

Tomorrow Woods Program Part I: Land Conservation

Rob Suydam, Virginia Department of Forestry

Virginia has established itself as a leader in land conservation by being one of only three states nationwide that has transferable state income tax credits as incentives for landowners who are interested in protecting their land from development. This state tax incentive, along with federal tax benefits, has generated a great deal of interest in land conservation, particularly conservation easements, resulting in the protection of over 170,000 acres of land in just the last two years.

The Virginia Department of Forestry (VDOP) has a unique funding program in southeast Virginia called Tomorrow Woods that provides funding to assist landowners interested in establishing a conservation easement. When donating a conservation easement, landowners are responsible for paying up-front costs including fees for attorneys, appraisal, title search, and title insurance. The Tomorrow Woods program provides funding towards these costs by reimbursing the landowner directly. This program is available to forest landowners in the counties of Dinwiddie, Isle of Wight, Prince George, Southampton, Surry, Sussex, and the City of Suffolk.

The goal of this program is to conserve, establish, and enhance forests, with a focus on productive, private working forests. VDOP's goal is to work with landowners to protect large blocks of working forests by keeping them intact and unfragmented through the development of an agreement called a conservation easement.

A conservation easement is a voluntary legal agreement between a landowner and a government agency or land trust that permanently limits future development of the land to protect its conservation values. The terms of the easement are negotiated between the landowner and the organization that will hold the easement, in this case, VDOP. The terms of the easement are perpetual and apply to all future landowners. The organization holding the easement is responsible for ensuring the easement's terms are followed.

Conservation easements limit the division and development of the property. Depending on the size of the property and the conservation values being protected, it may be possible for the landowner to retain the right to build one or more additional structures, or exercise one or more divisions. Landowners continue to own, use, and control their land, and can sell it or pass it on to heirs. Easements generally allow for the continuation of current uses such as forest management, agriculture, hunting, and fishing. Easements do not require landowners to provide public access.

Forest conservation easements protect the ability of current and future landowners to manage their forestland for a sustainable flow of natural goods and services in perpetuity. For more information on the Tomorrow Woods land conservation program or any other land conservation issues, please contact Rob Suydam.

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**Coming up in the Spring 2010 Edition of the Forest Landowner Update:
Tomorrow Woods Program Part II: Enhancement and Afforestation Assistance**