



MARIN COUNTY FARM BUREAU

P.O. Box 219, Pt. Reyes, CA 94956

August 17, 2015

President Katie Rice
and The Marin County Board of Supervisors
3501 Civic Center Drive, Room 329
San Rafael, CA 94903
VIA EMAIL: c/o Kristin Drumm kdrumm@marincounty.org

Re: LCPA – 22.130 Definition of "Actively and directly engaged" should include leasing

Dear Supervisors,

Please modify the new proposed definition of "**Actively and directly engaged**" in Chapter 22.130 of the LCPA Implementation Program, to include leasing. It would be improved with this addition (shown underlined):

Actively and directly engaged means making day-today management decisions for the agricultural operation by being directly engaged in production of agriculture commodities for commercial purposes or maintaining a lease to a bona fide commercial agricultural producer.

The goal as reflected in Land Use Policies is to protect coastal agriculture as a high- priority coastal resource. One important method of doing this is to encourage nonfarming landowners to lease their land to agricultural producers. This also has the added benefits of 1) creating jobs for farmers and ranchers who don't own land themselves, and 2) providing a legitimate opportunity for aging farmers and ranchers to retire from actively farming and ranching by giving them the ability to lease their land to another producer.

A number of policies in the LUPA support leasing, and specifically refer to the use of leases in standards for uses. Some of these (with our emphases) include:

- C-AG-7.B.Standards for Non-Principally Permitted Uses: 2. "The creation of a homeowners' or other organization and/or the submission of an Agriculture Production and Stewardship Plan (APSP) may be required to provide for the proper utilization of agricultural lands, *including their availability on a lease basis...*"
- C-AG-9 Residential Development and Agricultural Dwelling Unit Impacts on Agricultural Use: 2.c. "Whether long-term capital investment in agriculture and related infrastructure, such as sensing, processing facilities, market mechanisms, agricultural worker housing *or agricultural leasing opportunities* have been established or are proposed to be established."

- C-AG-9 Residential Development and Agricultural Dwelling Unit Impacts on Agricultural Use: 2.e. "Whether the proposed development will facilitate the ongoing viability of agriculture such as through intergenerational transfers or lease of existing agricultural operations."

Even the 2007 Marin Countywide Plan specifically encourages leasing and long-term tenure agreements with agricultural operators in its Natural Systems & Agriculture Element:

- AG-1.8 Maintain the Agricultural Land Base. Encourage private and public owners of lands that have traditionally been used for agriculture to keep land in agricultural use by continuing existing agricultural uses, developing compatible new agricultural uses, *and/or leasing lands to agricultural operators.*
- Implementing Programs
AG1-a 3. Whether long term capital investment in agriculture and related infrastructure, such as fencing, processing facilities, market mechanisms, agricultural worker housing or *agricultural leasing opportunities have been established or are proposed to be established.*
- AG-2.11 Facilitate the Intergenerational Transfer of Agricultural Land. Encourage and support transfer through inheritance, sale, *or lease of agricultural properties to future generations of ranchers and farmers.*
Why is this important? Encouraging and supporting Marin agricultural producers in developing specialty products and markets will help to keep farming viable.
- Glossary
Lease. A contractual agreement by which an owner of real property (the lessor) gives the right of possession to another (a lessee) for a specified period of time (term) and for a specified consideration (rent).
- *AG-1.m Encourage Agricultural Leasing. Explore a mix of incentives and guidelines to nonfarming landowners to encourage leasing of all or part of their land to farmers and ranchers, as appropriate.* Agricultural leasing is encouraged as a High Ongoing Priority.

Because Marin's Countywide Plan and the Local Coastal Program both support and encourage leasing, it's important to specifically include leasing in the definition of "Actively and directly engaged" so that future landowners, planners and Coastal Commissioners will understand that leasing is a valuable means to realize the County's goals.

Thank you very much for your ongoing consideration on behalf of agriculture sustainability in Marin.

Sincerely,

Sam Dolcini

Sam Dolcini, President
Marin County Farm Bureau

Brian Crawford, Marin County Community Development Agency BCrawford@marincounty.org

Jack Liebster, Marin County Community Development Agency Jliebster@marincounty.org
Thomas Lai Marin County Community Development Agency TLai@marincounty.org
Stacy Carlsen, Marin Agriculture Commissioner SCarlsen@marincounty.org
David Lewis, UCCE djllewis@ucdavis.edu
Jack Rice, California Farm Bureau Federation Jrice@cfbf.com
Chris Scheuring, California Farm Bureau Federation Cscheuring@cfbf.com
Kirk Wilbur, California Cattlemen's Association kirk@calcattlemen.org
Jim Burling, Pacific Legal Foundation jsb@pacificlegal.org