

The Case for a Building Moratorium in the Ag Reserve

A Proposal from STAR: Save the Ag Reserve March 3, 2015

STAR Background:

STAR: Save the Ag Reserve,, is a grassroots organization which promotes the Agricultural Reserve on its Facebook page along with innovative, sustainable farming. Our supporters regularly attend and speak out at public hearings on these issues.

We have spent much of the past eleven months addressing the proposals made by developer interests at the last Board of County Commissioners workshop. While these proposals need to be addressed, it is the position of **STAR: Save the Ag Reserve**, that these are only one set of options and that PBCC should go well beyond examination of development and examine all potential uses for land in the Ag Reserve. **STAR: Save the Ag Reserve** proposals intend to go beyond addressing the developers' proposals.

It is the position of **STAR: Save the Ag Reserve** that a comprehensive evaluation of the value of land in the Ag Reserve for use as agricultural land is a first step in any process which seeks to formulate logical land use policy for this district.

There are many types of "new crop" farming which are thriving in other parts of the US but are not now in the Ag Reserve. Many of these can be done on both small and large parcels. If PBCC were to bring in the right expert and appraise the value of Ag Reserve land based on all types of agricultural uses, we strongly believe we would discover that the land is worth more for agriculture than for development. And since agricultural use allows the land not to be captured by the one-time use as development, the land would be continually more valuable and could be sold over and over for increasing values as agriculture morphs in new directions. This winter should have fully illustrated that agricultural land where it doesn't freeze needs every effort to remain available for agriculture.

Agricultural Reserve Background:

While farming regions throughout the United States that are serious about preserving farmland have increased the number of acres of protected farmland, Palm Beach County has been going in reverse where the Agricultural Reserve is concerned. According to County documents, in 1989 the County's Comprehensive Plan revised the boundaries of the Agricultural Reserve, reducing "the area by more than 5,000 acres resulting in its current boundaries encompassing 21,981 acres."

This shrinkage in area occurred despite the fact that the Agricultural Reserve is a critical economic engine in Palm Beach County. The following bulleted points highlight the findings of a January 17, 2012 study released by Palm Beach County: [1]

- The Palm Beach County agricultural industry is one of the largest industries in the County. The total economic impact to the county from agriculture is \$2.6 billion;
- The industry employs a range of between 9,000 – 12,000 workers in Palm Beach County with agricultural wages reaching \$340 million;
- Palm Beach County leads the state in agricultural sales;
- Palm Beach County is among the top ten largest agricultural counties in the United States;
- Palm Beach County is the largest agricultural county east of the Mississippi River;
- Palm Beach County leads the nation in the production of sugarcane and bell peppers.

Per Exhibit 1 AG RESERVE WORKSHOP January 17, 2012:

The future of agriculture in Palm Beach County is very optimistic. As our population increases, so does the demand for food. Our growers meet the demand for high quality produce for hotels and restaurants, adding to the quality of life for residents and visitors. There is an unprecedented interest in locally grown foods, better nutrition and recommendations for increased consumption of fruits and vegetables. Many tropical plants, so desired by consumers, are grown in the Agricultural Reserve. No one can predict the future, but exciting prospects are on the horizon, including energy crops for fuel and plastics, tropical fruit, essential oils from herbs, plants for pharmaceuticals and more.

The Agricultural Reserve in Palm Beach County consists of 22,000 acres running east from the Arthur R. Marshall Loxahatchee National Wildlife Refuge in Boynton Beach to the Florida Turnpike; bordered by Clint Moore Road in Boca Raton to the South, and just past the Strazzula Wetlands to the North.

Development interests have misinformed the public by suggesting at public hearings that little would be lost if the fertile sandy soils in the Agricultural Reserve were converted into sprawling gated communities and shopping centers because Palm Beach County's largest farming area is in Belle Glade, not the Agricultural Reserve.

The critical, missing piece of this misinformation campaign is that the Belle Glade farmland consists of muck soils while the Agricultural Reserve consists of fertile, sandy soils. According to Dr. Richard Raid, a leading expert on farming in Palm Beach County who has conducted research for the University of Florida for the past 27 years, tomatoes, squash and bell peppers cannot be grown in commercial quantities in muck soils. These three vegetables are abundantly grown in the Ag Reserve and contribute mightily to farming revenues for the county.

In a September 8, 2014 communication, Cooperative Extension Agent, Chris Miller, confirmed that no tomatoes, bell peppers or squash are being grown in the muck soils in the Belle Glade/Everglades Agricultural Area.

Successful Ag Reserve Farming Model:

On February 27, 2015, the radio program “Chef Pantone” aired an interview with Scott Seddon of Pero Family Farms, the largest farming operation in the Agricultural Reserve and a business whose intellectual capital on farming dates back to 1908. Mr. Seddon stated the following:

“We’re [Pero Family Farms] going into just about every grocery store East of the Mississippi, into Canada and throughout the Caribbean...What’s so great about Palm Beach County, we’re the closest spot to the Gulf Stream and that warm water provides us this warm land to grow on all winter long. ”

“It will freeze in Homestead and Miami before it freezes in West Palm Beach and Delray because of that Gulf Stream. That’s what’s so special about this land. You have the Agricultural Reserve out there -- Palm Beach County set aside years ago cause they realized how important that was.”

In terms of just how successful this independent family farming operation is on a national scale, Mr. Seddon stated:

“We have the number one brand of mini-sweet peppers nationwide...We’re packaging almost 800,000 pounds of those alone each week in Delray Beach.”

Palm Beach County is extremely fortunate to have a business located in its Agricultural Reserve with a number one *national* brand and yet some County Commissioners are *seriously* considering putting more rooftops and asphalt in this area to further restrict farming efficiency and ease of operation.

At the February 17, 2015 Agricultural Reserve Roundtable, two nurserymen effectively declared the Ag Reserve dead and indicated that it is no longer possible for farmers to make a living there. Other nurserymen nodded in agreement. These same nurserymen are fatally conflicted in their viewpoint because they also want the laws in the Agricultural Reserve changed so that they can sell either development rights or their property outright to a homebuilder, GL Homes. In other words, they have been incentivized to declare failure.

What our County Commissioners are effectively being asked to do today is to reward failure and punish success. Steve Thomas of Thomas Produce stated the following at a public hearing on March 25, 2014:

Thomas: “If we continue to lose land at the torrid pace we have in the last ten to fifteen years, it’s very difficult to operate a facility we’re in – we have a lot of commercial traffic, we’re book-ended in an area between a shopping center and a very upscale residential neighborhood...”

Thus, it is clear that more development is a radical and dangerous path toward further harm to vegetable growers in the Agricultural Reserve.

The Case for a Moratorium on Building:

On February 28, 2015, the Palm Beach Post newspaper, which has been covering the evolution of the Agricultural Reserve for decades, wrote the following in a lead editorial:

“At the public meeting, there were proposals to add new zones for commercial development. There was also a proposal to lower the threshold on developments so that smaller parcels can to be urbanized. If these proposals are approved, the county will allow the reserve to be whittled to death.”

The editorial page editors went on to recommend the following:

“But agriculture and land preservation are under increasing pressure from development. And county commissioners, rather than continue to chip away at the 22,000-acre Agricultural Reserve, should stop yielding to this pressure long enough to at least conduct a study of the economic and environmental impact.”

This recommendation to conduct proper studies prior to voting on radical and dangerous rezoning of an area containing critical farming soils follows the same demands of public speakers at county-sponsored hearings and Roundtables over the past year as well as recommendations from community groups.

The Audubon Society of the Everglades, Palm Beach County's local chapter, carried an article by Pam and Russ Martens in its October 2014 newsletter, *Kite*, revealing the following about studies conducted in the 1990s on the Agricultural Reserve:

“A 1993 study conducted by the County's own planners found that it would cost taxpayers \$92.3 million for schools, solid waste, roads, police, fire stations and other services if residences were built for 36,000 people.

“A 1994 study conducted for the County by the American Farmland Trust found that each \$1 generated from agriculture created an 88 cent surplus because the county was only spending 12 cents on services. But for every \$1 generated from residential, the county would spend \$1.10 in services.

“An even more dramatic finding was what happens over time when an acre of productive farmland becomes a residential unit(s). The value lost per acre over 50 years was \$1,106,582. Multiply that by the 10,000 acres of former farmland now buried, or approved to be buried, under brick and mortar and the cost is over \$11 billion over 50 years.

“Before one more house is built, or one more forest clear cut, or one more farmer driven out of the Ag Reserve, we need updated, independent economic impact and cost of community services studies.”

The case for a moratorium on building is further buttressed by the fact that the Palm Beach County taxpayer has a vested, significant financial stake in what happens in the Agricultural Reserve. Area taxpayers would have more money in their savings accounts, in their children's tuition accounts, in their retirement accounts had they not approved a Voter Referendum in 1999, agreeing to tax themselves in order to preserve \$100 million in land in the Agricultural Reserve.

The critical importance of this farmland to the County's economy was enshrined in the county's Comprehensive Plan where it is given its own designation as an “Agricultural Reserve Tier,” consisting of “unique farmland and wetlands” to be “preserved primarily for agriculture.” Specific laws pertaining to it are further codified in the Unified Land Development Code of Palm Beach County (ULDC).

If the law requires that the Tier be “preserved primarily for agriculture,” how is it that the following now reside in the Agricultural Reserve: 23 gated communities; two charter schools; one elementary school; a massive hospital complex with medical buildings; two shopping centers with banks, restaurants, and an Imax theatre.

Only an independent study by an arms-length law firm together with knowledgeable agriculture experts will restore public trust that our laws have not been compromised by special interests.

Additional Proposals from STAR:

STAR Proposes That There Should Be No Increase In Residential Or Commercial Development in the Ag Reserve. The process of changing the Comprehensive Plan should not move forward. No Changes should be made to the Ag Reserve Plan.

Impose Traffic Restrictions Consistent With County Law That Requires That This Land Be "Preserved Primarily for Agriculture." Driving through the Ag Reserve, one would never dream this is a protected farming area. In key stretches of farm land along Route 441, and along the Lyons Road Rural Parkway, the speed is 55 MPH. This is not a speed compatible with a protected farming Tier. A right hand lane should be designated as a Farm Vehicle Lane with an appropriate speed to safeguard farm workers moving farming equipment from field to field. Farm Vehicle Lanes, with appropriate road crossings, should be adopted on other roads deemed by farmers to pose a current threat to the safety of drivers and efficient movement of farm vehicles. Provide signage at each entrance to the Ag Reserve stating that this is the Ag Reserve, a protected area, and please slow for farm vehicles and horses.

Create the Long-Promised Horse Trails Along the Lyons Road Rural Parkway. Equestrian-related businesses and horse owners form a material part of the Agricultural Reserve. The study should examine how their rights have been sacrificed to developers. Additionally, equestrian trails should be established on frontage roads and perimeter roads around developments.

Taxpayer Purchase of Critical Farmland: One does not buy a home and fail to insure it. One does not buy an expensive auto and fail to insure it. But we, county taxpayers, spent \$109.8 million on land inside the Ag Reserve and we have failed to insure it from encroachment by developers. To make certain that farming can continue to survive in the Ag Reserve, we need to identify key parcels of good farm land that can be joined together to form one large parcel and purchase those with taxpayer funds to make certain we retain adequate large parcels suitable for large tract farming in the Ag Reserve. This would be the insurance that our original \$109.8 million in land will not end up in the hands of developers. Explore use of State Amendment 1 money for land conservation in our Ag Reserve. Provide County funds to purchase TDR's from small nursery owners and retire them.

Innovative Methods to Encourage Future Farming in the Agricultural Reserve: **STAR: Save the Ag Reserve,** recommends that the County set up a team of innovative farming specialists to examine cutting edge strategies being used elsewhere in the United States. One idea would be to create a national network of farmers wishing to relocate to our area and make this network easily accessible to local farmers wanting to retire or sell this farming operation. Selling to a residential developer should not be the only option on the table. If we are to consider proposals for development, which are irreversible once the land is built on, we must first have a true evaluation of alternative uses for our land.

Many of these ideas were spelled out in the Agricultural Reserve Master Plan prepared by our own planning division in 2000. These included, but are not limited to, alternative types of agriculture such as niche or specialty crops, organic farming, rural restaurants and farm stands, beginning farmer programs, farmer to chef opportunities, linking farmers to consumers, community supported agriculture, green markets, agricultural education.

Conservation Easements. STAR: Save the Ag Reserve requests an independent review by outside legal counsel on the manner in which the County Commission has revoked Conservation Easements on large parcels in active row-crop production to enable GL Homes to build ever-larger gated communities in the Agricultural Reserve. Once a conservation easement is established, it should remain in perpetuity and not traded for piecemeal parcels of inferior value to farming and environmental benefit.

A New Voter Referendum After the Studies Are Conducted. It is the position of **STAR: Save the Ag Reserve**, that once genuinely independent and comprehensive studies are conducted on the Agricultural Reserve – something that has not been done for 15 years as sprawling, gated communities of 1400 homes were approved by the County Commission, the vote on this matter should not be left in the hands of seven County Commissioners.

The taxpayers who taxed themselves on a \$100 million bond issue to preserve this land should have the right to another Voter Referendum to decide the future of the Agricultural Reserve.

Summary:

STAR: Save the Ag Reserve is committed to preserving the Agricultural Reserve as it was originally intended – “to be preserved primarily for agriculture” – and for returning the public voice to this debate.