

Association for the Protection of Rural Metchosin
#1 - 4401 William Head Road, RR#1, Victoria, B.C. V9C 3Y6
November 30 2008

Chair Frank Leonard and Members,
Farm Assessment Review,
P.O Box 9432 Stn. Prov. Govt.,
Victoria, BC V8W 9N6.

Farm Assessments Review--Submission

The Association for the Protection of Rural Metchosin (APRM) is a registered non-profit society established in 1993 dedicated to preserving the quality of rural life and peaceful co-existence of homes, farmlands, diverse livelihoods, forests, natural habitats and trails in our community. Our membership is open to both resident and non-resident friends of rural Metchosin and currently comprises over 200 families. (More information on our objectives and activities can be found at www.aprm.ca.)

The APRM welcomes this opportunity to make a submission to the Panel. Continuation of Farm Status – and its sound administration -- is critical for sustaining our community vision as outlined in our Official Community Plan (OCP). This vision is also enshrined in the Regional Growth Strategy. Farm Status is necessary to ensure that sufficient numbers of people will continue to pursue agriculture on ALR and NON-ALR lands. (Several productive farms in Metchosin are OUTSIDE the ALR.) It is also important in ensuring that these lands continue to provide a range of other services as described further below.

At the outset, we would note that sound policy can only be formulated after clearly specifying the goals it is meant to achieve. Farm Status assessments have important implications for many goals, including (a) to promote farming, (b) to conserve lands for agriculture, (c) to conserve lands for a range of environmental aims, and (d) to ensure a degree of fairness and equity among landowners. It is equally clear, however, that current Farm Assessment policy does not cover all these goals, and, taken alone, cannot achieve all of them. A more comprehensive review is needed of all the policies affecting agriculture and other land uses, to arrive at a more nearly optimal mix of measures. In the light of these considerations, we have the following recommendations.

1. Since the panel's terms of reference are far too narrow to deal with agriculture in general, even to the extent of being prohibited from making recommendations on definition of "farming," we recommend that the panel propose government launch a more comprehensive review of agricultural and related land use policies.

2 Among the precepts taught to medical students is, "First, do no harm." This precept applies equally to policy advisors. The experience in Saanich demonstrates the danger of the adverse unintended consequences of changing assessment practices to conform to

more or less unimplemented policies (introduced in the mid-1990s). Strict enforcement of poor policies may have worse outcomes than continued lax enforcement of such rules.

3. In pursuing its mandate to ensure “fairness and equity,” the panel should demonstrate that any “cures” it proposes are less harmful than the disease. We appreciate that a major – perhaps the major – reason for calling the panel on BC Assessment practices was to respond to public perceptions of cheating and freeloading using farm taxes. Such perceptions may be exaggerated in the peri-urban areas, where suburbanites next to farms are often irritated by farm noises and smells and complaints about wandering pets, etc. One important element in addressing this issue would be to estimate the “tax losses” associated with previous assessment practices.

4. In the event that “cheating” is less pervasive and important than perceived by members of the public in the peri-urban areas, consideration should be given to publicising the facts and educating the public on them.

5, While the panel is required to recommend how assessment can be applied in a “streamlined and simple” manner, streamlining and simplicity may also generate unintended adverse consequences. This is clear in the case of Saanich, where the assessment teams failed to take account of the complexities involved even in the present restrictive list of farm uses. One measure that might help to simplify decisions, and certainly reduce chances of adverse unintended consequences, would be to make agricultural use (not residential use) the “default” classification on ALR lands in the peri-urban areas.

6. The panel should assess whether BC Assessment Authority staff has the requisite background, and has been provided with the appropriate training, to perform their tasks adequately.

7. The panel has been asked to examine the income thresholds for determining Farm Status. Until the more thorough review of farm and land policies recommended above is carried out, we hope the panel will recommend no increase in the present limits. Certainly, raising the thresholds would “simplify” assessment tasks: there would be fewer properties to assess for farm taxes. Such “simplicity” must be avoided. The present “low” income thresholds allow survival of many smaller mixed farms that provide many of their own inputs (fertilizer, seeds, food for the table, etc. etc.), and a whole variety of social and environmental benefits (more on this below). In many cases, their measured primary production may be substantially less than that of a “specialist” farm that produces one item, say, onions, and purchased all inputs. Eliminating the tax advantage for the small mixed operations would in many cases soon lead to elimination of any farming on those lands, to be replaced by large houses fronted by extensive lawns with a pony in their backyards.

8. Based on public information on the assessment review website, we are concerned that panel members seem to have minimal personal experience of small-scale peri-urban agriculture. We would therefore request panel members to pay special attention to

understanding the peri-urban agricultural situation – and the situation of small farms -- and to examine every recommendation through the lens of small-scale peri-urban agriculture, not just the large producers. We feel sure, with good will and extra effort, panel members can make recommendations that support, not impede, small-scale farming.

9. Please issue a draft final report on which the public can comment. This might go a long way towards arriving at a result that meets the desires of all stakeholders.

As background to our recommendations, we would add the following notes.

The definition of farming and “unused land”

--The BC Assessment Website states, in part,

“What if only a part of my property is farmed?”

Unused land in the Agricultural Land Reserve (ALR) may qualify for farm class if part of the parcel is farmed. To qualify, the owner must certify that the unused area is being held for primary agricultural production. Certification forms are available here or at your area BC Assessment office. If the property is not in the ALR, the non-farmed portion will be classified according to it’s use and zoning.”

--If such partial assessment is to continue, the interpretation of farm “use” should be clarified and augmented over the current list. For example, maintaining substantial buffers between different crops, or with other properties (especially in the case of organic producers) is critical to some enterprises. With encroaching suburban residences, treed buffers should be considered “agricultural.” In many cases, forested areas provide seasonal grazing and shelter for livestock, a source of firewood, as well as preserving natural habitat for a variety of species, including those that prey on farm pests and reduce the need for pesticides. Sound assessment practice requires that these factors be clearly understood by assessors. This was patently not the case in some Saanich properties.

Importance of Non-Agricultural Production Values now supported by Farm Status.

Primary agricultural production provides a very limited estimate of the social value of lands with Farm Status. Other values include preserving the benefits of greenspace, preserving diverse livelihoods and communities, maintaining local agriculture for food security and providing for “niche” markets (e.g., organic produce and non-industrial foodstuffs), infiltration into the aquifer, educational value of exposing urban children to agricultural production, and the amenity to the larger region of retaining open working agriculture and green space. Many of these values have received de facto support from past (“lax”) administration of Farm Assessment rules. That laxity should not be “corrected” unless and until the definitions of farming, and measures for protection of other values, have been reviewed and implemented

Special characteristics of the peri-urban areas.

--The main competitor for agriculture in peri-urban areas is residential (and associated commercial and industrial) development. Residential and associated urban uses have

assessed values many times farm values – or values of other primary activities present in well outside the urban periphery. Since most small farms in the peri-urban area are at the minimum lot size allowed by local zoning, many farm families, confronted with the massive tax increases arising from strict and narrow enforcement of existing policies will be forced to sell out and move – accelerating removal of land from farming.

--Measures are required to remove the speculative gains from taking land out of the ALR in the peri-urban areas. Skilled speculators are undoubtedly “gaming the system” by maintaining some farm activity and farm taxes until such time as they can remove lands from the ALR and realise the gains from urban development. On any reasonable definition, this should be considered “inequitable and unfair.” Ideally, all excisions from the ALR should be prevented. Short of that measure, government should aim to recover all past tax advantages when the land use is changed to non-agriculture. Recommendations on this issue may lie beyond the scope of the panel’s terms of reference, but mention of the issue could be included in recommending a more general policy review.

Farm Income Thresholds and Non-farm Income

We are concerned that attitudes towards persons with non-farm incomes may prejudice support for small farming, and be used as an argument for raising farm income thresholds. Farming in most areas – even including some “large” operations – often fails to provide incomes sufficient to sustain families without off-farm employment. This is especially true in the peri-urban areas, where land available for farming is scarce, land is expensive, and there are many opportunities for off-farm employment. The fact that farm income is only part of total income should not obscure the fundamental importance of keeping the land agricultural, or imply that thresholds should be raised.

Finally, we would be remiss if we failed to mention our concern that government seems to be making life much more difficult for small farmers (e.g., introducing unnecessary slaughter regulations) even as government trumpets its support of local agriculture. I hope that your panel will seek to facilitate, not impede, small-scale agriculture in the peri-urban areas.

Yours sincerely,

Derek Wulf
President

cc. Mayor and Council, District of Metchosin
Mr. John Horgan, MLA for Malahat-Juan-de-Fuca
Ms. Maurine Karagiannis, MLA, Esquimalt-Metchosin