

Coyote Valley Agricultural Feasibility Study – Phase II

CASE STUDIES

Update

June 20, 2012

Table of Contents:

1. *Food Commons*
2. *Wisconsin Agricultural Enterprise Area (AEA) Program*
3. *Middle Green Valley Specific Plan/Green Valley Agricultural Conservancy*
4. *The Tri-Valley Conservancy/South Livermore Specific Plan*
5. *King County Farmland Preservation Program and Indochinese Farm Project*
6. *Capay Valley Vision*
7. *Brentwood Agricultural Land Trust*
8. *Montgomery County Agricultural Reserve*

1. Food Commons

Relevance to Coyote Valley:

- *Food Commons takes a holistic approach to developing regional food systems. Beyond the conservation of an agricultural land base, it aims to improve public health, ensure fresh food for all, and create economic development projects. A Food Commons prototype is underway in Fresno. Agricultural viability in the Coyote Valley would benefit from linking to a regional food system to take advantage of scale in infrastructure, financing, marketing, and other benefits.*

Overview:

The Food Commons envisions a re-creation of the local and regional food systems that preceded the current global industrial food systems, updated to reflect 21st-century advances in information systems, communications, community-based organizational and economic models, the science and practice of sustainable agriculture and the changes in culture and demand.

The Food Commons will leverage, support and enhance existing and emerging regional food system initiatives to offer the American public a wide range of benefits that are not widely distributed in our current food system. The Food Commons will:

- Make healthy and sustainably produced food accessible and affordable to all.
- Enable food enterprises within and across food sheds to efficiently produce and exchange goods and services that meet high common standards.
- Capture benefits of scale in infrastructure, asset management, financing, information systems, marketing, and learning, while preserving local identity, ownership, control, diversification and accountability.
- Transparently and equitably distribute common benefits along the value chain from farmers, ranchers, and fishers to distributors, processors, retailers, workers, consumers, and communities.
- Harness underutilized foodshed assets and protect and steward those assets for current and future generations.
- Foster and celebrate regional foodshed identities that generate widespread consumer awareness, participation and buy-in.
- Create a wealth of new small businesses and jobs and build a skilled and respected 21st-century food system workforce.

The Food Commons seeks to connect local and regional food system enterprises in a cooperative national federation that enhances their profitability and sustainability while creating and supporting a robust system of local community financing, ownership, management and accountability.

The Food Commons has three integral components:

- **The Food Commons Trust**, a non-profit, quasi-public entity to acquire and steward critical foodshed assets
- **The Food Commons Bank**, a community-owned financial institution that provides capital and financial services to foodshed enterprises
- **The Food Commons Hub**, a locally-owned, cooperatively integrated business enterprise that builds and manages foodshed-based physical infrastructure and facilitates the complex

logistics of aggregation and distribution at different scales among all the moving parts of the system, and provides scale economies, business services, technical assistance and training to new small food businesses.

In order to move the Food Commons from vision to reality the Food Commons working group is pursuing the following near-term objectives to advance development of the Food Commons concept:

- **Define** the Food Commons value proposition and business case for existing and emerging regional food system initiatives.
- **Develop** Food Commons Bank and Food Commons Trust models.
- **Identify** partners and resources for a Food Commons prototype project. → Develop strategic plan for implementing the Food Commons federation.

Refer to www.thefoodcommons.org

2. Wisconsin Agricultural Enterprise Area (AEA) Program

Relevance to Coyote Valley:

- *The Wisconsin AEA program is a tool for protecting the agricultural land base and for promoting investment in agriculture, agricultural infrastructure and agricultural-related businesses within a targeted area. It is conceptually similar to the Montgomery County Agricultural Reserve (see case study below). Both programs are examples of designating an area with agricultural value to help focus conservation efforts.*
- *The designation of an AEA does not, by itself, control or limit land use within the designated area. Farmers in a designated area can enter into voluntary farmland preservation agreements in exchange for income tax credits. It is emphasized that these agreements are entirely voluntary. In Coyote Valley, an agricultural priority area or similar is recommended. Any limit to the currently allowed land use will be on a voluntary basis.*

Funding sources:	• State funding \$27 million available annually
Land ownership:	• Individuals
Tools for agriculture and open space preservation:	• Income tax credit in exchange for farmland preservation agreement
Farmer tenure:	• Ownership
Agricultural land conserved:	• 17 AEAs encompass a total of 340,000 acres
Number of farmers supported:	• NA
Open space/habitat conserved:	• NA
Parcelization:	• NA
Crops/Products:	• NA

Overview:

An AEA is an area of contiguous land in primarily agricultural use that has been designated by the Department of Agriculture, Trade and Consumer Protection (DATCP).

To have an area designated as an agricultural enterprise area, farm owners and local governments must work together to submit a petition to the DATCP. By working together and by drawing in other local stakeholders including ag-related businesses, economic development experts and other interested individuals, the community can better ensure adequate support for an AEA selected for designation.

A petition must be signed by at least 5 eligible farm owners and all political subdivisions located within the proposed AEA. Additionally, the political subdivisions located in a proposed AEA must pass a resolution in support of the designation of the AEA. Others may sign the petition as cooperators or submit a letter in support of the designation.

In developing the petition, petitioners are asked to state the goals of the proposed area for the preservation of agricultural land use and agricultural development. Petitioners must identify activities that will aid in achieving the goals including adopting appropriate land use controls, development of a strategy to encourage farmland preservation agreements, and identifying activities to promote agricultural economic development.

The proposed AEA boundary must:

- Contain land owned by all interested farm owner petitioners.
- Be located within a certified farmland preservation area.
- Consist of contiguous land area (land owned by petitioning farm owners need not be contiguous).
- Be primarily in agricultural use.
- Consider other relevant factors such as agricultural infrastructure and soil and water resources

Benefits of AEA Designation:

Eligible farmers in a designated area can enter into voluntary farmland preservation agreements with DATCP. Farmers with an agreement receive income tax credits in return for keeping their land in agricultural use for a minimum of 15 years. Tax credits available to farmers in an AEA are:

- \$5 per acre for land that is covered by a farmland preservation agreement, or
- \$10 per acre for land that is covered by a farmland preservation agreement and located in a certified farmland preservation zoning district.

An AEA is only designated if it is identified by the local community as an area that is valuable for current and future agricultural use. This local input into the process is important to achieve identified goals.

Overall, the designation is a tool that can be used to protect the agricultural land base for continued production. In addition, the designation can help to promote investment in agriculture, agricultural infrastructure and agricultural-related businesses.

What AEA Designation Does Not Do:

The designation of an AEA does not, by itself, control or limit land use within the designated area. Designation of an AEA also does not specifically protect areas from encroaching development or land use conflicts. Local designation of an AEA, however, can be used as part of a local land use and development strategy designed to preserve, protect and promote agricultural enterprises. This local strategy may include a variety of local initiatives including farmland preservation planning and zoning, voluntary farmland preservation agreements, agricultural and conservation easements, private land use covenants and donations, economic development grants, cooperative agreements, financial incentives and more.

It is up to local initiative to design a strategy that adequately addresses local conditions and the community's vision for the area. All components should work together to contribute to the success of any designated AEA.

3. Middle Green Valley Specific Plan/ Green Valley Agricultural Conservancy Solano County, CA

Relevance to Coyote Valley:

- *The Middle Green Valley Specific Plan is an example of how multiple planning and market-based tools (i.e. transfer of development rights, density bonus, cluster development) may be combined to address the physical and financial challenges to farming near a metropolitan center. It may be possible to address similar challenges to farming in Coyote Valley with these tools.*
- *One financial challenge facing both valleys is the relatively low value of farmland compared to its potential development value. The resulting speculative pressures threaten to convert agricultural lands to urban use. The Middle Green Valley Specific Plan provides landowners of agricultural or environmentally-valuable land an alternative. Under the transfer-of-development rights program, landowners in sensitive areas (sending areas) may transfer development rights to landowners in areas appropriate for higher density development (receiving area). Density bonuses were agreed upon between landowners of sending areas and Solano County, giving these landowners an incentive to participate in the program. By purchasing additional development rights from the 'sending areas', landowners in the 'receiving areas' are able to build at greater densities and realize the market value of the land.*
- *One of the physical challenges to farming in Green Valley is the potential division of land into parcels too small for farming. The Plan for clustering development around villages, leaving 1,500+ acres in agriculture or open space, addresses this issue.*

Funding sources:	• GVAC operations to be funded by transfer tax
Land ownership:	• Individuals
Tools for agriculture and open space preservation:	• Transfer of development rights (TDR) • Density bonuses
Farmer tenure:	• Ownership
Agricultural land conserved:	• NA
Number of farmers supported:	• NA
Open space/habitat conserved:	• NA
Parcelization:	• NA
Crops/Products:	• NA

Overview:

Approved by Solano County in 2010, the Middle Green Valley Specific Plan created a long-term vision for Green Valley. The Plan envisions a collection of small neighborhoods clustered at the base of the foothills with the remaining 1,500+ acres preserved as open space or agricultural land, protected from future development by conservation easements. The Specific Plan proposes a mix of land uses, including up to 400 new primary residential units, agricultural tourism, local neighborhood retail, community facility uses, and agriculture and open space.

Conservation Scheme:

To achieve this vision, the Specific Plan utilizes a transfer of development rights (TDR) program to provide a fair and equitable incentive for landowners to relocate their development rights from areas to be preserved (sending area) to areas identified as suitable for development (receiving area). Density bonuses were also provided as incentives to landowners to participate in the voluntary TDR program. Landowners within the sending area negotiated for a significant increase to the number of units allowed per current zoning. These additional development rights can be sold to landowners of the receiving area and upon the sale of these rights, a conservation easement would be placed on the preserved sites.

Economic Development:

Founded in May of 2010, the Green Valley Agricultural Conservancy (GVAC) is an independent, non-profit organization set up to provide oversight of the conservation easements and support agriculture in the valley. Its approach is to promote sustainable food and agriculture systems as a means of creating a synergy between the agricultural lands, the built and natural environments, community health and natural resource stewardship. It provides mechanisms to assure the long-term preservation and management of the open lands in Green Valley and will help to manage and monitor the proposed $\pm 1,500$ acres of productive agricultural land, pastures, and natural areas.

The GVAC has three primary roles:

- *Protecting our agricultural legacy*
The Conservancy provides assistance and oversight to the farms in Green Valley so that a comprehensive approach of supporting agricultural and growing food for the local community and regional food shed is accomplished.
- *Establishing a stewardship ethic*
The Conservancy oversees the management, stewardship, enhancement, restoration and conservation easements for conservation lands including oak woodlands, riparian areas, pastures, rangelands, and agricultural lands.
- *Building community*
The Conservancy provides educational and interpretive opportunities and the social glue for the evolving community.

In 2011, GVAC started “Totally Local,” a certified farmers market showcasing local agricultural and artisanal products. It was held every Saturday in July through October, and will continue again this summer.

Long-term funding for GVAC and the financial assistance it would provide to local farmers will depend on the sale of the 400 homes proposed in the Specific Plan. Upon the sale of each, 3% of the purchase price will be directed to GVAC. Each subsequent sale will generate a transfer fee of 1% in perpetuity.

4. The Tri-Valley Conservancy/ South Livermore Specific Plan Livermore, CA

Relevance to Coyote Valley:

- *South Livermore is an example of how a conservation easement program is funded and administered for the preservation of land in perpetuity. To ensure that farmers have land upon which to grow crops, the Coyote Valley Agricultural Enterprise and Conservation (CVAEC) program also proposes using conservation easements.*
- *The conservation easement program is partially funded by development mitigation fees and state funds. The mitigation program is countywide, which allows development fees in urban areas to ‘pass-through’ to the surrounding agricultural land that are conserved. Although this concept has not been proposed for Coyote Valley, considering the county as a whole and allowing funds from one area to achieve goals for conserving agriculture in another may be considered in the future.*

Funding sources:	<ul style="list-style-type: none"> • Development Fees placed on new homes in the area as mitigation for farmland conversion • \$4.4 million largely from state funds and as local match • Full value of easements is \$45 million
Land ownership:	<ul style="list-style-type: none"> • Individuals
Tools for agriculture and open space preservation:	<ul style="list-style-type: none"> • Conservation easements (held by the Conservancy) • Density bonuses
Farmer tenure:	<ul style="list-style-type: none"> • Ownership
Agricultural land conserved:	<ul style="list-style-type: none"> • 3,700 acres (53 properties)
Number of farmers supported:	<ul style="list-style-type: none"> • 65
Open space/habitat conserved:	<ul style="list-style-type: none"> • 925 acres
Parcelization:	<ul style="list-style-type: none"> • Average acreage is 58 acres.
Crops/Products:	<ul style="list-style-type: none"> • Cultivated agriculture, primarily wine-grapes.

Overview:

The South Livermore Valley Agricultural Land Trust (SLVALT) was established in 1994 subsequent to the County's adoption of The South Livermore Valley Area Plan (SLVAP) to protect important agricultural and open space lands. SLVALT's original goal was to permanently protect and steward 5,000 acres of land within the SLVAP. As of 2003, over 3,700 acres are under conservation easement. In early 2003, a strategic plan process was initiated and the land trust board recognized the need to have a greater conservation presence in the region. The SLVALT became the Tri Valley Conservancy with an expanded mission and an expanded geographic area.

The Conservancy's mission is to permanently protect the fertile soils, rangelands, open space and biological resources and to support a viable agricultural economy in the Tri Valley area. The Conservancy accomplishes this mission by providing landowners with a flexible, voluntary

alternative to subdividing or developing their property. One facet of the Conservancy's work is acquisition. Working with willing landowners, the Conservancy acquires property development rights through the legal arrangement of a conservation easement. In so doing, the Conservancy ensures that a property will be protected from future development. The Conservancy works with developers in a unique model to conserve the Valley's important lands. Through county and city programs, developers in the region are required to mitigate their projects by fee payments and/or by replacement of agricultural acreage covered by a conservation easement. The Conservancy was established as the recipient of those mitigation fees and the custodian of the conservation easements on replacement acreage within the SLVAP.

The Conservancy will continue its original mission to preserve 5,000 acres within the SLVAP until completed. All monies received by the Conservancy for the SLAP will be restricted funds used for only that purpose.

Conservation Scheme:

The Conservancy operates by acquiring conservation easements from willing landowners and becomes the custodian of all or part of a property's development rights through the conservation easement. One development right equals the ability to add one buildable subdivision parcel to a property. The number of development rights on a given property depends on the property's size and zoning designation. The easement details property-specific restrictions on future development. For example, the easement may limit or prohibit future subdivision and may restrict non-agricultural improvements to defined areas. The easement need not change the current use of the property and does not limit the owners' right to lease or sell.

The Conservancy acquires conservation easements through purchase or donation. The value of the easement is mutually agreed upon by the landowner and the Conservancy and is based upon the development potential and conservation value of the property. In addition to receiving possible property and estate tax benefits, landowners dedicating easements to the Conservancy play a vital role in protecting the Valley's agricultural productivity and open space character for present and future generations.

Recognizing that development pressures in the South Livermore Valley are intense, county and city planners developed the Bonus Density Program and the South Livermore Specific Plan (Specific Plan).

Through SLVAP, landowners may qualify to receive additional property development rights in exchange for planting a portion of the property in cultivated agriculture and placing that portion under conservation easement. For example, a 100-acre property zoned for agriculture normally has one development right. Under the Bonus Density Program, an additional four development rights may be placed on the property and each of the resultant 20-acre parcels granted a 2-acre building envelope. In exchange for the newly granted development rights, each parcel's 18 un-developable acres must be planted and placed under conservation easement.

Through the Specific Plan, developers are required to carry out agriculture mitigation financing in the following ways: 1) paying the Conservancy a fee sum for every home lot developed; or 2) placing one acre of cultivated agriculture land under conservation easement for every house constructed, and placing one acre of cultivated agriculture land under conservation easement for every acre of cultivatable land developed.

5. King County Farmland Preservation Program and Indochinese Farm Project King County, WA

Relevance to Coyote Valley:

- *The King County Farmland Preservation Program is an example of how a county combines fee purchases and conservation easements with the concept of agricultural priority areas. Setting priority areas allows the county to apply several preservation and economic development tools in a concerted effort. A similar multi-faceted and targeted approach will also be needed in Coyote Valley.*
- *The King County example demonstrates how a ready funding source can purchase land quickly when opportunities arise, and subsequently transfer the title to other entities while retaining conservation easements over the land. While a bond measure is not proposed for Coyote Valley, the same idea to raise a ready pool of funds and to act quickly when opportunities arise will be useful.*

Funding sources:	<ul style="list-style-type: none"> • \$50 million bond issued in 1979 • \$1.8 million Arts and Natural Resources Initiative in 1995 • \$1 million Washington Futures Tax • \$475,000 USDA grant
Land ownership:	<ul style="list-style-type: none"> • Individuals • County (interim) ownership for a maximum of 5 years
Tools for agriculture and open space preservation:	<ul style="list-style-type: none"> • Conservation easements (held by King County) • Fee simple land purchases by the County (held for 5 years maximum)
Farmer tenure:	<ul style="list-style-type: none"> • Ownership • Short-term lease by farmers with limited resources as part of the Indochinese Farm Project
Agricultural land conserved:	<ul style="list-style-type: none"> • 13,200 acres
Number of farmers supported:	<ul style="list-style-type: none"> • 230 • 25 additional farmers in the Indochinese Farm Project
Open space/habitat conserved:	<ul style="list-style-type: none"> •
Parcelization:	<ul style="list-style-type: none"> • Average farm under easement is 56 acres
Crops/Products:	<ul style="list-style-type: none"> • Dairies, beef, horse, and other animal operations; nurseries, turf, hay, silage, berries, row crops, flowers, and Christmas trees • Market trending away from dairies towards row crops, as local and organic produce have

found markets in Seattle.

- In the case of short term leases on County owned property, crops that can realize short term bottom-line production (e.g., corn, squash) have been pursued.

Overview:

Conservation Scheme:

Located in King County, WA (the Seattle metropolitan region), FPP involves purchase of development rights through easements, held in perpetuity by the County using proceeds from a \$50 million bond issued in 1979 and subsequent funding sources.

In most cases, title to the land under the FPP is retained by the existing owner, although County title purchase is allowed in cases where an easement is not practical. In some of these land purchase cases, the County leases it short-term to the Indochinese Farm Project to provide increased land access to farmers with limited resources. The County may only own agricultural properties for up to five years, and must sell the land to a farmer or farming collaborative with the highest bid, with easements placed to ensure preservation. The discouragement of public property ownership is embedded in the bond structure that created the Program. King County administers the program and holds the easements in trust under their own management.

FPP easements are located on land throughout the King County area, surrounding metropolitan Seattle. Since the best soils are proximate to Seattle, these lands are pursued by FPP, despite higher land values nearest to the urban areas. The bond required that a threatened parcel should be prioritized, all things being equal.

Economic Development:

King County created the brand “Puget Found Fresh” to support local farmers and insure a close-in food supply while encouraging consumers, wholesalers, retailers and restaurants to seek out and purchase higher-quality, fresher, locally-grown products. It also maintains and makes available on its website a Community-Supported Agriculture Directory.

6. Capay Valley Vision and Capay Valley Grown Yolo County, CA

Relevance to Coyote Valley:

- *Capay Valley Vision is a group led by a committed Board of Directors and advised by a representative advisory council. This is similar to what has been proposed for the Coyote Valley Agricultural Enterprise and Conservation Program.*
- *Capay Valley Vision started with one dedicated staff person (the executive director) and relied on the Board of Directors to lead activities. It is an example of how to start on a shoestring while building support and leadership within the community.*
- *Capay Valley Grown is an example of how a micro-region can begin to differentiate itself through a shared label/logo, shared marketing efforts, and promotional events that raise the visibility of Capay Valley products. A similar program to market the place and its products has been proposed for Coyote Valley.*

<p>Funding sources for Capay Valley Vision:</p>	<ul style="list-style-type: none"> • Over 90% of initial funding was from grants, including ones from the State of California Department of Conservation and the Great Valley Center. The organization had roughly \$100,000 to \$150,000 to operate for the first few years. • Over the years, grants have been received from these organizations: <ul style="list-style-type: none"> – CALFED Watershed Program, – California Consumer Protection Foundation, – California Farmland Conservancy Program, – Great Valley Center, – Rumsey Community Fund, – Sacramento Area Council of Governments, and – Yolo County Tribal Mitigation Funds. • County mitigation fee from the Casino is another key source of funding. • Individual donations • Fundraising events • Sales of Capay Valley items and publications
<p>Funding sources for Capay Valley Grown:</p>	<ul style="list-style-type: none"> • Initial funding was \$20,000. The 23 founding farmers and ranchers contributed \$2,500 and the Community Alliance for Family Farmers (CAFF) provided a \$15,000 grant. • Current funding: <ul style="list-style-type: none"> – Farm and Ranch Partnership: \$3,700 (based on \$100/each x 37 participating farms/ranches) – Business Partnership: \$2,400 (based on \$200/each x 12 participating businesses) – Fundraising events is a significant source of funding
<p>Land ownership:</p>	<ul style="list-style-type: none"> • Individuals
<p>Tools for agriculture and open space preservation:</p>	<ul style="list-style-type: none"> • NA

Farmer tenure:	• Ownership
Agricultural land conserved:	• NA
Number of farmers supported:	• NA
Open space/habitat conserved:	• NA
Parcelization:	• NA
Crops/Products:	• Wide variety of fruits, vegetables, grains, and livestock

Overview:

Founded by a diverse group of residents in 2000, Capay Valley Vision (CVV) was created to provide a forum for ongoing communication within the community about the future of the Valley. One local farmer, David Sheuring, played a crucial role in getting the organization started. At the time, there was much tension within the community over highway safety due to the growing popularity of the Cache Creek Casino and the opening of a tasting room at RH Rhillips Winery. David talked with numerous community members in one-on-one meetings over coffee and kitchen tables to bring people together for this forum. He also sought initial funding through grants from the Great Valley Center and the State of California Department of Conservation.

The group formed task forces to address the following concerns in their community:

- Agriculture and Environment
- Economic Development
- Housing
- Recreation
- Transportation.

Task force chairs (or co-chairs) are also members of the Board of Directors, which meets regularly to share task force activities and to strategize ways to connect the sometimes disparate activities of each group. The commitment and leadership of the board members on the individual task forces have been critical to the success of the project. This organization is driven by the strong commitment and involvement of its board members.

Besides the Board, there is a Community Advisory Council which includes nearly 50 community organizations within the Capay Valley-Esparto Region. The Council holds meetings twice a year to elect the board of directors and advise them on policy.

Staffing has varied, though generally minimal, over the years. The group started with a part-time executive director. As funding increased, a full-time executive director and limited administrative support staff were a hired.

Capay Valley Grown:

Of the task forces, the most active has been the one focused on Agriculture and Environment. In 2004, 23 farmers and ranchers came together to form Capay Valley Grown Their goals were:

- To increase consumer awareness of their products,
- To increase their profitability, and
- To preserve and enhance the region's resources, rural character, and way of life.

Capay Valley Grown is a brand that identifies a micro-region within the County, encompassing the Western Yolo County communities of Madison, Esparto, Capay, Brooks, Guinda, and Rumsey, including Lamb Valley and Hungry Hollow.

Farms and ranches within the program benefit from shared marketing efforts, through a common regional label, promotional events and campaigns to raise the visibility of Capay Valley products.

7. Brentwood Agricultural Land Trust (BALT) and Buy Fresh Buy Local Contra Costa County, CA

Relevance to Coyote Valley:

- *In Brentwood, agricultural enterprises benefit from land conservation and economic development. The community recognizes that preserving farmland requires both protecting the land and creating a vibrant agricultural economy. A similar dual effort has been recommended for Coyote Valley.*
- *BALT’s farmland conservation program utilizes several planning and market-based tools, including an agricultural mitigation fee, conservation easement, purchase of fee title, and transferable agricultural credit. Coyote Valley would also benefit from multiple conservation tools.*
- *BALT works with local government to strengthen food and farm policies. It demonstrated that East Contra Costa agriculture is important to all the citizens of Contra Costa County. This led the County to (i) consider a county local food purchasing policy for county institutional purchasers (ii) explore distribution systems that connect Brentwood farmers and their urban neighbors (iii) study an agricultural mitigation program for the County (iv) consider agricultural tourism zoning. BALT is seeking funding to work with the County to accomplish these important measures. Advocacy to integrate the CVAEC program into local and regional policy efforts is recommended for Coyote Valley.*

Funding sources:	<ul style="list-style-type: none"> • Agricultural mitigation fee paid by developers for converting prime agricultural land to urban uses (\$12 million collected to date) • California Farmland Conservancy Program
Land ownership:	<ul style="list-style-type: none"> • Individuals
Tools for agriculture and open space preservation:	<ul style="list-style-type: none"> • Conservation easements • Fee simple land purchases • Transferable agricultural credit program (TAC)
Farmer tenure:	<ul style="list-style-type: none"> • Ownership
Agricultural land conserved:	<ul style="list-style-type: none"> • 653 acres
Number of farmers supported:	<ul style="list-style-type: none"> • 7
Open space/habitat conserved:	<ul style="list-style-type: none"> • NA
Parcelization:	<ul style="list-style-type: none"> • NA
Crops/Products:	<ul style="list-style-type: none"> • Orchards and row crops

Overview:

The fast-growing City of Brentwood in northwest Contra Costa County is home to high-producing orchards and row crops. The agricultural area includes more than 12,000 acres of contiguous, irrigated farmland located just fifty miles from the Bay Area. With prime soils, ample water and a

year-round growing season, Brentwood farms have provided food for the Bay Area since the 1880's. Regional agricultural production generated \$51.2 million in 1998.

Local farming is being threatened, however, as Bay Area suburbs expand eastward. The City of Brentwood grew from 7,500 people in 1990 to over 56,000 people today. Between 1984 and 2004, almost 20,000 acres of Contra Costa agricultural land, including 9,100 acres of prime farmland, were converted to urban uses.

Conservation Scheme:

BALT was created, in part, to implement the farmland conservation program adopted by the City of Brentwood (the "City") in 2001 pursuant to Ordinance No. 683. The program seeks to conserve productive agricultural farmland in the 11,000-acre County Agricultural Core (the "Agricultural Core") to the east and the south of the City.

The Ordinance provides:

- *Agricultural Mitigation Fee.* Developers in the City must pay an agricultural mitigation fee of \$5,500 for each acre of prime agricultural land converted to urban uses.
- *Farmland Conservation.* The agricultural mitigation fees collected are to be used to preserve agricultural land through the purchase conservation easements and fee title.
- *Transferable Agricultural Credit Program (TAC).* When certain valuable agricultural land in a 2,600-acre area south of the City is permanently preserved, the property owner gains two TAC credits for each acre preserved. Each credit may be used to build one unit of above mid-range density in developments within the City. The current program anticipates a private market in credits between property owners and developers.

To date, the City has collected over \$12 million in agricultural mitigation fees. The City holds and controls the use of the funds, and is allowed to spend the funds to advance the economic development of agriculture in Brentwood.

Economic Development:

Based on the conviction that creating a vibrant agricultural economy is essential to preserving prime farmland, BALT has formed the Agricultural Enterprise Committee to bring farmers, the community and local governments together to promote local agriculture and remove regulatory restrictions to agricultural enterprise. The committee, which meets once a month, is well attended by an extraordinarily diverse group of family farmers, from large conventional wholesale marketers to small-scale organic farms. The group has worked cooperatively to identify projects that would benefit all Brentwood farmers.

Through a consensus building process, this committee has identified goals and has begun to implement several projects. Specifically, the farmers identified three goals they felt were essential to preserve and promote the economic viability of agriculture in East Contra Costa County.

- *Create a Brentwood Farmers' Market.*
The Brentwood Certified Farmers Market opened on June 2004. This community building accomplishment reverses three decades of opposition by local u-pick farmers who were

concerned that a farmers market would bring competition from out-of-town farmers. Because BALT's Agricultural Enterprise Committee is farmer based, the committee was able to give all Brentwood farmers a voice in how the farmers' market was structured resulting in a unique farmers' market that features primarily local farmers.

- *Promote local farming through Buy Fresh Buy Local.*
Based on the philosophy that the best way to protect agricultural land is to create a vibrant agricultural economy, BALT seeks to build new markets for Brentwood farmers by creating consumer demand for local agricultural products. In 2006, BALT created the beautiful, place-specific Contra Costa/Brentwood Buy Fresh Buy Local logos that provide consumers with a simple, visual way to identify Contra Costa and Brentwood products when they purchase food.

- *Strengthen local government food and farm policies.*
The BALT Board recognizes that the County Board of Supervisors governs agricultural land use in Contra Costa County. BALT works closely with the Supervisors to demonstrate that East Contra Costa agriculture is important to all of the citizens of Contra Costa County. In 2008, the Board of Supervisors directed County staff to work with BALT and other community-based organizations to (i) consider a County local food purchasing policy for County institutional purchasers and (ii) explore distribution systems that connect Brentwood farmers and their urban neighbors. In February 2009, the County Board of Supervisors adopted a resolution directing County staff to study an agricultural mitigation program for the County, and consider agricultural tourism zoning. BALT is seeking funding to work with the County to accomplish these important measures.

8. Montgomery County Agricultural Reserve

Montgomery County, MD

Relevance to Coyote Valley:

- *Montgomery County designated an area as an Agricultural Reserve, and within it, it implemented multiple farmland conservation tools, including a Rural Density Transfer Zone, right-to-farm laws, conservation easement, and economic development programs. Each of these tools reinforce each other within a targeted area. The same targeted and multi-faceted approach is recommended for Coyote Valley.*
- *Farmland conservation in Montgomery County began 30 years ago, and to date, 93,000 acres, 561 farms and 350 horticultural enterprises have been conserved. It all started with recognition of a unique region and designating it an Agricultural Reserve or Priority area. Conservation efforts have been focused and continuously build on each other. A similar recognition of Coyote Valley as an agricultural priority area or similar will help to focus conservation efforts.*

Funding sources:	<ul style="list-style-type: none"> • NA
Land ownership:	<ul style="list-style-type: none"> • Individuals
Tools for agriculture and open space preservation:	<ul style="list-style-type: none"> • Agricultural zoning • Rural density transfer zone (Transfer of development rights program) • Right-to-farm law • Farmland preservation programs • Agri-business support
Farmer tenure:	<ul style="list-style-type: none"> • Ownership
Agricultural land conserved:	<ul style="list-style-type: none"> • 93,000 acres
Number of farmers supported:	<ul style="list-style-type: none"> • 561 farms • 350 horticulture enterprises
Open space/habitat conserved:	<ul style="list-style-type: none"> • NA
Parcelization:	<ul style="list-style-type: none"> • Average size of farm is 130 acres • 13 farms over 1000 acres each
Crops/Products:	<ul style="list-style-type: none"> • Beef, horse, dairy, sheep, corn for grain, corn for silage, wheat, soybeans, hay, fruit, vegetables, flowers, Christmas trees, production nurseries and greenhouses, sod

Overview:

Montgomery County, located northwest of the Washington, D.C. metropolitan area, has always been a suburb to the nation’s capital but farming has also been central to the region’s people and land for centuries. By using a combination of agricultural zoning, master plan development, strategic capital improvement and transportation enhancements, farmland preservation programs, and agri-business support, the County has been able to preserve 93,000 acres of land, 577 farms and 350 horticultural enterprises which together produce more than \$240 million in economic contribution to the County and employ more than 10,000 residents.

In 1980, the *Functional Master Plan for the Preservation of Agriculture and Rural Open Space (Master Plan)* created what is now a 93,000 acre Agricultural Reserve that reduced the allowance of residential development from 1 unit per 5 acres to 1 unit per 25 acres. It also established the Rural Density Transfer Zone allowing landowners to sell, on the open market, one development right per five acres, and entitling landowners in a receiving area to build one more housing unit than otherwise would have been allowed. The Master Plan also established an agricultural zone that identified agriculture as the primary land use, incorporating right-to-farm provisions stating that all agricultural operations are permitted at anytime, including operation of farm machinery.

Although the Master Plan and the County’s variety of conservation tools are primarily responsible for the County’s Agricultural Reserve, some argue that there are other growth management forces at work that should be given some credit. For example, the County’s Adequate Public Facilities (APF) requirement is intended to accommodate the County’s growth in an orderly fashion. Since 1986, the County has published an annual *Growth Policy Report* which defines the capacity of public facilities in various areas and provides developers with advance notice of those areas of the County in which development projects are likely to receive approval. In addition, the County’s *General Plan* has encouraged development to occur around the core areas of the Metrorail system. Additionally, the state of Maryland’s Priority Funding Areas (PFA) requirement has been a central component of smart growth across the state. This policy gives priority for state funding to projects located in areas already developed or designated for future growth. In order to be designated as PFA, locations must meet intended use guidelines, have available plans for water and sewer, meet a density of 3.5 units per acre, and have minimal sprawl effects.

Conservation Scheme:

The strategic combination of market-based incentives and more traditional low-density zoning for agricultural and rural uses work in tandem with the County’s farmland preservation programs. The programs represent a dynamic set of tools that reinforce each other as well as the County’s traditional regulatory growth management tools. There are seven different preservation tools currently available to landowners who wish to preserve their land. Each of these programs places an easement on the property which prevents future commercial, residential or industrial development of the land. Table 1 below shows the amount of acreage preserved by farmland preservation programs and the year that the programs began. This does not include the Legacy Open Space Program and the Conservation Reserve Enhancement Program which do not have a primary focus on farmland. The Transfer of Development Rights Program has by far, been the most popular and broadly effective program, preserving 48,584 acres at no cost to the county's taxpayers. After the County established this program with both the Rural Density Transfer Zone and the initial receiving area which was allowed to accommodate up to 3,000 development rights, the loss of acres to developed land dropped by 93 percent over a ten year period. A recent study for the Maryland Agro-Ecology Center found less fragmentation of the agricultural land mass in Montgomery County than any urban or urbanizing county in the country.

Table 1. Farmland Preservation in Montgomery County (as of June 30, 2005)	Acres Protected
Maryland Environmental Trust (1967)	2,086
Maryland Agricultural Land Preservation Foundation (1977)	3,594
Montgomery County Transfer of Development Rights (1981)	48,584

Montgomery County Agricultural Easement Program (1986)	6,799
Rural Legacy Program (1997)	3,935
Total	64,998
Source: Montgomery County Agricultural Services Division of the Department of Economic Development	

Economic Development:

Crucial to sustaining the viability of agricultural preservation is the County’s strong focus on maintaining agriculture’s economic viability. Economic support has come in the form of regional labeling, county-sponsored farmers markets, annual farm tour and harvest sale, training programs and networking opportunities, an emergency drought assistance program, agricultural energy tax relief program, and liaisons working with the county government from the agricultural community. Many of these programs belong to the Agricultural Services Division of the Department of Economic Development which was created to support and promote the viability of the agricultural industry in Montgomery County. They oversee the agricultural economic assistance as well as the County’s conservation easements program.

The Agricultural Services Division reports that the majority of Montgomery County farms are family-run operations, many reaching back several generations and employing more than 10,000 residents of whom 50 percent work full time in farming. Though many of the farms may continue to be family-run, a substantial amount of farmland is dedicated to large-scale farming. While the average farm size is 130 acres, there are 13 farms with over 1000 acres each in operation. This represents at a minimum 13,000 acres in the County that are dedicated to large-scale farming. One of the Division’s goals is to ensure continued high quality food supply for their citizens and one could argue that one way to measure this goal is through farmers’ markets, community supported agriculture and other direct marketing mechanisms. While small in scale, direct marketing from the region’s farms has grown significantly, from 63 farms with a value of \$382,000 from direct marketing in 1997, to 71 farms with a value of \$1,315,000 in 2002. Still, this increase only represents 3 percent of the market value of all products sold in 2002 in the County. Nonetheless, there are only ten farmers’ markets currently operating in the entire County of 800,000 in population.

	Farms	Amount Produced
Beef	104	2,201 cows
Horse	233	12,000 horses
Dairy	7	1,546 cows
Sheep	47	952 sheep
Corn for Grain	48	11,121 acres
Corn for Silage	14	1,304 acres
Wheat	34	4,717 acres
Soybeans	43	13,794 acres
Hay	192	11,524 acres
Fruit, Vegetables, Flowers, Christmas Trees	37	3,000 acres
Production Nurseries and Greenhouses	175	900 acres
Sod	26	25 acres
Landscape, Arborist, Lawn Care Businesses	150	4,500 acres