

# **CAN CONSERVATION EASEMENTS HELP WITH THE RAPID DECREASE IN FARMLAND?**



Morgan County FFA  
Georgia

1231 College Drive  
Madison, GA 30650  
(706) 752-4600

APRIL 14, 2023

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## THE ISSUE - CAN CONSERVATION EASEMENTS HELP WITH THE RAPID DECREASE IN FARMLAND?

### **Courses in which instruction occurred:**

During the 2022-2023 school year, 114 students (including the four members of the Agricultural Issues LDE team) were educated on how the real estate market impacts farmland. Students learned about land classifications, specifically the desirability factors for farming that also appeal to land developers. Instruction was provided in Introduction to Agricultural Science, Forest Science, and General Horticulture.

### **How can the issue be defined?**

Conservation easements are a voluntary bundle of restrictions that limit the development potential of land for historical or preservation reasons (McLaughlin, 2015). Could these easements be the solution to the loss of valuable farmland? The biggest barrier to agriculture in our area is access to affordable farm land. In a report published by the American Farmland Trust, Georgia is the 5th most threatened state for the loss of agricultural land due to poor development choices. In the 15 years before 2016, 544,000 acres were lost to development in Georgia alone. 195,000 of those acres were prime farmland (Lindsy, 2020). However, with over \$74 billion in economic impact every year, agribusiness is Georgia's leading industry (Lowrey, 2023). This dichotomy between preserving agricultural farmland and the pressures of land development is the overall issue.

### **What is the nature of the issue?**

The loss of fertile farmland is permanent, and land that has been nurtured for years can be destroyed in minutes. By maintaining American farmland and securing farmers' greatest asset, we are ensuring the availability of food to feed a growing population. In order to preserve farmland for future generations, private citizens and local lawmakers must be informed on the impact this loss of farmland will have on our economy and the security of our food supply.

### **What caused the issue?**

Morgan County's location right off Interstate 20 and State Route 441 allows for commuting opportunities to metropolitan areas such as Athens and Atlanta (Dorfman, 2008). Between 1992 and 2020, most of the migration into Morgan County came from Gwinnett, Rockdale, DeKalb, Newton, and Fulton counties (Brown, 2015). Our team interviewed a panel of local realtors to gain more insight into this issue at the local level. New residents are moving from more congested areas to more rural settings, and because they are accustomed to higher cost of living and home prices, they do not balk at land prices found in Morgan County. Another reason for this movement of people referenced by the realtor panel was the school system. The Morgan County Charter School System ranked in the top 24% of high schools in the state of Georgia (US News Best High Schools, 2021). Also, Morgan County Charter School District is ranked as the #10 district in the state by Niche (Explore Morgan County Schools, 2022).

### **Why is the issue important now?**

This problem has recently been amplified in this community by the sale of thousands of acres of farmland to Rivian, an electric car company. The project is Georgia's second largest economic development project and will convert this farmland to 16 million square feet under roof. This project has taken a large chunk of valuable farmland from Morgan County (Madison-Morgan Conservancy, 2023). With the Working Farms Fund being piloted in our area, now is the time to inform residents of its benefits. The Working Farms Fund will purchase a farm at fair market value. It would then recoup some of the cost of purchasing the farm by leasing the farm for approximately 5 years by placing a conservation easement on the land through the ACEP/ALE program. At the end of the 5 year lease, the land would be sold to the leasing farmer at the reduced cost of the land, making land access affordable for farming purposes. The Working Farm Fund currently has purchased 7 farms in our region (Working Farms Fund, 2023).

### **What are the benefits?**

- Conservation enabling statutes on the state level, and tax incentives on the federal level, are the key factors used to grow the number of conservation easements (McLaughlin, 2015). ACEP/ALE (Agricultural Conservation Easement Program/Agricultural Land Easement) is a government program available to help offset costs. This program helps protect farmland and grassland for agricultural use. Local partnerships are leveraged to match the funding from NRCS (Natural Resources Conservation Service), and these local partners are in charge of long-term care of the land (Agricultural Land Easements, 2023).
- Agricultural Easements maintain agricultural communities and maintain a safe domestic food supply.
- Easements can provide some economic return from land without having to sell. Landowners can tailor easements to fit their needs, lessen taxes for estate transitions, and maintain ownership of the land to use how the easement outlines (Conservation Easements – Some Things to Think About, 2019).

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- Agricultural land pays more in taxes than it receives in public services. Residential land, on the other hand, costs more in services than it pays in taxes. Morgan County did a Cost of Community Services study in 2008, and that report shows similar findings to most COCS studies across the country – residential development requires more in services than it pays in taxes – which is a loss to the county. The study found that farmland and forests pay \$1.06 and commercial and industrial properties pay \$1.94. However, residential properties paid \$.94 for every dollar paid in services. (Dorfman, 2008).
- Conservation Easements can be used to enhance development through transferable development rights programs. Development rights are transferred from the easement property to an area ready to develop (Marquitz, 2004).

### What are the disadvantages?

- The time it will take to put land into a conservation easement takes much longer than an outright sell of the land. Also, the tax credits received may be stretched out over many years.
- The value of your land will decrease and when selling, the buyer pool may also be limited (Conservation Easements – Some Things to Think About, 2019).
- There is a need for affordable housing, and this housing is created by development. The high demand for apartments in the U.S doesn't match the current supply. According to the National Multifamily Housing Council, Georgia needs to build 12,000 more apartments annually (National Multifamily Housing Council/National Apartment Association).

### What is the historical background of the issue?

- 1891 - First Private Land Trust - the Trustees of Reservations- is founded in Massachusetts.
- 1950s - The term Conservation Easement surfaces for landscape conservation by William Whyte.
- 1964 - Internal Revenue Service (IRS) announces a federal charitable income tax deduction for conservation easement donations.
- 1965 - Federal Highway Beautification Act provided incentives from the federal gov't to create scenic easements.
- 1981: Congress enacted the Farmland Protection Policy Act
- 1982- Land Trust Alliance Founded.
- 2000 - Madison-Morgan Conservancy is founded as the state's first county wide conservation organization.
- 2008 - 90% of land in Morgan County was still in agricultural use (Dorfman, 2008).
- 2014 - ACEP (Agricultural Conservation Easement Program) is created to combine 3 existing programs- The Wetlands Reserve Program, Grassland Reserve Program, and the Farm and Ranch Lands Protection Program (Agricultural Conservation Easement Program, 2019).
- 2018-2022 - Georgia's pasture land price per acre increased 8.4%. (Land values 2022 summary- USDA)
- 2021 - The Conservation Fund starts the Working Farms Fund to help preserve farmland (Working Farms Fund, 2023)

### Who is involved in the issue?

**Producers:** The average price per acre in Morgan County on 100 or more acres is between \$8k - \$10K per acre where we live in Morgan County, and the price climbs with smaller parcels (Morgan County Tax Assessor's Office, 2023). This makes land unaffordable to the average farmer, and especially to 1st generation farmers. In 2022, 59% of the 10,000 young farmers surveyed by the National Young Farmers Association say that accessing land is challenging (Ackoff et al., 2022).

**Land Developers:** Real estate development is an important part of a county's tax base. Land developers can often offer landowners a quick sale with maximized profits. The price land developers can pay per acre is much more than most farmers can pay (and still make a profit on the land) for agricultural purposes.

**Community members:** The Madison-Morgan Conservancy is one organization working to "protect the farms, forests, and front porches" of our county by promoting the use of conservation easements (Madison-Morgan Conservancy, 2023). Many other community members are split on the issue; this issue really is a double-edged sword. While most residents would like Morgan County to remain rural, these services (such as high speed internet, hospitals, nearby shopping, etc.) are important to the people moving to the area who are used to the close, immediate, and convenient amenities.

**State Lawmakers:** Senate Bill 220 passed in April of the 2023 legislative session. This bill established the Georgia Farmland Conservation Fund as a form of a Purchase of Agricultural Conservation Easement (PACE) program. This will help ensure that Georgia's most productive soils stay in agricultural production by allocating state dollars to conservation (Georgia Farmland Conservation Act Passes, 2023).

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# AG ISSUES FORUM SUMMARY

| Date                         | Forum                                         | Location                                                              | Number of People Present |
|------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|--------------------------|
| Thursday, March 2, 2023      | Morgan County Farm Bureau Board of Directors  | Morgan County Farm Bureau<br>1001 Pennington Rd<br>Madison, GA 30650  | 14                       |
| Monday, March 6, 2023        | Madison Morgan Conservancy Board of Directors | Home of Mary and Bob McCauley<br>3390 Dixie Hwy<br>Rutledge, GA 30663 | 17                       |
| Thursday, March 23, 2023     | Madison Kiwanis                               | Amici's Madison<br>174 W Washington St<br>Madison, GA 30650           | 25                       |
| Friday, March 23, 2023       | Madison–Morgan Conservancy Membership Supper  | Rather Barn<br>3231 Prospect Rd<br>Rutledge, GA 30663                 | 130                      |
| Wednesday, March 29, 2023    | Morgan County Realtors Panel                  | Morgan County High School<br>1231 College Drive<br>Madison, GA 30650  | 5                        |
| Total Number of Participants |                                               |                                                                       | 192                      |

# FORUM 1 - MORGAN COUNTY FARM BUREAU BOARD OF DIRECTORS



## *Morgan County Farm Bureau*

1001 PENNINGTON ROAD  
MADISON, GEORGIA 30650  
OFFICE: 706-342-0414 • FAX: 706-342-7024

March 3, 2023

Agriculture Issues Team  
Morgan County High School  
Madison, GA

To Whom it may concern:

The Morgan County Farm Bureau Board of Directors would like to thank the Agricultural Issues team - Karoline Norton, Leyton Morris, Sydney Fish, and Jalyn Fish - for presenting at our monthly meeting.

The loss of farmland is a big challenge for farmers in our area, and the presentation really hit home for many of the directors. The presentation was very well done with both entertaining and educational aspects.

We are excited that you chose such an important issue to our community and that you will be continuing to inform community members about the pros and cons of development. We hope that you can take the feedback you received to enhance your presentation, and hope that you will feel free to follow-up with any other questions.

Attendance: 3 Guests; 9 Board Members; 2 Farm Bureau Employees; TOTAL 14

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Lance".

Brian Lance  
Morgan County Farm Bureau President



## FORUM 2 - MADISON-MORGAN CONSERVANCY BOARD OF DIRECTORS



### MADISON-MORGAN CONSERVANCY

PROTECTING FARMS, FORESTS, AND FRONT PORCHES FOR FUTURE GENERATIONS

P.O. Box 752  
Madison, GA 30650  
706-818-8046  
info@mmcGeorgia.org  
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March 13, 2023

Dear Rachel, Jalyn, Karoline, Sydney, and Leyton:

Thank you for coming to the Conservancy's monthly board meeting on March 6 to present to our board members (17 attendees). We were so impressed with your knowledge of conservation easements and are delighted that you picked this pressing issue to highlight.

The board of directors have decided that your presentation was so impactful, that we would like you to come and present to the Conservancy's larger membership at the Annual Membership Supper. There should be approximately 150 people attending the event. We would like for you to showcase your issue for the group to help them better understand the options available to them that the Conservancy can help facilitate.

Again, thank you for choosing a topic so relevant in our community. Job very well done.

Sincerely,

Robert Trulock  
President

**"Your presentation  
was so impactful,  
that the Board of  
Directors would like  
for you to present  
at our Annual  
Membership supper  
so that more  
members of the  
community can hear  
your message."**

**– Christine McCauley Watts,  
Director of the Madison Morgan  
Conservancy**

The mission of the Madison-Morgan Conservancy is to provide public education on conservation matters and to protect and enhance the heritage and quality of life of the residents of Morgan County by preserving historic sites, greenspace, farmland, and timberland.

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## FORUM 3 - MADISON KIWANIS



March 23, 2023

On Thursday March 23<sup>rd</sup> the Morgan County FFA issue team kids presented to our Madison Kiwanis Club on their topic "Farmland Loss in Rural America". There were 25 members and guests in attendance at Amici Restaurant located in Madison GA from 12:00-1:00pm. Our members enjoyed their topic and at the end asked questions and gave advice.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jennifer Sides'.

Jennifer Sides

Board member

Madison Kiwanis Club



## FORUM 4 - MADISON-MORGAN CONSERVANCY MEMBERSHIP SUPPER



### MADISON-MORGAN CONSERVANCY

PROTECTING FARMS, FORESTS, AND FRONT PORCHES FOR FUTURE GENERATIONS

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Anna Nolan

April 3, 2023

Ms. Rachel Kinsaul and the Ag Issues Team  
Morgan County High School, FFA  
Madison, GA

Dear Rachel, Karoline, Jalyn, Sydney, and Leyton:

On behalf of all of us here at the Conservancy, I want to thank you for your excellent presentations to our Board and Advisory Board Members (17 people) on March 6, 2023, and at our Annual Membership Supper (130+ people) on March 24, 2023. Your presentations were informative and creative, included humor in all the right spots, and ultimately were quite impactful for those in the audience.

Thank you for choosing the timely and critical ag issue: access to farmland. You expertly described the personal decisions so many farmers are facing when it comes to transitioning their farm to the next owner or generation, and your presentation of farmland protection measures like conservation easements, ACEP/ALE, and the Working Farms Fund, clearly illuminated that there are options other than selling for development.

Given that we are seeing a significant increase in development pressure in Morgan County, the information you presented is critical to how this community moves forward. We can either grow by chance or by choice, and you have illustrated well what the choices are. Thank you so very much for your important work.

We wish you all the best in your future presentations and at State Convention!

Sincerely,

Christine Watts  
Executive Director

## FORUM 5 - MORGAN COUNTY REALTORS PANEL



### MCHS Giving Opportunities External Inbox x



**Scarlet Torok**

to lindahagler13@gmail.com, algin, Ann, ashley30650@gmail.com, B, Beth, Beth, Bobby, Bruce, Cari, Caroline, Celia, Chad, Cheyenne, chrishodges40@gmail.com, Cinc

Mar 21, 2023, 12:36 PM ☆ ↶ ⋮

Hi Realtors!

I have had a few teachers reach out to me for assistance with several different opportunities and know that you love to help our community. Please let me know if you can come or help with either of these:

1. Please join us Wednesday, March 29<sup>th</sup> at 10:00am in the MCHS Cafe for a presentation from MCHS FFA leaders on The Loss of Farmland in Rural Georgia. There will be a 10-15 minute presentation by the students and then we will have the opportunity to ask them questions. This is just for local realtors and will help the students win more awards at their conference, so please let me know if you can attend. BONUS: Melissa Lentine with Truist will have coffee and finger foods. And after, if you would like, we will have the opportunity to tour the Career Academy and see what is new there. (a tiny house, electric car, and more)
2. Love Your Paraprofessional Day is April 11<sup>th</sup> and the committee in charge would like to give each para at the high school a \$20 gift card (16 total). If you would be willing to sponsor a ParaPro, please Venmo your donation to Julia Loudermilk or bring it with you on the 29<sup>th</sup> and leave it for her at the front office. Her Venmo is @Julia-Loudermilk-1

Y'all are THE Best,

Scarlet



**Scarlet Torok**

REALTOR®, CRS®, CLHMS

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