

## AGRICULTURAL LAND PRESERVATION COMMISSION

### FISCAL 2006 REPORT

The Agricultural Land Preservation Commission (Commission) was formed in 1981 pursuant to RIGL 42-82 (Farmland Preservation Act) for the primary purpose of acquiring the development rights to farmland in Rhode Island. The acquisition of development rights is a purchased right or easement to the property which restricts all future uses to those related to farming, with the goal of protecting the best farmland from development and preserving a base of agricultural land for food protection and open space.

The Commission uses bond funds as approved by voters on a periodic basis, as well as grants obtained by the Commission and/or DEM to acquire development rights, and significantly leverages state funds with those from other federal, local or non-profit agencies and organizations. Nearly all projects in recent years involve a consortium of interests and funding partners due to the growth of land protection organizations and efforts in Rhode Island. The Commission may be a majority or minority funding partner on any particular project, and landowners on occasion may donate development rights, however the Commission always holds a perpetual legal easement to the property on which development rights are acquired. As of the end of Fiscal 06, the Commission acquired the development rights to a total of 69 farms in Rhode Island totaling 4952.20 acres, including the following 7 farms and 371.58 acres during FY 06:

Escobar Highland Farm	Portsmouth	74.85	acres
Tower Hill Equestrian Center	N. Kingstown	54.93	acres
Knight Farm	Scituate	85.00	acres
Southside Community Land Trust	Providence	00.094	acres
Keah/Wallace	S. Kingstown	44.725	acres
Keah/Wallace	S. Kingstown	49.98	acres
Fenner	Charlestown	62.00	acres

The Commission operates under two rules, "Operating Procedures for Purchase of Farmland Development Rights" (1989), and "Criteria for Evaluation of Farmland for the Purchase of Development Rights" (1983). The Commission is comprised of 9 members, of which 3 are non-voting pursuant to recent separation of powers legislation. Meetings are generally held monthly, and all meeting notices and minutes are posted with the Secretary of State. Applications for funding are received on a year round basis and are evaluated and scored at monthly meetings of the Commission based on criteria contained with the rules.

Development rights is the difference between the fair market value of the property and agricultural value. The fair market value is determined by an appraisal and comparable sales comparison, the agricultural value is determined by the relative economic value and amount of each soil type as determined by the Commission. All development rights acquisitions are also reviewed and approved by the State Properties Commission.

Coordination of Commission activities, and general staff support and administration is provided by the Department of Environmental Management through the Divisions of Agriculture, Planning and Development, and Office of Legal Services. DEM support of the Commission is a component of the Department's land acquisition and protection strategies and program and is with general funds - bond funds are not used to support staff. Total expenditures from the bond account for fiscal 06 are \$2,000,798.60, of which \$1,975,748.60 are payments to landowners for development rights, and \$25,050.00 are survey and appraisal costs. Bonds funds are issued to the Commission in accordance with the Capital Budget, and \$1,500,000 was issued in FY 06. The Commission also received a grant from USDA in FY 06 of \$1,700,000 for the protection of three specific farms, and has received grant funds from USDA in previous years. USDA releases funds as closings occur for the specified farms, therefore USDA funds actually released to the Commission in FY 06 total \$218,600, and were from a previous years' grant award.

The Commission generally meets monthly, on the second Thursday at the USDA Service Center, 2<sup>nd</sup> Floor Conference Room, 60 Quaker Lane, Warwick. Meetings were held on the following dates in FY 06:

07/14/05	02/09/06
08/11/05	03/09/06
09/08/05	03/30/06
11/10/05	04/13/06
12/01/05	05/11/06
12/08/05	06/08/06
01/12/06	

All meetings and meeting minutes are posted on the Open Meetings website of the Secretary of State. Commission agenda and discussion in FY 06 primarily relates to the evaluation and scoring of farms and acquisition of development rights to farms. Policy issues discussed in FY 06 primarily relate to the development and drafting of proposed amendments to the rules of the Commission for the purpose of clarifying and streamlining, and issues pertaining to proposed or ongoing activities at farms in relation to consistency with development rights easements.