

State of the Art on Agricultural Preservation



CALAFCO Staff Workshop

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Serena Unger
Senior Planning and Policy Manager
American Farmland Trust

Elliot Mulberg
Retired Executive Officer and
LAFCO Consultant

Neelima Palacherla
Executive Officer
Santa Clara County LAFCO

Christine Crawford
Executive Officer
Yolo County

Agenda

1:45 - 1:50	Welcome and Introductions
1:50 - 1:55	Overview on why an ag preservation white paper
1:55 - 2:15	Panel Presentation on Highlights of the White Paper <ul style="list-style-type: none">- Why Preserve Ag and Definitions (Serena Unger, American Farmland Trust)- Approaches to Ag Preservation Policies (Elliot Mulberg, formerly Solano LAFCO)- CEQA and Ag Preservation (Christine Crawford, Yolo LAFCO)- Best Practices (Neelima Palacherla, Santa Clara LAFCO)
2:15 – 2:30	Interactive Scenarios: What Can LAFCOs do to preserve agricultural land?
2:30 – 3:00	Defining Ag Preservation Goals and Strategy - Breakout Exercise
3:00 - 3:15	Present Your Goals and Strategy

**Why is it
important to
reserve farmland?**



Agriculture & Resilient Communities

- National security
- Economic contribution
- Cultural heritage and identity
- Multiple public and environmental benefits:
 - Healthy people, healthy communities
 - Maintaining ecosystems
 - Aquifer recharge areas
 - Climate change mitigation and resilience



California Farmland 1984 - 2014

- **Over ¼ of land in California is farmland**
- **1.4 million acres have been removed from farming uses**
- **78% of farmland conversions were to urban uses (1.1 million new urban acres)**
- **49% of conversion were from PRIME Farmland**

Source: CA Department of Conservation, 2015

LAFCo Definitions of “prime farmland”

Defining farmland can be a challenge because federal, state, and local agencies, including LAFCos, all operate under different laws and requirements each setting out different definitions of prime farmland.

LAFCO

USDA

CA Dept of Conservation

Approaches to Ag Preservation Policies

- Avoidance
 - Infill
- Minimization
 - Alternative siting
 - Ag buffers
 - Right to farm ordinances
- Mitigation
 - Dedication of ag easements
 - In-lieu Fees
 - Transfer of land to ag conservation entity

Sample Mitigation Policies

LAFCO	TRIGGER	MITIGATION	ELIGIBILITY CRITERIA
San Luis Obispo	Annexations	1:1 ratio land or in lieu fees	Permanent protection
Santa Clara	Any proposal involving conversion of ag land	1) Submit vacant land inventory to demonstrate need 2) If vacant land insufficient then 1:1 ratio land or in lieu fees	Permanent protection
Stanislaus	SOI Expansion or Annexation	1: 1 ratio land or in lieu fees Removal of ag land from existing SOI as an offset Voter approved ULL	Permanent protection Dependable and sustainable supply of irrigation water Territory not otherwise permanent protected
Yolo	Annexations	1: 1 ratio land or in lieu fees Establishment of open space buffers	Permanent protection Territory not already protected for habitat conservation

CEQA and Ag Preservation

- Working to avoid or minimize impacts is best – CEQA is a last resort
- PRC Section 21002 states public agencies should not approve projects if there are feasible alternatives and mitigation measures available
- CEQA's mandate requires the lead agency to implement feasible alternatives and mitigation measures ***whether or not a LAFCo has a locally adopted policy***
- LAFCOs can apply some leverage as a responsible agency

CEQA and Ag Preservation

- Examples of project alternatives include: reduced footprint, clustered density, setbacks and buffers
- Examples of feasible mitigation measures include: right to farm deed restrictions, setbacks and buffers, and conservation easements on a 1:1, 2:1 or 3:1 ratio
- Conservation easements are effective and commonly used mitigation strategies, but ***they do not make up for the loss of ag land and may not necessarily reduce the impact of ag loss to a less than significant level***

CEQA and Ag Preservation

Caution using HCPs:

- HCP priority is to mitigate for special status species, not necessarily ag land
- Do not assume HCPs will provide adequate mitigation
- ***How will the fees be used?***
 - Is it used for habitat restoration that will eliminate or restrict ag uses?
 - Does it result in an appropriate ratio or are easements “stacked”?
- If the Lead Agency cannot demonstrate full mitigation, other options should be explored outside the HCP

Best Practices to Consider when Adopting Policies on Ag Preservation

- Conduct a public education program to explain importance of preserving ag lands to the community
- Seek commission authorization to develop written policies
- Obtain broad stakeholder participation in the policy development process
- Consult with cities/county staff to understand local planning and land development processes and to discuss the relationship between compact infill development/efficient land use patterns and ag preservation*

Best Practices to Consider when Adopting Policies on Ag Preservation

- Consult with your legal counsel to ensure consistency of proposed policies with LAFCO authority
- Include a “Statement of Intent” – to explain the purpose or goals of the policy
- Provide flexibility: “menu of options” and examples to implement a policy
- Policies that first encourage applicants to avoid or minimize impacts are best – emphasize that mitigation is only a last resort

Working with Cities and County

Engage early and at every opportunity

- Provide feedback during general plan adoption

- Review and comment on CEQA documents

- Comment during policy development

- Schedule informal meetings/discussions with staff

Track city council agendas and planning cycles

Request agenda / public hearing notices

Formalize ongoing engagement in LAFCO annual work plan

Set expectations that LAFCO will be actively engaged

What Can LAFCos do to preserve agricultural land?



Defining Ag Preservation Goals and Strategy



Your Goals and Strategy

