

Form Application for a Land Preservation Credit

LPC-1

Donations recorded on or after July 1, 2015 must file a complete Form LPC-1 on or before December 31 of the calendar year following the year the donation was recorded.



- **Acknowledgment of receipt by the Department of Taxation of this application form does NOT constitute certification, approval, or validation of the donation or of the credit valuation.**
- Before completing Form LPC-1, please read the instructions.
- To avoid delays at the time of annual return processing, Form LPC-1 should be filed by the applicant within 90 days of the donation, but at least 90 days before filing your annual return. Applications for tax credits of \$1 million or more should be submitted at least 120 days before filing an annual return.

Mail form, enclosures, and payment (if applicable) to:

**Virginia Department of Taxation
Tax Credit Unit
P.O. Box 715
Richmond, VA 23218-0715**

For general assistance, call (804) 786-2992.

For assistance regarding Sections IV, V, and Schedules B & C, call (804) 371-5218.

Also send a copy of form and specified enclosures (see What To Enclose) to:

Department of Conservation & Recreation, Tax Credit Program, 600 East Main Street, 24th Floor, Richmond, VA 23219

Section I – Applicant Information

A) Applicant Type - Check One			
<input type="checkbox"/> Individual Taxpayer	<input type="checkbox"/> Married Donors	<input type="checkbox"/> Multiple Donors	<input type="checkbox"/> Trust/Estate
<input type="checkbox"/> Corporation	<input type="checkbox"/> Non-Profit	<input type="checkbox"/> Other Entity - Specify _____	<input type="checkbox"/> Pass-Through Entities
B) Applicant Name (As Shown on Deed)		C) Applicant Identification Number (Check appropriate box and enter number.)	
		<input type="checkbox"/> SSN	
		<input type="checkbox"/> FEIN	
D) Street Address or P.O. Box Number		City	State ZIP Code
E) Contact Name, If Different from Above	F) Phone Number	G) Fax Number	H) Email Address

Section II – Donation Questions

II-A - Questions for a Donation Made on or After January 1, 2007

- A) Are you a nonprofit holder of easements as defined in Va. Code § 10.1-1009? Yes No
IF YES, GO TO B; IF NO, GO TO C.
- B) Do you hold one or more conservation easements excluding this donation that were acquired pursuant to the authority conferred on a "holder" by Va. Code § 10.1-1010? Yes No
IF YES, STOP. YOU DO NOT QUALIFY.
- C) Have you applied for a Historic Rehabilitation Credit in the last 5 years on this property/building? Yes No
IF YES, STOP. YOU DO NOT QUALIFY.
- D) In the past 11 years, have you, a family member or an affiliate been issued a credit for a donation on any portion of this parcel(s)? Yes No
IF YES, LP# _____ . DONATION MAY REQUIRE DCR VERIFICATION. (See instructions).

II-B - Questions for a Donation Made on or After July 1, 2010

- A) If your application is for a credit of \$250,000 or more, has a credit been applied for and/or issued within the past 3 years for real property that was formerly part of the same parcel of land as the property being donated? Yes No
IF YES, LP# _____ . DONATION MAY REQUIRE DCR VERIFICATION. (See instructions).

Section III – Property and Credit Information

A) Type of Donation - Check One		B) Bargain Sale - Check One		C) Number of Acres		D) Date Acquired	
<input type="checkbox"/> Fee Simple	<input type="checkbox"/> Less-Than-Fee Simple	<input type="checkbox"/> No	<input type="checkbox"/> Yes (If Yes, Enter Amount Received)				
<input type="checkbox"/> Facade		\$.00				
E) Property Street Address (No P.O. Box)				City	State	ZIP Code	
F) Property Information - Enclose Additional Pages, if Needed							
Zoning & Highest and Best Use		Tax Map or PIN			Recording Locality		
Current Zoning:							
Highest and Best Use Before Donation:							
G) Name(s) of Eligible Conservation Agency(ies) Receiving Donation				H) Jurisdiction(s) Donation Was Recorded		I) Date Recorded	
J) Appraisal Company Name				K) Company's FEIN or SSN	L) Appraisal Evaluation Date	M) Appraisal Report Date	
N) Appraised Value of Donation			O) Credit Amount Requested		P) Assessed Value of Land per Acre		Q) Appraised Value Per Acre



Section IV – Conservation Information for Reporting Purposes

A) **Conservation Purpose:** Identify the conservation purpose(s) protected by the donation by checking the applicable box(es). Also, specify the acreage of each use indicated. See Instructions for definitions of these conservation purpose categories.

Conservation Purpose	Check Applicable Boxes	Acres
1. Agricultural Use	<input type="checkbox"/>	
2. Forestal Use	<input type="checkbox"/>	
3. Natural Habitat and Biological Diversity	<input type="checkbox"/>	
4. Historic Preservation	<input type="checkbox"/>	
5. Natural Resource Based Outdoor Recreation and Education	<input type="checkbox"/>	
6. Watershed Preservation	<input type="checkbox"/>	
7. Preservation of Scenic Open Space	<input type="checkbox"/>	
8. Conservation and Open Space Lands Designated by Local Governments	<input type="checkbox"/>	

B) **Public Benefit:** Indicate how the donation will protect the conservation purpose(s) identified above and benefit the public. Indicate which of the following restrictions are included in the deed of donation:

1. Limitations on the number of property divisions.	<input type="checkbox"/> Yes <input type="checkbox"/> No	4. Restrictions on the location of permitted new roads or access ways.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Limitations on the amount of new buildings and structures.	<input type="checkbox"/> Yes <input type="checkbox"/> No	5. Limitations on alterations, demolition, and ground disturbing activity that may impact historic, cultural, or natural heritage resources.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Restrictions on the location of permitted new buildings and structures.	<input type="checkbox"/> Yes <input type="checkbox"/> No	6. Limitations on utility placement.	<input type="checkbox"/> Yes <input type="checkbox"/> No

7. Please list any other restrictions specifically donated to protect the conservation purposes and to benefit the public.

C) **Riparian Buffers:** If riparian buffers are required in the deed of easement, then indicate the total length (in linear feet) of those that provide at least a 35-foot wide buffer (See instructions for definitions).
 Forested/Vegetated: _____ feet
 No-plow: _____ feet

D) Land Currently Being Used for Production Agriculture and Silviculture.	Acres
1. Provide an estimate of the number of acres of the land currently being used in production agriculture (See instructions for definition):	
2. Provide an estimate of the number of acres of the land currently being used in production silviculture (See instructions for definition):	

E) **Onsite Operational Water Quality Best Management Practices.**
 Does the land have onsite operational best management practices that are designed to reduce the amount of nutrients and sediment entering public waters? Yes No
 If **Yes**, indicate which of the following BMPs are being practiced, and whether the terms of the deed of easement require their continued practice.

Agriculture Best Management Practice	Currently Practiced	Deed Requires Continued Practice
1. Nutrient Management Plan Writing and Implementation	<input type="checkbox"/>	<input type="checkbox"/>
2. Cover Crop Practices	<input type="checkbox"/>	<input type="checkbox"/>
3. Livestock Exclusion Practices	<input type="checkbox"/>	<input type="checkbox"/>
4. Riparian Buffer Practices	<input type="checkbox"/>	<input type="checkbox"/>
Silviculture Best Management Practice	Currently Practiced	Deed Requires Continued Practice
5. Streamside Management Zones	<input type="checkbox"/>	<input type="checkbox"/>
6. Forest Roads	<input type="checkbox"/>	<input type="checkbox"/>
7. Stream Crossings	<input type="checkbox"/>	<input type="checkbox"/>
8. Harvest Planning	<input type="checkbox"/>	<input type="checkbox"/>
9. Other Agriculture or Silviculture BMPs (See instructions for Section D). Provide appropriate practice number(s):		

F) **Forest Management:** Is the property fully or partially forested? Yes No
 If **Yes**, is a forest management plan included in the terms of the donation? Yes No



Section V – Fee Simple Donation

	Check Applicable Boxes
A) The donation is a full or partial gift in fee simple to a public or private conservation agency. (If the application is for \$1 million or more, also complete Schedule C.) Conservation Agency Name: _____	<input type="checkbox"/>
B) The donation is a full or partial gift to a "holder" as defined in <i>Va. Code</i> § 10.1-1009, and documentation is included that the agency agrees that subsequent conveyances of the fee interest in the property will be made subject to a conservation easement or will be made to the Commonwealth of Virginia or a federal conservation agency. Conservation Agency Name: _____	<input type="checkbox"/>

Section VI – Less-Than-Fee Simple Donation

Explain how this donation meets the requirements of § 170(h) of the United States Internal Revenue Code of 1986, as amended. Enclose additional pages if needed.

Section VII – Declaration, Signature, and Notarization

Enclosure Checklist

DCR - All Donations (2007 & After)

- A Copy of LPC Application
- IRS Form 8283
- Recorded Deed

DCR - Donations of \$1 Million or More (2007 & After)

- Baseline Documentation

TAX - All Donations

- Original LPC Application
- Recorded Deed
- A Copy or **CD** of **Full** Appraisal
- IRS Form 8283
- Signed Statement or Affidavit from Appraiser

I (we) the undersigned declare, under the penalties provided by law, that this form (including any accompanying schedules, statements, and enclosures) has been examined by me (us) and is, to the best of my (our) knowledge and belief, a true, correct, and complete application, made in good faith pursuant to the income tax laws of the Commonwealth of Virginia. I (we) understand that the Department of Taxation will record the information submitted on this application; however, acceptance of this application does not constitute certification, approval, or validation of the donation or valuation of the credit by the Department of Taxation. If a person other than the taxpayer prepares this application, their declaration is based on all information of which they have knowledge.

I authorize the Department of Taxation to discuss my application with the contact person listed in Section I of Schedule A, my broker, and share and/or discuss this application with DCR, if applicable. Further, I authorize the Department of Conservation and Recreation to discuss my application with the contact person, the holder of the conservation easement, or the holder's representative, if applicable.

Must Be Signed in Presence of Notary	Signature of Applicant		Signature of Applicant	
	Print Name		Print Name	
	Title	Date	Title	Date

Notary Information	
Subscribed and sworn before me this _____ day of _____, 20____, in the (City/County) _____, of _____.	
Notary Public Signature	Date
Notary Public Name Printed	My Commission Expires