

County of Lancaster Request for ARPA Funding

Organization Lancaster Farmland Trust **Date** June 29, 2022
Submitted By Jeffery E. Swinehart **Authorized Signature** Jeffery E. Swinehart
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 Date: 2022.06.29 13:09:47 -04'00'
Email Address: [REDACTED] **Phone #:** [REDACTED]
Please attach any supporting documentation for consideration. Submission should be in PDF Format.

Project/Item Description	Please see the attached for all responses.
Clearly state the amount being requested. What is the total cost? How was the cost derived?	
Which County ARPA Community-wide Benefit(s) does the project meet?	
Briefly explain how the project meets the County's guidelines.	
Why should this project be a priority and how will it help the County? Also, if this application is for more than one project, please identify each one, provide information and rank them in order of your priority.	
Will this project require ongoing expense (maintenance, updates) or frequent replacement? Are expenses already being incurred, if so, can they be reduced through this project?	
Project Timeline – start to finish, and when funding will be needed.	
Are other organizations part of this project? If yes, please list them and their role, including funding. If not, explain why.	
ARPA Committee Comments	
ARPA Committee Recommendation	
Funding Amount Recommended (if recommended for approval)	\$



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June 29, 2022

Lancaster County Commissioners
150 N. Queen Street
Suite 715
Lancaster, PA 17603

Commissioners:

Lancaster Farmland Trust (LFT) is pleased to submit the enclosed proposal *Farmland Preservation: An Urgent Priority for Strengthening Lancaster County* for funding through the American Rescue Plan program. This project is well-suited for ARPA funds and will result in significant impact on the lives of current residents of Lancaster County as well as to future generations. The vigorous protection and stewardship of our county's farmland – a national treasure – will result in the sustainability of agriculture and the many benefits it provides to our citizens.

We are confident that this project can help the County achieve transformational change, and are grateful to be considered for this opportunity. Should you have additional questions or need more information, feel free to contact me at jswinehart@lancasterfarmlandtrust.org or 717-687-8484.

Sincerely,

A handwritten signature in black ink that reads "Jeff".

Jeff Swinehart
President and CEO

Farmland Preservation: An Urgent Priority for Strengthening Lancaster County

Project/Item Description:

Lancaster County leads the nation in acres of farmland preserved – and for good reason. Our farmland is a national treasure. Our rich, productive soil and gently sloping hills are the envy of the agricultural world. Farmers in Lancaster County have worked for generations to enrich our soils and cement our heritage as a farming community. Farming is also a bedrock of our economy, contributing more than \$1.6 billion in agricultural sales, providing more than 58,720 jobs, and driving a \$2.9 billion tourism industry. Our farmland provides valuable environmental benefits, such as flood mitigation, groundwater recharge, and wildlife habitat. Most importantly, our farmland contributes to Lancaster County’s extraordinary quality of life. In our community, access to fresh, local food and proximity to bountiful farmland is something of which we should be proud.

However, that extraordinary quality of life has brought more than national accolades. New residents deciding to move to Lancaster County and children of existing residents choosing to stay and raise their families here are contributing to population growth increasing at nearly five times the state average. With its well-drained soil and gently sloping topography, our farmland will be easiest to develop to accommodate population growth and is most in danger. This population growth can be seen in a recent report (May 2022) of the Chesapeake Bay Program that analyzed land use and land cover changes between 2013/2014 and 2017/2018 across the 206 counties that intersect or are adjacent to the Bay watershed. **Lancaster County ranked second for the increase in impervious surface coverage – an increase of 2,424 acres.**

Therefore, Lancaster Farmland Trust (LFT) requests \$1,300,000 of American Rescue Plan Act dollars to make possible the permanent preservation of **20** farms currently on our waiting list. This one-time investment will significantly impact our community’s efforts to protect our farmland and water – preserving **1,473 acres** of farmland and developing **20 conservation plans** on that protected land, all while leveraging **\$4,516,920** in private match funding and donated easement values. **This project delivers incredible value for Lancaster County – the permanent preservation of 1,473 acres at \$883 per acre.**

The American Rescue Plan Act was enacted to ensure that communities have the resources to “build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity.” Preserving Lancaster County’s productive and beautiful farmland – farmland that is the bedrock of our economy and the foundation of our extraordinary quality of life – is a wise and timely investment. As population growth and development pressures continue, an urgent need to protect our farmland and water is emerging. Now is the time to align our spending priorities with the long-term planning goals of the Lancaster County public and make a significant investment in land conservation. Preserving our farmland strengthens our recovering economy, supports our long-term growth plans, and protects our natural resources – including our water.

Estimated Cost

EXPENSES	Grant Request	Match	Total
1. Preservation, Stewardship and Conservation Plans for 20 Farms on LFT's Waiting List	\$1,300,000	\$1,365,933	\$2,665,933
TOTAL	\$1,300,000	\$1,365,933	\$2,665,933

The estimated budget above lists the cost of preserving the 20 farms on LFT’s waiting list and expenses for the processing of conservation easements, including transaction costs and LFT’s standard stewardship contribution. The grant request also includes developing Comprehensive Nutrient Management Plans (CNMPs) for each protected farm.

Farm preservation costs were derived from Lancaster Farmland Trust’s LESA (Land Evaluation and Site Assessment), which assigns a per-acre value based on several aspects of a property including soil class, development pressure, farm viability, and potential for water quality improvements, to name a few.

This cost estimate also includes a \$33,000 per farm allotment for the processing of each conservation easement. These dollars cover the transaction costs associated with preserving a farm like surveys and appraisals, as well as a standard stewardship contribution. When LFT preserves a farm, we do so in perpetuity – *forever*. From the moment a farm family signs a conservation easement, LFT assumes responsibility for stewarding that easement throughout the life of the farm – monitoring every farm annually to ensure that the land remains available for agricultural use. This per farm allotment will also fund the development of a CNMP. Like an Ag Erosion & Sediment plan or a Manure Management plan, a CNMP assists a farmer in managing the resources on their farm. This plan, however, includes a more robust documentation of possible improvements a farm could make to improve performance. As defined by the USDA, “a CNMP contains records of the current activities on a livestock operation, an evaluation of the existing environmental risks, and proposals to reduce the risk of negative impacts to the environment. The objective is to ensure both farm production and environmental goals (clean water, clean air, and healthy soils) are achieved on the farm”.

Following the development of the CNMP for the farm, LFT will assist the farm family with identifying and securing funding for implementing the management practices specified in the plan. If necessary, LFT will coordinate the following: grant applications to funders, design and engineering of practices, issuing bid documents, securing contracts with construction firms, and providing quality assurance during construction. LFT will assume all administration and reporting requirements if implementation funding is secured via grants.

A spreadsheet accompanies this submission that lists the twenty farms on our waiting list by township. This spreadsheet includes each farm’s watershed, acreage, LESA score, subsequent price per acre, and resulting easement payment. Also attached to this submission are the ranking packets for each of the twenty farms.

Lancaster Farmland Trust will match the County’s grant request with \$1,365,933 of private funding from donors and foundations committed to preserving Lancaster County’s farmland. This money is already in-

hand and available for use, making it possible to finish all 20 preservation projects before December 2023.

While not included in the budget total, these preservation projects will also have an **estimated \$3,150,987 of donated easement value**, dollars derived from their property's development potential that these farm families are sacrificing for the benefit of our community.

Which County ARPA Community-wide Benefit(s) does the project meet?

This project meets the Clean Water/Natural Area Conservation Initiatives eligibility of the community-wide benefits criteria. The permanent preservation of these 20 farms, and the implementation of conservation plans and best management practices on that land, are critical to advancing conservation initiatives in Lancaster County and achieving clean and clear water by 2040. Preserving farmland and implementing best management practices are effective methods of keeping sediment and nutrients on the farm and out of the water. As some experts say, 'we don't have a runoff problem, we have an infiltration problem.' When our farms are paved over with development and macadam, water and nutrients cannot infiltrate the soil – instead, they run off into our streams and creeks. The very best way to improve Lancaster County's water quality is to preserve farmland, thereby protecting the soil that soaks up water and nutrients. Farm preservation IS a best management practice that is vital to our clean water strategy.

This impactful preservation project will also include developing Comprehensive Nutrient Management plans ("CNMP") for the farms that LFT is protecting. As mentioned above, a CNMP is a robust version of a conservation plan that combines a more traditional Manure Management plan with a path forward towards implemented best management practices (BMPs). As part of these plans, technical service providers develop a concept design for BMPs that could be implemented on the farm. Over the past three years, as LFT's agricultural outreach staff has visited hundreds of farmers in the Pequea Creek Watershed and helped develop over 200 conservation plans, we have found the CNMP to be a powerful tool in our work to move farmers toward that critical "yes" on BMP implementation. The BMP design concept is reviewed with the farmer at the time of plan development, giving the farmer, from the outset, a better sense of what, where, and how the potential BMPs will change farm operations. Having had these critical discussions with technical service providers at the early stage of the outreach process makes farmers much more likely to move forward with the actual BMP implementations outlined in their plans.

Developing CNMPs on protected land alone will significantly impact water quality in Lancaster County. Based on the Adapted Chesapeake Nutrient and Sediment Load Reduction Model, these plans will result in the estimated *annual* reduction of **5,892 lbs. of Nitrogen, 295 lbs. of Phosphorus, and 589,200 lbs. of Sediment** from entering Lancaster County streams. These impressive reduction estimates will only be the beginning, however. With CNMPs in hand, these farmers will be in the best position to move forward with implementing additional BMPs, and LFT is ready to assist them with this effort. The additional BMPs could include, but are not limited to, manure storage facilities, barnyard improvements, livestock crossings and exclusion along streams, riparian buffers, and others that will produce even higher reduction numbers for years into the future.

Briefly explain how the project meets the County’s guidelines.

This project will meet the County’s guidelines by doing the following:

1. Protecting the County’s land and natural resources through the permanent preservation of 1,473 acres of farmland.
2. Improving water quality via the development of Comprehensive Nutrient Management plans on permanently protected farmland.
3. Both the conservation easement and CNMP development are **one-time funding**. After the County’s initial contribution of funding, responsibility for monitoring the easement and practices will fall to Lancaster Farmland Trust.
4. This project does **NOT** require annual operational funding from Lancaster County. Lancaster Farmland Trust maintains an internal fund to subsidize the annual monitoring and stewardship of our (currently) 551 conservation easements.
5. Match funding has already been committed to this project by Lancaster Farmland Trust. The County’s contribution to this project via the ARPA funds, at \$1,300,000, would serve as the **critical last-in funding** needed to make this project a reality and deliver an impactful community investment for only \$883 per acre.
6. Lancaster Farmland Trust has engaged several **partners** to assure the success of this project, including the 20 farm families, TeamAg, Inc. (CNMP development), Concord House Real Estate (appraisals), and various surveying and title companies. Agricultural lenders will also be engaged regarding subordination requests of existing liens subject to the farm properties.
7. Lancaster Farmland Trust has not included any administrative, interest, or other fees in its request for funding.

Why should this project be a priority and how will it help the County?

This project should be a priority for the following reasons:

1. Conservation Work is Most Impactful When Completed on Preserved Farms

This project will be an actual example of the benefits of linking preservation and conservation together. Not only is the permanent protection of farmland a best management practice on its own, as keeping farmland intact increases our soil’s ability to soak up water, but any additional BMPs are best protected on preserved land. Investments made now for implementation have the highest chance of sustainability when installed on permanently protected farmland. In our experience, there is no better way to assure the viability and sustainability of agricultural best management practices than to protect the farm from development and prevent the potential “paving over” of those investments.

2. The Lancaster County Public Overwhelmingly Supports Farmland Preservation

In an October 2021 poll conducted by Susquehanna Research and Polling, the Lancaster County public made clear what we at LFT know to be true – that the preservation of farmland is a priority for the citizens of Lancaster County.

- **90%** of those surveyed stated they were “very” or “somewhat” concerned about the loss of farmland and open spaces in Lancaster County.
- **55%** of those surveyed said funding should be increased to protect and preserve the farmland in Lancaster County.

- In a list of seven issues for county officials to focus on to improve their lives, **the preservation and protection of farmland and open spaces from development were ranked the top priority for 52% of respondents, the most of any issue.**

3. The Preservation of Farmland Advances *places2040*

As stated in *places2040*, protecting “agriculture and farmland, because it’s an essential part of the county’s economy, identity and sense of place” continues to be a priority for our community. While LFT and the Agricultural Preserve Board have preserved about 28% of the area zoned for agriculture, 58% of the total area of Lancaster County, **including 322,000 acres of land outside the designated growth areas**, remains open to development. Our decisions now will affect what becomes of that remaining unprotected land. Investing in meeting the goals of *places2040* will help Lancaster County use these funds as they were intended – to make investments that support a community’s long-term growth.

- **Seven** of the farms preserved in this project have already been identified by the Lancaster County Planning Department as **priority parcels for preservation**. Notes in the attached spreadsheet document how the other 13 farms would rank now if the priority parcels were identified again under current conditions. For example, several farms on the list now meet the clustering criteria since farms near them have been preserved after the priority parcels were identified. Several other farms fail to meet the priority designation due to over 10% of their land being forested. Given the ARPA’s funds initiative to protect natural lands, these farms should not be passed over for their protection of forested land.

4. The Preservation of 20 Farms and Development of Conservation Plans Will Improve Water Quality

As stated in the final rule for the ARPA, “A recipient may use funds to make the following investments in water...projects to manage, reduce, treat, or recapture stormwater...” Land preservation – particularly farmland preservation – is a critical tool in Lancaster County’s clean and clear water efforts.

- This linkage between land preservation and clean water was made clear in the most recent *Chesapeake Watershed Agreement* in which partners set the goal of protecting an additional **2 million acres** of land in the Chesapeake Bay Watershed by 2025. Partners recognize the critical role farmland plays in **absorbing stormwater and recharging groundwater**.
- As the Lancaster Clean Water Partners have worked across the County to reduce the nutrient and sediment runoff entering our streams and waterways, LFT has discovered an apparent intersection between the permanent preservation of farmland and the implementation of agricultural best management practices on those farms. There is no better guarantee for the survival of an expensive best management practice on a farm than that farm being preserved and protected in perpetuity.
- LFT’s new conservation easement template brings water and ecosystems to the forefront. Our easement protects the farm’s agricultural use and its natural resources. Specifically, the easement “is intended to maintain and improve water quality and habitat in the Watershed by minimizing conversion of forest, wetlands and working farms to impervious surface cover.” The easement also stipulates that any land use must “absorb within the Property rainwater that otherwise might cause erosion and flooding downstream of the Property and to support other healthy ecosystem processes.” Taken together with the creation of “Highest Protection Areas” within a preserved property – areas of high environmental value that cannot be

changed in any way – investing in the preservation of farmland provides for the dual benefits of land protection and water protection.

Will this project require ongoing expense (maintenance, updates) or frequent replacement? Are expenses already being incurred, and if so can they be reduced through this project?

Lancaster County will not bear the ongoing maintenance and monitoring expenses incurred on this project. In partnership with LFT, the farm families will be responsible for implementing the BMPs identified in their CNMP. Farm families will also be responsible for operating and maintaining any resulting best management practices installed on their farms. Additionally, LFT staff monitor preserved farms annually as part of our commitment to the stewardship of the conservation easements we hold. These annual monitoring visits allow staff to nurture positive relationships with our landowners and monitor BMP installations and identify maintenance problems. LFT currently has \$6.1 million in its Amos Funk Land Stewardship Fund, which is restricted for the long-term monitoring and enforcement of conservation easements entrusted to it. In addition, LFT has a conservation easement insurance policy with Terrafirma RRG LLC, a captive insurance program owned by its 545 land trust members. This policy includes a \$500,000 single claim limit for attorney and expert fees should LFT need to litigate an easement violation.

Project Timeline

Activity Description	Associated Deliverables	Responsible Parties	Performance Period	Funding Needed
1.1 Preserve 20 farms on the LFT Waiting List	Conservation Easements and Farm Visit Records	LFT	September 2022 - December 2023	September 2022
1.2 Develop CNMPs for Preserved Farms	Completed CNMPs and Farm Visit Records	TeamAg, Inc., LFT	September 2022 - December 2023	September 2022
1.3 Conduct Annual Monitoring of Farms and Assist Farmers in BMP Implementation	Monitoring Logs	LFT	Ongoing	n/a
1.4 Complete Report for Lancaster County on Project Outcomes and Impact	Final Report	LFT	December 2023	n/a

Preservation and Conservation work will be completed by December 31, 2023.

Are there other organizations a part of this project? If yes, please list them and their role, including funding. If not, explain why?

1. Preserving farm families are partners in our work and the backbone of our mission to protect farmland in Lancaster County. In addition to placing their land in a permanent conservation

easement, these farm families will also be contributing an estimated \$3,150,987 of donated easement value through this project.

2. TeamAg, Inc. will serve as the lead technical service provider on the project. TeamAg, Inc. will develop CNMPs for the preserved farms.
3. Concord House Real Estate will complete appraisals of the conservation easements to determine the value these families will be donating by preserving their farms.
4. Various local surveying companies will complete surveys of the farms, ensuring that the boundaries of the land to be permanently preserved are accurate.
5. Various title companies will perform title searches of the farms highlighting any existing encumbrances on the title to the properties (i.e. rights-of-ways, liens, etc.)
6. Lending institutions are partners in this project as they need to subordinate any existing liens to the conservation easements the farm families will grant.