



Farmland Mitigation Principles

Adopted by Consensus, October 2006

Yolo County AFA Purpose

Maintain and enhance agriculture and the environment in Yolo County in perpetuity.

Farmland Mitigation Principles

Purpose

The purpose of the Yolo AFA Farmland Mitigation Principles is to provide clear guidance to policy makers and the public on how to effectively reduce impacts on agriculture caused by land development in Yolo County. Yolo AFA acknowledges that such impacts will occur given competing public policy objectives within the County and region. If impacts to agricultural resources cannot be avoided in the pursuit of a balanced and sustainable county (region), individual project mitigation should be designed and carried out in a manner that leaves a stronger, more viable agricultural community than existed before the project was proposed. This requires protection not only of land and water resources, but also the infrastructure and capacity to adapt that enables the industry to remain viable (and thrive) in the long term.

Background

Loss of farmland in the Central Valley and the values and benefits that it provides to the region is well documented. Yolo AFA has identified three primary threats to agriculture that can be addressed effectively at the local level: (1) Urban growth, (2) non-farm related homes sites, (3) antiquated subdivisions, and (4) habitat. The farmland mitigation principles outlined below are crafted to address the most common shortcomings found in farmland mitigation programs. In addition, Yolo AFA recognizes that impacts to agriculture extend beyond the physical footprint of a development project and its impacts to the land. Several principles are included as a way to begin to address these additional impacts and to open a dialog on these broader issues.

Principles

Mitigation for conversion of farmland and resources in Yolo County should provide for the following:

- **Mitigation should be provided prior to or concurrent with impact.**
 - Issue addressed: Often mitigation lags behind the impact it is intended to address. This principle establishes a stronger link between the impact of a project and what is being done to off-set those impacts.

- **In-lieu fees are the least acceptable method of mitigation.**
 - Issue addressed: In-lieu fees have not proven to be successful due primarily to the lack of willing sellers of conservation easements. This leaves the fee unspent while land values increase, potentially decreasing the amount of mitigation that can ultimately be secured. Together, the first two principles prevent projects from creating impacts on agriculture that are not addressed at the time of approval.

 - In-lieu fees should **only** be contemplated when it can be clearly demonstrated that the required mitigation shall be accomplished prior to issuance of the applicable permit (building or grading). In the event that mitigation is not accomplished at that time, the in-lieu fees shall be returned to the applicant and applicant shall establish an acceptable form of farmland mitigation.

- Acceptable forms of farmland mitigation include:
 - The establishment and recording of a farmland conservation easement.
 - The purchase of credits in an already-established, approved farmland mitigation bank.
 - Assistance with the purchase of an already-in-process farmland conservation easement with an established conservation organization (e.g. used to match other grant funds and complete a strategic project).
- **Project design should incorporate permanent on-site buffers to minimize impacts on adjacent agricultural operations.**
 - Issue addressed: This principle addresses the impact of land development on adjacent farmland. Development adjacent to farmland can disrupt agricultural operations and create nuisances for new residents. By creating a transition area that buffers potentially incompatible land uses, the project minimizes impacts on adjacent agricultural operations, and could provide refuge for displaced wildlife and create opportunities for natural resource based recreational activities. It is important that farmland mitigation policies address both the impacts in the immediate area of a project as well as the overall loss of productive land that is converted to non-agricultural land uses.
- **Permanent farmland mitigation easements must be held by conservation organizations with established records of responsible stewardship.**
 - Issue addressed: Conservation organizations must have the technical expertise and the capacity to perform annual site monitoring of the easement, as well as the creation and maintenance of a permanent endowment for legal defense (should it be necessary). These two functions are critical to the long-term success of agricultural mitigation in Yolo County.
- **Create a variable mitigation ratio based system that encourages full mitigation to be located close to the impact or in identified priority areas.**
 - Issue addressed: Creates incentive to place mitigation near impact where threat of future conversion to non-farmland uses tends to be greatest. In addition to threat of conversion, other factors could determine priority areas (e.g. soil quality, proximity to other protected lands, etc.)
- **Easement stewardship endowments adequate to monitor and defend permanent easements must be established as part of mitigation requirements.**
 - Issue addressed: Permanent easements are more than a basic contract; they are negotiated once, and their language is held into perpetuity. The easement holder must determine the long-term stewardship and enforcement expenses of each easement transaction and secure the dedicated or operating funds to cover current and future expenses. Monitoring should be done annually, and in a manner appropriate to the size and restrictions of each property, and must include documentation of each monitoring activity.
- **In addition to the required mitigation, developers should contribute to a county agricultural sustainability fund.**
 - Issue addressed: Impacts to agriculture extend beyond land and water resources. This fund would be used to partially address those cumulative impacts to agriculture that effect the critical mass of land, farmers and infrastructure necessary to maintain a vibrant agricultural industry in Yolo County.

- **New home sites should not be permitted on farmland mitigation easements.**
 - Issue addressed: Home sites on mitigation lands can diminish the agricultural value of the property by creating nuisance issues, disrupting standard agricultural practices, and disrupting farm infrastructure (e.g. irrigation systems). In addition, the mitigation lands were set aside specifically to address impacts to farmland, while other non-mitigation lands in the County provide ample opportunity for development of farm-serving housing. In order to qualify as farmland mitigation, a property can not have a house located on it that is less than 25 years old. This is to prevent the construction of a new home on farmland with the owner then immediately selling a farmland mitigation easement on the same property.

- **Stacking of farmland mitigation and habitat mitigation should not be permitted.**
 - Issue addressed: The value and utility of farmland mitigation is reduced by the restrictions on agricultural practices required by habitat mitigation (e.g. crop restrictions required by Swainson's hawk foraging habitat easements). An easement with multiple (and often competing) conservation purposes has inherent conflict between stewardship and enforcement.