



OHIO AGRICULTURAL LANDOWNERS GUIDE to Conservation and Sustainability



INTRODUCTION

Ohio is a state of contrasts. It is rural and urban, agricultural and industrial—and its topography is as varied as its demographics and economy.

Northwest Ohio has corn, soybeans and wheat in continuous flat fields where county roads mark the section lines. Southeast Ohio is as hilly and irregular as the northwest is even and straight, with Appalachian forests interrupted by hillside pastures and rich river-bottom fields. Other parts of the state are a mix of rolling hills, broad valleys and fertile plains.

The range of farm products is equally varied: Ohio is a leading state in egg production, dairy products, corn, soybeans, tomatoes, cucumbers, tobacco, grapes, hogs and calves. It is the leading sheep-producing state east of the Mississippi. Dairies dot the rolling eastern hills, and beef cattle dominate the Appalachian pastures. A few southern counties have a long tobacco heritage, while the unique, rich, black, “muck” soils of north central Ohio produce abundant celery, radishes and lettuce. Grapes grow along the shores of Lake Erie and banks of the Ohio River to create the Ohio wine industry. The lake shore also is home to remarkably productive nurseries. The western half of the state is Corn Belt heartland but also a major producer of hogs, poultry and eggs.

Since 1999, Ohio has made headway in its farmland protection efforts with its popular Clean Ohio Fund, which set aside \$25 million for the purchase of agricultural easements. More and more local governments are joining in with money, planning, zoning and Agricultural Security Areas to promote agriculture.

Despite the progress, surveys show a growing number of Ohioans are concerned about the loss of farmland. There's also an economic cost to new development patterns, according to studies that show that subdivisions require more in public services than they generate in taxes. Agriculture not only generates more in taxes than it provides in services, but it is a foundation of some local economies and has the potential to grow and create new jobs.

This guide provides an overview of the private, state and federal programs that are available to Ohio landowners who want to pursue conservation options, and improve profitability and the productivity of their land. The information is presented in four sections:

- I. Farmland Protection: to save farmland for future generations
- II. Farm Enterprise Development: to help farmers create profitable new farm activities
- III. Land Conservation and Stewardship: to enhance wildlife and natural resources on private lands
- IV. Resources: contact information for agencies and organizations to help landowners achieve their agricultural and conservation goals

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PHOTO Brian Williams, AFT

I. FARMLAND PROTECTION



Photo: CommTech OSU

Tools to conserve and protect Ohio’s precious farmland have grown incrementally over the last 30 years, starting with the Current Agricultural Use Valuation program. The Clean Ohio Agricultural Easement Purchase Program and the Ohio Agricultural Easement Donation Program have jointly preserved 20,846 acres since 1999. And in 2005, the Ohio Agricultural Security Areas program was created. Ohio farmers also can participate in federal easement programs and work with one of 40 land trusts on estate planning and other private strategies to protect their land.

PROTECTING YOUR FARMING OPERATION

Current Agricultural Use Valuation

The Current Agricultural Use Valuation (CAUV) program ensures that farmland is taxed at its actual agricultural value and not at its potential full market value. When farmers enroll in the CAUV with their county auditor, their land is assessed on how it is used now—not how it might be used in the future. The CAUV was approved by Ohio voters in 1973 and became law in 1974. It is administered by county auditors. To be eligible, tracts must have been in agricultural use for three years prior to application and either be 10 or more acres or generate

an average gross income of \$2,500 per year. Land enrolled in a federal land-retirement or conservation program also is eligible. All U.S. states, with the exception of Michigan, have some form of agricultural land valuation, and many, like Ohio, include a penalty when land is taken out of agricultural production. When enrolled farmland is developed in Ohio, the landowner is assessed a “recoupment” fee that equals three years of the “differential”—the difference between the agricultural-value taxes and the full market-value taxes. All of Ohio’s counties have land enrolled in the CAUV program.

For more information, contact your county auditor’s office.

Agricultural Districts

Legislation allowing agricultural districts was passed in 1982 to help farmland withstand development pressure. The law gives farmers protection against nuisance suits and defers assessments on construction of water, sewer and electric lines. While agricultural districts cannot stop eminent domain proceedings, they do require an additional level of review before land can be taken. Criteria for agricultural districts are identical to CAUV requirements. The county auditors administer both the CAUV and the Agricultural Districts programs, which can create some confusion. Sometimes landowners believe they are automatically enrolled in an agricultural district if they are in the CAUV program, but in fact, only about 20 percent of CAUV land is in agricultural districts. Farmers must apply separately with the auditor, and if a portion of the land is in a municipality, they must also apply with the municipal clerk to enroll in an agricultural district.

For more information, contact your county auditor's office.

Agricultural Security Areas

The Ohio Agricultural Security Area (ASA) Program was authorized in 2005 to offer farmers additional protection that includes a 10-year period during which there can be no development on their land. To qualify, land forming the area must be:

- 500 contiguous acres, with one or more owners;
- operated according to best management practices;
- enrolled in an agricultural district; and
- enrolled in the CAUV.

Landowners apply to their county commissioners and township trustees. Once an ASA is formed, the county and township will not initiate, approve or finance any non-farm development, such as extending sewer lines or building new roads in the ASA. Land in municipalities is not eligible. In addition, landowners in an ASA may apply to their county or township for a tax exemption up to 10 years and 75 percent for any agricultural real property investment of \$25,000 or more.

The Ohio Department of Agriculture (ODA) provides technical assistance to landowners and communities on the local implementation of the program. At the same time, the department encourages landowners whose farms are enrolled in an ASA to permanently preserve their land by offering extra points if they apply to the Clean Ohio Agricultural Easement Purchase Program (AEPP). An ASA may encompass a single farm or include parts of several contiguous farms.

Non-farm development is limited in an ASA for 10 years. One single-family residence for relatives per 40 acres is

permitted by right. Farmers also may seek approval for other non-farm development. Local governments may approve requests if the activity does not impair the agricultural use of the land. ASAs must be approved by the applicable boards of township trustees and county commissioners. Landowners can reapply for subsequent 10-year periods but must do so 180 days before the original enrollment expires.

For more information, contact the Ohio Department of Agriculture or your board of county commissioners and township trustees.

PROTECTING YOUR LAND

Agricultural Easements

An agricultural easement is a deed restriction that landowners may voluntarily place on their land to protect it from development. Landowners retain private ownership of the property and all the other rights that come with it, including the right to use the property, lease, sell and bequeath it, borrow money against it, and even to further protect it from development. Agricultural easements are geared specifically to protect working farm and ranch land. Typically, they limit subdivision, non-agricultural development and other uses inconsistent with commercial agriculture. Most agricultural easements are permanent; term easements impose restrictions for a specified number of years. Regardless of the duration, the easement is legally binding on future landowners for the agreed upon time period.

Landowners can sell or donate easements to qualified agencies and organizations. Landowners who place agricultural easements on their land are *easement grantors*. Grantors must find a government entity, such as the AEPP or Agricultural Easement Donation Program (AEDP), or a qualified private, nonprofit organization, such as a land trust, to hold the easement and agree to monitor it to be sure that the terms of the easement are fulfilled in perpetuity. This organization is known as the *easement holder or grantee*.

Easement grantors may be eligible for state and federal income tax charitable deductions, as well as a reduction in the value of the property for estate tax purposes. Landowners are encouraged to consult with an accountant or tax attorney on tax benefits and other consequences of placing an easement on their property. Determining easement value is usually the same regardless of agency involvement or whether the easement is donated or sold.

For more information, contact the Ohio Department of Agriculture's Office of Farmland Preservation or the Land Trust Alliance Midwest Regional office, which serves the Coalition of Ohio Land Trusts.



Clark County: Balancing Growth and Preservation

Farmers and officials in Clark County have a vision: they want their county to have the farmland preservation prestige in Ohio that Lancaster County has in Pennsylvania. Lancaster County, in fact, has a national reputation as a showcase of strategies that have effectively balanced new residential growth with the traditional agricultural economy.

While its accomplishments may not be widely known, Clark County already is ahead of most Ohio counties when it comes to preservation activity and strategies. The Tecumseh Land Trust, which operates in Clark and Greene counties, has preserved over 5,000 acres of farmland in Clark County alone—60 percent of that through the state's AEPP. The county is consistently among the top in applications for AEPP. Clark also was one of the first Ohio counties to embrace ASAs—approving not one, but six of them in early 2006. The county's Farmland Preservation Task Force, formed in 1999 and active in advising county officials on land use issues, wants the county to preserve 4,500 acres a year for the next 10 years and is looking into options to finance its own farmland preservation program.



Photo: Edwin Remsburg, USDA CSREES

Some of Clark County's greatest successes are a result of progressive land use laws, which in turn are a result of public leaders who understand agriculture's importance to the culture and economy. In 1990, County Commissioner Gordon Flax led efforts to create a three-county port authority to buy an abandoned rail line that was important to local farmers for shipping grain. That effort underscored the importance of agriculture to the regional economy. The county's 2002 market value was \$71 million, placing it 13th among Ohio's 88 counties. Corn, soybeans, cattle and nursery products are the leading agricultural products in Clark County, but consumers in

Springfield and the proximity to Dayton and other population centers provide another option to farmers. The 2002 Census of Agriculture showed that Clark County had \$1.6 million in direct farm sales of produce and nursery products to local customers. That's a 277 percent increase over 1997 and accounts for 20 percent of the increase in the state.

The farmland task force advises commissioners and makes recommendations on the county land use plan. Today, the plan and the zoning code reflect the importance of agriculture.

"We're changing the way we do business," said Shane Farnsworth, the Clark County planning director, who is equally passionate about preserving farmland, revitalizing cities and encouraging growth. "We're still developing the same number of lots," but they're smaller and in areas served by water, sewer and other public services. The county allows no more than one house per 40 acres on agricultural land but also encourages "cluster lot splits"—a grouping of four or five homes, each of which represents 40 acres of a farm but is built on a separate, smaller lot. The cluster is set back from roads and away from the best farmland. In this way, the county's planning and zoning have met the needs of both farmers and rural, non-farm residents.

Clean Ohio Agricultural Easement Purchase Program

Governor George Voinovich created the Ohio Farmland Preservation Task Force in 1996 to seek solutions to the problem of farmland loss. One of the first recommendations approved by the General Assembly was the AEPP, which was signed into law in January 1999. Voters approved funding for the program in November 2000 as part of the Clean Ohio Bond Fund, which included \$25 million for farmland preservation. By combining Clean Ohio dollars with federal and local funds, the ODA was able to stretch the program through 2008.

The AEPP has become the cornerstone of farmland preservation efforts in Ohio. It is administered by the ODA, which pays qualifying farmers much of the difference between the agricultural value and the full market value of their land to purchase a perpetual agricultural easement. The ODA also accepts donated easements. The easement restricts non-farm development on the land, but owners continue to hold title and may otherwise exercise their property rights. ODA and the local co-grantee of the easement—which may be another government entity, soil and water conservation district or private land trust—enforce the easement.

The program is open to farms of 40 acres or more that are enrolled in both the CAUV program and an agricultural district. Farmers can be engaged in any agricultural activity permitted under Ohio law, must use best management practices and have been in substantial compliance with all state and federal agricultural laws for the past five years. Farmers must apply to the ODA with the support of a sponsoring entity—a county or township government, soil and water conservation district or private land trust.

In a two-tiered application process, applications are first evaluated on the basis of soil types, best management practices, proximity to protected land, development pressure, local comprehensive plans and other factors, such as enrollment in ASAs, Century Farm designation and designated historic or archaeological sites or structures. In the second tier, the Ohio Farmland Preservation Advisory Board evaluates farm infrastructure; potential as a demonstration or showcase farm; local commitment to preservation; estate, farm succession and business management plans; and sustainable practices. On the basis of its evaluations, the board makes a recommendation to the director of agriculture.

For more information, contact the Ohio Department of Agriculture's Office of Farmland Preservation or the Land Trust Alliance Midwest Regional office, which serves the Coalition of Ohio Land Trusts.

Ohio Agricultural Easement Donation Program

Farmers may donate agricultural conservation easements to the ODA through the AEDP or to a land trust, county, township or soil and water conservation district, which then enforces the easement. The ODA has demonstrated that it will challenge threats to its agricultural easements. Land in a donated easement must comprise at least 40 acres of contiguous parcels and be enrolled in the CAUV program and an agricultural district. The ODA will give notice to local governments within one-quarter mile of the farmland and take any of their objections into consideration in determining whether to accept the easement.

For more information, contact the Ohio Department of Agriculture's Office of Farmland Preservation or the Land Trust Alliance Midwest Regional office, which serves the Coalition of Ohio Land Trusts.

Estate Planning

Many farmers and their heirs are challenged by farm transition and planning. Passing on the farm takes more than transferring the land from one generation to another. It requires good estate planning that accommodates the needs of all family members, even those who leave the farm, and that addresses issues such as retirement and disability. It also can include conservation options, such as agricultural easements.

A will is an important part of an estate plan but does not secure the future of the family's land and farm business. Good estate planning accomplishes at least four goals:

- Transferring ownership and management of the agricultural operation, land and other assets;
- Avoiding unnecessary income, gift and estate taxes;
- Ensuring financial security and peace of mind for all generations; and
- Developing the next generation's management capacity.

For more information, contact Ohio State University Extension.

Farm and Ranch Lands Protection Program

The 2002 Farm Bill included the Farm and Ranch Lands Protection Program (FRPP), which is administered by the USDA Natural Resources Conservation Service (NRCS) and offers matching funds up to 50 percent reimbursement for the purchase of easements. It is an extension of the Farmland Protection program in the 1996 Farm Bill. Ohio land trusts, local governments and the ODA have received between \$1.6 and \$3.6 million per year since 2002 to fund the purchase of agricultural conservation easements. The FRPP is far less competitive than the AEPP but requires some up-front funding from a local government or other entity.

To qualify for FRPP funds, owners of a working farm must work with state and local government, or a group such as a private land trust, to seek funding of at least 50 percent of the land's fair market easement value. The NRCS can provide the remaining 50 percent for qualified applications. Only parcels large enough to sustain agricultural production are eligible. With NRCS assistance, participants develop a conservation plan that outlines the management strategies to be used on the enrolled land.

For more information, contact an NRCS representative at your local USDA Service Center.

Forest Legacy Program

The USDA Forest Service and Ohio's state forestry agency jointly administer the Forest Legacy Program. The program was established in the 1990 Farm Bill to fund the purchase of conservation easements on working forestland threatened by conversion to non-forested uses. Participation in the Forest Legacy Program is limited to private forest landowners. To qualify, landowners must prepare a multiple resource management plan. The federal government may fund up to 75 percent of the cost of the easement acquisition, with the remaining percentage coming from private, state or local sources. Most Forest Legacy Program conservation easements restrict development, require sustainable forestry practices and protect other natural resource values. The Forest Legacy Program is available in designated Forest Legacy Areas in Ohio.

For more information, contact the Ohio Department of Natural Resources, Division of Forestry.



Photo: Brian Williams, AFT

Grassland Reserve Program

The NRCS also administers the Grassland Reserve Program (GRP) to protect, enhance and restore grasslands under threat of conversion to cropland and other uses (trees, homes, developments, strip malls, etc.) and to help maintain the viability of grazing operations. The 2002 Farm Bill authorized the program. Private lands of 40 or more contiguous acres historically dominated by grasses or shrubs are eligible for the program. The land should have livestock currently grazing.

Landowners with eligible property may receive compensation through permanent or 30-year agreements, or enter into 10-, 15-, 20- or 30-year rental agreements. The program enables the

NRCS to enter into restoration agreements with landowners who have a GRP easement or rental agreement. All participants must develop conservation plans that outline strategies for enhancing forage vitality and preserving the viability of the grasslands. The NRCS accepts applications for the GRP on a continuous basis, although it may identify one or more ranking and selection periods per fiscal year. The NRCS evaluates and ranks applications based on selection criteria developed by the state technical committee.

For more information, contact an NRCS representative at your local USDA Service Center.



Photo: CommTech OSU

CASE STUDY

Land Trusts: Protecting Farms with Easements

Land Trusts play an essential role in the preservation of Ohio farmland. Traditionally, land trusts have focused on conservation and green space, but increasingly Ohio land trusts are focusing efforts on farmland.

“Land trusts are more than just a holder of easements and a monitor of easements,” said Kevin Joyce, executive director of the Black Swamp Conservancy. “They are a resource—for individuals, local government and state government—for information about conservation issues in general and land preservation in particular. They are clearinghouses for information on land use options and facilitators between interested parties” from private, public and nonprofit sectors.

Black Swamp, founded in 1993, holds 23 easements on 3,558 acres of farmland in nine northwest Ohio counties, but also holds other conservation easements throughout the region—some for wildlife in environmentally sensitive wetlands and Lake Erie

shorelines. Other farmland easements are pending. Two-thirds of its easements are on farmland through the AEPP. “But that’s only half of what we do,” Joyce said. “We’ve also been pursuing natural areas.”

On the policy side, Black Swamp promotes the successes of Fulton County’s land use planning, which has an important farmland preservation component. It also offers its expertise to counties as a consultant on farmland preservation issues.

Tecumseh Land Trust, in Greene and Clark counties, also works closely with local planners. Krista Magaw, Tecumseh’s executive director, said there is “a greater awareness of the need for conservation options for farmland” as a result of the Clean Ohio Bond Fund, which made \$400 million available for urban and rural conservation, including \$25 million for the AEPP.

“There’s a clear advantage to having a local land trust for AEPP—to have somebody locally who knows landowners, stays in touch with landowners, and has a purpose of conservation,” Magaw said. Land Trusts that

work with state and federal agencies and local governments also often see opportunities to combine farmland preservation goals with grants for conservation and even historic preservation.

In addition to the day-to-day business of monitoring easements and preparing applications to AEPP, Tecumseh is involved in community issues. It had a place on a committee that sought a downtown site for a new Springfield hospital after two local hospitals merged. How does that preserve farmland? Well, the hospital also considered a site out of town—on farmland. By locating downtown, the hospital may spark an urban revitalization, which in turn could keep new growth in the city instead of on farm fields.

Nearly a dozen other Ohio land trusts focus on farmland, as do new ones forming in Fairfield, Union and Logan counties. Likewise, the West Central Ohio Land Conservancy—serving Allen, Auglaize, Hancock, Hardin, Mercer, Putnam and Van Wert counties—is emerging to protect farmland in that rich agricultural region.



Photo: Brian Williams, AFT

II. FARM ENTERPRISE DEVELOPMENT



Photo: Brian Williams, AFT

A farm adage is, “The best way to protect farmland is to make agriculture more profitable.” But farming can’t be profitable if land is unavailable or unaffordable, which is what happens when land is broken up by a checkerboard pattern of subdivisions. At the same time, while non-farm newcomers can be a great threat, they also can be customers.

In 2002, Clark County saw \$1.6 million in direct farm sales to people—a 277 percent increase over 1997. Knox County has a Local Food Council to promote the sale of meat and produce grown in the area. Wayne County has created an economic development position focused on agriculture.

The state of Ohio provides technical assistance and a few marketing programs to help farmers reach out to potential customers.

Promotional Efforts

The **Ohio Proud** program, established by the ODA in 1993, has a logo and labels to identify food and agricultural products that are at least 50 percent grown, raised or processed in Ohio. Companies involved in the program range from giants such as J.M. Smucker Co., Kroger, and Bob Evans Farms Inc. to the smallest mom-and-pop farm market and specialty salsa maker. The marketing program points out that agriculture is the state’s No. 1 industry, contributing more than \$79 billion worth of economic activity each year.

Ohio is home to more than 800 food processing companies, produces more than 200 commercial crops, and is a leader in some 35 products.

Farmers can sign up for the program’s promotional and marketing initiatives through the ODA. Ohio Proud lists over 450 farm markets and pick-your-own operations—and that doesn’t include listings for permanent urban market stalls, nurseries or Christmas tree farms. In addition to fresh produce, it promotes fresh meats, dairy products, snack foods and other processed goods.

For more information, contact the Ohio Department of Agriculture, Division of Markets.

Our Ohio is a similar promotional effort in which the Ohio Farm Bureau Federation's online Buying Local directory lists farm markets, by county, all over the state. Farm Bureau members can list their markets in the directory. Farm Bureau also offers assistance on other entrepreneurial farming enterprises.

For more information, contact the Ohio Farm Bureau Federation.

The **Farmland Center** in Summit County has published a 24-page booklet called *Entrepreneurial Farming*, which outlines options to farmers through a series of short profiles of farms, markets and restaurants that focus on local products. The Center also is one of more than a dozen partners in organizing a campaign to educate both farmers and consumers in hopes of getting hundreds of farms in nine Northeast Ohio counties committed to partnerships in local food networks that include public markets, retail businesses and institutions such as schools and universities.

For more information, contact The Farmland Center.

Information and Research

The Ohio State University, through its **Ohio Agricultural Research and Development Center (OARDC)** and **OSU Extension** offices in 88 counties, works closely with farmers trying new things—or new approaches to old ideas—on the farm and in processing and marketing. From entomologists looking at the results of crops grown without pesticides, to finding ways to grow and market fresh tomatoes or peppers through much of the year, OSU Extension and OARDC have helped Ohio farmers find their niche.

For more information, contact Ohio State University Extension or Ohio Agricultural Research and Development Center.

Innovative Farmers of Ohio (IFO) and the **Ohio Ecological Food and Farm Association** are non-profit organizations focused on agriculture that is economically healthy but also good for farm families, rural communities and the land and environment. IFO focuses on research, education and community building. Some, but not all, members are organic farmers. They experiment with farming methods, keep detailed records and share their information at field days. Many also are involved in local marketing and food networks.

For more information, contact Innovative Farmers of Ohio or Ohio Ecological Food and Farm Association.



Photo: Brian Williams, AFT

Office of Energy Efficiency

The Office of Energy Efficiency at the Ohio Department of Development (DOD) offers several programs that can help farmers produce energy for additional income or for greater farm efficiency.

Ohio has good winds that are humid and heavy—and, more importantly, close to the transmission infrastructure and residential customers that are essential to making wind turbines a viable source of electricity. Companies that develop wind power say farmers can plant crops and graze cattle almost right up to the turbines, and can negotiate deals in which the turbines add to the farm profits. DOD manages the Ohio Anemometer Loan Program, which provides equipment for landowners to do a wind study, along with help in site inspection, installation and data validation. The Ohio Energy Loan Fund provides grants and loans for wind and other energy projects.

The Ohio Air Quality Development Authority offers tax exemptions for renewable energy projects. And the Ohio Biomass Energy Program has information, resource referrals and some funding assistance. Ohio is well-suited to produce a variety of alternative-energy sources. The western half of the state is in the Corn Belt and can produce corn and soybeans for ethanol and biodiesel. Ethanol plants are coming on line in several Ohio locations. Grasses, corn stubble and other plant matter also can be turned into ethanol.

For more information, contact the Ohio Department of Development, Office of Energy Efficiency.



Photo: CommTech OSU

Hartzler Family Dairy: Innovative Farming & Marketing

Harold Hartzler didn't set out to be an innovator or a seller of specialty dairy goods. In 1964, he simply didn't like what chemical fertilizers seemed to do to his soils, so he stopped using them.

He was organic when organic wasn't cool.

And that's the way the Wayne County farmer raised his six sons and two daughters, all of whom now are grown, most with their own families and dairy herds. In 1990, together with his family, Harold made the second big, innovative decision in the Hartzler legacy.

They decided to open their own processing plant and dairy store, the first new dairy in Ohio in at least 30 years. From a regulatory standpoint, the ODA had to start from scratch. But the regulators and the Hartzlers finally got it all figured out and the new plant and store opened in 1996 on 5454 Cleveland Road (Rt. 3) north of Wooster.

Hartzler Family Dairy has been a remarkable success. The milk—pasteurized, but not homogenized, with the cream on top in glass bottles—is available in about 100 stores and restaurants in 22 Ohio counties and parts of Pennsylvania. The Hartzler Ice Cream Shoppe, built by family members, features Hartzler ice cream and butter, in addition to the milk.

All eight of Harold and Patricia Hartzler's children are involved in the business, five of them operating the four farms that provide all the milk, said Janis Steiner, the youngest of the eight, who is in charge of advertising and tours. Her husband and a brother operate the processing plant. "We don't process everything we have yet. We're not at 100 percent capacity," she said.



Photo: Brian Williams, AFT

Though they farm organically, and some of their milk is sold in organic markets, their focus has not been on the organic designation. Instead, they're driven by the quality of the land and the economics of farming. They find it more economical to maintain small herds of 30 to 40 cows, practice management-intensive grazing and avoid the expense of agri-chemicals.

The Hartzlers are not trying to corner the market—they're content with a market on the corner. "We really stress the community part of farming—and the community holds it together," Steiner said. Harold has always freely shared his knowledge. He and his sons wonder why, at a time when consumers are increasingly conscious of health and environment, more farmers do not share the Hartzlers' approach to farming and marketing.



Photo: Brian Williams, AFT



Photo: Brian Williams, AFT

III. LAND CONSERVATION AND STEWARDSHIP



Photo: CommTech OSU

Protecting natural resources is of growing importance to Ohio's agricultural landowners. Some are taking steps on their own to find new ways to balance modern farming with stewardship or are involved with the BMP Challenge. Many work through federal, state and local agencies to collaborate on conservation programs ranging from the Conservation Reserve Program, which takes environmentally sensitive lands out of production, to the Environmental Quality Incentives Program, which provides financial and technical assistance for conservation practices on actively managed farms.

BMP Challenge

Ohio farmers growing corn for grain or silage have an alternative to applying extra fertilizer as “insurance” against yield loss. The BMP Challenge is a way for producers using best management practices to protect themselves against potential threats to their income from reducing nutrient inputs. The Challenge was developed in 2004 by American Farmland Trust's (AFT) Agricultural Conservation Innovation Center and Agflex, an agricultural services company focused on best management practices. Participating farmers have no up-front costs and an opportunity for savings with no risk. The Challenge also is open to farmers in Iowa, Illinois, Indiana, Minnesota, Michigan, Pennsylvania and Wisconsin. Farmers can enroll at www.bmpchallenge.org.

For more information, contact American Farmland Trust's Agricultural Conservation Innovation Center.

Conservation Reserve Program

The Conservation Reserve Program (CRP) is administered by the Farm Service Agency (FSA) to encourage farmers to convert highly erodible cropland and other environmentally sensitive land to vegetative cover, such as wildlife friendly, cool season grasses or native grasses, wildlife plantings, trees, filter strips, habitat buffers or riparian buffers. Authorized by the 1985 Farm Bill, the CRP is one of the nation's oldest conservation programs. Participating landowners receive annual rental payments for the term of their 10- to 15-year contracts. The CRP provides cost-share funding for the installation of approved vegetative practices on eligible cropland.



Landowners also may receive funding to fence streams that exclude livestock and to build grass waterways. Eligible land must have a weighted average erosion index of eight or higher and been planted to an agricultural commodity four of the six previous years. Land also can be classified as marginal pastureland for riparian buffer enrollment. Sign-ups for environmentally sensitive land devoted to certain conservation practices occur on a continuous basis.

Producers may enroll all other eligible land during designated sign-up periods. The FSA ranks applications according to the Environmental Benefits Index (EBI) and extends offers based on an application's ranking.

For more information, contact an FSA representative at your local USDA Service Center.

Conservation Reserve Enhancement Program

A variation of the CRP, the Conservation Reserve Enhancement Program (CREP) helps farmers protect environmentally sensitive land, decrease erosion, restore wildlife habitat and safeguard ground and surface water. The Ohio CREP is available to landowners in the Scioto River, Upper Big Walnut Creek and Western Lake Erie watershed areas.

Administered by the FSA, the program requires landowners to make a 10- to 15- year commitment to keep their land out of agricultural production; haying and grazing are not permitted. In addition to a one-time signing incentive payment and annual rental payment, the CREP provides cost-share assistance of up to 50 percent for the installation of certain conservation practices, including the establishment of tree buffers, grass filter strips, permanent wildlife habitat and the restoration of wetlands.

Eligible land must meet cropping history criteria and be physically and legally capable of being cropped in a normal manner. Marginal pastureland may also be enrolled provided it is suitable for use as an eligible riparian buffer. Landowners with an existing or pending CRP contract are not eligible for the CREP until the CRP contract expires. The FSA accepts applications on a continuous basis.

For more information, contact an FSA representative at your local USDA Service Center.

Conservation Security Program

The Conservation Security Program (CSP) is a new program established in the 2002 Farm Bill to provide financial and technical assistance to support conservation efforts on tribal and private agricultural land. The program helps producers maintain existing conservation practices and encourages them to implement new practices that will provide additional levels of conservation benefits. All participants must develop a conservation stewardship plan that outlines the conservation and environmental benefits that the land will provide while enrolled in the program. Producers choose to participate at one of three tiers. Higher tiers require a greater commitment to conservation but also offer higher payment rates. Privately owned land that meets established soil and water quality criteria is eligible. There is an annual sign-up period for the program.

For more information, contact an NRCS representative at your local USDA Service Center.

Debt for Nature

The Debt for Nature Program is available to landowners with FSA loans secured by real estate. The program reduces a borrower's debt in exchange for a conservation contract with a term of 10, 30 or 50 years. Participants may not develop land placed in the Debt for Nature Program, use it to raise livestock or for agricultural production. Eligible lands include wetlands, highly erodible lands and areas of high water quality or scenic value.

For more information on land eligibility and application procedures, contact an FSA representative at your local USDA Service Center.

Emergency Watershed Protection

Created by the 1996 Farm Bill, the Emergency Watershed Protection Program (EWP) responds to emergencies caused by natural disasters. The program has two components. Under the cost-share component, the NRCS provides communities or local sponsors with up to 75 percent of the funds needed to restore the natural functions of the watersheds. Projects on private land require a local sponsor from state, county or city government. Under the EWP's floodplain easement component, landowners sell the NRCS a permanent conservation easement that allows the NRCS to restore the natural functions of the floodplain. To be eligible for an EWP easement, land must have been impaired by flooding during the past 12 months or have a history of repeated flooding. Landowners, with permission from the NRCS, may continue to use the land for haying, grazing and managed timber harvests.

For more information, contact an NRCS representative at your local USDA Service Center.

Environmental Quality Incentives Program

The NRCS Environmental Quality Incentives Program (EQIP) pays up to 75 percent of the cost for producers to implement structural and management practices on eligible agricultural land. Higher cost-share percentages may be available to limited resource producers and beginning farmers (fewer than 10 years in business), who must self-certify they meet the criteria. Authorized by the 1996 Farm Bill, the EQIP is open to any producer engaged in livestock, forestry or crop production on eligible land.

The EQIP provides financial and technical assistance to producers to plan, design and install conservation practices that have been approved for use in the local area. Examples of such practices include manure management facilities, grassed waterways, erosion control practices, livestock watering facilities, stream bank protection, timber stand improvement and tree planting.

The state technical committee identifies a set of natural resource concerns that landowners can use EQIP funds to address. EQIP allocations may vary between counties. While the NRCS accepts applications on a continuous basis, it evaluates applications and awards contracts during established ranking periods. Sign up information, the ranking criteria used to evaluate applications and links to EQIP forms are available online at www.oh.nrcs.gov/programs/eqip2006.html.

For more information, contact an NRCS representative at your local USDA Service Center.

Forest Stewardship Program

Established by the USDA Forest Service in 1991, the Forest Stewardship Program provides technical assistance to any private landowner, Indian tribe or other private legal entity with at least 10 acres of woodlands. The state forester is the lead individual in this multi-agency partnership, which will arrange for a forester, wildlife biologist and other natural resource professional to meet with a woodland owner, examine the property and help prepare a Forest Stewardship Plan. The plan is based on the owner's personal goals and objectives, and is designed to help the landowner manage his or her property for the future while enhancing water quality protection, wildlife habitat and recreational opportunities.

For more information, contact the Ohio Department of Natural Resources, Division of Forestry.

Partners for Fish and Wildlife Program

The Partners for Fish and Wildlife Program helps private landowners restore wetlands and other important fish and wildlife habitats on their land. It is a voluntary partnership program administered by the U.S. Fish and Wildlife Service that provides financial and technical assistance to private landowners through voluntary cooperative agreements to restore degraded wetlands, native grasslands, streams, riparian areas and other habitats for the benefit of declining Federal Trust Species and the interests of the landowners.

Landowners usually can achieve a dollar-for-dollar cost share by working with a host of nationally based and local entities

such as federal, state and local agencies, soil and water conservation districts, and private conservation organizations. Landowners must commit to maintaining projects for the life of the agreement, usually a minimum of 10 years, but otherwise retain full control of their land.

For more information, contact the Partners for Fish and Wildlife, Ohio Field Office.

Wetlands Reserve Program

Authorized by the 1996 Farm Bill, the Wetlands Reserve Program (WRP) provides landowners with technical and financial assistance to protect, restore and enhance wetlands on their property. Landowners can receive as much as 100 percent of the appraised agricultural market value of the property for permanent conservation easements or 75 percent for 30-year easements. They also can participate in a restoration cost-share agreement. These 10-year agreements pay for 75 percent of the cost of restoration activities and do not place an easement on the property. Eligible land includes wetlands cleared or drained for farming, pasture or timber production, and must be restorable and suitable for wildlife. The NRCS accepts applications for the WRP on a continuous basis.

For more information, contact an NRCS representative at your local USDA Service Center.

Wildlife Habitat Incentives Program

Authorized by the 1996 Farm Bill, the Wildlife Habitat Incentives Program (WHIP) provides cost-share assistance and technical assistance to develop and improve habitat for fish and wildlife on private land, tribal land, or state and local government land. Landowners work with the NRCS to create wildlife habitat management plans that list the goals and practices needed to improve wildlife habitat. As part of their conservation plans, landowners agree to implement habitat practices and maintain the enrolled acreage for a period of five to 10 years. In exchange, the NRCS provides up to 75 percent in cost-share assistance to implement the plan. Fifteen-year agreements provide a higher level of cost-share assistance. Interested producers may file an application at any time with the NRCS. The WHIP is a competitively ranked program in which applications with the highest wildlife benefits receive priority for funding.

For more information, contact an NRCS representative at your local USDA Service Center.



Photo: CommTech OSU



Photo: CommTech OSU

PLANNING FOR AGRICULTURE

All of the options listed in this guide are valuable tools to help landowners protect their land. But these options exist within a context of state and local policies. If landowners feel those policies need improvement, they can have a voice in those changes.

Farmers in Ohio need to get involved in planning and zoning to make sure there are plans *for* agriculture, not *around* it. These plans must incorporate agriculture as economic development, as well as open space and valuable cultural and natural resources.

Agriculture in Ohio is a \$4.2 billion industry at the farm gate. When processing, distribution, food retailing, agricultural support businesses and other activities are factored in, agriculture's value to the Ohio economy balloons to \$79 billion.

New homes, businesses and industries are good for Ohio, but the challenge is to balance them with the existing agricultural

industry. Housing growth is going to come. The question is: Where will it occur? Farmers can have a voice by getting involved in county and township planning and zoning boards.

Even those who are not serving on boards can stay involved by being aware of plans and proposals and attending meetings of township trustees, county commissioners and county or regional planning boards, or even just taking the time to study local comprehensive plans and meet with planning officials. Attending meetings can be a steppingstone to a seat on a board. In many counties, planning officials are eager to find interested, informed citizens and landowners to serve on boards.

Independent-minded farmers often are skeptical of what planning and zoning mean for property rights. They worry that new regulations will prevent them from building a house for a family member, a repair shop or even a roadside produce stand. But there's another way to look at it: planning and zoning can protect investments, both private and public. As taxpayers, farmers have a right to know whether their county or township has carefully planned for investment in new roads, schools and other infrastructure, for example.

If a local government is going to plan and zone for agriculture, farmers can make the case that shops, market stalls and even small processing facilities be included as permitted uses as long as they are related to the farm business. In fact, when local officials plan with agriculture in mind, they may well *encourage* those kinds of uses. Several Ohio counties have local farmland preservation task forces that advise county officials on agriculture issues. Some of them focus on agriculture as economic development. Landowners can seek seats on such panels. If their county does not have one, they can work through local farm organizations and public officials to create one. Or they can work with community leaders to promote the economic importance of agriculture, as farmers have done in Knox County's Local Food Councils. Such efforts can highlight the importance of agriculture and inspire new policies.

Some counties and townships in Ohio have changed zoning codes with agriculture in mind. They have required minimum acreage of 40 acres for new homes in agricultural zones, or, as in Clark County, encouraged small cluster lotsplits of homes in conservation developments that keep most surrounding acreage in agriculture. This approach appeals to farmers who have long lamented the proliferation of homes on 5-acre lots that are "too small to farm and too big to mow" and can take dozens of acres of good farmland out of production.

For more information, contact your local planning office or county or township elected officials.



Photo: Brian Williams, AFT

IV. RESOURCES



Photo: Brian Williams, AFT

**CONTACT INFORMATION
IS PROVIDED HERE FOR
AGENCIES AND ORGANIZATIONS
REFERENCED IN THE GUIDE.**

Front cover photos: Amish farm in eastern Tuscarawas County and Chicken, Brian Williams, AFT; all others CommTech OSU

Back cover photo: CommTech OSU

American Farmland Trust (AFT) is a private, nonprofit conservation organization founded in 1980 to protect our nation's strategic agricultural resources. AFT works to stop the loss of productive farmland and to promote farming practices that lead to a healthy environment. AFT provides a variety of services to landowners, land trusts, public officials, planners, agricultural agencies and others. Services include Cost of Community Services studies, workshops on farmland protection and estate planning, farmland protection program development and agricultural economic analysis.

The Farmland Information Center (FIC) is a clearinghouse for information about farmland protection and stewardship operated by AFT in partnership with the U.S. Department of Agriculture's Natural Resources Conservation Service. The FIC maintains an online collection of agricultural and land use statistics, laws, literature and technical resources. It also offers an answer service to provide direct technical assistance via phone, e-mail and fax.

American Farmland Trust
Agricultural Conservation
Innovation Center
(614) 221-8610
www.farmland.org/resources/innovation

Farmland Information Center
(800) 370-4879
www.farmlandinfo.org

Ohio Regional Office
(614) 469-9877
www.farmland.org/

Coalition of Ohio Land Trusts (COLT)
c/o Land Trust Alliance
Midwest Regional Office
(269) 324-1683
www.midwest@lta.org

Innovative Farmers of Ohio
(800) 372-6092
www.ifoh.org

Ohio Agricultural Research
and Development Center
(330) 363-3701
www.oardc.ohio-state.edu

Ohio Department of Agriculture
Office of Farmland Preservation
(614) 728-6200
www.ohioagriculture.gov/farmland

Division of Markets
(800) IM PROUD
www.ohioagriculture.gov/markets

Ohio Department of Natural Resources
Division of Forestry
(877) 247-8733
www.ohio.dnr.com/forestry

Ohio Department of Development
Office of Energy Efficiency
(614) 466-6797
www.odod.state.oh.us

Ohio Ecological Food and Farm Association
(614) 421-2022
www.oeffa.org

Ohio Farm Bureau Federation
(614) 249-2400
www.ofbf.org

Ohio State University Extension
(330) 263-3799
www.extension.osu.edu/counties.php

Partners for Fish and Wildlife
US Fish and Wildlife Service
(614) 469-6923
www.fws.gov

Soil and Water Conservation District
(614) 265-6610
www.ohiodnr.com/soilandwater/swcds.htm

The Farmland Center
(330) 657-2355
www.thefarmlandcenter.org

USDA Farm Service Agency
(614) 255-2441
www.fsa.usda.gov/oh

USDA Natural Resources
Conservation Service (Ohio)
(614) 255-2472
www.oh.nrcs.usda.gov/

USDA Service Centers
www.offices.sc.egov.usda.gov



Photo: Brian Williams, AFT

WHAT YOU CAN DO

- **Get involved and speak up about the importance of working lands and the benefits they provide.** Talk to your planning commission, elected officials and civic and business leaders, and help your community take control of its future.
- **Buy and sell locally.** Meat, poultry and produce can diversify and strengthen farm businesses. Sales of local farm products can fill unmet consumer needs and create spinoff ag-related businesses. It also can make townspeople more aware and appreciative of farmers and farmland.
- **Support public programs and financing, such as the Clean Ohio Agricultural Easement Purchase Program, Agricultural Security Areas and local planning efforts that keep farmland in production.**
- **Be a steward of the land:** Encourage sustainable management practices that keep the land healthy.
- **Prepare now for the future of your land, your business and your family.** Consult with your legal, financial and tax advisors to develop your estate plan.
- **Take the next step – learn more about the public and private opportunities described in this guide.** Contact American Farmland Trust, the Ohio Department of Agriculture or other resources that can help you and your community protect farmland.

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www.farmland.org

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(800) 370-4879

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