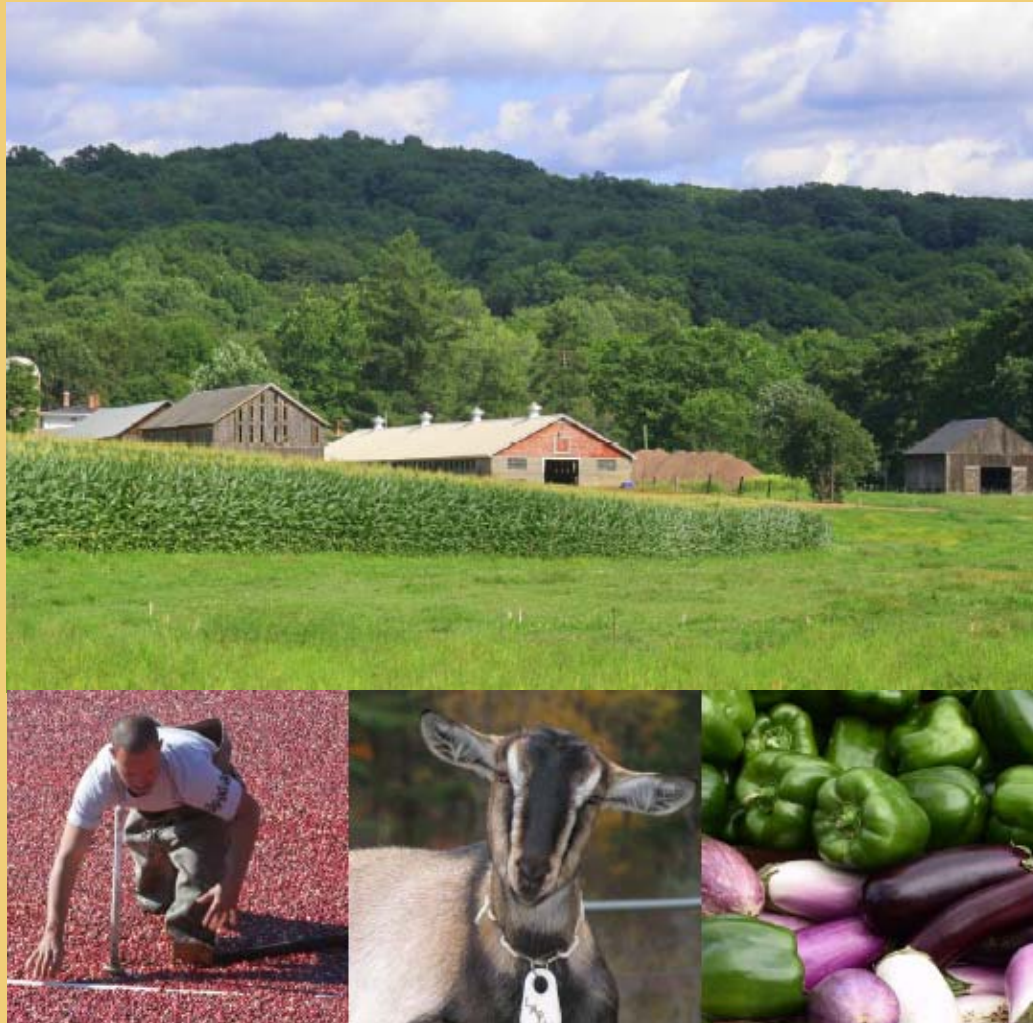


Massachusetts Farmland Protection Forum



Agricultural Districts-the Concept

Agricultural Districts= Special areas designated to protect and encourage commercial agriculture

- **Areas delineated locally, based on acreage and soils criteria**
- **Enrollment is voluntary**
- **Enrollment confers benefits**
 - **Right to Farm, eminent domain protections**
 - **Tax relief**
 - **Priority for state programs**
- **Enrollment may come with restrictions**
 - **Term easements/development restrictions**

Agricultural Districts-the Concept

- **16 States have programs**
- **All authorized by state statute**
- **No two entirely alike in terms of benefits conferred**
- **All intended to help create a more secure environment for agriculture**

MA Agricultural Incentive Areas

MA General Law Chapter 40L

Process:

- Local “AIA” committee identifies lands to be included, subject to landowner approval
- Plan submitted to Commissioner for ALPC certification
- Plan approved by 2/3 vote of town meeting

Benefits:

- Land automatically assessed and taxed under 61A
- Land receives priority for “determination of eligibility” for APR

Requirements:

- Land subject to right of first refusal by town (like 61A)
- Two-year waiting period for withdrawal

**Difficult process + little benefit + additional restrictions =
Never Been Used!**

Possible Rewrite of MGL Chapter 40L

AFT Proposal:

Replace MGL Chapter 40L with program that

- **Provides more incentives to both communities and farmers**
- **Promotes smart growth, land protection and agricultural economic development**
- **Targets state resources to areas that have been identified locally as important agricultural resources**

Could this proposal be expanded to apply to *all* working lands? Absolutely!

Possible Rewrite of MGL Chapter 40L

Features:

1) Town designation of Ag Incentive Areas (AIA)

- Town identifies land it would like to see included
 - Good role for Ag Commissions!
- Minimum acreage and soil quality thresholds
- Minimum zoning requirements for land within AIA
 - Ex: mandatory clustering; buffers on non-farm development; no schools or other public facilities
- Designation of AIA confers benefits
 - To town:
 - Land within AIA immune from Chapter 40B development; town gets “smart growth” credit under Commonwealth Capital
 - To farmers:
 - Farms within AIA receive priority for certain state programs

Possible Rewrite of MGL Chapter 40L

Features:

2) Additional Voluntary Feature

- Farmers within AIA could choose to enroll in “*Agricultural Incentive Agreements*”
- *Agreements* would provide:
 - rebate on local property taxes (on land and farm buildings) in exchange for an agreement not to sale, develop or convert farmland to non-farm uses
 - ROFR if land not already in Chapter 61A
 - Possible other benefit: state income tax credit for on-farm investments in permanent agricultural infrastructure?
- *Agreements* could be done on “rolling” basis
- State would reimburse towns for property tax rebates paid to participating farmers

Agricultural Incentive Agreements

Could communities develop *Agricultural Incentive Agreements* now?

(Probably, though would certainly help to have state authorizing legislation)

Concept: Towns seeking to stabilize land base could enter into *Agricultural Incentive Agreements* with farmers

- *Agreements* would be contractual arrangement between town and farmer**
- Farmer would receive rebate equivalent to property taxes paid in exchange for agreement not to develop land for some period of years**
- Could this approach be used to compensate farmers for certain ecosystem services? YES!**

Summary

- **Ag districts are way to create supportive local environment for farms and farming**
- **Rewrite of Chapter 40L could encourage:**
 - **Towns to identify and recognize important agricultural resources**
 - **Better local planning and zoning in support of working lands**
 - **Additional, targeted state investments in agriculture and farmland protection**

For more information

Additional information about Agricultural Incentive Agreements and AFT proposed rewrite of MGL Chapter 40L can be found on the Massachusetts page of our website:

www.farmland.org

Additional information about agricultural districts can be found through the Farmland Information Center:

www.farmlandinfo.org