

Clark County Agricultural Preservation Advisory Committee (APAC) Meeting #1

Sixth Floor Training Room of the Clark County Public Services Center
1300 Franklin St., Vancouver, WA. March 18, 2008, 6 to 8 p.m.

Meeting Summary

In attendance

Committee members: Rich Bachert, Sunrise O'Mahoney, Denise Smee, Bill Zimmerman, ;
Bruce Wiseman; Lorrie _Conway, Doug Stienbarger, Dan Roix, Ann Lawrence, Heather
Tischbein, Sue Svendsen;

Staff: Patrick Lee

Facilitator: Doug Zenn

Guests: Commissioner Steve Stuart, Brad Lothspeich

Introductions

Facilitator Doug Zenn kicked off the meeting with a quick agenda review and introductions followed by a welcome from Clark County Commissioner Steve Stuart.

Stuart explained that the county is hoping to get a better sense of “what makes the rural area tick” while continuing to make Clark County a healthy place to live, work and play. He said farms are important to the county not only for the character and beauty they bring to the landscape, but also as a business sector. He asked the group to explore the challenges and opportunities ahead and to identify tools the county might use to help make sure that people in farming can be successful.

He said another task force will be selected soon to take a broader view of rural Clark County. He is hoping that this Advisory Committee will feed information into the “Rural Look” project discussions.

The committee asked about other areas, such as forestry and the urban/rural interface. Stuart said these are the types of things the “Rural Look” will address. Stuart again thanked the group for its upcoming efforts.

The group reviewed its Committee Charge and agreed to one minor change (underlined and in bold below):

*This group is charged with developing a draft farm preservation plan for consideration by the Board of Clark County Commissioners that recommends the most effective short- and long-term actions to protect the opportunity to pursue **and enhance** commercial and non-commercial agriculture in the county.*

In addition, this group will identify areas within the county where the opportunity to locally produce a wide variety of agricultural crops and products should be actively supported.

Principles and practices

The group reviewed and discussed suggested guiding principles and meeting practices. The discussions covered decision-making, meeting summaries, facilitation, meeting procedures, public comment periods and meeting logistics. Group members agreed to move forward with the facilitator's suggestions (attached.)

For meeting logistics, the group agreed that the time (Tuesday evenings) and location (Clark County Public Services Center) work for most. Field trips are also a possibility for future meetings.

The group asked to receive background materials about a week in advance to review prior to meetings. The group also asked if the county could provide farm-related definitions, zoning maps and background from related previous studies.

Pat Lee said he will arrange for briefings for upcoming meetings on research and studies—such as the 2003 study— that are applicable to this effort. He will invite Bill Dygert and George Simpson to provide a briefing at the April meeting.

Issues Review

The group took a short break, then convened to discuss the applicability of issues derived from the Office of Farmland Preservation Conservation District Survey. The group reviewed issues under the topics of:

- Farm Economics
- Urban Development Pressures
- Farm Succession
- Water Availability
- Land Use Policy
- Trade Policy
- Land Use and Environmental Regulations.

The group agreed with most statements, amended a few and removed a few from this list. The amended list is attached (as appendix B). The group also added a number of issues to the list including concerns about:

1. *manipulation of existing regulations and zoning*
2. *zoning review consistency*
3. *zoning and permitting system understanding and education*
4. *access to farm labor*
5. *about balancing property rights versus common-area needs*
6. *maintaining land to provide food locally to withstand possible global systems breakdown (food as a security issue)*
7. *Recognition of the reach of farm economics—both direct and indirect.*

Final Notes

The next meeting was scheduled for April 15. The meeting location and times will be confirmed then sent to the group via email. The meeting was adjourned at 8:03 p.m.

Clark County
Agricultural Preservation Advisory Committee
(APAC)
Operating Principles and Practices

(As discussed at March 18, 2008 meeting)

Principles

1. It is expected APAC members will commit to staying with this effort from March through December 2008 or whenever the Group's recommendations are developed.
2. All APAC members will have an opportunity to provide input and share decision making at meetings.
3. APAC members are expected to be active participants in meetings.
4. As much as possible, APAC members are expected to share information with their organizations and/or constituents and to bring those viewpoints back to group deliberations.
5. Divergent views and opinions are expected and are to be respected.

Practices

1. *Decision-Making.* Decisions will be reached through consensus not through voting.
 - a) Consensus means that all parties can live with a recommendation, though they may not agree with it in its entirety
 - b) Facilitators may summarize what is perceived to be consensus, and ask to see if there is agreement. No response will be assumed to signify assent to the suggestion.
 - c) Straw votes or a show of hands may take place to help determine where things stand and to help identify the issues
 - d) In the event that consensus cannot be reached at a meeting, a sub-group(s) with a cross-section of interest could be formed to address the concerns in more depth and then bring the results of that discussion back to this APAC.
 - e) If consensus cannot be reached, majority and minority perspectives will be identified through a show of hands, and majority and minority opinions will both be represented in the recommendations
 - f) Once a consensus or majority/minority position is reached, APAC members should be willing to move on with the process
 - g) Each Committee member shall give complete and fair representation of APAC discussions and decisions when reporting to community groups, policy makers, or others.

2. *Meeting Summaries.* A summary of each meeting will be prepared and e-mailed to APAC members and others on the mailing list *at least one week in* advance of the next meeting, unless compressed meeting schedules prohibit such turn-around.
3. *Facilitation.* Doug Zenn will serve as primary meeting facilitator.
4. *Meeting Procedures.* The meeting structure will not follow Robert’s Rules of Order, but rely on the goodwill of the APAC members in working together. The facilitator may be asked to make “judgment calls” so that a discussion can proceed. A quorum will not be required for a meeting to take place.
5. *Public Comment.* There will be an allotted amount of time for public comments at the beginning of each meeting for items not on the agenda. The APAC may set time limits for each speaker, modify the amount of available time, and/or allow for comments during discussion of specific matters depending on the level of interest. The facilitators will monitor and enforce the time constraints.
6. *Meeting Logistics.* APAC meetings will be held at monthly (Third Tuesday as a target) between March 2008 and December 2008 . More frequent meetings may be convened as necessary. It is anticipated that each meeting will last for two hours.



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Attachment B

Clark County Agricultural Preservation Advisory Committee (APAC) *Farm Issues*

(New or revised text from March 18 meeting in italics)

Farm Economics

It is expensive to operate a farm. Land, equipment, fertilizer, herbicides/pesticides, labor and taxes are all increasing. Prices for agricultural products are not keeping up with the costs of farming.

As the agricultural base in an area declines, agricultural support infrastructure also declines. Fewer places to purchase supplies and equipment, store, process, sell and distribute products results in higher costs and lower revenue for farmers. *With the loss of land base there is also the loss of technicians that support the agricultural economy, be it heavy equipment operators and repairmen, veterinarians that treat livestock, hay suppliers etc. With a lack of scale in the agricultural economy there is also reduced opportunity to develop value-added industries that provide local market outlets for farmers and rural employment opportunities.*

Small farmers are seeking alternative market outlets, but that takes time away from growing and harvesting product.

Lending institutions are looking for short term return on land and capital investments. Farming does not provide that, so it is difficult to start up or significantly expand a farming operation due to lack of capital.

Urban Development Pressure

Builders/developers need land to make money. Farmers see sale of land as a way to make money. A landowner can get more for his property by selling to a developer than to a farmer. Subdividing farm land as a result of urban development pressure drives land prices so high that it becomes impossible for farmers to purchase and keep land in farm production. *As development continues to encroach onto farmland, there may be a resulting lack of investment in the farm operation by the farmers, further weakening the agricultural sector.*

Because development is lucrative, developers and their attorneys are always willing to challenge and argue their way around ordinances adopted to protect farmland and other public resources -- they have the cash to do it.

People buy "acreage properties" in agricultural areas to build houses. The larger the lot, the bigger the house, the higher is the return on investment for the developer/builder.

New owners of small tracts created from subdivided agricultural lands don't want farming to continue due to noise, dust, etc. Constant harassment and litigation increases costs and may cause some farmers to quit farming. Subdivided land may also make it difficult to move farm equipment from one small tract to another, increasing cost and lowering agricultural productivity. *Conflicts among adjacent landowners may arise due to variation in land and natural resource management practices.*

Farm Succession

There is a lack of options for carrying agriculture forward into future generations. A farmer should be able to live comfortably, plan for retirement, secure health insurance and take a vacation just like urban dwellers. Because such benefits and rewards are not available, most young people are not interested in the hard work of farming and the family farming tradition is being lost.

Parents may subdivide their farmland among several children making it difficult to manage all the property as a whole farm and reducing viability. Once families controlling farmland have no emotional ties to land, they are more willing to convert the farm to other uses

Water Availability

Lack of available water for irrigation limits the amount and variety of agricultural products that can be produced on a farm. Not having a permit for enough water to farm current crops presents a risk that an "economic" operation will become uneconomic if (when) push comes to shove. Even if a farm has enough water for current crops, drought may lead to economic instability.

Market or climate changes could require a shift in crops that will require more water. This may not be an option without an elastic water right.

Efficient use of water is not fostered by the "use it or lose it" law. Ecology's exemption for domestic wells and the rampant growth of rural residences ensures loss of water rights by farmers. *The water used on one acre of subdivided residential land would be sufficient to irrigate two acres of farm land.* There is an implied reservation of water for domestic uses, but none for agriculture.

If a well that has supported an agricultural operation amidst encroaching development goes dry, there is no ability to drill a replacement well due to health regulations. The only option would be for the farmer to purchase from a community water supply, which is prohibitively expensive for a farm operation.

Governments' unbridled exercise of eminent domain may at some point result in taking water from agriculture and reallocating it toward urban/industrial uses.

Clean water and endangered species regulations may reduce water available for irrigation in order to maintain in-stream flows sufficient to maintain water quality and recover listed species.

Land Use Policy

Government does not protect farmland. The State of Washington mandates planning for growth of mining/urban/industrial uses. Cities are not required to concentrate growth. Counties permit parcel sizes (1, 5, 10, 40 acres) which are well in excess of what is needed for a residence. Conversion of farmland for parks and wetland mitigation banks is allowed. Only farmland of “long-term significance” is recognized as important. Future changes in population, food supply, and climate are not brought into the calculations.

Counties see rezoning of agriculture to any other use as a way to increase revenue for the county. Urban and older suburban communities should be revitalized rather than annexing new land to cities and towns at the expense of farmland to accommodate or attract growth.

There is a lack of methods to preserve working landscapes and lack of incentives for farmers to hold on to their lands. There is a lack of a consistent policy framework at the local level to protect farmland.

“Highest and Best Use” is a misnomer and should certainly not be the foundational principle of land use policy as it has historically been interpreted by assessors and policy makers.

Land purchase for conservation purposes by some public agencies takes land out of farm production and may affect agricultural support infrastructure. Predilection for fee simple, rather than conservation easement purchase, exacerbates the issue. Land management by such agencies is often poor, allowing weeds to take over and increasing management costs for adjacent farm properties.

Trade Policy

“Free-trade” is not “fair-trade.” Agricultural products are allowed to be brought into this country from other countries that don’t have the same employment and environmental protections. US agricultural products do not have as open access to markets of other countries that other countries enjoy in the US. Other countries subsidize agricultural products.

Cheap food is favored over healthy food. Federal subsidies are for large farms only. Small farms struggle to compete with agri-businesses. Small producers are not able to set the price of their products.

Farm labor policies are not providing sufficient work force to grow, harvest and process agricultural products.

Land Use and Environmental Regulations

Most zoning allows subdivision of parcels, but still requires large minimum lot sizes in agricultural areas. This results in small, non-economic farm parcels and frustrates agricultural producers who have their whole “retirement plan” wrapped up in their property.

Public agencies and private landowners often manipulate land use regulations to achieve specific development objectives on agricultural land. The constant change in comprehensive plan and development regulations does not support agricultural viability over the long term.

The plethora of regulations including, water rights, critical areas, shorelines, pesticide and herbicide registrations, application instructions, licenses to spray and pesticide/herbicide use reporting, farm employment laws etc. are daunting and may not be considered worth the effort to continue in farming.

There is not an equal playing field among counties when considering environmental laws.

There is no harmonizing of regulatory mandates. For example a farmer may be required to change a place of access to the farm for safety purposes. However, if this entails crossing a creek with listed species, it may be impossible to obtain the permits. Agencies do not work collaboratively with farmers to solve problems or conflicts. The farmer is stuck in the middle.

There is inconsistent administration of laws and regulations across agencies and internal to individual agencies.

Government intervenes in environmental issues primarily as a result of special interest concerns. Farmer participation in responding to concerns is underrepresented. Farmers do care about land, water and animals. Most are good stewards of their land.

Issues Added by the Advisory Committee

- *Zoning and permitting system understanding and education;*
- *Balancing the rights of individual property owners with the common interest of the overall community;*
- *Food as a security issue – protecting the ability to produce food and agricultural products locally in times of global uncertainty;*
- *Recognition/articulation of the reach of farm economics, both direct and indirect.*

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