

2000 SESSION

INTRODUCED

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HOUSE JOINT RESOLUTION NO. 261

Offered January 24, 2000

Requesting the Virginia Department of Transportation and other agencies that exercise eminent domain powers to recognize the inestimable value of farm and forest lands.

Patron—Orrock

Referred to Committee on Transportation

WHEREAS, agriculture, forestry, and related enterprises comprise a significant segment of the Commonwealth's economy; and

WHEREAS, the preservation of lands used for agriculture, forestry, and related enterprises should be encouraged; and

WHEREAS, Virginia has lost an average of 45,000 acres of prime farmland each year during the past decade, according to the American Farmland Trust, and the loss of these lands undermines the Commonwealth's food and forest production capacity; and

WHEREAS, Chapter 3.2 (§ 3.1-18.4 et seq.) of Title 3.1 of the Code of Virginia provides that state agencies shall encourage the preservation of important farmlands in adopting regulations and undertaking capital projects; and

WHEREAS, the Agricultural and Forestal District Act requires local government approval to be obtained prior to any exercise of eminent domain in an agricultural or forestal district; and

WHEREAS, despite the existence of these laws, conversion of farm and forest lands to urban uses still occurs as a result of state agencies, particularly the Virginia Department of Transportation (VDOT), exercising eminent domain powers; and

WHEREAS, if there is no alternative to taking agricultural or forest land, VDOT and other agencies should, in determining the compensation to be paid to the landowner, consider not only the fair market value of the land, but also its critical role in defining the character of the Commonwealth and the quality of life of its citizens; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Department of Transportation and other agencies that exercise eminent domain powers be requested to recognize the inestimable value of farm and forest lands.

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