

Dakota County Farmland and Natural Areas Program

Farmland – Landowner Fact Sheet

The Dakota County Farmland and Natural Areas Program is a multi-year project addressing citizen concern over the loss of farmland and natural areas in fast growing Dakota County. The Farmland and Natural Areas Program will protect farmland through the voluntary sale of conservation easements from willing landowners. In November 2002, Dakota County voters approved the sale of \$20 million in bonds to acquire, preserve and protect natural areas and farmland.

Q. Why is this program of interest to Dakota County farmers?

A. This program allows an opportunity for Dakota County farmers to be paid for the development value of their land in exchange for agreeing to place a permanent conservation easement over the land. The permanent conservation easement allows the land to be farmed, but prevents the land from ever being developed.



Q. What is a conservation easement?

A. A conservation easement is a voluntary and permanent agreement between a landowner and Dakota County and the U. S. Department of Agriculture that specifies restrictions on development and land use. When a landowner voluntarily sells a conservation easement to Dakota County, the land remains in private ownership. However, landowners give up some rights to the property, including the right to develop the property. Easements for agricultural land are written to allow typical agricultural uses. The easement is recorded on the property deed.

Q. Who is eligible to participate?

A. The Dakota County program has targeted high quality farmland within ½-mile of designated rivers and streams, and adjacent to protected land that is outside the area planned for the orderly extension of city sewer and water. A map of eligible farmland and a list of eligibility criteria is available to determine whether your land would qualify. (see pages 3 & 4)

Q. How much money will I be paid for an agricultural conservation easement on my land?

A. An independent appraiser determines the fair market value of the conservation easement. The standard easement appraisal actually consists of two appraisals. The first appraisal is a traditional appraisal of the land as it would sell on the open market. The second is an appraisal of the land value with the restrictions placed on the land with the easement. The difference between the two appraisals is the value of the conservation easement. To date, the County has paid between \$2,800 – \$5,900 per acre for agricultural easements.



Q. If I sell an agricultural conservation easement to the County do I have to allow public access on my land?

A. No. Public access is not a requirement of the program. However, if the owner is willing to provide some level of public access, such as fishing, hunting, or hiking, it will receive higher priority in the selection process.



Q. What can I do on my property after I sell an agricultural conservation easement?

A. The land remains private property and the owner retains most of the property rights. Conservation easements restrict the right to develop, to mine, to build structures, and the land must be managed in accordance with a jointly approved Stewardship Plan. Plan requirements include permanent vegetative buffers along streams and wetlands, as well as standard erosion control measures. Septic systems on the property must meet all current County and State standards.

Q. Who will monitor and enforce conservation easements?

A. Dakota County. The County will complete an annual site visit, or contract with other agencies accomplish these tasks on the County's behalf.



Q. Are conservation easements permanent?

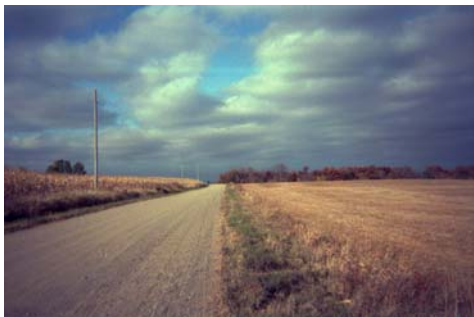
A. Yes. The easement restricts development of the land and other activities in perpetuity, and is transferred to all future owners.

Q. What happens when I want to sell the land?

A. You are free to sell the land in the same manner as you would sell any other land. Disclosing the existence and terms of the conservation easement to prospective buyers is required.

Q. Why have farmers around the country sold their conservation easements?

A. Among the many personal and financial reasons farmers have sold a conservation easements on their land are: permanently protecting the land as farmland for future generations, raising capital to expand farm operations, diversifying investment portfolios, transferring the farm/ estate to children without dividing or selling the farm, taking cash out of the farm without selling title to the land, and numerous other reasons.



Q. How can I get more information about this program?

A. Interested persons can contact the Dakota County Physical Development Division at (952) 891-7001. For general information, visit the Dakota County website at: [http://www.co.dakota.mn.us/County Government/Project & Special Initiatives/Farmland and Natural Area Program.htm](http://www.co.dakota.mn.us/County_Government/Project_&Special_Initiatives/Farmland_and_Natural_Area_Program.htm)

Dakota County Farmland and Natural Area Protection Program

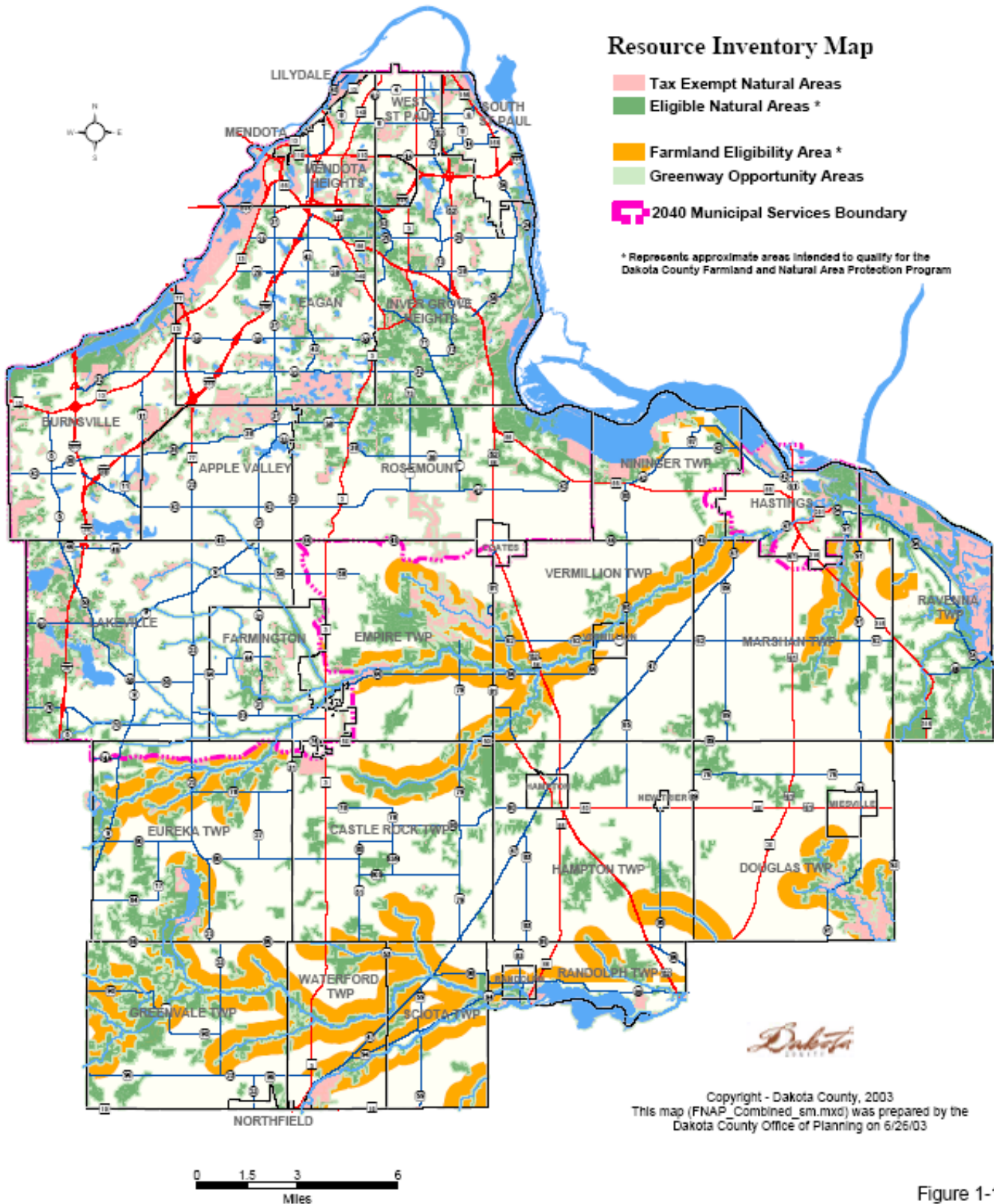
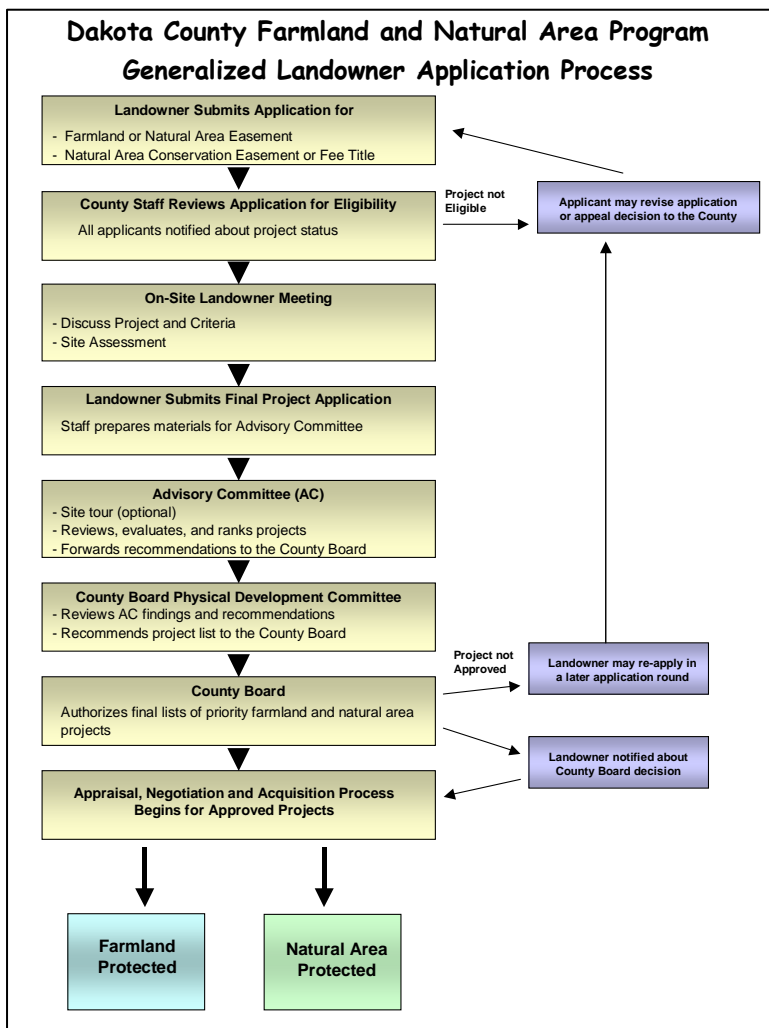


Figure 1-1

Farmland Eligibility Criteria

Each and every eligibility requirement must be met for a farmland application to be accepted into the prioritization process. The map on the previous page shows the general eligibility areas.

- 1. Locally zoned and planned for agriculture.** The property must be located in an area currently zoned for a maximum of 1 unit per 40 acres (1/40; quarter/quarter). The agricultural use must also be consistent with the township or city comprehensive land use plan policies.
- 2. Regionally planned for agriculture.** The property must be located outside the Metropolitan Council's 2040 Municipal Urban Services Area (MUSA).
- 3. Agricultural use of parcel.** A majority of the property must be classified as agricultural by the Dakota County Assessor.
- 4. Landowner commitment to farming.** The property must be currently enrolled in the Metropolitan Agricultural Preserve Program, or the landowner must commit to enrolling prior to selling a conservation easement under this program.



- 5. Quality of farmland.** The quality of the farmland will be evaluated only for those areas of the property that have a history of agricultural use. At least 75% of the area with a history of agricultural use must be classified as category 1 or 2 soils by the Natural Resource Conservation Service soils survey, or have irrigation infrastructure, or a combination.
- 6. Minimum size.** The property, containing one or more parcels, must contain at least 40 acres or a quarter-quarter section with at least half of the property in active agricultural use (e.g., crops, pastures). Property of lesser size may be considered if they are shown to contribute to a contiguous greenway or farming area.
- 7. Water quality benefits.** Some portion of the property must be within ½-mile of designated rivers and streams on the DNR protected water inventory as identified on the Farmland and Natural Area Map. It is preferred that farms with natural areas

include the natural areas as part of the property in the application. Farmland that is not within one-half mile of identified streams and rivers is eligible if the property is adjacent to already protected land.