**Hampshire County Farmland Protection Board**

Revision:

7/12/2018

P.O Box 806

Romney, WV 26757

**Eligibility Requirements**

**Easement Donation Requirements:** Donated conservation easement offers will be considered on an individual basis. They do not necessarily have to meet the specifications of purchased easements.

**Easement Purchase Requirements**: Easement purchase offers must meet the following requirements to be considered.

* The property must be located in Hampshire County
* The property is able to be developed, according to federal, state, and local regulations. ***Confirmation letter from the County Planning Office required.***
* The property owner is willing to sign a two-year option agreement, binding the land owner to sell the conservation easement to the Hampshire County Farmland Protection Board if the agreed-upon funds are raised within two years to purchase the easement. *(See attachments.* ***Option Contract and Agreement must be signed and notarized****)*
* No commercial or industrial structures are located on the parcel other than limited agricultural and home-based business buildings
* Clear title to the property is established, or subordinated.
* The property is free of any developmental oil or gas leases or mineral extraction leases. *(Non-developmental oil or gas leases may be permitted-subject to approval.)*
* Mineral rights are owned by the surface owner. *(If severed, must be resolved by repurchasing mineral rights, subordination agreement, or successful remoteness test -subject to approval)*
* The property contains no buried fuel tanks. *(tanks can be removed)*
* The application is signed by the property owners and turned in on or before the deadline. *(late applications cannot be accepted for the current round of funding, but may be considered for other future rounds)*
* The application clearly states an offering price that is equal to or less than the HCFPB’s current rate cap of $1,800 per acre. Offering price cap amounts are evaluated yearly, based on conservation easement values and market prices.

**Additional requirements to qualify for federal funding for easement purchases:**

* The offering price must be less than or equal to the Conservation Easement value determined by a certified yellow book appraisal done by a qualified conservation appraiser. The offering price must also be equal to or less than the County’s Current rate cap.
* Secured debt on the property must be subordinated by the lender. *(See attachments. Letter must be completed and signed by lenders)*
* The property offered for easement purchase must be 50% or more prime, unique, state-important, or locally-important soils.
* The property offered for easement must be 66% or less forested land.
* Conservation Easements require that existing residential structures be surveyed in a 2 acre envelope. There are specific terms to be followed with the residential areas involved with a Farmland Protection Easement and those policies can be obtained from the Hampshire County Farmland Protection Board.