



Photo: Clemson University Public Service and Agriculture



# *South Carolina Agricultural Landowners Guide*

South Carolinians take great pride in their land. Hiking in the forest, fishing in the creek, canoeing on the river, hunting in the swamp, swimming in the ocean, or eating fresh vegetables from grandma's garden, they make the most of their natural world. Families share long traditions of outdoor recreation with the next generation. With their love for the outdoors and their deep commitment to private property rights, they believe in the role of individuals to be stewards of the state's natural resources.

Many South Carolina families make their living from this landscape. Whether it's tobacco in the coastal plain, cotton in the Pee Dee, chickens and horses in the Midlands, or peaches in the Upstate, agriculture plays an important role in the state's economy. According to the 2002 Census of Agriculture, South Carolina's 24,000 farms cover 4.8 million acres and produce more than \$1.5 billion of crops and livestock annually. Timber production provides another important source of income and employment, with 12 million acres of trees producing \$900 million and 35,000 jobs per year, according to the South Carolina Department of Agriculture.

However, recent changes in the tobacco economy, rising land prices, an influx of new residents and other growth pressures threaten the future of South Carolina's productive lands. Landowners are looking for ways to protect their investments and remain financially viable. For many farmers this may mean selling land for development. But there are alternatives.

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

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



Photo: Clemson University Public Service and Agriculture

Special thanks go to The Barker Welfare Foundation; Mrs. Charles Becker; Elizabeth M. Bird; Dr. John Bottsford, Jr.; Edward M. Carey; CERES Foundation, Inc.; Chime Bell Farm; Iris W. Freeman; Scott Riviere; Jack Wetzell and the members of American Farmland Trust for their generous contributions to produce this publication.

Our thanks to the following individuals and organizations for contributing to this guide: Ulysses Byrd (SC Department of Revenue), Dave Demarest (NRCS), Joel Felder (SC Forestry Commission), Rebecca Harper (NRCS), Amy Maxwell (NRCS), Bernie Mazyck (SC Association of Community Development Corporations), Bill Molnar (Clemson University Cooperative Extension), Faith Rivers (University of South Carolina School of Law), Guy Sabin (SC Forestry Association), Liz Santagati (SC Coastal Community Development Corporation), Von Snelgrove (SC Department of Natural Resources), Heather Stephens (NRCS), Lisa Stokes (SC Department of Revenue), Becky Walton (SC Department of Agriculture), Ben Williamson (Oaklyn Farm) and Brad Wyche (Upstate Forever).

© American Farmland Trust, 2005



## I. Farmland Protection Programs

Competition for land is a growing challenge for many South Carolina farmers. Due to the influx of new residents, sprawling growth patterns, rising land prices and the changing tobacco economy, development increasingly threatens much of the state's productive agricultural soils. From 1992–1997, the state lost 47 acres per day of prime farmland to non-agricultural uses, a 64 percent increase over the previous five-year period. The following programs offer landowners choices to protect their farms from development pressures or to ensure that their own land will be available for future generations of farmers.

### PROGRAMS THAT PROTECT THE FARMING OPERATION

#### Right to Farm

South Carolina's Right to Farm Law gives existing farms some protection from nuisance complaints. Its purpose is to lessen the loss of farmland caused by common law nuisance actions that arise when nonagricultural land uses expand into agricultural areas. This provides a more stable investment climate for agricultural infrastructure and a sense of security that farmers won't be overwhelmed with lawsuits as new neighbors move into agricultural areas.

Agricultural and forestry enterprises cannot be restricted by new ordinances or nuisance complaints if they weren't considered a nuisance when the operation began. This protection applies even if there is an expansion of the operation or a change in technology. However, this protection doesn't apply if the farm operation lies within the corporate limits of a city.

This protection does not extend to situations where the farm or forestry enterprise is being operated negligently. It also does not protect an individual from lawsuits as a result of pollution of streams or ground water.

*For information, see SC code 46.45 or contact the South Carolina Farm Bureau.*

### OPTIONS TO PROTECT YOUR LAND

#### Agricultural Conservation Easements

An agricultural conservation easement is a voluntary deed restriction that landowners willingly place on their land. It permanently limits subdivision and non-agricultural development. Landowners retain ownership of the property and can continue to farm however they choose. Public access is not required, and the land can be sold or passed along to heirs. However, future owners must abide by the terms of the easement. This ensures that the land always will be available for agricultural use.

The landowner who chooses to place an agricultural conservation easement on his or her farm is known as the *easement donor*. The donor must find a government entity or a conservation organization, such as a land trust, to agree to monitor the property forever to be sure that the terms of the easement are fulfilled in perpetuity. This organization is known as the *easement holder*.

Landowners who *donate* an agricultural conservation easement may receive a federal income tax charitable deduction, as well as a reduction in the value of the property for estate tax purposes.

South Carolina also offers a unique Conservation Tax Credit for donations of land or conservation easements



Photo: Ben Williamson

that qualify for federal income tax deduction according to IRC Section 170(h). This credit is equal to 25 percent of the value of the donated property interest, with a cap of \$250 per acre. No more than \$52,500 of the credit can be taken in a single year, and the total amount of state tax credits cannot be more than the taxpayer's total liability for that year. The unique element of South Carolina's credit is that any unused portion can be carried over to future years or sold to other taxpaying entities. Landowners claiming this credit should file Schedule TC-19 with their state income tax return. (For further information, contact the South Carolina Department of Revenue.)

Landowners should always consult with legal and financial advisors in considering a conservation easement. South Carolina has land trusts throughout the state that accept donations of conservation easements.

*For information and names of your local land trusts, contact the South Carolina Land Trust Network or the Land Trust Alliance.*

## Conservation Bank

Signed into law in 2002, the South Carolina Conservation Bank provides funding for protection of natural resources through the conservation of land across the state. First funded in 2004 through the documentary stamp tax for new construction and property transfers, the bank is expected to receive between \$6 million and \$10 million per year to help eligible conservation organizations purchase land and conservation easements through direct grants and low-interest loans. This program is entirely voluntary, and the government will not own any more land through this program.

The Conservation Bank completed its first round of funding in December 2004, awarding \$11 million to protect 25,000 acres, including properties ranging from a Revolutionary War battlefield in Kershaw County to family farms in Horry, Marion and Greenville counties, to a 7-acre parcel in downtown Rock Hill.

Applications and ranking criteria are available online. Final funding decisions are made by a 12-member

## HORRY AND MARION SOIL AND WATER CONSERVATION DISTRICTS

When visitors to the South Carolina coast think of Marion and Horry counties, their vision is often of golf courses and hotels along Myrtle Beach. Local USDA Natural Resources Conservation Services (NRCS) District Conservationists Rebecca Harper and Alex Johnson see a whole different side of the landscape, and they're determined to do whatever they can to keep it that way.

Though commercial and residential development pressures remain strong, Horry County's agricultural production continues to be an important part of its environmental and economic life, with 188,000 acres in farms, and leading the state in tobacco sales (and second in hogs). Marion County, the third leading tobacco county in South Carolina, isn't far behind. Threats to water quality are tremendous, and the efforts of private landowners are crucial to protecting natural resources.

"Farmers are being offered enormous amounts of money to develop their land," says Harper. "Anyone staying in agriculture has a love for what they're doing, and we need to find ways to support them. They want to find ways to be sure these farms are here for their grandchildren."



Photo: Clemson University Public Service and Agriculture

Landowners in both counties have participated heavily in two NRCS programs. Marion County has 11 farms covering 2,068 acres enrolled in the Wetlands Reserve Program, while Horry County has six farms and 944.7 acres.

"Duck hunting is big business in this part of the state, and these programs make sense for landowners interested in improving wildlife habitat," says Johnson.

For the Farm and Ranch Lands Protection Program (FRPP), Horry has six farms enrolled with two more pending, while Marion has two pending.

These two local conservation districts have been the primary partners for the FRPP in South Carolina. "The Soil and Water Conservation District has farmers lined up and waiting to sell their development rights," says Harper. "The Marion and Horry SWCD submitted 39 parcels to the NRCS FRPP this year. Their requested program funding was over \$17.7 million though the entire state allocation was only \$1.3 million."

The newly funded South Carolina Conservation Bank has and will continue to be a big help in providing the necessary local matching funds to participate in the FRPP. In the first round of funding in November 2004, the Bank helped in providing the necessary local matching funds to participate in programs to protect farmland from four farms totaling 1,120 acres in Horry and Marion counties.

appointed board. Application deadlines are in March, July and October. Landowners interested in participating in this program should contact their local land trust to discuss the potential ranking of their property for the Conservation Bank's priorities. Landowners can apply to sell either their entire property or just a conservation easement, after which they can retain traditional control of their land.

*For information, contact the South Carolina Conservation Bank.*

## 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 conservation 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.

### **Heirs' Property Preservation Project**

"Heirs' property" is a form of passing along property so that ownership interest is equally divided among heirs, rather than splitting the property so that each heir is given his or her own piece. It occurs frequently when land is passed along without a will. This issue is particularly important in African-American communities, which have a strong tradition of heir property ownership. Originally intended to keep farms intact within a family, it can result in complicated, highly divided ownership after several generations. This makes decisions on taxes, planting and harvest, participation in conservation programs and land sales very difficult. It also makes the land vulnerable to unwanted partition sales, if one of the owners wishes to receive cash for his or her ownership share.

The Heirs' Property Preservation Project of the South Carolina Centers for Equal Justice can help you work



Photo: Southern SARE

through your heirs' property concerns, including giving you a better understanding of this form of ownership, hazards that could result in the loss of your land and strategies for consolidating ownership among those family members with an ongoing interest in maintaining that land.

*For information, contact the South Carolina Centers for Equal Justice.*

## Farm and Ranch Lands Protection Program

The Farm and Ranch Lands Protection Program (FRPP) is administered by the USDA Natural Resources Conservation Service (NRCS) to provide matching funds to help purchase agricultural conservation easements on productive farm and ranch lands. Originally authorized as the Farmland Protection Program in the 1996 Farm Bill, it became the Farm and Ranch Lands Protection Program in the 2002 Farm Bill. To qualify, landowners must work with state and local governments or non-governmental entities to secure a pending offer with funding at least equal to 50 percent of the land's fair market easement value. The FRPP 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 that they propose to use on the enrolled land. The South Carolina NRCS accepts applications from eligible entities during the annual application window.

*For information, contact American Farmland Trust or the South Carolina USDA Natural Resources Conservation Service.*



Photo: courtesy USDA



## FOOTHILLS FARMLAND PROTECTION TASK FORCE

When Oconee County District Conservationist Heather Stephens heard about the new Grasslands Reserve Program (GRP) in the 2002 Farm Bill, she knew that there would be interested farmers in her county. Although she only had a month to submit applications, she generated 22 proposals from local farmers, requesting \$12 million to help protect their grasslands. After she heard that South Carolina had been allocated \$300,000 for this program statewide, she realized that her efforts had to stretch beyond outreach to local farmers. As she began talking with colleagues in her region of the state, she learned that there was widespread interest in Farm Bill conservation programs and that a concerted effort was needed to secure adequate funding to fill that demand.

This was the beginning of the Foothills Farmland Protection Task Force (FPTF), a collaboration of area Soil and Water Conservation Districts, the NRCS, Foothills RC&D, Upstate Forever land trust, South Carolina Farm Bureau and local farmers. These partners meet periodically with local farmers, citizens and political leaders to discuss outreach opportunities, conservation opportunities through state and federal programs, and increased communication with state and federal elected officials to make them aware of the strong demand for conservation funding amongst area landowners.

In addition to the interest in the GRP, task force members have found many landowners interested in selling an agricultural conservation easement through the Farm and Ranch Lands Protection Program (FRPP). They have emphasized the importance of preserving viable farming communities, rather than just individual farms.

Stephens is awaiting the results of an application to the FRPP and the Conservation Bank for seven landowners to protect over 1,100 acres in the Tokeena Crossroads area. "If we can ensure that a significant block of land will always be available and affordable for agriculture, this gives a young farmer a fair shot at making it," she said. "We want to do whatever we can to give that next generation some hope."

## Forest Legacy Program

The USDA Forest Service and the South Carolina Department of Natural Resources 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 values.

*For information, contact the South Carolina Department of Natural Resources.*



Photo: SC Forestry Commission

## 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 easements, 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 South Carolina 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 South Carolina NRCS evaluates and ranks applications based on selection criteria developed by the South Carolina State Technical Committee.

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

### Land Trusts

Landowners often work with land trusts to protect farmland in South Carolina. Land trusts also partner with state and local governments to ensure that agricultural conservation easements are followed in perpetuity. In addition to holding and monitoring easements, land trusts often play key roles in farmland protection projects and helping landowners receive funding from state and federal programs.

*For information, contact the Land Trust Alliance or the South Carolina Land Trust Network.*

### Rural and Critical Lands Program

The Beaufort County Rural and Critical Lands program purchases land and conservation easements to guide growth and preserve the local environment. Established in 1997 as part of its comprehensive land use plan, this program protects natural resources and the quality of life in this rapidly growing coastal county. In 2000, voters approved a \$40 million bond measure to fund the purchase of land and conservation easements. As of January 2004, the county had used those funds to preserve 8,000 acres at a cost of \$6.8 million.

Given Beaufort County's environmentally sensitive wetlands and long-standing agricultural communities, the board that oversees this program considers a wide range of priority areas and seeks out willing landowners. The program either buys the land outright or pays landowners to restrict development permanently. Properties protected through this program range from a 195-acre conservation easement on the Penn Center tree farm to

a 5-acre county park and boat launch on the site of the historic Bluffton Oyster Company.

*For information, Beaufort County landowners interested in discussing whether their property fits the program priorities should contact the Rural and Critical Lands Program.*

## PENN CENTER AND BEAUFORT COUNTY

Penn Center was established on St. Helena Island in 1862 as the first educational and cultural institution to educate freed slaves along the South Carolina coast. The center has continued to address a variety of community concerns, including housing and health care, agricultural production and marketing, and provision of clean water to the island. Located in the shadow of rapid coastal development, Penn Center faces ongoing challenges in maintaining traditional Gullah culture and communities.

In 2003, Penn Center sold a conservation easement on 195 acres of forestland to the Beaufort County Rural and Critical Lands Program, with matching funding from the USDA's Farm and Ranch Lands Protection Program. In addition to the permanent restriction on development, the Penn Center will be developing a conservation plan with the USDA Natural Resources Conservation Service to protect soil and water resources on the land.

By combining the resources of these two programs, Beaufort County was able to leverage additional federal funds for the protection of a historic local institution, and the USDA was able to protect productive soils and an important cultural resource from mounting development pressures. Together, this partnership can provide an educational opportunity while demonstrating how to earn an income from the land for future generations of Sea Island children.



Photo: Clemson University Public Service and Agriculture



Photo: Clemson University Public Service and Agriculture

## II. Tax Reduction and Exemption Programs

Tax incentives are widely used to support the economic vitality of local agriculture. As rural land comes under pressure for new residential, commercial and industrial development, property taxes rise—often beyond the reach of farmers. Competition for land at its “highest and best use” can drive land values up beyond their current or agricultural value, at the same time driving up state and local real property taxes. As business operators, farmers make major expenditures on equipment and inputs, so sales taxes also can take a significant bite out of their bottom line. Finally, as their land and other farm assets increase in value over time, farmers face estate planning concerns when passing on the farm to the next generation. Fortunately, farmers can take advantage of South Carolina’s tax relief programs and plan their estates to accomplish farm and family goals.



Photo: USDA

### Property Taxes

#### **Differential Assessment**

Differential assessment allows for bonafide agricultural property to be taxed at its use value, rather than its market value for development. In South Carolina, the agricultural use value rate is 4 percent for individually owned farms and 6 percent for corporately owned farms. Timberland must be at least 5 acres to qualify, and cropland must be at least 10 acres. However, there are conditions under which smaller plots of land are eligible, depending on their location and income produced.

When the property is converted out of agricultural use, the owner must pay rollback taxes. These taxes are calculated based on the difference between the agricultural use value and the market value for the previous five years. Owners of agricultural land need to apply to the county tax assessor to receive this special assessment.

#### **Ad Valorem Taxes**

All farm equipment, livestock, greenhouses and agricultural products are exempt from property taxes. No application is required to receive these exemptions.

*For information, contact the Department of Revenue or your local tax assessor's office.*

#### **Sales and Use Tax**

A state 5 percent sales tax is imposed on retail sales of tangible personal property (items) in South Carolina. The state 5 percent use tax is imposed on items purchased from out of state that would be subject to sales tax if purchased in South Carolina. The purpose of the use tax is to complement the state sales tax. In addition to the state's basic rate, some counties currently impose a local sales and use tax of 1 to 2 percent.

However, the sales and use tax law provides several exemptions for agriculture, as outlined in South Carolina Code §12-36-2120. Exempt items include livestock, feed, agricultural chemicals and soil conditioners, seeds and seedlings, farm machinery and parts, and containers used for the sale of agricultural items. Farmers who want to use this exemption should complete a copy of Department of Revenue Form ST-8F (Agricultural Exemption Certificate) and have it on file with each retailer with whom they make sales or purchases.

Farm products also can be sold tax-free, as long as the product is sold by the producer or by members of the producer's immediate family; the product must also be sold in the original state of production, with no further processing.

*For information, contact the South Carolina Department of Revenue or visit*

<http://www.sctax.org/Tax+Workshops/Sales+and+Use+Tax+Manual.htm> - *Agriculture for detailed information on these exemptions.*



Photo: SC Department of Agriculture



### III. Farm Enterprise Development

South Carolina farm families face falling commodity prices, changes in the global economy and a new tobacco economic landscape. To consider long-term conservation options, they need to believe that profitability is possible. The state offers several programs to help landowners consider new opportunities to earn income from their property.

### Agribusiness Development

The SCDA Agribusiness Development Program assists the development of industries that use South Carolina's agricultural products. The program supports the development of new products and helps businesses add value to local crops and livestock.

*For information, contact the South Carolina Department of Agriculture.*

## GULLAH GRUB

"We're all about food here," says Liz Santagati, Director of the South Carolina Coastal Community Development Corporation (CDC), as she describes the Gullah community on St. Helena Island. "It's what has always brought us together, and it's where our future lies if we hope to keep this community and our heritage intact."

The Gullah culture, which has survived from West Africa through the slave trade to the Sea Islands since the 1600s, became threatened when bridges were built to formerly isolated islands in the 1950s. With the rapid influx of vacationers and retirees to the coast in the past 50 years, the community is increasingly endangered.

"We're a tight-knit community, but some people are being offered more money for their land than they've ever seen in their lives," continued Santagati. "We're working hard on educating folks about the importance of holding on to that land and protecting what our ancestors worked so hard to build. Our next step is helping them figure out ways to make that land pay off economically while they use it, rather than needing a sale to get a return."

The first step was the creation of a community shared-use kitchen to spur entrepreneurship and the demand for local agricultural and seafood products. This licensed commercial kitchen, which can be rented for a variety of food-related enterprises such as catering and value-added processing, is used by five new businesses on a regular

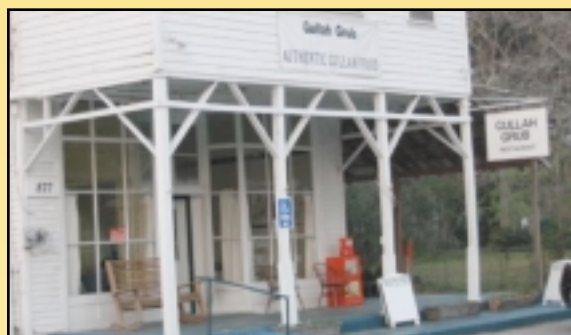


Photo: Gerry Cohn

basis, with other groups coming in periodically. A key client of the kitchen is the Gullah Grub Restaurant, which offers traditional Gullah cuisine from a renovated historic house in the center of the community along Highway 21. The CDC also offers a range of business planning and development services and facilities for local citizens.

In another move to stabilize the land base, the CDC worked with the Beaufort County Planning Department on the development of a St. Helena Corners Area Community Preservation Plan, which became a part of the county Comprehensive Land Use Plan. The community identified goals and priorities to maintain integrity and improve economic opportunities for local businesses and individuals.

CDCs are community-based nonprofit organizations, whose primary mission is the improvement of low-income communities through economic and related development. Their activities are controlled through local people seeking to create a stronger climate for reinvestment in their communities. The South Carolina Association of CDCs provides support and resources to these local efforts across the state.

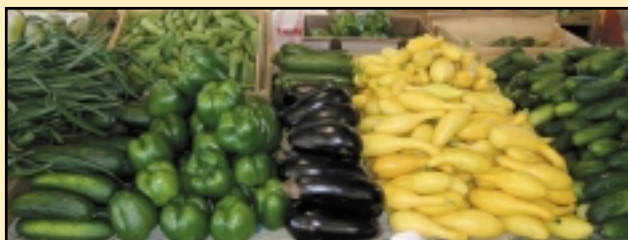


Photo: SC Department of Agriculture



Photo: SC Department of Agriculture



Photo: SC Department of Agriculture



Photo: SC Department of Agriculture

## Cooperative Extension

The Cooperative Extension Services of Clemson University and South Carolina State University provide information and research results from the universities to citizens across the state. The Cooperative Extension system has an office with agents in all 46 of the state's counties. These extension agents can provide publications and expert assistance to experienced farmers and newcomers alike on production techniques, enterprise development and home economics.

*For information, contact your county Cooperative Extension office.*

## Forestry

*A Landowners Guide to Forestry in South Carolina* published by the SC Forestry Association and SC Sustainable Forestry Initiative Committee is an excellent step-by-step approach to timber sales for individual landowners thinking about harvesting their trees (<http://www.clemson.edu/extfor/SC%20Landowners%20Guide.pdf>).

## Small Farms Program

The South Carolina Department of Agriculture's Small Farms Program provides assistance to small family farmers. Special importance is placed on farmer owned marketing cooperatives, land retention, alternative land use and community development. The program also provides assistance with identifying and securing financial resources and locating profitable markets.

*For information, call the South Carolina Department of Agriculture.*

## Sustainable Agriculture

Rising consumer interest in locally and organically grown food is leading many farmers to examine new production and marketing techniques. The Carolina Farm Stewardship Association is a nonprofit organization working to build a network of farmers, consumers and businesses around a sustainable food system. It can assist landowners in locating resources and expertise to assist in the development of new on-farm and value-added enterprises.

*For information, contact the South Carolina office of the Carolina Farm Stewardship Association.*



## IV. Land Conservation and Stewardship

All South Carolinians agree on the important role that landowners play in stewardship of natural resources for future generations. Federal, state and local agencies collaborate through several voluntary programs to help landowners achieve their conservation goals.

### 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 information about the Conservation Reserve Program, contact a Farm Service Agency representative at your local USDA Service Center.*



Photo: Ben Williamson

### 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



Photo: Clemson University Public Service and Agriculture

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. All privately owned land that meets established soil and water quality criteria is eligible. There is an annual sign-up period for the program.

*For information about the Conservation Security Program, 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 information on land eligibility and application procedures, contact a Farm Service Agency 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 from 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 information about the Emergency Watershed Protection program, contact an NRCS representative at your local USDA Service Center.*



Photo: Clark Surratt

## Environmental Quality Incentives Program

The Environmental Quality Incentives Program (EQIP) pays up to 50 percent of the cost for producers in South Carolina to implement structural and management practices on eligible agricultural land. Higher cost-share percentages may be available to Limited Resource Producers and Beginning Farmers (<10 years in

business). The Limited Resource Producer and Beginning Farmer must self certify they meet the criteria. Authorized by the 1996 Farm Bill, EQIP is open to any producer engaged in livestock, forestry or crop production on eligible land.

EQIP provides technical and financial 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 animal waste storage facilities, grassed waterways, grade stabilization structures, livestock watering facilities and stream bank stabilization.

In South Carolina the NRCS offers EQIP cost sharing on a county-by-county basis. The state Technical Committee has identified a set of natural resource concerns that landowners can use EQIP funds to address. EQIP allocations may vary between counties. While the South Carolina NRCS accepts applications on a continuous basis, it evaluates applications and awards contracts during established ranking periods.

*For information about the Environmental Quality Incentives Program, contact an NRCS representative at your local USDA Service Center.*

## Farm Pond Management

The South Carolina Department of Natural Resources (DNR) can help with the construction and management of farm ponds. Its Farm Pond Management Guide <http://www.dnr.state.sc.us/wild/freshfish/img/fishpond.pdf> provides landowners with an overview of issues surrounding the construction and ongoing productivity of ponds.

*For information, contact the Department of Natural Resources Wildlife & Freshwater Fisheries Division.*

## Forest Management Assistance

With \$14 billion of annual contribution to the state economy, forestry is South Carolina's third largest industry. With two-thirds of the state's forests in private lands, management of forest resources rests in the hands of many landowners across the state.

The South Carolina Forestry Commission can help landowners with various aspects of managing their forests. If this work is to take place on a large tract or require a highly detailed plan, the Forestry Commission may refer landowners to private forestry consultants to provide the necessary assistance.

For generations, forest landowners have used prescribed burns to control underbrush and enhance wildlife



habitat. The Forestry Commission can provide a free prescribed burning plan to minimize smoke and wildfire hazards. For a reasonable fee, its employees can conduct the burn, taking all necessary precautions to ensure a safe procedure.

Landowners planning to harvest timber can receive free advice on marketing forest products, the bidding process, and sample contracts to use with potential buyers. For a fee, the Forestry Commission can also mark trees for cutting and provide a report on the volume of marketable timber in advance of the harvest.

The Forestry Commission can also provide a Best Management Practices exam to identify potential environmental concerns in advance of any harvest. This free service allows the landowner to provide a written report to the logger before cutting begins to ensure that natural resources are protected throughout the process.

Finally, the Forestry Commission can provide reforestation assistance after the harvest is complete or on any open areas that the landowner wants to put into trees. The commission can offer suggestions on the best species to plant, optimal spacing and control of competing vegetation. It will also help locate seedlings, contractors and any potential cost-share aid.

The Cooperative Extension Service is responsible for assisting forest landowners through educational activities (meetings, demonstrations, tours, and farm visits) so that landowners can make informed forest management decisions for their property. These programs cover management of different timber species, timber taxation, forest herbicides, state and federal programs, and other educational needs.

*For information, contact the South Carolina Forestry Commission or Cooperative Extension Service.*



Photo: Clemson University Public Service and Agriculture

## BEN WILLIAMSON

Ben Williamson has done a little bit of everything in his 40 years on his family's Darlington County farm. Williamson was the 2004 winner of the Steward of the Land award, American Farmland Trust's national recognition of a farmer who best combines profitable and innovative farming practices with conservation of natural resources.



Photo: Ben Williamson

He grew up on the traditional staples of corn, soybeans, tobacco, cotton, and beef cattle. When he returned to the farm after college, he became concerned about pollution in nearby Black Creek. As part of a long struggle to control industrial pollution in the creek, he convinced his father to look at ways that the farm could contribute to improved water quality. The Williamsons began to experiment with techniques to reduce their chemical use on the farm, both to improve their bottom line and reduce any impact they might be having on Black Creek. They also began growing soybeans organically, later adding organic tobacco and garlic, grass-fed beef on organic pastures, and conventionally grown ornamental and shade trees to the diversified farming operation.

Another of Williamson's interests is his family's woodland, which has been carefully logged and managed over the past 75 years. Like his father before him, Williamson practices selective cutting and natural regeneration; he now maintains an uneven-aged timber stand. Loggers cooperate to minimize damage to soil, wildlife habitat and other trees.

"The great part is that in most instances, our approach of selective cutting and natural regeneration has given us a better return on our investment than the conventional practice of clear-cut, site prep and plant," notes Williamson. "And this doesn't count the value of the forest to the other creatures who depend on it. We humans are just a part of a larger community."

Williamson is currently working with his family on permanently protecting his farm for agricultural use with a conservation easement. "It's not an easy process or decision to agree on restrictions that will last forever," he says, "but I think it's important to have land that is dedicated to agriculture and conservation."

## Forest Renewal Program

The Forest Renewal Program (FRP) provides assistance to landowners interested in reforestation and improving their woodlands. Administered by the South Carolina Forestry Commission, the FRP is funded 80 percent by a tax on wood processed by the state's forest industry and 20 percent by state appropriations.

Qualifying landowners can receive cost-share support to reforest cutover land, plant open land or improve woodlands. Participants can receive approximately 40 percent of the statewide average cost of a particular practice. The balance of the cost is the landowner's responsibility.

In addition, technical assistance is provided by the South Carolina Forestry Commission to help carry out forestry work. A commission forester will advise on which species of trees to plant, what site preparation is needed for planting, which herbicides to use or which trees to remove from the woods. The forester will provide a Forest Management Plan, which will include recommendations for cost-share practices.

*For information, contact the South Carolina Forestry Commission.*



Photo: SC Forestry Commission

## Forest Stewardship Program

Established by the USDA Forest Service in 1991, the Forest Stewardship Program provides technical assistance to any private landowner with at least 10 acres of woodlands. The South Carolina Forestry Commission is the lead organization in this multi-agency partnership, which will arrange for a forester,

wildlife biologist and other natural resource professionals 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. The program can also help seek cost-share assistance to implement aspects of the plan. As a landowner carries out this plan, he or she may also be awarded a renewable, five-year Stewardship Forest Certification and a sign to distinguish the land as a Stewardship Forest.

*For information, contact the South Carolina Forestry Commission.*

## Power for Wildlife

Funded by electric power companies and electric cooperatives, the Power for Wildlife program provides cost-share funding and management assistance to improve wildlife habitat beneath power transmission lines. Landowners, wildlife organizations and hunting clubs are all eligible to apply for grants for this competitive program by outlining a five-year plan for management of eligible land. Power for Wildlife is a collaborative effort between the electricity providers, the NRCS, the South Carolina Department of Natural Resources (DNR), Soil and Water Conservation Districts, and Resource Conservation and Development Councils.

*For information, contact your local Soil and Water Conservation District Office.*

## Safe Harbor for Red-Cockaded Woodpecker

Established as a cooperative project between the U.S. Fish and Wildlife Service and the DNR in 1999, the Safe Harbor Program assists landowners interested in increasing habitat for the Red-Cockaded Woodpecker (RCW). The RCW, an endangered species found only in



Photo: USFWS, John & Karen Hollingsworth



the Southeastern U.S., thrives in open older pine stands maintained by controlled burning. Landowners can create individual management agreements with the DNR to conduct practices beneficial to improving RCW habitat. As long as the landowners follow the management plan, they will not be required to comply with any additional restrictions (as generally required under the Endangered Species Act) should the RCW population increase. In addition, landowners may be eligible for cost-share assistance for implementing the management plan.

*For information, contact the U.S. Fish and Wildlife Service.*

### Scenic Rivers Stewardship Program

The Scenic Rivers Program began in 1989 to encourage a voluntary, community-based approach to conservation goals along the state's waterways. If the General Assembly designates the river as a State Scenic River, landowners and other interested community partners work together to develop a scenic river management plan to suggest long-term strategies to protect the beauty of the river corridor. Individual landowners can participate in this program in several different ways. These range from voluntary registration of their land to a management agreement to donation of a conservation easement or a piece of land.

*For information, contact the South Carolina Department of Natural Resources.*

### 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 or pasture and must be restorable and suitable for wildlife. The South Carolina NRCS accepts applications for WRP on a continuous basis.

*For information about the Wetlands Reserve Program, 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. 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 ten years. In exchange, NRCS provides up to 75 percent in cost-share assistance to implement the plan. A contract cannot exceed a maximum of \$10,000 in cost share. Interested producers may file an application at any time with the South Carolina NRCS. In South Carolina, WHIP is a competitively ranked program in which applications with the highest wildlife benefits receive priority for funding.

*For information about the Wildlife Habitat Incentives Program, contact an NRCS representative at your local USDA Service Center.*



Photo: Clemson University Public Service and Agriculture

## V. Resources

### **American Farmland Trust**

336-221-0707  
<http://www.farmland.org/>

### **Carolina Farm Stewardship Association**

803-779-1124  
<http://carolinafarmstewards.org/>

### **Land Trust Alliance**

202-638-4703  
<http://www.lta.org/>

### **Rural and Critical Lands Program**

Beaufort County  
843-470-2724  
<http://www.co.beaufort.sc.us/Planning/planning.asp>

### **SC Association of Community Development Corporations**

843-579-9855  
<http://www.communitydevelopmentsc.org/>

### **SC Centers for Equal Justice**

888-720-2320  
<http://www.centersforequaljustice.org/heirs.htm>

### **SC Conservation Bank**

803-734-3986  
<http://sccbanc.sc.gov/>

### **SC Cooperative Extension**

**County Office Locator**  
864-656-3382  
<http://www.clemson.edu/extension/counties1.htm>

### **SC Department of Agriculture**

803-734-2210  
<http://www.sceda.state.sc.us/>

### **SC Department of Natural Resources Land, Water, and Conservation Division**

803-734-9100  
<http://www.dnr.state.sc.us/lwc/index.html>

### **SC Department of Natural Resources Wildlife & Freshwater Fisheries Division**

803-734-3886  
<http://www.dnr.state.sc.us/wild/index.html>

### **SC Department of Revenue**

Sales and Use Tax Office  
803-898-5788  
<http://www.sctax.org/default.htm>

### **SC Farm Bureau**

803-796-6700  
<http://www.scfb.org/>

### **SC Forestry Commission**

803-896-8800  
<http://www.state.sc.us/forest/>

### **SC Land Trust Network**

<http://www.dnr.state.sc.us/lwc/scltn/members.htm>

### **SC State University Cooperative Extension**

803-536-8555  
<http://www.1890aea.org/directory/scsu.asp>

### **Soil and Water Conservation District**

**Local Office Locator**  
<http://www.dnr.state.sc.us/lwc/conservation/districts/index.html>

### **USDA Natural Resources Conservation Service**

803-253-3935  
<http://www.sc.nrcs.usda.gov/>

### **USDA Service Centers**

<http://offices.usda.gov>

### **U.S. Fish and Wildlife Service**

**Clemson Field Office**  
864-656-2432  
<http://rcwrecovery.fws.gov/>

*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.

**NATIONAL OFFICE**  
1200 18th Street NW, Suite 800  
Washington, DC 20036  
(202) 331-7300  
(202) 659-8339 FAX  
[www.farmland.org](http://www.farmland.org)

**FARMLAND INFORMATION CENTER**  
One Short Street, Suite 2  
Northampton, MA 01060  
(800) 370-4879  
(413) 586-9332 FAX  
[www.farmlandinfo.org](http://www.farmlandinfo.org)

