

Comments – Proposed Legislation For Farmland Preservation Issues  
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Thank you Senators, for providing the opportunity to share our views today on these important and timely bills and proposed concepts.

**House Bill 629 – Reducing the eligible acreage for farmland preservation to 25 acres.**

As a county administrator of a farmland preservation program, I see annually an overwhelming number of applications each year which will remain unfunded. We deliver more "sorry we can't preserve your farm this year due to funding limitations" than the more desirable letters stating: "congratulations your farm was selected for appraisal for consideration into the farmland preservation program". The reason we do not have adequate funding for farmland preservation in Pennsylvania is because the majority of easement funds travel to parts of the state where ag values and after easement values have risen to such unprecedented levels which no longer reflect true agricultural values, yet easement purchases continue in these communities. Are we preserving farming lands or creating exclusive communities which include a variety of open space uses? The amount of applications which we see under 50 acres is less than 10% each year. When we do see these smaller tracts, they are generally adjacent to the larger preserved tracts and are therefore eligible for preservation as they "add-onto" the communities which we are preserving. The Pennsylvania program does acknowledge and allow for the 25 acre agricultural tract so long as the 25 acre tract is assisting us to build a larger block and touch a previously preserved farm; in other words, help to build a larger preservation community. The mission of our preservation program is to create and maintain stable agricultural communities. The only way to create a stable preservation neighborhood of non-fragmented agricultural lands is to accept only adjacent tracts or viable larger tracts that support a farm operation. This ensures that only agricultural activities will be permitted within the neighborhood. The regulations which define the Pennsylvania farmland protection program do not require re-definition at this time, but require discipline and dedication to protect a natural resource that is disappearing as quickly as any endangered specie today in the world. Let's preserve PA's working lands. Other programs exist to protect PA's open space lands and are adequately funded.

**Senate Bill – 723 Public & Private Partners**

Partnerships and collaborations are the foundation of every successful endeavor. Each partner brings to the bargaining table their own unique strengths and resources. In York County, we found partnering with our local Farm & Natural Lands Trust allowed a greater flexibility when approaching the preservation of farmlands. Each year a small percentage of farms apply that do not meet the state's rule of 50% of the farmland tract must be in cropland/pasturelands...so if the landowner wants to preserve his farm he

must create an application which will qualify. To do this, we recommend the landowner preserve the crop and pasture lands through the State's Agricultural Conservation Easement purchase program and then donate the Conservation Easement on the woodlands to the Farm & Natural Lands Trust. We have found this method works well, passing valuable tax savings onto the landowner as he may claim a charitable donation to a non-profit organization in the same year he must claim the proceeds from his easement sale. The landowner wins by preserving his entire farm plus achieving a tax donation for that year. The York County Ag Preserve Board and the Farm & Natural Lands Trust have found this method to be an excellent way to fill in the gaps that occur within the preservation neighborhoods which we are creating..... Any effort today that brings the strengths of government programs into a creative and collaborative process with a willing and talented partner, a non-profit organization, will only pass savings onto our taxpayers who rely on us to become creative, find flexibility, and always seek cost cutting practices to streamline government expenses. At this time only \$46,000 remains in the Land Trust Reimbursement Program, a successful state program which assisted non-profits preserve over 7,300 acres of donated lands in PA. Ongoing support for this funding stream would allow PA's unique public – private preservation partnerships to continue. Lets see how we continue this valuable program....

### **Senate Bill 252 – Inheritance Tax of \$1.00 /acre on eased farmlands**

This is long overdue. Senate Bill 252 that seeks to reduce an unfair and unbearable tax burden on the many family farms that for generations have ensured Americans of safe and affordable food supplies, time has come. Many of our preserved family farms produce food to standards that are unparalleled in the world. This bill will help; for those preserved farms that have been subsidizing the US cheap food policy for many years Senate Bill 252 is appropriate and timely. It should extend, however, to include those preserved farms that enter preservation from all avenues, whether it is the state easement purchase program or through non-profit organizations voluntary (perpetual) easement restrictions. Senate Bill 252 will complete the preservation process: preserve the land, and then provide the preserved operation the financial security to weather the loss of a senior family farm manager or owner. What other industry not only feeds a Nation, but provides the raw materials for job creation, yet to produce their product has had government limits set on what they may raise, to whom they may sell it, suffer grain embargos, and have the sale and trade world wide defined by a succession of trade agreements which have not always been favorable to US producers? It is about time we give PA's farm families some economic incentive, some reason to continue farming after the farm transfers to the next generation!!! Senate Bill 252 is a step in the right direction.

### **Realty Transfer Tax**

Any proposal to identify a dedicated source of funding will be welcomed by the preservation organizations- public and private. Counties who annually approve matching funds need a regular source of reliable funds. A consistent funding formula is also

necessary so we can plan budgets and staff offices accordingly. The decision to identify preservation workload is made 12 to 24 months in advance, due to the length of time necessary to process the farms for encumbrance requirements. Every county participating in PA's farmland preservation will embrace the RTT concept as it has been tested and recognized as a critical funding tool in many other communities throughout Maryland ( Harford Cty. ) and in Pennsylvania (Radnor Twsp, Delaware Cty).

Thank you Senators Noah Wenger and Mike Waugh for the opportunity to speak on your timely Senate Bills and concepts designed to Keep PA Family Farms Farming. If we fail to create Smart Statewide Farm Policy today the future will greet us ready or not. To ensure Pennsylvanian's future agricultural production remains strong we must never risk two things (1) the continuing loss of productive lands for farming and (2) the loss of our talented farmers who are willing to work the land and raise livestock.

Thank you Senators.