LandWorks Connection

Volume V, Issue 3
Summer 2002

In This Issue:

POLICY REPORT: The 2002 Farm Bill & Farmland Protection

With its hefty increase in funding for farmland protection, the 2002 Farm Bill is likely to stimulate new state and local farmland protection initiatives, especially because land trusts are now eligible for funding through the Farmland Protection Program (FPP).

While it is far from the policy reform many hoped for, the Farm Security and Rural Investment Act of 2002 contains huge increases in spending on both the commodity and conservation titles. Among the big winners in the conservation title was the FPP, which received a more than tenfold increase, the largest proportional increase of any program in the conservation title.

"As a percentage of total farm bill spending, conservation didn't do any better than in 1996," says American Farmland Trust President Ralph Grossi. "On the other hand, because of the overall increase in funding, conservation funding is 80 percent higher, and much of that will go to areas that historically haven't benefited from farm programs. The FPP is key because it goes to areas where suburban and urban edge voters will be affected."

Several provisions of the new law will likely affect the way farmland protection professionals—as well as planners and other conservationists—do their jobs. They include:

New administrative rules: The increased funding level triggers a formal USDA rulemaking process that will take effect in FY03. Draft rules are expected this fall, followed by a period of public comment. AFT will be tracking this process and will provide updates as information about the rules

continued on page 6

Farmer/Activist Leads Efforts to Revitalize County Agriculture

Famous for its software and aviation giants, the Seattle region also hosts a diverse agriculture centered around vegetables, cut flowers and berries. King County's enviable balance of industries is partly due to community commitment to agriculture and an effective county program that combines farmland protection and economic development to ensure a future for local farmers.

Since 1995, Eric Nelson, a dairy farmer turned county official, has managed the King County Agriculture Program, helping to increase the number of farmers' markets, launch a successful promotional labeling program and protect a long list of farms through conservation easements. Satisfied with a job well done, Nelson, 40, now plans to return to dairy farming.

Nelson and his wife, Marie, have purchased and will re-open a 105-acre dairy operation in Duval, relying on Seattle-area customers as a direct market for value-added milk products. "I'm walking the talk now," says Nelson.

"Eric is a guy who is choosing to go into agriculture, not leave it," says Don Stuart, Pacific Northwest director for American Farmland Trust. "He is putting into practice the very ideas he has been promoting for the salvation of urban edge agriculture in this county for several years." *continued on page 7*

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American Farmland Trust

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AGRICULTURAL DISTRICTS: A Tool for Protecting Local Agriculture

Like much of rural America, Haywood County, North Carolina, is not fully zoned, and government-imposed growth control measures are unpopular. Yet, Haywood is one of a growing number of North Carolina counties that recently adopted a voluntary agricultural district program. Already, say local observers, the fledgling program is influencing the way residents look at land use planning and land conservation.

"It's getting people thinking in the direction of open spaces and preserving their farms," says Leslie Smathers, an official with the Haywood County Soil and Water Conservation District. Development, linked both to growth in North Carolina's high-tech industry and increasing demand for retirement and second homes throughout the Southeast, is changing rural counties. "We're trying to find a balance between the farms we have left and the second home buyers and the local buyers," Smathers says.

North Carolina is one of 16 states that have agricultural district laws allowing farmers to form special areas where commercial agriculture is protected and encouraged. These programs are designed to support farming by offering a package of incentives in exchange for voluntary enrollment. Because agricultural districts are flexible, the benefits and restrictions can be designed to meet local conditions and goals.

Terms of enrollment—such as minimum acreage requirements, years of enrollment and limits on development—vary widely, as do the incentives agricultural districts offer. Benefits can include agricultural tax assessments; exemptions from local regulation; restrictions on public infrastructure improvements; protections from eminent domain, annexation, and private nuisance lawsuits; and eligibility for purchase of agricultural conservation easement (PACE) programs.

The impact of agricultural districts on land protection varies just as widely, depending on whether the program is tied to property tax relief or PACE. While they are not a substitute for permanent land protection, districts support agriculture and help stabilize land uses. According to North Carolina's Farmland Preservation Enabling Act, "The purpose of such agricultural districts shall be to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and other negative impacts on properly managed farms."

California and New York have the oldest programs and—due to their property tax relief provisions—the highest number of acres enrolled. Both programs have been adapted and expanded over time to meet emerging needs.

California's 1965 Williamson Act was designed to preserve agricultural lands and open space and to promote efficient urban growth patterns. It is voluntary, allowing landowners to sign renewable 10-year contracts with participating counties to restrict use of their land to agriculture and open space. In return, the land is assessed at its agricultural use value, providing significant property tax relief to landowners. California reimburses local governments for the loss of property taxes through a mechanism called subventions—in some cases providing more in subventions than the locality would have received through the property taxes.

Of the state's 58 counties, 53 participate. Approximately 16 million acres of agricultural land are enrolled—about half the state's agricultural land and one-third of all privately owned land—and California spends about $39 million a year on subventions. "The Williamson Act subventions appear to be safe in this year's state budget despite a $23.6 billion shortfall. The budget bill has passed in the Senate and is pending action in the Assembly….Our grassroots lobbying campaign appears to be paying off," says John Gamper of the California Farm Bureau Federation.

In 1998, California passed another law creating Farmland Security Zones (FSZ). Farmers who sign a 20-year FSZ contract receive expanded district benefits, including a 35 percent reduction over their Williamson Act property tax assessment. FSZ provisions also provide greater restrictions on siting of public facilities and annexation by local governments.

"In addition to protecting over half of California's prime farmland, the Williamson Act has protected our rangeland resources from being parcelized, which also protects habitat and watersheds," says Gamper, adding that having those lands subdivided into "second homes and rural ranchettes would be just devastating to the state."

What's debatable "is whether it's been effective in limiting growth around our cities, particularly cities in the agricultural regions of the state," says Erik Vink of the California Department of Conservation's Division of Land Resource Protection, which administers

continued on page 4

A MATTER OF SCALE

Editor's Note: This article is the second in a series exploring changes in the structure of agriculture and how those changes may influence land conservation. In the Spring 2002 Connection, *we examined the extent to which equine contributions to the working landscape are recognized as "agriculture." In this issue, we turn to confined animal feeding operations, where an increasing amount of the nation's beef, pork, milk and poultry is produced.*

Animal agriculture is vital to Fayette County, Kentucky. Yet when the county launched its new purchase of development rights (PDR) program this year, it established the first public farmland protection program to specifically restrict confined livestock feeding operations on protected land. Fayette's easement language limits to 100 head the number of animals that can be kept in a feedlot or other confined facility.

The limitation, says Fayette County PDR administrator Maner Ferguson, reflects community interest in protecting and promoting the pasture-based horse and cattle operations that are the mainstays of the county's agricultural economy and heritage. After looking at sample easement language from other programs, a 40-member citizen advisory panel developed its own version.

"It does prevent large poultry or swine operations from coming in, but it also does permit what we're doing here now," Ferguson explains. "We don't have any large hog or poultry operations in this county. People wanted to see that the land is preserved as pastureland but not preclude our current operations from fattening beef cattle."

Elsewhere in Kentucky, and throughout the nation, people in rural communities are grappling with the emergence of a new kind of livestock production. Known as Concentrated Animal Feeding Operations (CAFOs), these facilities confine thousands of animals—pigs, chickens, turkeys and sometimes cows—in one facility, congregating animals, feed, manure, dead animals and production operations on a small land area.

While CAFOs and approaches to regulating them have been controversial at federal, state and local levels, they've not been an immediate concern for most land trusts and public farmland protection programs. Owners and financial backers of large livestock operations tend to avoid restrictions associated with easements says Russ Shay, director of public policy for the Land Trust Alliance. "Almost all land trust easements have restrictions on building space and impervious surface coverage and that tends to be limiting," he says.

Photo courtesy of Farm Sanctuary

Pigs raised in metal and concrete pens until 6-months old when they reach slaughter weight of 250 pounds.

Yet, because most agricultural land trusts and public farmland protection programs tend to broadly define agricultural uses and rely on generally accepted agricultural practices to guide management of those farms, intensive livestock operations are not automatically excluded from participating in easement programs. Though state laws and regulations vary, many consider CAFOs agricultural enterprises eligible for many of the protections and benefits—such as differential tax assessments and right-to-farm protections—designed to keep farmers on the land. In North Carolina, for example, the state Supreme Court ruled in June that counties cannot regulate large hog farms more strictly than the state does, invalidating a Chatham County public health regulation.

Furthermore, say CAFO critics, large-scale livestock operations have important implications for farmland conservation because of their potential environmental consequences, the impact their proliferation has had on the structure of agriculture and other farms, and the way they affect the public's perception of agriculture.

"I think large-scale livestock operations should be of concern to farmland protection professionals because they so much change the landscape in these rural areas," says Kay Slaughter, an attorney with the Southern Environmental Law Center (SELC), which is working to bring industrial hog and poultry operations under strong environmental and public health controls. "Scale is important," agrees Melanie Shepardson of the Natural Resources Defense Council. "CAFOs have huge implications for drinking and surface water, public health, antibiotic resistance and air pollution."

The U.S. Environmental Protection Agency (EPA) defines Animal Feeding Operations (AFOs) as "agricultural operations where animals are kept and raised in confined situations." A facility is an AFO if animals are "stabled/confined" for 45 days or more within any 12-month period and the facility does not produce any crops, vegetation or forage growth. A "Concentrated Animal Feeding Operation" (CAFO) is an AFO "that has more than 1,000 animal units" or has 301-1,000 animal units and its wastes are "discharged through man-made conveyance or directly into U.S. waters," under the EPA definition. *continued on page 5*

Agricultural Districts *continued from page 2*

the program. Vink says owners of land on the urban edge tend to use the law's 10-year non-renewal provision to withdraw from the program.

"We'd like to see agricultural districts in all 100 counties."

—Steve Woodson, North Carolina Farm Bureau

While the law does not prohibit public agencies from placing public improvements, such as schools, water treatment plants and roads, on land restricted by a Williamson Act contract, it does require them to show that the location is not based on cost and that there is no other land that is feasible. Often, though not always, those provisions steer development away from Williamson Act land. "It's been effective as a backstop for local elected officials to say no to development proposals that would be located on Williamson Act land," Vink says. "It's also made growth more thoughtful because of the 10-year exit process and prevents the kinds of opportunistic development proposals that might be tempting to local officials."

New York's comprehensive agricultural districts law, established in 1971 and strengthened by subsequent amendments, makes differential assessment available to farmers and provides protections against unreasonable local regulation and eminent domain. At the close of 2000, there were 343 New York agricultural districts comprising approximately 21,758 farms and 8.58 million acres. (See the Spring 2002 *Connection*, posted on the LandWorks Web site.)

New York's law requires state agency policies to support farming in agricultural districts and prevents local governments from unreasonably restricting agricultural operations through ordinances and land use decisions. In 2001 the state's Department of Agriculture and Markets conducted 41 case reviews involving conflicts and potential conflicts between local regulations and protections contained in the agricultural districts law. The number of cases is increasing as farmers and local governments become aware of the law's protections. But unlike California, New York does not restrict development, it only assesses a roll-back tax and possibly a penalty for conversion.

"The biggest challenge facing New York's agricultural districts is gaining support from municipalities and non-farm neighbors," says Jessica Chittenden, spokeswoman for the Department of Agriculture and Markets. "There has been an increasing opposition from non-farm neighbors to farm practices that are protected in an agricultural district from local restrictive ordinances."

Under New Jersey's "Eight-Year" program, landowners voluntarily restrict non-farm development for eight years to be eligible for grants for 50 percent of the costs of approved soil and water conservation projects. Landowners in municipally approved programs receive additional protections from nuisance suits, emergency fuel and water rationing, zoning changes and eminent domain. The state recently launched a new initiative that encourages counties and municipalities to create large, multi-farm districts. If an owner wants to sell an "eight-year" property, the State Agriculture Development Committee (SADC) has the first right to purchase the property.

Typical of many states, New Jersey requires counties that adopt an agricultural district program to establish local agricultural boards. While these boards are designed to help the counties rank farms for possible purchase of conservation easements, they also provide a crucial voice for agriculture in public policy decision-making. "They're independent bodies at the local level that look at farmland preservation efforts in their areas, says Robert Baumley, assistant director of the SADC. Boards "can also play a broader role, looking at the whole agricultural industry in their area," Baumley says.

For more information:

California Division Land Conservation Act
www.consrv.ca.gov/dlrp/LCA/index.htm

New York Farmland Protection Program
www.agmkt.state.ny.us/AP/FarmlandProtection.html

New Jersey State Agricultural Board
www.state.nj.us/agriculture/sadc/sadc.htm

This is starting to take place in North Carolina, too. Recent training and networking programs for agricultural advisory boards are developing a stronger voice for agriculture in county decision-making. "Right now they see their role primarily as holding hearings on condemnation of farmland, but the law also allows them to hold hearings on anything that affects farms and farmland in the county," says Steve Woodson of the North Carolina Farm Bureau. "We tell them they should be looking at things like present use value schedules and land use planning issues—to tell the board of commissioners how it will affect agriculture."

Thus far only 25 of North Carolina's 100 counties have adopted an agricultural district ordinance. Although the law is 20 years old, roughly half the counties that have adopted agricultural districts did so over the last three years, spurred by sprawl and increasing nuisance complaints against farmers. "Farmers are starting to get some awareness of how growth issues affect their ability to farm," says AFT's Southeast Director Gerry Cohn. The North Carolina Farm Bureau and NCSU Extension promote ag districts as well. Up to 10 additional counties are considering participating in the program, says Woodson. "We'd like to see agricultural districts in all 100 counties," he says.

Compared to some states, North Carolina's agricultural districts law is weak, offering a limited menu of options. Eleven other states, for example, include a local planning requirement. Seven restrict public investment for non-farm development, and six impose significant sanctions for withdrawal. Some other states (notably Maryland, Delaware and Pennsylvania) link agricultural district participation to eligibility for agricultural easement acquisition programs. Moreover, because differential property tax assessments are available to North Carolina farmers regardless of their participation in an agricultural district, that incentive is not available (as in New York and California) to encourage enrollment. *continued on page 8*

A Matter of Scale *continued from page 3*

These facilities have proliferated over the last 15 to 20 years, with perhaps the most dramatic changes occurring in the swine industry. The number of farms that kept hogs and pigs declined by 67 percent between 1982 and 1997, while the number of animals increased by 11 percent and the average number of animals per farm increased by 232 percent, according to the USDA. Similar trends are occurring in the beef, poultry and dairy industries. Between 1978 and 1992, the average number of animal units (1,000 pounds live weight) increased by 93 percent on dairy farms, 176 percent on egg farms and 148 percent on broiler operations, according to the General Accounting Office.

In some places, farmers have turned to confined livestock production as an alternative to selling out for development. "I think you must view many farmers that get in to this as struggling to keep their farm," says AFT's Southeast Director Gerry Cohn. "As one N.C. hog farmer told me, 'I don't enjoy spending my days inside a hog house, but it's the only thing I know that will allow me to raise my family out here on the farm. My wife isn't thrilled with how I smell when I come home, but she realizes I'm doing what it takes.'"

Some farmland protection professionals say it's important that easement language and program guidelines can adapt to changes in the structure of agriculture, including the trends toward larger livestock farms. Michigan's Farmland and Open Space Preservation Program, for example, holds a donated conservation easement on a 2,000-head dairy farm.

"Our easement language defines agriculture quite broadly. We look at those [large farm] operations as being bona fide agricultural operations," says Rich Harlow, manager of the state farmland protection program. In 1999, Michigan amended its right-to-farm law so that new and expanding livestock facilities must adhere to "Generally Accepted Agricultural and Management Practices" (GAAMPs) in order to receive nuisance protection. Other agriculture agencies are responsible for regulation and enforcement.

"From a practical standpoint it makes more sense because agriculture is a pretty dynamic industry and it's changing daily in terms of what people are growing and how they're growing it and storing it," says Harlow.

The goal of GAAMPs, as a component of federal and state regulation of AFOs, is to minimize their environmental and public health impacts. According to EPA estimates, hog, poultry and cattle waste has polluted 35,000 miles of rivers in 22 states and contaminated groundwater in 17 states. "AFOs can pose a number of risks to water quality and public health, mainly because of the amount of animal manure and wastewater they generate," says a 1998 federal report on these facilities. "AFOs have the potential to contribute pollutants such as nutrients, sediment, pathogens, heavy metals, hormones, antibiotics and ammonia to the environment."

"The point of farmland protection is to preserve the land resource itself, and this factory style of production is very hard on the land," says Michelle Nowlin of the Southern Environmental Law Center.

Odors are among the chief complaints about CAFOs, particularly hog operations. "The odors are something that cannot be explained on paper," SELC's Slaughter says, emphasizing that often the people who complain about them are "farmers and rural people" who are accustomed to agricultural smells.
continued on page 8

For more information:

EPA Animal Feeding Operation (AFO)
http://cfpub.epa.gov/npdes/home

Papers by John Ikerd
http://ssu.agri.missouri.edu/faculty/Jikerd/papers/default.htm

Center for Rural Affairs
www.cfra.org

Families Against Rural Messes
www.farmweb.org

Environmental Working Group
www.ewg.org

Grace Factory Farm Project
www.factoryfarm.org

LAY OF THE LAND

Growth in U.S. population, 1982 to 1997 [1]	**17%**
Increase in amount of urbanized land, 1982 to 1997 [1]	**47%**
Increase in acreage per person for new housing over past 20 years [2]	**≈100%**
Percent of land for new housing on lots of 10-22 acres since 1994 [3]	**55%**
Percent increase in state participation since FPP inception [4]	**100%**

Sources:

1 *Brookings Institution, 2001*

2 *U.S. Dept. of Housing and Urban Development, June 2000*

3 *USDA Economic Research Service, 2001*

4 *American Farmland Trust*

2002 Farm Bill *continued from page 1*

Other conservation programs that received large funding increases ($550 million available in FY02 and nearly $8 billion through FY07) can help enhance working lands. For instance, the new Conservation Security Program (CSP) will offer incentive payments to farmers who develop and implement holistic management plans for improving a variety of on-farm resources—such as wildlife habitat, soil health, water quality, etc. The Conservation Innovation Grants included in the Environmental Quality Incentives Program (EQIP) will address many of these issues, but specifically focus on developing private markets for environmental benefits.

becomes available (check our Web site, www.farmland.org). Meanwhile, FPP implementation for FY02 has moved ahead rapidly (under the old rules) in order to obligate $48 million in funding for 2002 by the close of the federal fiscal year on September 30.

Increased role of state NRCS staff: When it was a small program, all FPP project selections were made in Washington, D.C. Now, the USDA Natural Resources Conservation Service (NRCS) will allocate blocks of funding to state offices to implement state FPP plans. This makes working relationships with NRCS Technical Committees a high priority for individuals and groups interested in strategic farmland protection.

Collaborating with new partners: In addition to making non-governmental organizations such as land trusts eligible for FPP awards, another new provision allows working farms that have historical and archeological resources to be eligible for FPP. This provision has sparked new interest in farmland protection by a number of potential new partners, including battlefield preservation groups.

Over the long term, some say, expansion of FPP eligibility and participation will bring some new challenges for those working in farmland protection.

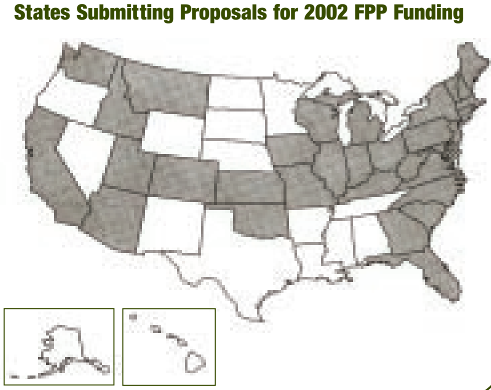
- Accommodating new players: The farm bill also makes non-governmental organizations (NGOs) eligible for FPP awards. As a result, says Land Trust Alliance Director of Public Policy Russ Shay, eight states that did not have established public farmland protection programs were able to participate in FPP for the first time. Shay and FPP administrator Doug Lawrence predict additional states will follow. "Over time, we may see growth in the number of land trusts interested in farmland protection and growth in participation," says Lawrence, who heads NRCS's Farmland Protection and Community Planning staff in D.C.

- More effort may be needed to ensure that privately funded protection efforts are coordinated with public land use policy. "I think we're going to see increasing concern, particularly in communities where land trust efforts are not tied to or consistent with local public policy," says Grossi, who is encouraging public-private partnerships at the state, county and even township level. "In many communities land trusts and local government are running on separate tracks. It's important to bring the two together. It will result in better public policy."

- Ability of state and local programs to raise the 50 percent match now required by the FPP. "It's not so much an immediate concern," says Grossi. "There's already a backlog of applicants and many states have money in the pipeline for purchasing easements, so this will augment that. But if the recession and the fiscal problems in the states continue for a few years, it could be a concern."

- Demand to purchase easements still far exceeds available funds. For FY02, 34 states submitted plans for about $250 million in easement purchases, and figures are likely to grow with land trust participation and establishment of new programs. But even without new players, existing state and local funding far outstrips FPP funds. State and local program managers reported more than $350 million available for PACE this year. With nearly $150 million available between them, Maryland, New Jersey and Pennsylvania had enough funding this year to match all of the FPP money authorized for 2002 and 2003.

States Submitting Proposals for 2002 FPP Funding



Looking at the national picture—especially the immeasurable influence of thousands of land trusts—puts the new FPP money into context. "This is a huge increase but it is just barely scratching the surface," says LTA's Shay.

And already, Grossi, Shay and others are looking forward to 2007, both in terms of building the FPP and broader policy reforms. "We're very happy to help people get this money out, but we're really interested in moving this program up and getting new and additional resources to it," says Shay.

Says Grossi: "The level of public disgust with the commodity programs, as evidenced by all of the editorials around the country, may just cause enough of a backlash to lead to real reform the next time around." *B.H./T.W.*

Protection King *continued from page 1*

Nelson's involvement in farmland protection evolved from attending citizen advisory meetings, to working on the development of a comprehensive county plan, to serving on the county's agricultural commission. From there, he landed his job with the Agriculture Program.

Local farmland protection professionals say Nelson's farming background has been critical to the county program's success. "He's quick on his feet and, because he farmed, knows exactly what the needs of farmers are," says Steve Evans, who runs the local labeling program. "I've been working with farmers for 25 years and I can't claim to have nearly the breadth and knowledge that Eric has."

Photo by Kristen Nelson

Eric Nelson and his wife, Marie, with Ruth Coy Bellamy, a friend from whom they purchased their dairy.

With more than 1.7 million residents, King County is now the 12th most populous county in the nation, having grown by 46 percent since 1970. The county's purchase of development rights (PDR) program, established in 1979, helped slow conversion of farmland, but development and economic pressures continue to squeeze an agriculture that is the nation's top producer of celery, lettuce and radishes, and number two in cut flower production. Acres in farmland dropped from 61,107 in 1969 to 41,653 in 1997, the most recent year for which USDA statistics are available.

Over the last 25 years, groups of farmers and other concerned citizens have worked to limit development and galvanize community support for the region's agriculture. A key step was the 1994 creation of the county agriculture commission, on which Nelson played an active role, to advise it on ways to enhance and promote farming.

"Even if you have a preservation program, farmers need to get more money for their products. With our average size farm at 30 acres, the trick is to find ways to endear and connect farmers to the urban community," Nelson says.

The county also set aside more money for PDR in the 1990s and, perhaps most importantly, established a "no net loss" policy. "No net loss" requires developers who want to build upon agricultural land to mitigate for it by purchasing a parcel of the same acreage and quality soils elsewhere in the county. The policy applies to land in four agricultural production districts designated within the county. Acreage in the districts totals 40,500 acres.

"The net effect of that is we haven't had any designated ag land in those districts turn over to development," says Nelson.

Agricultural districts and strong anti-growth messages like "no net loss" make up just two prongs of the county's comprehensive approach. According to Nelson, counties wanting to emulate King County's success might also consider:

- Identifying agricultural lands of long-term commercial significance;
- Establishing a PDR program;
- Collaborating with nonprofit organizations that help foster business and support from urban/suburban constituents;
- Helping connect retiring farmers with entering farmers in "Farm Link" programs;
- Creating new marketing opportunities for farmers;
- Appointing a county agricultural commission (King County did so through an ordinance) so farmers can have a voice in policy-making.

Some of Nelson's list has been executed to great effect. For example, the county has invested heavily in promoting local agriculture. In 1995, it provided $3 million in bond issues for agricultural economic development initiatives. Some of those funds support direct-marketing efforts to sustain farming, such as start-up funds for three new Seattle farmers' markets and the "Puget Sound Fresh" label, which, farmers say, really attracts buyers. The three markets within Seattle's city limits are major draws, grossing $2 million in 2001.

The county also established a local Farm Link program to connect people transitioning out of farming and would-be producers looking for land. Started in 2000, it has already made 11 matches on 275 acres.

Nelson himself linked with a retiring farmland owner he met on the job. This spring, he bought a 180-cow herd and began building fences to divide his fields into pastures. His grass-based dairy operation is an economically sound way of raising livestock with minimal manure concerns. The Nelsons will sell dairy products at a farm stand on their site, along with neighbors' fruit, vegetables, grain and hay. With their farm amid housing subdivisions about 25 miles from Seattle, Nelson bets on direct-marketing success.

"I'm doing what we've been talking about at the county all these years," he says. *V.B.*

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For more information:

King County Agriculture Program
http://dnr.metrokc.gov/wlr/LANDS/agricult.htm

Puget Sound Fresh
www.pugetsoundfresh.org

FarmLink
http://wafarmlink.org

Seattle Neighborhood Farmers Market Alliance
http://www.seattlefarmersmarkets.org/about.htm

Agricultural Districts *continued from page 4*

Still, North Carolina's law has increasing appeal. In exchange for limiting development for a 10-year period, farmers can receive enhanced right-to-farm protections, exemption from mandatory water and sewer hook-ups, and a required hearing prior to condemnation of farmland. Another attractive component is a notification provision designed to reduce conflicts with non-farm neighbors. The provision requires that a written notice, including warnings of farm-related noise, dust and odors, be sent to anyone buying property within a specific distance of an agricultural district.

Smathers credits the Haywood County farmers' experience with the agricultural district as the first step in getting some interested in donating conservation easements to protect their farms and help transfer them to the next generation of farmers.

"As farmers see the advantages of blocks of land being limited from development in the short term, they start to get a broader picture of the benefits of permanent land conservation," says Cohn. *B.H.*

A Matter of Scale *continued from page 5*

Corporate control and consolidation are also a concern. "One of the benefits of preserving farmland and helping families stay on their land is preserving the socioeconomic character of a community," Nowlin says. "But these factory farms create nuisances for their neighbors, including other farmers."

Furthermore, swine and poultry CAFOs are often owned by farmers who contract with corporate integrators. While the farmer typically owns the buildings (and is responsible for waste and mortalities), the corporation provides feed, animals, transportation and marketing. The farmer's role in the economic structure of the community, says Nowlin, is greatly reduced.

Finally, some critics say CAFOs threaten to erode public confidence in America's farmers, a key component to the success of farmland protection initiatives throughout the country.

"Farmers have been awarded special privileges, exemptions and variances under a whole host of public policies—from taxation to environmental regulations—because they were trusted to behave in the public interest," says University of Missouri agricultural economist John Ikerd. "However, bad publicity surrounding large-scale, corporate hog production is using up the farmer's stock of public confidence and good will at an alarming rate…. Family farms will be paying for this loss of public trust for decades, if not forever." *B.H.*

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Connection
Volume V, Issue 3
Summer 2002

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