

## **Open Space & Agricultural Preservation Subcommittee Interim Update - July 2009**

### **I. Introduction**

The Open Space and Agricultural Preservation Subcommittee was established by Board Chair Roger Morgan in 2009 to *investigate best practices for Open Space and Agricultural Preservation, to identify those best suited to Kent County, and to make a recommendation to the Board for the manner of implementation.*

The Commissioners appointed to this subcommittee include Commissioner Sandi Parrish as Chair and Commissioners Dean Agee, Tom Antor, Brandon Dillon, Gary Rolls, Jim Talen, and Commissioner Richard VanderMolen.

Staff from the Kent County Administrator's Office and Kent/MSU Extension provided support and information to assist the Subcommittee throughout their discussion.

### **II. Process**

The Subcommittee began its work in April 2009 by gathering information regarding open space and agricultural preservation. The Subcommittee conducted a review of existing reports and information related to open space, land use, and agricultural preservation; conducted interviews with stakeholders that represented various interests including environment/regional planning, developers and real estate representatives, economic development, and the philanthropic community; and attended a bus tour hosted by the Agricultural Preservation Board which provided a tour of the Agricultural Industry in Kent County. In addition, independent from the Subcommittee, several members participated in a visit to Lancaster County, PA and Carroll County, MD to observe their Agricultural Preservation Program and talk with some of their leaders.

Given that much of the subcommittee's work thus far has been of information gathering and discussion of key issues to our community, this interim report serves as a starting point for further discussions and development of a long-term strategy to preserve open space and agriculture in Kent County.

### **III. Background**

In 2001 the Board Subcommittee on Parks recognized the importance of County parks and in 2002 the Board of Commissioners adopted the Subcommittee's report and committed funding to acquire parkland to enhance the quality of life in Kent County. In addition, the Board adopted a goal to acquire 7,500 acres of county-owned parkland and open space. In 2002, the Board also affirmed its commitment to open space preservation when it adopted the Purchase of Development Rights Ordinance which stated a goal to acquire development rights on 25,000 acres of farmland.

As is stands today, the County owns 6,701 acres of parkland and will have a total of 926 acres of development rights by May 2010. To meet the Board goals for the remaining 800 acres of parkland, it is estimated that it will cost at least \$7 million or \$9,000 per acre. To achieve the goal of the Purchase of Development Rights Ordinance goals, there are currently 38 applications which total 3,962 acres that were available for purchase in 2009 and if purchased would cost nearly \$10 million or approximately \$2,500 per acre.

Given this demand and interest expressed by our community, this committee was charged to review the issues related to open space and agricultural preservation and to develop recommendations.

#### IV. Issues

As the subcommittee reviewed and discussed the information presented, it became evident that there are numerous issues which support the need to preserve agriculture and open space and for the County to pursue initiatives that will coordinate, plan, and provide a sustainable funding source. The following is a brief overview of the issues which committee members believe should be considered in developing the County's response to Agriculture and Open Space Preservation.

##### Agriculture as an industry in Kent County

According to the US Department of Agriculture 2007 Census, there are 1,193 farms in Kent County that encompass 170,117 acres and produce nearly \$200 million in crop and livestock sales<sup>1</sup>. Given this level of production, Kent County ranked as the 5th highest producing county in Michigan for crops and 11<sup>th</sup> in the State for the value of livestock and poultry production. In terms of apple production, Kent County continues to be ranked 1<sup>st</sup> in the State and 8<sup>th</sup> in the nation.

There is no doubt that the high productivity of the agricultural industry in Kent County impacts and supports other manufacturing sectors which produce equipment and supplies for the farming industry. Thus, support for agriculture should be viewed, in part, as an economic platform to preserve jobs.

##### Loss of farmland challenges the future of Agriculture and Open Space

In 1996, the Roger B. Anis Water Resources Institute released a study of Kent County which examined the change in land use between 1978 and 1992. The study concluded that the amount of land devoted to agricultural production in Kent County was reduced by 38,600 acres which amounted to nearly 18% of the land devoted to agriculture. Although this data is over 15-years old, it is expected that if this study were to be updated, it would show a continued reduction in the amount of agricultural land based upon a 20% growth in population since 1990<sup>2</sup>.

The loss of land cannot be blamed upon development alone but is made possible through the market factors of supply and demand as well as the challenges imposed upon heirs of farmland who cannot afford to maintain the property due to the estate and property taxes which make retaining the property unaffordable.

Once land is developed, it rarely goes back to open space or agricultural uses. The loss of farmland can be seen as contributing to a reduction in the number of farms and the subsequent reduction in the supporting industries.

##### Land preservation supports a higher quality of life

Through implementation of various types of land preservation techniques, a community can maintain and/or reduce the costs for municipal services such as police, fire, and schools, and reduce the amount of infrastructure necessary to support development, reduce traffic congestion and pollution, and promote investment in urban or developed communities. As noted earlier, the Kent County Board of Commissioners has, on several occasions, affirmed the importance of open space and agricultural preservation as contributing to a higher quality of life in Kent County. The

<sup>1</sup> United States Department of Agriculture. 2007 Census of Agriculture. Accessed via: [http://www.agcensus.usda.gov/Publications/2007/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Michigan/index.asp](http://www.agcensus.usda.gov/Publications/2007/Full_Report/Volume_1,_Chapter_2_County_Level/Michigan/index.asp)

<sup>2</sup> US Census Bureau. <http://factfinder.census.gov>

challenge for land preservation initiatives is to balance the desire for a high quality of life with sound economic principles rationale that support appropriate short and long-term benefits.

#### Preserving land makes urban development cost-effective and partnerships possible

By preserving land, local communities are able to better manage the resources necessary to provide infrastructure and services (water, sewer, roads, schools, police, fire, etc.) to residents more effectively. Through implementation of various types of land preservation techniques, such as zoning and planning, a community can maintain, contain, and/or reduce the costs for services by limiting growth to existing infrastructure where services can be financially supported.

Further, there are opportunities to partner with municipal service providers such as the Grand Valley Regional Biosolids Authority that will result in cost-savings to tax payers and service users and result in land preservation. Currently, the Authority provides waste water treatment services which utilize the residuals of the wastewater treatment process as fertilizer that is applied to farmland through sub-surface injections.

The cost of injecting the biosolid is approximately \$271 per injection, compared to \$285-288 per dry ton to landfill, so the process actually saves the treatment facility money while also benefiting the farmer who can now buy less commercial fertilizer, saving both the farmer and the Authority costs for doing business.

Currently, the Wyoming Wastewater Plan generates 28-33 million gallons of waster per year, which absent this biosolids program, would have to go to a landfill. Although the practice of land application is not unique, the proposal to partner with the Purchase of Development Rights program to preserve land to ensure a location to apply the product is a newer idea that could be replicated elsewhere. The benefits of having land available close-by the treatment plant and securing rights to apply biosolids for years to come represents a win-win situation for both the urban community supporting the wastewater treatment plant and the farmers who require committed agricultural land and fertilizer.

To ensure the availability of such land, the Authority recently committed \$40,000 to participate in the Purchase of Development Rights program by providing matching funds for securing a federal grant for property where biosolid injection is appropriate. This use of the PDR program benefits the urban customers' wastewater treatment system while preserving the land from development.

#### Need for framework for land use decision-making

Currently there are multiple entities and multiple efforts aimed at land preservation and there appears to be insufficient coordination of efforts. Given this, there is a need to coordinate efforts such that these efforts can be supported by a sustainable and diverse funding source. In order for these efforts to be effective, local units of government must be supportive and participate collaboratively in the planning process for effective land preservation.

#### The Permanency of Preservation

The permanency of land-use preservation continues to be an issue of importance and continues to be an issue that challenges land preservation. As this committee moves forward it will continue to review the options available to ensure that land use preservation is done in a way that makes sense relative to the long-term development of the County.

### Cost Scenarios/Strategy for Land Preservation

The current economic conditions function as a double edge sword when it relates to land preservation. While the costs to acquire and preserve land may now be lower than in the past due to slowing growth, the slowing growth has also created an environment for the County that is challenged by a lack of resources. Despite this challenge, there is a need to understand the magnitude of land that might be available, at what cost it may be acquired, and what strategy could be used to reach the open space goals affirmed by the Board in previous subcommittee studies and reports.

In all, if the County were to meet the goals established for parkland acquisition and development right procurement, it is estimated to cost at least \$17 million in today's market. Given this, no matter what the funding mechanism finally becomes, it must be sustainable and the use of funds must be supported by an economic rationale for the preservation of land.

### **III Tools for land preservation**

While the Purchase of Development Rights program has been the initial focal point for land preservation activities in Kent County, it is only one of multiple tools that are available, and cannot be solely relied upon to achieve the goals of the multiple stakeholders interested in this issue. The Subcommittee heard many comments regarding the positive results and need to link the purchase of development rights and other preservation activities to more coordinated local and regional planning initiatives.

Further, there are multiple preservation tools that are statutorily enabled or operationally established within township zoning ordinances that enable local units of government to promote preservation. Some of these tools include: transfer of development rights/noncontiguous open space development, coordination/regional planning through local governmental cooperation; voluntary participation in easement programs, and the continued implementation of the Purchase of Development Rights program.

To coordinate the implementation of the various tools for preservation, State statutes do enable joint, county, and regional planning initiatives to assist local communities in coordinating their efforts. If undertaken, a countywide or joint planning process with cities and townships would provide the necessary footprint for land preservation and assist in defining the priorities for land preservation.

Of additional interest are partnerships with entities that also have a vested interest in land-use preservation for specific purposes. In addition to the Grand Valley Regional Biosolids Authority, there are several local philanthropic organizations that have indicated an interest in further discussing and potentially supporting land preservation, as well as opportunities for partnering with local governments, regional entities, and others.

### **V. Recommendation**

Over the last three months, the subcommittee has worked to review the studies and reports regarding land-use and land preservation and has interviewed various stakeholders that have an interest or perspective on the issue of open space and agricultural preservation. Out of this material and these interviews the Open Space and Agricultural Preservation Subcommittee of the Kent County Board of Commissioners has developed the following three principles to guide the short and long-term recommendations for effective land preservation:

- Land preservation must be a coordinated result of planning and preservation efforts.

- Land preservation must be supported by a sustainable funding source.
- Local units of government must be supportive of efforts towards land preservation.

Realizing that the issue of land preservation is a long-term challenge that requires a clear long-term vision, we recommend that this subcommittee continue to convene to implement several short-term strategies and to develop a long-term strategy that will promote the preservation of open space and agriculture.

#### Short Term Recommendations

The Kent County Agricultural Preservation Board recently submitted a request to this Subcommittee to allocate \$1 million over three years to provide significant county funds to Kent County's PDR program. The Open Space and Agriculture Subcommittee understands that maximizing outside funds for this program requires the ability to plan, coordinate, and educate over a period of time.

Without confidence that Kent County is committed to this program for more than one year, leveraging funds from other governmental units and private sources will be more difficult. Therefore, the Open Space and Agricultural Preservation Subcommittee recommends that the Board of Commissioners appropriate \$275,000 to the Agricultural Preservation Fund for 2010, as part of a \$1 million commitment over three years and until such time as a more sustainable funding source is identified, with the understanding that to commit the Board of Commissioners to funding in future years is difficult. During a period of economic uncertainty and increasing pressures on the County's mandated services, all discretionary programs will need to be reevaluated on an annual basis during the budget appropriation process. The Subcommittee notes that this approach is consistent with funding allocated to other similar discretionary programs, including the West Michigan Sports Commission and the Prevention Initiative.

The Subcommittee further recommends:

1. Piloting a partnership with the Grand Valley Regional Biosolids Authority to purchase development rights for land preservation and biosolid application.  
A demonstration or pilot program funded by both the County and the Authority to purchase the development rights and to preserve the land for the injection of biosolids would serve multiple purposes by resulting in the preservation of agricultural land, reducing the costs of wastewater treatment, and reducing the environmental impact of the wastewater treatment by allowing its byproduct to be reused rather than disposed of in a landfill. As stated earlier, the Grand Valley Regional Biosolids Authority has committed \$40,000 to participate in the Purchase of Development Rights program to provide a partial match for a federal grant for property where biosolid injection is appropriate. A partnership with the Authority is a unique concept that addresses a significant number of the issues identified and the goals of multiple stakeholders, and may leverage further support and contributions from the philanthropic community.
2. Developing partnerships to create and implement a long-term strategy  
In order to determine the best method to achieve the desired level of coordinated and sustainable preservation efforts, the County needs to work with existing and new partners to identify the best methods to implement a land preservation program. Through partnering with the philanthropic community, educating stakeholders and citizens, and by seeking support from local governmental units, we can continue to move forward in preserving land such that we can continue to promote the quality of life in Kent County.

### Longer-term Recommendations

One of the keys to implementing a long-term strategy will be to identify a strategy or strategies that can be both sustainable and desirable. As a part of this discussion, there should be a review of all potential funding sources including those that were identified throughout the subcommittee's discussions. Potential sources include the levying of .04 mills which is available to the County but not currently levied, seeking a voter approved millage, determining if the county could issue bonds for the purchase of property, asset/land swaps, impact fees, real estate transfer tax, and continued development of partnerships with townships and the philanthropic community.

### **VI. Next Steps**

The subcommittee recommends that the Kent County Board of Commissioners support the short-term recommendations of this subcommittee, appropriate the necessary funding to support those efforts, and enable the subcommittee to continue to develop a long-term strategy to support land preservation and identify and recommend suitable and sustainable funding sources.

The subcommittee will continue to identify and define the priorities for land preservation, work with local stakeholders and local units of government to coordinate our understanding of planning and preservation.

Based upon this work, we intend to provide the Kent County Board of Commissioners with a report that will include the following:

1. A plan to identify priorities for land preservation
2. Partners for land preservation
3. Plan for implementation and funding of a land preservation program
4. Plan to measure the impact and outcome of the land preservation program

This interim report has been developed to provide the Kent County Board of Commissioners with an update regarding the work of the subcommittee and this document will serve as guide for our future discussions. We intend to continue to address many of the unanswered and many of the unasked questions and to keep the Board updated regarding the status of our work.