

Van Buren Agricultural PDR Committee Purchase of Development Rights Scoring System

Introduction

Part 362 of the Natural Resources and Environmental Protection Act, Act 451 of 1994 as amended (NREPA), created the Agricultural Preservation Fund and the Agricultural Preservation Fund Board. The purpose of the fund is to provide matching dollars to qualifying local units of government Purchase of Development Rights Programs. In order to qualify for participation a local unit of government must:

1. Have a comprehensive plan that has been adopted within the last 10 years and reviewed and/or updated within the last 5 years that contains an agricultural preservation component, and
2. Have adopted a purchase of development rights ordinance that includes a method to select parcels for possible purchase and also includes a method to determine the price to be paid for those development rights, and
3. Provide for funds to match the State grant.

In order to fulfill a portion of the requirements listed above, the following scoring system is currently being developed by the Van Buren Land Preservation Alliance workgroup, which was authorized by the Van Buren County Board of Commissioners in April 2003, and revised in 2024. In a series of meetings, the workgroup determined the following factors would be considered in reviewing purchase of development rights applications in their townships.

- A. Agricultural productivity of the land. (190)
- B. Creation of blocks of preserved farmland. (140)
- C. Matching funds available to assist in the acquisition. (110)
- D. Type of agricultural production and local economic impact. (220)
- E. Development pressure occurring in the vicinity of the farmland. (80)
- F. Conservation values/practices of and on the land. (170)
- G. Public access. (30)
- H. Discretionary. (60)

These factors were then weighted using a pair-wise comparison system to determine the number of possible points that would be awarded to an application based on a 1,000 point scale. The numbers listed next to each of the criteria above indicate the maximum number of points an application may receive in any one category. Upon determining the maximum points for each category, the workgroup developed objective methods to measure the criteria. The result is the scoring system that follows.

**THE VAN BUREN LAND PRESERVATION ALLIANCE
PURCHASE OF DEVELOPMENT RIGHTS PROGRAM
SCORING SYSTEM**

Applications are to be submitted for purchase of development rights using the scoring system listed below. There are a total of 1,000 possible points for each application. Scored applications will be reviewed by the Van Buren County Land Preservation Board (LPB). Final selections will be made by the LPB with approval from the County Board of Commissioners for submission to the state and federal governments for matching funds if applicable.

MINIMUM REQUIREMENTS (All applications must meet these minimum requirements in order to apply.)

1. At least 51% of the land in the nominated parcel must be devoted to an agricultural use as defined in Part 362 of NREPA.
2. The owner of record must sign the application.
3. Mineral rights must be either owned by the landowner or must be subordinated when the development rights are acquired.
4. The nominated parcel must be at least 20 acres in size, unless the parcel is located adjacent to already preserved land or is a viable agricultural entity. (If the parcel is less than 20 acres in size, the landowner must provide written documentation that the land is in active agriculture. The LPB will review requests for consideration of parcels less than 20 acres in size on a case-by-case basis to determine if the development rights should be considered for purchase based on proximity to other preserved lands or the viability of the parcel for agricultural use.)

A) AGRICULTURAL PRODUCTIVITY - 190 possible points

Priority is placed on prime productive farmland and/or farmland that has unique or locally significant growing characteristics. Farmland can be considered prime or unique if it meets the USDA definition for prime and unique or locally significant soils as defined in the USDA Soil Conservation Service Soil Survey of Van Buren County, Michigan issued in September, 1986. Information defining prime productive soils is listed on Table 5 on page 97. Soil types mentioned in Table 7, page 101 are examples of locally significant soils suitable for growing specialty crops. All soil types existing in the county, maps of their locations and descriptions of productivity are available in that reference book. The percentage of prime, unique, or locally significant farmland is the number of prime, unique, or locally significant acres divided by the total acres in the application.

- Points to be determined by multiplying the % of prime, unique, or locally significant acres multiplied by 190 to receive a score between 0 and 190. Prime, unique, or locally significant acres to be verified by Natural Resource Conservation Service District Conservationist or Michigan State University Extension Agent.

B) CREATION OF BLOCKS OF PRESERVED LAND - 140 possible points

It is important to protect blocks of agricultural land, thus protecting the public investment in farmland preservation, as well as providing for an adequate economic base for continued agriculture in the area. Blocks of farmland also help minimize land use conflicts and help provide a buffer to interior farming operations. Emphasis is placed on farmland located in an area in which the potential for future development of surrounding farmland is restricted.

1. Proximity to permanently preserved land – 70 points

Parcel is near other permanently preserved farmland, publicly owned land, conservation land, or conservation easements.

- Parcel is directly adjacent to preserved land with at least 70 points
500 feet of shared boundary
- Parcel is not adjacent but within ½ mile of preserved land..... 40 points
- Parcel is not adjacent but between ½ to 2 miles of 20 points
preserved land

1. Parcel Size – 70 points

Priority is placed on larger parcels to help promote more economically viable agricultural production units. One point is awarded for every two acres over 20, for a maximum of 70 points, for parcels 160 acres or larger in size.

Example: 80 acre parcel = $80(\text{parcel size}) - 20 (\text{minimum parcel size}) = 60 \text{ acres}$
 $60(\text{acres})/2 = 30 \text{ points}$

C) MATCHING FUNDS - 110 possible points

Emphasis will be placed on parcels that have matching funds. Matching funds may be money contributed by public, private or non-profit sources or can be via an offer by the landowner to accept an offer less than the purchase value of the development rights and donates the remaining portion of their development rights value. A letter of commitment regarding matching funds must accompany the application. The total number of points possible for this category is 110.

1.2 points will be awarded for every 1% in matching funds to a maximum of 110 points.

- Example:
- 1) 25% match = 30 points
 - 2) 50% match = 60 points
 - 3) 95% match = 110.0 points ($95 \times 1.2 = 114.0$, capped at 110)

D) TYPE OF AG PRODUCTION/LOCAL ECONOMIC IMPACT - 220 possible points

Van Buren County agriculture production is diverse and ranges from commodity-based products, such as corn and soybeans, to fruit and vegetable crops. The county ranks 1st in the State in the number of acres in blueberry and cucumber (processing) production, 2nd in grapes, and 3rd in apples and asparagus. These crops are considered “specialty crops” and are economically valuable to the county because of their high value/acre, their connection to local processing, and ability to direct market to the consumer.

1. Specialty Crop – 180 points

A specialty crop (defined as a vegetable, tree fruit, grapes, or blueberries) is grown on the parcel.

2. Commodity Crop – 90 points

Commodity crops (defined as corn, soybeans, wheat, barley, oats, etc.) are grown on the parcel.

3. Hay Crops – 45 points

Hay crops (defined as alfalfa, timothy, grass, etc.) are grown on the parcel.

4. Pasture – 30 points

Land in pasture is grown on the parcel.

- Points to be determined for items 1-4 by multiplying the % of the parcel currently in specialty crops, commodity crops, hay crops, or pasture (verified by the LPB), times the total possible points assigned to each crop type and adding the products of each together to receive a score between 0 and 180.

5. Crops produced that are locally processed – 40 points

An additional 40 points may be earned for parcels producing crops that are locally processed in Van Buren County or adjoining Michigan counties. Points are determined by multiplying the percent of the parcel on which a crop is grown that is locally processed (verified by the LPB), times 40 to receive a score between 0 and 40.

E) DEVELOPMENT PRESSURE – 80 possible points

1. New residential or commercial wells in township – 18 points

New construction in rural areas is typically accompanied by the drilling of wells for residential water use. Consequently, the number of well permits issued is a relatively accurate measure of rural development pressure in a community. Townships will be ranked 1 through 18 using the number of well permits issued in the prior year with the lowest ranking given to the township having the least number of well permits. The nominated parcel will be awarded points equal to the township ranking, i.e., if the parcel is located in the township ranked 16, 16 points will be awarded.

2. Residential construction – 18 points

Development pressure can also be determined simply by measuring the rate of residential growth in an area. Priority is given to those communities having the highest rate of residential increase. Townships will be ranked 1 through 18 by dividing the number of residential building starts in the most recent year by the total number of residential units constructed in the past 3 years in the particular township with the lowest ranking given to the township having the lowest growth rate. The nominated parcel will be awarded points equal to the township ranking, i.e., if the parcel is located in the township ranked 16, 16 points will be awarded.

- 3. Road frontage (limited access freeways not considered) – 22 points**
- No road frontage 0 pts
 - Road frontage less than ¼ mile..... 6 pts
 - Road frontage is ¼ mile or more but less than ½ mile 11 pts
 - Road frontage is ½ mile or more, but less than ¾ of a mile 17 pts
 - Road frontage is ¾ miles or more 22 pts
- 4. Proximity to freeway interchange (public road distance) – 22 points**
- Less than 1 mile 0 pts
 - 1 mile or more away but less than 5 miles 22 pts
 - 5 miles or more away 11 pts

F) CONSERVATION PRACTICES/VALUES – 170 possible points

1. Conservation plan in place on parcel – 80 points

Once farmland is preserved it is important to protect the existing conservation values by practicing sound stewardship of the resources associated with the parcel. This can be partially achieved by having a conservation plan in place on the parcel. This also protects the public investment that went into preserving the farmland. Applicant must have documentation of a conservation plan on file with the USDA-NRCS to receive 80 points.

2. Unique Natural Resource and Open Space Features – 55 points

Conservation values, other than farmland, may be present on a parcel submitted for consideration for farmland development rights purchase. A parcel may earn up to 55 points for significant natural resource features including natural water bodies and water courses, sand dunes, wildlife habitat, wetlands, and other open space as follows:

- From 0 and up to 10% of the parcel.....0 pts
- From 10 and up to 20% of the parcel 14 pts
- From 20 and up to 30% of the parcel 28 pts
- From 30 and up to 40% of the parcel 42 pts
- From 40 and up to 49% of the parcel 55 pts

3. Water Accessibility – 35 points

- A parcel having frontage on a major stream that drains more than 640 acres.....35 pts
- A parcel having frontage on a minor stream that drains between 100 and 640 acres.....25 pts
- A parcel having frontage on a stream that drains less than 100 acres or has a year-round spring, pond, or lake of 3 acres or more.....15 pts

4. Certified Endangered and/or Threatened Species – 170 points

Requires certified evidence, acceptable to the LPB, that a state endangered and/or threatened species inhabits the natural areas of the property and a management plan to protect such species has been developed.

G) PUBLIC ACCESS – 30 possible points

30 points are awarded for a farmland parcel that is enrolled in a state or locally recognized public access program. [e.g., Michigan DNR Hunter Access Program (HAP)]

H) DISCRETIONARY – 60 possible points

The LPB may award additional points to each application based on additional characteristics which considers additional values of the parcel or demonstrate additional efforts by the applicant to complement broader farmland preservation efforts. The LPB retains the right to withhold additional points but in awarding points will provide the basis for the additional points.

In awarding discretionary points, the LPB may consider:

1. Historical characteristics.
 - Centennial Farm
 - State or federal historic nomination or designation
2. Archeological characteristics.
3. Geographical characteristics.
 - Scenic vistas
 - Proximity to and/or frontage on a major thoroughfare
4. Enrollment in PA 116.
5. Management practices consistent with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices.
6. The extent to which the awarding of the grant will act as a demonstration project in the community to further the goals of farmland preservation.
7. The extent to which the community has established a longer-term funding commitment to protect additional farmland in the future (e.g., bonds, millages, etc.).