

Hampshire County Farmland Protection Board

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 a minimum of 20 acres.
- 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 purchase agreement, once funded and appraised, binding the land owner to sell the conservation easement to the Hampshire County Farmland Protection Board. *(See attachments. Conservation Easement Purchase Agreement)*
- 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 \$2,100 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.