

BROOKINGS AGRICULTURAL ROUND TABLE SEMINAR

1. Federal Land Use Activity

- 1) HR 3510--not reported out of House Interior and Insular Affairs Committee (23-19 vote)

Reasons: Adverse pressure on members--particularly in some states. People distrust motives and what may ultimately result if a federal bill passed.

- 2) HR 8932--Same bill reprinted with changes introduced in Committee action. Committee currently plans no action, neither does Mr. Udall.
- 3) S 984--Senator Jackson's bill. Very similar to HR 8932, except contains energy title. Hearings and markup to start again soon. Much work may center on energy title.

2. General Philosophy of Udall/Jackson Bills suggests:

- 1) Need to restructure land use decision making beyond local government to handle issues having more than local impact or in areas of more than local concern.
- 2) Need to keep federal government out of land use decisions, but put federal dollars into helping state and local governments develop new programs.

---

Remarks by Norman A. Berg, Associate Administrator, USDA, Soil Conservation Service, at the Brookings Agricultural Round Table Seminar, September 9, 1975, Washington, D. C.

- 3) Need to control land use more directly at both local and state level (more than just plan).
- 4) Federal actions (major) need to be consistent with approved state programs.
- 5) Something has to be done to develop policy on land use planning/control concerning Indian lands, but nobody knows for sure what. Udall bill would study.

3. USDA Reaction to Udall Bill:

- 1) Opposed as per Ford Administration. Too many new federal dollars involved in a deficit year.
- 2) Thought the bill's contents (aside from dollar problem) were better than last year's contents. Examples: section on prime lands, involvement of local government, advisory committees, etc.
- 3) Did not want to see all national policymaking re: land use vested in one Department or Secretary, so thought the reliance on Office of President for National policies was an improvement.

4. Where to Now?

- 1) USDA has been urged to seek a Council arrangement of some kind to deal with the land use topic.
- 2) Why have federal role in land use at all?
  - a. Most important and, in many ways, least planned aspect of land use is large public works investments; i.e., airports, highways, parks, power plants, etc.
  - b. Federal government is nation's largest single land holder (1/3 of land) and the actions on these lands affect economy and private land use greatly.

- c. Federal programs, including FmHA rural housing loans, highly influential in many areas.

IN OTHER WORDS, USDA FEELS ANY FEDERAL LAND USE PROGRAM SHOULD NOT HARASS INDIVIDUALS, LOCAL GOVERNMENTS, STATES, ETC., BUT REDUCE SOME OF THE CONFLICTING AND IRRESPONSIBLE THINGS THAT NOW RESULT FROM THE PATTERNS OF FEDERAL INVESTMENTS, PROGRAMS, AND ACTIONS.

3) Is a change of philosophy needed? What might it be?

It's possible that the answer lies in changing the whole thrust. Many states have been taking action this past year. The direction seems to be to leave decision making at the local level, but tighten up the rules under which it is done.

- a. Conflict of interest provisions
- b. "Due process" requirements
- c. Allowance for regional coordination in large issues
- d. Allowance for city/county cooperation on the urban fringe
- e. Strengthen health regulations
- f. Provide constitutional basis for differential tax
- g. Require (not allow) cities/counties to plan and control land use

4) Where would this leave federal action?

Possibly the feds could begin to attack the land use issue by:

- a. Providing a federal coordinating mechanism to review and surface conflicts in major federal investment decisions so that the agency which had everything to gain and nothing to lose by building the wrong thing in the wrong place was not the sole authority on whether or not to build it.

- b. Provide some federal funds (it shouldn't take much) and the coordinated federal commitment of existing programs to improve the basis of fact upon which local government makes land use decisions. This could be done by strengthening the coordinative ability of state planning agencies to provide data services, or it could simply be the assembly of better coordinated data services at the local level.
- c. Provide a charge to the federal coordinating mechanism to develop a new set of model state enabling legislation and guidelines for a model state "package" of land use laws for approval by Council of State Governments, Governor's Conference, and Congress. (Council of Mayors & NACO)
- d. Following Congressional approval, provide federal grants (new, perhaps, plus HUD-701, EPA, CZM, etc.) to state agencies and localities only in those states having state enabling legislation modern enough to meet the model guidelines (probably after a 5-year development period).

## PRIME AGRICULTURAL LANDS

1. The continued conversion of America's best producing lands out of production is a matter of rising national concern. National concern is rising in spite of the fact that, for the time being, it looks like we have land enough in cultivation and available for cultivation to meet needs. Reasons:
  - A. Many land use changes are almost irreversible
  - B. Energy and environmental constraints may reduce future increases in yield per acre
  - C. Prime land for food is so important that a longer time frame is needed for thinking ahead
  - D. Localized changes in agricultural land may jeopardize agribusiness and infrastructure needed for continued production.
  - E. Certain crops that need special conditions are being forced out of production

Recent seminar participants adopted a resolution to have prime lands considered specifically in the preparation of environmental impact statements. The participants also agreed that a national council like the Water Resources Council should be established for land.

Seminar participants accepted the recommendations of five work groups that, after some further review and comment, will be submitted to the Agriculture Department. The topics addressed by the five work groups and their recommendations include:

...What are the future food, fiber, and timber "demand" implications for USDA land policy, programs, and planning assistance?

The group recommended increased research to improve agricultural productivity; a leadership role for USDA in land resource analysis: updating and expanding the land resource information base; a leadership role for USDA in coordinating and making uniform standards for land analysis information collected by the various federal agencies; and intensification of USDA efforts to increase public awareness for the need to preserve prime agricultural lands.

...What are the future food, fiber, and timber land "supply" implications for USDA land policy, programs, and planning assistance?

This group warned that "evidence indicates we have reached the point where decreases in land in production may no longer be balanced by increases in productivity."

They recommended formulation of a national policy to meet food and fiber needs up to the year 2000; consideration by other federal agencies of the impact of programs (such as waste water treatment facility planning, or highway construction) on crop production; a leadership role for USDA in coordinating and making uniform standards for land analysis information collected by various federal agencies; formulation of a policy for "retention of prime and related land for agricultural use" where urban and rural areas meet.

...What strategy should USDA follow in defining, classifying, and mapping "prime" agricultural and timber lands?

This group recommended that USDA work toward development of a land classification system to assist in the development of decisions affecting land use. The group emphasized that there should be a clear distinction between policy decisions and technical land classification decisions.

...What approaches and techniques for implementing plans to guide the use of land should USDA assist?

This group said USDA should, because of its long experience in this area, provide future leadership among all federal agencies. But, they said, state and local governments should continue to be the final decision making levels.

...How should USDA agricultural and timber concerns be integrated into the planning process at state and local levels?

This group said USDA should actively advocate retention of prime agricultural lands "with emphasis on converting productive lands only after deliberate consideration of alternatives."

Therefore, though not convincingly demonstrated by overall statistics, the loss of prime agricultural lands is a problem for which the U. S. Department of Agriculture should develop a national policy, and<sup>be</sup> a strong advocate for guarding against any action that diminishes the ability to produce food and fiber.

2. Most programs to date have been local with some state efforts
3. Assuming local concern, what can locals do?
  - A. Understand the process
    - 1) What is happening to local land? How much is being developed each year? What is the impact of this loss on the agricultural structure? What is the impact on urban living quality? cost of services? taxes?
    - 2) Why are properties going urban?
      - Property tax pressures?
      - Farmers retiring?
      - Farmers dying--estate tax pressures?
      - Overwhelming demand for land?
      - Close-in land held at very high speculative prices?
  - B. Devise a total program for retention
    - 1) Help keep land in agriculture tax on actual use, not "highest and best" use
      - Work for estate tax reform
      - Purchase development rights
    - 2) Insist on high quality urban development
      - Availability of services
        - sewer-water-roads-fire protection, etc.
    - 3) Help make properly located open land available to developers and homebuilders
      - site value taxation
      - community land banking
    - 4) Investigate new methods beyond the traditional zoning for



guiding land use decisions  
Transferable development rights (Suffolk County)