

# Clark County

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# Agriculture Preservation Strategies Report

## Executive summary

In March, 2008, Clark County convened the Agriculture Preservation Advisory Committee. Membership of the committee included farmers and nurserymen wishing to continue in agriculture in Clark County and related interests such as an equestrian organization, a land trust and representatives of food cooperatives, farmers' markets and farm resource agencies. The charge of the committee follows:

*“The Agriculture Preservation Advisory Committee will develop 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. The committee shall explore a full range of tools and strategies for keeping land in farm production. The committee shall identify areas within the county where the opportunity to locally produce a wide variety of agricultural crops and products should be actively supported.”*

The committee met eleven times between March, 2008 and January, 2009 to develop this document. A technical assistance grant through the State Conservation Commission, Office of Farmland Preservation, enabled the committee meetings to be professionally facilitated. The structure of the document, identifying barriers to a more robust agriculture sector in Clark County and identifying strategies to respond to each barrier, was modeled after a similar document produced by King County, Washington in 1997. Following is a brief summary of the barriers and strategies discussed in this Agriculture Preservation Strategies Report.

### 1. barrier - Institutional limitations

The Agriculture Preservation Advisory Committee believes that individuals wishing to continue in agriculture in the county over the long term have had a hard time effectively communicating their interests to policy makers. The Committee believes that farm interests could be better represented in the county through two significant institutional changes:

- a. The Board of Clark County Commissioners should appoint an Agricultural Commission to review and provide input on proposed policies and regulations that could have substantial impacts on farmers.
- b. The county should establish Agricultural Production Districts. [Agriculture Production]

Districts are areas, regardless of zoning, where farming will be actively supported by the county over the long term. If designated, Clark County would concentrate its efforts to maintain and enhance agricultural activities in the agricultural production districts. They should be considered priority areas for purchase and/or transfer of development rights and use of cluster development concepts to maintain or aggregate parcels dedicated primarily to agricultural activities.

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## **2. barrier - The high cost of land**

The dramatic rise in land value during the past two decades has caused problems for many farmers in Clark County. Today, most new farmers cannot afford to acquire good farmland. Existing farmers cannot acquire additional land to expand operations.

- a. Use existing publicly owned land, or have the county acquire farmland, to create a lease-back program for farmers.
- b. Review the cluster development ordinance to examine its potential for landowners to keep land in agricultural use.
- c. Develop a transfer of development rights program to encourage landowners to keep land in agricultural use.
- d. Purchase rights to develop farmlands for nonagricultural uses. Place easements on the lands to ensure they are available for agriculture.
- e. Put priority on funding a purchase of development rights program for agriculturally productive land in Clark County.
- f. Develop a farm-link program matching retiring farmers with current farmers or new farmers to keep land in agricultural production.

## **3. barrier - High production costs and low return for farm products**

Farmers describe a variety of economic, regulatory, and social factors that have reduced the profitability of farms during the last several decades. The reasons may vary from one type of farmer to the next, but dairy, vegetable, berry, and livestock farmers agree that it has become difficult to make a living as a farmer in Clark County.

- a. Expand existing tax incentive programs to provide further benefit to farmers.
- b. Assist farmers in securing health insurance through the state of Washington.
- c. Establish a revolving loan fund, primarily financed by farmers, to finance start-up and new investments in agricultural operations.
- d. Develop a county-sponsored cost-sharing program to help farmers meet environmental regulatory requirements.
- e. Explore agricultural cooperatives to help farmers share or reduce production costs and expand markets.

## **4. barrier - Insufficient level of technical support available to local farmers**

As the Clark County farming community has decreased in size during the last few decades, there are simply fewer resources for farmers. Traditional sources of technical assistance have been reduced and committee members indicate that for certain types of assistance they historically accessed locally, they now have to turn to Oregon State University in Corvallis or Washington State University in Mt. Vernon.

- a. Encourage state and national agencies and organizations to provide local expertise in
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horticulture and livestock.

- b. Establish a “farmbudsperson” within Clark County to help farmers find solutions to agricultural challenges.
- c. Establish an endowment through a community foundation, to fund research, technical assistance and education programs that would benefit farmers.

### **5. barrier - Need for better marketing and promotion**

Most Clark County farms are family-run operations. Many farmers do not have time or resources to develop marketing outlets or promotional programs. Much of the marketing and promotional activities that do occur are on a small scale and independent from one another. Competition among farmers, particularly new farmers working to establish their livelihood, encourages these independent efforts.

- a. Create a “Clark County Fresh” logo and marketing campaign.
- b. Facilitate permanent sites for local farmers’ markets.
- c. Work with local farmers to create an independent farm marketing association to increase markets for local agricultural products.

### **6. barrier - Regulatory requirements**

The combination of environmental, health, zoning and building regulations that apply to agricultural production, processing and distribution are costly and may discourage efficient farming practices.

- a. Review building and health codes for regulatory reform opportunities related to agricultural structures, food preparation and processing.
- b. Allow greater flexibility to farmers regarding development standards and commercial uses on farm land to support direct marketing of local agricultural products.
- c. Actively support transfer of water rights to agricultural producers.
- d. Align county code with state requirements regarding housing for farm workers.

### **7. barrier - Population growth and conflicts with farmers**

As housing and commercial development spreads into the rural areas, many homes are now close to local farms. Complaints about farm smells, noise, dust, traffic, or conflicts between domestic and farm animals are commonplace. It can also take a significant amount of time, and possibly money, to defend against the most aggressive complaints.

- a. Revise the county’s right-to-farm/forest ordinance to clearly designate agriculture and forest production as preferred uses in rural zones. Expand existing requirements to disclose to prospective neighbors that agricultural and forestry activities will occur on adjacent properties.
  - b. Institute a buffer zoning policy to minimize land use conflicts brought about by urban uses encroaching into areas of agricultural production.
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## Section I Introduction

Policy 3.4.1 of the 2007 Clark County Comprehensive Growth Management Plan states:

“The county shall encourage the conservation of the county’s designated agricultural lands for long-term commercial and non-commercial agricultural uses and shall protect the opportunity for these lands to support the widest variety of agricultural crops and products as listed in RCW 36.70A.030(2) by:

- maintaining public roads in capital improvement plans to accommodate the transport of agricultural commodities;
- encourage cooperative resource management among agricultural land owners, environmental groups, state and federal resource agencies and federally recognized Native American tribes for managing the county’s public and private agricultural lands;
- encouraging the continuation of commercial agriculture by: 1) supporting land trades that result in consolidated agricultural ownership, 2) encouraging the maintenance of agricultural lands in current use property tax classifications, including those classifications as provided for in RCW 84.34 and CCC Chapter 3.08, and 3) working with agricultural landowners and managers to identify and develop other incentives for continued farming; and,
- encouraging agricultural land use as a clean industry incorporating tax breaks, right to farm, purchase of development rights, transfer of development rights and other economic means and develop strategies to support farming practices.”

In order to identify short- and long-term actions to protect the opportunity to pursue and enhance commercial and non-commercial agriculture in Clark County, the Board of Clark County Commissioners entered into an agreement with the Washington State Office of Farmland Preservation in January 2008 to receive a \$25,000 technical assistance grant to support development of a comprehensive farm preservation plan. Clark County organized an advisory committee to assist with development of the plan. Grant funds were dedicated to consultant contracts to facilitate the committee process.

At the first meeting, the committee reviewed a summary of issues confronting agriculture derived from the Office of Farmland Preservation survey of Conservation Districts in the state. The group reviewed issues and discussed their applicability to Clark County. Issues included:

- Farm economics
  - Urban development pressures
  - Farm succession
  - Water availability
  - Land use policy
  - Trade policy
  - Land use and environmental regulations
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One member of the committee had participated in a King County process to look at farm land conservation and strategies to support agriculture and shared the final King County report<sup>1</sup> with the full committee at the second meeting. That report identified Six Barriers to Agriculture in King County and Twenty Seven Strategies that could address the barriers. The committee agreed that the King County document provided an effective way to structure discussion and adopted the format to communicate its analysis and recommendations to the Board of Clark County Commissioners.

As a result, sections IV – X of this report list barriers to a more robust agricultural sector identified by the Agriculture Preservation Advisory Committee and recommended strategies to respond to the barriers and better support agriculture in the county. Section XI identifies institutional options for leading implementation of specific strategies. Several entities could provide leadership to implement individual strategies. Those for which the county is the logical lead entity include:

- Appoint an Agricultural Commission to coordinate review and provide input on proposed policies and regulations that have substantial impact on farmers prior to adoption.
- Establish Agricultural Production Districts.
- Use existing publicly owned land or acquire farmland to create a lease-back program for farming.
- Use clustering to encourage landowners to keep their lands in agricultural use.
- Develop a transfer of development rights program to keep land in agricultural use.
- Institute a purchase of development rights program for key farmlands.
- Funds to acquire additional development rights on farmland should be a component of a major funding initiative for the purpose of acquiring open space and resource lands in Clark County.
- Expand the existing tax incentive programs to provide further benefit to farmers.
- Sponsor a cost sharing program in order to assist farmers in meeting environmental requirements.
- Establish position(s) within Clark County to serve as a friend of the farmer or “farmbudsperson” to help farmers receive more efficient service from Clark County.
- Assist in establishing permanent sites for local farmers’ markets.
- Review building and health codes for regulatory reform opportunities related to agricultural structures, food preparation and processing.
- Allow greater flexibility with regard to farm related commercial uses.
- Align county code with state standards regarding temporary and permanent housing for farm workers.
- Revise the county’s right-to-farm ordinance.
- Institute a buffer zoning policy to preclude land use conflicts brought about by encroaching urbanization.

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<sup>1</sup> King County. *Farm and Forest Analysis, Chapter 5, A Strategy to Preserve Farms and Farming*. 1997. This document served as a key source document for the Agriculture Preservation Advisory Committee’s analysis of issues and identification of strategies to support farming in Clark County.



## Section II Public process

In March, 2008, Clark County convened the first meeting of the Agriculture Preservation Advisory Committee. Membership of the committee included farmers and nurserymen wishing to continue in agriculture in Clark County and related interests such as an equestrian organization, a land trust and representatives of food cooperatives, farmers' markets and farm resource agencies. The charge of the committee follows:

***“The Agriculture Preservation Advisory Committee will develop 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. The committee shall explore a full range of tools and strategies for keeping land in farm production. The committee shall identify areas within the county where the opportunity to locally produce a wide variety of agricultural crops and products should be actively supported.”***

Appendix A to this report lists the members of the committee and the interests represented. In addition to the committee process, a presence on Clark County's web site was maintained throughout, including posting of committee agendas and summaries of all meetings and primary materials reviewed by the committee. All meetings were public meetings and an opportunity for public comment was provided at each one. Once a public review draft of the Agriculture Preservation Strategies Report was available a public review and comment period was established. A “Close-up” segment on the committee and strategies was broadcast on Vancouver-Clark Cable Television. A series of three open houses were held to orient the public to the report and strategies contained therein and to discuss them with staff and committee members. There was also a Web-based survey where the public could indicate strategies they supported and did not support and to submit additional comments. Appendix B to this report provides a summary of the feedback received through the open houses, public comment period and Web-based strategy survey. The Board of Clark County Commissioners reviewed the report in work session February 18, 2009, to consider implementation of proposed strategies.

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## Section III Farming in Clark County

Clark County's temperate climate supports a wide diversity of agricultural operations. Major crops include: nursery, greenhouse, floriculture and sod; milk and other dairy products from cows; poultry and eggs; fruits, tree nuts and berries; vegetables; cattle and calves; cut Christmas trees and short-rotation woody crops. The US Bureau of Economic Analysis reported that the county's average annual sales of crops and livestock for the 11-year period between 1995 and 2005 was \$58 million<sup>2</sup>. The 2007 US Census of Agriculture reports that the value of products sold is \$52.7 million. According to the census there are 2,101 farms in Clark County with an average farm size of 37 acres.<sup>3</sup> This is an increase from 1,596 farms reported in the 2002 Census, although average farm size declined from 44 acres in 2002. While the Census reports that Clark County includes only ½ of 1 percent (.005) of the state of Washington's agricultural land base, it ranks 22nd of 39 counties in the state in the value of agricultural products sold. Clark County ranks 3rd in sale of Christmas trees in the state, 3rd in sheep and goat sales, 8th in poultry and eggs, 10th in horses and other equines, 11th in milk and other dairy products from cows, 12th in nursery, greenhouse, floriculture and sod, 13th in fruits, tree nuts and berries, 23rd in vegetables, melons, potatoes and sweet potatoes, and 19th in other crops and hay. Of the farmland recorded by the Census, 43.77% is considered cropland, 25.69% considered pasture, 23.68% considered woodland and the remaining 6.87% is in other uses. A 2004 survey indicated there are approximately 35,000 horses in the County, an average increase of 4.2% per year since 1983.<sup>4</sup> Just over a third (35%) of equine owners, with an average of two equines each, board their equine(s) off of their own property, so there is a demand for commercial stabling/training/exercising of equines, as well as significant direct (over \$75 million per year) and indirect (over \$86 million per year) spending on horses. This survey is included in Appendix C.

Of the 2,101 farms recorded in the 2007 Census, 874 or 41.6% had sales of less than \$1,000 per year, 919 or 43.7% had sales between \$1,000 and \$9,999, 150 or 7.1% had sales between \$10,000 and \$24,999, 105 or 5% had sales between \$25,000 and \$99,999 and only 43 or 2% had sales of \$100,000 per year or more.<sup>5</sup> While the Census reported that 85.3% of the farms in Clark County sell less than \$10,000 per year, members of the committee have suggested that well-managed high value agricultural producers are capable of grossing \$8,000 to \$12,000 per acre in Clark County. Local agriculture trends include farmers increasingly relying on direct marketing to local consumers and "agri-tourism" such as Halloween pumpkin patch events, to support agricultural operations. The number of farmers markets continue to increase in Clark County as do the number of community supported farms where consumers directly contract with producers for regularly scheduled deliveries of locally grown commodities. Organically produced commodities are also increasing. The nursery sector continues to experience strong growth.

There are many views about what defines a commercial farmer or agricultural operator. At one end of the spectrum only the larger agricultural producers that are able to produce a family wage income (\$43,000 +) from their operation may be considered farmers. At the other end anyone

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<sup>2</sup> Meter, Ken, Crossroads Resource Center. Keynote address to the Clark County Food System Summit. January 31, 2008.

<sup>3</sup> US Department of Agriculture, National Agricultural Statistics Service. *2007 Census of Agriculture*. February, 2009.

<sup>4</sup> Clark County Executive Horse Council. *Clark County Equestrian Survey*. April 2004.

<sup>5</sup> *ibid.* US Department of Agriculture. *2007 Census of Agriculture*.

who produces plants or livestock for sale, regardless of the amount of sales, is considered farm or agricultural operator. In developing strategies to support agriculture, the Agriculture Preservation Advisory Committee took a broader view of what constitutes a farm, in order to develop tools that would help both the large and small producers in the county. Preserving the diversity of the agriculture sector in Clark County, both in the scale of operations and the range of commodities produced, is an important committee goal. Finding ways to support production of value added commodities is another important goal.



## Section IV Barrier 1: Institutional limitations

The Agriculture Preservation Advisory Committee believes that individuals wishing to continue in agriculture in the county over the long term have had a hard time effectively communicating their interests to policy makers. They feel they could be better represented in the county through the following two institutional changes:

### **A. Appoint an Agricultural Commission to coordinate review and provide input on proposed policies and regulations that have substantial impact on farmers prior to adoption.**

An Agriculture Commission could provide farmers the opportunity to take an active role in land use decisions and in the development and evaluation of policies, regulations and incentives that can affect agriculture in Clark County. The committee recommends that at least half of the commission members should be engaged in the business of producing agricultural commodities for market. The commission may also include persons with demonstrated knowledge, experience and interest in such support activities as agricultural real estate, food and feed processing, wholesale and retail marketing, produce buying, direct marketing, supply and finance.

Professional staff should support the commission. The commission should have a regular public meeting schedule at which they discuss and make recommendations on issues brought before them by neighbors, landowners, private organizations, non-governmental associations and staff from the County, Washington State University Extension Service, and other federal and state agencies. The Agricultural Commission could be the lead entity to implement many of the strategies outlined in this report. Staff to the Agriculture Commission, may be assigned many of the duties discussed in the farmbudsperson strategy identified in Section VII.

#### **Next steps**

- Develop an organizational strategy for implementation of the program.
- Develop a long-term funding plan for ongoing operation of the program.
- Develop job description(s) for program staff.

### **B. Establish Agricultural Production Districts.**

Agriculture Production Districts are specific geographic areas, regardless of zoning, where farming would be actively supported by the county over the long term. Clark County currently has about 32,500 acres of designated farm resource lands. Approximately 21,700 acres are both enrolled in the farm current use program and designated as farm resource districts in the county's zoning code. In addition, there are approximately 14,570 acres of land zoned R-5, R-10 and R-20<sup>6</sup> in agricultural current use taxation. These are among the key building blocks for agricultural production districts. The Agriculture Preservation Advisory Committee identified a goal of maintaining or aggregating contiguous blocks of land 100-150 acres in size as a desirable goal toward which to direct many of the strategies discussed in this document.

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<sup>6</sup> The Rural, or "R" districts are intended to provide lands for residential living in the rural areas of the county. Farming and forestry are allowed and encouraged in conjunction with the residential uses. The areas are subject to normal and accepted forestry and farming practices. The numerical suffix (5, 10, 20) refers to the minimum lot size on which a residence can be constructed.



An agricultural production district may encompass one, or several, of such blocks. Appendix D provides information on other plans and programs that may be helpful in designating agricultural production districts. There could be a single agricultural producer, or many, within such areas. They should be considered priority areas for use of tools such as purchase and/or transfer of development rights and cluster development concepts to maintain or aggregate larger contiguous blocks of land dedicated primarily to agricultural activities as described in Section V. Urban lands adjacent to agricultural production districts may be priority areas for implementing buffer zoning policies as described in Section X.

### ***Next steps***

- Inventory and map existing agricultural operations in Clark County.
- Based on the inventory, recommend proposed selection criteria and target areas to establish agriculture production districts for consideration by the Board of Clark County Commissioners.



## Section V Barrier 2: The high cost of land

The dramatic rise in land value during the past two decades has caused problems for many farmers in Clark County and other urbanizing counties in the state of Washington. Many farmlands are now much more valuable as potential residential or commercial lands. Today, most new farmers cannot afford to acquire good farmland. Existing farmers cannot acquire additional lands to enhance their operations and many feel economic pressure to sell their land and get out of farming.

### **A. Use existing publicly owned land or acquire farmland to create a lease-back program to farmers.**

Clark County and Vancouver-Clark Parks own and manage more than 7,400 acres of land. Across all categories of parks and open space, more than 6,200 acres of this total are considered undeveloped.<sup>7</sup> Currently there are agricultural leases with 13 individuals covering 428 acres of land. Crops cultivated on leased land include berries, corn and hay.

Developing criteria to screen undeveloped lands for agricultural suitability could reveal additional agricultural lease opportunities. Committee members indicated that terms of lease should be at least five years in order to capitalize the investment to prepare and manage these lands for agriculture. Among the important criteria to consider would be whether there was a history of farming the property, the scale of the agricultural activity proposed, whether safe and convenient access for farm equipment is available, and the sources of funding used to acquire properties. Many grant sources were received based on a County commitment to certain uses and improvements for the properties. Almost all grant sources have a conversion clause that precludes use of properties for other purposes.

#### **Next steps**

- Develop criteria for determining whether existing publicly owned land is suited to agricultural activities.
- Conduct a search for County-owned land that could be leased to farmers based on the criteria.
- Consider the fee simple acquisition of additional lands that meet suitability criteria.
- Develop model leases.
- Develop and issue requests for proposals to lease county land, should the Board of Clark County Commissioners determine to initiate a formal lease-back program.

### **B. Use cluster development concepts to encourage landowners to keep their lands in agricultural use.**

Clark County Code Section 40.210.020(D) allows rural cluster developments in the R-5, R-10 and R-20 districts. The intent of the ordinance is to locate permanent homes contiguous to each other on a small portion of property while maintaining the majority of the site in a “remainder parcel.” In the R-5 district the remainder lot must be at least 65% of the area of the cluster site. In the R-10 and R-20 the remainder parcel must be at least 75% of the area of the site. There are two options for achieving maximum cluster lot yield:

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<sup>7</sup> Vancouver-Clark Parks and Recreation. *Comprehensive Parks, Recreation and Open Spaces Plan*, May 2007

1. Placing the entire lot yield in a cluster and restricting use of the remainder lot to forest, farm or open space uses, including approval of a forest, farm or open space management plan for the remainder parcel (an example is creating four 1-acre lots on a 20-acre parcel in the R-5 zone and creating a non-buildable remainder lot of 16 acres); or
2. Requesting the remainder lot to be a buildable parcel, reducing by 1 the number of residential lots created in the cluster (an example is creating three 1-acre lots on a 20-acre parcel in the R-5 zone and a 17-acre remainder lot that is considered buildable, providing the overall maximum yield of four lots). A limited building envelope for the remainder property is also required to be approved.

Since adoption of the ordinance in 1999, 34 cluster applications involving 1,118 acres of land have been approved yielding 217 residential lots. All of the clusters have reserved the remainder lots as buildable parcels.

Approximately 14,570 acres of R-5, R-10 and R-20 land are in agricultural current use taxation. So there is significant potential for use of the existing cluster development provisions as a tool to support farming. Should the residences allowed by zoning be located on small portions of a single parcel, or contiguous parcels under common ownership, the remainder parcel(s) could be used for agriculture.

#### **Next steps**

- Review parcels in the Rural Residential zoning districts to determine which may best support agriculture and how the cluster ordinance may be effectively used to promote agricultural activities.
- Review the cluster ordinance to determine whether revisions, including broadening of the applicability of the cluster concept to other zoning districts, would effectively support and enhance agriculture.

### **C. Develop a transfer of development rights program encourage landowners to keep their lands in agricultural use.**

The Rural and Natural Resources Element of the Clark County Comprehensive Growth Management Plan identifies institution of a transfer of development rights program as one of the strategies for implementing the farm and forest protection policies of the plan. Such a program would identify priority areas where development entitlements authorized by zoning are to be transferred to other locations. These “sending areas” are then dedicated for agricultural use. In return, the development entitlements are transferred to designated “receiving areas” where existing development entitlements allowed by zoning are augmented. The value of the incremental increase in development entitlements created by transfers are used to compensate property owners in the sending areas for the reduction in potential value of their property caused by restricting use to agricultural activities.

#### **Next steps**

- Implement a Transfer of Development Rights program as called for in Chapter 3, Rural and Natural Resource Element of the Clark County 2007 Comprehensive Growth Management Plan.
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- Consider Rural Centers and areas within urban growth boundaries (UGBs) as potential “receiving areas” for development rights. Consider surrounding rural and resource lands as primary “sending areas” from which development rights are transferred.

#### **D. Develop a purchase of development rights program to encourage landowners to keep their lands in agricultural use.**

The Rural and Natural Resources Element of the Clark County Comprehensive Growth Management Plan identifies institution of a purchase of development rights program as one of the strategies for implementing the farm and forest protection policies of the plan. A purchase of development rights program determines the difference between the value of a parcel of land if dedicated to agriculture and the value of the land if fully developed as authorized by zoning. A public agency or non-profit conservation organization will purchase a conservation easement interest in the parcel and compensate the landowner by the margin between agricultural value and authorized development value. Title to the property remains with the property owner and it may be sold as any other property, although it is restricted to agricultural use by the terms of the conservation easement.

State and federal grant programs currently exist to support farm preservation efforts. The State Resource Conservation Office farm preservation grant program provides funds to acquire development rights on farmlands in Washington and ensure the land remains available for agriculture. To meet the grant program goal, those awarded grants will purchase development rights on farmland, typically through purchase of an agricultural conservation easement. If a sponsor buys land in fee, the sponsor must record an agricultural conservation easement on the property and then sell the land, subject to the easement, for agricultural uses. Purchasing long-term (25 + years) leases of land is also allowed, but to meet the primary program goal of ensuring land remains available for agricultural practices, there is a preference for projects that provide this assurance through agricultural conservation easements in perpetuity. Only cities and counties may apply and applicants must provide at least 50 percent of the total project cost. Matching shares of more than 50 percent are encouraged. Applications that include a higher match than the minimum required will receive additional points in the evaluation. Evaluation criteria for this program are included in Appendix E.

Federal programs include: The Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2005 and its predecessors for “transportation enhancements.” Easement acquisitions that protect scenic views and historic sites along transportation routes are eligible for these funds.

The federal Farmland Protection Program (FPP), established in the 1996 Farm Bill provides matching funds to state, local and tribal agricultural easement acquisitions programs. The 2002 Farm Bill expanded the program to include certain non-governmental organizations. In addition to these sources of funding, several programs reported financial contributions from private sources. The 2008 Farm Bill authorized \$743 million for the FPP through fiscal year 2012.<sup>8</sup>

#### **Next steps**

- Implement a Purchase of Development Rights program as called for in Chapter 3, Rural and Natural Resource Element of the Clark County 2007 Comprehensive Growth Management Plan.

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<sup>8</sup> American Farmland Trust. *Farmland Information Fact Sheet: Status of Local PACE Programs*, September, 2008.

- Initiate an outreach program to agricultural producers to determine interest in participating in a purchase of development rights program, particularly those meeting eligibility requirements for state and federal grant funding.

**E. The next major funding initiative for the purpose of acquiring open space or resource lands should include a sizable amount of funds to acquire additional development rights in Clark County.**

The Rural and Natural Resources Element of the Clark County Comprehensive Growth Management Plan calls for the evaluation of the feasibility of placing a purchase of development rights program before the voters as one of the strategies for implementing the farm and forest protection policies of the plan.

A June 2008 poll<sup>9</sup> queried Clark County voters about the significance of certain conservation issues. Sixty percent (60%) of respondents indicated that loss of farm land to development was an extremely serious or very serious issue. Forty four percent (44%) of respondents indicated that loss of agricultural and farming jobs was an extremely serious or very serious issue. When asked whether it would be important to fund projects in a conservation ballot measure, 68% percent of respondents indicated it was extremely or very important to fund programs to protect working farms in Clark County and 62% indicated it was extremely or very important to fund programs that preserve farmland or agricultural land in Clark County. Other funding preferences included: protecting rivers, streams, and creeks where salmon live (70% extremely/very important); protecting water quality in creeks and lakes (66% extremely/very important); improving water quality in local rivers, creeks, and streams (60%), protecting land around creeks and lakes (59%), and preserving natural areas (56%).

The findings of the June 2008 poll are consistent with priorities identified in the Conservation Areas Acquisition Plan<sup>10</sup>, adopted by the Board of Clark County Commissioners in 2004. The Plan identifies needs and priority acquisition areas for three types of conservation lands: farm, habitat, and greenways. The Board appointed an 18-member task force to help develop the plan, and work groups were established to identify needs and project priorities for each program element. County Commissioners did not refer a measure to voters upon adoption of the plan. However, the plan recommended a phase 1 budget of \$45 million, which was divided generally into equal parts among the three program elements. The farm element recommended an appropriation of \$11.9 million to enable a phase 1 acquisition target of 1,750 to 2,400 acres of farmland and emphasized the acquisition of conservation easements as the primary tool for preserving farmland.

**Next steps**

- Actively involve agricultural interests in the discussion about a future funding initiative for open space and resource lands.
- Include the preservation of farmlands among the themes that the funding initiative should address.
- Identify potential parcels that could be among the priorities for the purchase of development rights program. Use the adopted Conservation Areas Acquisition Plan, parcels zoned for

<sup>9</sup> Market Decisions Corporation. Clark County Parks Ballot Measure Survey. June 2008.

<sup>10</sup> Clark County. Conservation Areas Acquisition Plan. December 2004.

agricultural use and parcels assessed at their current agricultural use value, regardless of zoning, as starting points for this analysis.

- Identify a range of cost estimates for priority parcels.

#### **F. Develop a farm-link program matching retiring farmers with current farmers or new farmers.**

As farmers reach retirement age, and development pressures increase, it has become increasingly likely that agricultural lands will be acquired by individuals who can afford large rural estates, but who may not have an interest in sustaining commercial agriculture. Or, at the fringe of urban growth boundaries, land speculators may buy-up agricultural land, continue to lease land for agricultural use in order to retain current use taxation eligibility until such time as land may be brought into urban growth boundaries and developed for residential, commercial and industrial uses. Of the 46,880 acres in current use taxation, it appears that about 8,840 acres are within urban growth boundaries. It is likely that most of these parcels are owned by individuals or businesses that are unlikely to keep the land in agricultural production into the foreseeable future.

Farm link programs are designed to match farmers planning for retirement, and other interested landowners, with farmers hoping to acquire or lease agricultural land. Farm link programs are being used in 23 states to reduce the rate of conversion of farmland. The *2007 Census of Agriculture* reports that the average age of a farmer in Clark County is 57.<sup>11</sup> Many know their children may not continue the family farm. A Farm link program is a workable method to help retiring landowners who want their lands to continue in agricultural production find new or existing farmers to acquire and/or lease agricultural lands and continue to cultivate them.

In its very basic form, a link program serves as a clearinghouse and database containing names of retiring farmers and those looking for land. Retiring farmers, or sellers of farmland, register with a farm link program and receive a list of new or existing farmers whose farming interests are compatible with theirs. The retiring farmer then selects an individual with whom he or she feels most comfortable and a meeting is arranged. The details of any relationship (acquisition or lease) are worked out between the two parties and their legal counsel. The objective is often a gradual transition that may take from three to 10 years. In some cases, the retiring farmer retains most of the ownership and management responsibilities for an initial period, giving the new farmer time to learn the business.

The largest farm link programs offer follow-up services, negotiation and mediation services, goal-setting workshops, farm start-up and financial strategies, resource directories, and estate planning services.

#### **Next steps**

- Review organizational alternatives and prepare recommendations about which organization should implement the program.
- Develop program goals and guidelines and scope of the program to undertake.
- Initiate discussions with adjacent counties to determine their level of interest in participating in multi-county Farm Link program.

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<sup>11</sup> *ibid.* US Department of Agriculture. *2007 Census of Agriculture*.

## Section VI Barrier 3: High production cost and low return for farm products

In addition to the Clark County effort, State agencies are examining the challenges faced by agricultural producers in the state. In 2008 the State Conservation Commission, Office of Farmland Preservation, facilitated a Farmland Preservation Task Force. Recommendations of the Task Force are included in Appendix G. Also in 2008, the State Department of Agriculture completed a Future of Farming Study. Recommendations of that Study are included in Appendix H. Many of the barriers and strategies identified by The Clark County Agriculture Preservation Task Force are also cited by these statewide documents.

Farmers describe a variety of economic, regulatory, and social factors that have reduced the profitability of their farms during the last several decades. The reasons may vary from one type of farmer to the next, but the dairy, vegetable, berry, and livestock farmers agree that it has become difficult to make a living as a farmer in Clark County.

On the other hand, farmers also mention a number of factors that are within the control of local and state government that also have an influence on their profit margins. Farmers frequently mention the cost of meeting environmental regulatory requirements, rising property taxes as surrounding land values increase, and for small farmers the cost of marketing and promotion, as important factors affecting their profitability. Incentives designed to meet these challenges should help farmers increase the profit margin of their business.

### **A. Expand the existing tax incentive programs to provide further benefit to farmers.**

Current use taxation, modified procedures for critical areas permits and exemption of agricultural structures from building permits are the primary incentives available to farmers that are under the county's control. At the state level gas tax exemptions for farm equipment and sales tax exemptions for replacement parts for major equipment and repairs are helpful.

The current use program reduces tax obligations by valuing property based on existing use rather than on the highest and best use. Eligibility requirements have been established for qualifying parcels, and penalties are imposed if properties are removed from the current use program during the 10-year enrollment period. Requirements include:

- Any parcel or contiguous parcels 20 acres or larger devoted primarily to commercial agricultural uses, or enrolled in the federal conservation reserve program<sup>12</sup> or its successor program
- Any parcel greater than five acres but less than 20 acres devoted primarily to commercial agricultural uses, with gross income of \$200 per acre per year for three of the five calendar years preceding application
- Any parcel of land less than five acres, devoted primarily to commercial agricultural uses, with gross income of \$1,500 per year for three of the five calendar years preceding application

The committee recommends that the county consider potential modifications to current use

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<sup>12</sup> The Natural Resource Conservation Service administers this program. It compensates landowners for taking land out of active agricultural production for a defined period of time, generally to minimize adverse impacts agricultural operations could have on sensitive environmental resources on a property.

taxation procedures. Specifically, the county should review minimum acreage standards for current use assessment eligibility and the practice of excluding one full acre encompassing the farm home site from the reduced assessment area to determine if there is a local option to revise existing criteria, or if state enabling authority is necessary for the Assessor to modify the current standards.

#### ***Next steps***

- Initiate a review of the county's current use assessment program. Compare with state enabling legislation to determine if there is local flexibility to expand the program.
- Should state legislative authorization be necessary, initiate discussions with other Western Washington counties in an effort to develop a collaborative legislative strategy.
- Conduct an analysis of the potential loss of income for special purpose districts should current use taxation programs expand and initiate discussions with special purpose districts to develop legislative strategy they can support.
- Include the issue in the County's 2010 legislative package.

#### **B. Assist farmers in securing health insurance through the state of Washington.**

The Washington State Farm Bureau has cooperative health benefit programs for members of the Bureau. However, the State Insurance Commissioner has ruled that farmers in "border counties," such as Clark and Walla Walla counties, should seek benefits in Oregon. Members of the committee that have investigated the issue indicate that costs to purchase through Oregon are prohibitive.

The committee recommends requesting the State Insurance Commissioner to re-evaluate this policy.

#### ***Next steps***

- Work with the Clark/Cowlitz County Farm Bureau to identify and quantify discrepancies in cost of obtaining health insurance between "border counties" as described by the State Insurance Commissioner and other counties in the state of Washington.
- Develop a legislative agenda item for the 2010 session that places farmers in all counties on equal footing.

#### **C. Establish a revolving loan fund to assist farmers.**

Farmers, particularly small-scale farmers typical of Clark County, may need help financing the purchase or replacement of equipment, seed, fencing, crop expansion or other materials to begin a new operation or expand an existing one prior to sale of their products. The committee recommends the revolving fund be financed primarily by farmers wishing to access its assets. Start-up funding from the county and capacity-building contributions from private foundations would also be helpful to establish a sufficient revolving loan balance in order for the fund to become self-sustaining.

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**Next steps**

- Work with the Clark/Cowlitz County Farm Bureau and Farm Services Agency to examine existing loan programs to determine gaps in serving Clark County farmers.
- Identify a strategy to resolve State lending and credit provisions.
- Determine an administrative strategy for administering a loan program.
- Work with the Clark/Cowlitz County Farm Bureau and Farm Services Agency to design program goals and policies and potential start-up funding options.
- Design application procedures, policy criteria for evaluating loans, and underwriting criteria.
- Establish an outreach program to market the loan fund to new and existing farmers.
- Create a loan committee including individuals with small business, farming, and financial expertise.

**D. Develop a cost-sharing program to help farmers meet environmental regulatory requirements.**

Farmers must comply with a variety of environmental regulations designed to preserve water quality and soil conditions. The regulations may attempt to achieve important public benefits, but they can also be costly to farmers.

The committee recommends that the county consider establishing a grant or low interest loan program that could help fund projects for which significant environmental benefits would result including but not limited to water quality, water quantity, habitat, and erosion control.

**Next steps**

- Work with the Clark/Cowlitz County Farm Bureau, WSU Extension, Clark Conservation District and Natural Resources Conservation Service to identify sources of funds available to farmers and determine the gaps or limitations in available funding to respond to regulatory requirements.
- Determine organizational structure and funding options for operating the program.
- Develop program goals and guidelines
- Develop evaluation criteria and an application process.

**E. Agriculture Cooperatives**

Farmers around the country have joined together to form associations or cooperatives to purchase equipment and supplies and also to develop food processing and distribution facilities. The Tillamook Creamery Association is a well-known northwest example. Local processing and distribution facilities reduce production costs and may expand the market areas within which local agricultural products may be sold, increasing profits.

A partnership with the Clark County Economic Development Council and/or other entities to recruit and/or maintain local processing and distribution facilities for farm products could be a

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great help to local farmers. Developing a base of information about the regional and national use of farmers' cooperatives and associations may be a good first step.

***Next steps***

- Inventory food processing and distribution facilities within the Vancouver, WA/Portland OR area to determine if there are gaps in services to local agricultural producers.
- Identify coop and association models around the country, develop a database of information and Identify alternatives for supporting local producers.
- Identify the organizational structure for promoting and administering a preferred cooperative association.





## Section VII Barrier 4: Insufficient technical support

Both existing and new farmers state that they need more technical assistance and education in order to operate their farm in a cost effective and efficient fashion. As the Clark County farming community has decreased in size during the last few decades, there are simply fewer resources for a farmer to call upon. Traditional sources of technical assistance have been reduced and committee members indicate that for certain types of assistance they historically accessed locally, they now have to access via Oregon State University in Corvallis, OR or through the Washington State University facilities in Mt. Vernon.

Current support from resource agencies include:

### **WASHINGTON STATE UNIVERSITY EXTENSION (WSU EXTENSION)**

**FTEs:** 3.0 FTE, but duties are dispersed and do not focus solely on farm support

There are two faculty positions. One is director of the Clark County Office. The second is a horticultural advisor. The director does not work with technical production issues, rather more in promotion, marketing, and general support for farming. This ranges somewhere in the neighborhood of 0.2 to 0.3 FTE although it can be variable depending on opportunity (It is expected that faculty generate external funds such as grants where possible to support programming and special projects). Remaining time is spent primarily on the water quality side of land management and on administrative responsibilities.

The horticultural advisor primarily works with nurseries and Christmas tree growers, but also works with food producers. This is approximately 0.5 to 0.6 FTE. The horticultural advisor also leads the WSU Master Gardener program.

There is a program coordinator for the small acreage program. Funding for this program usually means at least 0.75 FTE of the programming targets small acreage land users, whether they farm or not, centered around best land management practices promoting water quality (since clean water fees fund this part of the program). Up to 0.15 FTE (variable) of this position works under the Clark County director on education, such as promoting local farms, the harvest celebration and the business planning course for farmers that WSU extension started in the spring of 2008 and will repeat in 2009.

For the 2009-2010 biennium one additional position, jointly funded (half and half) by WSU and Clark County, was proposed for dedication to sustainable agriculture centered on county land in Northeast 78th street and the guiding principles for the site. However, current county/state budget constraints precluded creation of this position in the 2009-10 biennium.

**Staff offices:** Offices are located at the Center for Agriculture, Science and Environmental Education (CASEE Center), 149th St., Brush Prairie.

**Resources:** There are no dedicated funding sources for farming support other than the FTEs outlined. General operating support comes out of funding provided by Clark County as part of a longstanding partnership with WSU Extension through a Memorandum of Agreement (MOA).

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Faculty generate external funds (such as grants) where possible to support programming and special projects.

**Staffing and budget decisions:** The Director of the Clark County office proposes and manages the budget allocation from Clark County. However, Washington State University monies, most of which are in the form of faculty salaries, are allocated by the Dean of Agriculture at the WSU main campus in Pullman. All grants coming into the office are managed by the faculty originating the grant.

The director makes staffing decisions using local dollars and grants following WSU policies for hiring, including Human Resources review and approval as necessary. The director may propose positions for WSU funding (such as the joint sustainable agriculture faculty proposed for 2009-10), but the Dean would make the ultimate decision to use WSU funding for such a position.

### **NATURAL RESOURCES CONSERVATION SERVICE (NRCS)**

**FTE:** 1.0 FTE is assigned to Clark County

This is a Resource Conservationist position that works with Clark County agricultural producers enrolled in one or more US Department of Agriculture (USDA) programs. Eligible producers can apply for a number of USDA programs. One of the more applicable programs to Clark County is the Environmental Quality Incentive Program (EQIP). Priority resource concerns addressed by the program include:

- Surface and ground water quality and quantity concerns associated with non-point source pollutants
- Reduction in soil erosion and sedimentation
- Air quality concerns relating to particulate matter less than ten microns in size (PM <10) and odors
- Protection of “at-risk-species” habitat
- Range and forestland health
- Carbon sequestration

The 2008 Farm Bill establishes other programs in the following areas:

- Agricultural Management Assistance Program
  - Cooperative Conservation Partnership Initiative
  - Conservation of Private Grazing Land Program
  - Conservation Stewardship Program
  - Farm and Ranch Lands Protection Program
  - Grassland Reserve Program
  - Healthy Forest Reserve Program
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- Socially Disadvantaged Ranchers Beginning Farmers
- Watershed Rehabilitation Program
- Wetlands Reserve Program
- Wildlife Habitat Incentives Program

**Staff office** is located at the Center for Agriculture, Science and Environmental Education (CASEE Center), 149th St., Brush Prairie.

**Resources:** Funding allocations are not specific to individual counties, but are appropriated for the state as a whole and subdivided among NRCS districts. The Southwest Washington district convenes a working group of practitioners in the region to further allocate resources among sub-regions within the district. Currently, the Southwest Washington Working Group has designated a separate funding pool for the Lower Columbia Watershed that includes Clark and portions of Cowlitz and Wahkiakum Counties. This pool is an overall percentage of the allocation for the greater Southwest Washington team. A final budget allocation for the Southwest Washington District for 2009 is dependent on federal budget processes and is not yet known.

**Staffing and budget decisions:** Staffing decisions are made at the NRCS State Office level. Budget allocation comes from the NRCS National Office in Washington DC.

#### **CLARK CONSERVATION DISTRICT (CLARK CD)**

**FTE:** 2.2 FTE are assigned to Clark County.

1.0 FTE provides technical assistance and farm planning (USDA Certified) to landowners, mainly livestock because of its relation to water quality funding;

0.5 FTE is dedicated to soil education, presentations, and GIS work;

0.5 FTE provides technical assistance, usually habitat related, permit and ordinance assistance, and financial assistance management;

0.2 FTE professional engineer services, largely focused on improving fish passage through culvert replacement.

**Staff offices:** Offices are located at the Center for Agriculture, Science and Environmental Education (CASEE Center), 149th St., Brush Prairie.

**Resources:** The Clark Conservation District is currently grant funded; usually acquiring grants for water quality or fish habitat projects on private land. The level of available technical and financial assistance is variable, and limiting, according to grant opportunities. Agricultural operations are priority for receiving District assistance.

In order to stabilize funding, the District is requesting that the Board of Clark County Commissioners assess a levy pursuant to RCW 89.08. The levy rate is proposed at \$5.00 per parcel per year plus \$0.10 per acre for parcels over 1 acre in size within the District boundary. It is estimated the levy could generate approximately \$723,000 in the initial year to support District

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programs.

**Staffing and budget decisions:** The work of Clark Conservation District is directed by the District Board of Supervisors; five local volunteers that represent residents in the implementation of District programs, developed in direct response to local needs. Clark CD was formed in 1942 to assist landowners with their agricultural operations, and locally lead the USDA Soil Conservation Service (now known as the Natural Resource Conservation Service) programs. Clark Conservation District is a special district of state government, under RCW 89.08, that administers programs to conserve natural resources.

### **FARM SERVICES AGENCY (FSA)**

**FTE:** 3.0 FTE serving agricultural producers operating in Clark, Cowlitz, Skamania, and Wahkiakum Counties.

The County Executive Director is responsible for administration, outreach, conservation programs, disaster programs and crop insurance programs.

The Program Technician administers loan deficiencies (price support) programs, the direct and counter cyclical program; eligibility programs and farm records.

The Farm Loan Officer is responsible for beginning farmer loans, direct loans and guaranteed loans for farm ownership, operating loans, disaster loans, socially disadvantaged farmer and rancher loans and youth loans for 4-H and other projects.

**Staff offices:** Offices of the Executive Director and Program Technician are located at the Center for Agriculture, Science and Environmental Education (CASEE Center), 149th St., Brush Prairie. The Farm Loan Officer is based out of Lewis County, in the Chehalis FSA office.

**Resources:** The Lower Columbia Farm Services Agency is funded by the US Department of Agriculture. At this time, FSA has not received a program allocation for FY 2009.

**Staffing and budget decisions:** Budget and program procedures are written at the National level in Washington, DC. At the County office level, FSA is governed by a Committee of local area agricultural producers. These producers are elected by their peers in the counties where they farm. They in turn hire the Director for each county or area office. The program technician is hired by the County Executive Director. The Farm Loan Officer is hired at the National level.

### **A. Continue to work with the cooperative extension service, NRCS, FSA and Clark Conservation District to make sure Clark County farmers have locally based dedicated agents for horticulture and livestock.**

The Agriculture Preservation Advisory Committee recommends that the county champion the maintenance and enhancement of locally based technical resources at the state and national level.

The technical assistance needs of farmers are varied. For example, many farmers would like more information about the most efficient, environmentally sensitive farming practices. There is considerable interest in learning more about organic farming. Some farmers have expressed a

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need for assistance in developing new products (What will grow here? How can it be marketed?). Others have suggested that assistance in developing new markets and marketing strategies (such as community supported agriculture (CSA) or subscription farming) would be extremely helpful. Some farmers are interested in more information about specific technical issues, such as composting practices and reuse of the compost, the most efficient ways to use water, or the feasibility of certain types of food processing. For potential new farmers, assistance with bookkeeping, model budgets, tax preparation and accounting, and startup marketing strategies would be very useful.

### ***Next steps***

- Clark County, the Clark/Cowlitz County Farm Bureau and other agricultural interests should strongly encourage the USDA, State of Washington and Washington State University to retain a commitment to assisting commercial agriculture in Clark County.
- Clark County, NRCS, WSU Extension, Clark CD the farm bureau and other agricultural interests should develop a coordinated work program that responds to priority needs of Clark County farmers.

### **B. Establish position(s) within Clark County to serve as a friend of the farmer or “farmbudsperson” to help farmers receive more efficient service from Clark County.**

For several years, the Clark County Community Development Department has funded an “ombudsperson” position. Primary responsibilities of this position have included developing and maintaining effective working relationships with potentially affected stakeholders within neighborhoods and the development community, responding to public complaints and inquiries requesting assistance or project information and mediating disputes among stakeholders.

The Agriculture Preservation Advisory Committee suggests that a similar position created to support commercial farming and community supported agriculture would be a great service to the local farm community. The committee sees this position serving in a community liaison and problem solving role to help farmers find solutions to many of the challenges they are facing in Clark County. Responsibilities could include clarifying and strengthening the right to farm ordinance, mediating disputes between farmers and neighbors, providing education about and assistance in addressing permit requirements for farm structures and farming activities.

The position may also provide a primary point of coordination for community marketing efforts that are discussed below.

The Agriculture Preservation Advisory Committee is also strongly supportive of efforts to establish a center for Community Agriculture at the former Washington State University Agricultural Experiment Station off of Northeast 78th St. in Hazel Dell. The committee believes the Center could take a lead role in supporting the production and distribution of fresh food, educating residents on how to grow, purchase, prepare and consume local nutritious foods and support, mentor and educate current and future farmers. A portion of the site could be designated a demonstration farm and testing site for research and technical assistance on high intensity urban fringe farming.

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**Next steps**

- Develop program goals, job descriptions and policies to guide the implementation of the strategy.
- Identify organizational options for managing the farmbudsperson program.
- Identify staff resources and budget resources to implement farmbudsperson.
- Develop a coordinated approach with other county outreach and public education programs.

**C. Fund an endowment that would provide grants to conduct specific research, technical assistance and education programs that would benefit farmers.**

As mentioned above, the resources dedicated to technical assistance and education programs for local farmers are very limited. State and federal funds to conduct research and education have been reduced in recent years. Farm resource agencies have few resources to conduct needed research and farmer education programs. The county could provide assistance in establishing an endowment fund and revolving loan fund that would be financially supported by local farmers through a new or existing local community foundation. The farmbudsperson position could advocate for funding at the state and federal level and also develop and coordinate grant applications to take advantage of state, federal and private foundation grants to establish the endowment and to augment the resources of the revolving loan fund.

**Next steps**

- Initiate discussions with adjacent counties to determine their level of interest in participating in endowment funding and allocation.
- Establish goals for the program, funding guidelines, grant request and allocation process, and program evaluation methods.
- Develop financial guidelines, including investment policies, for sustaining the endowment over time.
- Develop a strategy for managing and monitoring the endowment.



## Section VIII Barrier 5: Need for better marketing and promotion

Most Clark County farms are family-run operations. Many farmers do not have the time or resources to develop marketing outlets or promotional programs. Much of the marketing and promotional activities that do occur are on a small scale and independent from one another. Competition among farmers, particularly new farmers working to establish their livelihood, encourages these independent efforts.

Public education programs are also important. As the population continues to grow, and the number of farms continues to decline, fewer area residents have a direct link to our region's agricultural heritage. Local residents may enjoy the open space benefits of farmland, but few have an understanding of the importance of Clark County farms to the local economy. There is also the continual need to educate consumers about the benefits of local agricultural products. Again, these issues are not unique to Clark County. Small farmers in urbanizing counties around the country are facing similar challenges.

Initial priorities for the farmbudsperson could include development of a "*Clark County Fresh*" or "*Lower Columbia River Fresh*" logo and marketing campaign, prepare a regular farm report distributed to local electronic and print media outlets that may educate citizens about the farm community in Clark County, promote seasonally oriented direct purchase opportunities of agricultural products and special agriculture-based events.

### **A. Create a "Clark County Fresh" logo and marketing efforts.**

Recent studies have shown that direct food sales from producers to consumers via farmers markets and farm stands/stores, community supported agriculture, and organically grown produce, often grown on smaller acreage, are among the strongest agricultural trends in metropolitan areas.<sup>13</sup> One means of marketing local products to capitalize on these trends is to develop a label that identifies a product as locally produced. It encourages local consumers to buy food grown in their own community.

#### **Next steps**

- Develop an organizational strategy for implementation of the program.
- Develop a long-term funding plan for ongoing operation of the program.
- Develop job description(s) for program staff.

### **B. Assist in establishing permanent sites for local farmers' markets.**

While farmers' markets are perceived as temporary uses, they typically are open at least one day a week for all or most of the growing season between April and October. Often times a market may have a lease or other arrangement with a property owner to locate on a site for a season, but year to year it may be necessary to relocate to new sites. New farmers markets may also be developed in

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<sup>13</sup> Meter, Ken. *Finding Food in Clark County, Growing our Local Economy*. Keynote presentation at the Clark County Food System Summit, January 2008.



the future. To be fully functional a farmers' market requires electricity, water, sewer, waste disposal, police and fire and other public services. Establishing permanent sites for existing and potential new markets with available services could be helpful and, week to week, consumers would know where their local or favorite market is located.

To support farmers markets, the county could develop long term leases for markets on county land, acquire sites specifically for that purpose, or provide assistance in negotiating provision of services and leases on other public and private land.

#### ***Next steps***

- Identify existing and potential new farmers' markets that may have significant uncertainty about their locations.
- Identify city-county or state-owned land that could be used as alternatives.
- Assist the market organizers to negotiate for the use of public land.

### **C. Work with local farmers to create an independent farm marketing association.**

Often small farmers operate quite independently from one another. Like many small business enterprises, there can be considerable competition among independent farmers. However, as the number of farmers has diminished over time, those who remain have searched for new ways of doing business. Many farmers realize that their profitability can be enhanced by acting as a group rather than independently. Farmers around the country have joined together to form associations or cooperatives to acquire supplies, purchase insurance, market and sell their products.

Strategies that can increase the effectiveness of marketing and promotion efforts may include working with electronic and print media outlets to develop a regular "farm report" that may educate citizens about the farm community in Clark County, promote seasonal direct purchase opportunities of agricultural products and special agriculture-based events. A farm tour program to let consumers get to know local producers and see their facilities could reinforce a buy local movement. Developing and disseminating information on community supported agriculture and other local subscription-based consumer options would also be a welcome service.

The Vancouver Food Cooperative (VFC) is a local example of a potential cooperative marketing opportunity. It is a not-for-profit business working to open a cooperative grocery store in Vancouver, Washington. It has developed programs to put consumers in direct contact with local producers and hopes to develop a retail outlet supporting local producers in the near future. Anyone may shop in a cooperative market, but it is run by the members. You become a member by purchasing shares in the cooperative. It is the membership base that provides the revenue to capitalize, develop and maintain the cooperative.

#### ***Next steps***

- Conduct outreach to potential sponsors of a farm tour program. This may build on WSU Extension's Harvest Celebration and other farm tour events.
  - Assess the depth of interest on the part of local farmers to develop an independent marketing association.
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- Develop a more detailed description and potential budget for the creation of an independent marketing association.
- Initiate discussions with officials and farmers from adjacent counties to determine the level of interest in working cooperatively on a marketing effort.



## Section IX Barrier 6: Regulatory requirements

Farmers face a more challenging regulatory environment than most businesses. Many are located in sensitive areas, such as floodways and flood plains, because that land has the richest soil. That land is also highly regulated. Farmers must comply with a number of health regulations because they are growing, and/or processing food. Many farmers use chemicals that are regulated by health and safety standards. Dairy and livestock farms produce a by-product, manure, that is considered a threat to water quality. And farms, like other businesses, must comply with building codes, labor laws, and other general purpose regulations.

A number of farmers have stated that the combination of environmental, health, and building regulations are costly, can discourage efficient farming practices, and make it difficult to attract the next generation of farmers. While many of the regulations are beyond the control of local government, County building and health regulations were mentioned often as ones that should be examined for their impacts on local farmers. It was also suggested that County regulations are often adopted without sufficient consideration given to the impacts on local farmers and the agricultural industry. The Agriculture Commission provides a good vehicle for that discussion and review.

### **A. Review building and health codes for regulatory reform opportunities related to agricultural structures, food preparation and processing.**

The International Building Code defines an agricultural structure as *“a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure should not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.”* Farm related structures meeting this definition are considered Group U structures by the International Building Code. Appendix C of the Code specifically deals with agricultural buildings. Depending on the height and area of the building, different structural standards apply.

The Clark County Code exempts agricultural structures from building permit requirements. However, the Agriculture Preservation Advisory Committee pointed out that several small scale structures used to support their farms through direct marketing fall under provisions relating to food processing, packaging and places used by the public and are, therefore not exempt from building and health code requirements. An example is year round farm markets. Because it is year round, snow bearing structural requirements may be required. Some may be used solely to sell products grown on the farm. Some may include the sale of value added products such as jams and jellies, relishes and the like. Some may include kitchens to serve home-grown products to patrons. The latter two examples have both building and health code implications.

Wineries are another example. They are considered agricultural businesses and their associated tasting rooms are often located in agricultural buildings. Winery interests have indicated that they are very capital intensive businesses. They are concerned that many expensive requirements such as fire water flow, asphalt paving for access roads and parking lots, and building structural standards might sink this emerging market in Clark County. They would like to see an ordinance passed that would allow wineries to operate in this county on the land that is zoned agricultural without expensive infrastructure and structural improvements.

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While the regulatory standards address life, safety and health issues, they can add significantly to the cost of important market outlets for local farmers. The building official has some flexibility to review applicable standards on a case-by-case basis and make “common sense” decisions, but the committee recommends a more deliberate and comprehensive review of standards for accessory farm uses.

#### **Next steps**

- Complete an analysis of the frequency with which farm-related structures and uses have required building and other land use and health permitting processes and what component of structure and/or use triggered the need for a permit.
- Conduct an analysis of the length of time it takes to secure building and other permits for agricultural-related structures, when required.
- Consider strategies for reducing building and other permits and related fees for agricultural structures and uses.

### **B. Allow greater flexibility with regard to development standards and farming related commercial uses.**

As with building and health code standards, the Agriculture Preservation Advisory Committee felt a review of allowed uses that could support direct marketing efforts of local agricultural producers is advised. Both the range of allowed uses and site development standards should be reviewed. Following is a summary of specific agriculture related commercial uses that the committee would like examined.

In the Forest and Agricultural zones, roadside stands not exceeding 300 square feet in area, exclusively used for the sale of agricultural products grown in the affected area and set back at least 20 feet from the abutting right of way or property line are permitted outright. In the other Rural Zones, the stand is limited to 200 square feet in area.

Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials are allowed in all rural zones after review and approval of the responsible official, except in the Agriculture/Wildlife zone where a conditional use permit is required.

Equestrian activities including rodeos, boarding, training and stabling are allowed outright in the Agriculture 20, Forest Resource 80 and Forest Resource 40 zones. These are prohibited in the Agriculture/Wildlife zone. Riding stables are allowed subject to conditional use permit in all other rural zones.

Setbacks of agricultural structures on rural land, regardless of zoning, are 50 feet from the side property line. This is in contrast to side setback requirements of 10 to 20 feet for non-agricultural structures in all rural zones.

#### **Next steps**

- Identify additional ways in which the zoning code could be amended to preserve the integrity of the farmland while allowing greater flexibility to farmers in developing commercial uses and value-added products that support the local agricultural economy.
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- Conduct public meetings on potential amendments to the zoning code.
- Draft code language to reflect recommended amendments.

### **C. Actively support transfer of water rights to agricultural producers.**

The availability of irrigation affects both the diversity and quantity of agricultural products that can be produced on a farm or nursery. The State Department of Ecology (DOE) is in the process of rulemaking efforts to establish in-stream water rights in the Lewis River and Salmon/Washougal Water Resources Inventory Areas (WRIAs 27 and 28, respectively) and for reservation of future water supply for public water systems, permit exempt groundwater wells, and commercial use. No reservations for future agriculture use are being considered because, during the watershed planning process, DOE determined that sufficient agricultural rights permits had already been issued to support expanded use in Clark County. The primary strategy DOE identified to support agriculture was to establish a process to expedite transfers of water rights among agricultural users from those not using them to those in need of water rights.

#### ***Next steps***

- Work with the Department of Ecology, Clark/Cowlitz County Farm Bureau and other interests to develop a streamlined process for transfer of agricultural water rights within the county from water rights holders not needing them to those in need.

### **D. Align County Code with state requirements regarding temporary and permanent housing for farm workers.**

Local agricultural producers are highly dependent on transient labor. The Clark County Code defines transient labor, or seasonal labor, as any person who performs forestry- or agricultural-related seasonal or temporary labor not exceeding nine months in duration. Clark County Code allows “...Quarters, accommodations, or areas for transient labor, such as labor cabins or camps...” in the following zones: Rural (R-5, R-10, R-20); Urban Reserve (UR-10, UR-20, UR-40); and Urban Holding (UH-10, UH-20, UH-40). In the Agriculture and Agriculture/Wildlife Zone, housing for agricultural employees is allowed “...but not at a density exceeding that which is otherwise permitted...”

Notwithstanding the county code, the State of Washington preempts county authority pursuant to RCW 70.114A.050. This creates confusion when local farmers seek to comply with transient housing requirements. RCW 70.114A.050 which states:

“Temporary worker housing located on a rural worksite, and used for workers employed on the worksite, shall be considered a permitted use at the rural worksite for the purposes of zoning or other land use review processes, subject only to height, setback, and road access requirements of the underlying zone.”

At the state level, the Department of Health has jurisdiction over the permitting and licensing of temporary worker housing. If constructed to standard building code (International Residential Code or IRC) versus the state temporary worker housing construction standard (Chapter 246-359 WAC), then a building permit must be obtained from the local jurisdiction.

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The state's definition of "Temporary Worker" is found at RCW 70.114A.020. It is more generous than Clark County Code in that it allows a seasonal worker to live and work on a site up to a year, rather than nine months. If the temporary worker occupies the housing for longer than a year it is considered "permanent" housing. Both in state and county code, year-round worker housing is subject to local planning, zoning and building requirements.

***Next steps***

- Align county code with state requirements.



## Section X Barrier 7: Population growth and conflicts with farmers

The region's dramatic population growth has created conflicts between many suburban and rural residents and their farming neighbors. As housing and commercial development spreads into the rural areas, many residential homes are now in close proximity to local farms. Complaints about farm smells, noise, dust, traffic, or conflicts between domestic and farm animals are commonplace. Some farmers find they no longer have the community support they once enjoyed, making it more difficult to market products and to pursue farming activities. It can also take a significant amount of a farmer's time, and possibly money, to defend against the most aggressive complaints.

Many agricultural producers have expressed frustration at state Growth Management Act requirements (RCW 36.70A.110 and 130) to periodically review the comprehensive plan and reassess the extent of urban growth boundaries every seven years. This continual re-evaluation makes it difficult for agricultural producers to plan over the long term for capital investments in their businesses, changes in the agricultural product mix and other measures that could result in positive financial return. The Annual Review option pursuant to Clark County Code Section 40.560.010 exacerbates the frustration as any year individual property owners may petition the Board of Clark County Commissioners to redesignate property from one comprehensive plan and zoning designation, such as Agriculture or Forest Resource, to Rural 5, 10 or 20. This can result in additional homes in close proximity to working farms.

The advisory committee seeks a stable agricultural land base that is not continually converted to alternative land uses and zoning designations, or that, through conversion of adjacent properties, causes management conflicts with neighbors and management inefficiencies for agricultural operations.

### **A. Revise the county's right-to-farm ordinance.**

Right-to-farm laws have been used around the country to assist farmers in managing the growing number of conflicts with their new rural and suburban neighbors. Most Right-to-farm laws have two purposes:

1. To favor agricultural land uses above others in agricultural areas.
2. To discourage non-farming neighbors from filing nuisance complaints against farmers.<sup>14</sup>

The County has a generic right-to-farm/log ordinance in Title 9 of the Clark County Code. However, prescriptive development standards to buffer structures in rural residential districts (R-5, R-10 and R-20) from agriculturally zoned land are included in Title 40 Section 210.

The Advisory committee believes a consolidated freestanding right-to-farm/log ordinance would be a more effective tool. Further, most right-to-farm legislation in the state has been used to require some form of public notification to rural residents that potential conflicts with farms could occur. The county uses the following standard condition of approval on rural subdivisions:

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<sup>14</sup> Ibid. King County.



*“Land Near Agricultural, Forest or Mineral Resources: Land owners and residents are hereby notified that this plat is located within 500 feet of lands zoned agriculture-wildlife (AG-WL), agriculture (AG-20), forest (FR-40, FR-80), or surface mining (S), or in current use under Revised Code of Washington (RCW) Chapter 84.34. Therefore, the subject property is within or near designated agricultural land, forest land or mineral resource land (as applicable) on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any twenty-four (24) hour period, storage;”*

The committee is dubious that use of the standard condition actually succeeds in alerting the rural homebuyers of these potential nuisances originating from farming operations in the rural area. Strengthening disclosure requirements in the County Code is recommended. Such legislation would send a clear signal to all citizens, and potential neighbors, about the importance of agriculture in the rural zone.

#### **Next steps**

- Draft revisions to the right to farm/forest code that clearly designates agriculture and forest production as preferred uses in rural zones, strengthens public disclosure requirements and consolidates right to farm/forest legislation into one comprehensive document.

### **B. Institute a buffer zoning policy to preclude land use conflicts brought about by encroaching urbanization.**

An example of buffer zoning the committee discussed is that within urban growth areas, particularly at the edges with rural land, Industrial, Light Industrial, Employment and Mixed Use land uses and zoning districts will be under intense pressure by speculators and the development community to “flip” to commercial and urban residential uses. Industrial and employment uses typically have a much slower absorption rate and longer term investment pay-back than commercial and residential uses. But industrial and employment uses are inherently more compatible with agriculture and serve as important “buffer” uses that need to be maintained within urban growth boundaries that abut important agricultural uses just outside of the urban growth areas. If buffer lands inside urban growth areas convert to quicker pay-back uses through the annual comprehensive plan review process or the periodic comprehensive growth management plan review, a domino effect would result, creating stronger justification for conversion of existing agriculture uses outside of current UGB’s to urban uses through future periodic comprehensive growth management plan reviews.

Another approach to buffering is to consciously target urban/rural edge areas for location of public and private parks and greenways and promote the use of these areas for agriculture. For example, a greenway set aside as part of a subdivision presents an opportunity to establish a community garden for the subdivision’s residents.

#### **Next steps**

- Designate agricultural production districts as described in section III.
  - Inventory urban uses adjacent to agricultural production districts.
  - Identify potential buffer zoning opportunities and develop policies relating to buffer zoning.
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## **Section XI Institutional options for implementing strategies**

There are several options for institutional leadership to implement agriculture preservation strategies. Appendix F includes a matrix identifying four possible roles for each entity by strategy. The appendix also includes sorts of the matrix by each entity to facilitate understanding of the logical roles each category grouping may undertake: The four roles are as follows:

1. Logical lead administrative entity for the specific strategy listed;
2. Contribute to start-up funding, possible lead administrative entity for strategy;
3. Advocate for strategy and facilitator of implementation, but not logical lead administrative entity;
4. No primary role in implementation of the specific strategy.

This breakdown is provided on the basis of current understanding of the primary missions of the organizational groupings listed and similarity in assumed implementation responsibilities for each strategy to those of historical and current programs of the organizations. Following is a very brief summary of the missions and programs of the organizational groupings.

As shown on the matrix many agencies and organizations could logically lead implementation of several strategies. The ability to provide funding out of existing revenue streams, or to attract new funding will likely be the determining factor in selecting a lead entity or entities for any strategy. Pooling of resources among many of the agencies and organizations to start-up an implementation program is anticipated. Developing strong partnerships among a variety of organizations will help sustain agriculture preservation initiatives over time.

### **COUNTIES AND CITIES**

Clark County and its cities have primary responsibility for comprehensive planning, zoning, building codes and some environmental and health regulations. They are logical leads for strategies that are looking to revise plans and regulations. The state also has a primary role in establishing or amending requirements and/or review of local plans and regulations for consistency with state enabling legislation and administrative rules.

As general purpose governments the county and cities have options for raising broad-based revenues, although many of these are dedicated funds with specific restrictions on expenditures. Demands for ever-more-limited discretionary funds is intense among competing interests. Nevertheless, the county and its cities may be able to contribute start-up financing for implementation of many of the strategies. Sustaining new programs over the long term may, however be problematic.

### **PORTS AND ECONOMIC DEVELOPMENT ORGANIZATIONS**

Ports are special purpose districts that have taxing authority and own property. Their missions are to support job creation and commerce within their jurisdiction. They are actively engaged with

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economic development and business support interests with similar missions, such as the Columbia River Economic Development Council. As property owners, ports could engage in farm lease-back programs and siting of farmers markets. As economic development catalysts they could administer agricultural investment and marketing programs.

Capturing a larger market share by local agricultural producers, processors and distributors would have significant economic benefit to Clark County. Further, Clark County and the surrounding region serve as a major food processing and distribution center within the Columbia River Basin. Resulting economies of scale can help to keep processing and distribution costs down for local agricultural producers, should investment in the local agricultural economy be emphasized.

### **WSU-EXTENSION**

Historically, WSU-Extension has been a major technical resource for the agricultural community. While some technical and production support is still provided in Clark County, state funding reductions have severely limited such services. Some effort is currently dedicated to promotion, marketing and general support for agriculture, but resources are spread very thin. Still, with additional funding WSU-Extension would be among the logical lead entities to implement technical assistance, educational endowment, and various marketing strategies, a farmbudsman position and a Farm-Link program.

### **CLARK CONSERVATION DISTRICT**

The District has been working with farmers for several decades. The District is governed by an elected volunteer board and provides technical and financial assistance to landowners to protect, conserve, and manage soils and natural resources to benefit present and future citizens.

Priority programs include conservation planning and technical assistance to help farming and livestock interests respond to environmental requirements, education and assistance in implementing best management practices for agricultural operations and administration of grant programs that provide financial assistance for agricultural operations. The District could serve as a lead entity to implement farm preservation strategies in these areas, as well as farmland preservation strategies such as Transfer and/or Purchase of Development Rights, once the structure of such programs is established.

### **STATE AGENCIES**

State agencies issue water rights, develop administrative rules to guide and exercise oversight over land use and environmental legislation that are implemented at the local level and have authority over farm worker issues, structure of the taxation system and insurance matters. The State is engaged in economic development and marketing and has identified agriculture as an important state industry. The state administers a variety of federal and state-legislated grant programs that are intended to support agriculture and other industries. The State Conservation Commission, the Department of Agriculture and the Resource Conservation Office are among agencies that administer such programs.

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## **FEDERAL AGENCIES**

The federal farm bill establishes the national policy and federal funding structure for agriculture. Funding for financial and technical assistance programs is often channeled through states. Within Clark and other Southwest Washington counties there is assigned agency personnel within the US Department of Agriculture's Natural Resource Conservation Service and Farm Services Agency. NRCS and Clark Conservation District staff work closely together to implement federal conservation planning, technical assistance and grant programs and could serve as the lead administrative entity for some of the farm preservation strategies identified in this report. Farm Services Agency may be a logical lead for agricultural economic development strategies such as the revolving loan fund and technical assistance and educational endowment.

## **FARM BUREAU**

The Washington State Farm Bureau is a voluntary, grassroots advocacy organization representing the social and economic interests of farm and ranch families at the local, state and national levels. By providing leadership and organizational skills, Farm Bureau seeks to gain public support on the issues affecting farm and ranch families. Locally, the Clark/Cowlitz County Farm Bureau is among the primary farm interest organizations pursuing these objectives. They are a logical lead in advocating for affordable health insurance for farm families, administering a farm-link program and a primary partner in a farm lease-back program. The Bureau may also be a logical lead to implement strategies that rely on active participation by farmers including revolving loan fund, educational endowment, cooperative marketing association, and Clark County Fresh logo, should funding from the county and other entities be pooled to start-up the initiatives.

## **NON-PROFIT ORGANIZATIONS**

Nationally, and in the State of Washington, the American Farmland Trust has been active in supporting farms and farmland preservation. Locally the Columbia Land Trust has actively worked with farm and ranch owners to preserve the working landscape in the Lower Columbia Region.

These and other nonprofit organizations are able to recruit farmers to help govern specific programs and establish a high level of credibility with the farm community, as well as raising outside funds targeted to specific programs through membership drives, project specific fundraising initiatives and pursuing grants through public agencies and private foundations. If existing nonprofits are not capable of administering some strategies, new nonprofits could be created to fill the void. As with most strategies, pooling funds to start-up programs would be important. Nonprofits would need to have sufficient organizational capacity to administer programs over the long term.

## **PRIVATE AND COMMUNITY FOUNDATIONS**

Private and community foundations collaborate with philanthropists from all walks of life to attract and manage charitable gifts of all sizes. They are able to start charitable funds and provide professional oversight of funds. Responsibilities may include referring prospective donors to specific funds that support civic causes of interest, providing donors tax-effective giving strategies, and educating donors about the community's most pressing needs.

The Community Foundation of Southwest Washington is among the larger foundations in Clark

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County. It is now home to 220 funds and has distributed more than 1,300 grants addressing arts and culture; children's issues; civic and community building; conservation; education; and health and human services. The Community Foundation and other foundations could be logical lead entities for strategies involving endowments and revolving loan funds. Matching grant programs for some of the farm preservation strategies may also be available through some of their existing funds.





## Section XII Conclusion

All members of the Agriculture Preservation Advisory Committee have a long-term interest in agriculture in Clark County. The committee believes that local, sustainably raised food, livestock, nurseries and other agricultural products are essential to community well-being and quality of life. Implementation of the strategies included in this report will help connect residents of the county with the surrounding farmland and the agricultural community, will attract residents to healthy diets and activities, and build new markets for agricultural entrepreneurs. Experts have stated that in the global economy, economic success is increasingly measured by creating a place where people want to live. In turn, businesses will want to locate where the best employee pool resides.<sup>15</sup> A locally oriented regional agricultural system is an important ingredient in the quality of life formula.

The Clark County Food System Council, a separate citizen advisory board whose mission is to increase and preserve access to safe, local and healthy food for all residents of Clark County strongly endorses the recommendations of the Agriculture Preservation Advisory Committee. The Council indicates that among the benefits of a local food system are the opportunity to significantly reduce the community's carbon footprint, food security in the event of an emergency or disruption of the global food market, and the ability to build local green jobs.<sup>16</sup>

The Agriculture Preservation Advisory Committee has developed this Agriculture Preservation Strategies Report identifying strategies that could help support the agricultural community. The committee believes that several of the strategies are interdependent and will need to be implemented to actively support agriculture in the county. There is also the conviction that implementation of the strategies is entirely feasible, if a conscious effort to do so is undertaken. Piecemeal implementation of just one or two strategies will be insufficient to effectively support agriculture in Clark County.

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<sup>15</sup> Dr. Soji Adelaja, Director, Michigan State University Land Policy Institute. Excerpted from Great Lakes Bulletin News Service. November 16, 2008.

<sup>16</sup> Clark County Food System Council. Correspondence to Pat Lee, Legacy Lands Program. November 24, 2008.