

Protecting Virginia's Horse Country: Conservation Strategies That Pay Off

By Robert Banner

Virginia has always been a progressive state when it comes to conservation. When you consider the many heart-stopping views, valleys, and vistas framing up centuries of history, this comes as no surprise. The Route 15 corridor from Leesburg to Charlottesville hosts the homes of several of our first presidents and countless Revolutionary and Civil War battlefields. Virginia also hosts more than 15 recognized foxhunts and the nation's oldest horse show in Upperville. But Virginia is more than just horse land; it is the heartland of our nation.



Growing a forest doesn't happen overnight, but in 5 years, you can establish an effective stand that will only grow as a filter for groundwater runoff and a habitat for all wildlife.

Consequently, Virginians are committed to protecting their land. Devising programs that will truly take hold requires a system of rewards with real value. As the saying goes, "If it pays, it stays." Here are two Virginia programs that actually pay big dividends and offer maximum protection. Perhaps your state would benefit from adopting similar programs.

Conservation Easements

A conservation easement is a legal agreement between a landowner and a conservation organization or government agency that restricts the development or alteration of the land to protect its natural, historical, or ecological values. It allows landowners to retain ownership while ensuring long-term preservation of the land. Depending on the terms of the easement, landowners can continue using the land for its designated purpose, such as operating a horse farm, as long as the use aligns with the easement's conservation goals.

Of course, you can receive substantial federal tax deductions for protecting your property anywhere in the nation, and while many states offer tax credits for conservation easements, [Virginia's Land Preservation Tax Credits \(LPTC\)](#) provide additional tax benefits. The LPTC are worth 40% of the easement value, making them the most generous in the country. This is one reason why Virginia has one of the nation's highest concentrations of conservation easements.

Unlike federal tax deductions, Virginia's Land Preservation Tax Credits are transferable and can be sold to anyone with a Virginia state tax liability at a slight discount. This allows sellers who have already satisfied their own tax obligations to sell the credits. The seller receives payment directly for protecting their land, while the buyer can use the

credits to offset their state tax at a 10% to 12% discount. Many taxpayers in Virginia incorporate this into their annual tax strategy.

Nutrient Trading

In 2005, the Virginia Department of Environmental Quality (DEQ) launched its [nutrient trading program](#) to address nutrient pollution—mainly from fertilizer, manure, wastewater, and stormwater runoff—entering the Chesapeake Bay from cropland in the headwaters. This pollution fueled harmful algae blooms and the creation of the Bay’s loathsome dead zone.

Virginia’s nutrient trading program is a market-based approach that allows developers downstream to offset their stormwater management by purchasing credits from landowners or organizations that have implemented practices to reduce pollution runoff. These credits are earned through activities like installing best management practices or restoring wetlands, helping to meet the state's water quality goals, especially in the Chesapeake Bay watershed.



You can imagine the impact that the roots of 10-year-old trees will have filtering ground water runoff from nearby crops or livestock.

The DEQ’s plan rewards landowners for planting trees in strategic areas where their root systems filter groundwater runoff, keeping excess nutrients in check. The more sensitive the area, the greater the reward in the form of tradable credits, which can be sold to real estate developers downstream. A key element of the program is that the state legislature requires developers downstream to buy these credits to permit their projects, ensuring that private industry, not taxpayers, funds the restoration efforts.

One example of a horse property that has taken advantage of Virginia’s Nutrient Trading program is the Great Meadow Foundation in The Plains, an elite equestrian facility that features polo, steeplechase, jumpers, dressage, and outdoor events for the local community.

Here's the icing on the legislative cake: Virginia law grants public bodies that hold easements (such as the DEQ or a local government) the authority to negotiate or even block the eminent domain actions of public utilities. This means that transmission lines, which threaten to disrupt scenic views for the sake of powering data centers, can be delayed or blocked by existing

conservation efforts, like trees protected under the DEQ program or conservation easements held by local counties.

In Virginia, savvy conservationists often utilize both conservation easements and nutrient banks as a dual strategy. They ensure that both types of easements are held by public bodies. Depending on where you are located, this not only can help protect the land from development, but also can provide financial incentives for doing the right thing—offering an extra layer of protection and potentially earning substantial compensation.

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