp	2	0	104	104
Silver Spring	43	0	3136	3136
Southampton	34	107	2712	2819
South Middleton	35	45	2539	2584
South Newton	2	0	57	57
Upper Allen	9	187	539	726
Upper Frankford	8	131	793	924
Upper Mifflin	15	87	1303	1390
West Pennsboro	47	101	4317	4418
County Totals	552	3097	40449	43546

Agricultural Security Areas (ASAs) and the Agricultural Conservation Easement Programs

Agricultural Security Area Program

Cumberland County established its Farmland Protection Program in 1989. This permitted municipalities to establish Agricultural Security Areas (ASAs). Farmland owners voluntarily initiate the process to establish their land as an ASA. Municipalities may then formally pass a resolution to add those farms to the municipality's Agricultural Security Areas. The minimum acreage required for an ASA is 250. The area may consist of one farm or a number of farms.

There are many benefits of having land in an ASA. Local and State governments give special consideration to the ASA farms to encourage the continuing use of the land

for productive agriculture. It is important to note, however, that the land use is not restricted by an ASA. Like the Clean and Green program, landowners may use their land for any lawful purpose.

Agricultural Security Area benefits include:

- protection from ordinances that restrict farm structures or practices
- protection from ordinances that deem farming practices “nuisances”
- any condemnation of ASA land must be approved by the State Agriculture Lands Condemnation Approval Board, the local government, the local agricultural security area advisory committee, and the Board of County Commissioners
- all State funded projects are subject to review to ensure there will not be encroachment by non-agricultural uses
- participants are eligible to sell conservation easements

Of the 22 townships in Cumberland County, 14 had adopted Agricultural Security Areas as of 1997. The total acreage of ASA's in the county is 49,272. This is about 14% of the total acreage in the county.

Agricultural Security Areas - 1997		
Township	Year Adopted	Total Acreage
Dickinson	1990	2170
Hopewell	1995	656
Lower Mifflin	1995	4180
Middlesex	1991	1849
Monroe	1989	4061
North Middleton	1993	2232
North Newton	1990	4784
Penn	1989	6452
Silver Spring	1994	821
Southampton	1992	3910
South Middleton	1992	3581
Upper Frankford	1993	3612
Upper Mifflin	1992	3425
West Pennsboro	1990	7539
County Totals		49272

Map 2 shows the distribution of Agricultural Security Areas throughout the County.

Agricultural Conservation Easement Program

Unlike Agricultural Security Areas, which are established through the municipal government, the Agricultural Easement Program is run by the County. The Agricultural Security Area Law (Act 43 of 1981) was amended in 1988 to provide a mechanism for purchasing agricultural conservation easements from farmers in Agricultural Security areas.

Cumberland County established its Conservation Easement program in 1989. The Board of Commissioners, through a resolution, determined that “Cumberland County should participate in the Commonwealth’s Agricultural Conservation Easement Program as one means to slow the unacceptably high level of farmland loss.” At the same time they established the County Agricultural Land Preservation Board to administer the Easement program.

Through the program, County and State funds are used to purchase the development rights of the land. The landowner is paid the non-agricultural development value of the farm. The farmer still owns the land and can continue to farm it, but can not convert any of the land to a non-farm use. The easement is held in perpetuity meaning it is transferred with any future sale of the land.

Farmers that wish to have their land conservation easements purchased must meet several eligibility requirements.

The farmland tract shall:

- be located in a recorded Agricultural Security Area which has at least 500 acres enrolled.
- be used as a normal farming operation that is capable of generating annual gross receipts greater than \$25,000.
- contain at least 50 percent of soils which are the best classes for farming (Classes I-IV).
- maintain at least 50 percent of the land as harvested cropland, pasture, or grazing lands.
- If harvested cropland, be capable of producing sustained yields per acre equal to the County average yield per acre for each crop.
- be contiguous acreage of at least 50 acres in size unless the tract is at least 10 acres in size and is either utilized for a crop unique to the area or is contiguous to a property which has a perpetual conservation easement.

Those farms that meet the requirements for Conservation Easements are ranked and given a score. The score is used to determine which conservation easements will be purchased.

Factors which are used for ranking include:

Land Evaluation

- percentage of quality soils

Development Potential

- percent of soils suitable for on-lot sewage disposal system
- sewer service availability

- water service availability
- proximity to existing non-agricultural development
- road frontage

Farmland Potential

- size of tract
- percent of tract used for cropland, pasture, or grazing
- tenure of ownership
- conservation practices
- historic, scenic, environmental qualities

Cluster Potential

- proximity to farms with Conservation Easements
- proximity to farms enrolled in recorded Agricultural Security Areas
- consistent with County Important Agricultural Areas Map
- consistent with Municipal/County Comprehensive Land Use Map

As of June 1998, 4,783 acres of conservation easements have been purchased in Cumberland County. This is 3.3% of the active farmland and 1.3% of total county land. Map 2 shows the distribution of purchased easements.