



# Action for Agriculture



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NEWSLETTER

Fall 1999

## President's Report

# Philadelphia: Keep America Growing

## June 6-9, 1999

Balancing working lands and development (smart growth). This conference was a gold mine of information on tools and techniques of preserving farm and ranchland. I wish to thank the Alberta Cattle Commission for paying half my expenses. I wish to thank the Honourable Ed Stelmach for sending Len Fullen from the Policy Secretariat and I appreciated M.D. of Rocky View Councillor Wayne Fullerton for also taking the time to go to this con-

ference. We will give you some of the information on the conference in this newsletter to give you a sense of what is happening. Action for Agriculture is very excited about some events that are starting to happen in the land planning field and will keep members informed in subsequent newsletters.

Our involvement with the Land Resource Partnership in trying to put some common sense into the proposed Federal

Endangered Species Legislation has taken a lot of time but it is very necessary we put time into it.

Action for Agriculture lost one of our hard working dedicated directors with the passing of Dave Black. I can only think how excited Dave would have been if he could have been at Philadelphia to see and observe that whole toolbox of land planning tools and techniques.

—Harvey Buckley

## 1999 Keep America Growing Conference: Lessons for Canada

### Presentation to Agricultural Service Board, MD of Rocky View, July 8, 1999

#### By Len Fullen, Policy Secretariat, Alberta Agriculture

From June 6th to 9th, 1999, approximately 530 people from across North America gathered in Philadelphia to discuss problems associated with urban sprawl and ways to balance the preservation of working lands and development. The stated objective of the conference was to develop and enhance partnerships to ensure that people in rural and urban areas work together to make America more livable.

The first day of the conference included a number of bus tours throughout the region. The one in which I participated focused on farmland protection in Delaware. It included vivid examples of how suburban growth and country residential developments ("pasture palaces" a.k.a. "starter castles") have eaten up large tracts of land. We also saw examples of some of the steps state and local governments have been taking so that open space, farmland and development can co-exist.

There are no easy answers. What works in one area, won't necessarily work elsewhere. Here in Alberta, we don't have the magnitude of problems that I saw in Pennsylvania, Delaware and New Jersey—yet! And, I hope we can take some lessons from other areas and begin to apply some

"tools" now to avoid big problems later on.

I want to share with you the key messages that I heard during the conference in Philadelphia. I will also give you a brief overview about what is being done in the U.S., at both the federal and state levels, to try to address the issues associated with urbanization. I will also make some observations about the issue of farmland loss and fragmentation based on other information I have gathered. Finally, I will tell you what I see happening here in Alberta, at least at the provincial level, since this is where I am most knowledgeable. We can then have some discussion regarding future direction here in Alberta.

The conference speakers included: the deputy mayor of transportation for Philadelphia, a professor of rural sociology at Cornell University, the executive director of the Pennsylvania Rural Development Council, vice president and chief economist for the Kansas City Federal Reserve Bank, the U.S. Under Secretary of Natural Resources and Environment, mayors, land developers and a rancher from Steamboat Springs, Colorado.

Twenty-three different organizations sponsored the conference, including the

American Farmland Trust, American Forests, American Planning Association, Land Improvement Contractors of America, National Association of Conservation Districts, National Association of Counties, Soil and Water Conservation Society, Scenic America and the Trust for Public Land.

### Plenary Sessions

The plenary sessions were on land use and population trends in the U.S.: the impacts of unplanned growth and an overview of what is happening, both federally and in some of the states to try to balance working lands and development. Speakers talked about how rural and urban

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lines have blurred, how particular cities have been working hard to regenerate their inner core, some of it through "brownfield redevelopment (converting old industrial sites to entertainment complexes, sports facilities, outlet stores, urban wildlife refuges, farmers' markets, etc., to give urbanites more options close to where they live).

There were many statistics provided about land use in the U.S. We heard that an acre of open land is being lost each and every hour. Prime farmland is being converted at two to four times the rate of other lands. In 1998, there were anti-sprawl measures on more than 200 ballots across the U.S. Of these, 150 passed, committing about \$7.5 billion in additional spending. People want green spaces in which to live, work and recreate. Sprawl is now recognized as one of today's most pressing concerns in much of the U.S.

Other statistics included:

- There are 1.9 billion acres of land in the U.S., 50% of which is farmland (excluding Alaska)
- 5 million Americans live on farmland, at a density of 3.4/acre
- 265 million live in urban areas, at a density of 174/acre
- Less than 2 million Americans are farmers and of those, only about 1 million are farmers by principal occupation. Approximately 50% of farmlands are owned by non-operators and only about one percent of farmland owners are dedicated operators. 47% of U.S. farmland is controlled by 124,000 ownership units. (In future, it is possible that today's 100,000 hog farms in the U.S. will be reduced to forty farms! All of this is seen as a poor shield against sprawl.)

The speaker from the Kansas City Federal Reserve Bank spoke on linking rural policy with urban growth. He noted that the costs of congestion are increasing in the cities and that urbanites want more choices. On the other side of the coin, some of America's rural regions are really struggling, as current farm policies have failed to provide farmers with a decent living. Farm policy is unable to cure rural ills and yet no other policy is taking its place. He called for a rural policy that would recognize and reward rural landowners for their stewardship, much as Europe is currently doing on a regional basis. This

speaker believed that a rural policy could ease economic adjustments, improve economic choices for rural residents, steward the rural landscape and help to minimize urban congestion. He recognized that viable rural communities would go a long way toward slowing urban growth.

The Deputy Secretary of Agriculture for the U.S. presented a message on behalf of the Vice President, Al Gore. Richard Romican noted that farmland preservation is on the agenda for the U.S. Agriculture Outlook Conference for the first time in the conference's 75 year history. He stated that loss of farmland will be the challenge of the 21st Century and that the President and Vice-President have raised the issue to a top priority on the national agenda.

Bills S.S. 333 and HR 1950 authorized the Farmland Protection Program (FPP) at \$55 million/year for matching grants to state, local and non-profit entities that purchase conservation easements from willing sellers. FPP funds have been leveraged 9 times over by states and counties. They are oversubscribed by 600%. To date they have helped to protect 127,000 acres of farmland.

The U.S. Undersecretary noted that Americans have allowed development without much focus on resource impacts, however, he now sees communities beginning to reinvest in resources and quality of life.

The rancher from Colorado had an interesting story to tell. He lives on the edge of an area that is rapidly becoming one of America's favorite recreational areas. In 1992, he and 5 other major landowners began working with the American Farmland Trust and residents of the area to develop an Open Lands Plan for the area. In 1995, they established the Colorado Cattlemen's Agricultural Land Trust and began an incentive-based approach to protecting remaining ranch land through the use of conservation easements, cluster development and other tools. Today, they have 22 easements, covering 26,000 acres of ranchland around Steamboat Springs.

On the second day, the luncheon speaker was the Chief Administrator for the U.S. Environmental Protection Agency. She provided a number of facts and figures, including the following:

As a result of moving to the suburbs and to acreages, Americans are driving their cars 60% more today than in 1980. Vehicle costs are the second largest expense

item for the average American family. It is estimated that more than \$74 billion is wasted annually in transportation expenses, mostly from traffic jams. A one acre parking lot generates 16 times as much runoff as an acre of meadow. Asthma rates have increased significantly. Since 1970, there has been a 160% increase in children under 5 years of age.

The U.S. currently has a number of major initiatives underway, under the banner "Smart Growth" and the President's "livability" agenda. \$10 billion is being made available through Better America Bonds—a tax credit system to be used for cleanup, walkways, green space preservation, etc. Several of the states are taking similar steps. For example, New Jersey has earmarked \$100 million over the next 10 years, for "greeninfrastructure" to protect open spaces.

The first day's luncheon speaker was the Catholic Bishop of Cleveland, Ohio. He talked about sprawl without growth, a frequent message throughout the conference. (For example, one of the speakers noted that the population of Chicago has not changed in the last 20 years but that the area of the city has increased by 40%. Similarly, in the last 25 years, the population of Munroe County in New York state has increased by 3,000, yet the built-up area has increased 76%.) The Bishop also spoke about his concern that current development patterns are leading to disconnectedness among people. His bottom line was that a thoughtful examination of current land use policies is urgently required.

### Concurrent Sessions

There were also a number of concurrent sessions each day of the conference. These were generally brief presentations which allowed plenty of time for questions and discussion. The session which I found most informative was with Jill Schwartz, with the American Farmland Trust. Her presentation was entitled Tools for Protecting Farmlands. She believes that there are six effective components to farmland protection:

1. Focus on protecting lands with high value for agriculture, and with high scenic value (i.e. the best of the best). Protect a critical mass.
2. Be strategic, use mapping to plan for conservation.
3. Use a mix of protection techniques,

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## Lessons for Canada

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including both “carrots and sticks” so that costs are shared with the public.

4. The approach needs to work efficiently, protecting land and enabling development.
5. The approach must be built through consensus, bring **all** stakeholders to the table at the very beginning.
6. Attempt to discourage “sprawl” policies, to minimize the potential for conflict between neighbors.

Many speakers talked about Purchase and Transfer of Development Rights. They appear to be used extensively in many states. They are valued because they are voluntary and help to protect individual property rights. They should not, however, be seen as the only tool—rather, as an integral part of an overall plan.

A developer from Columbus, Ohio told us about her project, called Hidden Creek at the Darby. It is attracting tremendous interest from across North America and others parts of the world because it is recognized as something other than the typical “cookie-cutter” development. She began by identifying the purpose of the development and setting out priorities, including economic viability, creek protection, farmland protection, aesthetics, and preservation of historical and archeological sites. She took a people-centred approach to development, and went so far as to establish an advisory board with broad community representation. The end result was a development which had smaller-sized acreages clustered along two corners of the property. The local planning commission changed its rules to allow some of the open spaces to be used for septic fields **and** allowed roadways that were narrower than usual and did not have curbs and gutters. About two-thirds of the property has remained open for agriculture and wildlife. The plan design looked similar to many of today’s golf course/residential developments, except it incorporated open space instead of fairways and greens. This was in keeping with studies which have shown that 4 out of 5 people who buy on a golf course development do not golf, but chose to live there for the open space.

The Coordinator of the Planning Board for Monmouth County, New Jersey spoke about having begun to work with a farmer on an innovative concept using an existing lot size averaging ordinance. Today it has evolved into a Farmland Preservation Sub-

division Ordinance—part of the Master Plan for the township.

She said that farmland preservation and a rural way of life were already number one priority for the area (15 miles from the city of Trenton and an hour from both New York City and Philadelphia). The township has Interstate 195 running right through it.

Zoning calls for 2 acre minimum lots, however, with averaging lots can be as small as 1 acre provided some of the lots are larger than 2 acres. The subdivision option is available for farmland within any area that allows lot size averaging. It allows for development of no more than 50 percent of the houses (that would otherwise be built) on no more than 25 percent of the land. All remaining land is then preserved. Development cannot proceed until the land to be preserved has been recorded on a Deed of Easement. All of the residential lots have a notation on title regarding Right to Farm.

The county sees this approach as being win-win. The landowners are able to preserve some and develop some—instead of an “all or nothing” approach and developers are allowed to develop a reasonable portion of the land base, at what the speaker said was a considerable cost saving for infrastructure.

Principal messages from the conference were:

- a mix of “tools” is generally needed to achieve a balance between development and farmland/open space protection; both regulatory and incentive approaches can work but a market-based approach is generally best since it shares the costs with landowners.
- local and state governments need to work together, create a vision, determine whether agriculture will be part of a community in the future.
- an extension of current land use patterns is not inevitable.
- need to better engage the developers, to find win-win solutions.
- should aim to reduce lot sizes as much as possible to preserve natural area for common open area, farming or forestry, wherever possible.
- “Where there is a will, there is a way.” The U.S. has taken many different paths to secure funding for Purchase of Development Rights/easements for farmland protection—from lottery funds in Colorado, to a

cigarette tax in Pennsylvania, to general revenue allocations in New Jersey. A local sales tax has also been used. (The public cost of PDRs/easements are generally seen as less than the additional property taxes paid over time to service sprawl.)

A consistent message from the speakers was that they best way to save farmland is to ensure that farmers are able to make a reasonable living, however, farmers may also need to look at new ways to make a living.

### Current Situation in Alberta

The population of Alberta continues to increase and we are seeing more and more evidence of farmland and other open spaces being lost to development, albeit at a slower pace that in some parts of the U.S. and other parts of Canada. The land surrounding Calgary and parts of the Edmonton to Calgary corridor are being impacted the most.

The province has had Right to Farm Legislation for a number of years. Bill 202, which has had Third Reading, will put more teeth behind the legislation. We also have a differential/preferential farmland assessment policy in the province. I believe that both of these measures have had some bearing in keeping farmland in production.

While I am no expert in what is happening at the local level, we appear to be behind the U.S. in identifying what it is that we really value and the ways and means of protecting what we value most.

Every five years, since 1975, Alberta Agriculture, Food and Rural Development has completed an extensive review of data to identify changes to the agricultural land base. This study, the *Agricultural Land Base Monitoring Study*, has recorded both additions and deletions to the land base. Each five year report to 1990 has shown a net provincial loss of agricultural land of less than half of one percent, however, in some local areas, the loss has been considerably greater and continues to increase over time. Perhaps more important is the fact that much of the development is occurring on land with high capability for annual crop or forage production.

In 1996, Alberta Municipal Affairs, in cooperation with other ministries, developed a set of Provincial Land Use Policies, in line with S622 of the Municipal Govern-

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ment Act. The intent of the Land Use Policies was to help in harmonizing provincial and municipal policy initiatives.

Over the last five years, we are beginning to hear more concerns about the loss of farmland and the "costs" associated with fragmentation of the land base; especially with nuisance claims and conflicts between neighbors. The Alberta Cattle Commission, Earthkeeping, and the counties of Leduc, Sturgeon and Rockyview have all added their voices to those of Action for Agriculture, the Protection of Agricultural Lands group and the Southern Alberta Land Trust Society.

With the demise of the Alberta Planning Board and increased local autonomy in planning matters, I thought that there would be a slower trend in farmland loss. This does not seem to have occurred.

We cannot, nor should we stop development, however, it needs to occur in the right areas. I have no reason to believe that Canadians value farmland, open spaces and wildlife habitat any less than our neighbors to the south. People do not want to see development at the expense of farmlands or valuable wildlife habitat. Development must be well thought out.

### Other Perspectives

#### Gunnison County, Colorado – Keys to Farm and Ranch Land Protection:

Take a landowner-based approach:

- this is seen as **the** most important key to success since landowners must have ownership in the process if they are to find value in participating

Avoid government involvement:

- design program around needs and wishes of the landowners

Make land protection flexible:

- consider letting landowners retain right to some development to provide some family security

Build community support:

- townspeople want to keep farmers and ranchers in business and their lands open
- should try to get developers to acknowledge that it is the current landscape that "sells" to their customers, so that they are willing to support the cause

Don't draw lines on a map:

- maps can scare people off and create friction between those inside and those outside the lines

Fund-raising support starts at home:

- need local commitment. Successful programs have nearly always generated a lot of their own local funding.

#### Pacific Research Institute – San Francisco, California

Concern about current U.S. federal policies regarding sprawl; i.e. setting urban growth boundaries, doling out billions for mass transit, etc. Based on data that shows that sprawling cities like Phoenix have shorter commute times than more compact cities, the Institute questions whether mass transit will result in shorter commute times. It believes that affluence is the biggest factor in people's decisions to move to the suburbs or an acreage and to commute more. It sees the Vice President's agenda

as wanting to get people out of their cars at any cost and that he is "serving up a kind of conservative nostalgia—for communities untouched by changes that development inevitably brings—to advance liberal ends".

#### Public Support for Farmland Protection – Research Results

Survey of Chicago's collar counties found that residents view loss of open space as a threat to their quality of life. Appeared willing to pay \$484 per year over a five year period to permanently protect about 20,000 acres of farmland in their county from development. Concern was such that when asked to rank public spending priorities, protecting farmland and open space was on par with spending on crime prevention and school improvement.

## The Farm Protection Toolbox (American Farmland Trust)

There are seven tools to protect farmland currently being used in the United States.

1. *Agricultural District Laws* (in 16 states) Farmers apply to their local government to form special areas where commercial agriculture is encouraged and protected.

2. *Agricultural Protection Zones (APZ)* (in 24 states) APZ ordinances designate areas where farming is the primary land use and discourage other land uses in those areas. Density of residential developments is also restricted in these zones.

3. *Circuit Breaker Tax Relief Credits* (in 4 states) Circuit breaker tax programs offer tax credits to offset farmers' property tax bills. Most circuit breaker programs are based on farmer income and are funded by state governments.

4. *Differential Assessment* (in 49 states) Differential assessment laws direct local governments to assess agricultural land at its value for agriculture, instead of its full fair market value, which is generally higher. These laws are enacted by states and implemented at the local level. Owners of farmland demand fewer local public services than residential landowners, but they pay a disproportionately high share of local property taxes. Differential assessment helps bring farmers' property taxes in line with what it actually costs local governments to provide services to the land.

5. *Purchase of Agricultural Conserva-*

*tion Easement (PACE) Programs* (in 20 states) PACE is known by a variety of other terms, the most common being purchase of development rights. PACE programs pay farmer to protect their land from development. PACE programs allow farmers to cash in a fair percentage of the equity in their land, thus creating a financially competitive alternative to selling land for non-agricultural uses. The programs are publicly funded.

6. *Right to Farm* (in 50 states) State right-to-farm laws are intended to protect farmers and ranchers from nuisance lawsuits. The laws also make the assertion that commercial agriculture is an important activity.

7. *Transfer of Development Rights (TDRs)* (in 15 states) TDR programs allow landowners to transfer the right to develop one parcel of land to a different parcel of land. TDRs protect farmland by shifting development from agricultural areas to areas planned for growth. Most TDR transactions are between private landowners and developers. Farmers sell their development rights which provides liquid capital without the need to sell land.

More detailed information about these tools can be obtained from the American Farmland Trust, Technical Assistance, [www.farmlandinfo.org](http://www.farmlandinfo.org).

– Nancy-Jean Taylor

# Species at Risk Act (SARA)

## Land and Resource Partnership Alberta Chamber of Resources Position Statement on Compensation

### Introduction

The Land and Resource Partnership is a coalition of agricultural and resource industry associations formed for the specific purpose of providing input to the federal government on the development of new endangered species legislation. It is comprised of the following associations:

- Action for Agriculture
- Alberta Association of Municipal Districts and Counties
- Alberta Auction Markets Association
- Alberta Barley Growers Commission
- Alberta Cattle Commission
- Alberta Cattle Feeders Association
- Alberta Forest Products Association
- Alberta Irrigation Projects Association
- Western Stock Growers' Association
- Alberta Chamber of Resources

The Alberta Chamber of Resources is a multi-sector industry association having over 160 member corporations and associations representing a wide spectrum of industrial activity, including:

- Coal
- Oil and Gas
- Pipeline
- Metallic Minerals
- Service Suppliers
- Transportation Equipment Suppliers
- Forestry
- Banks
- Oil Sands
- Petro Chemicals
- Industrial Minerals

Both organizations have been extensively involved in the national, multi-stakeholder consultation process sponsored by the Canadian Wildlife Service and will continue to contribute to the development of new federal legislation.

### A Matter of Principle

The need for the payment of compensation in SARA is based on the principle of "fairness".

### Compensation Defined for Endangered Species Act

The Alberta-based Land and Resource Partnership (LRP) feels it is time to put the definition of compensation for use in the federal Endangered Species Protection Act (ESPA) on the table.

Over the past year, Canadian landowners, environmental groups, and resource sector developers have tried to make federal decision-makers understand the need for compensation in recovery planning relating

to species habitat protection.

"We feel it is time to say what compensation means to landowners in Western Canada," Stan Klassen, Chairman of the LRP said.

In view of recent comments by Environment Minister David Anderson about "a stampede for the cash-register," the LRP recognized it's time to start talking about exactly what compensation entails.

"We have broad-based agreement in Alberta that landowners deserve compensation when species protection affects their ability to conduct lawful activities on their land. However, it's time to specify what that means," Klassen said.

Compensation means that: when a government recovery plan includes using private land, the landowner receives compensation for loss of income from that land; compensation should apply in the event of destruction of social infrastructure or loss of investment where habitat is taken for protection of species; and if the recovery plan has a limited life expectancy, so will the compensation.

- Harvey Buckley & Bob Anderson

# Farming On the Edge

America's best farmland is being needlessly destroyed by scattershot urban development. Between 1982 and 1992, 4.3 million acres of prime and unique farmland were overrun, nearly 50 acres for every hour of every day.

AFT's report, *Farming on the Edge*, found that 79% of the nation's fruits, 69% of its vegetables and 52% of its dairy goods are now produced on high quality farmland threatened by sprawling growth. With the U.S. population expected to jump 50 percent by the mid-21st century and high quality farmland projected to shrink 13%, the nation could become a net food importer instead of a net food exporter within 60 years.



The Board of Directors extend their very best wishes

to you and your families for a very Merry Christmas and a Happy and Prosperous New Century for Agriculture.

"In the end, we will conserve only what we love ...

We will love only what we understand ...

We will understand only what we are taught."

Chinese philosopher Lao-Tsu



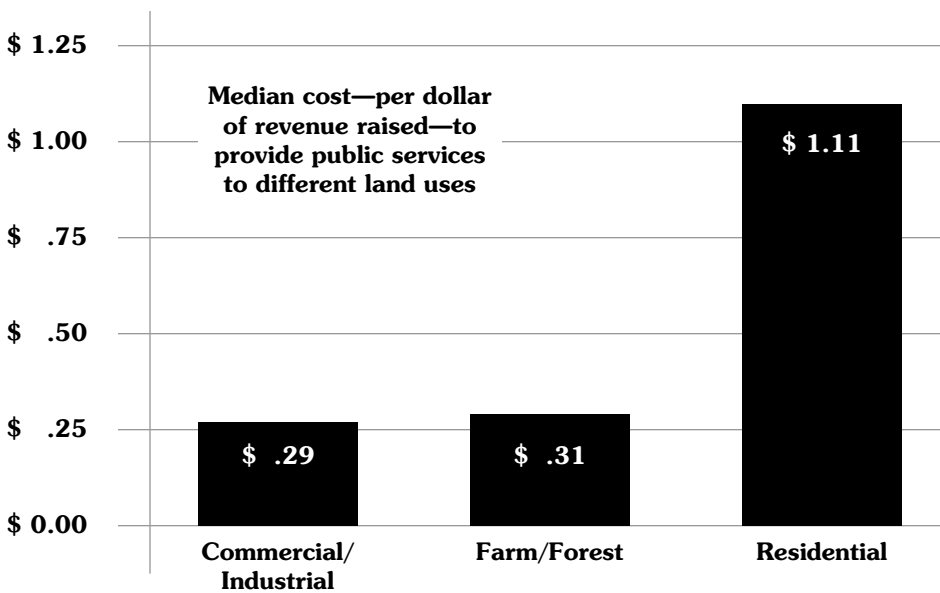
"Admit it! You're scared to death I'll quit!"

# Saving Farmland is an Investment in Community Infrastructure

To many people, the most compelling reasons for saving farmland are local and personal, and much of the political support for farmland protection is driven by grassroots community efforts. Agriculture contributes to local economies directly, through sales, job creation, support services and businesses, and also by supplying lucrative secondary markets such as food processing. Distinctive agricultural landscapes may be magnets for tourism. Farmland offers a hedge against fragmented suburban development while supporting a diversified economic base. Increasingly, people view natural resources, including agricultural land, as vital for the well-being of our communities, rather than as "free" material to be disposed of at will.

Privately owned and managed farmland generates more in local tax revenues than it costs in services. In a series of Cost of Community Services studies, American Farmland Trust has developed a method to analyze revenues and expenditures on a municipal land use base. To date, AFT and others have used this method in more than 40 communities in the Northeast and Midwest. Time and time again, careful examination of local budgets has shown that farm, forest and open land more than pay for the municipal services they require, while taxes on residential uses consistently fail to cover costs. Saving farmland is an investment in community infrastructure. Figure 0.2 summarizes the findings of 40 COCS studies.

**Fig. 0.2 SUMMARY OF COST OF COMMUNITY SERVICES STUDIES**



In related studies measuring the effect of all types of development on municipal tax bills, Ad Hoc Associates found that in general, as communities become more developed, tax bills go up. Even communi-

ties with the most taxable commercial and industrial properties have higher-than-average taxes<sup>19</sup>. Local governments are finding out, often too late, that they cannot afford to pay the price of sprawl.

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