

M_E_M_O_R_A_N_D_U_M

TO: Mayor Michael Tubbs

FR: Eric Parfrey

RE: Proposed “Ag Belt” and Ag Conservation Easements

DATE: September 20, 2018

Following up on our meeting on August 20, 2018, you asked to be given some background information on agricultural conservation easements and how a proposed “Ag Belt” between Stockton and Lodi would work. (The term “Ag Belt” is more appropriate than “greenbelt,” which implies public parkland.)

First, Sierra Club and Campaign for Common Ground have advocated for the establishment of an Ag Belt north of Eight Mile Road and south of the Lodi Sphere of Influence for the over a decade. We made this strong request as part of the last 2007 General Plan and we were ignored by the staff and the City Council. Once again, we are asking that one or more strong policies and action measures be included in this updated 2040 plan in place of the existing weak and ineffective Policy LU-5.3 and Action LU-5.3B, as follows:

Policy LU-5.3 **Actively work to conserve prime agricultural lands outside the City boundaries and** ~~Define~~ discrete and clear city edges that preserve agriculture, open space, and scenic views.

Action LU-5.3B The City, in ~~Coordinate with~~ **coordination with San Joaquin County to develop a plan for a greenbelt or community separator around the city,** ~~the City of Lodi,~~ **the City of Lodi, the California Farmland Trust, residents and affected landowners, shall prepare an Agricultural Belt Action Plan that addresses, among other items, how to target the agricultural mitigation fees that are collected by the two cities and the County toward purchasing easements within a defined buffer area between Stockton and Lodi. The location of the Agricultural Belt area shall be identified in a non-parcel specific, general fashion on the Plan Land Use Diagram map.**

There is a long, failed history over the last decades of half-hearted attempts by the City of Stockton, the County, and Lodi to establish an Ag Belt. Now is the time to see that it actually gets done. It is incumbent upon the City of Stockton to take a strong leadership position on this project since it is the irresponsible sprawling land use practices of Stockton in the past that have kept these ag lands under so much threat of urbanization.

How Do Agricultural Conservation Easements Work?

The creation of an Ag Belt can only be accomplished through strong political leadership and the reliance on existing and new funding sources. Agricultural separators between communities are created using a common tool called an agricultural conservation easement.

An agricultural conservation easement is a deed restriction landowners voluntarily place on their property to protect the farm from development. They are used by landowners (the “grantor”) to authorize a qualified conservation organization or public agency (“grantee”) to monitor and enforce the restrictions set forth in the agreement. Conservation easements are flexible documents tailored to each property and the needs of individual landowners. Agricultural conservation easements are designed to keep land available for farming.

In general, agricultural conservation easements limit subdivision, non-farm development and other uses that are inconsistent with commercial agriculture. Some easements allow lots to be reserved for family members. Agricultural conservation easements often permit commercial development related to the farm operation and the construction of farm buildings. Most do not restrict farming practices, although some grantees ask landowners to implement soil and water conservation plans. For example, landowners who receive federal funds for farm easements must implement an agricultural land easement conservation plan approved by the USDA Natural Resources Conservation Service (see the attached “Agricultural Conservation Easements” fact sheet prepared by the American Farmland Trust and USDA).

Landowners that enter into voluntary conservation easements are compensated for giving up or selling their “development rights.” The value of the compensation to the landowner for entering into the easement is determined by an appraisal. In the Central Valley the value of development rights to a typical large parcel of prime agricultural land may be about 60% to 80% of the fee simple value of the land without an easement. Thus, the landowner of a prime property that is valued at \$15,000 to \$20,000 per acre could be reimbursed for selling an easement at a rate of approximately \$9,000 to \$16,000 per acre.

How Are Purchases of Conservation Easements Funded?

The purchase of easements for agricultural, habitat, and other types of conservation easements is typically coordinated through a local land trust. Land trusts California is home to more than 150 land trusts that have protected more than 2.5 million acres. Land trusts use a variety of funding sources to pay farmers for the purchase of easements, including grants from State and federal agencies and funds collected by local ag mitigation fee programs.

The City of Stockton, as well as San Joaquin County and the cities of Manteca, Lathrop, and Tracy, have an ongoing relationship with the most active land trust that is operating in the county, the California Central Valley Farmland Trust (formerly called the Central Valley Farmland Trust). Over the last two decades, the Trust has protected 50 family farms covering

nearly 15,000 acres in San Joaquin, Sacramento, Stanislaus, and Merced counties (see <http://cafarmtrust.org/all-properties/>).

Another very successful example of a local land trust is located in Yolo County. Since its founding in 1988, Yolo Land Trust has permanently conserved nearly 11,000 farmland acres (see <http://theyololandtrust.org/>).

Next Steps

1. City Council adopts the new General Plan with a clear and unambiguous policy to prepare an Ag Belt Action Plan that will result in the establishment of an Ag Belt. The Council must appoint a task force or action team to oversee that effort. The task force or team should include representatives from the City of Stockton, the County, the City of Lodi, the California Farmland Trust, as well as residents and affected landowners.
2. Charge the action team with a detailed work plan that sets forth specific items to accomplish and strict deadlines to prepare the Ag Belt Action Plan. For example, the action team should be directed to review the existing agricultural fee mitigation programs adopted by the City of Stockton and the County and to make any recommended changes to the programs to ensure that funds are directed specifically to purchase easements on properties located within the proposed Ag Belt. Similarly, the action team should meet with representatives of the California Farmland Trust to review their strategic plan and to negotiate with them to amend the strategic plan to target properties within the Ag Belt. An updated Memorandum of Understanding should be negotiated between the City of Stockton, the County, and the Trust, and adding in the City of Lodi.
3. Following the preparation of a first draft Ag Belt Action Plan the documents should be subject to public review including workshops or hearings at the Planning Commission and City Council. The plan would presumably be subject to CEQA, so an environmental analysis would be required.