

Whatcom County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
84	51	15	10	8
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT WHATCOM COUNTY AGRICULTURE

- » Land in Farms in 2007: 102,584 acres¹
- » Farmland Loss or Gain From 1950-2007: -107,399 acres (-51.2%)²
- » Farmland Loss or Gain From 1997-2007: -11,213 acres (-9.9%)³
- » Principal Crops: Land in berries, corn from silage, milk and other dairy products⁴
- » Number of Farms: 1,483⁵
- » Average Size of Farm: 69 acres⁶
- » Average Market Value of Products Sold Per Acre: \$3,182⁷

DISCUSSION OF SCORING

Regulation:

Whatcom County scored 51 out of 66 points for zoning and regulatory policy. The County’s commitment to agricultural conservation was demonstrated in its 1997 Comprehensive Plan, which established a goal to maintain 100,000 acres of farmland to maintain a strong agricultural economy.⁸ Whatcom County’s “Agriculture Strategic Plan”, written in May 2011, reiterates its commitment to this goal while recognizing the importance of contiguous zoning. The plan also recommends that the County consider a mitigation strategy.⁹

The County has an Agriculture District (AG) that includes 85 percent of the County’s farmland, the highest in the Puget Sound Region. AG designated land requires a residential density of one dwelling unit for every 40 acres and includes areas with long-term commercial significance along with areas with poorer soil quality or non-agricultural purposes.¹⁰ The allowable uses in this zone are consistent with agricultural production, except conditional use permits are possible for asphalt and concrete batching and surface mining.¹¹ The AG zone encompasses 87,500 acres of farmland, 72,000 of which is actively farmed.¹²

Most of the remaining 15 percent of the County’s farmland appears to be within Rural 5 (R-5) zones. This zone allows for residential uses and a density of one dwelling unit for every five acres.¹³ Areas designated as rural land, including that zoned as R-5, can qualify for an Agriculture Protection Overlay. The density remains the same as the underlying zone.¹⁴ Among other requirements, APO land must be at least 20 acres, be outside the urban growth area boundaries, and cluster nonagricultural uses.¹⁵ According to the County, 27,000 acres of farmland are categorized as APO land.¹⁶

In recent reports, the County has suggested that APO designations do not offer sufficient protections for farmland. In response, a 2007 study identified over 21,000 acres of contiguous rural land of high agricultural value known as Rural Study Areas (RSA).¹⁷ Currently, the County is discussing the best strategy for protecting RSA land.

Developmental Rights:

In the development rights category, Whatcom County earned 15 of a possible 38 points for its Purchase of Developmental Rights (PDR) program. The county created the PDR program in 2002, with its first purchase in 2004.¹⁸ Each year, the County uses a portion of conservation futures funds for voluntary farmland easement purchases.¹⁹

With 671 acres of farmland preserved, the County regularly assesses the program to identify opportunities and issues with easement purchases.²⁰ They post frequent activities and reports to the Planning and Development Services website and have been working on communication with the farming community.²¹ An administrator and oversight committee manage the PDR program.²²

Whatcom County Planning and Development Services conducted a feasibility study for a transfer of development rights (TDR) program in 2009. However, the study showed that the impact of a TDR program would be small and that other preservation alternatives would have a greater impact.²³

Tax Incentives:

Whatcom County scored 10 out of 10 points for having nearly 100 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.²⁴ The County has done a remarkable job promoting their CUA program and ensuring that

their agricultural lands are receiving appropriate tax incentives—they have demonstrated commitment to using this tool to protect farmland more than any other county in the Puget Sound region.

Economic Development:

Whatcom County scored 8 out of a possible 16 points in this section of the scorecard. The County has established an Agricultural Advisory Committee (AAC), which provides an avenue to engage the farming community in agricultural policy and decision-making. The AAC provides recommendations to the County's Council on issues that affect agriculture, with input from farmers and others interested in enhancing and promoting the long-term viability of Whatcom County agriculture.²⁵ The Committee further produced the "Whatcom County Agricultural Strategic Plan" in 2011, which provides a roadmap for conserving and strengthening the County's agricultural economy.²⁶

While not directly provided by the County, there are several organizations in Whatcom County that do provide marketing and business assistance to local farmers. Local and regional organizations, such as Whatcom Farm Friends, Sustainable Connections, the Small Business Development Center, and the Northwest Agricultural Business Center have stepped in to provide direct marketing in the form of farm tours, buy local campaigns, business planning, and business assistance for farmers in their community.^{27 28 29}

OPPORTUNITIES FOR IMPROVEMENT

Whatcom is the only county in the Puget Sound region that has explicitly set an agricultural acreage goal. This is a commendable action and a valuable precedent for other counties. The County is now facing the challenge of reaching the goal of 100,000 acres of preserved farmland. AFT recommends the following actions to help Whatcom move closer to this target:

Creating an Ag-10 Zone for use on RSA land:

AFT recommends that the County place stronger zoning protection on areas designated as Rural Study Areas because of their prime soils and proximity to commercial farms. The County should create an additional agricultural zone with a density of one dwelling unit per 10 acres for use in the RSA areas. The new zone should be applied in all actively farmed parts of the RSA that have predominant lot sizes greater than 10 acres.

Improving incentives for farmland protection:

Land in Whatcom County is nearly as valuable for agriculture as it is for development. As a consequence, the value of development rights on farmland has declined and few farmers are willing to sell

their rights. By combining PDR funds with revenues from the sale of ecosystem market credits, conservation futures funds, and Farm Bill incentive programs, the County could offer greater financial rewards for protecting farmland and stimulate more participation in the PDR program.

Budgeting a specific percentage of conservation futures funds to PDR:

The percentage of funding from the conservation futures fund dedicated to PDR varies greatly from year to year. We recommend the County allocate a certain percentage of the fund to the PDR program so that the County can begin purchasing the 7,000 acres of land it has identified as "PDR Target Areas".

Creating an ombudsman position to serve as liaison with the agricultural community:

It would be helpful for the County to have a dedicated staff person to serve as liaison with the agricultural community, answer questions regarding the long-term retention of farmland, and provide regulatory assistance with permitting and licensing processes.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 209,947 acres of farmland. 3 The 1997 Census of Agriculture reported 113,797 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Critical Mass Update: http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 9 Whatcom Agriculture Strategic Plan: http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 10 Whatcom County Code 20.40.010. 11 Whatcom County Code 20.40.050. 12 See note 9. 13 Whatcom County Code 20.36. 14 Whatcom County Code 20.38. 15 Whatcom County Code 20.38.050. 16 See note 9. 17 Rural Land Study Report: http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 18 Whatcom County Council - Natural Resource Committee Presentation on May 25, 2010 <http://www.co.whatcom.wa.us/pds/planning/pdf/20100525-Council-Round8.pdf>. 19 See note 18. 20 See note 20. 21 Whatcom County Planning and Development Services - Agricultural Program website http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 22 Chapter 3.25A: Agricultural Purchase of Development Rights Program http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 23 Feasibility of a Transfer of Development Rights Program <http://www.co.whatcom.wa.us/pds/planning/pdf/feasibility-transfer-dev-rights-wc20090202.pdf>. 24 The County Assessor's office ran a query and determined that there were an estimated 103,468 acres of farmland enrolled in their Current Use Assessment Program, which exceeds the 102,584 acres of total farmland determined by the 2007 Census of Agriculture that we were using as our denominator. In any case, Whatcom County has approximately 100% of their farmland enrolled in CUA and earns the maximum number of points in this category. 25 <http://www.co.whatcom.wa.us/boards/agricultural.jsp>. 26 <http://www.co.whatcom.wa.us/pds/planning/pdf/ag-strategic-plan-endorsed-20110520.pdf>. 27 <http://www.wcfarmfriends.com/>. 28 <http://sustainableconnections.org/foodfarming/eatlocal>. 29 <http://www.agbizcenter.org/node/63>.