

# Cultivating Maine's Agricultural Future



A Guide for Towns, Land Trusts, and Farm Supporters



MAINE FARMLAND TRUST  
AMERICAN FARMLAND TRUST • MAINEWATCH INSTITUTE

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# **Cultivating Maine's Agricultural Future**

**A Guide for Towns, Land Trusts, and  
Farm Supporters**

**Maine Farmland Trust  
American Farmland Trust  
Mainewatch Institute**

**September 2011**

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## About the Sponsors

The mission of **Maine Farmland Trust** is to protect Maine's farmland, keep agricultural lands working, support Maine's farmers and advance the future of farming in Maine.

The mission of **American Farmland Trust** is to save the land that sustains us by protecting America's farm and ranch land, promoting environmentally sound farming practices and ensuring an economically sustainable future for farmers and ranchers.

The mission of **Mainewatch Institute** is to explore viable economic alternatives for Maine that recognize the importance of natural systems to our quality of life.

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*Photo: Amanda Bunker*

# How to Use This Publication

This publication was developed in the hopes of being helpful to as many people as possible. It draws from many of the approaches and tools already employed in the state, as well as tools from other states that are applicable to Maine. It does not need to be read cover-to-cover in order to be useful. Readers can choose their area of interest and glean as much information as they want.

## Resources and Links in this Document

To find out more about the subjects within this document, more detailed information is available on the internet and referenced by web address within these pages. The digital PDF version of this publication contains hyperlinks to web resources, allowing the user to click on a web address (or URL) and bring up the referenced website or document. For those who are reading the printed version of this publication, note that the blue underlined text indicates that a web address for more information on that subject is listed in the Web Links Directory at the back of this publication. For example, when you see [Cape Farm Alliance](#), it indicates that the web address for the Cape Farm Alliance is listed by chapter and section in the Directory under that name.



*Photo: Bridget Besaw*

# Introduction

Farming in Maine defies any single label. It is, at once, thriving and threatened. It is as diverse and complex as Maine's 8,100 working farms.

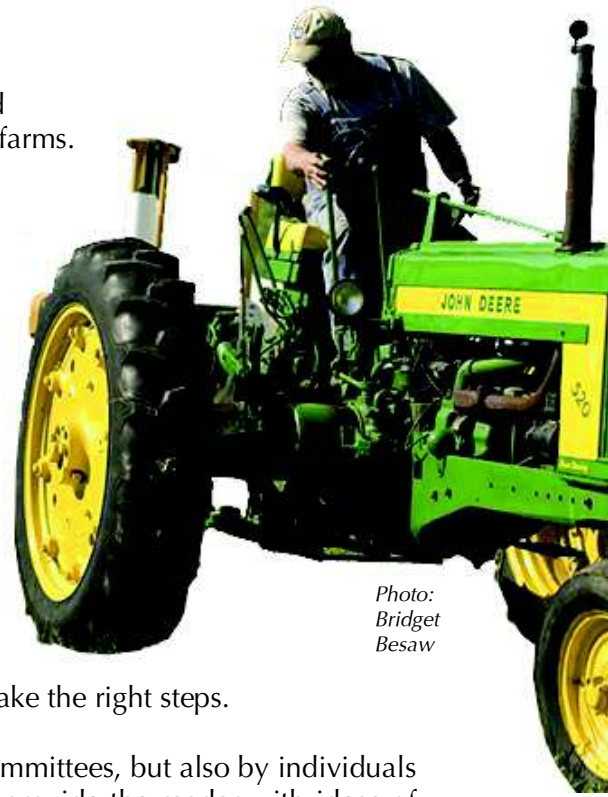
Maine has abundant water, good soils, handy access to markets, intact farm infrastructure, and a nice balance between established farmers and young people entering the field. Consumers, meanwhile, increasingly care about where their food comes from, favoring local or Maine-produced goods.

But all this opportunity is matched by a major demographic challenge. The ownership of as much as one third of Maine's best farmland (about 400,000 acres) will be in transition in the next ten years, simply due to the age of farmland owners. Without intervention, much of this land will be lost to agriculture. Maine cannot hope for a robust farm economy if much more farmland and farm infrastructure are lost.

The bottom line is that farming in Maine is very well poised, *if* we take the right steps.

There is much that can be done locally, often by town boards or committees, but also by individuals working to make a difference. The intent of this publication is to provide the reader with ideas of what you can do, examples of what others have done, and resources for learning more and taking action.

Together, we can create a great future for Maine farming.



*Photo:  
Bridget  
Besaw*



# Part I

## The Benefits of Local Farms & Farmland

Maine's 1.3 million acres of working farmland and over 8,100 farm businesses are an essential part of the state's economy, environment, and culture. Some benefits of farms are obvious—the array and diversity of foods and other products they produce, as well as the scenic beauty they provide. Yet other benefits are less obvious, such as how farms help maintain air and water quality, sequester carbon, provide access for a variety of recreational pursuits, and help keep local taxes down.

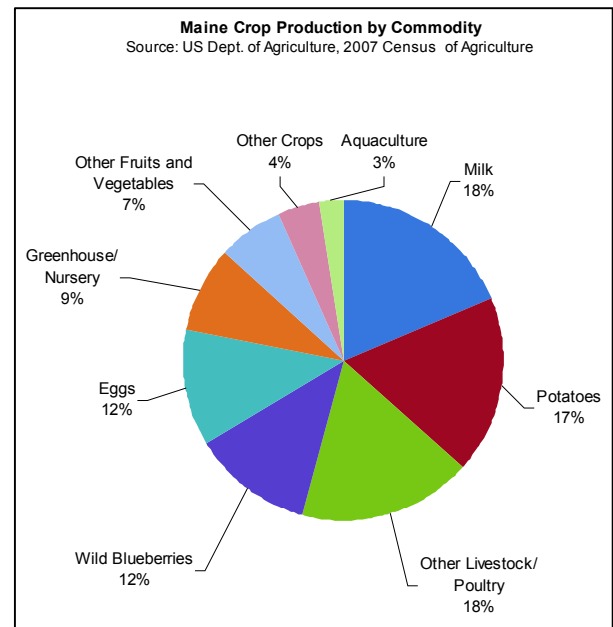
Of these benefits, some are easily quantified, while many others are not. Unfortunately, the benefit that may be most valued by Maine residents—the ephemeral "quality of life" that farms help provide—is sometimes recognized only when it's too late, after farms and farmland have been lost.

### ECONOMIC BENEFITS

Maine's farms are a vital component of the state's economy, annually generating over \$1.7 billion in economic impact<sup>1</sup>.



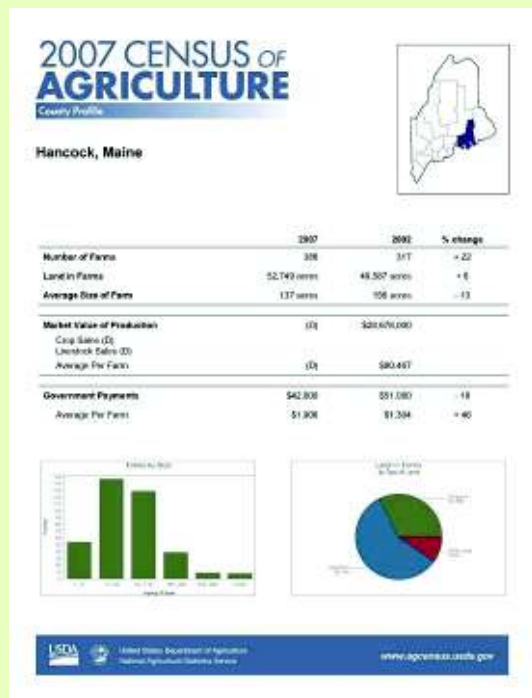
Photo: Bridget Besaw



Maine's farms spend over \$500 million annually on expenses such as feed, fertilizer, electricity, labor, rent, and fuel<sup>2</sup>. Most of these purchases are made locally, supporting a large number of secondary businesses, including farm supply stores, equipment dealers, machine repair shops, veterinarians, crop services, and fuel suppliers. Additionally, Maine farmers pay over \$24 million annually in local property taxes<sup>3</sup>.

Maine farms are also vital to the state's tourism industry. The state's working farms provide much of the open countryside and small-town character that attracts tourists to Maine, as well as the habitat needed to sustain the wildlife that attracts out-of-state hunters. Farms provide a diverse array of year-round recreational opportunities, and the rise in both direct marketing and agri-tourism has created new attractions for tourists—from farm vacations and corn mazes, to farmers markets, farm festivals, and pick-your-own operations. In 2007, 112 Maine farms created \$1 million in economic activity through agri-tourism<sup>4</sup>.

The Maine Department of Agriculture provides [County Profiles of Maine Agricultural Enterprises](#) on their website. The USDA provides [state and county profiles](#) based on the 2007 Agricultural Census.



## FISCAL BENEFITS

While residential development can increase a community's tax base, it can impose new costs on communities as well. This includes the costs associated with additional schools, roads, water, sewer and other community services. These costs often eclipse the increase in taxes collected.

Farms and farmland tend to require few municipal services. (Cows don't go to school!) As a result, a farm generally contributes much more in property taxes than it requires in local services. This is typically true even when farmland is enrolled in one of Maine's "current use" tax programs. Accordingly, saving farms and farmland usually keeps municipal spending lower.

Cost of Community Services (COCS) studies quantify the local fiscal benefits that farmland and other open space provide. COCS studies are a snapshot in time of costs versus revenues for each type of land use in a community.



Photo: Amanda Bunker

They do not predict future costs or revenues or the impact of future growth, but provide a baseline of information that can help communities make informed land use decisions.

The results of COCS studies conducted throughout the country are remarkably consistent. Even when farmland is assessed at its agricultural value, it typically requires services that cost less than the local tax revenues the farmland generates—an average of \$0.37 for every dollar of tax revenue collected. On the other hand, residential development consistently costs more in municipal services than the revenue it produces from property taxes—an average of \$1.19 per dollar collected<sup>5</sup>.

## ENVIRONMENTAL BENEFITS

As a natural resource-based industry, agriculture requires productive land, good soils, and plentiful clean water. In turn, farmers and the land they steward provide a variety of environmental benefits. A typical Maine farm consists not just of cultivated fields, but pasture, wetlands, and woodlands as well.



Photo: Brian Kent



These lands act collectively as a natural filter for drinking water, provide important aquifer recharge areas, and minimize flooding. They provide habitat for a diverse array of mammals, birds, insects and aquatic species, and serve as a carbon sink.

In its 2003 publication, *Losing Ground: At What Cost?*, the Massachusetts Audubon Society estimated the economic value of the ecosystem services that farms provide, such as those mentioned above. The study estimated that the annual value of services provided by an acre of cropland and pasture was \$1,381. For forestland, the estimated value was \$984 per acre. Based on these estimates, Maine's farmland provides approximately \$1.5 billion annually in quantifiable environmental benefits, beyond direct economic benefits<sup>6</sup>.



Photo: Bridget Besaw

## COMMUNITY BENEFITS

Perhaps the most valued attribute of Maine farms is the hardest to quantify—their contribution to local quality of life. This contribution includes the availability of local food and farm products and the pastoral beauty of rolling pasture and farm fields, to name two obvious assets. However, farms also contribute in less obvious ways to our quality of life, such as increasing neighboring property values. The Trust for Public Land has compiled studies that show that properties adjacent to open space are valued 5 to 35 percent higher than equivalent properties adjacent to other land uses<sup>7</sup>.

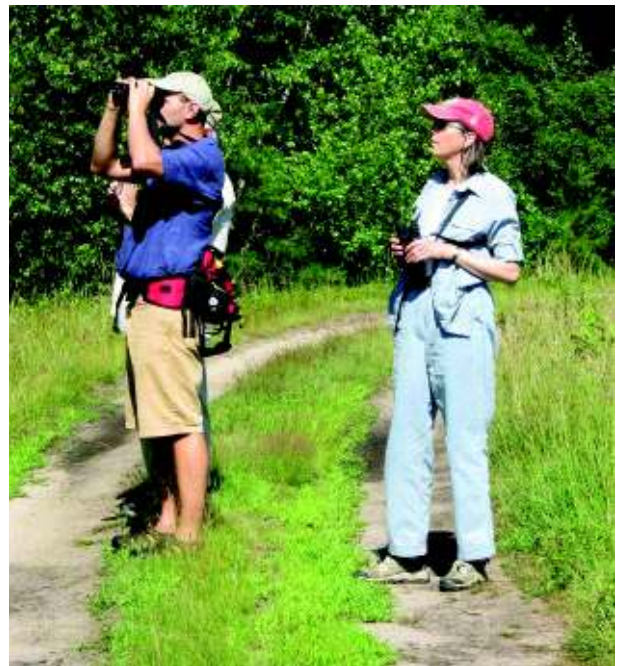


Photo: Brian Kent

Another community benefit that is often overlooked is the extensive recreational access that local farms provide. While not all do so, most farmland owners allow neighbors and community residents to use some portion of their land for walking, hunting, fishing, swimming, sledding, snowmobiling, or other recreational uses. This access is typically free.

Farms provide an important link to our culture and history. Many of Maine's first settlers were farmers, shaping the landscape and our early patterns of development. Historic farmhouses and barns, ancient stonewalls and patchworks of farm fields, together reveal a rich cultural history.



Photo: Brian Kent

Farms strengthen Maine communities in other ways:

- ❧ Farm families often “put down roots” in the community and successive generations steward the land while growing the family business.
- ❧ Farms often provide needed part-time and seasonal jobs.
- ❧ Farms increasingly provide educational opportunities for families and children.
- ❧ Farm stands, farmers markets and community supported agriculture (CSA) farms are often important community hubs—they provide opportunities for social interaction and contribute to our sense of place.



Photo: Amanda Bunker

## TRENDS IN MAINE AGRICULTURE

Farming in Maine is growing, and is poised to grow more. Many Maine farms are taking advantage of renewed interest in local foods and farm products and focusing on new market and product development. New farm businesses and business models are emerging, as are new processing, storage and distribution facilities, located both on and off the farm. Additionally, more farms are seeking to extend their growing season using greenhouses, hoop houses, and new production methods.

In addition to offering new economic opportunities for farmers, the growing emphasis on direct marketing, on-farm processing, energy production, agri-tourism and season extension is changing how many farms function, and what they need for land and infrastructure. This has important implications for communities as they seek to retain and support their local farms.



Photo: Bridget Besaw

The state’s changing farm demographics is another trend that affects communities. The 2007 Census of Agriculture showed a marked increase of 1,200 in the number of Maine farms where the principal farm operator was new within the past five years. While the average age of Maine farmers remains high (at 56 years), there is also a welcome growth in the number of young people entering the field. After decades of losing young farmers, in 2002, Maine could boast the fifth youngest farmer population in the country.

Another trend is that many of the new farms are relatively small: under 100 acres. This is partly the result of the increased cost of farmland in some parts of the state where larger parcels are simply unaffordable for new farmers. However, this trend also results from the fact that most new farmers are serving local markets—and in many cases, smaller farms are particularly well-suited to such markets.

Artisan and value-added food products represent a significant area of growth in the farm

Examples of some of Maine’s new artisan-made and value-added food products include:

- ❧ tea, snack food, and dog treats made from wild blueberries
- ❧ organic apple sauce
- ❧ salsa
- ❧ organic bread, flour, cereals, and pancake mixes
- ❧ juices and carbonated beverages
- ❧ vodka



sector. Indeed, there are over 6,000 licensed specialty food producers in Maine<sup>8</sup> and the list is growing. Many of them are farmers themselves. Others are sourcing foods from Maine farmers.



*Photo: Brian Kent*

Organic farming has shown impressive growth in the last 20 years. It now represents about 7 percent of Maine's agricultural output and is growing fast. Since 1988, the number of certified organic farms increased by over 800 percent. As of 2007, Maine's 582 organic farms generated over \$91.6 million in economic impact<sup>9</sup>.



*Photo: Bridget Besaw*

Some Maine farmers are exploring "agritourism" as a means to increase on-farm income. Over 500 Maine farms now offer "experiential tourism" opportunities such as "pick-your-own" produce, "stay at a farm" bed and breakfasts, or special events held on "Maine Farm Days" or "Maine Maple Sunday." By diversifying their offerings in this way, Maine farmers have found new sources of income to supplement their more traditional products.

Farmers depend heavily on off-farm income, both in Maine and nationally. Even in states that you think of as "farm states"—like Iowa—the majority of farm families also rely on other forms of employment. In Maine, 43 percent of farmers consider farming as their primary occupation.

On-farm energy production is another area of rapid growth. As energy costs increase, there has been renewed interest in on-farm energy production. A 2009 USDA survey reported that 97 Maine farms had solar photovoltaic or solar thermal panels, and 32 farms had installed wind turbines<sup>10</sup>. Some farmers are exploring generating energy with methane digesters. All of these efforts are geared toward decreasing grid-tied electricity costs or creating a new source of farm-based income by selling excess energy to the utility company.

### Wind Energy Trends

Of all the types of alternative energy generation that are currently being developed in Maine, the largest source of potential growth for farmers is wind energy. This follows a national trend of farmland hosting wind projects of various sizes and ownership structures (leased, owned, or "community"). These projects directly and/or indirectly support agriculture.



*Photo: Amanda Bunker*

## ENDNOTES

<sup>1</sup> Derived from figures in *Economic Contribution of Maine's Food Industry*, Maine Policy Review, Volume 20 Number 1, Winter/Spring 2011; by Todd Gabe, James C. McConnon Jr., and Richard Kersbergen.

<sup>2</sup> National Agricultural Statistics Service (NASS), *2007 Census of Agriculture: Maine State and County Data; vol. 1 Geographic Area Series, Part 19; AC-07-A-19; updated December 2009.*

<sup>3</sup> NASS, *2007 Census of Agriculture.*

<sup>4</sup> NASS, *2007 Census of Agriculture, Income From Farm-Related Sources: 2007 and 2002.*

<sup>5</sup> American Farmland Trust-Farmland Information Center, *Fact Sheet: Cost of Community Services*, 2007, available online at [http://www.farmlandinfo.org/documents/27757/COCS\\_09-2007.pdf](http://www.farmlandinfo.org/documents/27757/COCS_09-2007.pdf).

<sup>6</sup> Massachusetts Audubon Society, *Losing Ground: At What Cost*, 2003. Available online at: <http://www.massaudubon.org/losingground/>.

<sup>7</sup> The Trust for Public Land, *Conservation: An Investment That Pays*, 2009, available online at: [http://www.tpl.org/content\\_documents/EconBenefitsReport\\_7\\_2009.pdf](http://www.tpl.org/content_documents/EconBenefitsReport_7_2009.pdf).

<sup>8</sup> James McConnon, Extension Specialist and Professor of Economics, University of Maine quoted in *Value-Added Products: Packaging the Taste of Maine*, by Jo Anne Bander, MOFGA, Sept./Nov. 2009.

<sup>9</sup> MOFGA, *Maine's Organic Farms - An Impact Report*, November 2010. <http://www.mofga.org>.

<sup>10</sup> NASS, *2007 Census of Agriculture, On-Farm Renewable Energy Production Survey*, 2009.





## Part II

# Who Can Keep Farms and Farmland Working?

Farms and farming can shape and define a community in many ways, as noted in Part I. As a result, there are a number of entities—from town boards and committees to local groups and organizations—whose decisions and actions impact local farming, and who may be interested in, and able to, support local farming.

An initiative in one community may be driven by a local land trust, while the best choice in another community may be the planning board, local grange, or a group of local farmers. In addition, while there are significant advantages to working with existing town boards and regional organizations, some communities have found it valuable to create new entities, such as an agricultural commission, to lead local efforts to promote farming and farmland protection.

If you are thinking about what you can do locally to sustain farms and farmland, consider the ways in which the following local officials and boards, groups, organizations, and residents might be engaged. A broad coalition will energize the effort to help keep farms viable.



*Photo: Bridget Besaw*

### FARMERS & OTHER LANDOWNERS

To be successful, any local or regional effort to promote farms and protect farmland should involve farmers at the earliest stages of planning. Soliciting the opinions and thoughts of farmers can be done in many ways. One way that is gaining popularity around New England is to create a town or regional agricultural commission—a formal committee with appointed members (typically including farmers) who serve as the “voice” of agriculture in a community (see pages 11 and 28).



*Photo: Amanda Bunker*

Another strategy is to actively survey or informally interview farmers and landowners in the community, and invite them to get involved in the effort or process (see page 21). Farmers can also be engaged through local and county farm organizations such as local granges, agricultural fairs, county Farm Bureau chapters, and various commodity organizations. Remember that farmers typically have multiple interests in a community: they are businesses, but also landowners, taxpayers, and residents who are concerned about the economic, environmental, and fiscal well-being of their community.

Who should be involved in promoting and protecting local farmland?

- ✎ Farmers and other landowners
- ✎ Elected officials, town boards and committees
- ✎ Local and regional organizations

## ELECTED OFFICIALS, TOWN BOARDS AND COMMITTEES

Municipalities can support agriculture at many levels and in many ways. Supportive leadership from local elected officials, such as the select board or council, is not a necessity, but is always helpful. Below are some of the duties of specific town boards and committees, and ways in which they can play a role in supporting local farms.

### *Comprehensive Plan Committees*

The comprehensive plan committee writes and updates a community's comprehensive plan. The "comp plan" is an official statement about how and where the town wants to grow. Because the plan is the document to which all town ordinances are referenced and legally tied, it should highlight the importance of local farms and farmland and express support for their future.

It is important to engage farmers and local farm service providers in writing or updating the plan, in order to document local agricultural land use issues and to capture the full range of benefits that farms bring to a community, as both businesses and stewards of the land. Wherever possible, the plan should identify specific goals, objectives and implementation steps to address the needs of local farms and farmers.

### *Planning Boards*

In most communities, the planning board is responsible for drafting and updating town ordi-



*Town of Readfield Agricultural Soils Map*

nances that are consistent with the comprehensive plan. This board can play an important role in support of farming by proposing farm-friendly ordinance provisions (see page 44).

Ordinances can affect the viability of farms in a number of ways. For instance, restricting signage (both directional signs and on-farm signs) can limit a farm's ability to attract customers. Limiting allowable uses in rural zones can prevent a farm business from expanding into on-farm processing, or from starting a farm store or agri-tourism venture. Land use ordinances that attempt to protect open space through large minimum lot sizes can actually lead to conversion and fragmentation of farmland, and significantly affect a farmer's property values.

As a first step, a planning board might review what other communities have done, and then host a meeting of local farmers and farmland owners to explore if any of these approaches might work for their town.



*Photo: Ed Friedman*



### Select Boards or Councils

As a community's executive body, the select board or council can influence how a town supports local agriculture in a number of ways. It can encourage and appoint farmers to serve on town boards and committees whose activities impact farming and farmland owners. It can help ensure that the comprehensive plan



Photo: Brian Kent

makes supporting agriculture a priority. The select board or council can also propose the creation of an agricultural commission and appoint its members (see pages 11 and 28), push to expand local enrollment in current use taxation programs (see page 34), or encourage the community to adopt the new Voluntary Municipal Farm Support Program (see page 36).

If a town has planning and economic development staff, the select board or council can direct staff to do work that supports farming.

These efforts might range from undertaking a review of local ordinances to exploring strategies for protecting farmland.

A select board or council can vote to establish a local fund to purchase development rights on farmland in town, and can make municipally owned land available for farming and community gardens. Select boards and councils can propose that their town purchase more locally grown foods and farm products for its schools and for town-sponsored events, and they can undertake a community food assessment to analyze ways to improve food security for all town residents.

Select boards and councils can collaborate with neighboring towns to address the needs of farmers who farm across town lines. They can engage state officials and legislators in discussions about needed local or regional agricultural infrastructure, such as processing and distribution facilities, and state legislation that affects farming.

### Assessors

Assessors can play a large role in the support of local farms by encouraging eligible landowners to apply for property tax abatements through the state Farmland, Open Space, or Tree Growth Property Tax Programs. Each of these programs establishes a land value based upon the land's current use, rather than its potential development value; this reduces the landowner's property taxes.



Photo: Bridget Besaw

Assessors may want to consider hosting an informational workshop to educate town officials and landowners alike about the programs; staff from the Maine Department of Agriculture, Maine Forest Service, or Maine Revenue Service can help. Several communities around the state have held similar workshops, often in partnership with their conservation commission, the local Soil and Water Conservation District, or a local land trust.

Assessors can help landowners comply with the annual April 1 filing deadline for the state tax programs by making the Tax Program Bulletins and Application Forms available at the town office and on the town's website. Because select boards, town councils and assessors refer to statewide valuation guidelines to establish the tax schedule for the Farmland Tax Program in their town, agricultural advocates and comprehensive planning committees can identify localized adjustment factors, such as locally significant and scenic farmland, that might encourage their elected officials to further reduce taxes on working farmland.



*Photo: Bridget Besaw*

### **Budget Committees**

Budget committees must approve town expenditures for farmland protection or other town projects that support local agriculture. It is important, therefore, that committee members understand the fiscal and economic impact of local agriculture and educate town residents about its benefits.



*Photo: Bridget Besaw*

A budget committee might consider hosting an informational session about Cost of Community Services (COCS) studies (which consistently find that agricultural lands generate more in local tax revenues than they require in services), or may want to undertake its own COCS or other fiscal impact study. A few Maine towns have utilized fiscal impact studies to measure the impact of rapid or unplanned development on their communities. As a result, these towns are collecting impact fees to purchase community recreation areas, community forests and other types of open space.

### **Conservation Commissions**

Conservation commissions have a broad mandate to conserve natural resources, protect water quality, and maintain open space. Commissions often support farmland protection measures. They may conduct inventories of local farmland, or promote and assist in operating community gardens. They also have an important role in understanding and properly interpreting agricultural exemptions to wetlands protections under the Maine Natural Resources Protection Act (NRPA).





*Photo: Amanda Bunker*

Some conservation commissions develop and maintain a formal open space plan (see page 41). Such plans generally emphasize the protection of farmland, given the role agriculture plays in preserving wetlands and protecting the environment. Conservation commissions might consider creating a subcommittee specifically tasked with supporting local agriculture. This group could eventually grow into a more formal agricultural commission.

### ***Agricultural Commissions***

Although new to Maine, agricultural commissions are increasingly popular in other New England states as a way to focus municipal efforts on local agriculture. Usually established by town vote, an agricultural commission is advisory and has no regulatory or enforcement authority. Its members are typically farmers appointed by the select board or council. Agricultural commissions can be tasked with several responsibilities. A commission might be asked to provide input on town plans or ordinances, or identify other ways in which the town can support farms.



*Photo: Brian Kent*

### ***School Boards***

One way to support local farming is to get more local farm products into local schools. School boards can be powerful agents for increasing the use of locally grown foods in school food programs. While many school lunch programs rely on free or reduced-cost commodities from the U.S. Department of Agriculture to help balance their budgets, locally grown fruits and vegetables are often cost competitive. Several federal programs are available to help school districts retrofit cafeterias or expand facilities to accommodate any additional food preparation or storage needed for local produce.

A school board might consider facilitating a meeting between school officials and local farmers to discuss ways in which local schools could use more local foods. They could also consider ways to incorporate agriculture into the curriculum and after-school activities (see page 30).

### ***LOCAL AND REGIONAL ORGANIZATIONS***

Many local and regional organizations—including non-profit and quasi-governmental groups—have been involved in agriculture for years and can provide great information and ideas. These organizations may be able to organize or support projects that cross town lines. Members of these groups may wish to be more active in local initiatives and, for example, join an agricultural commission.

### ***Chambers of Commerce and Economic Development Entities***

Chambers of commerce and economic development entities are increasingly thinking of farms as critical local businesses—which they are. With more farms involved in direct marketing and in need of local food processing and distribution infrastructure, these groups can be a vital source of support. A chamber of commerce or other local or regional economic development organization can support farm businesses through “buy local” campaigns, creating brochures to highlight local farm products and destinations, or developing recognition awards for businesses that purchase local farm products. Regional economic development au-

thorities can collaborate with towns and local farm organizations to identify farm processing and distribution needs and opportunities, and potential funding sources.

The Maine Department of Economic and Community Development has a [list of potential partners](#), including both state and federal entities.

### **Licensed Agricultural Fairs**

Maine's agricultural fairs are the showcase for what's happening on Maine's farms. These fairs are run by local associations or committees and are staffed with volunteers who take great pride in providing fair-goers with family recreation, as well as agricultural education. Fairs partner with local communities to provide the fair-goer with a great experience.



Photo: Amanda Bunker

### **Food Banks**

A broad assortment of food pantries and food banks provide food assistance to needy households across the state. Many of these organizations look to farms for gleaning opportunities. Increasingly, food banks are working with towns and local land trusts to protect and use farmland for a community farm or garden. Food banks are also looking for ways to partner with farms and communities to expand access to healthy local foods, making these organizations potentially valuable allies in developing local initiatives. The Maine Department of Agriculture has a [list of food assistance programs](#).



Photo: Amanda Bunker

### **Future Farmers of America (FFA) and 4-H**

The Maine chapters of [FFA](#) and [4-H](#) engage students and youth from around the state in agriculture education and programs. These groups are logical partners for community education workshops or other agriculture-related activities. Members of both organizations may also be willing to volunteer for events, festivals and other initiatives.

### **Granges**

Active in Maine since the 1870's, local chapters of the Grange have a long history as strong community organizations, and a deep connection with agriculture. Though the membership of many local granges is often small, the active members may be movers and shakers in a community. Enlisting the involvement of a grange can broaden the visibility and support for initiatives to support farming. Ask a local grange to host an event or informational workshop at the Grange hall. Find a local grange at the [Maine State Grange website](#).

### **Local or Regional Land Trusts**

Land trusts can play an important role in farmland protection efforts. They help landowners navigate the rules and procedures of applying to state and federal farmland protection and conservation programs. Land trusts often lead or coordinate local or regional campaigns to raise funds for specific land protection projects, and typically accept and hold conservation easements on different types of land. A land trust is a logical partner for a town interested in identifying its local farmland resources and setting land conservation priorities.





Photo: Bridget Besaw

Land trusts can also lease land directly to farmers (see page 51) or help facilitate linking farmland owners with farmland seekers.

[Maine Land Trust Network](#) lists approximately 100 land trusts and conservation organizations on its website that serve communities across the state. Some have a strictly local focus, while others work regionally.

### **Maine Farmland Trust**

Beyond local and regional land trusts, Maine has a statewide land trust that is devoted exclusively to supporting farming. [Maine Farmland Trust](#) (MFT) works in partnership with other land trusts to protect farmland, but also takes on projects of its own. MFT typically does this where the project is too large or too complicated for a local land trust to take the lead.

MFT's role extends well beyond land preservation. The organization operates a [Farm Viability Program](#) that helps existing farms prosper, and the [FarmLink](#) program that finds farmers to buy or lease a property.

### **Regional Planning Organizations**

Planning Commissions and regional Councils of Governments ("COGs") can be important regional partners for a variety of projects supporting local agriculture. Because they work

across town lines, they can help pool resources and develop projects involving multiple communities, such as a regional "buy local" campaign or creating a map highlighting locally available farm products.

Planning commissions and COGs are often involved in a variety of land use planning initiatives. They may be able to coordinate or assist with a farmland inventory or help develop farm-friendly zoning ordinances.

The Maine State Planning Office website has contact information for [regional councils](#).

Several of Maine's regional councils have lead or participated in initiatives to support farmland—contact them to find out more.

### **Consumers and Citizen Advocates**

This is an exciting time for agriculture in Maine and across the country. Consumers are increasingly supportive of local farms and interested in learning how they can help sustain them. Several new networks of energetic people have emerged to stimulate support for farming.

Finding ways to tap into local interest in farms and engaging non-farmers of all ages, from kids to seniors, is critical. In some communities,

town boards or farming advocates are reaching local consumers through screenings of food-related movies, followed by discussions with local farmers. Others are hosting potluck dinners or sponsoring farm tours or events for consumers and residents.

Community Supported Agriculture (CSA) farms sometimes engage their members in food and farming discussions via newsletters or events. Similarly, farmers markets offer an opportunity to educate and inform consumers about the importance and benefits of local farms and farmland.

This is a great time to educate local consumers about how to support agriculture. Remind them that they "vote with their fork" by buying local farm products. Encourage them to attend and speak up at town meetings and to contact their elected officials when issues important to local agriculture are discussed. Engage them by asking them to serve on local committees and to volunteer for events that support farms in their communities.



*Photo: Amanda Bunker*



*Photo: Brian Kent*



## Part III

# Case Studies: Maine Regions and Towns Supporting Agriculture

Collaborations between consumers, towns, land trusts and farmers have been the key to success for a number of initiatives to support agriculture. Examples of these collaborations vary in their make-up and size, and in the types of actions taken to achieve similar goals. Most of these collaborations and initiatives are fairly new—they are working to expand, to be more effective, and to gain permanence.

### REGIONAL GROUPS

#### *River Valley Agricultural Commission*

The [Threshold to Maine Resource Conservation and Development \(RC&D\) Area](#) covers York, Cumberland, Oxford, and Franklin Counties. Since 1970, Threshold to Maine has worked in partnership with the USDA Natural Resources Conservation Service to deliver services locally. This partnership has allowed local people to tap highly skilled federal technical assistance providers, and to design and implement programs tailored to meet local needs.

Threshold to Maine has helped many communities rebuild their local farm sector by supporting farm surveys and farmland inventories.



Photo: Bridget Besaw

In January of 2007, the Town of Rumford and the River Valley Growth Council joined with Threshold to Maine to create a regional agriculture commission. By the next November, the commission had published its comprehensive *Economic Development Plan, 2008 to 2013*, focusing on farms in a nine-town area. The Plan called for education and outreach, food fact sheets, expansion of farmers markets, shared use commercial kitchens, and improved infrastructure for supporting agricultural endeavors.

The overarching purpose of the River Valley Agriculture Commission (RVAC) is to integrate the development of the local agriculture sector into the member towns' overall community and economic development plans.

#### Since 2007, the RVAC has:

- ✧ Educated towns on how agriculture can become a key economic and community development strategy;
- ✧ Helped nine communities determine how best to expand agriculture businesses and attract new ones;
- ✧ Researched shared-use commercial kitchen processing and value added infrastructure needed to support local farms and food entrepreneurs;
- ✧ Established the River Valley Farmers Market;
- ✧ Supported the development of information about nutrition and local foods for low to moderate income residents;
- ✧ Informed communities of tax and zoning issues favorable to agriculture development and rural community viability; and
- ✧ Provided support services to undertake all of the above.

## York County

[Three Rivers Land Trust](#), founded in 2000, is an organization dedicated to helping landowners preserve and protect their properties, primarily through easements. The trust covers an inland area of the southernmost county in Maine, where there are still large tracts of land that are undeveloped. Because of the rapid growth in this area of Maine, the trust's work is critical to protecting the character of the area.

The trust has successfully completed 14 conservation easements protecting 1,600 acres of land. Over 1,000 of those acres are farmland. Most of the easements have been donated, but one was purchased. The purchased easement is on a 75-acre farm with prime farmland soils and was funded through the Land for Maine's Future (LMF) program and the federal Farm and Ranch Lands Protection Program (FRPP). The Southern Maine Regional Planning Commission helped by mapping natural and scenic resources, to identify priority areas in each town.

## LOCAL GROUPS

### *Unity Barn Raisers*

The town of Unity has seen real success renewing local farming. The first steps were taken in 1992, when the community adopted a comprehensive plan that made maintaining rural character a priority. That led to the development over several years of a new land use ordinance that included several provisions designed to support farming (see page 44).

However, an ordinance can only go so far. An ordinance is a valuable community tool for protecting farmland, but it will not preserve farming. The people who drafted Unity's ordinance realized this. They went on to form [Unity Barn Raisers](#) (UBR), a non-profit membership organization dedicated to protecting and enhancing Unity's small town character, and doing the proactive work that a land use ordinance could not.

Formed in 1995, UBR has grown to an organization with over 400 members. The scope of what UBR does is broad—ranging from retaining the historic identity of the town as a market center, to supporting local businesses, to wise



Photo: Amanda Bunker

stewardship of the land. However, much of UBR's work has revolved around food and farming.

UBR was also instrumental in creating a local land trust. That group, which began as Friends of Unity Wetlands, has since expanded to become the [Sebasticoook Regional Land Trust](#). Much of the land trust's focus is on farmland protection.

Maine Farmland Trust has undertaken projects in the region, partnering with both UBR and the land trust. Unity College has been engaged in some of the community's food related work, as well as the local food pantry. The Maine

### Together, the community and UBR have:

- ✧ Transformed a vacant Masonic Hall into a new Community Center with a commercial kitchen and function space;
- ✧ Operated a farmers market since 1997;
- ✧ Operated a "Community Meals" program since 1998 using local farm products;
- ✧ Supported "Veggies for All"—an innovative program that grows food for the local food pantry;
- ✧ Provided local farmers with direct support, including production assistance, business planning, and shared-use equipment;
- ✧ Protected over 1,500 acres of working farmland; and
- ✧ Adopted, and then strengthened, a land use ordinance that supports farms and farming.



Organic Farmers and Gardeners Association (MOFGA) moved its headquarters to Unity in 2000. Although this organization focuses on efforts statewide, having it based locally has benefitted some local programs.

### **Monmouth Grows**

In 2001, several of Monmouth's farmers and agricultural advocates came together to form a local group to promote local farms and increase public awareness of the importance and value of farms and farming. [Monmouth Grows](#) has initiated many local events and outreach efforts over the years.



*Photo: Amanda Bunker*

Monmouth Grows has developed brochures listing local farms and farm products, held farm tours for town officials and an annual School Farm Day at the local elementary school, hosted workshops for farmers about state and federal programs, and participated in the development of the town's comprehensive plan and land use ordinances.

#### **Monmouth Grows has:**

- ✂ Created group marketing materials for farms;
- ✂ Participated in community events to promote local farming;
- ✂ Held annual farm "show & tell" educational sessions with elementary school children;
- ✂ Developed gateway signs to show local farming support; and
- ✂ Hosted workshops for area farmers.

### **Bowdoinham Department of Community and Economic Development**

Bowdoinham's [Department of Community and Economic Development](#) (DCED) was formed in 2002 with TIF (Tax Increment Financing) funds from the Northeast Maritimes Gas Pipeline project. The DCED has supported local farms with consulting assistance and promotional efforts. In 2008, the DCED started a farmers market, promoting it with a "meet your local farmer" reception and a town-wide "celebrate Bowdoinham" birthday celebration. The DCED also started a "Buy Bowdoinham" campaign to encourage residents to buy local products, and they work with other groups to organize community events such as a "Farm Fun Day", co-sponsored by Maine Farmland Trust.



*Photo: Bridget Besaw*

Bowdoinham is a community that has seen a significant increase in small farms serving local markets. The community has also benefited from several recent farmland preservation projects. Most recently, Maine Farmland Trust permanently protected the Kelley Farm, a property located on Merrymeeting Bay. The landowner leases the farm to a local farmer who, in

turn, leases to several new farmers who are incubating farm businesses. The easement was purchased with funding from the Land For Maine's Future (LMF) Program, the federal Farm and Ranch Lands Protection Program (FRPP), and US Fish and Wildlife Service's [Landowner Incentive Program](#) (LIP).



*Photo: Bridget Besaw*

### **Cape Farm Alliance**

The Cape Elizabeth Farm Committee (CEFC) was created when the results of a town-wide survey showed that the community's top three priorities were:

1. Protecting wetlands, ponds and wooded areas;
2. Preserving the town's rural character; and
3. Protecting farmland.

At a kick-off meeting in 2007, the Committee agreed to explore ways to enhance the viability of local agriculture, prepare an agricultural profile of the community, coordinate interaction with stakeholders, recommend actions to assist farmers, and submit a written report to the town council.



*Photo: Amanda Bunker*

### **Since 2008, the Cape Farm Alliance has:**

- ✧ Increased education, outreach and policy advancement for agriculture via its meetings and website;
- ✧ Created a local promotional campaign with email news about "What's Fresh" and in season from the farms of Cape Elizabeth;
- ✧ Teamed with community services to offer "Field to Table", a class for 7- to 12-year-olds that teaches the basics of harvesting produce and home canning methods;
- ✧ Assessed agricultural assets to measure overall productivity and sustainability; and
- ✧ Worked to refine agricultural definitions and related ordinance language.

The Committee quickly attracted farmers and other residents. Within months, 40 volunteers had formed the [Cape Farm Alliance](#) with the following mission: to bring community members together to seek ways to ensure the viability and sustainability of Cape Elizabeth's agricultural assets, so that all citizens can enjoy the open space, fresh local products, rural scenery and recreational opportunities they provide.



# Part IV

## Tools and Strategies for Supporting Local Agriculture

There are a variety of tools that support local farms and protect farmland, ranging from zoning regulations, to tax incentives, to business and marketing support. A successful approach will likely be multifaceted and employ many different tools. As every community is unique, the mix of tools and how they are used will need to fit each community's needs and circumstances. The mix of tools will also depend on the people and partners who are involved, the degree of community support and the resources available.



Photo: Bridget Besaw

In this section, the "tools" or strategies are categorized under six headings:

- 1) **Inventories & Information Gathering**
- 2) **Promotion & Public Awareness**
- 3) **Municipal Tax Programs**
- 4) **Farm Support Programs**
- 5) **Municipal Planning & Land Use**
- 6) **Non-Regulatory Land Protection**



Each tool or strategy includes a brief description of **WHAT** the tool is, **WHO** is responsible, **WHY** it is used or needed, **HOW** to employ that tool, **EXAMPLES** of its use, and **RESOURCES** for delving in deeper.

### 1 **Inventories and Information Gathering**

*Whether your goals are narrow or wide-ranging, gathering basic information about the status of agriculture in your area will help to focus your efforts and may indicate which people or groups can help.*



#### **FARM & FARMLAND INVENTORIES**

##### **WHAT:**

Identifying farms and mapping farmland

##### **WHO:**

Town or regional groups

##### **WHY:**

As a first step in any work to support farming, it is critical to have some understanding of local farms and farmland. A list (or, ideally, a map)



Photo: Brian Kent



of a community's farms can be a powerful tool in refuting the common perception that "there's no agriculture in our town." In addition, knowing the quantity, quality and location of farmland can help a town make more informed land use decisions and is necessary to establish farmland preservation goals. An inventory of local agricultural soils on undeveloped, open parcels could also help identify land owned by non-farmers that may be made available to lease for agricultural use.



Photo: Brian Kent

#### HOW:

Inventories can be simple or elaborate. What's important is that an inventory be done, even if it's very basic. Don't let the task scare you off, because it can be done simply.

A simple inventory may involve nothing more than a list of local farms and a map showing all local land that is classified as "prime farmland" or "soils of statewide importance." Soils data are easily available through the regional office of USDA Natural Resources Conservation Service (NRCS) or through Maine Farmland Trust. To identify farms in your area, you should:

- 1) ask NRCS and University of Maine Cooperative Extension for a list of local farmers with whom they work,
- 2) ask a few local farmers who else is farming in the area,
- 3) drive the roads to identify any unused or overgrown fields, and
- 4) identify any other agricultural activity.

Then use tax maps to identify owners and contact them to learn more. This last step is often important, because there may be considerable

A more elaborate inventory might include any or all of the following:

- ✎ A written summary of all farm operations, listing farm products, acreage available for farming (fields, pasture, woods), acreage actively farmed, and acreage by soil classification (prime, of statewide significance and locally significant), if available.
- ✎ Comprehensive maps of the entire region, showing acreage available for farming and forestry, acreage actively farmed, soil classifications, and other key natural features (e.g., wetlands, aquifer recharge areas, public water supplies, floodplains, deer yards).
- ✎ Maps of land enrolled in current use taxation programs (farmland, open space, tree growth).
- ✎ Maps showing both land protected through easements and conservation land owned by land trusts or governmental entities.
- ✎ Overlay maps showing local zoning and ownership of each parcel that has agricultural potential.

agricultural activity that is small-scale or unnoticed; yet, these small operations can (and often do) play a key role in the agricultural rebirth of a community.

In some cases, an inventory could expand to include "locally significant" farmland soils. This designation is potentially important, because the only farmland eligible for federal and state funding to buy easements is farmland where at least 50 percent of the acreage contains prime soils or soils classified as having statewide or local significance.

A more elaborate inventory might be undertaken in combination with a community farm survey, designed to provide details about individual farms (see next page).

Photo: Amanda Bunker



### EXAMPLES:

- ☞ In 1997, a simple inventory of the area around Unity revealed that considerable farming was occurring locally, even though the common view was that few farms remained. Several of the farms were small operations seeking markets. This led to the creation of a farmers market and other efforts that have helped renew farming in this area.
- ☞ In 2009, the Sagadahoc Regional Rural Resource Initiative (SRRRI) brought together several towns and private conservation groups to undertake an inventory of rural land. This resulted in an initial set of maps and spurred the creation of a subcommittee that is now working with three land trusts on strategies for protecting local farmland.
- ☞ Between 2007 and 2010, two Soil and Water Conservation Districts (which together represent Androscoggin, Sagadahoc and Kennebec counties) worked with soil scientists to identify and approve 29 soil types as “locally significant.”

### RESOURCES:

[USDA Natural Resources Conservation Service \(NRCS\) regional offices](#) (for soils information)

[University of Maine Cooperative Extension regional offices](#) (for information on existing farms)

[Maine Office of Geographic Information Systems \(MeOGIS\)](#) (for acreages of soils and natural features)

Local tax assessors (for parcels enrolled in current use tax programs and government-owned parcels)

[Maine Farmland Trust](#) (for information on soils)

[County Soil & Water Conservation Districts](#) (for information on soils)

[Maine State Planning Office](#) (for the most current local natural resource information)

Local and regional land trusts (for parcels under easement or owned by land trusts)



## COMMUNITY FARM SURVEYS

### WHAT:

Gathering information from farmers and other community members through a survey

### WHO:

Town or regional groups

### WHY:

Farms in Maine are diverse, and each has different business and land use needs. Understanding local farm operations is at the core of developing effective town policies and programs that can support farming. A town can learn a lot from surveying farmers. Surveys can be used to collect the detailed data needed to determine the economic impact of farm businesses in town (see page 25). Surveys can also be sent to non-farming residents to learn their views on local farms.



Photo: Brian Kent

### HOW:

Surveys can take many forms, but the following steps generally apply:

- 1) Enlist the help of key farmers. Farmers can help frame questions and identify who should receive the survey. They can also help determine the best time to send a survey and how best to follow up. Getting

respected farmers involved in the process is likely to improve survey participation by other farmers.

- 2) Determine who will receive the survey and the survey's purpose. Is the objective to explore how the town can better help farm businesses, or to gauge interest in farmland preservation options? Is the survey intended as a data collection tool to demonstrate the economic impact of local farms, or to measure potential interest in a local farmers market? Is there one survey for farmers and another for other local residents?
- 3) Develop survey questions, depending upon the purpose and intended audience. Remember that respondents are less likely to complete a long survey, so be sure to include only pertinent questions.
- 4) Follow up. Call or visit people who have not responded. It may be effective to sit down with farmers, at a time convenient for them, to help them complete the survey

### **Possible Survey Questions**

*Farmers might be asked:*

- ☞ What does your farm produce?
- ☞ How and where do you market your products?
- ☞ How many acres do you own (in fields, pasture, and woodland)?
- ☞ How many of these acres are actively farmed?
- ☞ Do you lease land locally? How much?
- ☞ Are you looking for additional land to own or lease? How much? For what purpose?
- ☞ What challenges and opportunities in farming do you see, both in the near-term and long-term?
- ☞ Do you (or your family members) plan to be farming in 10 years?

*Local residents might be asked:*

- ☞ Are you looking for more local farm products?
- ☞ What do you believe farms contribute to the character of your community?
- ☞ Are you willing to pay higher taxes to see local farmland protected?

form. Compile information and share it with town groups and community members.



*Photo: Bridget Besaw*

### **EXAMPLES:**

- ☞ In Cape Elizabeth, the Cape Farm Alliance has used surveys to help develop its multi-faceted plans to support farming through public outreach, town tax policy, town ordinances, and farmland preservation.
- ☞ In 2006, a survey conducted by the Carver, Massachusetts Agricultural Commission found that 50 percent of local farmers do not have a farm successor and do not expect to remain in business for more than 20 years. The survey also discovered that 49 percent of farmers plan to expand or diversify their farm operation. These results informed the work of the Commission, which now includes farm succession training, promotion of value-added products, and retail opportunities.<sup>1</sup>
- ☞ Surveys in many New England communities have shown that residents are willing to pay to protect farmland. For example, residents in Woodstock, Connecticut were willing to pay more than \$9,000 per acre to purchase an easement on dairy farmland that was at "high risk" for development.<sup>2</sup>

### **RESOURCES:**

[Maine Department of Agriculture](#)  
[Regional Planning Commissions](#) and  
Councils of Government





## COST OF COMMUNITY SERVICES (COCS) STUDIES

### WHAT:

Helping community officials and residents understand the fiscal benefits of local farms and farmland

### WHO:

Town committees or agricultural commissions

### WHY:

Local officials and community residents alike often believe that residential development will lower property taxes by growing the municipal tax base. Similarly, people often think that farmers and farmland owners are getting an unfair tax break when farms are assessed at their current use value rather than their potential value for residential or commercial development. However, these perceptions are not true, generally.

Cost of Community Service (COCS) studies typically show that, while farms may generate less tax revenue than residential properties, they require even less in the way of public infrastructure and services. More than 20 years of studies across the country show that, on average, even when assessed at its agricultural val-

ue, farms require an average of \$0.37 in services for every dollar of tax revenue collected. Conversely, residential properties consistently require more in municipal services than the revenue they generate in property taxes—on average, \$1.19 per dollar collected.

Educating local people about how farms affect the local property tax base may help boost enrollment in the Farmland and Open Space Tax Programs or encourage a community to adopt the new Voluntary Municipal Farm Support Program (see page 36). It may also help more people to see the fiscal benefits of permanent farmland preservation.



Photo: Bridget Besaw

### HOW:

Not every community has the resources to conduct a COCS study, nor does every community need to, since COCS study results are remarkably consistent around the country. Consider hosting a workshop for assessors, budget committee members and other local



Photo: Bridget Besaw

officials about COCS studies and their findings, or writing an article about the fiscal benefits of farmland for the local paper or town report. Consult with American Farmland Trust for more information about [COCS studies](#), or to find a speaker who can discuss COCS studies.

If your community is interested in conducting a COCS study, you will need a researcher to do the work, as well as the active involvement of town officials. While not essential, you may want to consider hiring a consultant to conduct the study.

When conducting a COCS study, the first step is to identify which types of land use you want to analyze. Typically, three categories are used:

- 1) working lands, including farms and woodland;
- 2) residential development, including farm residences; and
- 3) commercial and industrial land uses.



Photo: Bridget Besaw



Photo: Bridget Besaw

The second step is to collect data on local revenues and expenditures. These revenues and expenditures must then be allocated among the land use categories. Attributing expenditures to each land use category will require research and interpretation. Once revenues and expenditures are allocated among the land use categories, you can calculate the revenue-to-expenditure ratio for each land use category.

It is important to remember that COCS studies represent a single year's snapshot of costs versus revenues for each type of land use. They do not predict future costs or the impact of future growth.

#### EXAMPLES:

- ☛ A 1994 COCS study in Bethel found that working land required only \$0.06 in town services for every dollar paid in property taxes, while residential land uses required \$1.29 in services.
- ☛ A 2009 COCS study of three Massachusetts communities found that farmland required only \$0.30 in town services for every dollar paid in property taxes, while residential land uses required \$1.12 in services.

#### RESOURCES:

[American Farmland Trust](#)

[American Farmland Trust's Farmland Information Center](#)





## ECONOMIC IMPACT ANALYSIS

### WHAT:

Quantifying the current or potential contribution of agriculture to the local economy

### WHO:

Town or regional groups

### WHY:

While farms often represent a sizeable portion of a community's or region's land base, their economic contribution to the local economy is seldom recognized or acknowledged. Also, because farming is viewed by many as an industry with no future—a perception now beginning to change, but slowly—economic development efforts often ignore farm businesses and their associated processing, distribution, and marketing needs.



Photo: Bridget Besaw

An analysis of the economic contribution of agriculture to a community or region can help illustrate the value of farms to the economy and dispel impressions of agriculture as a dying industry. It can also help encourage local, regional, and state economic development entities to pursue investments in needed agricultural infrastructure and support services.

### HOW:

A community or regional economic impact analysis typically involves a survey of all farm-

ers in the area, asking for information about farm sales, on-farm employment, and purchases made locally by farm businesses. The information is aggregated to determine the direct impact that local agriculture has on an area's economy. Because that direct impact ripples through the local economy generating additional economic activity, a multiplier is used to determine the indirect impact of agriculture as well.

### *Determining an Economic Multiplier*

To complete an analysis, an appropriate “**economic multiplier**” must be used to account for the impact of jobs and revenues that are reinvested into the local economy. Economic impact studies for agriculture have generally used economic multipliers **ranging from 1.6 to 2.2**, with higher multipliers usually applied when the study is capturing a region rather than a single town.

To estimate a multiplier, quantify the percent of gross farm revenue that is put directly into the local economy by adding the survey data on wages, funds spent at local vendors, and capital purchases. (For example, if 40 percent were reinvested locally, this implies a multiplier of at least 1.4.) For a more precise estimate, you can purchase software and data from [IMPLAN](#), an economic modeling system available on-line.

An economic impact analysis can be undertaken in conjunction with a Community Farm Survey (see *page 21*) by adding survey questions that identify the following:

- ✂ gross revenue generated,
- ✂ number of employees hired (part-time, full-time, and seasonal),
- ✂ gross wages paid, and
- ✂ dollars reinvested locally through purchases from vendors and through capital purchases.

An economic impact study need not be complicated—there is no reason why local volunteers cannot successfully complete one. The survey results will determine total gross revenue.



### EXAMPLES:

- ☞ In 2009, Farm Credit East and American Farmland Trust analyzed the economic and fiscal impacts of agriculture in three Massachusetts towns. The annual economic impact of agriculture in those three towns ranged from \$18 to \$29 million.
- ☞ The Maine Farm Bureau Horse Council and Maine Harness Racing Promotion Board conducted an economic impact study of the equine industry in Maine. These groups hired Planning Decisions, Inc. to determine the impact of horseracing, recreational and therapeutic riding, and related purchases on the economy of Maine. Using the IMPLAN software, they found that the total economic impact (including direct, indirect, and induced impacts) was \$364 million, supporting 5,700 jobs and \$130 million in income.<sup>3</sup>

### RESOURCES:

[American Farmland Trust](#)

[Planning Decisions, Inc.](#)



Photo: Amanda Bunker

## 2 Promotion & Public Awareness

*An important part of protecting farms is increasing public awareness of local agriculture, creating opportunities for the public to interact positively with farmers, and supporting agriculture economically. These are some of the tools that can be used to those ends.*



### PROMOTING LOCAL FARM PRODUCTS

#### WHAT:

Publicizing local farms through events, educational materials, and signage

#### WHO:

Town boards and committees, local organizations, individuals

#### WHY:

Communities that want to support farming can play a role in building consumer awareness about local farms, farmers, and their products. Local promotion is increasingly important as more farms move to direct marketing through farm stands, pick-your-own operations, and Community Supported Agriculture (CSAs). Communities can help by featuring local farm products at events, developing guides and other promotional materials, and ensuring that town policies allow for adequate and effective on- and off-site signage.

#### HOW:

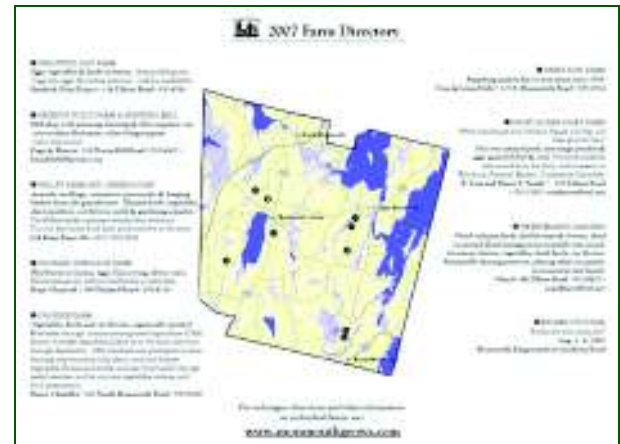
##### Local Events

- ☞ Look for opportunities to feature local farms at town events: invite farmers to sell products at local fairs and festivals, organize a farm float or tractor-cade for the local parade, or sponsor a tour of local farms.

- to advertise the business, and seasonal signs to advertise products when they are available.

*EXAMPLES:*

- CS [Monmouth Grows](#), a network of farmers and farm advocates in Monmouth, has created an [online farm directory](#) that features a brief description of each farm listed, products grown, location, and contact information.



- ✎ The town of Bowdoinham has created an online [business directory](#) to help potential customers find local products and services. Though not limited to farms, the directory is a useful tool for promoting agriculture because Bowdoinham boasts many farms, and because the directory allows users to browse by category such as “meat and produce” or “gardening supplies and plants.”
- ✎ Connecticut’s Capitol Region Council of Governments has developed [model agricultural regulations](#), including town signage regulations, to meet the needs of local farmers.

*RESOURCES:*

- Within the public right-of-way, Maine only allows Official Business Directional Signs (OBDS). To place such a sign, the applicant must apply to the [Maine Department of Transportation](#) for a permit.

The Maine Department of Agriculture promotes local farm products through its “[Get Real, Get Maine](#)” campaign.



## AGRICULTURAL COMMISSIONS

### WHAT:

Giving farmers a role in developing policies and programs that support agriculture

### WHO:

- ✎ Select boards and councils (for a local agricultural commission)
- ✎ Regional entities (for a regional agricultural commission)

### WHY:

Farmers have multiple interests in a community. They are simultaneously business-people, taxpayers, landowners, and citizens concerned about the overall well-being of their community. Because their interests span the work of many different boards and committees, it is often difficult for farmers to be engaged in all the issues that might affect them.

A formal agricultural commission can help see that the needs of agriculture are considered and integrated into various policies and initiatives. Although new in Maine, such commissions have been effective tools in other New England states. They can be created by a single town, or by a regional entity, depending on their scope and purpose.



Photo: Bridget Besaw

### HOW:

Suggested steps in forming a local agricultural commission:

- ✎ Hold a local forum with farmers and town officials to discuss the possible formation of an agricultural commission.
- ✎ If there is adequate interest and support, request that the select board or council either establish a commission themselves or allow an article creating a commission to be considered at town meeting.



Photo: Bridget Besaw

- ✎ Develop a set of duties for the commission. This may include any or all of the following:
  - identifying issues of concern to farmers and ways in which the town can be supportive of local farm businesses;
  - providing input to other town boards as they consider actions that may affect farming;
  - raising public awareness of the benefits of local farms;
  - facilitating the resolution of farmer-neighbor conflicts;
  - sponsoring town celebrations of agriculture (such as an annual harvest supper);
  - hosting workshops for farmers about farmland preservation, generational transfer, estate planning, farm viability programs, and other issues of interest.
- ✎ Determine the size and make-up of the commission. Most agricultural commissions have five to seven members who are either farmers or involved in farm-related businesses. A commission may also include one or more designated slots for



members of other town boards, such as the planning board or conservation commission.

The suggested steps in forming a regional agricultural commission are similar, except the likely first step would be to reach out to an appropriate regional entity that can help convene and lead the process. The right entity may be a Regional Planning Commission or Council of Government, or perhaps an agricultural group such as the region's Resource Conservation and Development (RC&D) office. A regional commission would also likely have more members.

#### EXAMPLES:

☞ In 2007, the [Threshold To Maine](#) Resource Conservation and Development (RC&D) Area helped form the River Valley Agricultural Commission. The Commission's 2008–2013 Economic Development Plan lists a number of goals for the region, including:

- helping towns incorporate agricultural economic development into their comprehensive plans;
- conducting a consumer survey to determine local food preferences;

- determining the feasibility of a shared use commercial kitchen;
- determining the feasibility of providing better warehousing, cold storage and distribution systems; and
- improving the assistance provided to agricultural businesses.

☞ In Massachusetts, there are over 130 local agricultural commissions.

#### RESOURCES:

[Maine Department of Agriculture](#)

[Regional Planning Commissions](#) and Councils of Government

[Maine Resource Conservation & Development Regional Offices](#)

[American Farmland Trust](#)

The [Massachusetts Agricultural Commissions](#) (for a description of agricultural commissions, their role, steps for getting started, and resources)

The [Massachusetts Department of Agriculture](#) (for Agricultural Commissions)



Photo: Amanda Bunker



## CONNECTING FARMS & SCHOOLS

### WHAT:

Incorporating agriculture into local schools through curriculum, school gardens, or other projects; getting more local foods into school meal programs

### WHO:

Local school boards, parent-teacher organizations, agricultural commissions, or Grange

### WHY:

Exposing children to farming and gardening at an early age helps increase awareness about the source and nutritional quality of the foods they eat and about the link between agriculture and the environment. Giving children a chance to observe and interact with farmers promotes understanding of farming and can encourage interest in agriculture as a future vocation or avocation.

### HOW:

#### Curriculum Development

- ☞ [Maine Agriculture in the Classroom](#) offers a teacher's resource guide and a number of different curriculum units that align with Maine Learning Standards. It also offers small grants (up to \$5,000) for infusing agricultural concepts into K-12 curricula.



Photo: Amanda Bunker

- ☞ Many of Maine's schools have school gardens, which provide students with hands-on experience of where food comes from. These are typically developed and maintained by pro-active teachers, school staff, or community members.
- ☞ Consider a project where students identify and interview local farmers about their farm operations. The interviews and photographs could be featured at the town library or in the school newsletter.
- ☞ In Rhode Island and Massachusetts, several school districts have created farmer "trading cards" that feature farms that sell to local school meal programs. The cards contain fun facts about the farm or farm family, helping to educate and spur interest among school children.



Photo: Amanda Bunker

#### School Meal Programs

- ☞ After many years of effort, school meal programs are changing, thanks to the growing demand for local foods from parents and students, and collaboration among school administrators, kitchen staff, farmers, and local health care providers. If your town already has momentum, consider what you can do to keep things moving. If your town has yet to source food from local or regional farms, consider how you can help make something happen.

### EXAMPLES:

- ☞ The Troy Howard Middle School in Belfast uses its school garden as an outdoor classroom to immerse students in how agriculture relates to economics, math, science,



art, writing, technology and citizenship. The [Garden Project](#) is a program developed around the school garden and greenhouse, is self-supported through sales, grants, and volunteers, and has various community connections such as with the local soup kitchen and the Belfast Co-op (a local co-operative grocery store).

- ☞ Maine's Farm to School program helps schools find ways to offer healthier foods from more local sources. School food service programs such as those in [Kittery](#) have been able to feature more local foods in school meals, going beyond just the annual [Maine Harvest Lunch](#) (a statewide event).
- ☞ Ted Kryzak of Riverside School in Acton is just one example of a Maine teacher who strives to integrate agriculture into the school curriculum. Ted was recognized as Maine Agriculture in the Classroom 2010 Teacher of the Year for providing the school's special needs students with hands-on, multidisciplinary learning experiences, working with livestock and produce on a local farm.

#### RESOURCES:

[Maine Agriculture in the Classroom](#)

The [Maine School Garden Network](#) (searchable database of school garden projects and examples)

[Maine Farm to School](#) Program



Photo: Bridget Besaw



## FARMERS MARKETS

#### WHAT:

Creating or sustaining a local farmers market

#### WHO:

Town committees or local organizations



Photo: Amanda Bunker

#### WHY:

Farmers markets expand market opportunities for farmers, while increasing community access to healthy, locally grown foods. Farmers markets are also great venues for community socializing. They can help revitalize downtowns or village centers and increase business for other retailers. Towns can play an instrumental role by supporting a local farmers market. Although not every town can or should have one, a successful market is possible anywhere there are willing farmers and a good customer base.

#### HOW:

The success of a farmers market depends on the demand for local farm products, the vendors, the quality and diversity of products those vendors sell, and how well the market is managed and promoted. The decision to create a farmers market is a business decision that should be made carefully. The first step may be as simple as identifying farmers who have an interest in being vendors. If there is sufficient interest from a large enough group of farmers to pro-



vide a diverse array of product, there is a good chance of success.

Though it is true that farmers markets often do better in larger or more affluent communities, there are now many examples of small markets that are doing quite well in smaller and less affluent communities.



Photo: Amanda Bunker

The location of the market is important. The decision on where to locate is one where town officials' involvement can often make a difference, because the ideal location may be town-owned property. If that is the case, a town can provide a boost to the farmers market by making a long-term commitment to host the market at that site. Knowing the market will be there over the long term will help build a base of loyal customers and vendors.

A town can also support a farmers market in the following ways:

- ❧ Review town rules that may affect the farmers market and address any issues proactively.

- ❧ Use a town newsletter or website to promote the farmers market.
- ❧ Partner with the farmers market to raise funds for Electronic Benefit Transfer (EBT) technology, a double coupons program, or promotional materials.

#### EXAMPLES:

- ❧ Held at the Harrison Town offices and library, the growing [Harrison Farmers Market](#) features a variety of locally grown vegetables, fruit, flowers, herbs, plants, eggs, cheese, meat, and other farm products. The market's website features some of the vendors with photos, description of the farms, list of available products, and contact information.



- ❧ The [Rockland Farmers Market](#) has created a website with a directory of vendors, seasonal product guide, and list of upcoming events such as music, horse drawn carriage rides, and spinning demonstrations. The market also has a Facebook page to connect with its many fans.

#### RESOURCES:

Maine Organic Farmers and Gardeners Association's [Maine Farmers Market Directory](#)

The [Maine Federation of Farmers Markets](#) website (for [helpful resources about farmers markets](#), including examples of market rules and by-laws and a discussion group)

The annual [Maine Farmers Market Convention](#) (workshops for farmers, market managers, and municipal officials)



## MINIMIZING CONFLICTS BETWEEN FARMERS AND NON-FARMING RESIDENTS

### WHAT:

Ways in which a community can minimize conflicts between local farmers and non-farming residents through education, outreach, and mediation

### WHO:

Local committees, such as the select board, conservation commission, or agricultural commission

### WHY:

The business of farming is often messy. Many non-farmers tolerate the sounds and smells associated with farms along with the slow speeds of tractors on local roads. However, conflicts between farmers and non-farmers—especially neighbors—are not uncommon, and can be costly to a farm business. Educating residents about agricultural practices and the State's Right to Farm law can help minimize these conflicts; finding ways to mediate any conflicts that do arise can help avoid expensive legal battles.

The **Maine Agriculture Protection Act** (commonly known as the "Right to Farm" law) states that a "farm, farm operation or agricultural composting operation may not be considered a public or private nuisance... if [it] is in compliance with applicable state and federal laws, rules and regulations and... conforms to best management practices, as determined by the commissioner." (*Maine Revised Statutes Title 7, § 151-161*).

### HOW:

Communities that want to help minimize conflicts between farmers and non-farming neighbors might consider one or more of the following:

- ✎ Create a process for hearing and mediating disputes that arise between farmers and non-farming neighbors. Such a process could be developed or implemented by a town agricultural commission with input from other town boards.
- ✎ Put together an annual tour of local farms. Residents would learn directly from the farmers about their agricultural practices and why those practices are important to their business.
- ✎ Hold a town forum at which both farmers and non-farmers can share their thoughts and concerns about farming in town. Use a facilitator to help residents find constructive ways to address concerns.
- ✎ Educate local residents about Maine's Right to Farm law.
- ✎ Enact a local Right to Farm ordinance that affirms the town's commitment to agriculture and identifies farming as an accepted and valued activity.

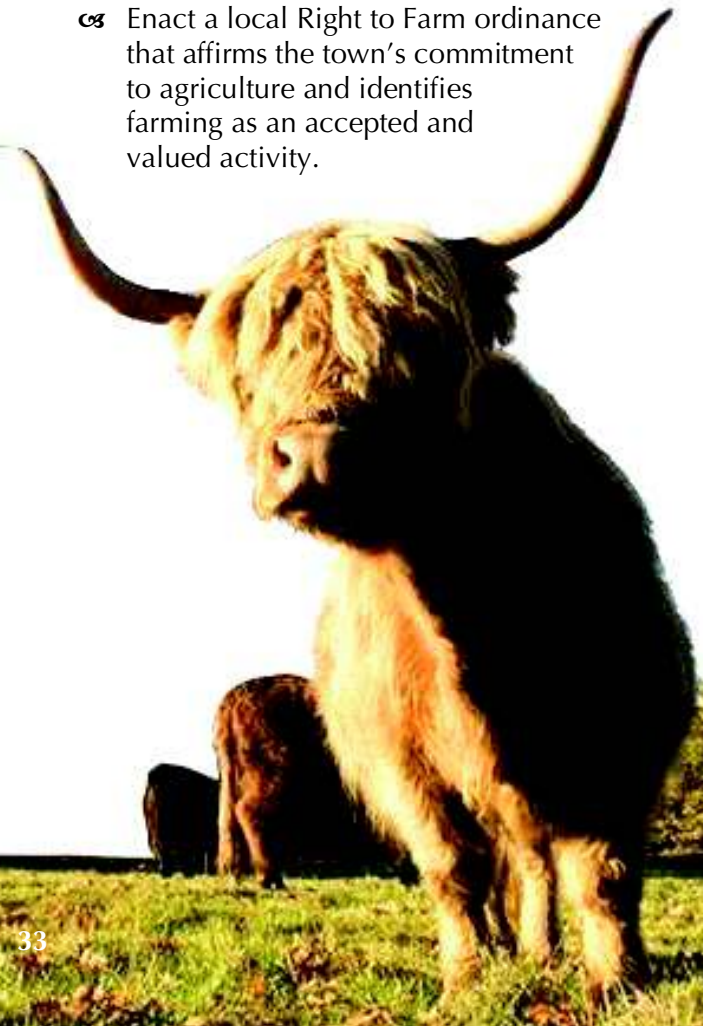


Photo: Bridget Besaw



Such an ordinance would:

- ☞ be modeled after the State's Right to Farm law, recognizing and citing the definitions used in that statute;
- ☞ document the importance of local farming;
- ☞ describe what may be perceived as nuisances and then clearly state that these are protected activities, provided best management practices are followed; and
- ☞ require a landowner selling property adjacent to an active farm provide the buyer with a notice disclosing the town's support for agriculture and the types of impacts that may be associated with farming.

#### EXAMPLES:

- ☞ As of June of 2010, more than 100 towns in Massachusetts had enacted local right to farm bylaws to emphasize their support for local farms and farm businesses. [Sample town right-to-farm laws](#) are available at the [Massachusetts Agricultural Commissions website](#).



Photo: Bridget Besaw

#### RESOURCES:

A Manual of [Agricultural Best Management Practices](#) is available from the Maine Department of Agriculture

[Maine Agriculture Protection Act](#), *Maine Revised Statutes Title 7, § 151-161*

### 3 Municipal Tax Programs

*In many communities, the costs of property taxes for farmers with large land holdings can force them to sell portions for development, or the costs may impact their profitability. Maine's tax laws include some special programs that can support the maintenance of open lands for farming.*



#### CURRENT USE TAXATION

##### WHAT:

Minimizing local property taxes on farms and educating town residents about the fiscal benefits of supporting farms and farmland through current use tax programs

##### WHO:

Select boards and assessors

##### WHY:

Local taxes affect the profitability of all small businesses, including farms. Property taxes can be onerous for farmers who own a significant amount of land, especially when that land is assessed at its potential use as developable land, rather than its current use as fields or woods. Fortunately, three of Maine's current use tax programs (Farmland, Open Space, Tree Growth) can help landowners reduce their property tax liability.

Unfortunately, there is sometimes community resistance to landowners enrolling in these programs, especially the Farmland or Open Space programs. That's because some local residents and officials don't fully understand these programs and also because a municipality is not reimbursed for tax revenues lost under the programs. However, as various Cost of Community Services studies have shown (see page 23), farms generally pay more in taxes than they receive in services, even when they are enrolled in a current use tax program. Loss of

farms due to high taxation will likely drive up local taxes, as farms are replaced with development that uses more services. Thus, it is in a community's best interests to encourage more farms to enroll in current use tax programs.

#### **HOW:**

Towns can begin by educating assessors and other local officials about current use taxation programs and how they benefit not only participating landowners, but also the community as a whole.



*Photo: Bridget Besaw*

Towns can encourage farmland owners to enroll in one or more of Maine's current use tax programs by holding a local forum. Invite officials from the Maine Revenue Service and Maine Department of Agriculture to speak about the programs and their benefits.

Towns may want to consider providing farmers with additional property tax breaks that go beyond the savings from current use taxation programs. This can be done under the new Voluntary Municipal Farm Support Program, which further lowers property taxes on farms that choose to protect their land (see *next page*).

## **MAINE CURRENT USE TAX PROGRAMS**

These three programs have slightly different eligibility requirements and will result in different levels of tax savings for landowners. The best fit for a farmland owner will depend on various factors specific to that owner's property and future plans. A landowner may place some land in one program and other land in another program. Moreover, a landowner may move a piece of land from one program to another. However, if a landowner does not keep previously enrolled land in one of the programs, a penalty is assessed.

Any landowner with eligible land has the right to enroll in any of these programs. Applications are due to local tax assessors by April 1.

### ***Farmland Program***

The landowner must have at least five contiguous acres, and the land must be used for agriculture or horticulture (although it can also include woodland or wasteland). The tract must generate at least \$2,000 gross income from farming activities each year. This income can be derived by the owner or by a lessee. Enrolled land is assessed at its current use value, based on state guidelines for farmland.

### ***Open Space Program***

The landowner may enroll a parcel preserved by a deed restriction that provides a public benefit, such as recreation or wildlife habitat. Enrolled land is assessed as its value as open space using state guidelines. If the land is preserved with a permanent easement and public access is provided, the tax reduction is generally 75 percent.

### ***Tree Growth Program***

The landowner must have at least 10 acres of forested land commercially harvested, and must have a Forest Management and Harvest Plan. Enrolled land is assessed at a statewide rate for hardwood, softwood, and mixed wood stands. Unlike the Farmland and Open Space programs, the state reimburses municipalities for revenue lost as a result of Tree Growth Program enrollment.

#### **EXAMPLES:**



☞ Through a number of local and regional forums, the Maine Department of Agriculture has educated local officials and landowners about current use taxation, especially the less understood Farmland and Open Space programs. As a result, the amount of active farmland enrolled has grown to over 100,000 acres.

☞ In Unity, enrollment in current use tax programs increased significantly after local assessors became familiar with the programs and began explaining them to landowners.



Photo: Bridget Besaw

#### RESOURCES:

Maine Revenue Service, Property Tax Division, [Current Use Programs](#)

Municipal tax assessors



## VOLUNTARY MUNICIPAL FARM SUPPORT PROGRAM

### WHAT:

A local program that simultaneously lowers the property tax burden on farmers and protects farmland for at least 20 years

### WHO:

Select board, council, or community committee crafting a local program, or Town Meeting adopting the program and approving participants

### WHY:

Recently enacted legislation provides an additional tool for communities wishing to support farming and protect farmland. Under state guidelines, a community can adopt a local program that lowers property taxes on participating farms (beyond the reduction available through current use taxation), which may be crucial to a local farm remaining in business. Farmers that receive these special tax breaks must place agricultural conservation easements on their land that remain in effect for at least 20 years. The effect of such easements is to boost the farms' profitability, while the community protects farmland without having to raise capital to purchase easements.

### HOW:

Towns interested in establishing a municipal farm support program must:

- 1) adopt eligibility requirements for qualifying farmland and farm buildings;
- 2) develop a model easement; and
- 3) determine the mechanism for making farm support arrangements and payments.

Once a local program is established, a farm can apply to that municipality. Every application must be approved by the town's legislative body.

A farm accepted into the program will be compensated for a portion of the farm's property taxes, in exchange for an easement of 20 years or more. The amount of property tax relief is set by the town. The town could choose to pay the entire tax bill of a farm participating in the program, but under no circumstances may the benefit to a taxpayer exceed the value of the easement on that particular property.

State rules require that:

- ☞ an eligible property must be comprised of at least five contiguous acres;
- ☞ the eligible property must produce one or more agricultural crops that generate a minimum annual gross income or fair market value of \$2,000; and
- ☞ eligible farm buildings must be used for the production or processing of agricultural crops.



Photo: Brian Kent

Towns may elect to establish additional criteria. Towns are also given latitude to include land and buildings that do not produce or process crops, as long as they are associated with the agricultural enterprise.

#### EXAMPLES:

- ☞ State rules were just established in 2011. At the time of printing, no community had yet enacted a local program.

#### RESOURCES:

[State rules](#) provide additional information about program requirements

[Maine Farmland Trust](#)

## 4 Farm Support Programs

*Municipalities and residents should keep in mind that there are a number of successful Maine programs aimed at improving the business of farming. It is helpful to become familiar with these programs, to better understand the resources available to farmers.*



### PROGRAMS THAT SUPPORT FARM BUSINESS DEVELOPMENT

#### WHAT:

Helping farmers find needed services

#### WHO:

Local select board, conservation commission, or agricultural commission

#### WHY:

Like all businesses, farms can often benefit from various business services. However, because farming in Maine is changing, the success of many farmers will depend on good business planning leading to new ways to grow or market their products. At the same time, the future of farming is dependent on there being enough new farmers entering the profession, and that will require high levels of recruitment, training, and business assistance.

#### HOW:

The principal way that townspeople can help farmers take advantage of needed business services is to learn about what services are available, and then lead farmers to them. (Some farmers need to be informed about what's available; others may need to be encouraged to seek services.) Larger communities might consider providing some services themselves, perhaps in partnership with an organization that supports farmers as its primary work. (Maine Farmland Trust has been increasing its business services to farmers, and welcomes the possibil-



ity of doing so in partnership with a community). However, for most communities, providing business services is not possible. In those cases, the key is to know what's available, and then direct farmers accordingly.



Photo: Bridget Besaw

Towns can play an active role in encouraging farmers to seek services or participate in programs. For example, a town can add a link on its website to the Maine Department of Agriculture (MDA). Towns can encourage agricultural producers to join the [Get Real, Get Maine](#) promotional website where consumers can easily search for farms, farm stands, specialty foods, and other farm products. Towns can develop maps of local farms and farmlands from the farm listings on the site. They can combine efforts with neighboring towns to host informational workshops for farmers to learn about some of the programs listed in this publication.

It's beyond the scope of this publication to list all the business services available to farmers, but the following is a summary of services provided by several key state agencies and non-profit organizations in Maine.

### **Maine Department of Agriculture (MDA)**

MDA offers technical assistance, financial assistance, and marketing and product promotion assistance. Its [Agricultural Resource Directory](#) provides information and links to agricultural associations, agencies that regulate or support agriculture, commodity groups, cooperatives, farmers interested in promotional activities, and many more topics.

MDA resources fall under the following categories:

- ✂ Technical Assistance
- ✂ Financial Assistance
- ✂ Market and Product Promotion Assistance

### **TECHNICAL ASSISTANCE**

- ✂ **Business Planning Scholarships** assist farmers taking certified or licensed agricultural business planning courses, such as "NxLevel – Tilling the Soil of Opportunity."
- ✂ The **Compost Program** conducts research to design demonstration projects that address waste management issues through composting. MDA staff participate on the Maine Compost Team, and assist with the internationally recognized Maine Compost School.
- ✂ The **Nutrient Management Program** and **Agricultural Compliance Program** provide a host of useful support services, including performing inspections required for Livestock Operation Permits (LOP) and Concentrated Animal Feeding Operations (CAFO) that determine whether Best Management Practices (BMPs) are being used.

### **FINANCIAL ASSISTANCE**

- ✂ The **Agricultural Marketing Loan Fund (AMLF)** offers loans of up to 90 percent of total project costs for capital improvements of agricultural businesses, at a 5 percent interest rate.
- ✂ The **Agricultural Development Grant (ADG) Program** is a competitive grant program that funds market research, market promotion, and new technology projects.
- ✂ The **Agricultural Technical Assistance Grant (ATAG) Program** provides grants for testing or adapting new technologies, especially for businesses receiving AMLF loans.

*(continued next page)*

- ☞ The **Agricultural Water Source Development Cost Share Program** provides funds on a competitive basis that assist farmers in developing alternative water sources (including dug ponds, drilled wells, and impoundments).
- ☞ The **Farms for the Future Program (FFF)** is a competitive program that offers technical assistance grants to help farmers develop investment-grade business plans. The program then offers farmers an opportunity to apply for an investment support grant and/or a low-interest loan to implement the business plan.
- ☞ The **Potato Marketing Improvement Fund (PMIF)** provides loans to potato growers and packers to construct or modernize storage facilities, or to purchase packing lines as part of the industry's plan to improve quality and marketing.

#### **MARKET AND PRODUCT PROMOTION ASSISTANCE**

- ☞ **Foreign Trade Development** helps farms and food processors identify opportunities to increase sales overseas.
- ☞ **Get Real! Get Maine!** is a promotional program that builds consumer awareness of local products. MDA sells hats, aprons, signage, stickers, hangtags, and other promotional items.
- ☞ **Special annual events** promote agriculture and raise public awareness. Examples include the Maine Agricultural Trades Show, Ag Day at the Legislature, Maine Maple Sunday, and Open Farm Day.

#### **Maine Farmland Trust (MFT)**

Recognizing the need to both protect farmland and help farms prosper, MFT has been expanding the business services it provides to farms.

**Business Planning:** In select regions, MFT provides both general business planning support

and individual business planning services (similar to Farms for the Future). The latter is provided through a partnership with Coastal Enterprises Inc. (CEI).



*Photo: Brian Kent*

**Loans:** MFT has a small, but growing, loan program to support farm operations. Loans are generally provided only to farms that are considering permanent protection.

**Property Services:** Many business services that farmers need relate to land—buying it, selling it, leasing it. MFT provides a full range of property services, through FarmLink and a real estate brokerage. Some services are free, but not all.

#### **University of Maine Cooperative Extension (UMCE)**

**Education:** UMCE offers workshops ranging from [New Farmer](#) classes to [Canning and Freezing Workshops](#).



*Photo: Amanda Bunker*



**Technical Assistance:** UMCE provides a full range of technical assistance to farmers. A county extension office is often the first place a farmer turns with a production or business question.

### ***Maine Organic Farmers and Gardeners Association (MOFGA)***

**Loans:** MOFGA provides loans to assist farmers who are transitioning land to organic production.

**Organic Certification:** MOFGA is Maine's certification entity and provides a wide range of technical assistance to organic farmers.

**Workshops, Farm Apprentices, and Journey-persons:** MOFGA provides many educational services through workshops, apprenticeships, and longer-term programming. MOFGA's journey-person program has been called "graduate school for organic farmers."

### ***Coastal Enterprises, Inc. (CEI)***

**Business Planning:** CEI operates several of Maine's Small Business Development Centers, which provide free business counseling. Because CEI previously coordinated business planning for MDA's Farms for the Future program (and still supports MFT's business planning), many of CEI's business counselors have in-depth farm experience.

**Loans:** CEI has a long history of providing loans of all sizes to farms and food-related business.

### ***Slow Money Maine***

**Networking:** Slow Money Maine brings together investors and farm businesses at regular meetings. The conversations are often stimulating, and many farms and food ventures find access to funding.



*Photo: Bridget Besaw*



*Photo:  
Bridget  
Besaw*

#### ***RESOURCES:***

Maine Department of Agriculture [Agricultural Business Development](#) Programs

[Get Real, Get Maine!](#) Program

[Maine Farmland Trust](#)

[University of Maine Cooperative Extension](#)

[Maine Organic Farmers and Gardeners Association](#)

[Coastal Enterprises, Inc.](#)

[Slow Money Maine](#)

## 5 **Municipal Planning & Land Use**

*Different tools are applicable to different municipalities. Towns should consider how the descriptions below apply to their situation and to achieving their farmland goals. Towns should consider using land use and regulatory tools in conjunction with other tools in this publication, to best help support agriculture and maintain farmland.*



### **OPEN SPACE PLANS**

#### **WHAT:**

Incorporating farmland protection into open space plans

#### **WHO:**

Conservation commissions preparing municipal plans, or towns and groups collaborating on regional plans

#### **WHY:**

Open space plans often overlook farmland protection, focusing instead on land for recreational uses and habitat protection. However, open space plans present an opportunity to highlight the importance of, and threats to, the farmland base.



*Photo: Amanda Bunker*

An open space plan can lay the groundwork for implementation of proactive policies and strategies for retaining farms and farmland. An open space plan can also be used to help iden-

tify land that is not currently being used for agricultural production, but could be. This will help expand access to farmland and facilitate new farming opportunities.

#### **HOW:**

When developing any open space plan, be sure to:

- ✎ Involve farmers in the planning process, as well as local and regional land trusts that are facilitating farmland protection projects. Consider creating an agricultural commission, if one is not already established, to help with the plan (see page 28).



*Photo: Bridget Besaw*

- ✎ Distinguish working farm and forestlands from other types of open space, and describe their economic and environmental benefits.
- ✎ Inventory active agricultural land and farm soils of prime and statewide importance. Ask farmers to identify farmland they consider important to their farm operations. Develop a map that shows the community's most important farmland resources (see pages 19 through 22).
- ✎ Outline clear goals and strategies to protect farmland in the community.

The goal is to have an open space plan that is consistent with the broad goals of the community's comprehensive plan. However, the open space plan may end up being more up-to-date than the current comprehensive plan. Indeed, an open space plan that identifies more opportunities for farmland protection may be a useful catalyst for improving the comprehensive plan.





Photo: Brian Kent

Consider a regional open space plan. Regional plans make sense because natural resources are not restricted by town borders. Such a plan might also attract more financial resources. A regional open space plan can involve considerable work, given the need to coordinate with multiple towns and to engage other appropriate regional partners (such as the regional planning commission and, perhaps, several land trusts). Moreover, it is important to develop implementation strategies that are appropriate for all partners.

#### EXAMPLES:

- ☞ [Cumberland](#) and [Sanford](#) are two towns that have incorporated strong agricultural provisions into their open space plans.
- ☞ At the regional level, The Trust for Public Land has led a multi-stakeholder process in the greater Bangor area to advance the [Penobscot Valley Greenprint](#), a regional conservation and recreation plan.

#### RESOURCES:

[Maine State Planning Office publications](#) and [technical assistance on open space and agriculture-related planning matters](#)

The [Beginning with Habitat](#) website has resources and provides mapping for open space planning.



## COMPREHENSIVE PLANS

### WHAT:

Supporting local farms and farming through the town's comprehensive plan

### WHO:

Comprehensive Plan Committee

### WHY:

Comprehensive plans describe a town's vision for the future, set policies and goals, and establish short and long-term implementation strategies. Because the comprehensive plan is the document to which all town ordinances are referenced and legally tied, it should make strong, supportive statements about farms and farming.

While some plans may reference agriculture—perhaps citing the contributions of local farms to rural character, scenery, and historical significance—most do not capture the full range of benefits that farms bring to a community or identify specific steps to address the needs of local farms and farmers. The comprehensive plan can be an important starting point for towns looking to support local farms, and can serve as a catalyst for sustaining local agriculture.

### HOW:

- ☞ Reference agriculture throughout the comprehensive plan. When updating, revising, or preparing a comprehensive plan, make sure that each chapter (or component) includes agricultural considerations, where appropriate. For example, address agriculture in the chapters that deal with soils, flooding, wildlife habitat, the economy, existing land use, and scenic resources. Don't relegate farming to just the "agriculture and forestry" section—it's vital to see farming in its broader context.

In the comprehensive plan's "**Agriculture and Forestry**" section, establish the issues (needs, threats, and opportunities) relating to agriculture. Consider using an inventory and/or survey (see *pages 19 and 21*) to answer important questions such as:

- Is agriculture economically viable in the community? If not, why not?
- Is farmland being lost to non-agricultural uses?
- Are farmers concerned about encroaching development and non-farming neighbors?
- Are there programs in place to protect farmland that local farmers consider important to their operations?
- Are farmers enrolled in state and federal programs, such as the current use property tax programs?
- Does the community's existing land use ordinance recognize farmland as a critical resource in the development review process? Are there measures in place to direct new development into growth areas and away from important farmland soils?

- ✎ When defining the town's growth area, avoid including soils of statewide agricultural importance or prime agricultural soils. It's possible for new development to locate on other soils, but most farms cannot locate elsewhere. If the best agricultural soils are lost to non-agricultural uses, farming will be permanently diminished.

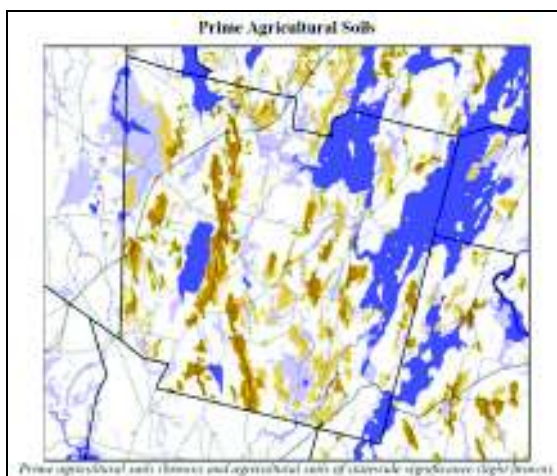


Photo: Brian Kent

- ✎ Include policies and implementation strategies that address the full range of farm business and land use needs. For example:
  - Task the planning board with evaluating the town's existing land use ordinance and recommending changes that will help support farm operations, encourage compact development, and drive new development to designated growth areas.
  - Recommend that farming and forestry be integrated into the community's economic development strategy. Recommend ways the town might assist farmers with marketing or with the development of community-scale infrastructure.
  - Promote the use of Maine's current use property tax programs and the Voluntary Municipal Farm Support Program (see *page 36*) to lower tax burdens.
  - Set a community goal for farmland protection. Consider proposing a local bond to pay for the purchase of agricultural conservation easements (see *page*



54). Evaluate the pros and cons of impact fees and development transfer fees (see page 50) as a way to steer development to growth areas and as another source of funding for purchasing easements.

#### EXAMPLES:

The following Maine municipalities have strong agricultural provisions in their comprehensive plans:

- ☞ [Bowdoinham](#)
- ☞ [Cumberland](#)
- ☞ [Monmouth](#)
- ☞ [Sanford](#)
- ☞ [Turner](#)

#### RESOURCES:

[Maine's Growth Management Act](#) (Title 30-A, Chapter 187)

The Maine Department of Agriculture's "[resource packet](#)" on agriculture (provided to communities working on their comprehensive plans, through the State Planning Office)

[Resources from the Maine State Planning Office](#), including *Comprehensive Planning: A Manual for Maine Communities*



Photo: Bridget Besaw



## LAND USE ORDINANCES

#### WHAT:

Using a town's land use ordinance to support local farms and farming

**NOTE:** Some communities may use the term "land use ordinance" while others may use "zoning ordinance," "site plan review ordinance," or some other title. Moreover, many communities have multiple ordinances affecting land use in one way or another. This publication uses the term "land use ordinance" to refer to all relevant local ordinances.

#### WHO:

Planning boards crafting ordinance language

#### WHY:

More than most other businesses, a farm is directly tied to the land. A community's land use ordinance can go a long way to either support farming or hinder it.

As noted in Part I, agriculture in Maine has seen some significant changes in recent years, with trends towards smaller, more diversified and innovative operations. In many communities, these changes may not be accommodated in existing municipal ordinances, or may be overlooked as new ordinances are adopted.

Three strategies are outlined here to illustrate some specific areas where towns can avoid regulatory obstacles to keeping agriculture in the community, and how they can more proactively work to maintain farmland.

#### HOW:

A community can consider changing its local land use ordinance at any time. It is commonplace for a town to develop new ordinance language after a new comprehensive plan has been adopted, so that any new policies included in the plan can be articulated in the ordi-

nance. However, there is nothing that prohibits a town from considering ordinance changes at other times. If your community's land use ordinance is not doing all it can to support farms and help protect farmland, initiate a process to bring about change.



*Photo: Bridget Besaw*

In most towns, the planning board oversees crafting and revising land use ordinances. Communities differ as to whether planning boards can act on their own to develop ordinance language for consideration by the town's legislative body. In some communities, a planning board generally would not begin such a process without direction from town meeting or, at least, from the select board.



*Photo: Bridget Besaw*

In either event, the first step is often the same: to generate interest (among key members of both the planning board and select board) about how the local land use ordinance can better support farming. Once there is interest, members of the planning board and/or select

board can then decide if the planning board is ready to move forward on its own, or if it makes sense to seek formal action by the select board or town meeting first.

In crafting or revising a land use ordinance, the planning board should consider:

- ✧ how farms are special businesses with special needs;
- ✧ what specific provisions can help channel non-agricultural development away from farms; and
- ✧ whether the creation of an agricultural zone makes sense in your community (see page 47).

### **Strategy 1: Flexibility and Good Definitions**

A land use ordinance should be sufficiently flexible to allow farmers to grow and diversify their businesses, including pursuing season-extension strategies, renewable energy opportunities, direct marketing, value-added product development, and agri-tourism. It's also important to recognize that some farm families generate additional income through on-farm activities, such as leasing space for a cell tower or operating a machine repair shop or earth moving business. Such income diversification supplements the farming income or helps the farming operation survive temporary economic downturns. It's important that these activities be accommodated in the ordinance.

Ideally, a land use ordinance will allow appropriate agricultural activities anywhere in the community (with the possible exception of a downtown district or small village district). The ordinance's definition of "farm" should include a wide array of buildings, including barns, sheds, greenhouses, hoop houses, processing facilities, and retail facilities.

Allowable farm activities should be defined to include:

- 1) raising, handling, packing, processing, storing, and direct selling of any farm product;
- 2) maintaining farm equipment and buildings; and



- 3) ancillary non-agriculture business activities, as long as they are compatible with farming. (Consider a **special use permit** process for non-agricultural on-farm activities, such as Turner has adopted.)

### **Special Use Permits for Non-Agricultural, On-Farm Enterprises**

In Turner, farmers can supplement their income by operating ancillary business enterprises not otherwise permitted in the rural district, as long as the following criteria are met:

- ☞ The enterprise is located on the farm and owned by the farmer;
- ☞ Any new structure constructed for the enterprise is no larger than 10,000 square feet; and
- ☞ The enterprise ceases if the farm operation ceases.

A land use ordinance should recognize that farm stands and pick-your-own operations are similar in some respects to other retail establishments, but differ in important ways. Direct farm retail is often seasonal and limited in scale, but some operations may generate significant customer volume for short periods. Other operations may offer a wider variety of products over a longer season. Moreover, some farms are incorporating agri-tourism ventures, including tours and rides, restaurants and catering, and special events. Towns may want to consider the size, nature, seasonality, and impact of farm activities when establishing farm-related ordinance provisions.



Photo: Bridget Besaw

Here are some things to consider:

- ☞ On-farm processing (of cheeses, jams and jellies, wines, sausages and many other farm products) is helping farmers capture more of the consumer dollar. Towns can facilitate the development of value-added products by allowing processing facilities by right (i.e., without requiring a permit) on farms, or by simplifying the application process for special permits. Towns can also develop separate guidelines for farm-based kitchens that provide limited and seasonal menu items, distinguishing them from large restaurant kitchens.



Photo: Bridget Besaw

- ☞ Events of limited duration, such as hay rides, corn mazes and harvest festivals, are also important to farm profitability. Like on-farm processing, towns can enable these types of agricultural enterprises by allowing them by right, or minimizing the permitting requirements.
- ☞ Increasingly, wind turbines and solar units, as well as methane digesters (on dairy farms) are important sources of energy for farms. An ordinance could allow these uses by right when at least 50 percent of the energy production is used on-farm.
- ☞ Housing for farm labor is critically important to some farms. A town may wish to adopt different standards for housing so that, for instance, having a second or third house on a farm doesn't trigger the need for multiple lots, or so that seasonal cabins can be used for farm apprentices.

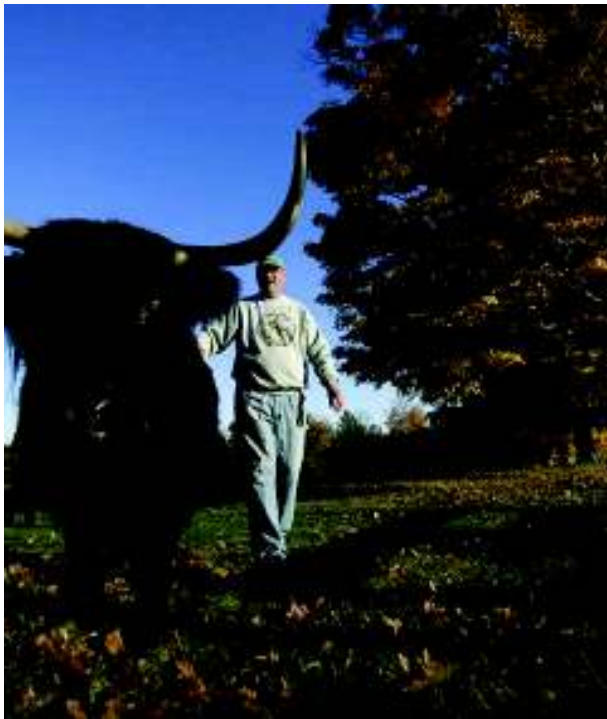


Photo: Bridget Besaw

### **Strategy 2: Ordinance Provisions That Really Make an Impact**

A town may want to consider using its ordinance to do any or all of the following:

- ☞ Promote new development in the growth area (through smaller lot sizes, density bonuses or other strategies);
- ☞ Require most (or all) new commercial activity that is not farm-related to locate in the growth area;
- ☞ Avoid minimum lot sizes and road frontage requirements that result in splitting farmland;
- ☞ Discourage new development on farmland (through lower densities or other standards); and
- ☞ Require that new development located adjacent to farms be set back adequately from property lines.

### **Strategy 3: Agricultural Overlay District**

A town may want to consider establishing an agricultural overlay district and then apply different ordinance standards in that zone.

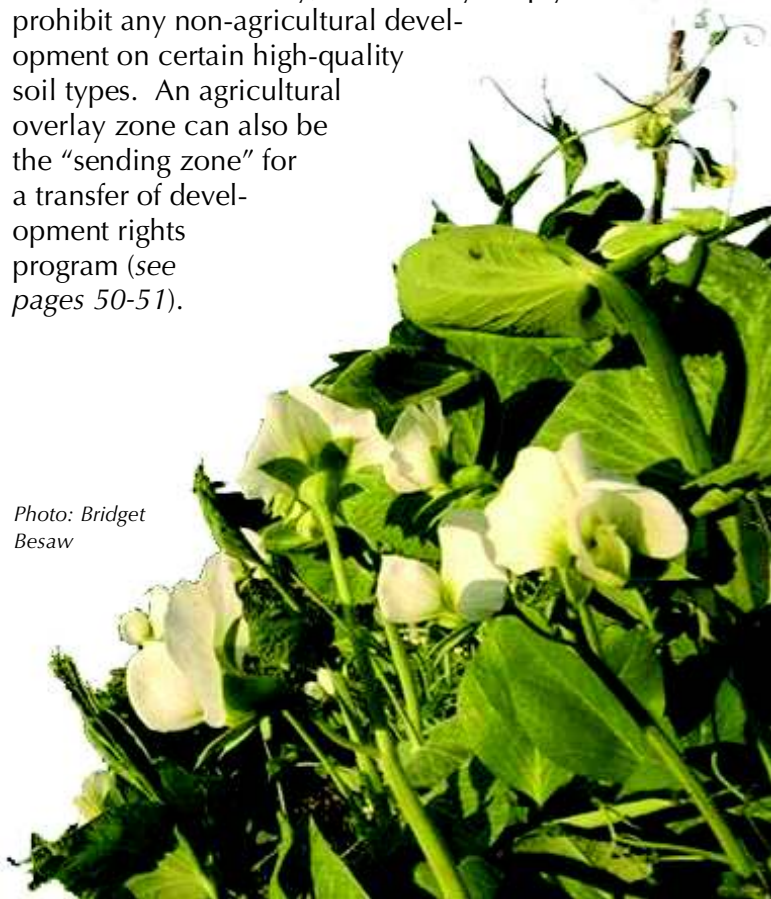
Agriculture districts are a zoning tool that may help mitigate problems between farms and non-farming neighbors, reduce the footprint or im-

pact of new development on farmland, and identify priority agriculture areas in which certain zoning provisions are waived or instituted.

An agricultural overlay district is an area identified on a town map within which certain uses are allowed or prohibited. Overlays are not restricted by the borders of existing zoning districts, and can be drawn to span multiple underlying zoning districts. Typically, overlay zones are identified and delineated on the basis of productive agricultural soils and contiguous areas of active farms. The underlying district requirements remain in effect, except as modified by the overlay zone.

Agriculture overlay districts are one way in which a town can allow additional agricultural-related or compatible non-agricultural business uses by right (i.e., without requiring a permit). Towns may limit the expansion of infrastructure (such as roads and sewers) into the zone to reduce the potential for future development. Agriculture overlay districts can be used to institute additional development guidelines, such as buffers or site plan reviews, which can limit the impacts of new development on neighboring farms. Within an overlay zone, a town might allow low density development, and/or require that all new housing be clustered. Alternatively, a town may simply prohibit any non-agricultural development on certain high-quality soil types. An agricultural overlay zone can also be the “sending zone” for a transfer of development rights program (see pages 50-51).

Photo: Bridget Besaw





## **WHAT ONE MAINE TOWN HAS DONE**

*Unity's* land use ordinance contains several provisions that help protect farmland and farmers.

### **Defining the Right Growth District**

Unity's Growth District is the existing village center and the surrounding area that is served by public sewer. It was purposely made small, but it is large enough to accommodate future growth, primarily through in-fill development. Though the district includes some working farmland, the amount is tiny compared to the overall amount of farmland in the community.

### **Channeling Development into the Growth District**

Unity's ordinance encourages new development to locate in the Growth District rather than on the farmland found throughout the Rural District. It does this by allowing significantly higher densities and smaller lots downtown. (Lots can be as small as 10,000 square feet if connected to public sewer.) The ordinance also requires most new commercial activity to be located downtown, including all new retail businesses except farm-related and small home-based businesses.

### **Providing Flexibility in Rural Lot Size**

Unity's ordinance allows rural land to be developed in creative ways that can lessen negative impacts on farmland. In the Rural District, Unity requires an average lot density of 120,000 square feet (about 2¾ acres) per unit, but it does not require that all new lots be that size. Big lots can be interspersed with small lots (as small as 20,000 square feet where soil conditions allow), as long as the average density is maintained.

This approach allows farmers wishing to sell a few house lots to do so without giving up as much of their farmland. It also allows developers to create site plans that retain large tracts of open space (including farmland) under a single ownership, without reducing the number of lots they can create.

### **Protecting Existing Farms through Setbacks on New Development**

Unity's ordinance includes setbacks designed to minimize the impacts that farm operations may have on new development, such as the spreading of manure. It does not allow new residential wells to be drilled within 300 feet of commercial farmland, or new houses to be built within 100 feet of farmland.

### **Limiting Development on Farmland**

Unity's ordinance requires that all new developments be configured in ways that protect farmland to the maximum extent practical. New structures and roads may be built on farmland, but the applicant must seek ways to creatively minimize development that:

- 1) occurs on productive farmland;
- 2) divides a single field; or
- 3) otherwise reduces the ease with which a parcel of farmland can be farmed in the future.

Such measures may include interspersing small and large lots to maximize the size of a field in a single ownership, or locating some or all structures in woodland abutting fields.

Beyond this, Unity's ordinance requires "larger" developments (construction totaling over 20,000 square feet and any subdivision including five or more lots) occurring on parcels of land containing 5 or more acres of farmland to adhere to the following standards:

- 1) no more than 15% of the farmland may be used for non-agricultural structures, roads, or other impervious surfaces; and
- 2) the remaining farmland shall be retained in a manner that facilitates agricultural use.

### **Encouraging Developers to Protect Farmland**

Unity's ordinance allows landowners who are subdividing land to create more lots than otherwise allowed if they take extra steps to:

- 1) locate new structures away from productive farmland; and
- 2) protect farmland through permanent deed restriction.

### EXAMPLES:

- Turner has taken many proactive steps to support farmers with its ordinance, beyond the special use permits summarized above.
- Unity first enacted a farmer-friendly land use ordinance in 1995 and, every few years, makes further refinements.
- Auburn has had an agricultural zone for over 30 years. The district is characterized by a rural, very low-density development pattern that limits sprawl and minimizes service costs.

### Another Kind of Local Ordinance

In spring 2011, the towns of Blue Hill, Penobscot, and Sedgwick all adopted ordinances that exert local authority over food and farm policies. A prime feature of these ordinances is to exempt local farms from certain federal and state regulations affecting direct sales.

These ordinances raise some unresolved legal issues about the relative powers of different levels of government (federal vs. state vs. local). As such, they may be controversial in a given community. Moreover, in a town that has not done much to promote and support local farming, such an ordinance may not be the best place to start. (This publication outlines a variety of other strategies that make much more sense as first steps.) However, in some communities where direct farm sales are strong, but where existing farms feel threatened by regulation, it may make sense to explore whether an ordinance of this type could be a benefit to local farmers.

Given the evolving nature of these ordinances, together with the controversy and uncertainty that surrounds them, local people are advised to explore the pros and cons carefully before moving in this direction.

At this point, the best source of information on ordinances that exert local authority over food and farm policies may be to contact the communities that have adopted such ordinances.



Photo: Brian Kent

### RESOURCES:

Maine's [Growth Management Act](#) (Title 30-A, Chapter 187)

[Maine State Planning Office publications](#) on Land Use Planning and Comprehensive Plans

Maine State Planning Office's [examples of ordinances that support agriculture](#)

[Ordinance template](#) for ordinances that exert local authority over food and farm policies, on the "[Local Food Local Rules](#)" website (or contact the towns of Blue Hill, Penobscot, or Sedgwick)



Photo: Brian Kent





## SPECIAL DEVELOPMENT FEES

### WHAT:

Using impact fees and development transfer fees as a source of funding for local farmland protection projects

### WHO:

Planning board developing ordinances and development fees; conservation commission (or other town group) pursuing projects, perhaps in partnerships with land trusts

### WHY:

Development fees can be used to help fund agricultural conservation easements. Fees generated from a single development are highly unlikely to generate sufficient funding for purchasing an easement, but such fees can be collected over time or coupled with other funds for this purpose.

### HOW:

Development fees are established by a special land use ordinance (e.g., an impact fee ordinance).

### Impact Fees

A municipality may adopt an ordinance that requires developers to pay a fee to offset their development's impact on the community. The fee can be used for various purposes, including paying to help protect farmland. Impact fees are generally based on the number of dwelling units proposed in a residential project or the number of square feet proposed in a commercial project. There must be a rational connection between the fee and its purpose—in this case, protecting farmland. In other words, the ordinance must be developed with clear goals relating to protecting land.

### Development Transfer Fees

A municipality may also adopt a Development Transfer Fee program (sometimes called a Den-



Photo: Brian Kent

sity Transfer Fee). Under such a program, developers pay “transfer fees” to the town, which allows them to build more units in the designated growth area than would be allowed under existing density limits. The payments can be used by the town to protect farmland in the designated rural area. To establish such a program, a municipality must craft an ordinance that defines fees, credits, transfer districts, density standards, and administrative rules. Moreover, a town must specify that protecting farmland is a community priority.

**NOTE:** A Development Transfer Fee program is a way of realizing some of the same goals as a Transfer of Development Rights (TDR) program. These programs promote land conservation by shifting potential development from one area to another.

*While some communities have developed successful TDR programs, they are not well suited to Maine's rural communities, which seldom possess the dense commercial or residential developed areas necessary for a successful TDR program.*

### EXAMPLES:

- ☛ Topsham has created a development transfer fee program. For a fee, property owners or developers are allowed to build more units within a designated overlay zone in the town's growth area than otherwise allowed by the existing zoning. The fees go into a special account, and must be used to

purchase land or easements in the town's rural area, offsetting the increased density in the growth area. The local conservation commission oversees the fund and recommends expenditures to town meeting.

- ☞ Gorham allows density bonuses in new residential subdivisions or projects that are served by public water and sewer, subject to site plan review. Development transfer fees are deposited into a separate account and used to purchase land or easements on developable land, including farmland.

#### RESOURCES:

Maine Revised State Statutes outline a community's ability to develop, collect, and spend impact fees. See [Title 30-A, Section 4354](#).

The State Planning Office provides guidance on establishing impact fees in its manual, [Financing Infrastructure through Impact Fees](#). The manual contains spreadsheets to help towns calculate impact fees.



Photo: Brian Kent

## 6 Non-Regulatory Land Protection

*These farmland protection tools are examples that are most applicable to Maine. Some municipalities may feel they can take on these approaches themselves; other communities may wish to partner with a land trust. Whoever the lead entity, these tools can be employed to help protect the land base for local agriculture.*



### LEASING LAND TO FARMERS

#### WHAT:

Better utilizing farmland and helping farmers access affordable land

#### WHO:

Select board or conservation commission overseeing municipal land, a town group working with private landowners, or a local land trust

#### WHY:

The availability of affordable land is often a barrier to new farmers entering the business and to existing farmers who wish to expand. Most communities have good farmland that is not currently being used for farming. Much of this land is probably private, but in many communities, the town itself or a land trust may own underutilized farmland. Leasing suitable properties to farmers can be a great way to both support farmers and increase local farming.

#### HOW:

The first step is often to develop an inventory of land that may be available for lease.

An inventory of the farmland available for leasing would likely include both private land and land owned by the town or any conservation organizations operating in the area (such as a local or regional land trust).



Alternatively, a town group can begin by trying to find a farmer for just one property that seems well suited for leasing, whether it is a parcel owned by the town or a private party.



Photo: Bridget Besaw

The idea of leasing farmland may sound easy, but it is not always so simple. To work, a lease needs to serve the interests of both the landowner and the farmer leasing the land. All landowners will want assurance that their land will be properly stewarded. Beyond this, some landowners will have other particular requirements. For instance, a town or a land trust may feel strongly that public access be provided on their land; yet a farmer may view a lease ensuring public access as problematic, unless it is carefully structured.

Many private landowners will care about aesthetics, odors, and noise associated with the use of their land. (This is especially true of landowners who live near the land being leased, but may be true regardless of where the owners live.) Farmers may want to erect hoop houses, spread manure, or store farm equipment on site. Indeed, such practices may be critical to having the farmer utilize the land in an economically viable manner, but may be in conflict with what the landowner wants.

Two other key issues with any lease are its duration and its cost. Some farmers are not likely to invest time or money in improving the soils unless they are provided a long-term lease. Where appropriate, consider leases lasting 5 to 10 years. Also consider the possibility of a rolling lease, where the landowner will need to give two, three or five years notice before a farmer can be asked to vacate (unless, perhaps, the land is sold). This kind of approach will lessen the chance that a farmer will stop investing in soil fertility as a lease period winds down.

**NOTE:** *Though it makes sense to promote leasing of suitable farmland that is already owned by towns or land trusts, Maine Farmland Trust generally discourages towns or land trusts from buying farmland specifically for the purpose of leasing that land back to farmers. For a variety of reasons, it generally makes much more sense for a town or land trust to place an easement on farmland (that remains in private use) rather than owning the land and then leasing it (see page 54).*

*If the owner of an important and vulnerable piece of farmland is not open to an easement but is willing to sell the property, a town or land trust may wish to consider buying the land, placing an easement on it, and then re-selling the property as preserved farmland. Maine Farmland Trust has a program that does exactly that, and is always willing to partner with a town or local land trust on such a project.*



Photo: Bridget Besaw

As to cost, there are no set rates. In some parts of Maine, good farmland may lease for \$100

per acre or more. However, in many places, farmland is leased for much lower rates, or even provided free. If farmland has been idle for many years and needs improvement of one sort or another (such as removing encroaching brush, repairing fencing, or building up organic matter), it may be inappropriate to charge any lease fee, especially if the farmer is going to make these kinds of improvements.



*Photo: Amanda Bunker*

Another issue is the process by which the land is offered for lease. If the land is owned by the town or a local committee, it may be appropriate to go through some kind of public process before agreeing to a lease, so that all the farmers in the area have a chance to lease the property. This process could be designed in many ways, but one example might involve the following steps:

- 1) use posters, mailings, or even a newspaper advertisement to announce the availability of the property and describe the terms under which it would be leased;
- 2) require potential lessees to complete an application that lists their farming experience and plans for the property; and
- 3) create a review panel to choose among lessees if there are multiple applicants.

Beyond this, a town group may want to help private landowners find farmers to lease their properties. In that case, a town may decide to expand its own process to include privately held properties as well. (Again, it's critical to make sure the landowner wants such assistance before getting word out about even the possibility of that land being available for lease.)

One resource to help find farmers is FarmLink, a program of Maine Farmland Trust. FarmLink is primarily used to help farmers find properties to buy, but the service also includes properties available for lease. At any given time, there may be 150–200 farmers looking for land through FarmLink. A farmland owner can enroll a piece of property in the service without charge. If a town organizes a more formal program to encourage leasing, that town group could coordinate the listing of multiple properties through FarmLink.

#### EXAMPLES:

- ❧ Winterport was deeded federal land many years ago, with the condition that the land never be developed. The 40-acre property has approximately 20 acres of wild blueberry field. The Town leases part of the field to blueberry growers from Ellsworth, and there is a clause in the contract that stipulates that a portion of the field is left for town residents to pick for their own use.

The land has been leased for the last 20 years, although there was a period of about 10 years when no lessee could be found. During that time, the conservation commission was charged with maintaining the property. The select board oversees the lease.

#### RESOURCES:

Maine Farmland Trust's [FarmLink](#) Program

[Maine Farmland Trust](#) (for model leases)



*Photo: Bridget Besaw*





## PERMANENT AGRICULTURAL CONSERVATION EASEMENTS

### WHAT:

Permanently protecting farmland through the donation or sale of an agricultural conservation easement

### WHO:

- ✎ Landowners working in partnership with a land trust or municipality
- ✎ Towns or conservation commissions protecting key farm properties
- ✎ Local or regional land trusts

### WHY:

Agricultural conservation easements provide the best means of protecting farmland in perpetuity. Well-crafted agricultural conservation easements provide the landowner flexibility to ensure that the property can always be used for farming. Land protected with an easement remains in private ownership and is still subject to property taxes (though often at a lower assessed value).

Towns can benefit greatly from having farmland protected through agricultural conservation easements: protected farmland will not only make it possible for farming to continue to support the local economy, but will also hold down future costs of community services while retaining open space and recreational opportunities.



Photo: Bridget Besaw

## What is an Easement?

A permanent agricultural conservation easement (or simply, an “easement”) is a voluntary, enforceable restriction that landowners place on their property. Such easements prevent subdivision and non-agricultural development.

Beyond that, agricultural conservation easements are often structured with a great deal of flexibility. That’s because their purpose is to ensure that the land is forever available for farming—and no one can predict with certainty what kind of farming will make sense on a particular property long into the future. Thus, unlike other types of conservation easements (many of which prevent all structures and prohibit any changes on the land), most agricultural conservation easements allow fencing, land clearing, and new farm structures. Most “ag” easements also define one or more “farmstead areas” suitable for a farmhouse and other farm buildings, where even fewer restrictions apply.

Farmland that is preserved with an easement remains in private ownership and is still subject to property taxes (though property taxes may be reduced, because the land’s market value may change with an easement on it). Landowners may sell the preserved farmland to any buyer at any price they can get; however, because the easement runs with the land, future owners will also be subject to its terms and conditions, which are recorded at the county registry.

The entity that “holds” the easement (generally a land trust, but at times a municipality) is responsible for enforcing its terms over time, regardless of who owns the property.

Easements vary considerably. The specific terms of each one are negotiated individually between the landowner and the entity that will hold the easement.

### HOW:

Identify land that is best protected through a permanent easement and, perhaps, prioritize properties. This task is often undertaken by a conservation commission, though it could also be done by another town group or land trust.

A town cannot compel a landowner to pursue an easement; easements are voluntary legal agreements. However, a town may wish to encourage landowners to grant easements by providing municipal funding to help pay for them.

Most easements are donated, either to a land trust or, occasionally, to a municipality. Some easements are purchased, usually with government funds (federal, state, or municipal). There are tax benefits to landowners who either donate an easement or accept less than the full market value of the easement they sell. A landowner can donate an easement at any point, provided a land trust (or municipality) is willing to accept and hold the easement.

However, easements need to be crafted carefully so that they are tailored to the particular property and the particular interests of the landowner. Crafting an easement can take considerable time, especially if the landowner has business planning or estate planning to complete first. (This type of planning should be encouraged before entering into an easement agreement.)



Photo: Bridget Besaw

The principal sources of funds for purchased easements are the Land for Maine's Future (LMF) Program and the federal Farm and Ranch Lands Protection Program (FRPP). Under these programs, a landowner interested in selling an easement must apply to receive funds in conjunction with a land trust or municipality. In addition, a few towns have established their own funds for purchasing easements. In many cases, a combination of funding sources is used, since both LMF and FRPP, by themselves, will only fund 50 percent of the value of an easement.

The total amount of funding available annually through LMF and FRPP is limited—well below the level needed to meet the demand from interested landowners. As a result, the application process is highly competitive. In addition, only farms that have adequate acreages of certain soil types are even eligible. For all these reasons, it is highly unlikely that LMF and FRPP will be available to satisfy all the needs for purchased easements in a given community.



Photo:  
Brian  
Kent





Photo: Bridget Besaw

The limitations of LMF and FRPP suggest that a community may want to develop its own source of funds to purchase easements. This can be done through municipal borrowing. Since farmland preservation is likely to pay for itself over time, there is a certain logic to borrowing funds to protect farmland now, then paying for it over time. A community could also help pay for easements directly with tax revenues, or through development fees (see page 50).

Selling a permanent agricultural conservation easement is not the only way to compensate landowners for protecting farmland. The Voluntary Municipal Farm Support Program provides an alternative (see page 36).



Photo: Amanda Bunker

## CONSERVATION FUNDING

The LMF and FRPP programs can be used separately, or together. However, because funding cycles are not synchronous, it can take up to three years to complete a project involving both programs.

The applications for these programs are complex. Landowners or municipalities interested in an LMF or FRPP project should contact the Maine Department of Agriculture's Farmland Protection Program to learn more about the rules and processes.

### ***Land for Maine's Future (LMF) Program***

[Land for Maine's Future](#) is a state program created in 1987 to acquire both land and easements to protect important conservation areas, water access, outdoor recreation, fish and wildlife habitat, and farmland. Though LMF funds are used for more than protecting farmland, a portion of the funding is set aside specifically for purchasing easements on farmland.

The purchase price of each easement is based on fair market value, as determined by an independent appraiser. The program will pay up to 50 percent of the entire cost of the project (including the cost of the easement, and the costs for the appraisal, survey, and title work). Eligible farmland must meet certain criteria including having good agricultural soils, and must be under threat of conversion to non-agricultural uses.

### ***Farm and Ranch Lands Protection Program (FRPP)***

[FRPP](#) is a federal program providing easement funding to eligible entities, including land trusts and municipalities. The program will pay up to 50 percent of the appraised value of the easement. It will not pay for the associated costs, such as appraisals, surveys, and title work. To be eligible for funding, at least 50 percent of the property that will be placed under easement must contain prime agricultural soils or soils of statewide or local importance, and at least 30 percent of the property must be open land.

### EXAMPLES:

- ☞ Approximately 30,000 acres of Maine farmland have been permanently protected through partnerships between landowners and land trusts. Most of this land has been protected through donated easements. Approximately 8,000 acres have been protected through purchased easements.
- ☞ The Town of Scarborough has raised \$1.5 million in bond funding for local land preservation, including purchasing easements on farmland. In 2010, Maine Farmland Trust and Scarborough Land Trust partnered with the town, using some bond funds to protect the “Fancy Farm.” Other local farm projects are being explored.

### RESOURCES:

[Maine Farmland Trust](#)

[Maine Department of Agriculture, Farmland Protection Program](#)

[American Farmland Trust Farmland Information Center](#)



Photo: Bridget Besaw



### LIMITED DEVELOPMENT

#### WHAT:

Strategies that allow some development while protecting farmland

#### WHO:

- ☞ Planning board revising ordinances to allow limited development
- ☞ Land trusts and landowners partnering on conservation and limited development projects

#### WHY:

For various reasons, a community may not be able to protect all the farmland in the municipality. However, more farmland will be protected if creative strategies are pursued. One such strategy is limited development.

In some instances, the only way to pay for protecting farmland is to allow some portion of a property to be developed. A limited development strategy might be initiated by the same person who has owned and farmed a property for years, but it will more likely come from a land trust or forward-thinking developer. Regardless of who is driving a project, successful limited development projects tend to be located in communities that have land use ordinances that facilitate use of this strategy (see page 44).



Photo: Amanda Bunker



### HOW:

Any farmland owner who wants to see his or her farm remain a farm over the long term should first engage in a conversation with Maine Farmland Trust or the local trust operating in the area. In some cases, a donated or purchased easement might be the right strategy. In other instances, the landowner's needs might be better served by considering some form of limited development, coupled with placing an easement on the remaining land. Since this strategy still involves an easement, it would likely be undertaken in partnership with a land trust.



Photo: Bridget Besaw

A town may want to take steps to encourage this kind of limited development. One way to do this is to adopt ordinance changes that make it easier to get limited development projects approved. In many communities, the site review process is just as cumbersome and expensive for a five-lot subdivision as it is for a 40-lot subdivision, and this may push a landowner to propose more development where the land allows it.

The planning board may want to consider less burdensome application submission requirements or a simpler review process wherever limited development projects meet certain standards. If these less burdensome ordinance provisions are to enhance farming, however, they must, at a minimum, require that the vast majority (if not all) of the good farmland be permanently protected and that this land be suitable for viable agricultural uses.

Unfortunately, some limited development projects that profess to support farming only protect farmland as open space. The remaining farmland has become unsuitable for viable agriculture, either because it is too small, was preserved with prohibitions on certain farm practices (that new residents might find objectionable), or doesn't contain adequate farm infrastructure. Though limited development is a useful tool, a planning board should take steps to ensure it is encouraging and protecting working land, not just open space.

### EXAMPLES:

- ❧ The owners of Mitchell Ledge Farm in Freeport sought a way to both protect their farm property and generate adequate retirement income. They combined the sale of a conservation easement with a limited development project, creating a 15 lot open space subdivision, surrounded by 40 acres of conserved woodland and 100 acres of permanently protected farmland, which remains well suited to active farming and woodlot harvesting.

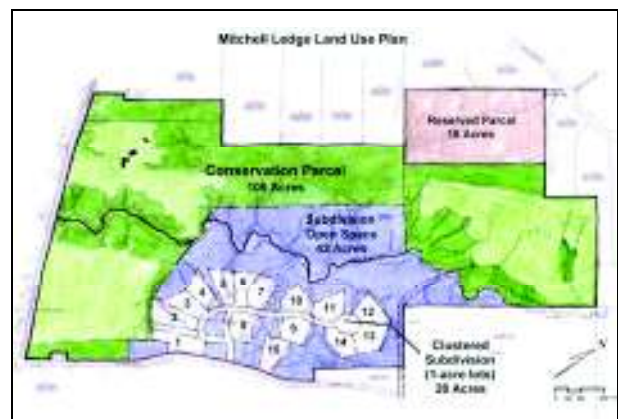




Photo: Brian Kent

☞ Maine Farmland Trust purchases vulnerable farms under its “Buy/Protect/Sell” program, which—as the names implies—protects farmland and then re-sells it to new farmers at its lower value as protected farmland. About a quarter of MFT’s Buy/Protect/Sell projects have involved some form of limited development. Usually, the development has involved no more than creating a single house lot, but increasingly, MFT is pursuing projects where the only way to fund easements on the good farmland will be to develop more of the land that is unsuitable for farming.

#### RESOURCES:

[Maine Farmland Trust](#)

[Green Development: Balancing Development with Conservation](#), a publication of the Mainewatch Institute

<sup>1</sup> Rick Hermonot and Jon Jaffe, First Pioneer Farm Credit, ACA, *Report on the Economic Impact of Agriculture on the Town of Carver, Massachusetts*, March 2006.

<sup>2</sup> Robert Johnston, University of Connecticut, and Joshua Duke, University of Delaware; *The Value of Farm and Forest Preservation in Connecticut*, 2007, and *What is Our Willingness to Pay for Open Space Protection? Results and Implications from a Study of Four Connecticut Communities*, 2007.

<sup>3</sup> Planning Decisions, *The Economic Impact of the Equine Industry in Maine*, September 2007; p. 1.



# Web Links Directory

These are the website addresses for the web-linked text within the publication, indicated in blue underlined text in the printed version.

*Listed in order of appearance. Duplicate links within each section (Parts I, II, III, IV) are not repeated.*

## **Part I: The Benefits of Local Farms & Farmland**

County Profiles of Maine Agricultural Enterprises

<http://www.maine.gov/agriculture/mpd/farmland/mainecountymap.html>

USDA Census of Agriculture

[http://www.agcensus.usda.gov/Publications/2007/Full\\_Report/Volume\\_1,\\_Chapter\\_2\\_County\\_Level/Maine/index.asp](http://www.agcensus.usda.gov/Publications/2007/Full_Report/Volume_1,_Chapter_2_County_Level/Maine/index.asp)

## **Part II: Who Can Keep Farms and Farmland Working?**

Maine Department of Economic and Community Development, List of Potential Partners

[http://www.maine.gov/decd/decd\\_information/links\\_and\\_partners.shtml](http://www.maine.gov/decd/decd_information/links_and_partners.shtml)

Maine Department of Agriculture, List of Food Assistance Programs

<http://www.maine.gov/agriculture/co/tefap/countysearch.html>

Future Farmers of America

[http://www.maine.gov/education/aged/maine\\_ffa/index.htm](http://www.maine.gov/education/aged/maine_ffa/index.htm)

4-H (Maine)

<http://umaine.edu/4h/>

Maine State Grange website

<http://www.maine.stategrange.org/>

Maine Land Trust Network

<http://www.mltn.org/>

Maine Farmland Trust

<http://www.maineFarmlandtrust.org/>

Maine FarmLink Program

<http://www.maineFarmlink.org/>

MFT Farm Viability Program

<http://www.maineFarmlandtrust.org/Programs/FarmViability/tabid/140/Default.aspx>

Maine State Planning Office, Contact Information for Regional Councils and Councils of Government

<http://www.maine.gov/spo/landuse/techassist/regionalcouncilist.htm>

### **Part III: Case Studies: Maine Regions and Towns Supporting Agriculture**

"Threshold To Maine" Resource Conservation and Development (RC&D) Area

<http://www.thresholdtomaine.org/>

Three Rivers Land Trust

<http://www.3rlt.org/>

Unity Barn Raisers

<http://www.unitybarnraisers.org/>

Sebastico Regional Land Trust

<http://www.sebastico.rlt.org/index.shtml>

Monmouth Grows

<http://www.monmouthgrows.com/>

Bowdoinham Department of Community and Economic Development

<http://www.bowdoinham.com/community-economic-development>

U.S. Fish and Wildlife Service, Landowner Incentive Program

<http://wsfrprograms.fws.gov/Subpages/GrantPrograms/LIP/LIP.htm>

Cape Farm Alliance Progress Report

[http://www.capeelizabeth.com/government/bds\\_commissions/ad\\_hoc/future\\_open\\_space\\_preservation/meeting\\_materials/packets/2011/04-08-2011/CFA\\_Final%20Report\\_2008.pdf](http://www.capeelizabeth.com/government/bds_commissions/ad_hoc/future_open_space_preservation/meeting_materials/packets/2011/04-08-2011/CFA_Final%20Report_2008.pdf)

Cape Farm Alliance

<http://www.capeelizabethfarms.com/>

### **Part IV: Tools and Strategies for Supporting Local Agriculture**

#### ***1: Inventories & Information Gathering***

USDA Natural Resources Conservation Service (NRCS) Regional Offices

<http://www.me.nrcs.usda.gov/>

University of Maine Cooperative Extension Regional Offices

<http://extension.umaine.edu/county-offices/>

Maine Office of Geographic Information Systems (MeOGIS)

<http://www.maine.gov/megis/>

Maine Farmland Trust

<http://www.maineFarmlandtrust.org/>



Maine County Soil & Water Conservation Districts  
<http://www.maine.gov/agriculture/narr/soil3.htm>

Maine State Planning Office  
<http://www.maine.gov/spo/>

Maine Department of Agriculture  
<http://www.maine.gov/agriculture/index.shtml>

Maine Regional Planning Commissions  
<http://www.maine.gov/spo/landuse/techassist/regionalcouncilist.htm>

AFT Cost of Community Services  
<http://www.farmland.org/services/fiscalplanning/default.asp>

American Farmland Trust  
<http://www.farmland.org/>

American Farmland Trust Farmland Information Center  
<http://www.farmlandinfo.org/>

IMPLAN Economic Modeling System Software  
<http://implan.com/V3/Index.php>

Planning Decisions, Inc.  
<http://www.planningdecisions.com/>

## ***2: Promotion & Public Awareness***

Monmouth Grows Website  
<http://www.monmouthgrows.com/index.php>

Monmouth Grows On-line Farm Directory  
<http://www.monmouthgrows.com/findus.php>

Bowdoinham On-line Business Directory  
<http://www.bowdoinham.com/business-directory-search-category>

Connecticut's Capitol Region Council of Governments Model Agricultural Regulations  
<http://www.ctplanningforagriculture.com/documents/CRCOGModelRegulations.pdf>

Maine Department of Transportation, Official Business Directional Signs Permitting  
<http://www.maine.gov/mdot/traffic/obds.htm>

Get Real, Get Maine  
<http://www.getrealmaine.com/>

"Threshold To Maine" Resource Conservation and Development (RC&D) Area  
<http://www.thresholdtomaine.org/>

Maine Resource Conservation & Development Areas  
<http://www.me.nrcs.usda.gov/programs/rc&d.html>

Massachusetts Agricultural Commissions Website  
<http://www.massagcom.org/>

Massachusetts Department of Agriculture  
<http://www.mass.gov/agr/agcom>

Maine Agriculture in the Classroom  
<http://www.agclassroom.org/ME/programs/index.htm>

Belfast's Troy Howard Middle School Garden Project  
<http://www.schoolgardenproject.com/>

Kittery School Food Service Program  
<http://www.kitteryschools.org/~nutrition/>

Maine Harvest Lunch  
<http://www.mofga.org/Resources/MaineHarvestLunch/tabid/817/Default.aspx>

Maine Agriculture in the Classroom  
<http://www.agclassroom.org/ME/programs/index.htm>

Maine School Garden Network  
<http://www.msgn.org/>

Maine Farm to School Program  
<http://www.farmentoschool.org/ME/>

Harrison Farmers Market  
<http://www.local-farmers-markets.com/market/2337/harrison/harrison-farmers-market>

Rockland Farmers Market  
<http://rocklandfarmersmarket.org/>

MOFGA Maine Farmers Market Directory  
<http://www.mofga.net/Directories/FarmersMarkets/tabid/352/Default.aspx>

Maine Federation of Farmers Markets (MFFM)  
<http://www.mffm.org/>

MFFM Examples of Market Rules, Bylaws, Discussion Groups  
<http://snakeroot.net/mffm/Resources2.shtml>

Maine Farmers Market Convention  
<http://www.whcacap.org/farm-to-market/farmers-market-convention/index.php>

Massachusetts Sample Town Right-to-Farm Laws  
<http://www.massagcom.org/laws/local.html>



Massachusetts Agricultural Commissions Website  
<http://www.massagcom.org/>

Maine Department of Agriculture, Agricultural Best Management Practices  
<http://www.maine.gov/agriculture/narr/documents/>

Maine Agriculture Protection Act  
<http://www.mainelegislature.org/legis/statutes/7/title7sec153.html>

### ***3: Municipal Tax Programs***

Maine Revenue Service, Property Tax Division, Current Use Programs  
<http://www.maine.gov/revenue/propertytax/propertytaxbenefits/CurrentUseLandPrograms.htm>

### ***4: Farm Support Programs***

Maine Department of Agriculture, Get Real, Get Maine!, Agricultural Resource Directory  
<http://www.getrealmaine.com/index.cfm/fuseaction/home.showpage/pageID/4/index.htm>

University of Maine Cooperative Extension, New Farmers Program  
<http://extension.umaine.edu/new-farmers/>

University of Maine Cooperative Extension, Canning and Freezing Workshops  
<http://umaine.edu/food-health/food-preservation/hands-on-workshops/>

Maine Department of Agriculture, Agricultural Business Development Programs  
<http://www.maine.gov/agriculture/mpd/business/>

University of Maine Cooperative Extension  
<http://extension.umaine.edu/>

Maine Organic Farmers and Gardeners Association (MOFGA)  
<http://www.mofga.org/>

Coastal Enterprises, Inc.  
<http://www.ceimaine.org/>

Slow Money Maine  
<http://www.slowmoneymaine.org/>

### ***5: Municipal Planning & Land Use***

Town of Cumberland Open Space Plan  
<http://cumberlandmaine.com/openspace.pdf>

Town of Sanford Open Space Plan  
<http://www.sanfordmaine.org>

Trust for Public Land, Penobscot Valley Greenprint  
<http://www.tpl.org/publications/books-reports/penobscot-valley-community-greenprint.html>

Maine State Planning Office Publications/Resources  
<http://www.maine.gov/spo/landuse/docs/publications.htm>

Maine State Planning Office, Technical Assistance for Planning  
<http://www.maine.gov/spo/landuse/techassist/index.htm>

Beginning with Habitat  
<http://www.beginningwithhabitat.org/>

Town of Bowdoinham Comprehensive Plan  
<http://www.bowdoinham.com/comprehensive-plan>

Town of Cumberland Comprehensive Plan  
<http://cumberlandmaine.com/ordinances-documents/>

Town of Monmouth Comprehensive Plan  
<http://www.monmouthme.govoffice2.com>

Town of Sanford Comprehensive Plan  
<http://www.sanfordmaine.org>

Town of Turner Comprehensive Plan  
<http://www.turnermaine.com/ordinances.html>

Maine Growth Management Act  
<http://www.mainelegislature.org/legis/statutes/30-a/title30-Ach187sec0.html>

Maine Department of Agriculture & Maine State Planning Office, Agriculture "Resource Packets"  
<http://www.maine.gov/spo/landuse/compplans/planningdata.htm>

Maine State Planning Office, Examples of Ordinances That Support Agriculture  
[http://www.maine.gov/spo/landuse/techassist/ag\\_ordinances.htm](http://www.maine.gov/spo/landuse/techassist/ag_ordinances.htm)

Ordinance Template for Local Authority over Food and Farm Policies  
<http://localfoodlocalrules.files.wordpress.com/2011/03/localfoodlocalrules-ordinance-template.pdf>

"Local Food Local Rules" Website  
<http://localfoodlocalrules.wordpress.com/>

Maine Law on Impact Fees  
<http://www.mainelegislature.org/legis/statutes/30-A/title30-Asec4354.html>

Maine State Planning Office, Impact Fee Guide  
<http://www.maine.gov/spo/landuse/docs/compplanning/impactfeemanual.pdf>

## **6: Non-Regulatory Land Protection**

Maine Farmland Trust, FarmLink Program

<http://www.maineфарmlink.org/>

Land for Maine's Future Program

<http://www.maine.gov/spo/lmf/>

Federal Farm and Ranch Lands Protection Program

<http://www.nrcs.usda.gov/programs/frpp/>

Maine Department of Agriculture, Farmland Protection Program

<http://www.maine.gov/agriculture/mpd/farmland/>

Mainewatch Institute, *Green Development: Balancing Development with Conservation*

<http://www.mainewatch.org/publications-frame.html>





