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NATIONAL AGRICULTURAL LAND POLICY ACT

GOVERNMENT

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON FAMILY FARMS, RURAL
DEVELOPMENT, AND SPECIAL STUDIES

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

FIRST SESSION

ON

H.R. 5882

JUNE 15 AND 16, 1977

Serial No. 95-L



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NATIONAL AGRICULTURAL LAND POLICY ACT

WEDNESDAY, JUNE 15, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON FAMILY FARMS,
RURAL DEVELOPMENT, AND SPECIAL STUDIES
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2 p.m., in room 1301, Longworth House Office Building, Hon. Richard Nolan [chairman of the subcommittee] presiding.

Present: Representatives Breckinridge, Harkin, Panetta, and Grassley.

Also present: Representative James Jeffords, member of the full committee.

Staff present: Christine D. Abram, clerk; Steve Adams and James W. Swiderski.

Mr. NOLAN. The Subcommittee on Family Farms, Rural Development, and Special Studies will come to order.

Today we will discuss H.R. 5882. We have some 14 witnesses. Tomorrow we have about 18 witnesses. We have had to turn away an equal number of witnesses because time simply does not permit all of the people interested in this legislation to testify. We do think that we have a good cross-section and sample of interested parties to present their views on this and related legislation. There is an enormous amount of interest in this proposal.

I will ask each of the witnesses to please limit their oral testimony to 5 minutes. We have a lighting system, and when you see that light go on that means your 5 minutes are up. I will not have to embarrass you and you will not have to embarrass me if you will see to it that you confine your remarks to that 5 minute period.

Unless we do that, there will not be time for any questioning and the many witnesses that we have scheduled will not have an opportunity to testify on this bill.

[The bill H.R. 5882 follows.]

H. R. 5882

MARCH 31, 1977

Mr. JEFFORDS (for himself, Mr. DICKS, Mr. CORRADA, Mr. BAUCUS, Mr. LONG of Maryland, Mr. ROSE, Mr. RICHMOND, Mr. GLICKMAN, Mr. AKAKA, Mr. PANETTA, Mr. FRASER, Mr. MADIGAN, Mr. WIRTH, Mr. WEAVER, and Mr. BLOVIN) introduced the following bill; which was referred to the Committee on Agriculture

To establish a national policy concerning agricultural land; to establish an Agricultural Land Review Commission; to establish a demonstration program for protecting agricultural land from being used for nonagricultural purposes; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National Agricultural
4 Land Policy Act".

FINDINGS AND PURPOSES

6 SEC. 2. (a) The Congress hereby finds that—

(1) the maintenance of a high level of productivity
from agricultural land is essential to provide adequate

1 and affordable food supplies for domestic consumption,
2 for exportation which will help offset rising import costs
3 of foreign oil and other products, for emergency and
4 humanitarian purposes, and for a stable agricultural
5 economy in the United States;

6 (2) despite a history of increasing yields per acre,
7 further increases in agricultural production—

8 (A) cannot be projected because of changing
9 weather patterns, soil erosion, air pollution, competi-
10 tion for water, genetic vulnerability, increased costs
11 and scarcities of fuels and fertilizers, and other fac-
12 tors; and

13 (B) will depend on the amount, quality, loca-
14 tion, and financing of agricultural land;

15 (3) each year between two and three million acres
16 of land are being converted from agricultural uses to
17 nonagricultural uses which is an alarmingly high con-
18 version rate since the United States only has a cropland
19 reserve of one hundred and eleven million acres of which
20 only twenty-four million acres is immediately convertible
21 to tillage;

22 (4) urban and industrial encroachment in high
23 quality agricultural areas affects agricultural yields
24 through air pollution and competition for water;

25 (5) poor use of agricultural land results in soil

1 erosion, low water tables, oversalinity of soils, depletion
2 of natural soil constituents, and other yield-decreasing
3 effects; and

4 (6) for these reasons, the Federal Government
5 must establish a national program to help farmowners
6 and farm States protect their agricultural land.

7 (b) It is, therefore, the purpose of this Act—

8 (1) to establish a national policy of retaining, pro-
9 tecting, and improving agricultural land, and to insure
10 that all activities of the Federal Government are in har-
11 mony with this policy;

12 (2) to establish a commission (A) to study agri-
13 cultural land, especially the quantity, quality, location,
14 and financing of agricultural land, (B) to study the re-
15 lationship of agricultural land as a national concern to
16 other national concerns (including energy, the economy,
17 urban growth and development, foreign relations and
18 trade, and humanitarian aid), and (C) to recommend
19 to the President and each House of the Congress various
20 methods of accomplishing the national policy described
21 in paragraph (1); and

22 (3) to establish a program which will provide
23 technical and financial assistance to States and political
24 subdivisions of States to carry out pilot projects for
25 the purposes of—

1 (A) encouraging such States and subdivisions
2 to experiment with a variety of methods for protect-
3 ing agricultural land in areas where such land is
4 being converted to nonagricultural uses at a high
5 rate;

6 (B) providing the commission described in
7 paragraph (2) with information concerning methods
8 of reducing the amount of land which is annually
9 being converted from agricultural uses to nonagri-
10 cultural uses; and

11 (C) demonstrating practicable methods of re-
12 ducing the amount of land which is annually being
13 converted from agricultural uses to nonagricultural
14 uses.

15 TITLE I—OBJECTIVES

16 NATIONAL AGRICULTURAL LAND POLICY

17 SEC. 101. (a) The Congress, recognizing the importance
18 of high levels of agricultural productivity to the economy,
19 to the quality of the environment, to human health and wel-
20 fare, and to the position of the United States as an inter-
21 national food-producing leader, declares that it is the policy
22 of the Federal Government, in cooperation with the gov-
23 ernments of the States and political subdivisions of States,
24 to use all practicable methods to retain, protect, and improve
25 agricultural land.

26 (b) In order to advance the policy described in subsec-

tion (a), it is the responsibility of the Federal Government to use all practicable methods consistent with other considerations of national policy—

(1) to reduce the amount of land which is annually being converted from agricultural uses to nonagricultural uses;

(2) to limit the encroachment of industrial activities in high-quality agricultural areas if such activities deprive croplands of needed water or produce yield-reducing air pollution;

(3) to encourage optimum use of agricultural land for maximum yields;

(4) to include in environmental impact statements under the National Environmental Policy Act of 1969 an assessment of the effects of major Federal actions on agricultural land;

(5) to inventory, assess, and evaluate the Nation's farmland on a continuing basis in order to assure that public and private decisions are made on an informed basis;

(6) to cooperate with the States and political subdivisions of States in retaining, protecting, and improving agricultural land; and

(7) to require that all activities which are carried out by a department or agency of the United States and

1 which affect agricultural land be coordinated and im-
2 proved in order to protect such land.

3 TITLE II—RESEARCH PROGRAM

4 AGRICULTURAL LAND REVIEW COMMISSION

5 SEC. 201. (a) There is hereby established a commission
6 to be known as the Agricultural Land Review Commission
7 (hereinafter in this Act referred to as the "Commission").

8 (b) The Commission shall be composed of twenty-three
9 members. Such members shall be appointed, within ninety
10 days after the date of enactment of this Act, as follows:

11 (1) Six members of the Agriculture, Nutrition, and
12 Forestry Committee of the Senate, three appointed by
13 the majority leader of the Senate and three appointed
14 by the minority leader of the Senate.

15 (2) Six members of the Agriculture Committee of
16 the House of Representatives, three appointed by the
17 majority leader of the House and three appointed by the
18 minority leader of the House.

19 (3) Eleven appointed by the President from among
20 persons who are not officers or employees of the Federal
21 Government and who are knowledgeable of and particu-
22 larly interested in the protection of agricultural land.
23 Seven of the eleven shall be officers of a State or a politi-
24 cal subdivision of a State, and four of the eleven shall
25 not be officers or employees of any government and shall

1 include two persons who are engaged in activities which
2 produce agricultural commodities. The eleven shall be
3 selected to represent a geographical cross section of the
4 United States. No more than six of the eleven may be
5 members of the same political party.

6 (c) The Chairman and Vice Chairman of the Commis-
7 sion shall be designated by the President from the eleven
8 members he appointed under subsection (b) (3).

9 (d) Members of the Commission shall be appointed for
10 the existence of the Commission.

11 (e) A vacancy in the Commission shall be filled in the
12 manner in which the original appointment was made.

13 DUTIES

14 SEC. 202. (a) The Commission shall study—

15 (1) the quantity, quality, location, and financing
16 of agricultural land in the United States;

17 (2) the relationship of such land to the supply
18 and demand of food and to the production of food;

19 (3) the effects of urbanization, industrial develop-
20 ment, and other nonagricultural activities on this land;

21 (4) the effects of climate predictions, agricultural
22 technology, air pollution, genetic vulnerability, soil sa-
23 linity, environmental regulations, fertilizers, and fuels on
24 productivity of agricultural land;

1 (5) the acquisitions of agricultural land by persons
2 who are not engaged in activities which produce agri-
3 cultural commodities (including acquisitions by agricul-
4 tural land investment funds) and the effects of such ac-
5 quisitions on agricultural production;

6 (6) methods of protecting and improving agricul-
7 tural land and the benefits of such methods with respect
8 to their costs; and

9 (7) methods of reducing the amount of land which
10 is annually being converted from agricultural uses to
11 nonagricultural uses.

12 SEC. 202. (b) (1) In order to obtain information for
13 the study described in subsection (a), the Commission is
14 authorized to enter into contracts or agreements for studies
15 and surveys with public and private organizations and, if
16 necessary, to transfer funds to Federal agencies from sums
17 appropriated pursuant to this Act to carry out such aspects
18 of the study as the Commission determines can best be carried
19 out in that manner.

20 (2) A grant made under this subsection shall be for the
21 costs of carrying out the research activities for which the
22 grant is made.

1 (3) The Commission may only make a grant to public
2 and private organizations under this subsection if—

3 (A) the research activities for which the grant is
4 made will be completed at least sixty days before the
5 date on which the Commission will cease to exist under
6 section 204; and

7 (B) such organization agrees to provide such fiscal
8 control and fund accounting procedures as the Commis-
9 sion determines are necessary to assure proper disburse-
10 ment and accounting for Federal funds received by such
11 organization under this Act.

12 (d) In determining which research activities are
13 necessary under subsection (b), the Commission shall
14 consider research activities being carried out under other
15 laws of the United States, especially under section 302 and
16 title V of the Rural Development Act of 1972, in order to
17 minimize duplication of research activities.

18 REPORTS OF THE COMMISSION

19 SEC. 203. The Commission shall transmit to the Presi-
20 dent and to each House of the Congress, within eighteen
21 months after the date of enactment of this Act, a preliminary
22 report of its findings and conclusions concerning the study
23 described in section 202 and, within three years after such
24 date, a final report of its findings and conclusions concerning

1 such study and the research activities carried out under this
2 title. The preliminary and final reports shall also include
3 recommendations of the Commission concerning—

4 (1) modifications in policies, programs, and laws of
5 the United States, the States, and political subdivisions
6 of States which are necessary to prevent agricultural land
7 from being used for nonagricultural purposes; and

8 (2) coordination of activities which are carried out
9 by a department or agency of the United States and
10 which affect agricultural land, including activities such as
11 issuing permits, making grants or loans, and carrying
12 out programs.

13 **TERMINATION**

14 **SEC. 204.** Thirty days after the date on which it sub-
15 mits its final report under section 203, the Commission shall
16 cease to exist.

17 **PAY AND TRAVEL EXPENSES OF MEMBERS**

18 **SEC. 205.** (a) Members of the Commission who are
19 Members of Congress shall receive no additional pay on
20 account of their service on the Commission.

21 (b) Members of the Commission, other than those
22 referred to in subsection (a), shall receive \$100 for each day
23 (including traveltime) during which they are engaged in
24 the actual performance of duties vested in the Commission.

25 (c) While away from their homes or regular places of

1 business in the performance of services for the Commission,
2 members of the Commission shall be allowed travel expenses,
3 including per diem in lieu of subsistence, in the same man-
4 ner as persons employed intermittently in the Government
5 service are allowed expenses under section 5703 (b) of title
6 5, United States Code.

7 ADMINISTRATIVE PROVISIONS

8 SEC. 206. (a) The Commission may appoint such staff,
9 including a Director, as it deems desirable without regard
10 to the provisions of title 5, United States Code, governing
11 appointments in the competitive service. The Commission
12 may pay such staff without regard to the provisions of
13 chapter 51 and subchapter III of chapter 53 of such title,
14 relating to classification and General Schedule pay rates,
15 except that no individual so appointed may receive pay in
16 excess of the annual rate of basic pay in effect for grade
17 GS-18 of the General Schedule.

18 (b) (1) The Commission shall establish an advisory
19 committee consisting of twelve State Governors, nominated
20 by the National Governor's Conference and appointed by
21 the Commission, and may establish such other advisory
22 committees as the Commission deems necessary. Any ad-
23 visory committee established under this subsection shall cease
24 to exist at the same time the Commission ceases to exist
25 under section 204.

1 (2) The Commission may fix the rates of pay, not in
2 excess of \$100 per day, of members of an advisory commit-
3 tee established under paragraph (1), except that members
4 of the committee consisting of State Governors shall receive
5 no additional pay on account of their service on such
6 committee.

7 (3) Members of an advisory committee established
8 under paragraph (1), while away from their homes or
9 regular places of business in the performance of their duties
10 for such committee, may be allowed travel expenses, includ-
11 ing per diem in lieu of subsistence, in the same manner as
12 persons employed intermittently in the Government serv-
13 ice are allowed expenses under section 5703 (b) of title 5,
14 United States Code.

15 (c) The Commission may procure temporary and inter-
16 mittent services to the same extent as is authorized by section
17 3109 (b) of title 5, United States Code, at rates of pay which
18 are fixed by the Commission and which do not exceed \$100
19 per day.

20 (d) Upon request of the Chairman or Vice Chairman
21 of the Commission, each department, agency, and instrumen-
22 tality of the United States shall furnish to the Commission, on
23 a reimbursable basis or otherwise, such information as the
24 Commission deems necessary to carry out its duties under
25 this Act. The Commission may request that the departments,

1 agencies, and instrumentalities of the States furnish, on a
2 reimbursable basis, such information concerning agricultural
3 land as the Commission deems necessary to carry out its
4 duties under this Act.

5 (e) Upon request of the Commission, the head of any
6 Federal agency may detail, on a reimbursable basis, any of
7 the personnel of such agency to the Commission to assist the
8 Commission in carrying out its duties under this Act.

9 (f) The Commission may issue subpoenas requiring the
10 attendance and testimony of witnesses and the production
11 of any evidence which relates to any matter studied by the
12 Commission under this title. Such attendance of witnesses
13 and the production of such evidence may be required from
14 any place within the United States at any designated place
15 of hearing within the United States.

16 (g) The Commission may, for the purpose of carrying
17 out the provisions of this Act, hold such hearings, sit and
18 act at such times and places, take such testimony, and re-
19 ceive such evidence, as the Commission deems advisable.
20 The Commission may administer oaths or affirmations to
21 witnesses appearing before it.

22 TITLE III—DEMONSTRATION PROGRAMS

23 PILOT PROJECTS

24 SEC. 301. The Secretary of Agriculture (hereinafter in
25 this Act referred to as the "Secretary") may provide finan-

1 cial and technical assistance for the purpose of demonstrating
2 and testing methods of reducing the amount of land which is
3 annually being converted from agricultural uses to nonagri-
4 cultural uses. Such assistance may be provided to States and
5 political subdivisions of States which have authority to estab-
6 lish and collect property taxes and regulate the use of and
7 acquire land.

8 APPLICATION

9 SEC. 302. Any State or political subdivision of a State
10 willing to carry out under this title a pilot project demon-
11 strating or testing a method of reducing the amount of land
12 which is annually being converted from agricultural uses to
13 nonagricultural uses may submit to the Secretary an applica-
14 tion at such time, in such form, and containing such informa-
15 tion as the Secretary may, by rule, require. Such application
16 shall contain a description of the pilot project.

17 APPROVAL OF APPLICATIONS

18 SEC. 303. (a) The Secretary shall establish and publish
19 in the Federal Register criteria on the basis of which appli-
20 cants will be selected to receive assistance under this title.
21 Such criteria shall give priority to applicants who submit
22 applications to carry out pilot projects which—

23 (1) will provide, at a low cost, timely informa-
24 tion and will be useful to the Commission in carrying
25 out the research program under title II;

1 (2) will provide, at a low cost, data concerning
2 agricultural land which is not currently available or
3 which, if currently available, is not reliable; and

4 (3) will assure that the Commission, in carrying
5 out the research program under title II, will have a
6 range of projects to study in terms of (A) geographical
7 location, (B) reducing the amount of land which is an-
8 nually being converted from agricultural uses to non-
9 agricultural uses, and (C) improved utilization of
10 agricultural land.

11 (b) The Secretary may only provide assistance under
12 this title with respect to an application—

13 (1) which he approves under the criteria estab-
14 lished under subsection (a);

15 (2) under which the pilot project described in the
16 application will be completed within five years after the
17 date of enactment of this Act;

18 (3) under which the Secretary has received written
19 assurance from the applicant that the applicant has the
20 ability to finance its share of the cost of carrying out the
21 pilot project described in the application;

22 (4) under which the Secretary is satisfied that the
23 applicant has the capability of carrying out the pilot
24 project described in the application and is satisfied that
25 the applicant will make a good faith effort to cooperate
26 with the Commission; and

1 (5) under which the applicant has agreed to—

2 (A) transmit to the Secretary and the Com-
3 mission, during its existence, such reports at such
4 times, in such form, and containing such informa-
5 tion as the Secretary or the Commission determines
6 is necessary to carry out the provisions of this Act;
7 and

8 (B) provide such fiscal control and fund ac-
9 counting procedures as the Secretary determines are
10 necessary to assure proper disbursement and ac-
11 counting of Federal funds appropriated under this
12 Act.

13 AMOUNT OF ASSISTANCE

14 SEC. 304. (a) The amount of assistance with respect
15 to any pilot project carried out under this title shall be
16 determined by the Secretary and shall not exceed 75 per cen-
17 tum of the cost of planning, carrying out, and issuing re-
18 ports concerning such project. The remainder of such costs
19 shall be provided by the applicant in a manner which the
20 Secretary determines is satisfactory. In determining the
21 share of costs provided by the applicant, the Secretary shall
22 include the value of services provided by the applicant in
23 planning, carrying out, and issuing reports concerning such
24 project.

25 (b) In providing assistance to an applicant under this
26 title, the Secretary may make payments to the applicant

1 as the applicant progresses toward completion of the pilot
2 project.

3 CONSULTATION WITH THE COMMISSION

4 SEC. 305. The Secretary shall consult with the Com-
5 mission in planning and carrying out the demonstration
6 program described in this title.

7 REPORT OF THE SECRETARY

8 SEC. 306. Within ninety days after completion of the
9 last pilot project carried out under this title, the Secretary
10 shall transmit a report to the President and to each House of
11 the Congress. The report shall contain a detailed statement
12 of the findings and conclusions of the Secretary concerning
13 methods of reducing the amount of land which is annually
14 being converted from agricultural uses to nonagricultural
15 uses, together with his or her recommendations for such leg-
16 islation or administrative action concerning such methods as
17 he or she deems appropriate.

18 STATEMENT OF LIMITATION

19 SEC. 307. This Act does not authorize the Federal Gov-
20 ernment to regulate the use of private land or to deprive
21 owners of land of their rights to property or to income
22 from the sale of property and does not diminish in any way
23 the rights and responsibilities of the States and political
24 subdivisions of States.

1 TITLE IV—FUNDING

2 AUTHORIZATIONS FOR APPROPRIATIONS

3 SEC. 401. (a) There are authorized to be appropriated
4 \$15,000,000 to carry out the provisions of title II of this
5 Act.

6 (b) There are authorized to be appropriated \$50,000,-
7 000 to carry out the provisions of title III of this Act for
8 each of the fiscal years ending on September 30, 1978, Sep-
9 tember 30, 1979, September 30, 1980, September 30, 1981,
10 and September 30, 1982.

Mr. NOLAN. At the outset, I would like to inform each of you that the full text of your testimony and remarks will appear in the record.

So, at this point I will ask unanimous consent for that and without objection it is so ordered.

Our first witness is the Honorable James Jeffords. He has an enormous amount of interest in this proposal. He is an intelligent, hard-working, and distinguished Member of Congress.

Mr. JEFFORDS. Thank you, Mr. Chairman.

STATEMENT OF HON. JAMES JEFFORDS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VERMONT

Mr. JEFFORDS. Mr. Chairman, I want to express my thanks to you and other subcommittee members for scheduling these hearings, I am most appreciative for the opportunity to testify here today.

This hearing, on H.R. 4569, the Agricultural Land Policy Act, is one of those rare occasions in the Congress when the opportunity to address a serious problem is available to us in advance of the time when that problem has become a crisis. In response to recent dramatic losses of actual and potential U.S. farmland to other land uses—a problem recognized as serious by responsible State, local, and Federal officials as well as farmers themselves—the Agricultural Land Policy Act asks Congress to do three things. First, it makes it clear to Federal program administrators that farmland is an important national resource, and that they should avoid whenever and wherever possible the inadvertent destruction of this resource. Second, the bill asks that a Commission be established to study the problem of farmland loss and to relate its findings to various aspects of food production, including its importance to our national economy, to our diplomatic posture, and to humanitarian concerns in a hungry world. Third, the bill asks that the Federal Government encourage demonstration projects undertaken by local and State governments in their efforts to find effective and equitable ways to stem the loss of cropland to nonagricultural uses. These efforts would, in turn, constitute an important body of information for the Commission to evaluate.

The Agricultural Land Policy Act is a modest bill, in its policy requirements and in its dollars, but not because the problem is small. The problem of food, and the land to grow it on, in a world where population may soon overtake its agricultural productive capacity, is anything but small. Rather, the bill can be modest in its purposes, and in its effects because we are somewhat in advance of the time when there will be an outcry for action at any cost, when the issue will become insoluble, when action will be so suddenly necessary that the risk of serious legislative error is high.

Instead, the bill we are dealing with today is deliberative and cautious in its approach. I wish to make that point quite clear, even at the risk of failing to be persuasive about the urgency of coming to grips with an extremely worrisome national issue. An ancillary aspect of this point is that this bill is neither in fact, intention, or implication, any kind of land use bill dressed up in overalls. I hesitate to raise this point for fear of creating anxiety where none may have existed. But we have been concerned about this, and we do not

wish to be misunderstood. Our subject is land, but our object is not to dictate its use. It is to determine the nature of the problem confronting us, and to determine what, if anything, the Federal Government should do about it.

That said, I should like to share with you some of the concerns that I, and the many cosponsors of this bill, have about agricultural land in the United States.

Recent Soil Conservation Service research shows that some 5 million acres of rural land are being converted to urban uses, are isolated by development, or are inundated by new water supply projects every year. A third of these acres lost every year are valuable cropland, which must be replaced from a cropland reserve that is smaller than anyone suspected—a third of 1967 estimates. In fact, 80 percent of usable cropland in the United States—400 million acres—is already in cultivation. As for the reserves, the high quality land amounts to only 24 million acres—an amount that, at current rates of conversion, isolation, and inundation could be depleted in as little as 14 years.

The significance of these findings is that for the first time crop abundance, not the amenity value of the land upon which crops are grown, becomes of critical importance.

Yields per acre have been leveling off in recent years, and may remain erratic, if not actually declining, due to a variety of climatological, ecological, and materials supply difficulties. Yet tonnage demands for export are suddenly an urgent concern. In 1972, for the first time since World War II, worldwide food production declined in the face of continuing exponential population growth in the Southern Hemisphere. Meanwhile, in the United States, crop surpluses for export are essential to counterbalance rising costs for imported oil. Today, agricultural exports are the largest single export category—20 percent of total. Since increases in yields per acre cannot confidently be projected, then the acres themselves become important—as the irreducible prerequisite for continuing high levels of production.

Most States have already begun to recognize the value of retaining agricultural land. Forty-two of them have preferential assessment laws on the books, in the hope of keeping farmland in farm use. Yet many have suspected that this technique helps the land speculator without really protecting farm land. Now, an authoritative study published by the Council on Environmental Quality, confirms that tax breaks alone simply do not work. Several States and localities evidently agree. In New York, New Jersey, Iowa, and California, among other places, efforts have been mounted to stem cropland loss by more direct means—through farmland districting or the purchase, by public authorities, of deeded partial interests in farmland.

A spontaneous upwelling of concern about farmland loss, and a willingness to experiment with new approaches to protect it, has appeared in many areas throughout the country. More and more State and local governments are considering various approaches, some of which will be described in this hearing.

Yet, among Federal-level policymakers, only a few realize the crucial implications of the loss of farmland. Like the energy crisis before it, the loss of farmland has lacked a basic understanding of what

it is: One of the most compelling natural resource conservation issues in the postwar era.

The immediate problem is the direct displacement of productive agricultural land by housing, office buildings, factories, commercial development, and public works projects.

But the "hidden problem" may be even more alarming. It is possible that direct displacement of agricultural land may be controlled fairly straight-forwardly. An example: The "prime lands" amendment to the recent strip-mining bill which would control the mining operations in areas with more than 10 percent "prime" agricultural land. But this and other measures may not affect the hidden problem. In addition to this, there currently is and will continue to be intense competition, for water between agriculture and urban interests throughout the Western part of the United States this will intensify as time goes on and is an area that should be closely studied by the Commission proposed in this bill. The problem can be understood when it is seen that agriculture requires more than agricultural land. Agriculture is a system which includes, besides land, the products, services, and institutions that belong peculiarly to an agricultural economy but can be distorted by an overlay of urban or industrial development.

Even if only a few farmers are physically displaced, remaining farm operations can be weakened to the extent that products and services become less available and more costly due to reduced sales and income for their purveyors, feed and seed suppliers' costs go up. Banks once willing to make high-risk agricultural loans may be persuaded to put less money into farms and more into industrial or residential development. As even the most countrified urbanization or industrialization takes place, the cost of public services demanded by new nonagricultural land users may be difficult for farm operators to bear. For example, assessments for paving, sewers, and the like calculated on linear feet of road frontage require the farmer to pay a disproportionate share of the cost. More farmers are persuaded to sell out, if they can, encouraging new development and sending land prices into a new upward spiral. Soon, even though farm properties may be taxed on farm-use rather than on development value, the stakes easily get high enough to make such a tax break meaningless—at least theoretically. For a lucky few, the choice is between retiring to Florida and foregoing a tax break, or keeping the tax break and continuing to work 7 days a week. For the rest, they can wind up not having their cake or eating it either.

It doesn't take long before the agricultural ambience as well as the economy has changed enough for a decisive "impermanence syndrome" to set in. The farmers stop making needed improvements on their farms. A row of drain tiles goes uninstalled, a barn roof unmended, a new tractor unbought. Soon, all but the bitter-enders are gone. A few to Florida, more to offices, mines, or mills. Vacant, farmable land abounds, but no crops grow. The area, neither really urban and industrial or really rural, wastes land.

And what of it? Each week 35,000 productive farmland acres are lost—enough to feed 100,000 Africans, Asians, or Latin Americans for an entire year. The loss is permanent, and it is cumulative.

In conclusion, I should like to suggest that we are dealing with two problems in this hearing. The first is a practical one: What can we do about the loss of farmland. The second is an ethical one. We have a responsibility to those who come after us in the Nation, and to all the peoples of the world, to protect and conserve what is acknowledge as the greatest body of prime agricultural land on the face of the earth. It is important in these deliberations that in our efforts to deal with the pragmatic we do not overlook the moral imperatives imposed on us as stewards of this vital resource.

We have such conflicting policies within our Federal agencies that we must have this kind of commission created. The commission would insure that policies are coordinated on a wide basis, and not pursued separately by individual departments who are concerned over the situation.

Second, in addition to what I've said here, there are other reasons why this bill should go through, rather than allowing the administration to try to tackle the problem.

First, we must focus national attention on this issue. It is important that the country be forced to recognize, by the creation of this commission, how serious this situation is. Next, I think this bill is important because it can accomplish more than the administration can. I am certainly opposed to anything that would be created unnecessarily, regarding commissions and so on, but we have to give some assistance to the States. This bill would do that. It will give them some funds to help them create experimental and creative programs in areas of need, for it is the States that must handle this problem. The Federal Government can handle the problems of inter-agency contravening policies, but it is the States that must really deal with the problems of saving this land.

Finally, having just returned from hearings in the West and talking with people out there, I recognize that there is another critical problem relating to the loss of agricultural land. It is competition for the use of the waters in the West. We must do something about the policy out there, and try to find out where we are headed in this matter—this bill should address this situation specifically, if it does not already. What is going to happen is: The cities are going to demand more and more water, and less and less water is going to be available for irrigation. There is land available in the West—but only through irrigation—and this is going to cause a further reduction, not only of land presently used for agricultural purposes, but also of land which now is considered available as a surplus, but which will not be available in the future, because no water will be there to irrigate it.

Mr. Chairman, if I may, I would like to again thank you, and the members of the committee, for being here, and for listening to these people who are here to back up our assertions, and your belief, that this is a critical problem which must be addressed today.

Mr. NOLAN. I thank the gentleman from Vermont very much for recognizing the importance and significance of this matter. He has reminded the country of the critical implications of our failure to address this problem.

I have no questions at this time. I will reserve mine.

Are there other members who would like to question at this time?

Mr. BRECKINRIDGE: I have no questions, Mr. Chairman. I want to thank the gentleman for his contribution. We want to welcome him to the subcommittee.

Mr. JEFFORDS. Thank you.

I have papers that were collected in a workshop on this subject, held by the Library of Congress earlier this spring, and I would ask that they be included in the file of this record for the committee's use.

Mr. NOLAN. Without objection, so ordered.

[The material referred to above is held in the committee files.]

Mr. NOLAN. If there are no other questions, we thank you.

To introduce our next witness, I want to call upon a Member of the Congress, who, although not a member of the Agriculture Committee, has throughout his 3 years of service demonstrated a strong interest in agricultural matters and agricultural legislation. This committee is always grateful for the input and the interest that non-committee members show in this committee.

So it is with a certain amount of pride that I introduce Congressman Toby Moffett from Connecticut to introduce our next witness.

Mr. MOFFETT. Thank you, Mr. Chairman.

Mr. Chairman, and members of the subcommittee, I would like to congratulate the gentleman for his presentation and for his work on this issue. I also want to thank you, Mr. Chairman, for allowing me to make this introduction. I think that its not always clear that Connecticut has an important stake in the issue that is before you today. It is especially true when we talk about preserving agricultural land and when we recognize Connecticut's proximity to New York City and realize what that does to land values and what that does to the pressure for development. It is extraordinarily important that committees like this obtain input and opinions from the people of Connecticut and also from the administration. I might add that I am, at least initially, very pleased by the change in attitude that the administration is showing toward family farms in our part of the country and by the concern that our former colleague, Bob Bergland, is showing in this regard.

When we talk about this issue in Connecticut, we look for leadership to our commissioner of Agriculture, George Wilber. It is Commissioner Wilber who I would like to introduce to the subcommittee today. I would also point out that he is a very good friend of mine and someone that I look to constantly for advice, just as I look to the chairman for advice on agricultural matters. I hope you treat him well and I am sure you will enjoy what he has to say.

He will introduce the guest who is with him as well.

Mr. NOLAN. Thank you for that introduction. You may proceed.

[The prepared statement submitted by Mr. Wilber follows.]

Wednesday, June 15, 1977

H.R. 5882

Statement of: George M. Wilber, Commissioner
Connecticut Department of Agriculture

Thank you, Mr. Chairman. I am George M. Wilber, Commissioner of the Connecticut Department of Agriculture, and former dairy farmer from Connecticut's Litchfield County.

I wish to express my gratitude for the opportunity to make a presentation in support of H.R. 5882; which I believe to be a challenging concept that could render much good across this great nation.

Connecticut has been concerned with land use for many years. Our deepest concern is for agricultural land preservation in order to protect our three million consumers on three million acres from a possible food shortage. In Connecticut our basic research has been accomplished; our inventory of farm lands completed; and we are ready to move. This bill has the potential of establishing the first full-scale agricultural land preservation scheme in the U.S. because, if money is available, our plan is ready.

Let me review the work done in Connecticut since the latter part of 1973, and talk a little bit about the Governor's Task Force for the Preservation of Agricultural Land, which prepared our Land Preservation Program.

The genesis of the Task Force occurred during the latter part of 1973, and the early part of 1974, with the

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then Governor Thomas Meskill and the state's agricultural leadership looking into the whole question of land preservation for agricultural production purposes. In late 1973 and early 1974, an ice storm, the energy crisis, and a truckers' strike led to a realization that when food that is normally brought in from the outside is cut off due to weather, strike, lack of fuel, etc., shelves are rapidly emptied. A conservative guess concerning our food supply in Connecticut suggests that if all imports ceased at a given moment in time, there would be only about a two weeks' supply; and that time frame would be decreased because of hoarding. If this calamity were to appear during the fall, winter or spring, when our farmers are not able to produce, the situation would be desperate. It was for these reasons that Governor Meskill put together in April of 1974 the Governor's Task Force for the Preservation of Agricultural Land and Governor Grasso has continued this Task Force during her administration.

As time goes by we are becoming more aware of the potential for a critical situation to evolve. The following reasons are given as arguments in favor of agricultural land preservation----Less than four percent of the total population produces the food for the rest of us, and this number continues to shrink. The land on which our food is grown is also shrinking. Water supplies are becoming extremely critical due to drought. Agricultural leaders and scientists are

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also concerned over the transporting of food over long distances, as a result of the energy situation.

We can draw an uncomfortable parallel between what has happened in energy and what could happen to our food supply. The Task Force noted that because Connecticut has no oil wells, refineries or deep water ports, we are totally dependent upon somebody else outside the borders of the state for our energy requirements. This is proving to be extremely costly to our citizens. In the case of oil, we have little choice because we just don't have any. However, this is not the case as far as food is concerned. Connecticut is rich in good farmland---richer still in its resources of capable men and women who not only love the land, but are extremely efficient in working their agricultural acreage.

Connecticut farmers are capable managers of capital, labor and scientific technology. In this urban state of three million people on three million acres, we long ago culled out the marginal producers to the point that those who remain are dedicated, professional food producers that provide our citizens with one-third of our food needs in season. It is true that Connecticut will never be totally self-sufficient regarding our food needs, but if we can preserve the remaining arable acres, we will not only continue to produce the present one-third figure, but can potentially and dramatically increase this amount by planting food crops on the now fertile acres being utilized for tobacco, nursery and other horticultural crops.

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Connecticut Department of Agriculture

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In December of 1974, following the intensive nine-month study by the Governor-appointed Task Force, it was concluded that of the 500,000 acres left for food production needs, 325,000 should be permanently preserved by the method of state purchase of development rights. This 325,000 acreage figure would include the 162,000 tillable acres which represents the total remaining arable land. The Task Force concluded in its final report that it would be sheer folly and totally irresponsible for the leadership of Connecticut to allow a further erosion of our food-producing capabilities. The Task Force was struck by the urgency of the needs; and along with its final report, they submitted the necessary implementing legislation. Because of the fiscal uncertainties that faced the Legislature, the bill was not adopted; but a state-wide agricultural inventory was approved and completed.

We believe that we are at the break-even point and that any further loss of farms will make it impossible for a substantial amount of food to be produced in this state for our consumers. Should this occur, we expect higher prices with the final crisis being that we will simply run out of food.

As the Task Force pursued its research, we discovered additional problems that must be resolved if we are to perpetuate our food-producing capabilities. There isn't much point in preserving our valuable agricultural acres

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if, for economic reasons, our farmers cannot survive and are forced to sell out. This is happening at an increasingly alarming rate here in Connecticut.

One of the serious problems facing Connecticut farmers is the instability of land ownership. For example, 60 percent of the corn grown for silage is planted on acreage not controlled by farmers. It is important that this rented land be brought into an agricultural preserve as it represents some of our prime agricultural acres.

In addition, land values have become completely unrealistic. Our Connecticut farm families are faced not only with unrealistic land values, such as \$8,000 to \$10,000 an acre in some areas; but many other inequitable cost factors that would cause a manufacturing executive to throw up his hands and throw in the towel.

Foreign subsidized meat and dairy product imports compete unfairly with our domestic products. Arbitrary freight rates discriminate against our Connecticut farms, causing the already high-priced grains and fertilizers to be almost out of reach. A foreign policy that demands that feed grains become our chief exportable commodity in order that we attain a favorable balance of payments so there is money to buy oil, puts the New England livestock and poultry farmer in competition with the rest of the world.

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Connecticut Department of Agriculture

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We are convinced that should America suddenly find itself short of food, as we have already found ourselves short of energy, we would be faced with the bleakest outlook in the history of this country. It is absolutely necessary for the security of this nation that our total agriculture be protected from unfair taxation, land encroachment, economic miscalculations, and a foreign policy that puts the economic stability of other countries ahead of our own economic strength here at home.

Whether it is California, Texas, Iowa, Minnesota, Ohio or Connecticut, it is imperative that farm families be given equal opportunities to succeed. America's farmers do not ask or want unemployment or welfare benefits. They simply ask for the privilege of working hard seven days a week, fourteen hours a day, in an economic climate that gives them a fair shake, and an opportunity like the rest of our economy.

This hard-nosed look at reality convinces us that we must plan for the future, and the bill we are discussing today would be a significant step towards intelligent land use planning.

I urge you to take favorable action on H.R. 5882.

THANK YOU.

Mr. NOLAN. Thank you, very much. Are there any questions?

Mr. WILBER. Also with my testimony, Mr. Chairman, I have passed out the report of the Governor's task force for the preservation of agricultural land and our last report that we did called "Land For Growing Food in Connecticut". I would like them inserted in the record.

Mr. NOLAN. Without objection, so ordered. The reports will be made a part of the record.

[The material referred to above is held in the committee files.]

Mr. Breckinridge?

Mr. BRECKINRIDGE. I want to thank Mr. Wilber for an enlightening, informative, and challenging statement. I would note that one of the things we pride ourselves on in this country, and point to as one of the sources of our strength, is the laboratory like nature of our Federal-State system you are obviously pioneering here.

My question is a very simple one.

It is this. To what extent are you in communication with other State agricultural commissions, with the Farm Bureau, The Grange, NFO and others in developing these concepts and experiences and inventories, and what to what extent has this gotten outside the confines of Connecticut?

Mr. WILBER. This is a Northeast problem that we are facing, Mr. Breckinridge. I am the president of the Northeast State Departments of Agriculture Association. Commissioner Alampi from New Jersey who has a plan that is working on the preservation of agricultural lands. We have working now—we have the New England Regional Commission grant to study the transportation problems that are facing us in the Northeast.

Just last week, Mr. Josephy, who is with me today and would like to speak later, and myself went to Albany with regard to food shortages in the future.

On the 24th of June there will be a meeting in Connecticut to establish a New England regional or Northeastern regional task force to take on these problems that are facing us in the Northeast.

Mr. BRECKINRIDGE. Mr. Wilber, I take it there is a national association of agriculture or commissioners of the 50 States. Are they familiar with your program, your plans and your problems?

Although you have a New England approach, that is based only on your geographic configuration, the same problems exist in varying degrees, and will exist, throughout the Nation.

Mr. WILBER. Yes. I believe there was a resolution passed at our national association meeting with regard to the preservation of agricultural lands.

Mr. BRECKINRIDGE. Thank you very much.

Mr. WILBER. At this time I would like to introduce to you Mr. Robert Josephy who is chairman of the Board of Agriculture in the State of Connecticut and has had the idea of preservation of agriculture land for a good many years. Coming from Brooklyn, N.Y., you will understand.

Mr. NOLAN. Do you have a statement, Mr. Josephy?

Mr. JOSEPHY. Yes.

Mr. NOLAN. We will ask you to confine it to 5 minutes.

[The prepared statement submitted by Mr. Josephy follows.]

STATEMENT OF MR. ROBERT JOSEPHY, CHAIRMAN OF THE BOARD, STATE
DEPARTMENT OF AGRICULTURE, STATE OF CONNECTICUT

My name is Robert Josephy. I have been the owner and manager of the Blue Jay Orchards, a fruit farm, in Bethel, Fairfield County, Connecticut, for over forty years. I am Chairman of the Connecticut State Board of Agriculture and a Member of the Board of Control of the Connecticut Agricultural Experiment Station.

I want to say first that Bill 4569 is the bill I have long been awaiting. I agree with the premises on which it is based, and I like the proposed method of approaching this problem, which has occupied much of my time and thought for many years.

My farm is in a highly urbanized State, and in one of the most urbanized parts of that State. In forty years I have seen a rural area change so that now my farm is the last one in the Town, and it is completely surrounded by single-family housing. I have been deeply involved in the studies and the proposals which George Wilber has just described to you.

I will of course not repeat that story, but I do want to emphasize our conclusion that ownership of farm land must be stabilized by removal of the threat of development sales and by establishing security of tenure on rented land. Without such stability the farmer cannot be expected to make investments that will increase his production and he cannot carry out adequate conservation and anti-pollution practices.

One thing I have learned is that the threat of land use changes is not limited to States like mine. A recent report of The Citizens Advisory Committee on Environmental Quality says: "It is estimated that about 17-2/20 percent of all U.S. farms are within the Standard Metropolitan Statistical Areas (counties with cities of 50,000 or more), putting them directly in the path of urban expansion. These units produce about . . . one-fifth of the Nation's food."

Oregon, California, Florida, and even Iowa, have their share of these areas.

Last week I attended a conference in Albany, New York, on land use and food. Over the meetings hung an air of deep pessimism; it was agreed that New York's Agricultural Districts have had only limited success in slowing the loss of farm land, but it was clear that no broader program will be tried until development pressures escalate. By that time New York will have the problem which Connecticut has today: more of the farms will be gone, and the cost of saving the rest will be astronomical. If any States need 4569 now, New York is one of them.

I trust the reference to "farm states: on page 3 of the bill is not intended to exclude any State from the studies of the proposed commission.

The cost of urbanization includes many factors beyond the reduction in national food totals. There is a diminished supply of vegetables and fruits which require special soils and climate, and because they are highly perishable, should be grown near the people who consume them.

The scattering of remaining farms often leaves an insufficient economic base for essential farm supply services, and a shortage of experienced labor. It also encourages widespread and ingenious vandalism, which farmers suffer with the ^{rest of} present-day society, the senseless destruction of equipment and even of plants and animals.

In July 1975 the USDA Committee on Land Use sponsored a seminar on Prime Lands. I would like to quote some paragraphs from the recommendations developed by these meetings.

"Many of the critical problems associated with the demand for production land are local or regional in nature. In some areas there is concern for maintaining an agricultural base of sufficient size to support a viable supply, transportation, and marketing system. The demand for keeping each acre in production under these conditions is amplified by its importance in helping retain this "critical mass."

"Some lands have unique soil, climatic, or locational attributes that make them especially well suited for the production of specialty crops. In some cases, the supply of these unique lands is very limited. Often they are located in coastal areas or near urban concentrations where competition is severe. Because of their limited supply and the pressures to convert them to other uses, the demand to retain these lands in production is particularly high."

"Ownership and location are important determinants of land availability for production, thus more information on both factors is needed. Land held in speculative or consumptive ownership is often not readily available to be added to the production inventory. Some farmland located near other conflicting land uses is not kept in top production. Owners, even though they may be producing farmers, are often too uncertain about the future of the land to make the investments required to support intensive production. This problem is particularly critical in areas of urban-rural interface. Tax policies often affect agricultural production in adverse ways."

"It is not enough to add up the land requirements on a national basis; the economic needs of specific regions also must be addressed. It is clear that many of the critical problems associated with the demand for prime land are regional as well as national in scope and, in some instances, threaten the viability of agriculture as an industry in some regions. Special problems, such as the competition between energy and agriculture for scarce water resources, pose problems in the Colorado Basin and other specific areas."

"While the national land base is not considered to be critically inadequate, there is cause for concern regarding the reduction in those lands that are particularly productive or valuable locally. These prime and unique lands should be maintained. A particularly pressing issue is the need to insure that such lands are not withdrawn from agriculture without consideration of the impact of such actions on future agricultural production needs."

The urban-rural interface constitutes a special problem area."

I want to emphasize the attention given by this widely representative group to the situation in what are not always thought of as farm States.

Late in 1975 I made a study of Northeast agriculture as it appears in the national picture. I found that the income per acre of farmers in the Northeast is nearly twice the national average. Because of high land values, high production costs, and small acreages, they tend toward the intensive production of high value crops. Surrounded by consumers, they sell a significant part of the food they grow at retail farm markets, and most of the rest to nearby distributors and processors.

New York, New Jersey, Pennsylvania, and the six New England States have 24 per cent of the United States' population, and only 2 1/2 per cent of the national farm acreage, but they produce a surprisingly large part of their food. In Connecticut we supply a quarter to a third of our needs, --mostly in perishable commodities.

As you all know, much of the efficiency of American agriculture is due to increasing inputs of capital and energy per worker. As farm machines become much larger, and much, much, much more expensive, the number of operators of course declines. According to U.S.D.A. figures, there are now a third fewer combines on American farms than there were fifteen years ago, and 20 to 25 per cent fewer corn pickers, tractors, balers, sprayers, cotton pickers and other machines.

On my own comparatively small farm I find that the new capital/labor/energy ratio is now changing my decisions; I no longer assume automatically that what I need is the biggest machines I can afford and the fewest men I can do with. I am convinced that as the present energy situation intensifies, operators of larger and larger farms will be moving in this direction.

In the Northeast our admiration for big farm mechanization persuaded some of us to abandon too quickly productive farms that we judged no longer economic when labor was scarce. Now we seem to be passing the break-even point on mechanization;--

put simply, we seem to have more labor than we have steel and oil.

If this is so, we in the Northeast are in a good position to react; our farms are smaller and many of the crops we grow will respond to more labor-intensive production techniques. By raising our output, we can reduce our dependence on food from the West and the South. We have a market here for all we can grow, and land enough for some new crops. We have huge quantities of urban wastes to fertilize our fields. And we have plenty of water!

We have many advantages, but we need help. Growth and change beyond the control of the Northeast farmer have eroded his economic base. That must be rebuilt.

We must have more research on the crops and technology of our kind of farms. And we must have better ways of getting Northeast farm products into Northeast urban kitchens.

I have several suggestions for additions to the text of Bill 4569. Under the section on Duties of the Proposed Commission, I would like to see "and taxing" added at the end of line 15, page 7.

I should also like to see the prescribed Duties of the Commission include studies of:

A) Current research in genetic and other means of increasing plant productivity, and

B) The education and social orientation of potential farm workers aimed at removing some of the present chaos from the farm labor scene.

In closing I should like to say again that I think that 4569 is the bill American Farmers and American consumers need. I hope it will become law promptly and that the preservation of our agricultural land base, too long crying for a place in national policy, will finally be treated as urgent public business.

Thank you for your attention and consideration.

Robert Joseph

Mr. NOLAN. We thank you, gentlemen, for some excellent testimony.

Mr. WILBER. I would like to know one thing. The Farmers Home Administration has been taking on different phases with regard to Federal housing projects. Some of this has been done on prime agricultural land. When we confront them with this, they say "give us a definition of what is prime agricultural land?" So, that should be considered.

Mr. NOLAN. We will ask our Assistant Secretary for Conservation, Research, and Education if he can give us an answer in a few moments.

[The prepared statement submitted by Mr. Alampi follows:]

Testimony of Phillip Alampi
Secretary, New Jersey Department of Agriculture

before the

Family Farm, Rural Development and Special Studies
Subcommittee of the Committee on Agriculture
U. S. House of Representatives

on

H. R. 4569 and Related Bills
"National Agricultural Land Policy Act"

Wednesday, June 15, 1977

Mr. Chairman and members of the Subcommittee:

My name is Phillip Alampi. I am the Secretary of Agriculture for the State of New Jersey. I appreciate this opportunity to present my views on H. R. 4569, which I wholeheartedly endorse.

Let me first commend the sponsors of this bill for their foresight in incorporating some important provisions in this Act. The concept of establishing an Agricultural Land Review Commission is sound as is the 5-year time frame which is set forth to accomplish the purposes of the Act. This legislation is a matter of urgency for many states, but yet one that cannot be implemented in a few months.

I am particularly glad to see in companion bill H. R. 5882 the changes in the section on grants for research. The Title III Demonstration Programs are the key to the success of such an Act. I will touch on that concept later in my remarks.

Of equal importance is the Title IV Funding Authorization which is absolutely necessary if this whole Act is to really attack the problem of our loss of farmland in a practical and realistic cooperative effort between the states and the federal government.

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Let me state now some background for my support of this bill and why we in New Jersey are so enthusiastic about this approach. New Jersey has long been identified as a highly populated, urbanizing area between two of the nation's largest cities. While that is true, we are also known as the Garden State and for good reason.

We produce a wide variety of crops -- from soybeans to escarole -- and in 1976 we ranked second nationally in blueberry production, third in cranberries, fourth in tomatoes, spinach and green peppers, and fifth in peaches and asparagus. Ornamental and horticultural crops, including sod, are a significant part of the strong agricultural activity in New Jersey.

All of this, and our livestock industry, which includes a thriving and increasing horse population, is being raised on our somewhat over one million acres of prime farmland. This is the same prime farmland that is the most sought after land for development to meet the housing and commercial needs of our growing population.

Yet with all these pressures, New Jersey still has 21% of its land area in farms and another 43% in forests. At least in the land-in-agriculture category, this is no "happenstance." We have worked hard to keep our agricultural heritage.

During the post-World War II years, we experienced a devastating loss of our best farmland as development mushroomed throughout the state. At one point, we were losing our farmland at the rate of 60,000 acres per year.

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In 1963, the people of the state voted to give tax relief to farmland by approving, overwhelmingly, a constitutional amendment providing for a special use value assessment of land actively devoted to agriculture. The Farmland Assessment Act of 1964 provided our agriculture with a more equitable taxing mechanism that, in my opinion, has been a major factor in reducing our loss of farmland to a recent average of approximately 5,000 acres annually. In number of farms, this meant losing only one farm every three days instead of the three farms a day we were losing in the '60s.

Our Farmland Assessment Act has become one of the models for similar legislation in approximately 30 other states in the nation. And yet, the problem of the loss of our prime farmlands -- both in New Jersey and across the nation -- continues at rates that are unacceptable when measured with our projected food and open space needs of the future.

Let me pause a moment to emphasize that my remarks should not be construed as being rigidly parochial. New Jersey is the most densely populated state in the nation and as such we see the problem of population pressure on our farmland in more exaggerated terms and certainly years ahead of many parts of the country.

But we are looking ahead to the needs of the world and the nation as well as our own citizens. We have known for many years that we needed a more comprehensive plan in our own state to preserve our agricultural land and to retain the important regional food production capability which that land makes possible.

At the request of our Governor in 1971, I convened a Blueprint Commission on the Future of New Jersey Agriculture which in addition to its 21 members, involved almost 300 other citizens. After two years of intense effort, a report was issued which outlined thirteen recommendations for action if our agricultural sector was to continue to prosper.

The first recommendation, which predictably received the most attention, outlined a unique concept of the State purchase of development easements on prime farmland. I am sure this is familiar to each of you, so I will not go into the details. However, let me emphasize that the Commission looked at every known technique to achieve its goal of preserving our prime farmland and concluded that the State purchase of these easements was the most desirable and achievable method for us to use. As you are aware, a development easement value is the difference between the value the land has for development and its value as land exclusively in agricultural production.

But the cost of applying this on a statewide basis was more than our economy could stand and we were asked to put together a pilot or demonstration project to test this concept. We have taken steps to do this and are now deeply involved in the first State sponsored program of its kind in the nation. Our Legislature passed and our Governor signed a bill -- which Common Cause called a model of executive-legislative cooperation in bill drafting -- to provide \$5 million to purchase easements in a demonstration area on an entirely voluntary basis.

In four townships in Burlington County, we have already received offers for participation from about 100 owners of farmland who have asked to have almost 13,000 acres included in the preserve. Our plans call for purchasing easements on as many acres as we can with the limited funds available, provided that these farmlands make up large enough contiguous areas to sustain a viable agricultural production. Purchase should be made in early 1978 if the data indicate the project's feasibility.

We, of course, are here to support H. R. 4569 because it calls for action to preserve an endangered natural resource. This action is right in line with what we are doing in New Jersey and we feel we can contribute greatly to a national effort in this regard.

We have moved far enough in this area to know that there must be not only a national concern with the preservation of prime farmland, but also the commitment of federal funds to help the states achieve this goal. Obviously, with the pressure in the urbanizing areas of our nation, many states such as New Jersey will need substantial federal assistance to implement the various types of farmland preservation efforts, while there is still time to do this. Such assistance is certainly in the national interest.

Others will testify before you as to many profound reasons for supporting H. R. 4569. Yes -- our agricultural production is a needed tool in our international trade. Yes -- we need the food and fiber we can produce on this irreplaceable farmland to support the growing population of our nation and our world. Yes -- we need

the oxygen and water recharge benefits and the aesthetic uplifting that this great natural resource can provide to our people -- especially in areas already subject to population pressure and industrial development.

My reasons for supporting H. R. 4569 are quite simple. We in New Jersey have seen what can happen to our farmland. We know it is in our best social and economic interest to keep this prime production land in agriculture and direct our very necessary development to other classes of farmlands. Prime farmland, wherever it is, is an irreplaceable resource. You can't go to a supermarket and purchase even one square foot of it. We must not destroy or lose what is truly our most important lifeline.

We ask you to seek passage of this important legislation and to leave intact the provisions for funding the necessary demonstration programs in various parts of our nation, including enlargement of our effort in New Jersey. This Act keeps the role of the states and the federal government in the proper perspective. It specifically does not authorize the federal government to regulate the use of private land nor to deprive owners of land of their rights to property or to income from the sale of property. It does not diminish in any way the rights and responsibilities of the states and political subdivisions of states.

Our very real concern is that we, working together, take steps now, at the national level, to assist those states who want to move ahead on this important journey. What we will learn will be applicable across the nation. The states without prime farmland preservation problems now will have them in the not too distant future.

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The Garden State is ready to share with the nation its unique experiences in preserving precious and irreplaceable prime farmland. We have an operational project which is alive and popular that can quickly answer many of the questions and assist other states who want to preserve their farmland. We urgently need the help and cooperation of the federal government that legislation like H. R. 4569 can provide.

Thank you for the opportunity to appear before you today.

Mr. NOLAN. We want to thank you very much for sharing with us your experience and your views on this. I think the subcommittee is very, very impressed with what you have done in New Jersey.

Are there any questions from members of the subcommittee?

Mr. JEFFORDS. I have one question.

I believe the legislature passed a resolution, did it not, with respect to this particular piece of legislation?

Mr. ALAMPI. Yes.

Mr. JEFFORDS. I wonder if we could make that a part of the record?

Mr. NOLAN. Without objection, so ordered.

[The material referred to above follows:]

ASSEMBLY RESOLUTION No. 3009

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1977

By Assemblymen DOYLE and NEWMAN

Referred to Committee on Agriculture and Environment

AN ASSEMBLY RESOLUTION memorializing the Congress of the United States to adopt the "National Agricultural Land Policy Act."

1 WHEREAS, The seemingly inexorable loss of prime agricultural
2 lands to nonagricultural uses represents a dilemma of national
3 proportions which threatens the continued production of
4 adequate and affordable food supplies for domestic consumption;
5 and,

6 WHEREAS, The State of New Jersey, being both the Garden State
7 as well as the most urbanized State in the Nation, is particularly
8 familiar and concerned with the threat of urban encroachment on
9 agricultural properties; and,

10 WHEREAS, Reflective of its concern, the State of New Jersey has
11 led the Nation in the development of innovative methods to pre-
12 serve farmland, most notable among these being the "Farmland
13 Assessment Act of 1964," P. L. 1964, c. 48 (C. 54:4-23 et seq.),
14 the "Agricultural Preserve Demonstration Program Act," P. L.
15 1976, c. 50 (C. 4:1B-1 et seq.) and the presently pending Assembly
16 Bill 3188, designated the "Municipal Density Transfer Act;"
17 and,

18 WHEREAS, The "National Agricultural Land Policy Act," now
19 pending before the Congress of the United States as H. R. 5883,
20 would greatly aid in the effort of agricultural preservation
21 through its provisions for study, research and financial assistance
22 to state and local governments; now, therefore,

1 BE IT RESOLVED *by the General Assembly of the State of New*
 2 *Jersey:*

1 1. That the Congress of the United States be respectfully re-
 2 quested to enact the "National Agricultural Land Policy Act" to
 3 enable the State of New Jersey and other states to act deliberately
 4 to preserve their agricultural industries.

1 2. That the members of Congress elected from this State be
 2 respectfully requested to employ their good offices to bring the
 3 quick and favorable consideration by Congress of the "National
 4 Agricultural Land Policy Act."

1 3. That duly authenticated copies of this resolution be trans-
 2 mitted to the President of the United States, the President of the
 3 United States Senate, the Speaker of the House of Representatives,
 4 and to each member of Congress enacted from this State.

STATEMENT

The purpose of this resolution is expressed in its title.

Mr. ALAMPI. I would like to include in the record the talk given by Mr. Rupert Cutler, given before the Soil Conservation Society of America last week. I think it was a very enlightening statement and one that ought to be made a part of the record.

Mr. NOLAN. Assuming we can get a copy, without objection, so ordered.

[At the time of printing, material not available.]

Mr. NOLAN. If there are no more questions, we thank you very much, Mr. Alampi.

Our next witness, then, is Mr. M. Rupert Cutler, Assistant Secretary for Conservation, Research, Education, of the USDA.

We thank you, Mr. Cutler, for coming over to share with us your views.

[The prepared statement submitted by Mr. Cutler follows:]

Statement of M. Rupert Cutler
Assistant Secretary for Conservation, Research and Education
before the
Subcommittee on Family Farms, Rural Development, and Special Studies
Committee on Agriculture
House of Representatives
June 15, 1977

Mr. Chairman and Members of the Subcommittee:

It is a pleasure to appear before you today to discuss our concerns for the prime agricultural lands of the Nation. Prime farmland is a topic of major interest to Secretary Bergland, to myself, and to the entire Department.

The vast and productive American landscape, with its wide variety of soils, climates, and crops is this Nation's primary and irreplaceable source of strength. We have gone through various periods in our Nation's history when we were vitally aware of this fact--such as in the 1930's when the Nation was shocked to attention by the combination of land abuse and drought that was known as the Dust Bowl. We responded at that time with a soil conservation program. At other times, Americans have been concerned about wilderness, open space, or wild and scenic rivers. Each of these issues has gained public attention and generated public response.

Today, the American land is under a new set of pressures. These pressures are complex, and vary from region to region, but they add up to a deep concern for America's agricultural land. In some cases rapid urban growth is spreading out onto prime farmland as populations grow and people need a place to live and work. In other areas, the population is not rising but construction still continues as people move around and spread out in the region.

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In California, prime irrigated vegetable land is being lost to urban sprawl, highways, and airports. In Wyoming, alluvial valley floors are threatened by strip mining and vital irrigation water supplies may be taken for energy production. In Iowa, pipelines cross farm fields at an angle, cutting tile drainage systems, disrupting farm operations, and leaving a strip of soil that has been altered deeply and perhaps permanently. In New England, a limited supply of farmland takes the brunt of new development while remaining farmers suffer from the lack of an adequate supporting structure of agricultural businesses and industries.

These are just a few examples, but they add up to one fact. Wherever one goes in America today, there is growing discussion of the trends affecting our Nation's agricultural land. The Department of Agriculture has been hearing these concerns, and sharing them, for some time. In 1975, a USDA-sponsored seminar on the Retention of Prime Lands brought scientists and experts from around the Nation who concluded that the problem was serious and needed immediate Departmental and National attention. In 1976, workshops in States such as Pennsylvania, Massachusetts, California, and Indiana pointed out that a broad spectrum of people were deeply concerned with this issue, and that the major impacts are felt at the local level.

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At the same time, USDA agencies have been working to get more facts on the situation. A survey taken in 1975 revealed that America's prime farmland is being converted to non-agricultural uses at the rate of around a million acres each year. Another million acres of land capable of growing crops or pasture is also taken for non-agricultural uses. This adds up to a staggering total of over 5,000 acres each day that is taken out of the producing and potential agricultural land base.

At the same time, we are aware that not all of our acres are needed today to produce the crops we consume or sell abroad. Assuming normal climatic conditions, technological improvements, marketing conditions, and input and energy prices, there should be no absolute shortage of land before the turn of the century, and perhaps for some years afterwards.

But we don't find that fact comforting. There are too many "ifs" in that equation. World climates are unstable right now, and scientists don't agree fully on the reasons or what this may lead to in the future. Yield increases seem to be dampening off, and USDA scientists expect the rate of increase to continue to slow down somewhat. International demands for food will rise as world population grows and diets change to reflect increasing affluence. The cost and availability of energy seems certain to be a factor of growing importance to the maintenance of high agricultural production.

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Thus, a combination of events could occur that would put pressure on our ability to produce the agricultural abundance that is so vital to our Nation's strength. For the first time in our history, we must begin to develop national policies that recognize certain types of land--particularly those lands that merit the classification of prime or unique farmland--as a limited national resource that must be provided special attention and protection.

This Administration is well aware of that need and is moving aggressively to meet it. Recently, in the consideration of national surface mining legislation, the Administration proposed a 5-year moratorium on the surface mining of prime farmlands, accompanied by a study by USDA to determine whether, and under what conditions, these lands could be restored to their premining productivity. That issue is still under consideration as the Congress works to reconcile differences between the House and Senate bills, and the Administration has again reiterated its support for strong language to protect the Nation's prime farmlands from needless destruction in the mining process.

In terms of acres, however, mining is responsible for only a small part of the million acres of prime farmland taken each year. Virtually every type of development is involved, including energy, transportation, or sewer system construction. We are working with other Federal Departments, States, and individual landowners to assure that the facts about prime farmlands are known and that the adverse impacts on agricultural production are minimized. We are experiencing excellent cooperation from other Federal agencies, but it is a massive job.

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The retention of America's prime farmlands in production may well be the most important land resource issue to face this Nation now and in the future. The basic and irreplaceable role of food in achieving the type of society we desire in the United States and providing the products we must send abroad for both humanitarian and economic reasons cannot be avoided. We can no longer dream of a "quick fix" from technology or a limitless supply of energy or capital to replace the land as the essential foundation of that food supply. For many reasons--economic, social, environmental--we must place our concern for the future of the Nation's prime farmlands at the top of our priority list.

The bill we have before us today, H.R. 4569, is a worthwhile starting point in that consideration. We commend its authors and sponsors for addressing an issue of immediate and important concern. We have some problems with some provisions, however, that we would like to discuss.

A major concern of the Administration is with Title III, the matching grants to States and localities. We have no doubt that such grants would be well received by the Nation's local and State governments and that they would be helpful in developing State and local programs. The fiscal impact of such a program at this time would strain the Administration's attempts to achieve a balanced budget by 1981. In addition, we are concerned about the details of the program and need to evaluate more closely what appropriate guidelines and funding levels might be. For these reasons, we would not favor the inclusion of Title III in this legislation.

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The other problem we have is with the proposal for a 3-year Commission to study and report on the situation. President Carter is doing his best to reduce the number of Commissions, Advisory Committees, and Boards that have grown up in the Federal Government. There are too many that have been around too long, accomplished too little, and cost too much. In the face of this initiative, which we deeply believe in, it is difficult to support the creation of a new Commission.

In light of this reluctance, we need to explore other options. We are dealing with an important problem here. When faced with such a problem, the Government has three choices: do nothing; do something; or make a short but comprehensive study to explore that really needs to be done. We feel strongly that the problem is too important to do nothing. In the other hand, we recognize that there is not sufficient national understanding or consensus on the appropriate actions or programs needed at the Federal level. That leaves us with the study option. The question is--how can we best do this job?

We see such a study as containing three vital elements. First, the data and information that exists or that is generated by ongoing programs during the study period needs to be brought together. Second, there is additional data on the matter of agricultural land use that is not available and will not be available unless a special effort is made to get it. That information must be obtained, through special studies if necessary. Finally, a broad range of public and private opinion needs to be obtained. This must include input from citizens of every region of the Nation: farmers, nonfarmers, consumers, environmentalists, industrialists, politicians, and anyone else who has something to say. We must get the facts and opinions of scientists

and experts at universities, in private think-tanks, and in the agencies of State and local governments. In short, when one deals with an issue that affects every citizen of this Nation as directly as does the treatment and use of our agricultural land, nothing short of a massive public input campaign will suffice.

We think such a study can be successfully coordinated by the Department of Agriculture. It will require the Department to develop a somewhat more aggressive way of dealing with land resource issues than it has done in the past, to assume a leadership role in addressing this important issue, and to open up channels of communications with many non-agricultural groups and interests as well as agricultural groups to get the full range of input needed. Those are important goals of Secretary Bergland and this Administration, however, so we feel comfortable with that challenge.

We have not had time to develop a specific proposal along these lines that we could discuss here today. We would be willing, however, if the Committee feels this suggestion to be constructive, to work with the Committee in developing details that would be acceptable to all concerned.

We appreciate the opportunity to appear before the Subcommittee to testify on this matter. The retention of America's farmland in productivity is of deep concern to USDA and we will be pleased to work with the Congress to develop legislation that can address this issue within the budget constraints we face.

Mr. NOLAN. Thank you very much, Dr. Cutler.

Do any members have any questions?

Mr. Breckinridge?

Mr. BRECKINRIDGE. I have one comment which relates to your proposal that the committee and the Department work together, and that there not be a Commission, which would make primarily an executive agency activity out of what is proposed as a legislative program.

I think everybody on this panel agrees with you that we are over-commissioned, and we will work with you to get rid of them so we can have this Commission. [Laughter.]

I like the gentleman's suggestion. Without prejudice, Mr. Chairman, to the bill of the gentleman of Vermont and our continuing action, I think it would be most appropriate for the Department to come forward with such guidelines as are of concern to it by way of suggestion. We could have detailed aspects of its ideas before us, while we consider the legislation we have before us. I would see those as concurrent activities, in no way prejudicing—one way or the other—the ultimate resolution of the problem. Thank you, very much.

Mr. CUTLER. It is important to us regardless of the fate of this particular legislation to address this issue. We have organized ourselves to do this.

Mr. NOLAN. Mr. Jeffords?

Mr. JEFFORDS. I would like to pursue this specific aspect. I enjoyed your comments—they should be on top of the priority list. But then we should do away with title III which gave the money for title II, which established the Commission.

I really think that kind of support I could do without. [Laughter.]

Mr. CUTLER. We try to take a positive approach. [Laughter.]

Mr. JEFFORDS. I would like to point out that I am aware of the change in administration, but you are well aware of the rather dramatic findings that came out in the soil conservation study completed in 1975, and still nothing happened. I realize there has been a change of administrations, and I am certainly not one to be so in favor of something I proposed along with the other members, that I am not willing to compromise. The basic thing we want to do is solve the problem.

Who does it is not as important as getting the job done, obviously. But I would also like to ask you, with respect to this problem, whether or not any agency can solve it.

As I understand it, about 122 Federal programs, involving all sorts of Federal agencies have an impact on the destruction of farmland. Whether it be roads or housing, rural development, FmHA, the dams, or the Corps of Army Engineers, they all have different policies, and most conflict with the preservation of prime agricultural land.

It seems to me that the basic rationale for an independent Commission is to address this problem forthrightly, and without weaving carefully through the power politics of all the bureaucracies and agencies.

Do you believe that one department studying this problem, matched against all the other departments who are trying to maintain their own programs, would be successful in getting the kind of involvement, that you talked about, nationwide?

Do you think you could get the administration involved in trying to solve this problem, or will your efforts just result in another departmental study to be issued, like the last one in 1975, without any results?

Mr. CUTLER. Let us start from this concept. USDA is obviously the so-called lead agency in the Federal-executive establishment with respect to agricultural land.

Also there is a premise that Secretary Bergland and I and the leadership of the Department are sincerely concerned and anxious to do something positive on this front.

Then, optimistically, we would look forward to this effort—coordinated by and led by USDA with involvement across the Federal establishment—producing recommendations that will be taken very seriously by the President who, after all, is a farmer and has experience with these kinds of problems. I am optimistic that, given a sound set of recommendations for changes in Federal policy and changes in budget priorities, if that is what it takes, that these will be viewed as important in the White House—that there will be administration leadership attached to these recommendations. We might expect—just kind of speculating on what the future might hold—a message to the Congress and the American people somewhere down the road, perhaps of the nature of the recent environmental message of the President. This will contain a message to the Congress and to the public and recommendations for legislation and Executive Orders and changes in Federal programs to protect agricultural land.

That is the most optimistic view, of course, but I do not see why we cannot be optimistic in that regard.

Mr. JEFFORDS. With respect to the other side of the coin, that should be the area of State involvement. It seems to me that—maybe you will disagree we have our problems at the Federal level, which we just talked about, but the basic answer, at least from everything that I have heard, has got to come from the States. Some used to speak of a national land use policy, and that sort of thing. No one talks about that any more. It seems to me that the answer has to come from the States.

Is it necessary for us to wait for the Federal Government to take action before we can get these States involved, give them seed money and developing initiative in this area, and help them to find the programs that other States could use to solve this problem?

Mr. CUTLER. No. 1, I agree with you completely that a lead role for action in land use should be assumed by the States, with decisions as to how the landscape will be used at the local level.

The Federal role is one of technical assistance and perhaps going beyond the raw data to assist States and local people in developing alternative futures for themselves and helping them analyze what the economic, social, and environmental consequences are of each of those alternatives. So, the Federal role obviously is largely technical

assistance. I do not hesitate for a moment to talk about such land use planning assistance as a viable and logical Federal role.

On the other hand the second role is with the grant-in-aid program that you have proposed.

We are going forward with the first program. The second program raises philosophical questions to be answered, but it is mainly a question of a fiscal decision. That has to be made in the context of the entire Federal budget. You know where we get our directions from on that, don't you?

Mr. JEFFORDS. That's probably where this message came from. [Laughter.]

Mr. GRASSLEY. If the gentleman will yield, don't you officials at the Department of Agriculture feel frustrated on that point?

You are turned down time and time again on agricultural matters especially in light of the fact that 1 week we authorize \$100 million for some communist country in South Africa for all sorts of priorities where we are willing to spend more money overseas than we are willing to spend for American agriculture here.

Mr. CUTLER. At this early stage of the administration, hope springs eternal. We expect to develop relationships with our opposite numbers in the Office of Management and Budget that will improve their understanding of the need for some of these programs we feel are of high priority. I would hope that when we come back to you on these kinds of things later, there will be more support forthcoming. But you know and I think you probably support the President's goal for a balanced budget.

In order to do that you have to cut across the board.

Mr. BRECKINRIDGE. If the gentleman will yield, I would like to say this. I've only been here two terms, and I had arrived at the conclusion that the OMB was an invidious Republican device.

If you find something that indicates anything to the contrary, I would appreciate being so advised.

[Laughter.]

Mr. CUTLER. I will pass on that.

Mr. NOLAN. Mr. Harkin?

Mr. HARKIN. Thank you, Mr. Chairman.

Following up on that theme, Dr. Cutler, let me ask you this. You talked about balancing the budget. We are all in favor of balancing the budget as rapidly as possible. It always seems that whenever it comes to agriculture that it is always the member of the Agriculture Department who argue for cutting their budget to meet this balanced budget. I don't hear a lot of the other agencies and Departments talking about it. They always want to cut somebody else's budget and never their own.

In light of what Agriculture is getting out our total budget and in light of what is contained in this bill, I really wonder if you are serious about your statement about using this as a means of balancing the budget. After all, this is \$50 million a year out of a \$400 billion budget. That is nothing.

Over a 2-year period that amounts to \$250 million, if it were fully funded, which it probably would not be.

Out of \$2 trillion \$250 million is not much. That will not make much of an effect on the budget, totally.

Mr. CUTLER. Perhaps there are still some unresolved questions as to whether purchase of land and purchase of rights of land is the right way to go. There are examples of other means to accomplish this end which seem to be working well, at less public cost.

The New York State agricultural districts and agricultural zoning are examples of those programs. Also the States use their police power in some places as alternatives to purchase.

Mr. HARKIN. I was following up on what Mr. Grassley was saying. The total of—I figured out the other day that Agriculture now gets less than 2 percent of the total budget. That excludes food stamps. That is just agriculture.

So when you say this is \$50 million which is a hundredth of a percent of that, the impact on the overall budget is very, very small. Yet, the amount of good that could be done with this kind of study over a 5-year period of time might be well worth this small investment.

So I really question whether or not it would have any real dire impact on balancing the budget. If you want to balance the budget then let's go after the big game and not the small stuff. Let us cut where the fat is thickest and not where it is the thinnest. It is always the thinnest in Agriculture. That is just my own idea.

Also in your testimony you said something about the commissions and cutting down on the number of them. I wholeheartedly agree with you on that.

What other plans would you have, assuming we did not pass this legislation, in the Department or under your auspices, to get the kind of broad range of public opinion and input that this Commission is supposed to give?

Mr. CUTLER. The Department of Agriculture is uniquely organized to obtain that kind of information. It has offices in every county of this Nation staffed with extension county agents and soil conservation service technicians and Farmers Home Administration staffs and Agricultural Stabilization and Conservation Service staffs and other USDA employees.

While land use is a controversial issue and some local employees may be reluctant to touch it with a 10-foot pole, there very easily could be a role for our county staffs. This can be coordinated by USDA State rural development committees. These State level administrators of USDA agencies can host the kinds of public involvement sessions that I have mentioned.

Mr. HARKIN. Excuse me for interrupting but I understand some of those problems.

Perhaps you could use the research institutions. How about that?

Mr. CUTLER. Every State land grant university has an experiment station partly funded by USDA, although their role is normally not so much on the public involvement side.

Of course, there are Forest Service offices around the nation too, particularly in the West, which are being involved in this.

Let me speak for a moment from my own personal experience in Michigan. I was on the faculty of Michigan State University. I was

an extension program leader in natural resources policy. I viewed with real interest the effort that the Forest Service was making in land use planning in the national forests. I encouraged the Forest Service staff to work with the State forestry staff to help them with similar land use planning on State forests. We also encouraged both the State and the Federal agency personnel to work closely with local governments and county and township people, to arrive at some common objective as to what they wanted that local landscape to look like and what their objectives were in terms of economic development, recreational potential, population targets and those sorts of things.

If you combine the technical expertise that is being applied to the public lands, with local government officials and add to that mix the Soil Conservation Service technicians with their data on soil types and other resources and the ability of the extension agent to harness public opinion there is a broad range of USDA expertise out there to provide local people with good technical assistance and guidance without in any way attempting to determine what their local land use plan should look like.

Mr. HARKIN. I like what you just said. I think there is enough expertise out there. I believe the land grant colleges could handle it. I understand that they have not been involved in this in the past.

With a change in this legislation that would not set up a Commission but would direct the Department of Agriculture to undertake this kind of project, can you foresee how much additional funds or personnel you might need? Do you think you could handle such a broad-based thing where you would have to go out and get public support at the grass roots level and would you need more personnel and money?

Mr. CUTLER. This is an exciting prospect to me because, as I say, I was involved in extension and land use programming. I saw, as a result of declining real dollars that were going to the extension service, the land use related staff of my university decline over the last 5 years.

If we could make explicit the role of the cooperative extension services in this field and if we could provide funds through, perhaps, the Rural Development Act or some other mechanism which addresses itself to extension priorities, then the opportunity to use extension in this field would be greatly enhanced. The Federal Extension Service, by the way, has a new administrator. He is Dr. Neill Schaller from the Farm Foundation in Chicago. He will be coming on board shortly.

Mr. HARKIN. Who is he?

Mr. CUTLER. Neill Schaller. He has been the Associate Director of the Farm Foundation in Chicago.

Mr. HARKIN. When did he receive his appointment?

Mr. CUTLER. His appointment is forthcoming. He is being cleared now but he should be on board early next month.

I am sure Dr. Schaller will place high priority on involving the Extension Service more than in the past in helping to obtain input from the public in the land use field.

Mr. HARKIN. I would hope, Mr. Chairman, that as soon as Dr. Schaller takes his position that we could have him in to testify if we are going to have further hearings. It might be wise to ask him to come up and discuss this with us either in a formal setting or perhaps an informal setting.

I have a couple of other things. Mr. Chairman, I would like a little more time.

Mr. NOLAN. Certainly.

Mr. HARKIN. I understand that what we are talking about in the role of the Extension Service being out in the field and doing this at the grass roots level. That is where it has to be done. Are you reluctant or do you have any reluctance or hesitancy in terms of involving the research arm?

Mr. CUTLER. Not a bit.

Mr. HARKIN. In terms of providing this unit with the type of back-up information and data that they need?

Mr. CUTLER. You understand that our linkage into the agricultural experiment stations at the land grant universities is not a line relationship as it is with the Agriculture Research Service. We can't command the experiment stations to do certain things but we can obviously provide incentives in the form of grants for this purpose.

Of course, this is the sort of thing we are trying to get at now in the farm bill's research appropriation and the authorization program for research money that would be available on a competitive grant basis.

There may be a place for competitive grants in the land use field eventually. We can provide for your hearing record, given a little time to do this the literature search, a printout of the land use related research going on now in the State Agricultural stations. I suspect you would be impressed by the amount of research on the subject underway.

Mr. HARKIN. That would be the kind of information that I would like to see.

I have one last thing.

As we begin to markup this legislation, I would be interested in finding out from you and from the Department any suggestions that you might have to change the language into legislation to get away from the Commission idea—setting up the Commission—and instead directing the Department of Agriculture to undertake this type of study. Any suggestions you have along that line I would like to see.

Mr. CUTLER. We would be glad to try to contribute those.

Mr. NOLAN. Without objection, so ordered.

Mr. Panetta?

Mr. PANETTA. You mentioned in your testimony that we are losing 1 million acres of agricultural land each year. In my view, another problem is that there is much more nonfarm corporate involvement in what agricultural land we do have.

Is there a policy in the Department of trying to preserve ownership of agricultural land by family farmers as opposed to the large corporate farmers?

Mr. CUTLER. I am sure that Bob Bergland and the Department of Agriculture will do everything they can to preserve the family farm.

I do not know of a specific policy direction on that right now. I may simply not know about it.

Mr. PANETTA. My concern is this.

Right now, in California as a result of the drought, there are various corporate interests that are coming together to buy up agricultural land. Obviously once you have corporate interests involved, there is no guarantee that this land is not going to be used for speculation or for all kinds of nonfarming interests—for development or what have you. This appears to be a growing threat. The committee is aware of two recent examples of large corporate investment proposals being offered to buy agricultural land, one in Chicago and one in California.

I would like to bring this to the attention of the Department because I think it is a growing area of concern for me and for the farmers in my area.

Mr. CUTLER. In my embryonic understanding of agriculture economics, the reason that the family farm should continue, at least in theory, is that it doesn't have to make a profit every year like corporate farms have to. That's to its advantage.

The other concept that seems to surface in this kind of discussion has to do with the ripening of land near urban areas and the relative inevitability of the conversion of some of that land. But I know what you are talking about. We will be most sensitive to that to see if we can not address that more specifically.

Mr. PANETTA. Thank you, very much.

Mr. NOLAN. Are there any other questions?

We thank you very much, Dr. Cutler.

Mr. Jeffords?

Mr. JEFFORDS. Mr. Chairman, I have to leave temporarily. For the witnesses that I will not be able to hear today, I assure them that I will read their testimony.

I want to thank them for their participation.

Mr. NOLAN. Thank you, Mr. Jeffords.

Next I call three people to the witness stand: Mr. John Helb, West Trenton, N.J., Mr. William A. Haffert, executive vice president, Garden State Publishing Co., Sea Isle City, N.J., and Mr. Ken Roehrich, chairman of Resources, Planning and Development Committee, National Association of Conservation Districts.

Gentlemen, we welcome you to the committee.

Mr. Helb, you may proceed.

[The prepared statement submitted by Mr. Helb follows:]

STATEMENT

by

JOHN VINCENT HELB, P.P., Assoc. A.I.P.

Chairman Nolan and distinguished members of the House Subcommittee on Family Farms, Rural Development, and Special Studies: permit me to express my appreciation for your kind invitation to appear before you in your consideration of H.R. 4569, designated the "National Agricultural Land Policy Act." I am most grateful, and certainly honored, to be asked to participate in your deliberations on what I consider to be a vital, sensitive, and intelligent response to our Nation's declining agricultural trust.

In advance of my remarks I should note that I am a professional planner employed as a Research Associate by the New Jersey Legislative Services Agency, the non-partisan bill drafting and research arm of the New Jersey State Legislature. However, I appear before you today as a private citizen. Thus, my professional affiliation as well as the hat I wear today require that I state for the record that any opinions I may express before you are entirely my own and are not necessarily shared by the New Jersey Legislature or any members or employees thereof.

My purpose in appearing before you is to specifically address the provisions of Title III of the proposed Act, "Demonstration Programs" (§ 301 et seq.) and the state and local pilot projects the Title is intended to inspire. As you are aware, Title III of H.R. 4569 essentially authorizes the Secretary of Agriculture to provide state and local governments with "...financial and technical assistance for

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the purposes of demonstrating and testing methods of..."
farmland preservation.

For several years, I have been engaged in a national survey of one such method. In short, I have sought information regarding state and local efforts to apply the development rights concept, or a variation thereof, as a means by which agricultural properties may be protected from unregulated development.

Since my survey has been something of a labor of love, conducted at my own expense and in my spare time, it is neither complete nor comprehensive. I suspect, however, that the very nature of such an effort would deny such standards from even one sufficiently endowed and staffed. As I have found from my efforts, new preservation programs are being proposed and adopted at an incredible rate; a rate perhaps prompted by the alarming pace at which we are surrendering our farmland to other uses. My point in submitting the findings of my survey to date is simply to (1) indicate the activity, and indeed interest, at the state and local governmental levels to preserve farmland, and (2) to offer a preview, if you will, of the type of pilot projects H.R. 4569's Title III should produce.

As noted, my survey focused upon the application of the development rights concept for the purposes of agricultural land preservation. A development right may be simply defined as something akin to the so-called "bundle of rights"

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historically seen as aspects of property ownership. As such, a development right is related to such other members of the bundle as the traditionally accepted air rights, mineral rights, and the seemingly vast array of easements and therefore merely represents but an additional element of property ownership: an individual's prerogative to physically improve his land.

In summary, the findings of my survey indicate that some development rights activity related to farmland preservation has occurred in 18 states. These are the States of California, Colorado, Connecticut, Florida, Hawaii, Illinois, Indiana, Maine, Maryland, Michigan, Montana, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, and Washington. At the municipal, county, and sub-state regional level, some 40 local units in 19 states have either adopted or explored the use of a development rights scheme to preserve their agricultural properties threatened by use changes at the hands of development pressures. The states represented are Alaska, California, Colorado, Connecticut, Florida, Iowa, Maryland, Massachusetts, Montana, New Hampshire, New Jersey, New Mexico, New York, Pennsylvania, Virginia, Vermont, Washington, Wisconsin, and Wyoming.

All tolled, the survey's findings to date report that some development rights activity for the purposes of farmland preservation, embodied in either actual adoption or serious consideration which may well eventually lead to adoption, has

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occured in 28 individual states.

Indeed, of the eleven states represented on this Subcommittee, six have, either at the state or local level, had some experience with this method of protecting their farmland from development.

As I indicated earlier, my survey is neither complete nor comprehensive. I suspect that many of the remaining states, if they have not considered a development rights variation for agricultural land retention, have at least considered or adopted another device, perhaps the popular preferential assessment method. In either event, it is obvious that a considerable interest in farmland preservation has been exhibited at the state and local level.

I have repeatedly made reference to "development rights variations." Permit me to briefly describe them.

As I mentioned earlier, a development right is simply that aspect of property ownership representative of an individual's prerogative to improve his land. Such is the common basis of all development rights variations. It merely distinguishes the land, in this case the farm, into two parts. First, the farm's resource value; that is, its economic worth for purely agricultural purposes. The second, the farm's commodity value, represents the property's economic value as real estate in a use other than farming. For example, as a residential subdivision or industrial park. In any development rights program, the commodity value of the

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farm is severed from the land and, in some way, acquired. The farm is thus preserved in its publicly desirable state and the farmer is "fairly and justly compensated" for the limited taking of his property.

Three distinct development rights variations have emerged from the survey.

The first, Dedication of Development Rights or DDR, is quite common and simply involves the farmer's legal conveyance of his property's development potential to a unit of government. In return, he normally receives some form of preferential treatment; a lower property tax assessment, for example, reflecting the reduced value of the tract. DDR has been adopted by the City of Albuquerque, New Mexico in its 1975 "Comprehensive City Zoning Code," Ordinance No. 80-1975, as amended by Ordinance No. 83-1975. Moreover, the State of Maine, as in the case of many other states, permits its municipalities to accept dedicated development rights from farmland under its "Farm and Open Space Law," Title 36, Section 585 et seq., Maine Revised Statutes Annotated.

The second variation, the Purchase of Development Rights or PDR, simply involves the state or local acquisition of the development potential of property. Rather than realizing the preservation of private property through condemnation and a fee simple procurement, the government merely buys the development right under PDR and thereby keeps the land in private ownership but in its preferred use. Suffolk County,

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Long Island adopted PDR to preserve its farmland in 1976. Also in 1976, the State of New Jersey endorsed a demonstration PDR program for Burlington County, "Agricultural Preserve Demonstration Program Act," P.L. 1976, c. 50 (C. 4:1B-1 et seq.). More recently, King County, Washington has adopted a PDR scheme in Ordinance No. 3064, approved January 28, 1977.

The third and last variation is Transfer of Development Rights or TDR. Essentially, TDR provides for the designation of two areas within the given jurisdiction, the preservation and transfer districts. The farmland is placed in the preservation zone and its development rights or potential are severed from the property. In the transfer zone, typically an area where higher density development is desirable, landowners are permitted to build at that level prescribed by zoning as a matter of right. However, through the purchase of development rights from the preservation district, they are permitted to exceed zoning allowances and develop to a higher level. Presumably, transfer zone property owners find an incentive to acquire the rights in the increased per unit profits and economies of scale they realize by constructing at the higher level.

The beauty of TDR is found in the fact that the farmland is preserved in the public interest without the necessity of tapping the public fisc. The compensation of the farmer is handled by the private market. Moreover, the community realizes a double bonus in that the farms are preserved and

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the development that would have sited there--and the revenues such would produce--are both realized. TDR accommodates both growth and preservation.

The Town of Eden, New York recently adopted a TDR ordinance to preserve farmland in its Local Law, section 5.10 et seq. Additionally, the State of New Jersey is currently considering a TDR enabling act in Assembly Bill 3188, the "Municipal Density Transfer Act." Similar legislation is now pending in New York, Florida, and Connecticut. Moreover, the concept of TDR applied for the preservation of historic sites and landmarks has been adopted by Illinois (Chapter 24, section 11-48.2-1 of the Illinois Revised Statutes) and Louisiana (Act 772 of 1975; Title 33, section 4722 et seq., Louisiana Revised Statutes).

The point of my testimony, as I believe the results of my survey firmly supports, is simply that the matter of farmland preservation is a national concern. As indicated, a significant number of state and local government are already addressing the problem. Their response is not particularly surprising. They are the units of government most directly and most immediately affected by the conversion of farmland to other uses. However, I am certain that they would welcome the support of the Federal Government. I urge you to favorably report H.R. 4569. It would greatly aid the effort to preserve the Nation's agricultural trust.

Thank you.

Mr. GRASSLEY, [acting chairman]. The material referred to in Mr. Helb's statement will be inserted into the record at this point.

[The material referred to above is held in the committee files.]

Mr. GRASSLEY, [acting chairman]. We will go on to Mr. Roehrich now.

[The prepared statement submitted by Mr. Roehrich follows:]



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STATEMENT

to the
Subcommittee on Family Farms, Rural Development, and Special Studies
House Committee on Agriculture
regarding
H. R. 4569, the "National Agricultural Land Policy Act"

by
Kenneth J. Roehrich
Chairman
Resource Planning and Development Committee
National Association of Conservation Districts

June 15, 1977

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My name is Kenneth J. Roehrich and I reside in Hackettstown, New Jersey. I am a farmer, a supervisor of the Morris County Soil Conservation District, and Chairman of the Resource Planning and Development Committee of the National Association of Conservation Districts. I am pleased to present this testimony in behalf of NACD.

Let me say at the outset that protecting prime agricultural lands against irresponsible conversion to nonfarm uses is a major NACD objective. We support H. R. 4569, we commend its authors, and we urge your Subcommittee to act favorably on it.

The wise use of land for all human purposes has been at the core of the conservation district movement since its inception. In nearly 3,000 conservation districts covering over 2.2 billion acres in this nation, some 17,000 men and women serve without pay to help guide local programs that encourage the wise

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use and conservation of all land and water resources. In many of these districts today, the issue of retaining prime and unique farmlands in agricultural production is a top priority concern. This concern is reflected in the policy positions developed by NACD.

Our policy positions originate with the officials of individual local conservation districts, are considered at state and regional meetings, are reviewed by national NACD committees, and are then adopted at the annual meeting of our NACD Council. Each association of districts in the 50 states, Puerto Rico, and the Virgin Islands is represented on the Council.

Our current policy position related to prime and unique lands is as follows:

"Acreage suitable for orchards, vineyards, and the production of truck crops is becoming less plentiful each year because of the spread of non-farm uses of land. This poses a special problem affecting not only the production and availability but the cost and quality of fruits and vegetables for the consumers of America. We favor legislation that would preserve these unique and limited lands for agricultural use.

"We are also concerned about the conversion and potential reduction in the supply of 'prime' agricultural lands. We support efforts underway to identify 'prime and unique' agricultural lands, to estimate the supply of such lands in relation to oncoming needs, to assess the hazards to maintenance of such lands in agriculture and horticulture, and to preserve these lands in agricultural and horticultural use wherever possible.

"We ask state associations of districts and their member districts to assume leadership and to seek funds from state and local sources to assist in this appraisal of prime and unique lands.

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"We call on state associations to form mapping committees made up of a wide range of interests and agencies for the purpose of establishing priorities and proceeding with the assessment.

"NACD supports the principle that landowners be compensated by state or local governments for the loss of development rights in preserving prime and unique agricultural lands."

In a further policy statement, we recommend that our member districts concentrate efforts on the "preservation and enhancement of prime and unique agricultural, range, horticultural, and forest lands."

In our opinion, H. R. 4569 squarely addresses one of the most important resource issues that America will face in the next few years. The trends give some cause for alarm. One estimate is that we have ample land to meet agricultural production needs for 20 years; another estimate is 35. That may sound as if we have time, but we don't have much. I submit that it is time for action, not for complacency. It is now that we must begin the discussions, gather the facts, make the assessments, and develop the action programs. We therefore suggest that the proposal for a three-year study on this subject is the right response to the issue of farmland retention, at precisely the right time.

People are concerned all over the nation. They know that we cannot continue to lose a million acres of our best farmlands each year, which is the most recent Soil Conservation Service estimate. They know that the need to produce food and fiber for domestic production and export is growing and will continue to grow. The land base that supports our food production is America's most basic, most vital resource. Part of that resource is being lost or damaged:

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- through land use changes that suburbanize it, build roads and airports on it, and take it out of production forever;
- through erosion, from wind and water; and
- through more indirect means, as farmers are forced out of farming by high taxes, land use conflicts, or uncertainty about the future.

People realize that these problems exist, but they do not necessarily see their severity, understand the many complex factors that affect the use of American agricultural land, or agree on the proper role of government in solving the problem. The Commission approach proposed by H. R. 4569 is a logical first step.

NACD has some special concerns that can be addressed by the Commission, and we would urge this Committee to provide strong guidance to see that these concerns are included in the Commission's activities.

First, we feel that the viewpoints of farmers and ranchers should be an important part of the Commission's consideration. The retention of America's agricultural lands in production is a concern to all our nation's citizens, and so all voices must be heard; but we think it is particularly important to include farmers themselves. When we develop programs to retain land in agricultural production, we must also retain the ability of farmers to farm it. We can save the land, and it can be beautiful open space, but it won't be prime producing farmland unless farmers can afford to farm it. Involving farmers in developing programs will help assure this. We would suggest that a farmer or two be members of the Commission. We further suggest that the Commission have hearings, workshops, and meetings throughout the nation, in order that the voice of ordinary citizens and farmers can be heard.

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Second, we feel that regional and local differences must be recognized in dealing with the farmland issue. Most of the adverse impacts of the current trends in farmland conversion are felt at the local level, and these impacts vary widely across the country. Many of the programs that are being discussed to protect agricultural land are products of the local or state tradition. The program in my home state is innovative and appropriate there but might not be acceptable or necessary in Kansas. Such differences must be recognized in any recommendations for national action. H. R. 4569 provides a mechanism for this flexibility, and we would urge that its language and legislative history show clearly that this is the intent of the Congress.

Strong emphasis on field hearings, workshops, and meetings that I suggested earlier would help to surface regional differences. In the administration of Title III, the Secretary of Agriculture should assure that the pilot projects funded under this program represent the broadest possible range of geographic situations, types of programs, and kinds of land situations. In this way, the pilot projects will reflect the diversity and complexity that will eventually need to be accommodated in any program for agricultural land protection.

Third, NACD is concerned about the continued care and stewardship of agricultural lands of the nation. It is important to prevent unique and prime lands from being urbanized or taken out of agriculture for other uses, but it is equally important to assure that those lands are given proper soil and water conservation treatment in the future. It does not make sense to protect prime land from the bulldozer and let it be destroyed by wind or water. The conservation districts of America are dedicated to the conservation, wise use, and orderly development of the nation's land resources. We would urge the Congress to assure that the

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Agricultural Land Review Commission established under H. R. 4569 studies the need for a strong soil and water conservation program as an essential part of a national policy for retaining and protecting agricultural lands.

Finally, we want to voice our strong concern for the role that private land-owners and users must play in implementing any program for American agricultural land. Nearly three-fourths of the land in the contiguous 48 states is privately owned. Here is where the largest and most difficult job of resource management is being performed -- and where it will have to be performed in the future. The future quality of the American environment will be determined largely in the countryside. What we do with these rural lands will ultimately determine how well we live. The people who own and operate this vast and productive land have demonstrated that they will accept the responsibility for its wise use and conservation if they are fully informed and provided the assistance and cooperation needed to supplement their own knowledge and resources.

That is our belief and our experience. Much of what is harmful to America's land today is happening not because government is doing nothing, but rather because government is doing the wrong things. Interstate highways through fertile valleys, regional trunk sewers through prime farmlands, and tax policies that force farmers to sell land to urban developers are not caused by private neglect -- or government inaction. Farmers all over America are trying to save prime farmland -- often from governmental actions. We must cooperate with and reward the farmer's efforts, not penalize them.

These are vital factors that must be considered in any program to retain America's vital land resources. A national commitment to action, an intensive

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study to bring out the facts and involve as many people as possible in discussing the issue, and continued encouragement to the innovative and imaginative programs now being developed throughout the country will point to solutions. These are the elements of the bill we are discussing today, and the National Association of Conservation Districts is pleased to be able to support this important piece of legislation.

We appreciate your invitation to present these views.

Mr. NOLAN. We thank you very much.

The next witness may proceed.

Mr. Haffert?

[The prepared statement submitted by Mr. Haffert follows:]

H.R. 4569: "PEOPLE MULTIPLY BUT ACRES DO NOT"

(Statement by Wm. A. Haffert, Jr., Executive V-P, Garden State Publishing Co., Sea Isle City, NJ 08243, before Subcommittee on Family Farms, Rural Development and Special Studies, Committee on Agriculture, U.S. House of Representatives, Washington, DC, June 16, 1977.)

My name is William A. Haffert, Jr., a trustee of the N.J. Agricultural Society, a former chairman of the Rural Advisory Council and other governor-appointed land-use councils, and co-publisher of several national agricultural magazines. My company, Garden State Publishing Co. is located in Sea Isle City, NJ.

I appreciate the opportunity to share some views with you, based on many years of direct and intimate contact with the problems of agriculture in New Jersey and elsewhere. Some of the "New Jersey experience" with agriculture land preservation has helped crystallize the thinking behind H.R. 4569 and related bills in House and Senate.

New Jersey has lost 40% of its farm land in the past quarter century. A total of 1.7 million acres has shrunk to 1 million. The number of farms has decreased from 25,000 to less than 7,500. The value per farm has increased from an average of \$160 per acre in 1950 to perhaps \$3,000 an acre today.

The New Jersey experience may seem insignificant when weighed against the nation's total productive food and fiber capacity. Still, there is scarcely a state which cannot point to similar circumstances, most particularly in the urbanizing agricultural states...whether it be in Virginia, Kansas, Iowa, Missouri, California, Kentucky, Hawaii, or the State of Washington.

So, New Jersey is a microcosm-and a kind of preview-of what is happening, and what can happen, to farm land--at least in those areas most subject to higher value demands.

It was natural for New Jersey to try to take steps to preserve farm land on a large-scale basis.

That is why the Governor and a bipartisan N.J. legislature last year passed the first state law in the nation establishing a demonstration

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project for developing the mechanics and experience of the concept of purchase by the public of development rights in farm land, but continuing that land in private ownership.

The legislature appropriated \$5 million to purchase easement rights to farmland within a four-township area in Central New Jersey. Farm owners participate on a voluntary basis. Separate appraisers fix the value of the farms for uses other than agriculture, and if state and owner agree on what that value is, the state enters into a permanent covenant with the land owner to keep his property in open space use. In return, he receives the agreed-upon amount per acre.

No transactions have taken place yet, but it is estimated there are four times as much acreage already offered to the pilot program than current funding will cover. The concept is popular.

H.R. 4569, of course, establishes and authenticates the national purpose of addressing ourselves nationally to the loss of farm land in every state.

To this point, national policy has never focused upon preservation of the land beneath the crops--only to target levels for the crops grown on that land and conservation husbandry. I believe that it is time to consider target prices and land bank concepts collaterally. H.R. 4569 is essential to evaluation of that purpose.

We all know of instances where the real estate value of farm land has priced acreage out of business as farm land, unless held for investment purposes. It has encouraged the formation of so-called agribusiness trusts to buy and lease back the land to competent farm managers. This idea, as we already know, is unpopular. But it does signal the underlying need for an economic vehicle we do not now have--a financial plan for preserving farm land for farmers at reasonable values--independent of the value of that land for other purposes.

The President of the United States recently went to the people to talk about the seriousness of the energy crisis. Suddenly, it is a scarce resource. It has quickly begun to pervade our economy and our personal lifestyles. And, of course, it will get worse.

In my view, the chief executive officers of the United States within 10 or 15 years may need to go before the people of this country and make a similar impassioned appeal to "save our farm land." Merely substitute "food" for "energy"--and you describe a developing second crisis not too many years down the road. I hope we have the foresight--here and now--to begin to avoid that kind of situation.

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Many of us here realize that time slips away very rapidly. The need to preserve our land base so that we can preserve our food basket is really urgent.

Assume a daughter or son is born today. By the time that child is 23 years old, we will have seven billion mouths to feed on this planet against today's just-under four billion--just 23 years from now!

How many nations have the God-given resources to help supply that need? We in America are the most-favored of all. Our farm land is a priceless, non-renewable resource. The least we can do is to begin to study ways and means of preserving it. "People multiply, but acres do not," as a Kiplinger Letter noted recently.

That is what H.R. 4569 is all about. It suggests inventory-taking to see just what we need to do to preserve farm land. It asks for \$50 million a year funding, for five years, to study some of the practical alternatives.

This is a very novel and complex and delicate matter to study, involving private property ownership, zoning, taxation, weighing tradeoffs of much lower relative food and fiber costs later against public investment now in our food-making potential, etc.

Just our modest pilot project in New Jersey has raised dozens of complex questions about the who, why, where, when and how of using public money to voluntarily persuade landowners to agree to keep their property in farm use--all other private property rights fully protected. But it is beyond the capacity of New Jersey and, I should think, any state to finance purchase of development rights. That is why 75-25% funding is proposed in this bill. This is a matter of national concern--and soon destined to be one of highest priority. What we do today will point the way, hopefully, of --

- Preserving prime farm land in family farm ownership--at least in areas where it may otherwise yield to development.
- Lowering the cost of food and fiber to consumers, proportionately and empirically, to initial cost of acquisition of rights.
- Increasing an advantageous selling position for exports vis a vis competing food-exporting nations.
- Adding great leverage--particularly to a favorable balance of payments, when we likely will need it most.

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- Giving our nation's open spaces ordered growth, and preserving our best farm lands for their best natural use.

A farm land preserve can be seen as a bank of benefits--lower cost food in the long run for our consumers; a better bargaining position in world markets with competing "have" nations; more food for the "have not" nations, a potential international political bargaining weapon, ordered growth, preservation of family farms, etc.

Someone figured out recently that each week 35,000 acres of high quality crop land in the U.S. goes out of production--enough to feed 100,000 Africans, Asians or Latin Americans for an entire year! And, that land goes out permanently!

Finally, with the money generated by purchase of development rights, our family farmers will have the capital necessary to modernize and even accelerate production against expanding future demands for food and fiber.

Speakers at an agricultural bankers meeting in Omaha two weeks ago, sponsored by the American Bankers Ass'n, noted that young farmers in particular had been paying much too much for land, based on its agricultural earning power. Cash flow is not enough, they said, to handle debt service.

This land preservation plan really offers the best of all worlds to all. This modest pilot project--outlined in H.R. 4569--will help point the way.

As a layman, I certainly can't suggest to you how this project can be funded--\$50 million a year for five years.

But it seems to me that if Congress wishes to spend nearly \$3 billion a year, for five years, on support prices for the nation's basic farm crops, it certainly could squeeze \$50 million a year out of that to develop-through actual experience in these pilot projects--some long-range answers to how much land we're going to be able to keep in agriculture.

It's time for statesmanship in this area. Along with supports, we ought to identify how to at least begin to take the competitive rising value of land for non-agricultural purposes out of the American food bill. If we do, I predict that the need for price supports will gradually diminish in proportion to desired farm income, we'll be better competitors in world markets and we'll have a more viable and sophisticated agriculture. Please share New Jersey's sense of urgency in making at least a start now... this year...with passage of H.R. 4569 and related bills. Thank you.

Mr. HAFFERT. Also H.R. 4569 will help us find a way to avoid that crisis if we act now. H.R. 4569 is a fact gathering device—its a pilot project—it is not a land use program.

I think I might say collaterally here that I have to agree with Dr. Cutler in successfully defending the administration's stand and I am so sorry he was unsuccessful at the Office of Management and Budget before he came down here. Also, it has been my experience over the years to think that something this important should be an inter-agency approach and should not be assigned entirely to one department.

Although I do believe, however, that the administration of the bill or a subsequent bill should certainly go over there because they certainly have the grassroots approach, as he pointed out, at the county and township level.

But when you consider, as one of you gentlemen mentioned earlier, I think it was Representative Jeffords, about having so many programs in the Federal government then it is just too big to expect one agency to handle it.

Mr. NOLAN. Thank you, very much.

Are there any questions?

Mr. Harkin?

Mr. HARKIN. Thank you, Mr. Chairman.

I would like to ask Mr. Helb a question, I don't know that I quite understand this transfer of development rights. Could you explain that for me so that I could understand it? I understand the other two, but not that one.

Mr. HELB. I will try. It is somewhat difficult. It is not all that complex but in explanation it appears that way.

Essentially all it does is to create two zones within a given jurisdiction. A municipality, for example, where land use is based in New Jersey—one being the preservation zone, the other being the transfer zone. The preservation zone contain the farm property.

Mr. HARKIN. That's the preservation zone that contains farm land?

Mr. HELB. Yes.

The farm would be placed in the preservation zone. The development potential of that land would be severed—like in the purchase of a development right scheme but instead of purchasing it the farmer would be given a certificate. At the same time in the transfer zone, the owners of property over there would be permitted to build at that density permitted under that zoning as a matter of right.

Mr. HARKIN. In the transfer zone?

Mr. HELB. Yes. However, by acquiring those certificates of development rights from farmers in the preservation zone—they could exceed that density and go to a higher one.

Mr. HARKIN. They could exceed that density in the transfer zone?

Mr. HELB. In the transfer zone. Right.

Mr. HARKIN. But not in the preservation zone.

Mr. HELB. No. The preservation zone would be preserved. The compensation would take place in the private market. The public purpose would be realized. The farms would be preserved, the farms would remain in private ownership and in agricultural use.

However, the compensation would be done by the private market.

Mr. HARKIN. That is a difficult concept. I don't seem to be able to understand it.

I guess what you are saying is this. The farmer who owns that farmland does have the right. Its part of that bundle of rights to develop his property. Is that right?

Mr. HELB. Yes.

Mr. HARKIN. If public policy dictates that we ought not to develop that land and that somehow he should be compensated for the loss and rather than the State compensating him, what you are saying is that the private developers already can develop in the zone or in an area where they have zoning laws applying and they can exceed the density in that area by going out and paying the farmer so much money for that farmer's development right. Is that right?

Mr. HELB. Acquiring that farmer's right to develop.

Mr. HARKIN. The farmer cannot utilize that right, can he?

Mr. HELB. That's right.

Mr. HARKIN. He can sell it?

Mr. HELB. Yes, or he can use it himself if he happened to own property in the transfer area.

Mr. HARKIN. I understand that—but he could not use it in the preservation zone?

Mr. HELB. Exactly.

Mr. HARKIN. Would you not run afoul of zoning laws? They are set up for maximum density. In other words, if you had zoning designations for a single unit and multiple unit dwellings for two stories of only 10 units or something like that. Let's say you could build small apartment houses that don't exceed two stories. So you are saying that in the area I live in, which is zoned for that, that a developer could exceed that and build a 10-story apartment house by going out and buying this development right. Is that right? And he lives 5 miles away?

Mr. HELB. It would not be completely unregulated. There would be a ceiling. For example, let's assume that the transfer zone is a developing piece of property and that current zoning allows one dwelling unit to the acre. By acquiring three additional units in the form of certificates of development rights from the farmer, he could put four dwelling units on quarter acre lots, for example, in the transfer zone.

Mr. HARKIN. When development sections are opened up, then the city has to set a maximum of the development they allow because they put in drainage systems and water systems and sewer systems.

Mr. HELB. The capacity, yes.

Mr. HARKIN. Somehow that maximum has to stay there. In other words you have to have almost two zoning ordinances. One is the zoning for those who can buy those developments.

Mr. HELB. In a sense it is like an overlay. Two zoning. The bill that we have in New Jersey, assembly bill 3188, The Municipal Density Transfer Act, which I gave copies of for the record, essentially is a supplement to zoning, and as such, would operate as an overlay on that zoning map.

Mr. HARKIN. Is that operating in New Jersey?

Mr. HELB. We have two municipalities which have adopted a form of development rights.

Mr. HARKIN. They can buy from anybody?

Mr. HELB. It operates as a cluster-type concept where individuals are allowed to transfer the development potential from one area to the other.

Mr. HARKIN. I would assume then that the farmer whose farmland adjoined his development right certificate would be worth more than the farmer's farm who is once removed. Is that right?

Mr. HELB. I am not sure if I understand that right.

Mr. HARKIN. The town is expanding and you have a farm that is right next to it and it is being used as farmland now. You want to put that into preservation zone because it is prime agricultural land. If you put that into a preservation zone the farm once removed from that on down the road, could potentially be developed but not as soon as this one. So you want to put that in the preservation zone too.

Well, the one that is nearest the development obviously has more at stake financially than the one down the road so therefore you would give that farmer that was closer in more value, or more of a certificate or it would be worth more money?

Mr. HELB. I think the value would essentially be established by the private market as opposed to the location of that preserved parcel. For example, a farmer may envision that his development right is worth \$10,000, however if the developer over in the transfer zone cannot possibly afford to spend \$10,000 on that development unit and produce an affordable home for the public then there is no way that that would be worth \$10,000. Negotiations, of course, will occur. A reasonable and fair price for both will result.

Mr. HARKIN. That is an interesting concept. I thank you.

Mr. HAFFERT. I am also from New Jersey and I was on two commissions that studied this concept of buying and development rights as a Federal-State matching fund.

We think this concept is one of many, many tools that can be used but in our experience of the study which has gone on for several years, we do not think we can get enough land mass in contiguous areas from the commercial farmer's viewpoint to make this thing viable all over. You have a lot of conflicts between townships as to what they want to do and what they don't want to do.

But this is one thing of many. There are probably 50 tools and that's why I think if you will support this bill you are getting out of the exercise of running through these demonstration projects and you're going to get the answers.

Mr. HELB. I would like to also add this. The resolution in the New Jersey Legislature, Assembly Resolution 3188, sponsored by Mr. Doyle, is under consideration Monday, on the 20th of June. Similar legislation has been introduced in New York. I understand that next week it will also be introduced the Pennsylvania Legislature and there is a possibility that as far as the Connecticut Legislature, California Legislature and several others having similar legislation introduced.

Mr. HARKIN. Thank you, very much.

Mr. NOLAN. Mr. Grassley?

Mr. GRASSLEY. Mr. Haffert, evidently from your testimony then, you do not support the alternative suggested by the Department of Agriculture, that we would have just the Department of Agriculture conduct such a study as proposed by H.R. 4569 because you feel that it needs to be interagency approach or at least much broader than one department. Is that right?

Mr. HAFFERT. That would make the most important input as a source but you are involving the general public here and you are involving municipalities and others with their own zoning problems which are urban and suburban. I think it would be more objective if it were Commission-oriented.

Mr. GRASSLEY. You are not compromising your support of H.R. 4569?

Mr. HAFFERT. No. As a matter of fact, I don't in any way.

Mr. GRASSLEY. I missed the point about all sorts of planning—like this having something to do with the maintenance of the family farm, as a farming unit. I don't argue with that goal. That's my goal also, but I don't see the relationship.

Mr. HAFFERT. Let me give you a for instance—if you wanted to sell your development rights as a farmer today. In the New Jersey experience I believe that a farmer has offered for as little as \$1,000 or up as high as \$10,000. That is what he asks the public to give him permanently preserve that and keep it agriculture.

As you go on as a family farmer, you are compelled to sell that land in time for its higher value use whether you want to stay on it or not because you can't get enough out of the crops to sustain your ratables or whatever else goes into it. So, you are forced to yield. That is what I mean by the resource space begins to go down.

The second value to this is this. It is completely voluntary but you can get a family farmer to come into this preserve and you are preserving thousands of acres in contiguous areas which allows for much more constructive and least cost production—not broken up.

If this fellow knows where he is going to go and if he has his first money, then he will intensify an update and do other things he would not have done. As you move down the road empirically, 5 or 10 years from now, you will see the tremendous need for food around the world and you will not have to have price supports any more except for adverse conditions because the demand will be too strong.

But when you capitalize real estate into that farmland, then you will price yourself out of the market anyway. So I am saying that \$7 million spent today is 10 cents in the year 2000. I am talking about as it relates to what the food would cost.

Mr. GRASSLEY. Thank you.

I have one comment to Mr. Roehrich.

I want to compliment you for emphasizing something I have always had in my mind. Government is not now doing all it can to prevent land abuse. We are here talking about establishing land use policies and passing land use laws at the Federal level, local and State levels, when right now Government policy, such as with respect

to highway construction, is abusive. I could never understand why, if we were serious about land use, we didn't do more about our own policies in the first instance.

I wonder why the people at the local and State levels and those people who are promoting land use policies, if they are serious, don't do more right now with existing laws on the books. Executive orders of Governors and Presidents could change right now the amount of right-of-way we have to have for some of the highways. We are still building highways for going 100 miles an hour, and yet with the energy crisis, this is ridiculous.

I agree with you and I thank you for bringing it out but I still have never understood why people promoting land use policies weren't first tackling what they can do something about.

Mr. ROEHRICH. Farmers in this country stood back in the 1950's and watched the engineers of this country build the finest highway system the world has ever known. They went through the mountains and they had a median strip of 50 feet. When they went across the prime agricultural land they had 200, 300 or 400, or 500 yards wide and planted grass and mowed it down very close so the oncoming traffic lights could hit you in the eyes and they were trying to tell us it was for safety.

Mr. NOLAN. We thank you, gentlemen.

Mr. Haffert?

Mr. HAFFERT. The mere fact that we have not coordinated our land use policy is that we have never really collected and taken a broad and incisive look as to where the priorities should go.

Mr. GRASSLEY. I am not sure that establishing another commission would do it. I don't know that that is a final solution.

Mr. HAFFERT. I don't think this is a permanent Commission. Don't misunderstand me, I'm not speaking just about this bill. I am speaking about most land use bills which involve such a Commission on a permanent basis.

Mr. HELB. But Mr. Chairman, Senator John Doyle from New Jersey had hoped to be here but he had a conflict and he was unable to make it. He will be submitting written testimony but he asked me if I would mention that he would like to see the bill amended in one aspect, particularly the Advisory Commission aspect where the twelve Governors sit on it. He would like to see equal representation from State legislators. That is shared, I think, by the National Conference of State Legislatures as well.

Mr. NOLAN. Thank you.

Gentlemen, we thank you for some excellent testimony.

Our next witness is Mr. Jim McHale, assistant to the Governor for Rural Development from the State of Pennsylvania. He will be accompanied by Mr. Jack Brizius, director of the Office of State Planning and Development of the State of Pennsylvania.

Mr. McHale?

Mr. McHALE. I would like Jack Brizius first to read our prepared statement and then I will follow it up with a few facts and views.

[The prepared statement submitted by Mr. Brizius follows:]

STATEMENT OF JACK BRIZIUS, DIRECTOR OF THE PENNSYLVANIA OFFICE
OF STATE PLANNING AND DEVELOPMENT

Mr. Chairman:

I would like to thank you and the members of the Committee for this opportunity to express my views on the proposed National Agricultural Land Policy Act.

My name is Jack Brizius. I am the Director of the Governor's Office of State Planning and Development in Pennsylvania, which is responsible for the social, economic, and physical planning of the Commonwealth and the conservation of its natural resources.

The National Agricultural Land Policy Act is of particular interest to Pennsylvania where farmland is being converted to nonfarm uses at an alarming rate.

Although Pennsylvania is the second ranking industrial state in the nation, the third largest coal producer, and the fourth ranking in mineral production, the Commonwealth still looks to agriculture for an important contribution to its economy. Pennsylvania agriculture generates over 4.5 billion dollars of economic activity annually while supporting 275,000 jobs.

Pennsylvania ranks among the top 10 states in the production of 12 important agricultural commodities, including milk and milk products, livestock, apples and poultry. In addition to being a source of food, 73,000 farms in the state have a significant impact on the quality of the environment in the Commonwealth. The issues of open space, outdoor recreation, water supply and waste disposal are closely tied to the maintenance of a stable agriculture land base.

Unfortunately for Pennsylvania, approximately half of our prime soils -- soils that can sustain economic production over a long period of time -- are located in the direct path of urban expansion. Lancaster County, which ranks among the top farm counties in the Nation, typifies the problems of farmland conversion in Southeastern Pennsylvania.

In 1950 the urbanized area of Lancaster City was a compact 8 square miles. By 1970 the urbanized area expanded to 40 square miles -- an increase of almost 400 percent. As expected, there was a corresponding reduction in land for agriculture and rural uses. The same forces that convert farmland into other uses are continuing today in Lancaster County and many other counties of the Commonwealth.

Pennsylvania is particularly sensitive to the problem of farmland conversions since all but 8 of the state's 20 leading agricultural counties are Standard Metropolitan Statistical Areas,

where the pressures of urbanization are the greatest. The net result is that today, annually, over 100,000 acres of Pennsylvania farmland, which is among the most productive in the Nation, goes out of production, often irreversibly.

The direct impacts of suburbanization and sprawl -- the visible reality of land going into homes, shopping centers and industrial sites -- are obvious. However, the indirect impacts are often more subtle and pervasive than the actual conversion of farmland to urban uses. The nature and extent of these impacts are only now being understood.

Research on the indirect effects of urbanization in the Northeast shows that for every acre of farmland which is urbanized we lose an additional acre of farmland due to such indirect effects of urbanization as regulations on fertilizer and pesticide use, waste disposal, increased taxation, and other similar constraints on agriculture and the farmer.

In six of the eight counties in the Philadelphia metropolitan region between 1930 and 1970 approximately 100,000 acres of farmland were idled through these indirect effects.

There is an urgent need to explore, research and understand the indirect impacts of urbanization. The National Agricultural Policy Act would help states like Pennsylvania carry out the

needed research and develop mechanisms to restrain the pervasive effects of urbanization on farmland.

We in Pennsylvania have been deeply concerned with the constant threat of urban encroachment on the prime farmlands in the state. Our concern is reflected in the several laws enacted to aid farmers to maintain viable farm units in the face of rapid urbanization. Most notable is the Farmland and Forestland Assessment Act, which required amending the Constitution of the Commonwealth to permit differential property assessment of farmland. Still other legislative initiatives are under consideration which are aimed at retaining farmland.

In addition, we are in the process of developing a State Land Policy which addresses a number of land use issues and problems in the state. This policy will focus specifically on the retention of farmland as a key component of state land policy.

Approximately 300 public meetings involving nearly 10,000 citizens were held to acquaint Pennsylvanians with the program and to get their reactions to the recommended land policy. Invariably, the overriding concern of citizens in rural areas was the need for retaining farmland. From these meetings, it became obvious that new mechanisms for a permanent farmland retention program are required. Such a strategy must include strong incentives and disincentives to achieve rational land use. The provisions of

HR 5882 could help states implement this innovative approach for farmland retention.

I would suggest, Mr. Chairman, that this Committee re-examine the composition of the proposed Agriculture Land Review Commission and consider including as members of the Commission, a selected number of knowledgeable and interested Governors from throughout the Nation to be appointed by the President. As you know, the conversion of quality farmland to other uses is a matter of Statewide concern and many states have and are moving to protect farmland under the leadership of enlightened chief executives.

Mr. Chairman, the "National Agriculture Land Policy Act", now pending before the Congress of the United States as HR 5882, would greatly aid in the effort of retaining land in agriculture through its provisions for research and financial assistance to state and local governments. I am pleased to announce that on Tuesday, June 14, a Resolution in support of this Act was introduced into the Pennsylvania Legislature with bi-partisan sponsorship.

The Office of State Planning in Pennsylvania strongly supports HR 5882. We commend the Committee for providing this opportunity for us to comment on this important national legislation.

Mr. BRIZIUS. Mr. Chairman, I would like to insert a comment on the administration's position. We believe that there should be a strong State role in the preservation of agricultural land, but just as firmly we are convinced that it is going to take Federal financial help. We calculate, for example, that to purchase today development rights for merely 10 percent of the prime agricultural land in Pennsylvania will cost us over \$800 million. We are facing a \$500 million budget deficit right now which the Governor and the legislature are struggling with.

I would like to thank you again for hearing our comments and I will turn it back over to Jim McHale who was, for 5 years, the Secretary of Agriculture in the State of Pennsylvania.

Mr. GRASSLEY [acting chairman]. Mr. McHale, go right ahead.

STATEMENT OF JIM McHALE, ASSISTANT TO THE GOVERNOR FOR RURAL DEVELOPMENT, STATE OF PENNSYLVANIA

Mr. McHALE. I would like to point out that land use patterns in the United States with a few outstanding exceptions have not been determined by design but by political and economic expedience. The result has been exploitive, wasteful, and unwise use of our land. Conversion of land from rural to urban use has been particularly wasteful. It has intensified our problems—our social problems—economic and environmental problems—and unless land use policies are vastly improved at all levels, a national land use crisis will be upon us. In fact, it is really here now if we would just look around.

Each year we pave over a space half the size of Rhode Island—every 10 years an area the size of New Jersey and the worse part is the erosion that has taken place in the soil. We are losing 400,000 acres a year to erosion alone. The soil erosion problem goes far beyond that because of the loss of our nutrients in our soil. The soil that is lost by erosion contains over four times as much organic matter as the test plots, three times as much phosphorus, one and a half times as much potassium as the original soil. We have 15 ton of top soil a second, that amounts to a 120-acre farm a day going out the mouth of the Mississippi River alone.

There is a limit to growth. Nearly half of the arable land that is available for agriculture will be consumed by urban and industrial developments before the year 2050. Meanwhile our population is going to quadruple. We now have one acre of arable land per person and we will have a quarter of an acre by the year 2035. We put 50 million acres back into production back in 1974 and a lot of this land was marginal and subject to erosion but the long-term effects are going to be disastrous. As a nation we should be able to learn from history what has happened to other countries when they forgot the ecological and environmental impacts of destroying our lands and forests.

Are we going to develop the land policy or are we going to continue to view land as a commodity to be bought and sold, raped and discarded, and used by the owners as they see fit. The continuing concept as land as a commodity is based on the free-wheeling speculative market of increasing demand and diminishing supply.

I think what we really talking about here in summary, is the real need to go beyond a land use policy. I think we ought to be supporting Hubert Humphrey's national growth and economic policies and find out some priorities for this Nation. I do not think balancing the budget by 1981 is the top priority. I think there are some other things to be done in the meantime. We have the shortages in energy. We do not have any real handle on that. We are exporting food which is also energy. We need to have a total program.

But I think before we can really talk about a land policy I think we should include in there as part of the survey who owns the land in this country. I did a little survey and picked up some information that 12 landowners own 52 percent of the land area of the State of Maine; 25 landowners own over half the land area of California. Southern Pacific Railroad owns 5 percent of the land area of California. I think what we need in this country is land reform and then get around to putting together a land policy. One of the things we can do is support a family farm bill, an anticorporation farm bill and support George McGovern's young farmers' bill and get something that you can put these farmers back on the land to be stewards of the land.

Maybe we ought to take another look at our farm bill. Maybe we ought to be talking about a farm bill that would guarantee the family farmer a guaranteed minimum wage. I don't see much wrong with that. I think it would be lot cheaper in the end than it would be to let the farmers go into the cities and cause the problems we have had over the years with riots and Watts and so on. We should have corrected those problems back on the farm years ago.

I think we ought to talk about a land transfer bank in this process. When land comes on the market we could buy the land and make it available to these young farmers.

I would hope that somehow we would come out of these efforts with some sort of a model demonstration instead of a lot more stacks of plans. We have had plans enough over all kinds of agencies for years. We really have not had something to point to that says that this and that could work. In Pennsylvania back in 1972 we worked with a plan through a cooperative corporation. We pooled 3,000 acres of land. We developed in that area a permanent recreational area in the low-lying land. Then we backed off to with permanent agricultural land and then the higher, rougher land for industrial development and our housing. The cost savings were tremendous. We were able to cut back with fire and police protection and all the other services that are geared into these kinds of efforts.

What I'm saying is this. Another thing that would keep farmers on the farm is farm income.

When we talked about conservation, I wish Congress would take another look at that. We spent \$500 million back in 1932. Now you are down to less than \$200 million for soil conservation in cost sharing through ACP. The administrative cost is about what the farmers get and we have about one employee for each farmer, so let's take a look at that as well.

Mr. NOLAN. I thank the gentleman for some candid testimony.

I have no questions, so I thank you both very much for excellent testimony.

Our next witness is Mr. Ivan Alten, Director of Urban Development Division, Kane County, Ill.

I would also like to call Dr. J. D. Esseks, Department of Public Administration from Northern Illinois University from DeKalb, Ill. We will have the two of you together.

Mr. Alten?

STATEMENT OF IVAN ALTEN, DIRECTOR, URBAN DEVELOPMENT DIVISION, KANE COUNTY, ILL.

Mr. ALTEN. Thank you, Mr. Chairman.

I am Ivan Alten, Director of Urban Development of Kane County, Ill. I am a full member of the American Institute of Planners and a registered architect in Illinois, Michigan, and Virginia.

Kane County, having 334,000 acres, is located 40 miles west of Chicago. The county has a population of 270,000; 250,000 of whom live in 14 cities strung along the Fox River. Among these are Montgomery, Aurora, Batavia, Geneva, St. Charles, Elgin, and the Dundees. Settlers from New England started these towns in the 1830's and used water power in the manufacture of wagons, implements, windmills and tools for the homesteaders going further west. Urban institutions were established and the continuous flow of Northern Europeans with nonrural backgrounds helped develop a spatial arrangement where the water powered towns occupied the eastern one-third of the County, and the remaining two-thirds became purely agricultural. One-half dozen small satellite farm communities served these agricultural areas. Thus, in 140 years a balance between city and farm evolved, and there was a peaceful flow of people and ideas between these two modes of existence.

Suddenly the excellent agricultural land to the east of the county became filled with "developments" all the way from Chicago to the Fox River. Not a single community could resist the pressure of this questionable progress, and today there is no land left in any county to the east of us zones as farm land.

For 16 years through many political climates, Kane County tried to prepare for the inevitable—the forced conversion of prime agricultural land into fashionable "developments" of the moment. A counterplan of action cannot succeed since a county does not jurisdiction over the most important changes which are the precursors to urbanization. For instance, freeways, mineral extraction rights, navigable waterways, airways, airport location—dams and tunnels, just to mention a few, are outside the control of most counties.

The retention of prime farm land in urbanizing areas can be achieved only if farming becomes a land use competitive with the urban use of land. Economically healthy urban land uses of outwardly conflicting nature create a synthetic effect. For instance, with proper design research industries located next to expensive single family houses could create a good neighborhood; and likewise agricultural land could well become an important urban land use to simultaneously cement and buffer other conflicting uses. But in order to create this balance the urbanist needs to know: (a) what prime agricultural land is; (b) where it is in the region, and; (c) why it doesn't remain in agricultural production.

These questions have to be answered by those other than urbanists. Once answered, agricultural land can be made to hold its own against often imaginary pressures of the "highest and best use" of the land.

One often-discussed method would be to accept the American concept that land is a commodity, and therefore has to be made versatile to act as a commodity. For instance, if all parcels of agricultural land would have: mineral rights, shallow-aquifer rights, deep-aquifer rights, surface water collection rights, crop growing rights, air rights, development rights, density rights, zoning rights, special assessment rights, and timber rights in measurable quantities, the entire economic role of such land would change. These attributes could be traded singly or combined, or they could be banked, used as collateral, or willed individually.

Since 1974, we have studied some of these issues, through the Kaneland Council of Governments—the only rural COG in the Chicago metropolitan area. The four enclosed reports were published by our office and they go into considerable detail about the problems under discussion.

It would, therefore, be my hope that this committee would favorably report to the full House of Representatives H.R. 7235. This bill would go a long way toward assisting States, counties, and cities interested in protecting one of our country's most precious natural resources—our unmatched, productive farm land—from the despoilment of unchecked urbanization.

What I am asking is that the Congress help those of us in local government find the new and innovative tools to reduce the impact of urban sprawl. I urge your favorable consideration of this bill, and I thank you for listening to my remarks. I have four reports to be entered into the record. The first one is the Kane County Planning and Development Policies. It includes the general land use plan of Kane County. I hope you can hear me.

[Chart shown.]

This map is of the metropolitan area of Chicago. Kane County is right here.

[Indicating.]

You will see that the Fox River runs here and is fully urbanized. All of the black lines which I am sure you can use as you look at it, show the outline of the cities. They end about here.

[Indicating.]

[Chart shown.]

On this map which is our present plan of development in controlling the county the dark red areas are already urbanized with over a quarter of a million people. According to the State demographic forecast in a very short time the lighter areas will be filled in and this is all the agricultural land which remains, minus the highways in the little towns and the myriad of subdivisions. This takes the land out of production. We are losing over 5,000 acres every year out of 220,000 acres. We are scared to death.

Mr. NOLAN. We thank you very much the reports you submitted will be held in the committee files.

[The material referred to above is held in the committee files.]

Mr. ESSEKS, we welcome you.

[The prepared statement submitted by Mr. Esseks follows:]

TO: Congressman Richard Nolan, Chairman
Subcommittee on the Family Farm and Rural Development
House Committee on Agriculture

FROM: John D. Esseks
Associate Professor
Northern Illinois University

RE: H. R. 7235, "National Agricultural Land Policy Act"

I teach public administration at Northern Illinois University in De Kalb, Illinois. Part of my responsibilities there has been to study and teach about land-use problems facing public administrators in the counties around Chicago. A major problem continues to be urban sprawl at the expense of good farmland.

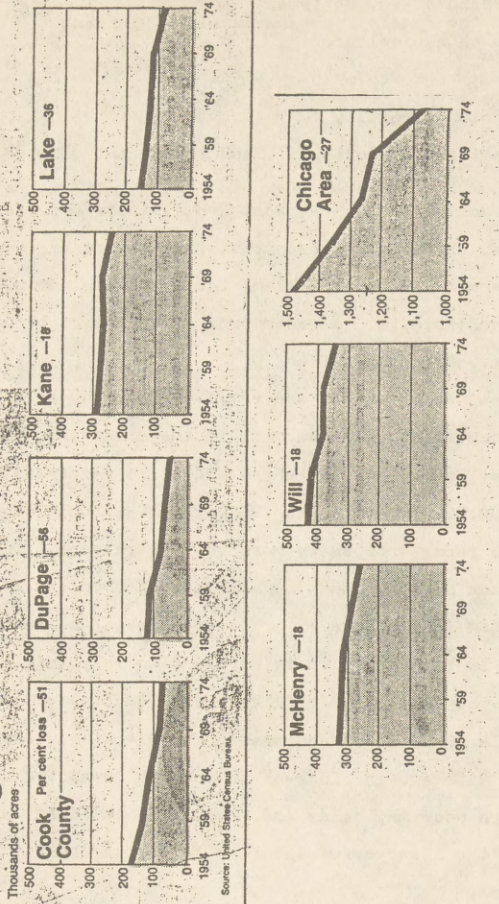
According to the Census Bureau's every-five-year survey of agriculture, the amount of land in farming in the six-county Chicago region (Cook, DuPage, Kane, Lake, McHenry, and Will) decreased by 27 percent (about 400,000 acres) in the 20 years 1954 to 1974. The number of individual farms dropped by more than 50 percent. In the most recent comparison period, 1969-74, the rate of cropland loss apparently accelerated (see Figure 1). Two counties, Kane and Will, both lost more than 12 percent of their farmland in only these five years. At that rate they will soon be like DuPage County, with most of their once fertile prairie land covered by subdivisions, shopping centers, etc., but with enough black-earth patches remaining here and there, and enough decaying barns and other farm buildings still standing, to remind the observer of the rich farming economy which once flourished there.

Kane County, which includes the cities of Elgin and Aurora and about 200,000 acres of fertile cropland, has become the target of

FIGURE 1

from Chicago Tribune, March 10, 1977

Chicago area farm land, 1954 to 1974



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intense development pressures. Last month, on May 17th, the county's government felt compelled to declare a two-month moratorium on accepting new applications for subdivision approval. County officers were overwhelmed with work on pending projects, as the acreage involved far exceeded what they normally expected to process. The pressure to locate new housing in Kane County corn fields will probably not abate (the county's population is expected to be half again larger by 1995). However, some county officials wish to divert the expected development away from the more productive land onto parcels with relatively poorer soils or other impediments to high yields. I have met officials and supportive citizens in neighboring Kendall and De Kalb counties and also in Lake County who have the same general policy goal -- engineering development which minimizes loss of prime farmland. But they face three kinds of information gaps which H. R. 7235 could help to close.

(1) One major gap facing local governments in Illinois concerns the quality of the land being taken out of agriculture. We tend not to know, with sufficient precision, how much prime land has recently been lost and how much more is being held by speculators and thus is likely to be converted in the not-too-distant future. The Census Bureau's data tell us only the gross number of acres taken out of farming since the last survey; there is no differentiation among grades of cropland. The USDA apparently cannot now help us with this question. In a February letter to me, the Illinois office of the USDA's Soil Conservation Service stated: "We do know ^[Illinois] that 40,000 to 60,000 acres of agricultural land are converted to other uses each year, but we have not gathered data on how much

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of that acreage would meet the criteria for prime farmland. This would have to be analyzed county by county to arrive at reliable state figures" (letter of February 28, 1977). The Soil Conservation Service carried out a county-level inventory of land quality and use in 1967, but none has been done since, apparently for lack of budgeted funds. The \$15 million authorized for H.R. 7235's Title II ("Research Program") gives promise of enough resources for another county-level study, at least for those regions undergoing rapid urbanization.

Such a study can be made comparable to the 1967 inventory, so that valid comparisons will emerge and will probably show to Chicago-area policy makers that disturbingly large losses of prime farmland have occurred over the ten or so years. Developers have been attracted to the area's flat, well-drained farmland because it tends to be the most profitable for construction purposes. The same qualities attract speculators to buy up land which may be years from development but which they will hold for resale to other speculators or developers. Speculator activities have contributed to a phenomenal rise in the prices of Illinois farmland. In just two years, from November 1974 to November 1976, the average price per acre rose 69 percent, from \$885 to \$1,497 (Illinois Agricultural Association, "Farmland Valuation Bill"). In 1976 the carrying costs of Illinois farmland, that is, the combined value of principal and interest payments, averaged 47 percent of gross receipts, whereas in 1972 it was 27 percent (Christian Science Monitor, June 8, 1977). Family farmers are

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finding it difficult to compete in such a land market. Many of them are outbidded by doctors, lawyers, and other individual or corporate investors attracted to the high appreciation of the area's farmland.

The "Research Program" of H. R. 7235's Title II could help Illinois counties to identify both the amount of prime land recently lost and the quantity held by speculators. I suspect that, when confronted with reliable data on these two dimensions, many of the area's policy makers will be prodded to take significant steps to curb the destruction of their communities' land resources. The combination of recent-past and projected losses ought to impress them.

(2) However, if they are not persuaded by such data on cropland, they may be prodded to act by a second category of information which H. R. 7235 could help to provide -- data on the fiscal and environmental costs of scattered development in rural areas. Many observers in Northeast Illinois are convinced that much or most new development occurs in a scatter or "sprawl" pattern. In Lake and Kane counties, for two examples, many hundreds of acres of subdivisions have been built each year on farmland which is relatively far from the sources of police, fire, educational, and other public services. Because of the distances, these developments are costing taxpayers more than comparable-size subdivisions near to or within the borders of municipalities. School bus routes are longer, police and fire responses require more time, sewer lines are more extensive, etc.

A related cost of sprawl is the detrimental effect on farming

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operations located around scattered developments. Farmers of adjacent lands may have their crop yields reduced by such factors as water runoff from subdivisions or access roads, by damage caused by trespassing children and pets, and by ordinances engineered by subdivision residents to curb their use of fertilizers, herbicides, and other "nuisances."

Yet another important cost of urban sprawl may be environmental damage, such as in the forms of soil erosion, stream pollution, and loss of scarce flora or fauna.

In sum, sprawl-type urbanization tends to be fiscally more costly than compact development; it is also more expensive in farm production lost; and it may be more costly in environmental damage. If local government officials were informed of the magnitudes of these costs for their jurisdictions (or similar ones), they might have the ammunition to persuade their policy-making colleagues, their jurisdiction's voters, and/or the courts to sustain policies which curb sprawl. However, many or most local governments lack the resources to develop valid estimates of such costs. The staffs of their land-use-regulation departments are typically too limited to do the necessary research, themselves; and their budgets tend to be too lean to hire competent research resources from outside. Here, then, is a policy area where federal tax money can be fruitfully returned to local communities -- to close important information gaps (via H. R. 7235).

(3) Let us assume that many county or state governments are persuaded of the need to curb the loss of prime farmland. A third kind of information gap concerns what steps to take to reach that

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goal. Title III of H. R. 7235 promises to encourage much-needed program experimentation with, and evaluation of, rival techniques of farmland preservation.

(a) New York State has applied since 1971 the technique of agricultural districting. In these districts owners commit their land to agricultural use for eight years in exchange for lower property tax assessments (i.e., based on farm value rather than development potential), protection from local government ordinances which limit their farming operations (such as restricting the use of herbicides), and other benefits. Illinois is presently considering the adoption of a districting bill patterned after New York's legislation. However, where can Illinois find information about the real effectiveness of that legislation since 1971 in preventing loss of farmland and/or in curbing urban sprawl? I am afraid that such information does not yet exist, or my contacts in New York have not been able to direct me to it. This is not surprising, as good evaluation research is often too costly for financially pressed state and local governments to underwrite. Here, then, is another area where Federal funds (via H. R. 7235) can be fruitfully applied -- to evaluate New York's agricultural districting program so as to aid Illinois and other interested states in deciding to adopt that approach and/or how to adapt it to their local conditions.

One of the great advantages of our federal system is our ability to experiment with a policy in one jurisdiction, to study its success or failure, and to inform policy choice in other jurisdictions from such study. However, we cannot realize this advantage if evaluation of the experiments fails to take place and

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the results disseminated. Through H. R. 7235 we might see the establishment of a clearing house on techniques of farmland preservation which would make available, in convenient form, information as to where, when, and with what success (including before the courts) various techniques have been applied.

(b) A technique of interest to one important county in Northeast Illinois is the transfer of development rights. In this government approach/does not purchase the rights (i.e., the right to develop the land for nonagricultural uses), but it sets up the machinery for private transfers. The technique aims to prevent development on land considered to be especially well suited for farming by (1) designating such land as belonging to an "agricultural preserve" and (2) compensating its owner(s) for loss of development-oriented sales by vesting him/her/them with "transferable development rights." Persons seeking to build homes or commercial or industrial enterprises on the remaining, non-protected land in the same jurisdiction would be required to purchase specified quantities of development rights from the owners of the protected land. Through this process the latter owners would be compensated, hopefully fairly.

This complex but potentially promising technique of farmland preservation has apparently not yet been applied. However, with Federal financial assistance available under H. R. 7235, such as for mapping soils to determine the location of a county's or township's best farmland and for establishing the administrative mechanisms for the transfer of development rights, local governments (or states) may be encouraged to experiment with the technique.

(c) A different technique being considered at the county level in Northeastern Illinois is zoning regulations to

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minimize urban sprawl. The promoters of this approach hope that, with sufficient information on the fiscal and environmental costs of sprawl, they can develop zoning ordinances which make for compact growth and will stand up in court. These officials hope to direct growth onto land which can "carry" it in the sense of being capable of generating sufficient revenues to pay for public services and not being destructive of the environment around it. Federal assistance could be fruitfully employed to build up the data bases needed to assess such carrying capacities.

(d) The technique of public-sector purchase of development rights, which is currently being implemented in Suffolk County, New York, and in New Jersey, is also of interest to many people in Illinois. The serious, younger farmer in Kane and Will Counties, let us say, may not be able to justify to himself and family staying on there in farming unless he is compensated for losing the opportunity for a development-oriented sale. The transferable development rights technique may prove too unwieldy, and the only feasible compensation technique may be direct public-sector purchase, which leaves the farmer free to continue to work the land but vests the government with the decision as to whether and when to develop it for nonagricultural purposes. I hope that the Suffolk County and New Jersey programs will be carefully evaluated, with the research effort starting as soon as possible so as to maximize the quality of the resulting studies. If we in the Midwest are going to persuade ourselves to buy development rights, it would greatly help to have strong supportive evidence from those Eastern experiments.

Mr. NOLAN. I want to thank both of you for some very useful and dramatic testimony.

Are there any questions?

If not, we thank you both very much.

Our next witness is Ms. Wilma Frey, National Land Use Committee, Sierra Club.

[The prepared statement submitted by Ms. Frey follows:]

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In summary, I am arguing that a lot of people in Northeastern Illinois are concerned about the loss of fertile cropland to urban sprawl spreading out from Chicago. And our region would likely benefit from the programs projected by H. R. 7235 to assist in (1) defining the particular farmland conversion problems which we face (i.e., amount of prime land being lost, the fiscal and environmental costs of sprawl in our area), (2) encouraging experimentation with different techniques to curb the loss of highly productive land, and (3) evaluating carefully those experiments and disseminating the results of the evaluations.

SIERRA CLUB

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STATEMENT OF THE SIERRA CLUB
BEFORE THE
HOUSE SUBCOMMITTEE ON FAMILY FARMS, RURAL DEVELOPMENT AND SPECIAL STUDIES
on H.R. 5883,
THE NATIONAL AGRICULTURAL LAND POLICY ACT
JUNE 15, 1977

Delivered by: Wilma Frey
Contact person: Ronald Eber
1290 15th Street SE
Salem, Oregon 97302

Mr. Chairman and Members of the Committee:

My name is Wilma Frey, and I am speaking today for the Sierra Club, a nationwide conservation organization of 175,000 members. I am a member of the Club's National Land Use Committee, which has spearheaded the formation of a Farmlands Task Force within the Club. This Task Force, chaired by Mr. Ronald Eber of Salem, Oregon, is developing Farmlands Committees in every State which will work with farm groups, other environmentalists, the League of Women Voters and other groups to protect agricultural land.

We are delighted to be able to speak today in support of this legislation. The Sierra Club throughout its long history has always favored not only the preservation of natural resources, but also their skilled conservation management. In the last several years, the Club has become increasingly concerned over the rapid conversion of agricultural lands and

water resources to industrial and urban use. In February and May, 1976, culminating more than a year's work, the Club adopted a comprehensive Agriculture Policy. (This Policy, which will continue to be subject to review and refinement, is appended.) The Policy is a comprehensive statement of environmental goals for agriculture, with specific positions on land use, zoning and tax policies, water allocation, pollution, protection of aquatic ecosystems, conservation, grazing and feedlot management, predator control, use of fertilizers, pesticides and other chemicals, genetic diversity, food policy, and needed research and education.

The Sierra Club recognizes that the preservation of farmland is an economic and a social issue, as well as an environmental one. We also recognize that a difficult task lies ahead, since rural people are often less open to a strong government role, especially on land use issues.

We feel that this legislation is needed for several reasons:

1. It is urgent that there be ^{both} a clear statement from the Federal government on the need to preserve agricultural land, and a clear commitment to that goal. Many Federal grant programs, such as sewer and water systems, as well as direct Federal projects, such as reservoirs and flood control projects, have brought about the conversion of farmland to other uses. The Federal government must put its own house in order.

2. States could benefit from the work of the proposed Agricultural Land Review Commission at the Federal level. Now the different states deal with a mass of conflicting information. Because of differing definitions from state to state, there is no consistent or accurate picture on what the agricultural land situation really is. The Commission could consolidate the information to produce an accurate picture within which States could then

operate more knowledgeably.

3. Since Congress and the Administration are not moving on a comprehensive land use bill, it is imperative that the crucial issue of farmland preservation be handled separately. Next to control of strip-mining, protection of agricultural lands is one of the most critical land-use issues, along with wetland protection. Since agriculture has deep historical roots in America, with many people feeling an affinity for farmland, it may be that developing a program for protection of farmland could be a tool paving the way for acceptance of more comprehensive land-use legislation.

4. There have been numerous studies by the Soil Conservation Service documenting that we really are losing our best farmland, and that this must cease. Yet there has been no comprehensive research and testing of means to protect agricultural lands from conversion. The Council on Environmental Quality study "Untaxing Open Space" demonstrated that preferential tax incentives alone will not do the job. The Study indicated that tax incentives must be tied in with comprehensive planning and zoning, a difficult proposition. Follow-up is needed to determine how this could be done, and firm data and public education will be needed to justify such programs. The Commission could provide such data and education.

5. Protection of farmland means more than just preventing conversion to other uses. Conservation practices dealing with irrigation, fertilizers, tillage, prevention of erosion, fuel and energy input, chemical input, pesticides, are equally important.

We have a few specific additions we would like to see included in the legislation:

Under Title I, Sec. 101 (b), p. 5, line 2, we urge the addition of the word "essential" : "it is the responsibility of the Federal Government

Sierra Club on National Agricultural Land Policy Act - page 4 6/15/77

to use all practicable methods consistent with other essential considerations of national policy". This ties into NEPA language, and makes clear that agricultural land is an essential consideration of national policy.

Under the Duties of the Commission. Sec. 202, we would urge that items to be studies should include: ways of preventing erosion, the availability of water for agriculture, new methods of irrigation, and minimizing fuel use, including the relationship of transporations costs, the location of farmland, and the supply/distribution system, and regional differences.

We suggest that under Sec. 203 that the Commision also make recommendations regarding public educational programs, and that a new section be added to that effect. The Commission should determine what sorts of programs are needed to further the goals of the legislation.

In closing, we thank you for the opportunity to address this issue. We are interested in maintaining support for the legislation, and we hope to also be able to work with the Commission to further the goals of the legislation. You can count on the support of our grass-roots network around the country.

Mr. GRASSLEY (acting chairman). Without objection, the material referred to by Ms. Frey will be held in the committee file.

Thank you. Mr. Nolan, the Chairman, has gone over to vote and will be back shortly I presume, and you could wait around for questions.

I don't have any questions at this moment.

In the meantime, I will call Mr. Larry Rockefeller as the next witness. Is he here?

[No response.]

How about Mr. Michieli, associate director of the Washington Office, American National Cattlemen's Association.

[The prepared statement submitted by Mr. Michieli follows:]

STATEMENT OF RON MICHIeli, ASSOCIATE DIRECTOR OF WASHINGTON
OFFICE, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION

Industry Background

The American National Cattlemen's Association (ANCA) is pleased to have been extended an invitation to comment on legislation pending before the Committee today, specifically, HR 5882 (HR 4569, HR 7235), the National Agricultural Land Policy Act.

ANCA is the national spokesman for all segments of the nation's beef cattle industry, including cattle breeders, producers, and feeders. We are an 80-year-old non-profit trade association representing approximately 260,000 professional cattlemen.

Historically, as is evidenced by our 80 years of service to the beef cattle industry, our members have been witness to and part of the dynamic changes that have occurred in agricultural land use over that span of time.

Many of those changes have been brought about in part by the industry itself, which saw a need to protect all resources necessary to maintain their livelihoods.

Industry Philosophy

Land as a commodity, held in private ownership, blessed with economic incentives inherent within our system of government, has enabled farmers and ranchers to achieve the efficiency of production resources that American consumers enjoy today. For example, one U. S. farm worker now provides food for 56 persons. Ten years ago, he produced for only 29.

Cattlemen believe in the efficiency of land utilization and economic freedom and object to market and property right

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interference that have an acute effect upon distribution of resources and income. It is in support of that philosophy what we are here today to express our concerns relative to HR 5882.

"Section 2 - Findings and Purpose"

We question seriously the need to establish a national policy concerning agricultural lands. While we concur that a study of agricultural lands could be beneficial consistent with the study provision of H.R. 5882, we do not support the establishment of a national policy concerning agricultural lands. Simply, the findings of the proposed study should be the basis for determining policy if the supportive data warrants that consideration.

ANCA does not hesitate to point out that the capabilities for conducting the proposed study already exist. Rather than create legislative authority for such a study, we ask that the Committee review and direct the Department of Agriculture to carry out the study capability as outlined in the Secretary of Agriculture's Memorandum No.1827 dated October 26, 1973 and Supplement I to that Memorandum dated June 21, 1976 (see attachments).

Further, it is evident pending legislation embodied in H.R. 75, the Soil and Water Resources Conservation Act of 1977 has a similar capability. This is not to acknowledge that such capabilities are already authorized and in the implemen-

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tation phase under the Forest and Rangelands Renewable Resources Act, the Water Quality Act Amendments of 1972, Clean Air Act, Endangered Species Act of 1973, the Toxic Substance Control Act and the National Environmental Policy Act of 1969, but to name a few. Suffice it to say, any one of these existing authorities will identify prime agricultural lands; provide the data, technical expertise and direction necessary to meet land use planning requirements at the most local level of government.

"Section 201 - Agricultural Lands Review Commission"

Consistent with the above comments, we see no need to create another Federal Commission. Such action would only serve to alarm the countryside that another Federal agency is in the making. In the countryside this action is viewed as another impediment to a decision making process already overburdened by Federal regulation; otherwise, another extension of the governmental bureaucracy impacting farmers and ranchers.

"Section 301 - Demonstration Programs"

Demonstration programs while recognized as a valued component in carrying out a program of this magnitude, in our opinion would contribute little towards the goals and objectives of the proposed effect. As was indicated earlier, existing authorities and programs will suffice to fulfill requirements of H.R. 5882.

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Conclusion

H.R. 5882 at best serves as an alternative to comprehensive land use planning. Bothersome to ANCA is the precedent this type of legislation could establish. The Federal land use direction advocated by key environmental organizations incorporates many features of this measure. In a recent report entitled "The Unfinished Agenda"*, knowledgeable and professional environmental leaders set forth future recommendations relative to the environment. One section dealt with the subject of Private Land Use Regulation. The position advocated was as follows: "It is clear that the nation's land use problems will increase"... "The key environmental provisions of a federally funded land-use program would require participating states to inventory, designate, and regulate areas of critical environmental concern. Such areas would include shorelands, ecosystems, key wildlife habitats and migration routes, historic sites, natural hazard areas, and renewable resource lands, such as aquifers and prime farmlands."

"In addition environmentalists recommend that national land-use planning legislation:

.Protect lands adjacent to parks, historic landscapes and sites, small towns, and rural areas; and encourage careful urban restoration rather than the usual practice of demolition followed by skyscraper construction.

* The Unfinished Agenda - The Citizen's Policy Guide to Environmental Issues - A Task Force Report sponsored by the Rockefeller Brothers' Fund.

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- . Strengthen coastal zone protection, to include all barrier islands, marshes, estuaries, and shorelands.
- . Provide for careful federal and state standards for management of the nation's privately owned forests, based on ecological principles of forestry.
- . Preserve prime agricultural lands for farming purposes only, and provide extremely careful management of marginal agricultural lands to prevent erosion, fertilizer runoff, and spreading of pesticide residues."

ANCA appreciates the opportunity to have expressed our views and concerns relative to this measure as they relate to and impact on the nation's beef cattle industry.

Mr. NOLAN. Thank you, very much.

The material referred to by Mr. Michieli will be made a part of the record held in the committee file.

I am sorry I was not here to hear all of your testimony but I gather you are against it simply because it creates another commission. Is that right?

Mr. MICHIELI. That's the major thrust of it, sir, and the other aspect, the study provisions—we see some merit in that—but as long as those study provisions are directed in the authorities that we see existing already.

Mr. NOLAN. Did you cite those?

Mr. MICHIELI. Yes I did, sir, and I think you will note the citation there in reference to the Secretary's memorandum in the Department of Agriculture which outlined in detail the provisions at the Department of Agriculture and the policy they would pursue in providing those capabilities.

Mr. NOLAN. Thank you, very much. There was one other witness who I believe was not here.

Excuse me, I was told you could not be here, but we welcome you now. Mr. Doyle, we are glad to have you here with us today.

[The prepared statement submitted by Mr. Doyle follows:]

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TESTIMONY OF JOHN C. DOYLE, JR
 WASHINGTON REPRESENTATIVE, ENVIRONMENTAL POLICY CENTER

BEFORE THE HOUSE AGRICULTURE SUBCOMMITTEE ON FAMILY FARMS, RURAL
 DEVELOPMENT AND SPECIAL STUDIES

H.R. 4569, "THE NATIONAL AGRICULTURAL LAND POLICY ACT"
 15 JUNE 1977

Mr. Chairman, Members of the Subcommittee:

I am John C. Doyle, Jr. of the Environmental Policy Center, a Washington-based non-profit, public interest research, educational and lobby organization whose primary legislative focus includes energy, water resource and land use issues as these emerge in the U.S. Congress. We appreciate the opportunity to express our views here today on H.R. 4569, the National Agricultural Land Policy Act.

The Environmental Policy Center has become involved with the agricultural land issue largely through its involvements with energy legislation and the formulation of national energy and environmental policies, including the pending strip mine bill, the coal slurry pipeline bill, national coal leasing policy, power plant siting initiatives and synthetic fuels guaranteed loan proposals to mention a few. The citizen/environmental coalitions we work with and represent on these and other measures include ranchers and farmers whose lives and livelihood will inevitably be affected by many of the energy and minerals development projects proposed for rural America. We have also worked with the National Farmers Union, the National Farmers Organization, the National Association of Wheat Growers, the National Grange

and the National Corn Growers Association on certain of these issues.

EPC is concerned about the loss of the nation's most efficient and most productive food-producing resources to all forms of development, but particularly energy development, energy infrastructure projects and minerals development generally. We are concerned about the loss of good agricultural lands to such development not only for the obvious environmental impacts and increasing energy requirements that would result as a consequence of having to go to less efficient, marginal and sub-marginal land---and much more of it---to make up such losses; but also for the often irreversible impacts of such development on the agricultural community and its local, small-business economy. Such losses, whether of land or socio-economic scale, will inevitably represent themselves as higher costs to consumers everywhere.

From our perspective, it is extremely important that the nation's rush for a National Energy Plan or a National Minerals Policy not out-distance or push aside what should be an even greater concern for protecting our most valuable food-producing resources. For this reason, it is especially important that an articulate and defensible National Agricultural Land Policy go forward simultaneously with the development of our National Energy Plan. We feel that H.R. 4569 is the basic legislative vehicle to begin that process, and recommend that this subcommittee not delay in its consideration and mark-up.

The potential conflicts between agriculture and energy development are basically those associated with the four steps in the energy-getting process; namely, the extraction of the basic fuel resource; its transport to a point of conversion and/or refining; the byproducts, residues and wastes resulting from its conversion to power; and finally, its transmission and distribution to users. Seen in toto, the energy-

getting and energy-making process has a potential for touching vast areas of society. Coal for example, is found in deep and near-surface seams in at least 36 states. Rural areas in particular will experience the full brunt of the energy-getting process---from pre-development speculation clear through to the "bust" end of the boom/bust roller coaster that comes with some forms of energy development.

The problem, for family-based and small-business agriculture confronted with the prospect of energy and/or minerals development in their regions, is that "energy dollars" are worth more than "agricultural dollars"; consequently energy investments can "price" agriculture out of any region it moves into. When energy and mineral interests set their sights on an agricultural region for development purposes, a kind of "economics of demoralization" is set in motion which has a decided impact on the economic base and support mechanisms which hold an agricultural community together. Put simply, energy speculation and inflated land values undermine the willingness of the farmer to invest in his future as a farmer. In a recent study jointly funded by the National Population Institute and the Governor's Office in Colorado, and entitled "The Impact of a Growing Energy Industry on Agriculture", Allen Hertzke, an agricultural economist, surveyed 300 ranchers in a four county region of Northwest Colorado to determine what effect proposed and rumored energy development would have on ranchers' future plans. Hertzke's main finding:

It is evident from the data collected in this study...that uncertainty, speculation, and damages to property---resulting from a growing energy industry---have in fact weakened the viability of agriculture. These factors (in all four counties) appear to have influenced farmers' and ranchers' investment decisions, their retirement plans, and their general morale. Furthermore, concern for condemnations, interference and damage

also appears to have affected farmers' and ranchers' perceptions and actions. These developments in general point to a disruption of farming and ranching in the study area.

In a second study, co-authored by Susan Tripp of USDA's Economic Research Service and Marc Messing of the Environmental Policy Institute, future economic export values for synthetic fuels production and crop production per 100,000 gallons of water were estimated for 17 Western states for the purpose of comparing how these two uses would fare in terms of projected water requirements under competitive market conditions. That study concluded:

"Estimates of the comparative values of grain and synthetic fuel production per unit of water strongly substantiate indications that crop production cannot compete with synthetic fuel production for water resources on an economic basis... the value of exported grain would yield \$40-\$95 per 100,000 gallons of water, whereas comparable prices for synthetic fuel production range from \$200-\$1,000 per 100,000 gallons of water. Thus, it appears that if we assume a simple model considering only the allocation of water resources under competitive market conditions, and evaluating projected export values, ...synthetic fuel production appears likely to supplant agricultural crop production in some areas of the 17 Western states."

While such consequences for agriculture in the West may only come with the advent of synthetic fuels technologies, we know now that in states like Wyoming, energy and mineral interests including Exxon, Pacific Power and Light, and Reynolds Metals have already purchased entire ranches solely to get their water rights. The problem then, not only involves damage to agricultural land from energy and minerals development, but also, and perhaps more importantly, a shift in the control of agricultural resources as a consequence of energy planning, energy development subsidies, and energy infrastructure accommodation.

In connection with this problem, we would like to point out that while we agree whole-heartedly with H.R. 4569's stated intention to study the "aquisition of agricultural land by persons who are not engaged in activities which produce

agricultural commodities", we note that certain energy and mining interests, or their subsidiaries, are both directly and indirectly engaged in the production of agricultural commodities. Further, the inter-locking directorates of energy corporations with food producers, implement dealers, banking institutions and other agricultural-related organizations suggest other areas of investigation.

By far, the most important task facing the Review Commission created in the proposed bill should be that of formulating implementable and action-oriented mechanisms which assure the nation that our agricultural resource base will not be further diminished, but which will also protect the concepts and rights associated with private property. Small-business and family-based agriculture, as well as the agricultural land base itself, need to be elevated to a position of legal and social value at least comparable to that of any mineral, energy or transportation value. The traditional body of law in this country that has systematically given preference to the mineral estate and the principle of right-of-way was conceived in a time of land abundance and an unlimited and implied developmental right. Now, with the prospect of land scarcity and short-falls in productive agricultural capability, productive lands and fertile soils need to be put on the same, if not higher, legal footing. And while few courts of law would agree with us, to our way of thinking it is the agricultural estate which is the dominant estate, that is, the primary resource, the resource which is renewable.

One of the legal concepts that needs to be re-examined, if not re-structured, in light of the nation's potential food-producing losses, is that of eminent domain. The power of eminent domain has been traditionally used to accommodate certain kinds of industrial, transportation and energy development and siting, often disproportionately in rural areas, but always perceived to be in the public's best interest.

If eminent domain comes to be increasingly relied upon in the years ahead to accommodate energy and minerals development, agricultural lands and communities will suffer an irreversible encroachment. A constructive change in the use of the eminent domain power, when used for energy, minerals and infrastructure development, would be to severely restrict or prohibit its use for such purposes when productive agricultural lands are at stake. Such a restriction---received as an assurance by the farmer that his future as a farmer is worth something to the nation---could have the effect of preventing the debilitating economics which set in when energy speculation gets under way in a rural region. This also underscores why a national inventory of our very best agricultural lands needs to be compiled in conjunction with policies designed to protect them, so that development interests can be put on notice in the planning stages that such areas must be avoided in the national interest.

Finally, recent legislative experience with the pending federal strip mine bill, now in House/Senate conference, has taught us that the "piecemeal approach" to protecting agricultural lands from this or that encroachment inevitably leads to an undesirable compromise, and in the end, to little real protection for agricultural values. Earlier this year, for example, it seemed assured, with the backing of the Carter Administration, that strip mining on prime farmland and alluvial valley floors would be prohibited in some form or another, particularly given the vast amounts of coal under other non-productive lands. Now however, all that seems to be in the offing is that mining on these productive lands will be permitted provided special reclamation procedures are followed, even though there is very little demonstrated evidence of restoring such lands to their full agricultural capability after strip mining.

In the absence of an effective, overall agricultural land policy---which specifies which lands are the best lands, and as such, how they should be protected and preserved in the national interest---agricultural land will continue to be lost to piecemeal encroachment and only partial and ineffective legislative protection.

We are encouraged that H.R. 4569 makes provision for studying energy as a national concern in relation to agriculture as a national concern; its policy objective of limiting the encroachment of industrial activities in high quality agricultural areas when such activities deprive croplands of needed water or produce yield-reducing air pollution; and its reiteration of the need to include the effects of major Federal actions on agricultural land in environmental impact statements pursuant to the National Environmental Policy Act. We urge therefore, that H.R. 4569 be moved expeditiously through Congress, and that these intentions, policy objectives and prospective actions not be compromised in the process.

Thank you.

Mr. NOLAN. Thank you very much, Mr. Doyle.

We thank you all.

I think we have concluded today's witness list.

At this point then, the committee will stand in recess until 2 p.m. tomorrow.

Without objection, material from the Environmental Policy Institute will be inserted in the record at this point.

[The material referred to above is held in the committee files.]

Mr. NOLAN. The subcommittee will stand in recess until 2 p.m. tomorrow.

[Whereupon, at 4:55 p.m., the subcommittee stood in recess.]

NATIONAL AGRICULTURAL LAND POLICY ACT

THURSDAY, JUNE 16, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON FAMILY FARMS,
RURAL DEVELOPMENT, AND SPECIAL STUDIES
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 2:05 p.m., in room 1301, Longworth House Office Building, Hon. Richard Nolan [chairman of the subcommittee] presiding.

Present: Representatives Breckinridge, Richmond, Weaver, and Grassley.

Also present: Representative James M. Jeffords, member of the full committee.

Staff present: Christine D. Abram, clerk; James W. Swiderski and Steve Adams.

Mr. NOLAN. The House Subcommittee on Family Farms, Rural Development, and Special Studies will come to order.

Our first witness today is Congressman Frank Evans, Member of Congress from Colorado. He is vice chairman of the House Agriculture Appropriations Subcommittee.

Congressman Evans, we are honored that you would take time from your very busy schedule to come here to this subcommittee hearing in order to share your views with us on this most important topic.

We are delighted to have you.

STATEMENT OF HON. FRANK E. EVANS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. EVANS. Mr. Chairman, I am delighted that you and this committee have decided to have hearings on this bill. I think they are long overdue. I think that the problem that you are addressing is one which surprisingly has not been addressed before. I say this particularly because in the last 10 years it has become more and more apparent to me in my own district as to what is happening to agricultural or farmland in the United States.

With the permission of the Chair, I would like to read a brief statement and submit a major study of the problem of agricultural land in Colorado—and especially in my home city, Pueblo—which was completed by a member of my staff.

Mr. NOLAN. Without objection, the study will be made a part of the committee record.

[The study referred to above is held in the committee file.]

Mr. EVANS. Prime agricultural land is a limited resource. I know this committee is familiar with the danger this limited resource faces. Nearly 5 million acres of farmland are taken out of production each year, much of our most productive agricultural land, and is replaced by more marginal farmland, which demands greater quantities of fertilizer and water to make it productive.

The pressures of a growing, mobile population for housing tends to directly affect prime agricultural land—land which is relatively flat—with a need for adequate roads and water.

The nationwide statistics cannot tell this story. One has to look at specific areas. In my own State, Colorado, we have 3 million acres of irrigated cropland. This land lies along the major river valleys—the Arkansas, the Colorado, the Rio Grande, and the Platte. Three thousand individual irrigation companies service this land.

The competition for water and development land in Boulder, Weld, Lamar, Adams, Mesa, and my own home county of Pueblo is intense. From 1960 to 1970, the State lost 189,000 acres of irrigated cropland and gained 60,000 acres of urban development.

And all of the competition may still be small scale compared to the future land and water demands of energy development in the Rocky Mountain West. As the 62 billion tons of recoverable coal reserves plus 1,800 billion barrels of shale oil begin to be developed, thousands upon thousands of new residents will be attracted to the region and, as a consequence, an estimated 70,000 to 100,000 acre feet of water will have to be diverted from agriculture.

This committee and previous studies have documented the problem well. However, solutions are much harder to come by.

I believe that certain principles are clear. The major agriculture land protection efforts must be made at the local and State level with the Federal government involved only to provide guidance and advice—not controls. And second, in our efforts to save farmland, we must not create a structure which harms the individual farmer.

With these concepts in mind, I heartily endorse the Agricultural Land Review Commission concept of information gathering and demonstration projects.

These State and local run pilot projects—if administered properly—will hopefully provide the information needed for all the States to develop land, water, and tax policies that can help save America's vital resource—agricultural land.

I have one thing in addition that I would like to say which has bearing on the issue which is of interest to the committee. In the city of Boulder, Colo., a few years ago the citizens became deeply concerned about the sprawl that occurring and how to control the sprawl.

People were moving into the area and many people were adopting a no-growth position. As you know, you cannot governmentally adopt a no-growth posture for a city.

They pondered long and hard on what they could and should do, and they were disturbed by the loss of the greenbelt separating them from other residential areas in the area.

I do not think it was a unique idea, but it was certainly an unusual idea. They put to the people of Boulder the question of a bond issue. I think it was around \$8 million.

The basis of the bond issue was the purchase of the development rights from the farmers which surrounded the city of Boulder. It recognized, I think, a unique problem that farmers and ranchers have. If they want to continue to farm and ranch, and yet their neighbor farmer or rancher is selling his land to developers at exorbitant prices per acre, then it is a little difficult to go the fellow who still wants to farm and ranch and try to discourage him from doing likewise.

The theory of the bond issue was to provide the money to the city, and make it possible for them to negotiate and bargain with the remaining farmers and ranchers on the acquisition of their developmental rights. They have done this.

Farmers and ranchers, together with the city, agreed on what the fair value would be of their development rights. The amounts were paid to farmers and ranchers. A covenant then went on the land prohibiting the development of that land or the use of that land for anything but farming or ranching for a certain period of time.

In the process they have saved farmlands and ranchlands and also reserved a greenbelt so that they will have some control over what the characteristics of the city are. I do not know whether this would be successful in all parts of the country, but it seems to me to be a unique approach which I had not heard of before. In this instance, it is a successful approach.

It is one of many ideas that could be explored under the general provisions contained in the bill that you are considering.

I want to thank the committee for allowing me to testify.

Mr. NOLAN. Thank you, Mr. Evans, for an excellent testimony.

Mr. Jeffords has several questions he would like to ask.

Mr. JEFFORDS. I was in your beautiful State this past weekend. I certainly appreciate the problems—like that of water. I might say, from talking to the people in your area, that they showed me the importance of this problem, the problem of deciding who is going to get the water, and the great likelihood that the cities—the people who need the water—will take it away from the lands that are being irrigated, continually decreasing the land that is in production at this time.

In the future, as population grows and demands become greater the problem will become more critical. I wonder if you have had a chance to look at our bill, to see whether our bill adequately addresses the problem. I know that when we introduced the bill, I was not as aware, as I am now, of the critical problems that you have in your area.

I am certainly glad that you came today, making us aware of your problem. I think it is a critical problem.

Mr. EVANS. The bill addresses the problems we face, at least from my initial persual of the bill. I think it does it in a fair fashion. I think what is needed out of the area is an expertise and advice. But also, I am sure you would agree, people in the local cities and counties do not want edicts from Washington telling them what they must do. They become very sensitive when the State itself tells them what to do. I do not think they need to be told what to do. I think that we have come a long way, at least as I see it, in the acceptance of rural communities' planning and zoning.

It may well be that some political alternatives could be provided to take the heat off the local city council or the local board of commissioners. Possibly the pressures can be relieved politically to an appeal board of some kind which could be developed and tested under the concept of this bill.

Obviously, from my standpoint, I know of many communities which, if they wanted to develop a plan of some kind, will need financial assistance of one kind or another. I do not think I could spell these out specifically, but I think your committee should give thought to them.

However, I think your bill is a good start in trying to address this problem of vanishing agricultural lands. As I say, I have not studied it enough to be able to come up with specific recommendations as to how to change here and there. But I am so pleased with the fact that we have a bill that is receiving the dignity of a hearing, that I wanted to come and tell you how much I support the concept that you are considering.

Mr. JEFFORDS. Thank you very much.

You also focused on the very important question of compensation, and how we deal with it. I taught a course in this area of environmental legislation. Students were all in favor of using police powers, until they examined the case of a farmer who owned land worth \$50,000 for farming, and \$500,000 for developing purposes. Is it fair to declare that the man's land can be used for agriculture? The whole thing is turned right around. The unfairness of it came home.

That is the critical basis of the problem that the communities have in dealing with this problem.

Mr. EVANS. In considering this bill, there is one thing that I would like to say in connection with the example of Boulder, Colo., that I gave a moment ago. You might want to give some attention to this. I wonder whether or not it would be proper, and if so—how expensive would it be to provide some means of assisting the poor agricultural areas to do what Boulder did? I know of many communities that might have the same concept. They know the farmers and ranchers.

It is awfully hard for them to say, "John, you cannot develop like Harry did over here. Harry made a killing when he turned his agricultural lands over to a trailer park." But, if they had the means of going to the other farmers and ranchers who wanted to stay in agriculture and say, "We understand that to be fair you are to be compensated, and we are willing to do that."

If you could reach an agreement, then there might be some means by which in your bill some type of a financial arrangement might be made for those who want to do it but do not have the financial ability to do it themselves.

Mr. JEFFORDS. Thank you very much.

Mr. NOLAN. Mr. Evans, in the instance where the community floated a bond issue for purchasing the development rights from farmers, how did they get their revenues to repay those bonds?

Mr. EVANS. Through property tax.

Mr. NOLAN. Mr. Evans, we thank you very much for your excellent testimony. We appreciate the fine work that you do representing agriculture on the House Agriculture Appropriations Subcommittee. We are grateful.

Mr. EVANS. Thank you.

Mr. NOLAN. Our next witness is Mr. Lane Kendig. He is the director of Lake Country Department of Planning, Zoning, and Environmental Quality from Waukegan, Ill.

Mr. KENDIG. We have sent in a prepared statement. I would like to submit that for the record.

Mr. NOLAN. Without objection, so ordered.

[The prepared statement submitted by Mr. Kendig follows:]

STATEMENT OF SUPPORT FOR THE
NATIONAL AGRICULTURAL LAND POLICY ACT

Submitted to the Agricultural Committee's
Subcommittee on the Family Farm and Rural
Development of the United States House of Representatives

SUBMITTED BY:

F. T. "Mike" Graham, Lake County Board Member
Lane Kendig, Director, Lake County Department of Planning,
Zoning and Environmental Quality

Waukegan, Illinois
June 16, 1977

Lake County, Illinois is a rapidly urbanizing area approximately 30 miles north of Chicago and about 50 miles south of Milwaukee. We are bordered on the east by Lake Michigan and on the north by the Illinois-Wisconsin state line. The County presently has a population of about 400,000 people and is growing at the rate of about 5% per year. Currently urban uses occupy approximately 32% of the land.

The great demand for developable land within commuting distance of Chicago has, in recent years, resulted in tremendous economic and speculative forces being exerted on the County's farmland. For example, it is not uncommon for farmland to be sold for development purposes for as much as \$10,000 per acre and a recent report issued by the Illinois Department of Local Government Affairs estimated that some 35% of our farmland is currently owned by speculators and developers. These pressures, coupled with rising production costs caused by the soaring prices for farm equipment, seed, fertilizer, fuel and feeds, have placed great burdens on our agricultural industry and have forced the conversion of literally thousands of acres of productive farmland. For the most part, this land now grows suburban tract homes instead of agricultural products.

As the urban area spreads outward through Lake County, our farmers have also experienced rising property taxes, greater difficulty in performing normal farm operations and much more frequent nuisance complaints. The ultimate result of all these pressures is the creation of a "vicious circle"; new developments spawn more new developments and more productive farmland is irrevocably lost from agriculture.

During the last year the Lake County Regional Planning Commission has been actively exploring several options which may be used to preserve farmland by channeling new growth into the existing urban and near urban areas. We are convinced that our rapidly diminishing supply of prime farmland must be protected from future unwarranted and premature development. To do so, we have examined a wide variety of indirect methods aimed at creating incentives to keep farmland in agricultural production and have also examined a number of direct methods to regulate and restrict the use of land.

We have become convinced that no single approach can effectively protect farmland in an urbanizing area and that a multi-faceted approach utilizing both incentives and restrictions is clearly required for Lake County. The problems of agricultural preservation in an urbanizing region are vastly different from those encountered in areas which are primarily rural. The economic and speculative pressures present on the urban fringe are several magnitudes greater than those in rural areas and must be countered with equally strong land use control mechanisms. Thus far, the wide variety of programs presently in use throughout the country that rely solely upon economic incentives and voluntary participation have proven almost totally incapable of meeting this challenge.

However, we do believe that economic incentives, such as differential taxation, are an essential part of almost any preservation program, but we also believe that the greatest potential still lies in the police powers of zoning. Conventional zoning has historically proven to be incapable of withstanding the intense development pressures being exerted on Lake County's farmland. There is an urgent need for the introduction of a series of coordinated policies dealing with the preservation of farmland and the retention of the agricultural industry with zoning as a central component.

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The policy which we are recommending is comprehensive. A general "Planning Framework" has been developed which attacks the problem from two directions; first the containment of urban sprawl through the use of a development district, and secondly through the identification of agricultural and rural districts which should not be provided with new roads or utilities. This is a broad attempt to manage the region's growth and is an essential component of any agricultural preservation effort. This effort must be coordinated with more direct controls of zoning and capital programming. In this we are recommending the use of two newer concepts which are now being tested in various parts of the country. The primary tool would be "performance zoning", which for agricultural areas permits some reasonable development use of the land, but requires that it be clustered on five to ten percent of the land. Another option within the zoning ordinance would be the ability to sell the development rights of a farm property to a developer in the urban areas. This is known as "Transfer of Development Rights". This approach avoids many of the legal and economic pitfalls which have historically plagued conventional zoning and made it incapable of protecting agricultural areas.

The zoning needs to be reinforced. Fiscally there are insufficient resources to acquire farmland in sufficient quantity to protect the County's agricultural industry. However, a contingency fund to condemn key properties or to demonstrate the viability of Transfer of Development Rights is an important consideration. Similarly, stronger forms of differential assessment are needed. A fund needs to be set up to offset the losses to some school districts or townships. In Lake County one school district would lose 16% of its assessed value. In Bucks County, Pennsylvania one municipality had a 26% loss in its assessed value. All these programs should be initiated if we are to have a workable policy.

We firmly believe that new concepts of land use regulation, such as performance zoning, hold the key to the crucial issue of agricultural preservation in urbanizing areas. However, our attempts to implement such an approach have been greatly hampered by a number of factors. Before a concept like performance zoning can take shape, a great amount of data must be gathered relating to the environmental changes that occur when farmland is converted to non-agricultural uses. Such basic data, as accurate means of calculating storm water runoff and erosion rates for different types of cropland, soil types and conservation practices, is often nonexistent or of such a general nature as to be practically useless for planning purposes. We are presently spending considerable amounts of time and manpower in an effort to develop means of estimating these environmental impacts so that a concise and legally defensible set of environmental performance standards can be formulated.

Our efforts have been further hampered by the lack of consistent statistical information on the extent and character of farm operations in Lake County. The data developed by the Census of Agriculture differs greatly from that produced by both the Soil Conservation Service and the Illinois Farm Bureau. There is a great need for a thorough inventory of agriculture and a permanent monitoring system to establish the true role that agriculture plays. Only by developing such knowledge can we anticipate the future needs of the agricultural industry.

Furthermore, there are a great number of state and federal programs which have contributed greatly to the loss of prime agricultural lands throughout the nation. Programs which provide

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funding for new highways, public water and sewer facilities, and even federally guaranteed mortgage programs, often have the effect of subsidizing new developments which "leapfrog" into rural areas. The result is not only the loss of farmland but the creation of scattered and inefficient residential developments as well. Both the state and federal government must take a much more active role in assuring that such projects conform to sound land use planning policies.

For far too long America has viewed farmland as an unlimited commodity. In the past it was all too often considered "vacant" land and agriculture itself was only an interim use while the land ripened for development. Only recently have we begun to realize the true value of agricultural production and its great contributions to our domestic economy and our international balance of trade. However, productive agricultural land is much more than just an economic commodity. Agriculture, of and by itself, is a viable and legitimate land use which deserves the same consideration and protection as any other use of land. Furthermore, productive farmland is a very valuable and limited natural resource which neither America nor Lake County can afford to waste.

Past attempts to protect farmland have generally only addressed half of the problem. No preservation program can be fully effective unless it recognizes the interrelationship that exists between rural and urban areas. Any approach directed toward preserving productive agricultural land must also be directed toward controlling future development patterns. Unless new residential developments can be directed back toward the existing urban and near urban areas it is inevitable that urban sprawl will continue to consume vast amounts of highly productive farmland.

New and innovative techniques are clearly required to address this problem. It is for this reason that Lake County strongly endorses and urges the adoption of the National Agricultural Land Policy Act introduced by Representative Jeffords. We are especially pleased that the Bill would provide additional incentives to local and county government to test new techniques for the preservation of farmland. Many of the innovative concepts in recent years have come from local government and smaller states. We feel the time is long overdue for such a program that will encourage local communities and elected officials to develop new types of regulations and programs tailored to their own individual needs which will protect our rapidly diminishing supply of productive agricultural lands.

Agricultural preservation is one of the most important, yet least understood problems facing the planning profession today. This Bill will go far toward correcting this situation and will greatly help to insure a healthy future for agriculture in America.

[Mr. Kendig presented a series of slides.]

Mr. NOLAN. Mr. Mike Graham, we welcome you to present your remarks.

**STATEMENT OF MIKE GRAHAM, LAKE COUNTY BOARD MEMBER
AND CHAIRMAN, NORTHEASTERN ILLINOIS PLANNING COM-
MISSION**

Mr. GRAHAM. Thank you, Mr. Chairman.

We do want to echo the feelings of the Congressmen, and Mr. Kendig spelled out very clearly our county's point of view.

I was born on a Lake County dairy farm. In a 5-mile area, we had five active dairy farms. It was probably a total of 325 head of cattle. Today in the entire county, I do not believe that there are five active farms. The pressure by developing interests on farmland has forced farmers to sell.

In the wake of that, we have untold problems with new roads, new schools, and all kinds of new tax costs. I think this bill, which we have mentioned before, is certainly in the proper path. I believe it is 15 years overdue also.

Hopefully, the bill will be passed into law, and we can get onto some solid programs to preserve the agricultural land in our country, not only ag land for food products but for wood products and everything that we need to keep a viable and healthy economically sound farming area.

I would go further than Mr. Kendig and the Congressman from Colorado and say this. I believe that all Class 1 and 2 soils throughout the whole country should be declared a natural resource. There would not necessarily have to be some economic payment to those farmers who own that land, but I believe by the year 2000, that our posture in the world will be determined as much by the food we grow as by the arms we can make.

We want to thank you for letting us appear here, and we hope that the bill is enacted.

Mr. NOLAN. Thank you very much for some very provocative testimony. The committee will struggle with those.

Our next witness is Mr. John Klein.

[The prepared statement submitted by Mr. Klein follows:]

STATEMENT OF JOHN V. N. KLEIN, SUFFOLK COUNTY EXECUTIVE

Thank you for the opportunity to speak before the Family Farms and Rural Development Subcommittee on an issue that is, indeed, close to me: the preservation of agricultural lands.

First, let me say I believe HR 5382 is a large step in the right direction. The importance of local farming to local economies cannot be underestimated; nor should the obstacles to maintaining local agriculture as an industry be minimized.

I am the county executive of New York State's largest agricultural county. Farming here is a \$70 million a year business. Suffolk has 920 square miles of land and a population of 1.3 million persons. For many years, we have been grappling with the problems of rapid growth, and a large part of our concern is the disappearance of rural lands. It was not too long ago that the five western townships in Suffolk were still farming communities, but the tide of development sweeping eastward from New York City has turned our west end into typical metropolitan suburbs. The east end, which is still largely rural, is, in turn, threatened by these same severe developmental pressures.

In 1976, there were 55,000 acres of farmland in Suffolk County, 41,000 acres of which were used for harvested crops. However, a decade ago, there was 60 per cent more farm acreage in our county. In addition, about 60 per cent of the existing farmland is now held by speculators and only leased to farmers. Those speculators are not waiting for any crops to ripen but rather for the time to be ripe for development.

A view from an airplane shows dramatically the difference between the tract developments and shopping centers and the green fields. It was just such a view about five years ago that prompted me to mount an all-out effort

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to save our farmlands. Working with farmers, we developed a unique plan to acquire the development rights to prime agricultural land as the cornerstone in an overall effort to maintain agriculture as an industry in Suffolk.

Having the county acquire the development rights should solve several problems in one stroke:

- . it should alleviate the liquidity problems of farmers. Too often, when a farmer dies, although his family wants to remain in farming, it must sell its land to pay the inheritance taxes. Our program, however, should give the farmer cash assets with which his family can meet its tax obligations on the death of the farmer without forced liquidation.

- . it leaves fee title in the hands of the private owners. If the county were simply to buy or condemn property, the county would then be in the awkward position of having to lease the property to be farmed. Neither we nor the farmers felt that would be a good idea. It would remove much of the incentive for the farmer -- who would only rent and not own the land -- to maintain the property adequately. And it would put the county in the landlord business.

- . it removes the incentive for development. We have seen programs to encourage farming through tax advantages and tax penalties fail, because ultimately the benefits from selling to developers vastly outweigh the tax penalties incurred. By having the county hold all rights except that of possession and cultivation, we insure that while ownership may be transferred, the land cannot be subdivided and developed.

- . it reduces and stabilizes the farmer's property tax burden by buying out a significant portion of the value and therefore its taxable value.

- . it satisfies substantially the attraction to the farmer of selling to developers to obtain cash security.

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Suffolk was the first place in the nation to conceive and to act on this program. The County Legislature has appropriated \$21 million for the first phase of the program, which will involve the acquisition of development rights to 3,800 acres of farmland. The land was selected in a process that began in February, 1975 with the submission of sealed bids by farmers and other property owners. We received bids on 17,948.5 acres for a total value of \$116,596,770. A special committee, comprised of planners, county officials and farmers, recommended acquisition of the development rights on 13,938.79 acres. The recommendations were based on soil quality, contiguity, size and price. Since then, we have been having the recommended parcels appraised two ways: for their value as farmland and for their full market value. The difference between the two will be the fair price per acre of the development rights.

Ultimately, we hope to acquire the development rights to some 12,000 to 15,000 acres by voluntary sale and by condemnation to fill in the holes to create contiguous areas. The total cost of the program is expected to be \$54 million.

I have gone through this background to show what innovative programs can be done at the local level. For Suffolk, agriculture is part of our heritage. Our earliest settlers were farmers and fishermen. It is an integral part of our economy. Not only is agriculture a \$70 million a year industry, but it also is a prime tourist attraction, and tourism and recreation contribute about \$1 billion annually to the local economy. It is an enormous environmental resource and an instrument toward balanced growth.

Furthermore, and perhaps more fundamentally, I believe it is of utmost importance to maintain local agricultural markets. Having local food supplies help keeps the price of produce down in the summer and fall. Why should Long

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Islanders have to get every vegetable and fruit shipped in from Maine, California, Florida, Oregon and the mid-west? Yet, if we allow our farmlands to succumb to development, that is what will happen.

I am, therefore, most anxious for the federal government to help us preserve our farmland. There are three points I want to note with respect to HR 5882. The first is that the funding of projects under Titles II, III and IV must include municipalities that are already carrying out programs. Undertaking a program such as ours at the local level is costly and difficult. I am concerned that Suffolk County, which took a bold step on its own, will receive no help under this legislation, while other municipalities, which may not have previously considered programs, will be rewarded for their waiting.

The second issue is the participation of localities in the funding process. A clearer role for localities needs to be spelled out in the legislation. For example, it must be made clear that funds for research and demonstrations will go directly to applicants rather than be given to states which will then funnel them to certain programs. Agricultural preservation is a local issue and must be treated as such. There is a tacit recognition of this in the proposed legislation, particularly in its references in Title III to "political subdivisions of states which have authority to establish and collect property taxes and regulate the use of and acquire land."

However, as I said before, this area needs to be strengthened to include such political subdivisions in the funding process.

In addition, membership to the advisory board of the research commission should include representatives of local government. As spelled out now, the membership would consist of 12 state governors. I feel strongly that the advisory board must have local representation if it is to serve the commission fully.

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Despite these reservations, I am exceedingly pleased that this legislation is pending. A recognition of the problem of our vanishing farmlands and steps to come to grips with that problem on the federal level are of vital importance to me as a citizen and a local official.

Mr. NOLAN. Thank you very much.

Our next witness is Mr. Russell Stein, Group for America's South Fork, Inc., Bridgehampton, N.Y.

Mr. Stein, I would like to ask you, as well as the other witnesses to testify, to follow as closely as possible our 5-minute rule. We want witnesses to try to summarize, if possible, their testimony in 5 minutes or so, and then that will give the committee a chance to ask questions and everybody a chance to testify.

We hate to do that, but that has been so much interest in this legislation that we have had to turn away as many witnesses as we have been able to call upon.

We have a long witness list. We will go through it. If the committee is going to have an opportunity to question the witnesses, it would be helpful if each of you would do that.

You will see there on the table in front of you a couple of lights. When the red light goes on, that means the 5 minutes are up. We will not stop you immediately at that point, but we would like for you to summarize things after that point.

I want to assure you and the other witnesses here that most of the members are very, very careful about reading the testimony of all of the witnesses. So, the fact that all the members are not here because of the conflicting responsibilities with other committees and being on the House floor, does not mean that they are not interested in this issue and does not mean that they will not benefit from this testimony.

So, as closely as possible, I hope all of the witnesses will try to help us in this time problem.

Thank you very much.

[The prepared statement submitted by Mr. Stein follows:]

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H.R. 5882

TESTIMONY OF RUSSELL S STEIN

BEFORE UNITED STATES HOUSE OF REPRESENTATIVES

--SUBCOMMITTEE ON RURAL DEVELOPMENT AND FAMILY FARMS

JUNE 16, 1977

Chairman Knolton and Members of the Subcommittee:

I greatly appreciate the opportunity to speak to you in favor of the proposed National Agricultural Land Policy Act.

I am the Assistant Director of a non-profit public membership corporation called "The Group for America's South Fork". The Group was organized in 1972 by citizens of New York State's easternmost region--the so-called "South Fork" of Long Island.

Writing of our formation in Newsweek magazine, columnist Shana Alexander described the South Fork and the need which it had for an environmental protection organization such as ours:

"Only 100 miles from New York, the east end of Long Island is a thin ribbon on which are strung some of the loveliest old farms, villages and hamlets in America, all loosely linked by time, ponds, people, potatoes, dunes, highways and wind. The wine-like wind blows without let-up, at this season drunkenly perfumed with wild rose and privet.

"Like so many other old parts of America, this basically agricultural area is now deeply, perhaps suicidally, threatened by massive development. Zoning fights, battles over land use, pollution problems, real-estate speculators, nature lovers, village merchants, frantic tourists, greed, stupidity and vested interests threaten to tear the place apart.

"So America's past and future have collided headlong in these potato fields of Southampton, East Hampton, Sagaponack, Bridgehampton and Amagansett. Amid this last lovely landscape of dunes and ponds and village greens, of gray-shingled houses and red-winged blackbirds, people have begun to awaken from the old American dream of ever-expanding growth and prosperity to find themselves neck-deep in the new American reality: our spacious skies and amber waves of grain are not free, not limitless and not even endlessly recyclable.

"Though the potato farmer, the oysterman and the rich summer visitor may have conflicting interests, they agree that if these last fields and villages are allowed to go the way the rest of Long Island has gone--raped, cut up, paved over and left to die piece-meal--there will be nowhere left to go. This is literally the last place left."

In the five years since our organization was formed and these words were written, the struggle to save the South Fork from resource-destroying unplanned growth has intensified. Much has been achieved. The two towns which encompass Long Island's last

forty miles--Southampton and East Hampton--have imposed new controls to make less likely the sort of dreary, tract-type development which now blankets so much of Long Island. Other controls designed to protect the underground water supply, important surface waters, oceanfront dunes and the like have also been enacted.

Throughout this period, my organization and others have conducted the necessary earth-science studies, drafted proposed ordinances and alternative development designs, and generally kept up the needed prodding of key officials to insure that local governments on the South Fork remained alert to the problems posed for the area by improper development.

Yet, despite the obvious progress made in insuring that the growth which must inevitably occur in our area is compatible with our character and in conformance with the natural limits of our land, we are today faced by what is certainly for us, as a community, the ultimate crisis: the subdivision of our farmland has begun in earnest.

Left without real choice by soaring land values, taxes and costs, our farmers have begun to sell their land. And faced with an escalating--almost frantic--demand by wealthy urbanites for "second home" sites in bucolic surroundings, the speculators have begun to deluge our planning boards with their hideous gridiron lot layout schemes, fragmenting forever great chunks of our priceless crescent of farmland.

This 14,000-acre island of rich Bridgehampton Silt Loam soil which has for ten generations brought forth an unceasing bounty of food--potatoes, cabbage and other vegetables--is now to be converted, we are told, to simply so many two-acre lawns. This is to serve as a kind of museum of grotesque architecture, peppered with the overdesigned and overbuilt houses which the well-to-do buyers of these kind of new lots seem inevitably to impose upon us all--as if to add insult to injury.

Ladies and Gentlemen, I believe that The National Agricultural Land Policy Act now before you begins, at long last, to hold out a glimmer of hope for the imperiled South Fork--as well as other besieged communities--that the wholly unnecessary conversions of their most important farmlands can begin to be arrested. While the effect--spelled out in the Act--of such farmland conversions on the country's food supply is obviously of prime concern nationwide, I believe that the Congress should also be aware of what this sort of loss of farms can mean to just one locality, or region.

The East Hampton Town Comprehensive Plan completed in 1967, the Southampton Town Master Plan of 1972 and the definitive Master Plan for Long Island prepared by the Nassau-Suffolk Regional Planning Board, together with several private studies, have each concluded that the retention of farming on eastern Long Island would best serve the greatest number of people--both on the eastern end and in the entire Northeast region. New York's Governor, Hugh Carey, recently voiced similar sentiments on a visit to our area. The truth of this proposition is made evident by a look at its converse: what would it mean if our farms are destroyed?

First, the East End is a major recreation resource for the entire Northeast. Hundreds of thousands of persons visit or vacation in the area each summer. Stripped of the open space, clean waters, elbow room and general amenity value now supplied to it by its farms, the area will cease to function as a recreation resource, thereby depriving millions of urban residents of the last essentially rural vacation spot within a day's automobile or train ride of their homes.

Second, the revenue generated by tourism, as well as by the South Fork's two other major industries--fishing and farming itself--is vital to New York State and Suffolk County. With its balanced land use picture, our area is today in the black, unlike so many of the more urbanized sectors of our region. But our economic viability is totally dependent on our environmental viability. Our three multi-million dollar industries are not only completely

interdependent, but environmentally dependent as well. Neither our tourism, agriculture nor fishing can survive a further erosion of the farmland base.

Finally, the jobs for eastern Long Island residents which these three basic industries have for so long provided will also disappear if what remains of the Island's shrinking farmland is not retained. And most who have studied the problem agree: there will be no other comparable source of employment on eastern Long Island in the foreseeable future to take the place of these lost jobs.

In recognition of all of this, Suffolk County has begun a first-in-the-nation program to purchase so-called "development rights" from farmland. Where carried out, such a purchase leaves the farmer as the owner and manager of his land, but precludes any non-agricultural or developmental use of the land. While representing a genuine breakthrough in governmental participation in the farmland conversion problem, the County's financial limitations guarantee that the program, standing by itself, cannot begin to promise the South Fork an agricultural future. (At most, it will protect about one-third of our remaining farms.)

We have long known that to succeed on the South Fork, the County's effort must either be greatly expanded, or extensively complimented by Town-sponsored programs designed to transfer or otherwise remove development rights off farmland. Sadly, neither of these possibilities seems very likely without the technical, financial, and yes, moral, support which the National Agricultural Land Policy Act would appear capable of providing.

We know of course that if the Act becomes law, there is no guarantee that Suffolk County or its two easternmost towns will be the recipients of any of the funds which the Secretary of Agriculture would be authorized to dispense. But those of us who have spent the last five years exploring such concepts as "development rights", "scenic easements", "land banks" and the like in an effort to save our farms, are quite confident that if the Act is passed, we will be able to interest the Secretary in an innovative and effective program to protect some of our Nation's oldest farms.

Last week, in a rare show of unity, the Town Boards of Southampton and East Hampton Towns passed resolutions urging you to enact into law the Agricultural Land Policy Act, and have honored me and my organization by authorizing me to bring these supportive resolutions before you in conjunction with my testimony today.

Both towns were over 100 years old when the United States became a nation. Some of the farms in them have been owned within single families for 300 years. Thus it is not surprising that the distinguished men and women who comprise these two Town Boards--as well as most of their constituents--understand the true worth to the community of these farms. Not just the economic and environmental benefits--although with Class I soils and a 200-day growing season, our relatively tiny farm belt helps make Suffolk County New York's most agriculturally productive county.

South Fork citizens realize that beyond this, our farms give character to our landscape, definition and separation to our colonial villages, and a recognizable identity to our community. They are a link to our past, but also a commitment to our future. In short, the farms are our heart and soul--and we cannot brook their loss for the short term benefit of a few.

It is, then, with this fundamental understanding of the worth of our farms to us--and their value to the Nation as a whole--that the people of the South Fork will proceed with the business of preparing for their future. We will continue to welcome well-designed and properly sited growth and development, but we will at the same time continue to fight for the integrity of our farms. In this effort, every possibility will continue to be explored--and every form of meaningful assistance which is offered, accepted.

The National Agricultural Land Policy Act now before you holds out the hope of just such meaningful assistance--and we therefore applaud it. The Act is evidence to us that the world's most important democracy is determined to put its land use house in order by beginning the necessary task of identifying and protecting farmland. The Act, and the new national commitment which it appears to represent, come not a moment too soon. It deserves, and will I hope receive, the broadest support. It most certainly has ours.

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CLAUDE JONES, TOWN CLERK

SOUTHAMPTON, LONG ISLAND

516-AT 3-0224

June 7, 1977

The Town Board of the Town of Southampton at their meeting held on June 7, adopted the following resolution. Re: Memorializing the Congress of the United States to adopt the "National Agricultural Land Policy Act."

WHEREAS, The Town of Southampton in the State of New York is particularly familiar and deeply concerned with the actual threat of urban encroachment on agricultural properties, and

WHEREAS, The "National Agricultural Land Policy Act," now pending before the Congress of the United States as H. R. 5883, would greatly aid in the effort of agricultural preservation through its provision for study, research and financial assistance to state and local government; now, therefore,

BE IT RESOLVED, by the Town Board of the Town of Southampton:

1. That the Congress of the United States be respectfully requested to enact the "National Agricultural Land Policy Act" to act deliberately to preserve its agricultural industries.
2. That the members of Congress elected from this State of New York be respectfully requested to employ their good offices to bring the quick and favorable consideration by Congress of the "National Agricultural Land Policy Act."

(2)

3. That duly authenticated copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each member of Congress enacted from this State of New York.

Very truly yours,

Claude Jones
Claude Jones
Town Clerk

CJ:ljm

STATE OF NEW YORK
County of Suffolk
Office of the Clerk of the
Town of Southampton, N. Y.

(SEAL)

Deputy
This is to certify that I, Edna A. Staudenmaier, ... Clerk of the town of Southampton, in the said County of Suffolk, State of New York, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was passed by the Town Board of the town of Southampton in said County of Suffolk, on the ... 7th ... day of ... June ... 1977, and that the same is a correct and true transcript of such original resolution and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of
said Town this ... 9th ... day of ... June ... 1977.

Edna A. Staudenmaier
Clerk of the Town Board, Town of Southampton, Suffolk County, N. Y.

June 6, 1977

The following resolution was offered by Councilman Larry Cantwell,
seconded by Councilman E. McDonough, and adopted :

WHEREAS, the preservation of farmland is a major goal of
the Town's Comprehensive Plan, and

WHEREAS, the National Agricultural Land Policy Act
would greatly aid in the effort of agricultural preservation, and

WHEREAS, Russell Stein of the Group For America's South Fork
will testify before a congressional hearing in support of this Act,
now, therefore, be it

RESOLVED, that Russell Stein is hereby appointed by the
Town Board to act as its liaison in the matter, and register the Town
of East Hampton's support for such Act, and there shall be no fee for
such services.

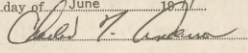
STATE OF NEW YORK
SUFFOLK County } ss:
Office of the Clerk of the
TOWN OF ..EAST HAMPTON..

(SEAL)

Town Clerk Certificate No. 439. Published by Williamson Law Book Co., Rochester, N. Y.

This is to certify that I, CHARLES T. ANDERSON, Town Clerk of the
Town of EAST HAMPTON in the said County of SUFFOLK,
have compared the foregoing copy of resolution
with the original now on file in this office, and that the same is a correct
and true transcript of such original resolution
and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the
seal of said Town this 8th day of June 1977.



Town Clerk of the Town of East Hampton Suffolk
County, N. Y.

Mr. NOLAN. I want to thank you very much for your statement.

Next, I would like to call upon a very, very distinguished and respected colleague of ours to introduce our next witness.

At this time I will call on Representative Goodlow Byron to introduce Ms. Keeton, Senator Clark, and Mrs. Langenfelder.

Mr. BYRON. Thank you very much, Mr. Chairman. I would like to introduce our next witness.

We have a distinguished member of the Maryland State Senate, Senator James Clark, who lives out here in rural Maryland in Howard County, which is only about 30 miles from here. It has become a voice for the farmer throughout the country in terms of preservation of farmland.

I would also like to introduce the distinguished member of the Howard County Council, Ms. Ruth Keeton, who is here with us and who has also quite a record in the preservation of farmland. I think both of them can speak well on the subject.

**STATEMENT BY RUTH U. KEETON, MEMBER OF COUNTY COUNCIL,
HOWARD COUNTY, MD.**

Ms. KEETON. I am Ruth Keeton. I am a member of the Howard County Council. I want to thank you for the opportunity to testify on this legislation, which addresses the preservation of farmland.

I am speaking on behalf of the county council and the council executive. We urge your support of the National Agricultural Land Policy Act. In our judgment, this is an immediate priority for congressional attention and action. The United States is at a watershed point and cannot afford to let the seventies end without establishing the answers to the two questions: What are our long-term needs for agricultural land? How can we guarantee that these essential acres will be available for the future?

I have been talking with people across the country in the last 2 years, and I am convinced that solutions will have different designs and will be built with a mix of tools and structures requiring a partnership of government and the citizens who make up our farming communities. Congressional leadership can help all areas of this richly endowed nation address the questions and select the tools that are right for their areas.

I think America has a very deep tradition of sharing the responsibility for its heritage and its future. The farm preservation program will be a demonstration of that, in that government will have its role in carrying that out. It will be shared with the private citizen, both the taxpayers and the active farmers.

We would recommend that active farmers would continue to have the title to the land and the responsibility for the maintenance and management decisions and for the acceptance of the risks associated with that.

We in Howard County, Md., have lost more than half our farmland since 1950. At that rate, all the Howard County farmland will be gone by the year 2000. Our farmland is rich Piedmont soil—4 out

of every 5 acres in the rural areas are classified prime or productive land. Located midway between Baltimore and Washington, we have grown by 55 percent since 1970, which is twice as fast as any other Maryland county.

Only one farm in the last 3 years has been purchased for long-term farming. Farmers and their sons can no longer afford to buy farmland.

For 2½ years, I have been a participant in the Howard County Workforce for the Preservation of Howard County Farmland seeking answers to the questions: It is too late to save our farmland? If no, how can we do it?

As part of our record is our report which you all will have an opportunity to look at. It says it is not too late if we act within the seventies. We recommend the purchase of development rights on a minimum of 20,000 acres. Over 250 county residents, both urban and rural, longtime and recent residents, Democrats and Republicans, young and old, have joined as sponsors. The young farmers have been the key workers, and Mrs. Langenfelder from the Young Farmers and chairman of the Women's Committee of the Farm Bureau is here to speak for Mr. Mullinix. We can't get the men out of the barley fields this week. You will have to excuse that.

Our county farm bureau and grange, the Maryland Agricultural Commission and the Maryland secretary of agriculture have joined established urban neighborhoods to support the program. We will be happy to share in any way we can what we have learned.

We talked about the impact on our bond rating. We have talked about what our primary values are. We feel the program should be voluntary and that we should respect the market value. We feel that we can accommodate people and farming, and that we really want to be a county community that has the mix of land uses and is not devoured with scattered growth.

I want you also to know that my brother farms in Iowa, where there was severe drought last year. His corn produced barley half the bushels per acre Howard County farms with abundant rainfall were able to harvest. We must keep our farmland in all areas of the United States, both to protect our future against changes in weather and in keeping some production near consumers to avoid energy—expensive transportation—costs.

In conclusion, the county government, the farming community, and the county urban residents join in saying farmland must be preserved. We urge you to support this bill to initiate a county-wide effort.

Mr. NOLAN. Thank you very much. I am sorry you did not have your slide show to bring along with you.

Ms. KEETON. I would like to introduce Senator Clark, who is our most distinguished farmer in our county, but also who has been responsible for the leadership in the Maryland legislation that was approved this year.

Mr. NOLAN. We are honored that you would take the time from your busy schedule to share your thoughts and views with us on this matter, Senator. Please proceed.

STATEMENT OF JAMES CLARK, STATE SENATOR, STATE OF MARYLAND

Mr. CLARK. Thank you Mr. Chairman and members of the committee. I want to congratulate Mr. Jeffords and the cosponsors of H.R. 5883 for introducing this legislation which addresses itself to what I consider one of the highest priorities for future generations of Americans and for citizens throughout the world.

I have read the bill several times and found it extremely well written, clear, and concise. I find no fault with the objectives stated in title I; however, I think more emphasis should be placed on the preservation of our prime agricultural land, no matter where it may be in the United States. It is just as important to save this valuable resource in the State of Maryland or Rhode Island as it is to save it in the State of Iowa. In fact, it may be important in the long run in view of transportation costs, weather conditions, environmental factors, and the quality of life.

There is only 1 acre of productive agricultural land for each individual on the face of the Earth. Of course, the changes of increased population are tremendous, whereas there is small opportunity for increasing the number of productive acres. This, I believe, underlines the need for preserving productive land, no matter where it is. With good planning, the other needs of man for land could be met by the use of submarginal agricultural land.

I would strongly suggest that, as part of the research program in title II, a sizable portion of the money authorized for that title be used for a pilot project managed by an experienced land acquisition group, such as the Nature Conservancy.

The commission should be authorized to enter into such a management agreement for the preservation of certain prime agricultural land which is under severe developmental pressures. The American Land Trust has recently employed the Nature Conservancy in its national acquisition programs to preserve natural areas of prime environmental importance.

I would also suggest that the time frame for the work of the commission be reduced from 3 years to 2. And, I would like to leave with this committee a copy of Maryland's new law, which is our effort to preserve a portion of Maryland's prime agricultural land.

Mr. NOLAN. Without objection, so ordered.

[The material referred to above is held in the committee files.]

Mr. CLARK. I would also like to include a copy of the study that preceded the passage of this legislation, which will probably be similar to what the Commission has in mind on a national scale.

Mr. NOLAN. Without objection, it will become part of the committee record also.

[The study referred to is held in the committee file.]

Mr. CLARK. Our government spends untold billions of dollars trying to secure peace in the world, and yet, one of the surest ways to world peace and stability is to have a plentiful food supply, the basic requirement for which is good land on which to produce. Actually, prime agricultural land is our most important natural resource, because it is the land that cleanses the water and the air in the process

of producing food fiber. It becomes doubly important as the rivers and oceans of the world, once counted on so heavily for food supply, produce less instead of more as a result of pollution and contamination.

In closing, may I say that I whole-heartdly support the objectives of this legislation and hope that it moves with dispatch through the Congress.

Mr. Chairman, I appreciate the opportunity to be here. I know that like State governments and county governments, you are under fiscal restraints. If that gets to be what holds this bill up, I would respectfully suggest that you all consider channeling some of the money from the land and water conservation funds to this use, rather than some of the present uses. Perhaps even some of the moneys that go for conservation practices on the farm today could be channeled for this use also. I think this would be a permanent and better use for some of those monies.

Mr. NOLAN. Senator, thank you for thoughtful and specific suggestions. They have been most helpful. They will be helpful to the committee in its deliberations on this matter.

Mrs. Langenfelder?

STATEMENT OF PAT LANGENFELDER, MEMBER, HOWARD COUNTY YOUNG FARMERS

Mrs. LANGENFELDER. I thank you again for the opportunity to be here. I am representing the work force for the preservation of Howard County farmland and also I am a very active member of many farm bureau groups. I am Women's Committee chairman for our county, State secretary for the Maryland Farm Bureau Women, and a director for the county Farm Bureau.

As a member of the Howard County Young Farmers and as a farm wife living in a rapidly developing section of a once rural county, I have come here today to stress the importance and the urgency for Congress to move quickly in the passage of this much needed legislation to protect productive agricultural land. I have no doubt that you distinguished legislators and most Americans realize that the continued conversion of millions of acres of farmland to nonagricultural use depletes our Nation's agricultural land reserve and lessens the likelihood of inexpensive food and fiber for the future.

But what can be done to slow this devouring of good farmland? The answer may be in the pilot projects provided for in this bill. These projects would test various methods developed to discourage conversion to nonagricultural use and, hopefully, result in workable plans to be used successfully by State and local subdivisions throughout the Nation to protect farmland.

I would like to cite from our personal situation to impress upon you the need for H.R. 5883 and to describe the pressures and problems we have experienced because our farm is located at the northern boundary of the city of Columbia, Md. But, first, let me back up a bit.

Twenty years ago my husband's parents owned a small truck farm in Baltimore County that was divided into by the Kennedy High-

way, leaving them with two parcels of useless land. After selling the right of way for the highway, they sold the remainder of the farm to a developer. Mr. and Mrs. Langenfelder then purchased a 96-acre farm in then rural Howard County for \$550 an acre. Five years later, my husband, with the backing of his father, purchased the adjacent 116-acre farm for \$760 an acre and began to farm both pieces of property as one.

Now, 15 years later, we still have the same two farms, but we also rent an additional 400 acres of cropland. With the going price of nearby land at \$3,000 an acre, it is impossible for us to even think of purchasing more land. Of the 400 acres we rent, 200 are owned by Howard Research and Development Corp., the developers of Columbia, and will be available for farm use for only a few more years. Another 80-acre parcel is owned by two speculators who purchased it only as an investment, therefore there is no way to know how long we will be able to farm it. In addition, two other parcels that we rent are for sale at \$3,000 plus an acre.

This leaves only one 45-acre farm that we are sure the owner intends to keep as farmland. All other nearby tillable land is being rented by other farming operations in the county. Should a parcel become available, there are four or five farmers jumping at the opportunity to rent additional acres. The end result is that the land goes to the highest bidder, and eventually the rental price on all land increases.

Therefore, it is difficult to predict what lies ahead for us. We want to remain in farming and to continue to make a comfortable living. If we were to lose a large portion of our rented land and were unable to replace it with other land, we would be forced to decide whether or not to remain in Howard County. It is quite possible that we would choose to sell our farmland to a speculator or developer and move to a more rural area to set up a farming operation again, because we would be squeezed out of existence where we presently live.

Perhaps this legislation can do little to help us in our situation, but I urge its passage so that other farm families can avoid the pressures we have experienced from urban encroachment.

Again, I would like to thank you for the opportunity to speak.

Mr. NOLAN. We thank you very much.

Mr. Jeffords?

Mr. JEFFORDS. I want to compliment the panel for this excellent testimony. I want to compliment Ms. Keeton, especially, for her efforts and her willingness to assist in this area.

I think that it is extremely important for us to do something, as you said, and it even more important that people like you assist us. I certainly appreciate your help.

Ms. KEETON. It takes a team.

Mr. JEFFORDS. That is correct.

Mr. GRASSLEY. May I ask a question?

Mr. JEFFORDS. One more thing. I have to leave because I have an amendment that will be up on the floor shortly. I want to extend my appreciation to all the people who came here to testify today. I thank them most profusely.

Mr. GRASSLEY. Inasmuch as you are from rural areas and you are farmers and because I come from Iowa—

Ms. KEETON. So do I. My brother farms in Vinton between Cedar Rapids and Waterloo.

Mr. GRASSLEY. I am 25 miles west of Waterloo.

Since you are farmers and since you are very supportive of this legislation, I'd appreciate your giving me some specific ideas about how you feel government ought to respond in a specific way to see that farmlands are maintained as agricultural land.

Let me tell you why I am particularly interested.

First of all, I do not have my mind made up on this bill. Nor do I have a firm notion as to how far I think Government should determine we ought to do. But I do own 200 acres of farmland. I was a farmer before coming to Congress.

My immediate feeling are these: That is my farm, and I ought to be able to do anything I want with it as long as I am a good steward and don't do anything to hurt my neighbors, particularly in the way of bad soil conservation or things like that.

How far are you willing to go in the compromise of the Constitutional right to private property?

Ms. KEETON. That is a basic question. I am now a urban person, I should tell you. We have tried to respect as one of the fundamental things from the very beginning that we would not interfere with the right of the owner of that land to make the decision.

We are recommending that all offers of development rights be voluntarily made.

In other words, we think that if there comes a point where there are no children to pick up on the farm—and this is really the older farmer's investment and his retirement income—then he has a choice between selling it, that is, the development rights to the county in our case, and selling the farm rights to a farmer who could then afford to buy them. Or he has the choice of putting it straight on the market for development.

We have tried to think it through in a way so that we could compete with this program against other marketing alternatives that he would have.

So, we have respected the fact that we do not try to take away his value. We offer him the decision, and it is his or hers or collectively so.

I think you are absolutely right that it is the farmer who is the one who knows how to be the steward of the land. It would be presumptuous of the county to feel that they should take fee simple title and attempt then to lease and achieve the same value. We would like to encourage the continued ownership of the farm rights.

What we know is that unless there is some mechanism to permit access to additional land or continued land, then that cannot happen in our county.

Am I helping you at all?

Mr. GRASSLEY. Yes, you are helping me very much.

Senator Clark, do you take that same position generally?

Mr. CLARK. Yes, the bill we just passed in the last legislature in Maryland is purely a volunteer program on the part of the farmers to participate.

The first thing they do will be to volunteer to go into an agricultural district. Then, as money is available, they will be in a position to bid on what they will take for the development rights. And they will compete for the money available.

But there will always be a volunteer program as far as we are concerned.

Mr. GRASSLEY. Thank you.

The reason I ask this question is this: I am relieved that this is your position. There was at least one spokesman yesterday who talked about the New Jersey law, which has a similar approach.

Ms. KEETON. That is correct.

Mr. GRASSLEY. But there are many groups who generally support the general concept of land use, whom I believe have predilections that some Government agency ought to decide what land ought to be used for, regardless of the owner's thoughts or regardless of his investment, or regardless of anything. "Society's good" is the final determinant, as I read the predilections of those people.

But you do not say that at all, do you?

Ms. KEETON. No. I feel very strongly as a public official that I cannot take the value that is there. I think it is appropriate for some of the appreciated value—you see, we, in Maryland, have had differential tax assessments for a long time.

At the point where that land goes to development, I think that it is appropriate that some of that appreciated value would help us pay off our bonds. But that is a different matter.

Mr. GRASSLEY. In Iowa, the State legislature this year passed a law basing the assessment of agricultural land totally on productivity. To that extent, our property taxes would not be confiscatory, especially close to city areas. That pressure then would be relieved. I hope that will help.

Ms. KEETON. I do not think it will do it by itself, but I think it is a useful tool. It is also a shelter for investments some time, so you have that problem also.

Mr. GRASSLEY. As a final statement, I would urge you and any other witnesses who feel the same way you do about the specific carrying out of programs for the preservation of prime farmland, to be very vocal as to what your intent is, so that you are not innocent victims of others who want to use coercion.

Ms. KEETON. I understand.

Mr. GRASSLEY. We thank you.

Mr. BRECKINRIDGE. I want to thank the witnesses and apologize to them and to the committee for an unfortunate conflict that made me miss part of this testimony.

Senator Clark, I particularly regretted missing your testimony. I have had the privilege of hearing the Senator elsewhere. I look forward with a great deal of anticipation to being able to review your testimony, Senator. I want to thank you for your contribution.

Mr. CLARK. Thank you.

Mr. BRECKINRIDGE [acting chairman]. Our next witness is Mr. John White of New York. Mr. White?

[The prepared statement submitted by Mr. White follows:]

H.R. 5882
 TESTIMONY OF JOHN N. WHITE
 BEFORE UNITED STATES HOUSE OF REPRESENTATIVES
 --SUBCOMMITTEE ON RURAL DEVELOPMENT AND FAMILY FARMS
 JUNE 16, 1977

Chairman Nolan and Members of the Subcommittee:

Upon reading the proposed legislation, H.R. 5882, some thoughts came to mind, which I would like to share with you this afternoon. The continuity and maintenance of farmlands can provide the security and incentive for farmers to properly maintain and invest in their farm operation.

As a young farmer who rents all the land I farm (some fifty acres plus), I have a real sense of the uncertainty, indeed frustration, of attempting to plan for the future while the lands around my area are increasingly becoming suburbia. It is hard to plan when the field you farm one year will be houses the next; and you must look for land elsewhere to stay in business.

I have found that even I have begun to relate to a "tenant-farmer attitude" where the land becomes an object to be used, rather than a resource to be managed. Proper conservation of both water and soil tends to be neglected when the future of the land for agriculture is so uncertain. This lack of certainty also tends to decrease the amount of investment a farmer is willing to make when the length of time he can farm the land might not be long enough to provide for a reasonable return on his investment.

When this Commission is formed--and I presume the bill will be passed and the Agricultural Commission will be established--a primary objective should be that large blocks of farmland are preserved, so that an agricultural region can remain viable. This will provide farmers with the security necessary to properly manage farmlands and to invest enough to maintain efficient food production.

Landowners, and I am one, should have as much responsibility for proper stewardship of their land as they have interest in making a profit. Landowners share an obligation not simply to maintain the land for themselves, but for the community welfare and for future generations. The right of ownership, in my mind, doesn't include the right to destroy the natural or biological productivity of the land for present short-term economic gain; nor does it include the right to take from future generations the availability or options to produce food.

I do not believe the Courts would interpret the designation of many regions of the United States as agricultural zones as a taking or an infringement of private property rights, but rather that it would serve the interest of the nation, the consumer and the farmer.

The relationship of the preservation of agricultural land, as a national concern, to the conservation of energy is an important consideration. (See H.R. 5882; page 3, lines 15 & 16.) As I work each day, I'm constantly reminded of how dependent many present agricultural practices are on cheap energy sources. Essentially, oil and its by-products are used for the raw material to make our fertilizer, our pesticides and herbicides, as well as for fuel for machines and irrigation pumps.

The cost of energy is critical to marketing farm products--not just the shipping cost, but the packaging costs as well--through the use of a variety of plastics.

Proper recommendations from this Commission could help cut energy costs in a variety of ways. By maintaining prime farmlands near centers of population, we can cut shipping and packaging costs as well as some processing cost. Nutritionists say we could even increase the nutritional value of food in general by decreasing the shipping time and the amount of processing needed. Guidelines to preserve prime lands around population centers, which are usually the areas under intense pressure for conversion to non-farm use, would go a long way toward providing regional self-sufficiency in food production. This is of particular importance to those of us in the Northeast.

Less energy-intensive methods of food production should be developed, while still maintaining our present quality and yields. More intensive food production might best be studied in areas where only smaller fields exist. These are also the same areas where agriculture and suburban sprawl are in constant conflict for the land. How can the conflicts over dust, noise, odor and water quality be avoided? The Commission should study these problems and make recommendations.

The National Agricultural Land Policy Act will have a positive effect on the future of agriculture in the United States. Suffolk County's need for this piece of legislation is probably greater than any other area in the Northeast, for it has both perfect soils and other conditions for growing vegetable crops and enormous pressure for development.

I have looked everywhere on the East Coast and have yet to find an area with the productive potential of soils in Suffolk County's South Fork. The climate, the soil moisture and response to proper management makes it a farmer's dream. With the Tri-State demand for food, Suffolk's markets are, at most, only a couple of hours away.

I strongly urge the Congress to adopt this important legislation. It will give the nation a frame of reference in the Northeast within which agriculture can remain a viable industry. It will give all of us hope that we can preserve our prime farmlands in Suffolk as well as in other key areas. Thank you.

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Mr. NOLAN. We thank you very much. It will be most helpful for the committee.

Our next witness is Mr. Neal Potter, a member of the Montgomery County Council, from Rockville.

Mr. Potter?

[The prepared statement submitted by Mr. Potter follows:]



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

HR 4569
National Agricultural Land Policy Act
Testimony by Neal Potter, Montgomery County Councilmember

June 16, 1977

Mr. Chairman, in presenting testimony on this Bill I want to begin by applauding your efforts in introducing it, because I feel strongly that the time is more than ripe for a national effort to preserve good farming and our agricultural lands, and because the billions of dollars spent in support of agriculture and farmland preservation have had little if any effect in preserving our most important natural resource.

I appreciate this effort with a strong personal feeling, because I have been involved in an effort to preserve the family farm on which I was raised from destruction by an interstate highway interchange; because I have been involved for two decades in research on the economics of natural resources; and because I have been involved almost as long in efforts to reform Maryland's Farmland Assessment Law so as to deny this large property tax favor to speculators and developers, and to use it for the preservation of agriculture.

The need for this national approach is by now abundantly clear and I want to support the sponsors of this Bill in their efforts to establish an effective program for ensuring adequate, affordable food supplies, and improved bases for exports, and a long-term stable agricultural base in the United States, to cite the basic purpose stated in the Bill. These literally vital objectives can be effectively advanced only by a national program.

Programs nominally directed to the preservation of agriculture, which exist in at least 48 states, have had very little success indeed. I suspect this is not only because competition among the numerous jurisdictions in the 50 states make

adequate support for any program very difficult, but because there has been inadequate coordination and complementarity with the large and expensive programs of the U.S. Department of Agriculture and other federal agencies, as well as a serious lack of research and expertise on the local level.

This Bill outlines an effective attack on all of these problems, by setting up instruments and programs for the establishment of a national policy, for providing technical assistance to state and local governments seeking to advance these objectives, and by proposing to fund pilot programs to fund demonstration projects in a field where successful preservation programs are almost nonexistent -- or if they exist, the continued massive conversion of land cited in Section 2 (3) of the Bill indicates the trivial impact in the national picture.

I would also like to commend the orientation of the Bill toward providing information to the public, helping the state and local governments carry out more effective preservation programs, and to disavow (page 18, section 307) federal interference with private property rights or the rights and responsibilities of state and local governments. As a local government official who has been much harassed in recent years with federal mandates and regulations, I welcome with keen appreciation an approach which will start with the foundations of research, fact-finding, public education, and technical assistance. I believe that if the general public and responsible officials are given the facts and the means, they will act with greatly increased effectiveness for the preservation of agriculture.

In this connection, I would hope the Committee in reporting the Bill would make an amendment or clear policy statement that the intent of lines 12-15 on page 5 are not a directive to make major additions to required environmental impact statements under various federal programs of support for state and local programs and projects.

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Councilman Potter
Page 3

There is a temptation to engage at this point in discussion of substantive issues relating to preservation of agriculture and agricultural land, to discuss the ineffectiveness and wastefulness of so many of the programs in the field at present, and to propose one's own remedies for the difficulties. However I will resist this temptation, and commend the Bill as a proper effort to establish a framework and means to deal with these substantive issues and start the Nation towards more effective programs.

I have some editorial suggestions on the Bill, which I will give to the staff for your possible attention during mark-up.

Mr. POTTER. If, sir, you are interested in materials, I would recommend two studies very highly to you. One was produced by the local Council of Governments—"Farmland Retention in the Metropolitan Washington Area," published in June, 1976 by the local COG. Second, a study also published last year by the Council on Environmental Quality entitled "Untaxing Open Space." This is the executive summary.

I could also submit for the record, if you wish, a number of materials we have produced in Montgomery County covering both conceptual and theoretical issues and our own experience in trying to preserve farmland. I also have some editorial suggestions on the bill, which I will give to the staff for your possible attention during markup.

Mr. NOLAN. Those materials would be helpful, and without objection will be made a part of the record.

[The material referred to above is held in the committee files.]

Mr. NOLAN. We thank you for your useful testimony and for your offer to provide continuing assistance in the markup session.

Our next witness is a group, we call upon: Mr. Frank Marsh, Mr. Edward Kime, Mrs. Melva Ploch, Mr. Raymond Zwyer from Monclova, Ohio.

If each of you could identify yourself and then proceed, we would appreciate it.

Mr. MARSH. My name is Frank Marsh, and I am cochairman of the Monclova Residence Plan Group.

Mrs. PLOCH. Melva Ploch, small farmer's wife.

Mr. ZWYER. I am Ray Zwyer, farmer from Monclova, Ohio.

Mr. KIME. My name is Edward Kime, and I am chairman of the zoning commisison, that oversees land use of this Monclova Plan Group.

Mr. NOLAN. Thank you all. We are delighted to have you here. Please proceed.

[The prepared statement submitted by Mr. Marsh follows:]

TESTIMONY FOR HOUSE BILL 5882

NATIONAL AGRICULTURAL LAND POLICY ACT

Ladies & Gentlemen:

My name is Frank Marsh and I am here today representing the Monclova Residence Plan Group. Monclova Township is part of the urban fringe area of Toledo, Ohio. Our group began in the spring of 1973 as a Township Planning Group, with the prime purpose of establishing a Master Plan for the entire township. Membership was all voluntary and open to all area residents with the original leadership selected at a public meeting. Over two hundred area residents were involved and all districts were represented on each subcommittee: Housing, municipal services, parkland/recreation, transportation and utilities. During the next year these people became very informed and developed a comprehensive Master Plan for the area which, while it gave prime emphasis to the preservation of agricultural land, did accommodate housing developments, industrial developments, utilities, highways, the transportation system and parklands.

Originally, the group met with the blessing of the township elected officials, but when the Plan Group began to reach into all corners of this township and solicit opinions through questionnaires and public meetings and to make concrete proposals, the elected officials backed away. Especially when the group tried to accommodate the diverse interests required in the plan. Both those of the farmers and those of the developers. The elected officials were uncomfortable with making the types of land use choices necessary to guide future development. The elected officials wanted life to remain hazy. Our plan was finally completed and presented to the Lucas County Planning Commission in June of 1974. I would like to read one paragraph from our basic policy statement for the proposed Master Plan.

"Nowhere in the United States does a community tear down a thriving factory in order to put up developments or make room for more industry. Why then because four brick walls do not enclose our farmlands would any community county or state want to encourage destruction of the farm factory with its proven record of successful contribution to our society."

Our plan was then studied by the staff of the Lucas County Planning Commission for over a year, and they developed a land capability study for Monclova Township based on ten primary factors for each parcel of land in the area. Their land capability study was remarkably close to our proposed Master Plan. After approximately another year, a zoning resolution change was submitted to the County Plan Commission by our Zoning Board incorporating the land capability study, and requiring that it be considered in zoning decisions. This was not approved by the Commission and was finally returned to us, at which time our Zoning Board, after public hearings, recommended its approval to the trustees. The trustees, after much foot dragging finally unintentionally allowed it to be passed by default. We know that this offers us very minimal and short term preservation of farmland, at the same time allowing significant development areas in the township, and it has taken us four years just to accomplish this.

During this timeframe, a large developer acquired control over some 1300 acres of land in Monclova and proposed to build a city of 15 to 20 thousand people. He was unsuccessful in obtaining his zoning here, and attempted to annex his project to Maumee. After many battles, this proposal was rejected by Maumee and after further attempts at rezoning in Monclova, the developer filed personal bankruptcy for \$87 Million. Much of this land is now in the hands of the LaSalle National Bank in Chicago.

With all of this we learned a great deal, and therefore, now have many people in our township who are knowledgeable about zoning, the need for planning, the urban crisis as well as the need to protect farmland. They are also very knowledgeable about the people who fought us every step of the way.

During this same timeframe, we have had many battles with the various elected officials over such things as a new sewer treatment plant and main trunk line through our township, which was presented to us originally, as the most economical route to run this main line to serve areas north of us. At later meetings we were informed by the County Sanitary Engineer acting on behalf of the County Commissioners, that we were the main beneficiaries of this sewer and if it was not paid through developments in our area we would be taxed to pay the cost of construction. We also argued against a forty-eight inch water main which has now been built through our township. This water main is adequate to serve about a half million people, while our whole township presently has only 3500 residents with most of the land in farming. One of our most enlightening battles involved an interchange in our township. This interchange connects two cornfields and has taken over 200 acres of prime agricultural land. It was planned at the same time that the major developer planned to build his city. Through much effort and correspondence we were able to affect a meeting to review this interchange with the TMACOG Transportation Committee. At this meeting we were quite blackened and bloodied by the elected public officials whom had gotten together a day or two before the meeting and planned their strategy as to how to discredit us. At this meeting, we were informed by officials that if they delayed any portion of this project, it would take 8 to 10 years to get it started again. We had previously been told by a member of the Ohio Department of Transportation that, "that is the way they designed it and that's the way they're going to build it." This is bureaucracy at its worst when it will not look at changing conditions and only seems to serve its own end. Also, serving on that commission who voted against us, was the largest cement contractor in the area.

This interchange is now being built, as I say, to connect two cornfields, when a traffic light could have served the same purpose. We were recently visited at a joint meeting between our trustees and Zoning Board by the head of the Planning Commission of Lucas County to discuss various alternatives of roads leading from this interchange. He informed us that, "now that the interchange was there, we have to do something with it."

The preceeding has been primarily by way of letting you know where we are coming from, and to give you an appreciation for our specific problem, which is that of being located in the urban fringe area. It is not hard to understand also where the elected officials are primarily coming from as our County (Lucas) encompasses all of Toledo, Ohio as well as the surrounding rural area. The elected officials seem to be either from the urban area

or they have close alliances to the political ties controlled by the urban area. The staff people that we have worked with have been most understanding of what the real problems are and we have worked well with these groups. However, when it comes to the authorities in power, saving agricultural land does not fit with their plans.

We have come here today to support House Bill 5882, The National Agricultural Land Policy Act. We feel it is way overdue, but we understand that many people may not be ready for it. Land Use Bills of the past have not fared well in Congress.

I would like to compare the agricultural land problems with the energy crisis as well as the cities crisis. The energy crisis as it is stated today has long been recognized by people who had the knowledge and the facts and data at hand to project what was going to happen. However, it took the Arab oil embargo to really bring the problem home, and even now, I think people are apathetic towards it because the crisis has passed for the present. The cities crisis which has been foreseeable for many years, has in general gone unheeded. The cities crisis of course, is the converse of the farmland "crisis". It took the New York financial disaster to really bring it home, and again, as the crisis has passed I believe that people are not particularly concerned with it because it isn't happening to them today.

We, therefore, are here today to strongly support this legislation which, hopefully will publicize and better document the problem of disappearing agricultural land, and investigate methods of preserving it, before it is too late.

We must recognize that farmland is our most valuable resource. It provides a renewable source of food.

A recent television program on agricultural land, stated that presently 10,000 people a week starve to death, most of them under 5 years of age. We have had a 50% increase in world population in the last 25 years, and it is projected to double by the year 2000. Can the food supply match this? One quarter of the world's population is presently fed from American farms, and there is serious concern by meteorologists over changing weather patterns that could drastically affect production. The humanitarian needs to produce more food are obvious, however, for others to reflect on mass starvation in other parts of our small world, in an atomic age, should be sobering.

A significant portion of our energy needs can also be provided from Biomass (renewable grown products) but this also needs agricultural land.

Our two major export industries are aerospace and farm products. We may in the future be restricting our export of aerospace products, at the same time we are permanently reducing our agricultural capability by converting 2-3 million acres of prime agricultural land annually. This is an irreversible process, and they aren't making any more land. Attitudes are important: As a developer explaining the Sun Valley development project stated when asked what was beyond their development said, "Oh, there's nothing over there, just farms".

Most of this land is consumed by development in the urban fringe areas such as ours and by highways. The energy problem may reduce the amount of land absorbed by highways, but the rate of paving over agricultural land for development is accelerating. In many areas such as ours, this is occurring even though population is decreasing. The people are simply leaving the cities, which of course is what has created the urban crisis. It is inconceivable to us that with the knowledge that is available concerning our area, primarily that Lucas County's total population has been decreasing for the last several years and that there is over 9,000 acres of land available with utilities and schools in the city of Toledo, not counting the smaller tracts available for development, that the county commissioners should continue to plan and build and force and push utilities into the best agricultural land in Ohio because "they planned it that way ten years ago". This is of course, mostly funded with federal tax dollars, which we as citizens pay.

Civilization can continue to exist with other forms of energy, we can make our cities more desirable, but we can't live long without food, and the land to produce it.

Today, about 20% of all U.S. farms are within what the government considers urban areas, and they account for about 25% of this country's total agricultural sales. These areas are obviously the most vulnerable to being taken out of production due to expansion of the cities and development. These urban areas produce a surprising amount of the country's grain and livestock including 16% of the wheat and 17% of the corn. In our continuing attempts to preserve farmland we have requested a grant from the "Campaign for Human Development" to establish a "Family Farmers Land Trust" which could possibly procure land, acquire at a minimum its development rights and lease it back to farmers. The objective is to provide a mechanism for holding farmland that removes it from the speculative market, insures careful and respectful use of land, and provides access to land for family farmers who would otherwise be unable to afford it. The land trust will assist family farmers in maintaining farming units of adequate size. The farmers are currently being shut out of the market place by large real estate and banking interests which purchase land and hold it for profitable development purposes. As a result land disappears from the farm region. Most farmers in this area own only 20% of the land they farm and the shrinking land base and increased property taxes as urban land spell economic disaster over the long run. The continued existence of family farming in this area depends on family farmers getting the wherewithall to fight as equals in an economic system that rewards banks, developers and real estate agents and in a political system that rewards these same powerful interests. At present, there is no feasible means of long term credit extensions for land purchase, to the family farmers. We organized a meeting about two years ago where we had members from the Farm Credit System, bankers, insurance people and many others who could have helped in this area, and we discussed the possibility of doing something of this nature and they all kind of laughed, and had nothing constructive to offer as their whole return on investment philosophy could not be substantiated by preserving farmland for small family farmers.

We have traveled here today to make certain you know that we wholeheartedly support the intent of the proposed legislation. We would prefer something much stronger but we have become realists. In England you can't build outside the incorporated areas without special permission. However, we are concerned and hope that you are after our presentation today. That the funding of Pilot projects through states and their political subdivisions, exclusively, would exclude groups such as ours, and would place the

financing under the direct control of those political organizations that have fought us in every effort we have attempted to preserve agricultural land. We would recommend that most of the funding be provided to urban fringe areas, as that's where the problem exists, and that it not all be administered through the normal government agencies, as their actions may not (especially in the urban fringe areas) coincide with the stated objectives.

We are further concerned with the structure of the Land Review Commission. We would recommend that more than two of the 23 member commission be engaged in agriculture, and that a specified number of these, be from the urban fringe area, where the problem exists. The interests of the family farmers in the urban fringe area are hardly the same as those of the large acreage farmers of the west.

We would also hope that Item 7 under objectives of the bill be implemented and strengthened. This states that all activities carried on by a department or agency of the United States and which affect agricultural land be coordinated and improved in order to protect such land.

We should not lose sight of the fact that the water line, sewer treatment plant, sewer main trunk line and the highway interchange being built on our agricultural land, are all funded primarily by various agencies of the Federal and State governments.

This land is lost and the surrounding land will be lost to agriculture before any effects of this bill are felt. This land is among the most productive in the country, blessed with the natural nutrients and rainfall to produce food for the urban area, and but for governmental subsidies would have stayed in agriculture by family farmers.

Mr. NOLAN. Thank you Mr. Marsh, and now we will hear from Mrs. Ploch.

STATEMENT OF MELVA PLOCH, FARMER'S WIFE, MONCLOVA, OHIO

Mrs. PLOCH. First of all, I would like to say that I am in support of this bill. My main concern with the bill is placing it in political subdivisions, because of the problems we have had with our local government.

As an example of this, in 1974, Ohio had an agricultural relief tax that was voted in by the people for the State of Ohio, which was left up to the counties to implement.

In Lucas County, it still has not been implemented. There has been no tax relief on agriculture, and with this type of local government, there would be no sympathy for agriculture if this funding would go through that process. At least, that is what we have run across.

They continue to tell us that building is progress? How can they tell us that it is progress, when the need is not there. We do not understand.

There are 9,000 acres left in the city of Toledo in 2-acre parcels that are not in use at this time. Yet, instead of their using the places where they have the sanitation and the schools and the whole system, they still continue to try to push them out to the rural areas.

Speaking for my own family—my husband is a farmer and a baker—about 6 years ago I went back to work. The only reason I went back to work was to keep us in farming. With taxes and all of this, it is hard to stay in farming.

To this date, you cannot say that we have all of the modern conveniences that family working three full-time jobs might have. But the family is happy doing what they are doing.

We can live with the problems of weather, high cost of machinery repairs, fertilizer, seed, fluctuating prices in crops, but the worry of not having the land to work because of heavy taxation and "get rich quick" developers is a little hard to take.

In closing, I would like to remind you that land was given to us only in the capacity of stewardship. It is something that you cannot replace when it is gone. Please continue to keep these thoughts in mind when making your decisions.

I would like to thank you again for the opportunity to be here.

Mr. NOLAN. Thank you. Mr. Breckinridge has a question.

Mr. BRECKINRIDGE. Thank you very much, Mr. Chairman.

I want to thank these people for this testimony.

I was interested in the problem posed by the gentleman who is in charge of planning about doing business with the elected officials. I do not say that because I am one, but because as one, I have encountered similar problems throughout my life.

I wonder specifically, how we can operate without going through the established procedures and/or organizations that exist. By way of example, in my own State, which is just south of you—and the Ohio River separates us—it is our river, but you have the name —

[Laughter.]

Mr. BRECKINRIDGE. We have what we refer to as area development districts. We have divided our 120 counties up into 15 of these districts, on a basis which we try to determine by a criteria related to the geography, the communications system and their economic and cultural interests, so that you ended up with a norm of compatibility.

They are funded by the State, but they are basically representing local interests. I suppose that they are subject to the same pressures that the elected city commission is or the elected county fiscal court.

Getting away from that type of influence is always going to be a troublesome one.

I wonder if you have any particular suggestions in that regard.

Mr. MARSH. We have applied recently for a land trust grant. We applied for a grant so that we could attempt to do something on our own local level, because when you get into the broad districts, it depends entirely on how they function as to whether they will be effective.

If they function on a large district basis, then there are certain influences that are going to obviously be paramount in those areas. They will not necessarily then be really representing the individual areas.

In Ohio there has been a great deal of testimony taken lately on trying to do something in terms of State land use and getting more control into bigger areas. I think most of the testimony that we gave and that other people gave was really against that.

Most of the farmers really do not want too much government interference. They are really quite independent people.

We would like to try to see where it can be done on a local basis.

The way I feel that things could be helped more is with better data available and resource people to provide the data. It seems that then the people make the right decisions generally if they have the right data.

There is one that I can think of. It is the Maumee Valley. It is an area around Dayton, Ohio. It encompasses many areas, and I think they have 170-some zoning situations in that area. They are not an authority. They cannot tell the individual areas what to do, they are the resource group for them.

They can then by giving the right facts and figures together and the right data presented in the right way—and I think it takes the right person to do it obviously—convince, if you wish, the local areas what is best for them.

The local areas do vote on it, and it has worked very well in that area.

I heard the gentleman speak one time. That type of an operation where the resources are available and then they leave the control with the local area seems to really work. I think that is the way to go.

Mr. BRECKINRIDGE. That is an interesting proposition. I am sure it would work very well in those areas where such facilities are in existence.

Starting from where we are at this point and looking at a 5-year life of the commission, I question seriously whether or not that structure would be in place at the time that the commission con-

cludes it findings and publishes its report and begins to look for action.

But I think perhaps all I am saying, Mr. Chairman, is this. Any of the witnesses who appear before this subcommittee can contribute to that sort of structural philosophy and thinking and example. If they can do that, that will be useful to the subcommittee.

If there is a commission, then the commission in its deliberations can use that.

Mr. MARSH. I will see if I can get the data from that authority, and I will submit it.

Mr. BRECKINRIDGE. Thank you.

Mr. NOLAN. Without objection, it will be inserted at this point.

[The material referred to is held in the committee file.]

Mr. NOLAN. Mr. Zwyer, would you please give us your testimony.

STATEMENT OF RAYMOND ZWYER, FARMER, MONCLOVA, OHIO

Mr. ZWYER. I am certainly supporting H.R. 5882, so as to find a way to preserve agriculture land.

I think time is so important, because we have been struggling for 5 years already trying to get something going, and anything that would help us to work with the local people, I think would be good.

I come out of the corn and beanfield, 12 miles east of Toledo, to get here. I think I am informed about the problems in our area, as I serve as supervisor-chairman of the Lucas County, Ohio, Soil and Water Conservation District, committee member and chairman of the Maumee, Ohio, Monclova, Ohio, Agriculture Stabilization and Conservation Service. I have been a zoning commission member of Monclova Township for 7 years.

My brother and I farm 800 acres with 20 different landlords with acreage varying from 10 to 125 acres. Last year 200 acres of our farm operation changed owners, and already two farms are up for sale or sold in 1977 by nonfarm owners or estates.

We have some of the best producing soil in Ohio—both crop and vegetable. Also, the climate is favorable year after year to get good production.

I am the fourth generation on our farm. All the past generations were also very interested in keeping the farm in the family. They surely were in need of money many times through hard years, but they thought the farm should be for the purpose of farming. I am of the same opinion, so that our sons and daughters can use the land for food.

Each farmer feeds approximately 50 plus other people now.

We are now working in Monclova Township on an agricultural trust and with financial help, we hope to get going shortly.

We have tremendous pressure from city people who like to move out to open spaces, but they have no regard for agriculture land. Developers pay no attention to farmland, as good farmland is also the best for homes, factories, et cetra, because of good soil structure.

They pay more than farmers can to get land—up to \$7,500 per acre in our area. Then taxes are raised accordingly, as they revalue on the high sale prices, so taxes on some farming land we own are \$75 per acre.

Also, if a death occurs, then inheritance taxes are based on the highest use, so again the remaining family is forced to sell.

There ought to be more than two active farmers on the 23-member commission if possible.

Thank you for giving me an opportunity to express my views.

Mr. NOLAN. Mr. Kime?

**STATEMENT OF EDWARD KIME, CHAIRMAN OF ZONING
COMMISSION, MONCLOVA, OHIO**

Mr. KIME. My name is Ed Kime, and I am chairman of the zoning commission. I have been in this appointed spot for about 9 years.

I am here to encourage our farmers in our area to speak up as loudly as possible about their problems and call attention to your committee that this is a critical situation, and we must move and move with haste.

I have been struggling, and our township has been struggling, almost day to day to maintain our small agricultural areas near the fringe area of the metropolitan area.

Fortunately—or unfortunately—the decisions made for us are by people who are controlled and who are more interested in the urban area.

Just in the last few years when the energy crunch came to the metropolitan areas, being an architect I realize that the built environment does not have to go up into the agricultural land. So there is another view to the problem, and we have to solve the problem.

Once the agricultural land is gone, it never returns to that use. Other uses are recycled, and we must keep that in mind at all times.

There are lands available within cities and metropolitan areas that already have the utilities and the varied services that are needed. These have to be brought to the attention of the developers and the people that have the influence, and the ones that are interested in the development of their community.

Being in a suburban area, once zoning was enacted in 1950, it became a natural approach that once zoning was done, then development has to follow. I have been fighting this personally for at least 9 years that I have been on the commission. This is the awareness and the type of important subjects that are going to be brought up in your hearings and in this act.

I am here also to encourage the committee and Mr. Jeffords to continue his efforts, and I hope that it can be enacted as quickly as possible, because it is a waste of land, money and time.

Thank you very much for the opportunity to speak here this afternoon. I will be happy to divulge any activities that we might have experienced during our work with our people. I do not know how critical our area is compared with other areas.

I have heard about Maryland this afternoon, but we do have critical problems in our fringe areas. This is why I am here, and I would ask that my written statement become part of the hearing record.

Mr. NOLAN. Without objection, so ordered.

[The prepared statement submitted by Mr. Kime follows:]

H.R. 5882

TO Congressman Richard Nolan, Chairman
and Committee Members

Family Farm, Rural Development, and
Special Studies Committee

Committee on Agriculture
United States House of Representatives
Washington, D.C. 20515

FROM L. Edward Kime
7100 Coder Road
Maumee, Ohio 43537
(Monclova Township, Lucas County, Ohio)

DATE 16 June 1977

SUBJECT Testimony for House Bill No. 5882
National Agricultural Land Policy Act

INTRODUCTION

SUPPORT Presented in support of House Bill No. 5882 as introduced by Congressman James M. Jeffords from the State of Vermont on 31 March 1977.

PURPOSE To direct attention to the retention and protection of agricultural land as a stated consideration of the proposed National Agricultural Land Policy Act and as related to local zoning and land use administration.

SUBJECT Confined to the effect the proposed legislation may have on local zoning administration and related activities as has been experienced.

AWARENESS Members of this committee should know and understand the problems facing local land use and zoning commissions as they relate to existing regulations and activities. This bill will relieve the pressures that are destroying land for agricultural use.

ISSUES Many are effected and influenced by this proposal to develop and establish methods to preserve and to protect agricultural land. These should be reviewed.

APPROACHES Control and regulations should be positive and creative with alternatives for the various situations to establish successful programs to achieve the goals as suggested by the introduction of this bill.

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CONTINGENCIES

- INFLUENCES Land use policies and the zoning of land are influenced by:
 Land owners, public officials, land developers
 Planners, bankers, investors
 Land costs, growth rates, & land capabilities
- PRESSURES Directed toward using agricultural land is varied and take many forms such as:
 Developers, speculators, farmers, planners
 County plan commissions, commissioners, and engineers
 Governmental agencies and departments
 Taxing policies, low land costs & court actions
 Utility distribution systems before development
 Annexations, highways, & rapid transit systems
- PROBLEMS Preserving agricultural lands and protecting natural resources demand solutions such as:
 Planning and zoning policies, farmers selling, & special interests
 Regional and local governmental agencies and departments
 Urban controlled decision making for suburban areas
 Inadequate planning and research programs and development
 Interpretations of planning, zoning and land use laws
 Education of the uninformed on planning and land use procedures include:
 Zoning, planning, and appeals board members
 Elected, appointed, and governmental officials
 Legal counsels, owners, and citizens
- OTHERS General concerns effecting the use of land and policies are:
 School boards, utility servicing, & transportation development
 Zoning always brings development
 Continual unsettling conditions for the farmers

EXPERIENCES

- EXISTING Brief description of our township land area involved:
 Located in Northwestern Ohio near metropolitan Toledo
 Interstate highways form east and north boundaries
 Airport in northwest corner and large scenic river boarders on south
 96 inch sewer across undeveloped agricultural land
 42 inch water follows sewer line (not in use)
 Lucas County growth rate negative for several years

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- PLANNING Township activities for past five years have been:
- Citizens planning group formed and organized
 - Surveyed land use and citizens evaluated and documented
 - Made planning recommendations to plan commission (no response)
 - Developed land use capability study and documentation
 - Land use capability policy adopted for use in all land decisions
- ZONING Area zoned since 1950 with continual revisions in both land use and regulations, with effective zoning practices and enforcement. Rejected request for change in zoning for a 1300 acre track of land with a proposed \$400,000,000 development project, among others.
- Zoning districts in existence are:
- Residential, Multi-family, & Commercial
 - Industrial & Planned Development as an exception
- NEEDS Requirements for planning and zoning activities should include:
- Resource material gathered, evaluated, and documented
 - Citizen and public official awareness
 - Continual planning and revaluation as changes develop

ISSUES

- CONTROL Questions of land control rights and privileges by the:
- Land owners and caretakers, land use commissions, & others
- FARMERS Activities effecting land in agricultural uses and production include:
- High taxes on land based on value rather than on use
 - Assessments for utility service lines, land capability, & market prices
 - Control of land, selling farms, & age and desires of owner
- DEVELOPERS Influences effecting developing activities of agricultural areas are:
- Land and utility costs, & loan arrangements
 - Front-end costs, return on investments, & urban city decay
- POLITICAL Authority and control given for such as:
- Land-use policies and passing legislation
 - Control of land use decisions and setting tax rates
- PLANNERS Delegated responsibilities such as:
- Land-use planning and research
 - Raw land policies, forecasting, and making recommendations

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OTHERS Concern miscellaneous issues of land use management:

- Urban influences, growth rates, & energy resources
- Energy budget should include the consideration of:
 - Building services, transportation, utility distribution, & others
- Special interests creating pressures for development are:
 - Contractors, manufacturers, & material suppliers
 - Banking institutions, engineers, & others
- Revenues required to preserve agricultural land
- Utilities and services crossing agricultural land
- Land losses from agricultural uses and production
- Governmental agencies contribute to agricultural land losses by financial grants whether justified or not for such things as:
 - Highways, sewer lines, & sanitary treatment facilities
 - Water lines and treatment plants, housing developments, & others

CONCLUSIONS

URGENT Solutions and policies should be developed for:

- Educational programs for land use problems
- Development of effective tools for planning and implementation of land use programs and land management for agricultural uses
- Agricultural land holding management policies may cover:
 - Sales, development rights, land trusts, and others
- All land could be determined for agricultural uses until changed
- Land use capability determinations for area before any change

PRECAUTIONS Care should be exercised in creating legislation such as:

- Our high quality of living and land use freedom to be maintained
- Keep control and management of the land close to the people
- Develop checks and balances as an integral part of the land holding and management programs
- Insure large tracks of land holdings created today cannot be used or controlled indiscriminately for other uses in the future
- Develop optional programs and alternatives to accomplish goals of Agricultural Land Review Commission rather than legislate all land use policies with no options

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STATEMENTS

We must get a handle on these land use issues. We must keep working forward to approach some solutions to preserve and protect land for agricultural use. These problems will not go away.

We must curtail the urban area influence and control of the suburban areas which are the exact areas where the problems are usually to most critical.

We know when land changes from agricultural uses to any other use; it never returns to producing agricultural products. Other land uses can be and are recycled.

We must at least give agricultural land use equal consideration in making land use decisions. Today it is not.

Zoning has been used in Monclova Township as an effective means to deter development. It is not a secure method nor is it recommended to control agricultural land uses. Zoning is an effective tool for planning and maintaining land uses, but not for agricultural. Much more is needed.

I must comment on the proposal as to who might control the money and programs for the studies as indicated on Page 14, lines 4 thru 7. These are the very groups giving our agricultural areas the worst problems. This is the same group that has caused us the most difficulties. They increased taxes, they put in water and sewer lines, they promote development, they delay any new approaches to save agricultural uses, they have refused to implement or approve any planning group recommendations, and they create the pressures on the townships. I would suggest that another method be used for best results.

I must suggest that as much money as possible should be used for programs and the direct holding of land now. We have plenty of research and study data. Let's get going on the problem. We cannot afford the waste of time, land nor money.

CLOSING

SUPPORT

I support the enactment of H.R. 5882, designed to establish a national policy concerning agricultural land; to establish a demonstration program for protecting agricultural land; and to establish an Agricultural Land Review Commission.

We know that once agricultural land is lost and destroyed, it is gone forever.

H.R. 5882

ASSISTANCE I would be interested in assisting the committee with any further information or explanation of my activities and experiences in the zoning and administration of suburban land use.

SERVICE I would further consider serving on the Commission.

THANK YOU Respectfully submitted,

L. Edward Kime

Mr. MARSH. I turned in a copy of our proposal for the grant, and we would like to try to establish a land trust—nonprofit—run by the farmers in our area. I did not think about mentioning that, but I did turn in a copy of the proposal which has a great deal of the background and how we propose to go about it.

What we need, of course, is seed money and to learn about the leveraging techniques, because, again, our only interest would be in getting the development rights. We do not want to own the land.

Mr. NOLAN. Without objection, the proposal will be made a part of the record.

Mr. NOLAN. I want to thank each of you. At this point—because I know some of the people will be leaving—I want to thank all of the witnesses who have come from a wide variety of backgrounds and all over the country and have taken of their valuable time—particularly the farmers who are very busy at this time of the year.

We want to thank you for coming and sharing your personal experiences and thoughts and views on this matter with us. Thank you all very much.

Our next witness is Mr. Hector Macpherson from Albany, Oreg.

[The prepared statement submitted by Mr. Macpherson follows:]

Testimony by Hector Macpherson on H. R. 4569, June 16, 1977
 Before the Family Farms, Rural Development, and Special
 Studies Subcommittee of the House Agriculture Committee

I am Hector Macpherson, a dirt under the fingernails farmer from Rural Route 3, Albany, Oregon. I am the second generation to operate a family farm in Oregon's fertile Willamette Valley and combine that occupation with a social activist's role in the political life of our State. My preoccupation for the past 15 years has been with land use planning and more particularly with the preservation of agricultural land for commercial agriculture.

It all began in the early 1960s when it became apparent that my dairy farm was in the path of the urban sprawl creeping out the 7 miles that separates my operation from the growing college town of Corvallis. The Willamette River lies between and most of the intervening distance is rich alluvial flood plain with some of the best soils God put on this earth. Houses were springing up along every country road with a patch of land above the 10 year flood level. The commuters were not very tolerant of the smell of cow manure and I could see problems ahead unless the tide could be stemmed.

Land use planning was just coming to counties at that time and I helped organize the move to get my county of Linn to appoint a planning commission. I soon found myself on that Commission and spent nearly 5 years as its Chairman. An interest that admittedly started as self interest broadened into an understanding of all the greater implications of a mobile population spreading out across our land.

At this point I am prepared to speak with strong conviction about the subject matter of H.R. 4569. We need a national policy on the preservation of farm land. Having attempted to stir some interest in this direction from the Department of Agriculture under both Orville Freeman and Earl Butz, I know that Congress must start the ball rolling and this legislation is a good place to begin.

Let me tell you a little more about what we are doing in Oregon.

In 1970 I was elected to the Oregon Senate and made environmental issues my primary concern. In 1971 I was in the thick of the fight to pass Oregon's Bottle Bill and beef up our Department of Environmental Quality. Not one step was taken in 1971 to improve Oregon's inadequate land use planning laws.

We had at that time the usual enabling laws for city and county planning. In addition we had Senate Bill 10 of the 1969 session, a law which directed cities and counties to plan and zone border to border but lacked any state standards for the quality of the job being done. As you can imagine some communities were doing a conscientious and workmanlike job of their planning, and some were just going through the motions, giving every development interest what it wanted despite the future implications. Lane County, for instance, lying at the southern end of the Willamette Valley and containing Oregon's second largest city earmarked no land exclusively for farm use despite highly productive and well developed agricultural areas.

We also had property tax incentive legislation which gave a tax break to farmers operating in an Exclusive Farm Use Zone. But it gave the same tax break to those properties not zoned for agriculture though still being used that way. The penalty for change of use was 5 years back taxes which made it a desirable haven for speculators without a long term commitment to farming.

I was determined that the 1973 session of the legislature would face up to the problems in planning. Fortunately I found willing allies in Governor Tom McCall and Senator Ted Hallock and eventually a host of others. Denied official legislative help, the Macpherson task force none the less put together a package of bills that eventually became law. The headliner bill, Senate Bill 100, which created a Department of Land Conservation and Development to oversee planning from the state level, is known by more people by its Senate number than any law ever passed in Oregon. It has been praised, damned, threatened and finally referred to the electorate for disposal, and it has survived.

The number two bill of that package, Senate Bill 101, zeroed in on the problem of saving farm land. It redesigned the EFU zone to make it more attractive to farmers, and doubled the penalty for changing the use of unzoned farm land. We now have a farm land preservation goal adopted by the Land Conservation and Development Commission. It requires that counties save their Class 1 through 4 soils by placing them in an EFU zone. Farmers lose their development rights but are compensated by being guaranteed freedom from harassment for dust, odor, and noise problems. They get property tax and inheritance tax reductions and are assured that special assessments for sewer and water will not be levied against their land. Developers are screaming that we are driving up the cost of housing by limiting the available land. They are probably right, but measured against the energy and service costs of sprawl, it is still a bargain.

Farm land is being saved. With tight zoning now in place in my own neighborhood, the intrusion of rural acreage subdividing on prime land has stopped. What is more important farmers in the EFU zone are accepting the restrictions, aided in part by the escalating prices for good farm land.

The battle isn't over. The development interests led by the home builders and realtors organizations continue to fight effective planning control. The battle goes on in the Oregon Legislature this week as modifications to Senate Bill 100 are considered.

H. R. 4569 addresses only one part of a larger problem, but considering the fate of the National Land Use Policy Act, its more limited objectives should make it more acceptable. Repeated polling in Oregon has shown wider public acceptance of the need to save farm land than other planning objectives.

H. R. 4569 starts out appropriately, to make the case for saving farm land. This needs to be nationally documented. Government agencies themselves often unnecessarily place installations on good farm land.

Title II creates the Commission which should be the national focus for saving farm land and the watchdog on the actions of federal agencies.

I have little hope that Title III with its demonstration programs can be of more than limited help. The Suffolk County, New York, experiment in the purchase of development rights to land is typical of what can be expected in demonstration projects. It simply is too expensive for broad application. However, there is a place for testing small and unusual approaches to the problem.

To sum up, there is a need for a national policy on the preservation of farm land. A national Land Review Commission is needed to assemble the work done in this area by the several states. To name a few, The Blueprint Commission in New Jersey, The Williamson Act in California, the Agricultural Districts of New York, the State Zoning in Hawaii and the Michigan Study which projects a million acre deficit in agricultural lands in that state by the year 2000.

The political process which will eventually erect the barriers against the dissipation of our farm land base can best be aided by marshalling public opinion. The job itself can only be done by the local communities. H. R. 4569 could provide the badly needed national leadership.

Mr. NOLAN. Thank you very much, sir.

Did you find in the consideration of that legislation in Oregon that the farms were willing to accept and receive the kind of development rights offerings that were made to them?

Mr. MACPHERSON. I will have to admit that a great many of the individual farmers, like people everywhere, said they did not want those kinds of restrictions.

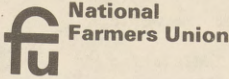
What I did find is that the leadership in the farm community was, I think, on our side from the beginning. They had some difficulty in getting the farmers to go with them, but as our system matures and as we get more experience with it, and as these same farmers look at the price of farmland—which I am sure has doubled in the last 2 or 3 years—they will be much more receptive.

What I find is that those who are active farmers and want to continue farming praise that kind of approach, because it gives them what they need to keep on operating. They want to be able to buy land and not have to compete with the subdivider when they do buy. They also want to know that they are going to get a fair price when they have to sell.

Mr. NOLAN. We thank you very much, Mr. Macpherson.

Our next witness is Mr. Bob Mullins, Legislative Assistant, National Farmers Union. Bob is a regular before this committee. We are always delighted to have you appear as a witness.

[The prepared statement and the attachments thereto submitted by Mr. Mullins follow:]



Statement of
Robert J. Mullins
Legislative Assistant
National Farmers Union
on
H.R. 7235
"National Agricultural Land Policy Act"
before the
House Agriculture Subcommittee on
Family Farms, Rural Development and Special Studies
Washington, D.C.
June 16, 1977

Mr. Chairman and Members of the Subcommittee:

I am Robert J. Mullins, Legislative Assistant for National Farmers Union, 1012 - 14th Street, N.W., Washington, D.C. I am pleased to have the opportunity to appear before this Committee on behalf of the family farmer and rancher members of the Farmers Union in support of the "National Agricultural Land Policy Act."

A national commitment to preserve and protect America's farmlands is as important to the preservation of American agriculture as is the need for a National Food Policy and a National Energy Policy. They are all interrelated. American agriculture will not be able to produce abundantly or efficiently in the future unless these policies are adopted, recognizing the problems and specific needs of our agricultural producers.

Without adequate income farmers can no longer afford to produce food and fiber. Without adequate and reliable sources of energy farmers cannot produce. Without protection of farmlands from increasing diversion to other uses, farmers will not be able to continue to produce in abundance.

The challenge of protecting our environment is an exciting one in itself, but it is no longer simply an aesthetic argument. It is now a matter of deciding policies which will determine whether or not we have

enough food here at home and for hungry people throughout the world.

National Farmers Union views the proposals in this legislation as a major step forward in addressing the problem of disappearing agricultural land. This legislation provides the Congress with an opportunity to address a situation prior to its becoming a major national crisis. The policies and procedures outlined in this legislation will permit government, federal, state, and local, to make rational realistic policy decisions in advance of a crisis situation. It is an opportunity Congress should not let slip by.

Mr. Chairman, in preparation for this hearing I requested our state organizations to provide me with the latest information on agricultural land that had been taken out of production and diverted to other uses. The lack of information on this item out in the states is appalling. I found that most states do not have current data upon which to make sound policy decisions. How can the federal government, state governments or local governments be expected to make responsible policy decisions without accurate, reliable information?

Statisticians in two of the state departments of agriculture with whom I talked frankly admitted that the lack of information in this area was a problem and concurred that information such as would be gathered by the Agricultural Land Review Commission as proposed in this legislation would be helpful for policy-making and planning purposes.

We believe the provisions in the legislation providing for a national inventory will provide valuable assistance to policy-makers at all levels of government as well as educational institutions and private citizen organizations.

The delegates to the most recent National Farmers Union annual convention reaffirmed our commitment to the family farm system of agriculture and made specific recommendations as to how that system is to be preserved. In part the delegates said:

"The family farm is the keystone to our highly successful agricultural system. The welfare of the Nation's consumers, and those in need throughout the world is increasingly related to the preservation of the family farm and ranch pattern of agriculture."

As I have said, one of the urgent needs, for both consumers and farmers, is the enactment of a National Food Policy. Our members have said that one of the elements of that National Food Policy must be: "Strict guidelines for land use that will preserve agricultural

land." The objectives of the National Agricultural Land Policy as spelled out in Title I of this Bill receives Farmers Union's full support.

To achieve our goal National Farmers Union members have adopted a land policy that reads in part:

"Objectives of the comprehensive land policy of the Farmers Union include: (1) maintaining family agriculture, a viable rural America, and the capacity to produce abundant food and fiber; and (2) assuring the conservation of our land, water and air.

"Other elements of our policy include population policy to assure viable rural communities provisions for land transfer, especially to young farmers and ranchers, protection from eminent domain policy abuses, economic and tax policies to protect family farmers and ranchers, and improved water and waste treatment systems."

I am appending to this statement excerpts of our national policy relevant to land use and agricultural land protection.

As this Committee knows there are many competing pressures for use of our nation's farm and ranch lands, including urban sprawl, recreation, highway and airport construction, industrial expansion and now energy resource development. At this point, let me say, we are not advocating zero-growth. Rather we are advocating balanced growth policies. It is important that our national growth policy must recognize the importance of protecting non-renewable resources, such as land.

The economic and social pressures competing with agricultural production for the use of the land has been well-documented in a study by Mr. Floyd Ciruli, now of Congressman Frank Evans staff, entitled "Hold the Mesa." The study documents land utilization conflicts around the Pueblo, Colorado, area. Although the locale is in southern Colorado the same conflicts are occurring today in hundreds of locations around the country. I would commend this study to the attention of the Committee as you continue your deliberations on this legislation.

Recently another factor has generated considerable pressure for farm and ranch lands--the greatly increased demand for coal development. We are extremely concerned about the possibility of diverting millions of acres in Iowa, Illinois, Indiana, North Dakota, Colorado, Wyoming, Montana and New Mexico for strip-mining of coal.

I have testified before this Committee and others of the Congress on the need to protect prime agricultural lands and ecologically fragile lands from the effects of strip-mining.

Although as a Nation we are faced with the challenge of increasing our self-reliance on domestic sources of energy we must also be cognizant of our responsibility to protect our land and water resources along with our agricultural production capability.

Much attention has been focused on the Western regions of the country as a potential source of readily available "cheap" coal. It is imperative that both land and water use be carefully considered before any development of this region for coal production occurs.

The Administration, the Congress and the American people must not abdicate our responsibility and capitulate to demands that environmental considerations and agricultural uses of land must be subordinated to the exploitation of the land in the name of "energy."

There is another force exerting considerable pressure on agricultural lands which I have not mentioned yet, taxes. Federal, state and local tax policies generally work to the detriment of the agricultural landowner. Property taxes in many locations have become almost confiscatory. This is particularly true in lands located adjacent to or near urban areas and recreational developments. Farmers and ranchers are forced to sell to speculators and developers simply because they can no longer afford to pay the taxes on their land. In all too many instances property taxes are based on the development value of the land rather than its agricultural productivity value.

Federal gift and inheritance taxes, although somewhat improved during the last session of Congress, still are not equitable to the family owned and operated farm or ranch.

The demonstration programs provided for in this legislation will, we hope, permit local and state governments to implement policies which will prove valuable in protecting and reserving agricultural lands.

The problems we face in attempting to protect a vital resource are great. We believe this legislation would provide a starting point to protect our agricultural lands and our agricultural production capability. We must also remember to provide protection for our Nation's farm and ranch families.

To insure a continuous and abundant supply of food and fiber for ourselves and others around the world we must have:

- (1) A National Food Policy;
- (2) A National Energy Policy; and
- (3) A National Agricultural Land Policy.

Mr. Chairman, this concludes my statement. I will try to answer any questions you or other Members of the Committee may have.

Thank you.

Mr. MULLINS. I would also like to say, I was visiting with former Assistant Secretary of Agriculture John Baker this morning. John reminds me that he had a similar bill introduced 15 years ago. So time is running out, and we do need to act now.

I was rather disappointed yesterday in reading two statements that were introduced into the record by agriculture commodity groups opposing this legislation. I am also dismayed that I do not see any of the leadership of the other national farm organizations publicly appearing before this committee.

Farmers need to be and should be in the forefront of this battle. They have more to gain and more to lose than any other segment of the society if we do not move now.

Mr. Chairman, if you would permit me 1 more minute. I have something that is not in my written statement, but it happened yesterday and I feel compelled to say something about it.

I was extremely disappointed with the Department of Agriculture yesterday in their statements.

Mr. NOLAN. On what?

Mr. MULLINS. On this bill.

I think I can point, if one needs to point the finger, not only on this ill but it has had its effect on the House figures in the farm bill and some other environmental issues as well. I am talking about the Office of Management and Budget. I would like the record to be clear that the Farmers Union holds the Office of Management and Budget responsible for those figures in the farm bill, and we hold them responsible for weakening efforts in this piece of legislation.

Mr. NOLAN. We thank you very much.

Our next witness is Frederic Winthrop, commissioner of the Massachusetts Department of Food and Agriculture.

Mr. WINTHROP. Thank you, Mr. Chairman. Thank you for taking me out of turn. I apologize for being late.

[The prepared statement submitted by Mr. Winthrop follows:]

TESTIMONY BEFORE SUBCOMMITTEE ON FAMILY FARM
RURAL DEVELOPMENT AND SPECIAL STUDIES OF COMMITTEE
ON AGRICULTURE - RE. H.R. 5882

JUNE 16, 1977 - WASHINGTON, D.C.

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, MY NAME IS FREDERIC WINTHROP, I AM COMMISSIONER OF THE MASSACHUSETTS DEPARTMENT OF FOOD AND AGRICULTURE AND I'M HERE TO LEND WHAT SUPPORT I CAN FOR H. R. 5882, THE BILL TO ENCOURAGE THE PRESERVATION OF AGRICULTURAL LANDS.

MASSACHUSETTS, AS YOU PROBABLY KNOW, IS NOT A MAJOR AGRICULTURAL STATE. WE HAVE ONLY LESS THAN HALF A MILLION ACRES IN PRODUCTION WHICH IS PROBABLY NOT MUCH BIGGER THAN A LARGE TEXAS RANCH. WE'RE NOT ABOUT TO PUT CALIFORNIA OUT OF THE VEGETABLE BUSINESS, OR IOWA OUT OF THE CATTLE BUSINESS. THE MIDWEST NEED NOT WORRY, WE IN MASSACHUSETTS ARE NEVER GOING TO PRODUCE MUCH IN THE WAY OF WHEAT, CORN OR SOYBEAN AND FLORIDA CAN RELAX - WE HAVE YET TO PRODUCE ONE ORANGE. SO NOBODY IN THIS ROOM SHOULD FEEL PARTICULARLY THREATENED BY THE BAY STATE FARMER.

ON THE OTHER HAND WE IN MASSACHUSETTS ARE FEELING THREATENED ABOUT WHAT IS HAPPENDING BOTH IN OUR STATE AND ACROSS THE COUNTRY.

IN OUR STATE, WE HAVE BEEN LOSING SOME 20,000 ACRES OF FARMLAND EVERY YEAR FOR THE LAST TEN - THAT'S APPROXIMATELY 200 FARM BUSINESSES GOING OUT OF PRODUCTION EVERY YEAR. IN 1945 WE HAD 2,000,000 ACRES IN FARMS, TODAY IT'S 400,000. IN 1945 THERE WERE 35,000 FARMERS WORKING THE SOIL, TODAY THERE ARE 5,000. GRANTED THOSE 5,000 ARE MORE EFFICIENT AND MORE PRODUCTIVE THAN EVER BEFORE, BUT WITH THE FRESSIONS OF URBAN SPRAWL, TAXES AND COST OF PRODUCTION SKY ROCKETING, THEY ARE FAST LOSING

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THEIR AGRICULTURAL BASE - THE LAND. TO CONFRONT THIS CRISIS, GOVERNOR DUKAKIS HAS ARTICULATED THE STATE'S FIRST POLICY FOR FOOD AND AGRICULTURE, A FEW COPIES OF WHICH I HAVE WITH ME. THIS DOCUMENT MAY WELL BE THE FIRST OF ITS KIND IN THE COUNTRY.

FROM WHAT WE CAN TELL THE SITUATION IS NOT MUCH BETTER ELSEWHERE IN THE COUNTRY. WE READ THAT 1,000,000 ACRES OF FARM LAND GOES OUT OF PRODUCTION EVERY YEAR IN THE UNITED STATES AND THAT WHAT NEW LAND GOES INTO PRODUCTION TENDS TO REQUIRE HUGE CAPITAL INVESTMENTS IN LAND PREPARATION AND IRRIGATION. MEANTIME IN THE WEST THE FARMERS ARE WORRIED ABOUT TOO LITTLE WATER AND TOO MUCH SALT. ACROSS THE COUNTRY WE ARE ALL EXPERIENCING THE IMPACTS OF THE ENERGY CRISIS AND HOW IT HAS AFFECTED THE COST OF PRODUCING FOOD AND THE COST OF GETTING IT FROM THE FARMER TO THE CONSUMER. WE IN MASSACHUSETTS MUST IMPORT FROM OUT OF STATE 85% OF THE FOOD WE CONSUME AND ARE ALREADY PAYING 10% MORE FOR OUR FOOD THAN THE NATIONAL AVERAGE.

FINALLY WE HEAR WHAT THE EXPERTS ARE TELLING US ABOUT THE WORLD POPULATION DOUBLING AGAIN IN 30 YEARS. IT IS CLEAR TO US IN MASSACHUSETTS THAT IF THE WORLD IS TO LEARN TO FEED TWICE AS MANY PEOPLE IN 30 YEARS AS IT NOW FEEDS, EVERY STATE IN THIS UNION MUST PLAY, IN FACT WILL BE FORCED TO PLAY, AN INCREASING PART IN FOOD PRODUCTION. IT IS IMPERATIVE THAT EVERY STATE TAKE STEPS TO HALT THE LOSS OF AGRICULTURAL LAND.

THE TIME HAS COME FOR THE U.S.D.A. AND FOR LAND GRANT COLLEGES TO STOP BEING PREOCCUPIED WITH HOW MANY BUSHELS OF CORN CAN BE COAXED OUT OF AN ACRE OF LAND AND START BEING EQUALLY WORRIED ABOUT THE FUTURE OF THE ACRE OF LAND ITSELF. IT IS REALLY ENCOURAGING TO SEE SECRETARY BOB BERGLAND MOVING IN THIS DIRECTION. IT IS ALSO ESPECIALLY ENCOURAGING TO SEE THE QUESTION FINALLY RECEIVING THE

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ATTENTION OF THIS AUGUST BODY. I CONGRATULATE THE EFFORTS OF CONGRESSMAN JEFFORDS AND THOSE OF YOU WHO HAVE JOINED HIM TO SUPPORT THIS BILL.

WITHOUT GOING INTO THE SPECIFICS OF THE BILL, I WOULD LIKE TO MAKE THE FOLLOWING GENERAL RECOMMENDATIONS:

1. THAT AN INORDINATE AMOUNT OF TIME AND MONEY NOT BE SPENT ON STUDIES AND RESEARCH. A LOT OF STUDY HAS ALREADY GONE INTO VARIOUS TECHNIQUES OF SAVING AGRICULTURAL LAND. CERTAINLY, THE WORK OF OTHER STATES SHOULD BE INVENTORIED AND EVALUATED, BUT THE BULK OF THE FUNDING SHOULD BE DIRECTED TO HELP STATES IMPLEMENT THEIR OWN PILOT PROGRAMS.

2. THAT FUNDS SHOULD BE MADE AVAILABLE WITH AS FEW FEDERAL STRINGS AS POSSIBLE. LAND USE CONTROLS, IF ANY, MUST BE STRICTLY LOCAL - OTHERWISE THERE WILL BE AN UPROAR AND THE PLAN WON'T FLY.

3. THAT THE COMMISSION NOT TRY TO DEVISE A NATIONAL PLAN THAT WILL APPLY TO EACH STATE. THE COUNTRY IS TREMENDOUSLY DIVERSE IN SOIL TYPES, CROPS, COMPETITION FOR OTHER LAND USES, AND POLITICAL CLIMATE. THEREFORE, THE METHODS FOR PRESERVING AGRICULTURAL LAND WILL DIFFER. THESE METHODS MAY RANGE FROM PURCHASE OF DEVELOPMENT RIGHTS TO TAX INCENTIVES TO LOCAL ZONING.

LIKEWISE, IT WOULD BE A MISTAKE TO ESTABLISH INFLEXIBLE NATIONAL STANDARDS OR CRITERIA FOR ELIGIBILITY.

IN MASSACHUSETTS FOR EXAMPLE, USING A NATIONAL DESIGNATION OF "PRIME" LAND WOULD EXCLUDE SOME OF OUR MOST PRODUCTIVE FOOD LANDS - THE CRANBERRY BOG WHICH FINDS ITSELF IN A HEATH SWAMP AND THE APPLE ORCHARD PERCHED ON TOP A ROCKY DRUMLIN. IN SHORT, THE PLAN NEEDS FLEXIBILITY AND INPUT FROM THOSE WHO KNOW THE LOCAL CONDITIONS BEST.

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NOTWITHSTANDING THE ABOVE RECOMMENDATIONS, H.R. 5882 IS A VITALLY IMPORTANT FIRST STEP IN FOCUSING NATIONAL ATTENTION ON A PROBLEM WHICH IS REACHING CRISIS PROPORTIONS IN MORE AND MORE STATES. IN CONSIDERATION OF FUTURE GENERATIONS WE MUST MOVE NOW TO PRESERVE OUR FOOD AND FIBRE PRODUCING LANDS. I URGE YOUR SUPPORT OF THIS BILL AND I THANK YOU FOR LISTENING TO ME.

Mr. WINTHROP. Governor Dukakis has articulated the State's first policy for food and agriculture, a few copies of which I have with me. This document may well be the first of its kind in the country, and I would like to share it with you.

Mr. NOLAN. Without objection, we will include this document as part of the hearing record.

[The document referred to above is held in the committee files.]

Mr. NOLAN. We thank you.

With the few remaining number of farms in Massachusetts you ought to be able to get through a good bill there. You could designate them for their historical references. [Laughter].

Mr. WINTHROP. It is almost that bad. In fact, we have made some progress in our legislature. I think they are waking up, and, in fact, I would say that our greatest supporters in the legislature are the urban legislators. They do recognize and understand the food-land equation perhaps better than some of the rural legislators.

Mr. NOLAN. It sounds like many of the farmers are more interested in development there.

Mr. WINTHROP. That is a possibility.

Mr. JEFFORDS. I would like to thank Mr. Winthrop for his testimony.

I want to express my appreciation for your help. You can take a lot of credit for what is in this bill, as well as others who have been working with us.

Without your help, and the help of others from New Jersey and other areas, we would not have been able to get this bill in the shape it is now. I want to express my appreciation for that.

Mr. WINTHROP. Thank you, Congressman Jeffords. I don't know if that is deserved, but I do think New Jersey, which you mentioned, and Massachusetts are really out front on the problems which the rest of the country is now beginning to face. I hope that we can serve as models on perhaps what should not happen. Thank you very much.

Mr. NOLAN. Thank you.

The Chair would like to correct itself. Earlier I introduced a witness who had traveled the farthest. There is another group which has come all the way from Spokane, Washington. In keeping with an ancient Biblical tradition, I think we have saved the best for last, and so I want to introduce the next group of witnesses representing WIFE—Women involved in Farm Economics.

To testify for that group, we have Ms. Sue Miller and Ms. Alice Parker.

[The prepared statement submitted by Ms. Miller follows:]

STATEMENT OF SUE MILLER, WASHINGTON STATE WOMEN INVOLVED IN
FARM ECONOMICS

June 13, 1977

Greetings from the family farmers of Washington state. Our state ranks 1st in the production of apples, hops, sweet cherries, and dry peas; 2nd in potatoes, pears, asparagus, mint oil and green peas; 3rd in grapes; 4th in cranberries and sweet corn; and 5th in wheat and sugar beets. In 1974, Washington had 16½ million acres of land under cultivation.

As a member of W.I.F.E., we are here to represent the most efficient business and most efficient partnership in the nation, that of our family farm. We are producing for the world's most basic need, food. We are the foundation of this nation's economy. Our local businessmen and farmers have sent us here to tell you that our situation is critical. They have gathered \$25,000 in large and small donations to send us here today. It's time the farmers raised less corn and more hell.

Our government, regardless of political party, has for years used the farmers business to subsidize the total national economy. At this time, we are now receiving a smaller share of return than at any time since the "Great Depression". Under present conditions we will be forced to sell farm land in order to meet mortgage payments. Land values will start a downward spiral as they did during the depression. If this is allowed to happen, some of us will be on the streets competing for jobs or standing in welfare lines. Professional farmers will not farm corporate or government farms as efficiently as we did our own. As hired hands we won't feel so concerned about the pressures of finance, market and weather.

Today's farmers is an educated, aggressive breed. We qualify for many professions but farm because we love the life. An intelligent human being doesn't

W.I.F.E. Presentation

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stay in business when he steadily improves his methods of production, and then loses money because of commodity prices.

Our local bankers tell us that 1/3 of the farmers in Washington state will be gone from farming by planting time next spring, and that includes many of the best owner-managers among us. Some farms had the highest yields ever during 1976. What do you think that means? More income for us? Not so! Even after a farmer saves his crop from nature's elements, he can still suffer serious losses with any major commodity. Big business is paid a premium for risks involved in production. Farmers should be paid a premium also! Our product is priced by wholesalers and the government according to handling costs and politics, not by the growers. You have made our business your business, now keep us in business. We must be protected--we are an endangered species.

A slogan heard around Washington, D.C., "Food is for people, not for profit" is becoming a reality. We deeply resent that our business runs in the red, and from all we hear, the Federal Government intends to keep it that way. President Carter has conceded that, "The farm program offered less support than many farmers wanted, but said it was not his goal to guarantee farmers a profit, but only to maintain income at a breakeven point." This only guarantees a loss to farmers! Why discriminate against the farmer with the federal budget? We already have economic disaster from the administration's goal of breakeven protection. Farmers only receive 16.08% of the total agricultural budget. Part of this budget includes loans to farmers which are being repaid with interest, BUT going back into the general fund! Why isn't the public informed of these facts?

We are not asking for handouts. We are asking the government to make its resources and American agriculture products available to a starving world. We should make our food available to foreign markets by selling it and not giving

W.I.F.E. Presentation

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it away. It is the one vehicle that can bring about "The Balance of Trade" and wipe out our deficit. Agriculture is the only industry that can produce competitively with the rest of the world. Farmers need an aggressive Federal export policy in order to provide a stable export market and free world trade. Once established it should not be tampered with. Stored reserves in this country must not be used to dump on our domestic market to depress farm prices.

We all represent small farm communities, and the small independent businessman is feeling the same economic crunch that we are. Bigger businesses are going to feel the crunch this fall when they have fewer orders to fill and will have to lay off part of their work force.

In order to feed the world, America must include its professional family farmers in their rightful place as equal partners in the economy.

As our national spokeswoman, Marian Lenze, for W.I.F.E. stated, "We can't trust the government to stay out of our business; therefore we demand that the government be involved at a level to insure a fair return to the nation's farmers."

Mr. NOLAN. We thank you very much.
Ms. Parker?

STATEMENT OF ALICE PARKER, WASHINGTON STATE WOMEN INVOLVED IN FARM ECONOMICS

MS. PARKER. Good afternoon, I am Alice Parker. My husband Ivan, son Perry, and I operate a 700-acre farm on Royal Slope in the Columbia Basin in Washington State.

I am here with a group of members of WIFE—Women Involved in Farm Economics—from Washington State representing a very small minority group—that of the family farm.

We have been sent here by farmers, equipment dealers, fuel suppliers, and main street businessmen to make you aware of the fact that the farm economic situation is very critical and very real. It is not just hogwash.

We have been asked, "If farmers don't want Government interference, what do you want?" My answer to that is we have had Government interference either directly or indirectly for a long time. It is now time we accept that fact that Government is playing an important part in our business. Therefore, we must get involved so we can have a voice in the decisionmaking process.

We do not want handouts. We only want to be able to produce and compete at a level with all other U.S. industries. In order to do this, we must have the same protection as all other industries.

President Carter says he will not guarantee farmers a profit, but only a breakeven point. Is this his feeling about all other industry? If so, how will American stay alive? If the American consumer wants to continue to spend the small amount of his paycheck for his food that he is now spending, the family farm must be protected. We farmers are tired of subsidizing the American people, and we can no longer do so. We are fast using up what little equity we have left.

We want Government to help the agricultural industry by making its resources and products available to a starving world with a profitable program—not a giveaway program. Agriculture is the one industry that can produce competitively with the rest of the world. It is the one vehicle that produces an absolutely necessary commodity.

If EPA, OSHA, and other Government agencies continue to impose regulations on farming and related industries, our costs will only climb higher. This only makes the "business of remaining in business" more difficult. The American consumer who desires most of these regulations must realize that when farm organizations request deregulation or exemptions from these regulations, it is not to destroy wildlife or kill ornamental plants. It is to try to keep farming costs to a minimum and, therefore, prevent so-called farmer-induced food price increases from taking any more of the consumers income. We as farmers must have protection from inflation, too.

If the family farms are forced out of business and large corporations or Government takes over, the cost of food will skyrocket. Our Government is destroying "the pride of ownership" and "the pride of

earning one's own way," which have played such an important part in our Nation's history. The farming business has won two wars with our food supply, and it has kept our country out of international debt. After all the farmer has done for our country, don't you think it is time Government does something for the farmer?

Agriculture is the foundation of this country. If it is allowed to break and crumble, what is setting on that foundation will tumble and break too. Do you want to fall and break also? I don't.

Why am I concerned? Our family farm is at stake. In years past when we showed a loss, it was due to either nature's elements or mismanagement. When we analyzed the situation before, we could take control and bring ourselves out of the slump by either working harder or better management. This isn't the case now. Government is the cause of our economic problem. That is why I am there to tell you that it is now up to the Government to either bring the farming business back to its rightful place in the American economy or you will not only have bankrupt farmers, but a bankrupt country.

Thank you. [Applause.]

Mr. NOLAN. There is nothing that I can say. The group and their applause has said what they feel about your testimony.

Are any of you wheat producers?

Ms. PARKER. Yes; we produce wheat.

Mr. NOLAN. What is the price of wheat in Washington State right now? Does anyone know what the latest market report is?

Ms. PARKER. We have not been home since Monday, so I really do not know. But I do know last week that there was one firm coming around and offering contract prices for July for \$2.35, which is absolutely too low. We cannot make it on that.

Mr. NOLAN. We received reports that in Oklahoma, it is selling at \$1.90 now.

Ms. PARKER. Of course, part of the difference is our freight charges there.

Mr. NOLAN. Yes; that is correct. The transportation differential doesn't help the wheat farmer in Oklahoma much, does it?

Ms. PARKER. Absolutely not.

Mr. NOLAN. To be sure.

Is it your view that a steady, stable, fair, and reasonably profitable price for agricultural production would also help stem the tide and the flow of land out of agriculture into other commercial uses? Would you argue that point?

If you had a reasonable price, then farmers might not be so inclined to sell their land for housing; is that what you think?

Ms. MILLER. I do not know any farmer who would sell it for housing or anything, unless he had to. Of course, we are not here to tell you and the farmer would like for someone to set a price and leave it there for the rest of his life, but we don't want to get rich.

We had 1 good year, and we shook our heads and said that this was going to hurt us, because it can't stay this way. We have to have an improved price, or we are going to be bankrupt.

Everything in our State east of the mountains depends on agriculture.

Mr. NOLAN. Has your group examined the bill that the House Agriculture Committee has reported out to the Congress, and have you examined the bill that the Senate Agriculture Committee has reported out? Do you have any views on those two bills that you would be willing to share with the committee?

Ms. MILLER. Neither one of the bills are what we need. The Senate bill is by far the better, but it would not—

If this thing continues to go then, as I understand it, this bill would be for 5 years. But, if this thing continues to go and the costs continue to escalate, then I think we would be broke in 5 years with the House bill. That is the case with the House bill for sure. In another year with the House bill, we would be broke.

We are good farmers. We are considered good farmers, but we have been told that if something does not pop now, then they cannot finance us anymore. They have raised the price of our land for lending value as high as they dare. It is higher than it is worth now.

But I would say that we would feel that if somebody would set a price for every commodity—if that is what you were asking me—that that is the way we would do.

Mr. NOLAN. I was wondering if you had a fair price. I did not say how it got there.

Ms. MILLER. A fair price, then certainly.

Mr. NOLAN. A recent USDA financial study of Midwestern wheat producers reveals that 72,000, almost 35 percent, are in a position where they are simply unable to repay their loans this year. They are forced to liquidate and to refinance.

I want you to know that you do have friends here in Congress. One of them made a presentation to the President this morning saying many of the things that you have said in your testimony, perhaps not as eloquently but as sincerely and forcibly.

Of course, the distinguished chairman of this full committee, Mr. Foley from Washington State, has worked closely with the President and, as you might well understand, is forced to live with some tough and often times difficult realities which are hard to accept for all of us. But he does a remarkably outstanding job in providing leadership on agricultural issues for this committee. He is a highly respected man in the Congress.

I can assure you that he will do everything possible to get the highest possible price supports that we can and still get them through the Congress and get them signed by the President.

We thank all of you very much.

Ms. MILLER. Mr. Chairman, may I add something?

We are proud of Mr. Foley from our State. I feel that I should say that while the price of wheat is being discussed here, we as irrigated farmers for the most part have never tried to take a great part in the wheat market, because we have a lot of dryland farmers. We use it for crop rotation mainly.

However, we are losing money on everything. It has come down to the line now where we have to keep our ground. We have given our word and signed a paper that says we will rent it for so long. So we have to make an attempt to pay the rent or pay the mortgage on it.

We are going to have to plant the cheapest thing we can plant, which would be wheat. But we try not to raise an awful lot of wheat.

Mr. NOLAN. Mr. Weaver?

Mr. WEAVER. I want to thank you for your excellent testimony. Agriculture is the foundation of our economy. People have forgotten this. They really have. They think that if we manufacture all kinds of cars or gadgets or items or whatever, that that is the strength of the economy.

You can quit manufacturing those things, and if you eat well, you still have a decent life. But if you manufacture a lot of goods and do not have any food, then you will not live.

So the strength of agriculture actually is the strength of the entire economy. It depends on agriculture people for the rest.

I have a question for both of you.

You are asking the Government to help you instead of hinder you. I think that is a good statement, but what do you feel about a grain reserve program? Should we now embark upon a grain reserve program in this Nation? What would be your response?

Ms. PARKER. That is a little bit difficult to answer. But I feel that we possibly need a grain reserve, because, as all farmers know, we cannot depend upon Mother Nature to give us good years every year. We do need some grain reserve, but we do not need huge amounts of surpluses.

Ms. WEAVER. Thank you, Ms. Parker.

Ms. MILLER, would you comment on that?

Ms. MILLER. I feel the same. As a farm wife, I do a great deal of canning and freezing of foods in the summer. I think that everybody, especially in the countryside, should have a reserve. I think they should keep it and not dump it on the market.

Mr. WEAVER. May I then just make one statement?

I am the sponsor of the grain reserve amendment in the House. The point that we make about a grain reserve is that we have one now. We have over a billion bushels of wheat in this country right now. That is a reserve.

Ironically, it is the farmers themselves who will be dumping it on themselves simply because if it goes up 10 cents a bushel, then a number will rush to sell it just in order to finance the next year's operation.

But our grain reserve amendment actually makes an orderly reserve program and does not allow it to come out of the reserve until the price has reached 140 percent of the loan price. So, it does not allow the Government to dump. It says that the farmers cannot bring it out of reserve until it reaches 140 percent of the support price.

I would like to make a point here. It is not a government-held reserve. Only the farmer can put his grain and can elect to put his grain in the reserve. It is a 3- to 5-year resale program. Only the farmer can choose to do that.

So any help you can give us on this reserve, I would much appreciate it. I cannot thank you enough for your excellent testimony. I appreciate it.

Mr. NOLAN. Mr. Jeffords?

Mr. JEFFORDS. I want to commend you, and I appreciate your coming to testify on this bill. I certainly agree with much of what you said.

With respect to the chairman, I want to say that in him you have an excellent friend in the areas that you talked about. I could not help but remember, when you were talking about no profit and the dwindling equity, that we had hearings around the country on dairy not too long ago.

We had hearings in Pennsylvania. Their sense of humor keeps the farmer going. One farmer said, "Well, just heard about a fellow who won \$50,000 in the lottery the other day. Reporters asked him what he was going to do iwth it, and he said, 'Well, I am going to go on farming until it is all gone.' " [Applause.]

Mr. JEFFORDS. That puts into perspective what everybody is doing. That is exactuly what you are doing. You are getting rid of your equity, and you are going to die poor. That is the way it goes. The average age is very high, of course.

I know the chairman appreciates this, and I know Mr. Weaver does. We just have to educate the rest of Congress.

I want to extend my sincerest appreciation for your coming out here. It has given us the kind of depth, and understanding of problems across the nation, which is necessary so we can carry this bill out the way it should be carried out.

Mr. NOLAN. Thank you, Mr. Jeffords, and ladies, we thank you.

I would like at this point to ask unanimous consent to make a part of the official record the testimony from the Farm Bureau. Their witness had intended to testify and could not make it, but they did forward their testimony and would like it to be made part of the record, also I would like to ask unanimous consent to make Roger Blobaum's testimony an official part of the record.

Without objection, so ordered.

[The prepared statements referred to above follow:]

STATEMENT OF THE AMERICAN FARM BUREAU FEDERATION
TO THE FAMILY FARMS, RURAL DEVELOPMENT
AND SPECIAL STUDIES SUBCOMMITTEE
OF THE HOUSE AGRICULTURE COMMITTEE
WITH REGARD TO H.R. 5882, NATIONAL AGRICULTURAL LAND POLICY ACT

Presented by
John C. Datt, Director, Washington Office

June 16, 1977

We appreciate this opportunity to present our views on H.R. 5882, a bill to establish an Agricultural Land Review Commission.

Farm Bureau members are concerned about the rapid rate of disappearance of agricultural land. Farmland is being idled by nonagricultural uses at the rate of about 5 million acres annually. The future availability of productive agricultural land is of vital importance to producers and consumers alike. We commend this subcommittee for seeking information to the difficult problem of preserving agricultural land for future generations.

Farm Bureau members have voiced a strong confidence in the ability of their state and local governments to handle the tough land use decisions of today.

AFBF policy for 1977 contains in part the following statements relative to land use and particularly the preservation of agricultural land:

"We believe that land use planning can best be accomplished at the county or comparable level of government and by private landowners.

"Land use planning should provide for the utilization of land resources and the environment in a manner that will preserve and protect these resources to meet the needs of our people. Careful consideration should be given to the retention of agricultural land in the production of food and fiber.

"We urge State Farm Bureaus to take the lead in their state legislatures to protect farmers from the indiscriminate takeover of productive farmland for nonfarm uses.

Many of our State Farm Bureau have led successful efforts for various proposals which attempt to allow our nation's farmers and ranchers the continued use of their productive lands for agricultural purposes.

Some examples include the Iowa Farm Bureau's recent efforts in helping to obtain approval from the Iowa legislature of a new property assessment method which bases assessment of farmland on its productive value rather than its market value. Such a law will be particularly significant in allowing the continued farm use of agricultural land on the outskirts of urban areas.

The New Jersey and Connecticut Farm Bureaus have recently been involved in consideration of programs providing for government purchases of development rights on agricultural land.

The New York Farm Bureau was actively involved in creating a program of agricultural land preservation which includes the establishment of agricultural districts.

These are just a few examples of the efforts being made in the states to respond to the problem of protecting the farm use of land.

In light of our strong desire to have land use decisions made at the state and local level, we oppose the federal grants for land use projects proposed in Title III of this bill.

We believe states have already proved their ability to carry out innovative programs for the preservation of farmland on their own. In addition, any authority for federal grants inevitably carries with it federal rules, regulations and, eventually, federal control.

When we testified before this Subcommittee in February on the Continental Illinois National Bank's proposed Ag Land Fund, we expressed our concern about the lack of information available on the current ownership and control of agricultural land.

We are particularly interested in the development of factual information on the acquisition of agricultural land by persons who are not engaged in agriculture as outlined for study by the Commission in point 5 of Sec. 202 (a) of this proposed legislation.

However, we do not see the need for a special Commission to accomplish this task.

We believe that the Economic Research Service of USDA is the proper agency to conduct such a research project. We recommend that Congress direct ERS to carry out this activity and provide the agency with such additional funding as may be necessary to carry out this Congressional directive.

We thank the Committee for this opportunity to express Farm Bureau's views on this matter.

Roger Blobaum
Roger Blobaum & Associates
Rural Route 4
Creston, IA 50801

Statement of Roger Blobaum, president of Roger Blobaum & Associates, Creston, IA

I appreciate this opportunity to submit a statement in support of H.R. 4569, a bill dealing with the problems of retaining prime agricultural land. I am submitting it as a concerned professional who has researched the problem of agricultural land losses in many areas of the country over the last four years.

This work included preparation in 1973 of a study report for the Citizens Advisory Committee on Environmental Quality, an advisory group to the President and the Council on Environmental Quality. This report, entitled "The Loss of Agricultural Land," concluded that far too much agricultural land is being wasted and that the good cropland that is left should be permanently dedicated to the production of food.

I am pleased that the need to preserve this basic natural resource is finally receiving serious attention in the committees of Congress and that this subcommittee has acted so promptly in scheduling hearings. The Agricultural Land Review Commission proposed in H.R. 4569 is a logical and long-overdue first step in building the strong national commitment that is essential if we are to preserve sufficient land to meet our future food production requirements.

Hopefully Congress will accept the general findings of several recent studies in deciding whether a review commission

is needed. The recent Soil Conservation Service study showing 5 million acres of land are being directly or indirectly converted annually to urban, industrial, and public works uses and concluding that most of the nation's cropland reserve has disappeared should be convincing evidence of the need for action at the national level.

Unfortunately there is little public awareness of how much agricultural land has been lost in recent years and of the serious implications of those losses. A review commission would perform a much-needed public education function at the same time it documents the problem and determines what the federal government can, and should, be doing about it. It also would help create the necessary sense of urgency that has been missing at the national level.

The agricultural land loss problem has had considerable attention in some areas, especially the Northeast, but it is not generally viewed as an important national issue. The level of public interest in each state appears to be roughly proportionate to the percentage of that state's cropland base that has been lost to urban and other non-agricultural development. These differences are reflected in what state legislatures and local units of government are willing to do about the problem.

There is some discussion, but too little concern, in Iowa and other Midwest states over agricultural land losses. The number of homes being built on large lots or small acreages in subdivided corn and soybean fields near almost any Midwest town or city is an accurate indicator of how seriously the problem is viewed in the Corn Belt.

Farm land in the Midwest is treated much like any other commodity that is bought and sold. Since agricultural returns generally are unattractive compared with prices paid for level land suitable for subdividing, the conversion process is largely unchallenged. Even the most productive close-in land is seen as the domain of the speculator and subdivider, the last stand for older farmers building equity for retirement, or the future site of a factory or shopping center or other urban-related project. Unfortunately most people consider these losses inevitable and assume little can be done to control them.

Probably the most compelling reason for establishing a commission is to obtain, for the first time, a comprehensive national overview of the agricultural land loss problem that goes much beyond just counting up the acres. Several groups have taken steps in this direction but few, if any, outside the federal government have the necessary financial resources. Two notable attempts have been the Prime Land Seminar held in July, 1975, at Airlie House, Virginia, by the Committee on Land Use of the U.S. Department of Agriculture and the National Symposium on Land use arranged by the Soil Conservation Society of America last March in Omaha.

These have suggested the complexity of this problem and the fact that the loss of this land cannot be considered in isolation, as is often the case. Consideration must be given to such things as timber needs, agricultural productivity, depletion of ground water used for irrigation, agricultural export projections, the impact of soil erosion, and energy shortages. The loss of land in areas producing specialty

crops that do well only in certain areas and that have a low tolerance for different soils and climates also must be considered. The total potential to produce food must be the Commission's primary focus.

I would suggest that this much-needed overview should not be done by the Department of Agriculture or any other single agency. Most government agencies have programs that conflict, in one way or another, with the need to preserve agricultural land. Several of them are part of the problem on a day-to-day basis. The public should be provided with an overview that is not influenced by an agency's need to protect its options or its bureaucratic turf.

There also is the problem of the limited perspective of government agencies and their professional staffs. Although policymakers tended to look to the Economic Research Service until recently for reliable information and guidance on the land loss issue, for example, it is now clear that they were seriously misled by well-publicized reports that turned out to be wide of the mark. Hopefully a review commission would provide the inter-disciplinary approach necessary to evaluate studies done by federal agencies and others working on this problem, to make other studies that are needed, and to produce a reliable and balanced report.

It also is essential to consider the international implications of agricultural land losses, which were cited as a critical resource problem by the United Nations a few weeks ago in its World Environmental Day review. An estimated 60 billion acres of farmland are expected to be lost by the end of the

century, the review noted, while only 30 billion acres will be added. It is difficult, to say the least, to justify agricultural land losses of this magnitude in a world where the population is expected to double by the year 2010, if not before, and where virtually no net gain has been made in the total amount of cropland in the world over the past 25 years. A recent University of California study showed an extremely slow growth rate for cropland worldwide for the 20 years ending in 1970, with an average annual increase of only one-seventh of 1 percent.

There also is a pressing need for federally-funded demonstration projects to test out various techniques for saving agricultural land. Little has been done thus far by government at any level that really works. The 1973 report to the Citizens Advisory Committee on Environmental Quality concluded that action taken thus far to save agricultural land falls far short of what is needed.

"Zoning, subdivision regulations, and other local controls clearly are inadequate to withstand the growing pressure of urbanization," the report concluded. "Interim controls, such as a moratoria on development, have only a temporary impact, and preferential tax treatment provisions adopted by many states are weak holding actions at best."

The preferential tax treatment approach is the one that has the least political problems at the state level and 42 legislatures have now adopted some version of this approach. A new study by the Council on Environmental Quality, however, concludes that these laws are ineffective in preserving agricultural land in most instances. Other studies have

suggested that some of these laws provide tax breaks that turn out to be helpful to speculators holding close-in land and actually facilitate its conversion.

These experiences have led lawmakers in a growing number of states to consider stronger approaches such as the public purchases of development rights, the transfer of development rights, and agricultural districts. H.R. 4569 would provide assistance in two important respects: The review commission could (1) evaluate all the land-preserving techniques that have been tried, both here and abroad, and (2) provide the financial and technical assistance needed to help state and local governments demonstrate them in real-life situations.

It probably will be suggested that \$65 million a year is too much to spend trying to develop and to demonstrate more effective ways of saving agricultural land. But this amount is very modest compared to the importance of this problem. A nation's ability to produce food is as important in terms of national security as any weapons system, and probably more so. Any nation that can spend \$100 billion a year for military purposes should be willing to spend \$65 million to develop effective ways to protect its most precious natural resource.

I would urge you to approve this legislation basically as proposed and to report it as soon as possible. The steady conversion of good agricultural land is using up our cropland reserve and will push agricultural production increasingly onto marginal, or even fragile, land that is more expensive to farm and that requires more scarce energy inputs. This critical national problem is one that cannot wait.

Ms. MILLER. Mr. Chairman, I wonder if we could have testimony from Ms. Lorene Voss.

Mr. NOLAN. I am sorry. I was told that she was not here. If she is here, we would like very much for her to come forward and give her testimony.

STATEMENT OF LORENE VOSS, WASHINGTON STATE WOMEN INVOLVED IN FARM ECONOMICS

Ms. Voss. Gentlemen, thank you for your invitation. I am Lorene Voss from the Pasco area in southeastern Washington. I am part of the WIFE delegation.

I would like to say to you that more than ever, America needs a policy of conservation of land, energy, and trained people.

To preserve the family farm is the best possible answer. A farmer on his own land can survive to the last ditch effectively, because of a heritage of hard work, experience, inventiveness and dedication. In some cases, he survives because several generations of his family have nurtured a farming business.

We family farmers have been the stable backbone of the economy. We have persisted despite a lack of union benefits like 8-hour work days and overtime pay.

We pride ourselves in being independent business people and have increased our efficiency in order to produce without the safeguard of pricing our own products according to cost—as does the rest of American industry.

We can and do compete successfully with corporate farms. After corporations have exhausted their allowable development losses, the land is put up for sale. We have seen some 70,000 acres on the Columbia and Snake Rivers for sale last winter. With prices cut drastically, there were few buyers.

Big customers don't want into a losing business. Last year one large vertical integrator lost far in excess of one million dollars. The tax advantage in offsetting a farming loss with a processing profit does not add up to a bottom line profit for the stockholders.

However, family farms are also in dire trouble. We are holding on by the skin of our teeth. Having lived for 20 years with a trend of steadily declining returns, the family farm is mortgaged to the hilt—and at a high interest. We have to make a profit over fertilizer, fuel, and seed in order to make a high mortgage payment.

We are not crying wolf. Help for the family farm has to come this year. Next year or the year after will be too late. The 1-2 blow of Ford's last year and President Carter's plans for his first year will do us in.

We are overextended; and if the Government does not abandon its policy of countering general inflation with lower farm prices, we will go under. Our country does not understand or admit the crisis we farmers are in or the threat to the American way of life if the family farm is doomed.

In the Columbia Basin, our farms are beautiful. We get the best per acre production in the world in many crops. We need to buy the

latest in irrigation and field equipment in order to achieve top yields. Our per acre costs are very high and when we sell at a loss, we still pay full price for all goods and services rendered. We contribute in an unprecedented volume to the economy as consumers of manufactured products.

WIFE is not yelling "poverty" as farmers. We are shouting "disaster" for our country if we are not allowed to remain the stable backbone of the American economy. There is not a margin of equity left in our land, because of high mortgages, high interest, and low farm prices. Farmland is depreciating in value in our area as more farms are put on the market.

I might add that they increased at a very high rate during the last 4 or 5 years, and now we are faced with these high mortgage payments. With many land sales going or much land put on the market, the land is bound to depreciate.

Taxes are rising, and at today's prices we will produce most commodities at a loss. This can lead only to disaster if the Congress does not act to raise prices. For the good of the world, we must save the family farm and farming community.

Two wives and partners in farm supply businesses from the Tri Cities came with our WIFE delegation to Washington. They relate the integral situation between our farming business and theirs. Betty Konen and Betty Seltzer testify that: "When the bottom falls out of farming we can't get money from our banks. When the farmer's money is tight our sales drop off and we cut our personnel back. We are experiencing a real loss of business this year, and it will get worse. If farmers can't get a price for their crops, the accounts receivable suffer. It seems mortgage payments are guaranteed in operating loans, but overrunning open accounts are hard to collect if the farmer isn't able to 'roll over' his deficit and get financing for the next year."

When we professional farmers lose our private ownership, then we lose our incentive to function in this very demanding and difficult occupation. When Communist countries got rid of their family farmers, they found themselves rationing food in some manner.

Without our American family farms, food would be incredibly expensive in the world. American farmers need to produce for the world, and our export program needs to be made responsive to the hunger and need of the world. American food production should not be used as a weapon against foreign nations or against our own farmers as a surplus to drive down prices.

To play domestic and international games with food is unforgivable in a responsible nation.

If we can't have an open market free of manipulation, then we must have adequate price supports now.

I would like to add that we have decided that the Senate level is what we could live with, and this is what we are asking for.

Thank you very much.

Mr. NOLAN. We thank you very much.

[Applause.]

I think that we have ended this testimony on a good note. Perhaps it is a note that, at least in this hearing, has not been presented. If we preserve our farmland and end up preserving it for ag-land trust, oil companies, and investors' groups, then little public good would have been served.

Ms. VOSS. I think that is very true.

Mr. NOLAN. In fact, the family farm system is the most efficient system and the real backbone—ecologically, sociologically, and economically—of agriculture.

Are there any members who wish to make any additional comments before we adjourn this hearing?

Mr. JEFFORDS. I, also, want to thank Ms. Voss for a moving and explicit statement. You have moved us all. I am sure we will all keep it in mind.

Also, Mr. Chairman, before we adjourn, I would like to express my sincerest appreciation for your efforts—not only in holding these hearings, but in the preparation of the bill. I especially want to commend Jim Swiderski of the staff for the assistance he gave us. I also want to thank my own staff members, Bob Gray and George Dunsmore of the Agriculture Committee staff, for the hard work they put into this bill.

Most of all, I want to thank you for holding the hearings and being so sympathetic to this severe problem. Also to Congressman Breckinridge who was here, I extend my thanks. He has been a great supporter of the family farm. I want to express my appreciation to him, also.

Mr. NOLAN. I want to thank the gentleman from Vermont, Mr. Jeffords, for bringing this most important and critical matter to the attention of the Nation and for helping us to prepare for a most successful hearing.

Mr. BRECKINRIDGE. Mr. Chairman, let me add my thanks to the ladies' for their testimony. I, unfortunately, missed the testimony because I had a large delegation from my district which had to see me now before they caught a plane.

Mr. NOLAN. We thank Mr. Breckinridge also. That concludes our hearing, and we thank you. The committees stands adjourned.

[Whereupon at 5 p.m., the subcommittee adjourned.]

[The extraneous material referred to the committee follows:]

Statement of HON. ROBERT W. KASTENMEIER on H.R. 5883 for submission for the record of a hearing before the Subcommittee on Family Farms, Rural Development and Special Studies of the House Agriculture Committee, 2:00 p.m., June 15, 1977.

Mr. Chairman, and members of the subcommittee, I would like to commend you for taking the time to hear testimony on H.R. 5883, a bill I have cosponsored which would establish an Agricultural Land Review Commission.

The nation's farmland is a vital, non-renewable resource. Wise management and efficient use of this resource has enabled Americans to spend a smaller portion of their disposable income for food than citizens of any other nation on earth. The productivity of our farms has been the source of America's most effective good will abroad; we feed more of the world's hungry than any other nation. But bit by bit, almost imperceptibly, this non-renewable resource - our prime farmland - is slowly being whittled away.

Few take notice when 40 acres of cropland are subdivided for housing, when a new shopping mall gobbles up 100 acres, or 200 acres are bulldozed to expand an airport. But taken as a whole, the conversion of agricultural land to urban and industrial uses is a problem with potentially disastrous consequences for Americans and citizens of the world alike. According to the Soil Conservation Service, one million acres of our best farmland are being converted each year to non-agricultural uses. Another one million acres with considerable food production potential are also lost each year to urban, water and industrial uses, the

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experts say. This trend cannot continue unchecked without serious consequences, yet we lack a national policy to address it. Can we realistically expect to eat so cheaply and feed so many 20, 50 or 100 years from today if the mounting pressures on our farmland are ignored? I think not.

Our farmers have dramatically increased productivity since World War II. Technological advances including the development of hybrid seeds, expanded use of fertilizers and pesticides, futuristic farm equipment, irrigation practices that enable efficient food production on marginal lands, and farm management techniques developed by our land grant universities have fostered the tremendous increases in productivity. But we cannot gamble that the rapid increases in output will continue indefinitely in the future at the pace we have experienced during the past three decades. Climatic variations, reduced energy resources and competition for water all threaten to slow or reduce productivity gains. At the same time, demand for food is increasing steadily from a growing world population intent on improving diets. We cannot afford to ignore the growing pressures which are steadily dwindling the land base available for food production. The crisis that may develop would have consequences far more serious than the energy crisis. The squeeze would not only be felt in our pocketbooks, it would be felt in our stomachs.

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Increasingly, states are acknowledging the potential crisis ahead and are attempting to develop programs aimed at heading off disaster. In my home state of Wisconsin efforts are underway to implement a tax break designed to keep prime farmland in agricultural use and out of the hands of developers. Wisconsin residents, in a statewide referendum, approved a constitutional amendment authorizing this differential tax treatment aimed at preserving agricultural land.

While Wisconsin and many other states move forward with efforts to deal with the problem, federal actions often work against the public's interest in maintaining our agricultural land base.

Do we consider the impact of new federal construction projects on our land resources? When federal permits are granted, is the impact of farmland considered? When new highways are built is the loss of this non-renewable resource weighed? Often new roads not only use prime farmland, they cut existing farms into parcels that cannot be farmed efficiently. I fear that federal decision makers do not put much weight on the effects of their decisions on food production because, lacking a policy defining criteria to be considered and establishing guidelines to follow, they see only a small piece of the puzzle. But when all the pieces of the puzzle are put together, the picture is gloomy and discomfoting to view.

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H.R. 5883 is a first step toward addressing the problem. It would create an Agricultural Land Review Commission, to undertake a comprehensive study to inventory agricultural land in the United States, to assess the effects of urbanization and industrial development on agricultural land, to explore ways by which the federal government can assist states and localities to retain land for agricultural uses, and to develop a policy on federal actions affecting land use. Six members of the House Agriculture Committee and six members of the Senate Agriculture Committee would serve on the commission along with 11 members, appointed by the President, representing farmers, state and local officials with an interest in preserving agricultural land. The bill authorizes \$15 million to fund the three-year life of the commission and the study it would undertake.

The bill also authorizes \$50 million per year for five years to provide grants to state and local governments for programs designed to keep land in agricultural uses. Grant authority would be in the hands of the Secretary of Agriculture. The grants would be incentives to states and localities to experiment with programs to protect agricultural land which could be models for the rest of the nation.

Mr. Chairman, each day more and more of a vital, non-renewable resource is lost. Steps must be taken to address the problem before it is too late to avoid a crisis. I urge the subcommittee to support this bill.

STATEMENT

by

THE HONORABLE JOHN PAUL DOYLE
Member, New Jersey General Assembly

on

H.R. 4569

"The National Agricultural Land Policy Act"

before the

Subcommittee on Family Farms,
Rural Development, and Special Studies

of

The Committee on Agriculture
United States House of Representatives

June 15, 1977

Chairman Nolan and distinguished members of the Subcommittee, permit me to join with the other witnesses in expressing my appreciation for the privilege of participating in your consideration of H.R. 4569, designated the "National Agricultural Land Policy Act." As a member of the New Jersey Legislature, allow me to further state that I am most impressed with the efficiency with which you conduct public hearings. We in New Jersey, and perhaps in the other State Legislatures as well, could greatly benefit by following your example.

I appear here today in something more of a personal capacity than as a spokesman for the New Jersey Legislature--if, indeed, any mere mortal could reasonably be expected to perform that role. More specifically, I am before you as something akin to a hydra-headed witness. As a private citizen, I have anxiously observed the alarming loss of farmland to non-agricultural uses for a number of years. As a State Legislator, I have been fortunate in having the ability to translate this personal

concern into a legislative proposal designed to address the problem.

I suspect that in this respect I might be charged with being related to that legislator who, when stopped for speeding, immediately introduces legislation to retroactively increase the speed limit. I would hope that my objectives are more noble. However, my concern could not be more personal for the problem than that of our speeding legislator.

The issue addressed by H.R. 4569--the preservation of our agricultural trust--is dramatically illustrated by my State.

New Jersey is a curious creature. We bear the mutually exclusive designations of the "Garden State" and the most urbanized (our critics and detractors might prefer the word "densest") State in the nation. We are often seen as being little more than refineries, factories and automobile grave yards. I am reminded in this respect of humorist Jean Sheppard's suggestion that New Jersey is no more than 100 yards on either side of the Turnpike. Of course, this is hardly the case but it is the New Jersey "known" to so many. We are the means by which the traveler approaches or leaves New York City. The Turnpike displays one aspect of our State. The real New Jersey is much more.

The real New Jersey, looking at it from an agricultural perspective, is internationally famous for its tomatoes, cranberries and other farm products. We have earned our nickname. However, our position within the Boston-Washington corridor, our convenient availability as the bedroom to New York and

Philadelphia and other factors have threatened the continued viability of our farming industry. Since 1954, for example, the State has lost three-quarters of the farms that existed in that year. On a more personal basis, every time I leave my district in Ocean County and head West for a Legislative session in Trenton, I drive past literally thousands of acres of cropland displaying signs attesting to their "availability" for development.

I respect Mr. Shepard--as a humorist. I have no desire, however, to make him a prophet. Yet New Jersey's loss of farmland to residential subdivisions, to industrial parks and to other urban uses would suggest that the gentleman is destined to hold that position. Unless a means can be found to protect our agricultural trust, all of New Jersey will appear as that 100 yards abutting the Turnpike. The greatest irony, however, is that our designation as the Garden State may become even more appropriate. Should our loss of farmland continue unchecked, all that New Jersey will have left will be gardens!

New Jersey has made valiant efforts to protect its farms. My legislative ancestors, for example, attempted to relieve farmers of an inequitable property tax burden through the enactment of the "Farmland Assessment Act of 1964," P.L. 1964, c. 48 (C. 54:4-23 et seq.). Last year, we enacted the "Agricultural Preserve Demonstration Program Act," P.L. 1976, c. 50 (C. 4:1B-1 et seq.), a rather innovative program wherein the development potential of farmland is purchased by the State. I believe our distinguished Secretary of Agriculture, Phillip Alampi, will

THE HONORABLE JOHN PAUL DOYLE (New Jersey)Page 4

elaborate on the program in his testimony before you. Lastly, and more personally, I am the sponsor of legislation I mentioned earlier (Assembly Bill 3188, designated the "Municipal Density Transfer Act") which would preserve farmland and other valuable land uses by allowing municipalities to adopt ordinances to transfer their development potential to other areas. My legislation is based on the concept of "Transferable Development Rights" or TDR and is explained in more detail in my written statement.

The point I am attempting to make is simply that New Jersey rather graphically illustrates the problem addressed by Mr. Jeffords' legislation. We are a State in which farming is an important economic and social resource. We are also a State wherein the development pressures seriously threaten the continuance of a significant and viable agricultural industry. We have attempted to address the problem and have enjoyed some success. However, it is a difficult battle at best and one which implicitly demands as much talent as possible. I believe this is the basis of Mr. Jeffords' legislation.

Obviously, I strongly support H.R. 4569 and urge you to favorably report the measure. It is an intelligent proposal. It is, first and foremost, a recognition by Congress that the problem does, indeed, exist. In this day and age, such would seem requisite to a successful attack on any problem. We welcome you to the battle.

Secondly, the bill's provisions for research into practicable methods of retaining farmland are most welcome. As my earlier

THE HONORABLE JOHN PAUL DOYLE (New Jersey)Page 5

remarks indicate, we in New Jersey have experimented with a number of such devices. If anything, our experience would suggest that we have yet to exhaust the litany of potential remedies. The information to be compiled under this section of H.R. 4569 will greatly aid in the development of farmland preservation programs.

With respect to the operative orientation of the bill, I am most pleased. By providing under Title III (Section 301 et seq.) for demonstration programs based at the State and local level, Mr. Jeffords has demonstrated a sensitivity for the need to provide the people who are affected by the resulting programs with the opportunity to participate in their design. This is an important point. As you undoubtedly realize better than I, the political acceptability of a given program is essential to its success. Indeed, we have all seen technically sufficient schemes fail as a result of being contrary to the public will. The orientation of the bill's demonstration programs will act to avoid such difficulties and, when coupled with the research efforts of the earlier sections, will undoubtedly result in more efficient and successful farmland retention programs.

Lastly, the financial assistance to be provided State and local governments in support of the demonstration programs is most welcome. As I am certain you realize, the areas where farmland is being threatened are not the most wealthy. Moreover, their possible development in, for example, a commercial or industrial use, and the revenues such would contribute to the public fisc, may well inspire what may be called a "public

THE HONORABLE JOHN PAUL DOYLE (New Jersey)

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greed." In short, the locality may wish to preserve its farmland but the costs may prove to be prohibitive in light of limited resources. Additionally, this financial insufficiency when viewed in the light of the potential of increased income, may result in the loss of the farmland. The financial assistance provided under H.R. 4569 will act to break this vicious cycle.

There is, however, one aspect of H.R. 4569 with which I must disagree. Pursuant to Section 206(b) the Agricultural Land Review Committee, established earlier under Section 201(a) of the Act, is directed to create an Advisory Committee consisting of twelve State Governors. At the risk of being identified as a legislative chauvinist--a charge with which I would rapidly agree--I ask that you consider amending the section to provide for equal representation of State Legislators.

In many cases, particularly at the State level, the Legislature is the forgotten branch of government. I sincerely believe that as intended by the founders of our nation, it is the Legislative branch which is the most familiar with the needs of the people. I am certain you will find this to be true through the inclusion of State Legislators on the Advisory Committee.

In conclusion, permit me to say that the problems of farmland retention presented earlier are not indigenous to New Jersey. The difficulties I presented earlier are those now being experienced by New Jersey but they also serve as a profile for many other States in all sections of the United States. By virtue of our location, we are presently experiencing the problems that will confront the more rural States a decade or more from now. I

THE HONORABLE JOHN PAUL DOYLE (New Jersey)Page 7

respectfully suggest that by addressing the problem now through the adoption of H.R. 4569, those States will be in a much better position than New Jersey at present to preserve their agricultural land.

Thank you.



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June 9, 1977

Honorable Richard Nolan, Chairman
 Subcommittee on Family Farms, Rural
 Development & Special Studies
 U.S. House of Representatives
 Room 1301
 Longworth House Office Building
 Washington D.C. 20515

Dear Congressman Nolan:

This is in response to your 1 June invitation to testify on H.R. 4569 on 15 or 16 June. I thank you for the invitation, but I am unable to accept your kind offer to testify.

In lieu of testimony I will take the opportunity to respond to H.R. 5882.

H.R. 5882 does address itself to an issue which is real. People out here do have a concern about the indiscriminate loss of agricultural land. In candor so far the "cures" are generally perceived worse than the "disease", but there is increasing concern.

In Section 101. (b) (3) H.B. 5882 calls for optimum use of agricultural lands for maximum yields. This is bad economics and I suspect does not say what is intended. Optimum use of agricultural land would call for no agricultural land producing at maximum yields because the last units of production would be had only at an opportunity cost which is untenable and uneconomic. What should be encouraged and what I think was meant is optimum use of agricultural land for optimum yields. At any rate, get help from an economist so that this section can be made technically defensible.

I have been concerned with some of the SCS activity presently taking place under Section 302, Title III of the Rural Development Act of 1972, Public Law 92-419. This is the identification of prime agricultural areas that should be protected. I do not think what has been done is bad, but I do feel that the emphasis has been on the development of maps rather than the development of an information system which would allow the producing maps based on any appropriate subset of social, economic, and physical criteria.

I view H.B. 5882 as a related and extended effort. I would hope that H.B. 5882 would among other things place emphasis on geographically based information systems as opposed to just soils maps or land use maps.

Sincerely yours,

Robert J. Bevins
 Associate Professor

STATEMENT BY

DR. GRANT F. WALTON

DEAN, COOK COLLEGE

RUTGERS UNIVERSITY

AND

DIRECTOR, N. J. AGRICULTURAL EXPERIMENT STATION

IN SUPPORT OF

H. R. 5882

NATIONAL AGRICULTURAL LAND POLICY ACT

Presented To House Agricultural Committee's Subcommittee On Family Farms,
Rural Development And Special Studies, Richard Nolan, Chairman-June 16, 1977

TESTIMONY IN SUPPORT OF H.R. 5882
"NATIONAL AGRICULTURAL LAND POLICY ACT"

I am Grant F. Walton, dean of Cook College (formerly the College of Agriculture and Environmental Science) at Rutgers, the State University and Director of the New Jersey Agricultural Experiment Station.

The wisdom inherent in this Bill is readily apparent to New Jerseyans who have experienced the pressures and dislocations of rapid and largely unplanned urbanization.

New Jersey is the most urban state in the nation with a population density of approximately 1000 persons per square mile. Despite this fact, New Jersey is still the Garden State --- and with good reason.

Over 60% of New Jersey's land area is still in prime agricultural land, forests and wooded areas. Over 1 million acres are classified as prime agricultural land and it is these precious acres we intend to preserve.

New Jersey is in the center of the largest concentration of people in the nation: within two hours driving time reside, work and farm over 30 million people. Thus, New Jersey is the bellwether state in terms of urban growth and encroachment.

New Jersey feels the pressure more than most because of its strategic central location on the Eastern seaboard. And because we have experienced a loss of agricultural

Statement by Grant F. Walton, Dean of Cook College, Rutgers University and Director, New Jersey Agricultural Experiment Station to the House Agricultural Committee's Subcommittee on Family Farms, Rural Development and Special Studies, Richard Nolan, Chairman, on H.R. 5882, National Agricultural Land Policy Act", June 16, 1977

Testimony in Support of H.R. 5882, "National Agricultural Land Policy Act"
Page 2

land---from 1.7 million acres in 1952 to slightly over 1 million in 1973 --- we at the Experiment Station have had a long term interest in land use and the preservation of farm land. This decline of 750,000 acres reduced the percentage of the State's land base devoted to farming from 37% to 21%. During this time, the number of farms fell from 26, 900 to 7,900 and as a result the average farm increased in size from 66 acres to 130 acres.

New Jersey has been in the forefront of policy making, with innovative, supporting research projects at the Station, to protect existing farm lands and, thus, enthusiastically subscribes to the objectives of the proposal under this Committee's consideration.

Our Farmland Assessment Act of 1964 was one of the early and successful efforts to reduce the rate of disappearing farm land. A demonstration project (in Burlington County) currently underway is testing the support farmers will give in selling their development easements to the State, in return for which the State will preserve the land for farming "in perpetuity."

Another method for retaining farmland has been formulated, both in theory and in practice, at the Station is the transfer of development rights, commonly referred to as TDR. Under this scheme, municipalities would determine their own population densities through zoning, whereby the value of the development rights would be determined by the market and only private sales and transfers of

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these rights would be consummated and at no cost to the taxpayer.

New Jersey has given much thought, time and effort to preserve its farm land. One of the more obvious reasons is to maintain the ability to produce food. Who has not delighted in the enjoyment of fresh Jersey corn, Jersey tomatoes, Jersey asparagus?

But New Jersey farms provide much more than food. They provide jobs in the accompanying, required agribusiness sector. They provide significant breaks in the pattern of development. They help to purify the air. They are water re-charge areas. They provide essential psychological and esthetic outposts. They are a deserved heritage for future generations.

Two other extremely important aspects are now making themselves centers of attention. Solid waste disposal --- from municipal, industrial and agricultural sources --- demands alternative methods. Sanitary land fills and off-shore dumping have come to an end to their usefulness. Our Experiment Station is conducting a trial project in Camden County, cooperating with the Department of Environmental Protection and the city of Camden, in a sludge disposal activity on the land. We have just begun to realize that the land is the least objectionable depository for these rapid accumulating wastes produced by a highly urbanized society. We must first determine the carrying capacity of the soils, however.

Energy scarcity and the conservation of what energy is available, makes it imperative to reevaluate the desirability of maintaining food production complexes in proximity to the urban centers of consumption.

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As a leader in land use thinking and in the recognition and encouragement of the development of a variety of methods for preserving farm land, New Jersey applauds the purposes and objectives of A National Agricultural Land Policy Act.

I thank you for the opportunity to present this statement in vigorous support of H.R. 5882, and urge its early implementation.

STATEMENT OF MARK B. LAPPING, ACTING DIRECTOR, THE ENVIRONMENTAL PROGRAM
AND ASSOCIATE PROFESSOR OF ENVIRONMENTAL STUDIES AND NATURAL RESOURCES,
THE UNIVERSITY OF VERMONT, BURLINGTON, VERMONT 05401

Before your subcommittee a bill has been placed which speaks directly to the future of American agriculture. A strong case can be made, I believe, that the matter of agricultural land conversion is a national problem with great international implications. I wish to endorse this legislation vigorously.

Perhaps more than ever before we have come to recognize the need for adopting and implementing policies to retain and protect our agricultural lands from those myriad pressures which force conversion to other types of land use. Farmland preservation strategies must be supported, it seems to me, for three distinct reasons. First, the shifting of agricultural lands to more intensive urban uses invariably means a conversion to an irreversible use. Second, most alternative uses of the land can be accommodated elsewhere on lands with lower crop-producing potentials. Third, national and international realities suggest that we place an emphasis on the utilization of land for food and fiber production.

As historian David Potter has noted, we are a "people of plenty." Our abundance has oftentimes blinded us to the finite nature of our resources. Over the decades we have developed the attitude that our farmlands and agricultural bounty are limitless. Moreover, much of our high agricultural productivity has been predicated on cheap and plentiful supplies of oil and natural gas. We now have come to recognize that there are real and fundamental limits both on land and conventional supplies of fuel. Indeed, we have already reached the point where the production of much of our food requires an expenditure of energy greater than that which is provided by the food which is produced.

Much of the land leaving agricultural production is being converted into urban uses. If this were unproductive land, or were it converted to a use which might allow reclamation for agricultural use at a later time, this would not

necessarily be cause for great concern. However, it appears that just the opposite is the case. Much of the land leaving agriculture can be termed "prime." In terms of its innate soil productivity, it is among some of the best agricultural land in the nation. Oftentimes too the land near growing cities and suburbs is served by an infrastructure of services which is ideal for crop production or pasture animals. As lands near urban areas are converted to more intensive use, the "economies of scale" necessary for key elements of agribusiness, for instance, may soon evaporate thus making it that much more difficult for remaining farmers to exist within a favorable economic climate.

The forms of urban uses to which the land is being put constitute a near permanent loss of it for production. Once the land is shifted to a shopping center, a highway or a housing subdivision, there can be little expectation that it will ever again be put into agricultural production. The costs of such a reclamation program would simply be staggering in economic, social and environmental terms. Invariably the very things which make land "prime" for agriculture also make it valuable for development. Yet, given our present technology, many of those urban uses can be directed to other lands within metropolitan areas which are less suited for agricultural production.

We must also acknowledge that other nations are growing more dependent upon the United States for food and fiber supplies. It was only a few years ago that rising international demands for food and adverse climatic conditions combined to create a situation in which much of our reserve food production was depleted. We cannot lose sight of the fact that agricultural sales abroad have also had a positive impact upon our "balance of payments" situation. Farmland retention programs are necessary as an "insurance policy." We simply do not know the full extent of our future dependence upon this very real and finite resource. Only a foolish people would ransom the future by destroying the ultimate source of

its bounty.

H.R. 7235 would commit our nation to a policy of agricultural land retention. I trust that the above comments would support this. Additionally, the bill calls for a study commission to review the agricultural land situation; and the various "actors" and elements which impact upon it, and a demonstration program supporting pilot projects aimed at the evaluation of different strategies for land preservation.

The need for a commission to study the various aspects of this problem is fundamental. Historically we have looked to the Economic Research Service of the U.S. Department of Agriculture for much of our information. While that agency has done and continues to do an exemplary job, its basic method for calculating agricultural land use, and future trends and projections, often fails to provide state and local policy-makers with the data they need. As Michigan State economist Raymond Vlasin has noted, the ERS' emphasis on national net land use data tends to "mask major changes occurring in the individual states or multi-county regions." This is clearly evident in New England in general, and in Vermont in particular, for example. I believe that a commission, such as that proposed in this bill, would be in the position to rectify this problem.

Finally, I wish to endorse the proposal within this bill which would permit the Secretary of Agriculture to establish a system of pilot projects to test and evaluate techniques to reduce the erosion of our agricultural land base. We must emphatically reject the notion that there is a single approach to solving this problem. Agricultural land conversion is simply not a problem susceptible of easy solution. I believe that we need a "package" of strategies which would allow local decision-makers to select that approach(es) which is most appropriate for a particular situation. To this end a system of pilot projects would aid us greatly in determining which strategies might be worthy of transfer and implementation. Rural America is hardly the monolith so many conceive it to be; and because of that we need to study and evaluate the options before us.



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June 23, 1977

The Honorable Richard Nolan
Chairman, House Agriculture Subcommittee on
Family Farms, Rural Development, and
Special Studies
Room 1301, Longworth House Office Building
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Nolan:

On behalf of the Rural Development Committee of the National Conference of State Legislatures, I would like to submit the following statement in support of Congressman James Jeffords' H.R. 5882.

The Rural Development Committee of the National Conference of State Legislatures has long been concerned with the preservation of agricultural land in the United States. The Rural Development Committee lauds the objectives of H.R. 5882 in seeking to establish a national policy of retaining, protecting, and improving agricultural land. Further, the committee endorses provisions in the bill which would make available technical and financial assistance to the states and their political subdivisions to carry out pilot projects toward this end.

The federal, state and local levels of government all have necessary roles to play in the effort to retain our prime agricultural land. While the Rural Development Committee recognizes the important role of the federal government and, particularly, USDA in setting agricultural policy and exercising leadership - preservation of agricultural lands must be a national objective, the committee feels that the designs and implementation of such programs must originate at the local and state levels of government with strong grass roots support in order to be effective.

In 1956 Maryland was the first state to adopt a type of differential tax assessment law with the intent of providing tax relief for farmers and preserving open space. To date, at least forty-three states have enacted some type of tax assessment law with the same goal. The experiences of the states have shown that these methods are not sufficient for saving agricultural land from urbanization, industrialization, and uses for recreational purposes. The tax penalties incurred when farmland is sold for development are minimal compared with the profits reaped. In many states restrictive agreements are not enforced for both political and economic reasons. No provision has been made for the future use of the land upon the death or retirement of the farmer/owner; and, finally, no means has been devised to deal with the lost tax revenues resulting from lower farmland tax assessment. Therefore, many states and localities are now exploring alternative ways to preserve this valuable, nonrenewable resource.

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U.S. HOUSE OF REPRESENTATIVES

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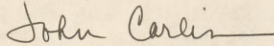
Various approaches to saving prime farmland include: transferable development rights; public purchase of open space with lease-back agreements; and public purchase of development rights and easements for agricultural land. As you well know from testimony before this committee, New Jersey is attempting an innovative approach to the problem by allocating \$5 million for the purpose of purchasing development rights of farmland in some southern counties. A bill has been introduced in California which would establish an Agricultural Resources Council with the responsibility to protect prime agricultural lands. Once a determination of the areas to be protected is made - with input from the local areas, the uses of the lands would be severely restricted to farm and compatible uses. In the 1976 South Dakota legislative session, a bill was introduced to provide for the outright public purchase of prime agricultural land. The bill was modeled on the Saskatchewan program which has proved to be very successful.

While there are, admittedly, political problems with some of the approaches in a nation where individual property rights are so important, the economic problems also play a large role in determining the success or failure of some of these pilot programs. The inflationary cost of land and the attractive financial benefits to the individual (or corporation) make the cost of programs such as the New Jersey program almost prohibitive. Therefore, a federal program which would make monies available to the states for developing and implementing various approaches for the retention of farmland could be a crucial determinant in implementing a national policy on farmland retention.

I would like to add a comment on Sec. 206(b)(1) of the bill which deals with the establishment of an advisory committee to the Agricultural Land Review Commission. While the governors of the states are an important link between the federal and state levels of government, in a matter dealing with the future use of lands and most probably requiring state enabling legislation it is of utmost importance that state legislators be consulted. A provision should be added which requires the inclusion of state legislators on the advisory committee.

In conclusion, I again reiterate the Rural Development Committee's support for the goals of H.R. 5882 and ask the Subcommittee to recommend the passage of this bill. Please do not hesitate to contact me or Joan Warren, NCSL Staff Director for Rural Development, if we can be of help to you in any way.

Sincerely,



Speaker John Carlin, Kansas
Chairman, Rural Development Committee

JC:DT

Soil, People and Civilization

Testimony of Peter R. Huessy, Special Assistant
for Congressional Affairs, The Environmental Fund,
Washington, D.C.

Submitted to the House Agriculture Subcommittee
on Family Farms and Special Projects, June 15, 1977,
concerning H.R. 5882, the Agriculture Lands Preservation
Act.

Mr. Chairman (Congressman Nolan) and members of the subcommittee on Family Farms and Special Studies; the legislation you have before you, S. 5882, introduced by Congressman Jeffords and 15 of his House colleagues, is perhaps the most important piece of legislation to come before the Congress in the decades since the U.S. Soil Conservation Service was established.

The preservation of our agricultural land--whether dairy farms in New England, wheat and corn farms in the Midwest, fruit and vegetable farms of our Pacific coast, or the orchards of the South--is intimately connected with the survival of democracy and civilization in America.

I do not believe that this is an overstatement of the importance of protecting, enhancing and preserving our heritage of good soil. Some reflections will show why this is true. Every single civilization in history has been built upon one common denominator--good, fertile soil. Once, there was quite a lot of it, but there are now more man-made acres of desert than there are acres of arable land.

I would also remind the members of this committee that no civilization has survived the destruction of large amounts of its agricultural land and its soil fertility. History is littered with the scattered garbage of civilizations which through ignorance, greed and stupidity, have turned God-given gardens into man-made deserts. It seldom works the other way.

Think a moment about Mesopotamia and the legendary Garden of Eden. But by the time the Hittites roared through the valley of the Euphrates, they did not find the land of milk and honey but a decimated civilization, with a few dry, dusty villages bearing mute testimony to man's foolishness. Whether one examines the Mayan, Aztec, Hindi, Persian,

Roman, Chinese, or Nubian civilizations, one common thread runs throughout. Civilizations were built upon good soil with available water. Human populations, once small, multiplied into large cities and urban civilizations.

There were, unfortunately, side effects. The crowding of people into towns and cities exposed them to frequent epidemics, and these, together with famines and wars, took a frightful toll of human life. Over-grazed and burned-over slopes polluted water supplies and choked streams, creating large swamps and marshes and their attendant hazards of malaria. Without adequate drainage, irrigation works produced widespread salinization, and dams became silted.

As the soils were rendered useless by the twin scourges of salinization and silting, great civilizations literally vanished. Pliny tells us of the farmers of Babylon who harvested two annual crops of grain, and grazed sheep on the land between crops before the year 2000 B.C.

But by the twelfth century, Otto of Freising could write in Chronicon: "But what now is Babylon...? A shrine of sirens, a home of lizards and ostriches, a den of deserts." Today, less than 20 percent of the land in modern Iraq is cultivated. The landscape is dotted with the mounds of forgotten towns, deserts covering once lush grasslands. Old irrigation works are covered with silt, the product of soil erosion. The ancient seaport of Ur is buried 150 miles from the ocean under 35 feet of silt.

Modern Iran was the great center of the Persian Empire. She now imports a net of 2 million metric tons of grain annually.

Ancient Greece--in fact the whole of Asia Minor--was once covered with lush forests, ample water and productive soils. But Plato, in his Critias, warned of the deforestation and over-grazing and soil erosion that would occur.

When the British assumed the rule of India over 2 centuries ago, her population was about 50 million. Since that time, an additional 600 million people have been added to a land area one-third the size of the United States, where each inhabitant is supported by less than one-half acre of land.

For the past century, deforestation, over-grazing, erosion and siltation in India, the result of attempting to support such an enormous population, have substantially reduced that country's ability to produce food.

In Egypt, the annual spring flooding of the Nile has been for milenia the natural manure of her agricultural land. Extensive irrigation systems were established before 2000 B.C. The country was the granary of the Roman Empire and agriculture flourished there for over 4000 years.

But with the inexorable growth of population, the soils are deteriorating, the land is over-grazed. In desperate attempts to increase food production, the Aswan Dam was built; when completed it was to add 33% to the total agricultural land of the country. But during the period of construction--10 years--the population of the country also increased 33%; thus, Egypt was no better off than before. Unfortunately, the dam stopped the annual replenishing of the Nile River soils. It also denied nutrients to the sardines in the Mediterranean on which the Egyptians were largely dependent for rich protein. It also has greatly spread the dreadful disease schistosomiasis. But,

worst of all, the dam is silting up, and even its questionable benefits will come to an end.

The United States is not immune to the population pressures and poor land practices that characterized ancient civilizations. In fact, our population growth of an additional 3 million plus Americans each year is larger than any other country in the world with the exception of India and China. In addition, while historically people had the option of abandoning fallen cities and wasted farmland, we do not have the option of our predecessors. There is, literally, no place for us to go.

Each year, 4-5 million acres of America's best land is bulldozed to make way for homes, hospitals, highways, power plants, shopping centers, sewage plants, strip mines and water projects. A recent report of the National Academy of Sciences tells us that the yields from our major crops have levelled off. We are mining the ground water of the Texas high plains faster than it can be replenished. California's water supply--primarily used for farming--is in a precarious position as the legal rights of neighboring states will soon become enforced. The problem of water supplies received national attention this year as drought parched much of the Midwest, far west and south. When coupled with our knowledge that the benign climate conditions of the past generation and one-half do not seem to be continuing, it becomes imperative that we preserve that good, fertile agricultural land we have, especially since it can support us with a minimum of investment.

The world's population growth of nearly 100 million souls a year is placing an enormous burden upon our soils. Annually, more than 30 million metric tons of grain have to be produced--over and above last year's grain crop--to feed the increased numbers. Land not suited to

farming is brought into productivity. Shelter belts are cut down; conservation practices are sacrificed.

Each year, increasing numbers of Americans use an additional 200 million barrels of petroleum, most of which needs to be imported, further necessitating additional exports of food to foot the bill; an additional $8\frac{1}{2}$ billion gallons of water, a resource already in short supply and becoming increasingly difficult for farmers to obtain; and 2 million new cars, escalating the demand for new and larger highways, dividing still another farm in half.

Each year, America's farmers must find the additional food for a U.S. population equivalent to that which now lives in Rhode Island, Delaware, Idaho, Nevada and Montana put together.

The Solution

The protection and preservation of U.S. agricultural land will not be easy or inexpensive. Forty years after the creation and establishment of the U.S. Soil Conservation Service, the U.S. is still losing billions of tons of soil to wind and water erosion. Between 1945 and 1970, according to Professor David Pimental of Cornell University, between 100 and 200 million acres of America's farmland has been either totally ruined by soil erosion or has been so seriously eroded that the land is only marginally suitable for crop production.

This amount of eroded land is greater than the arable land of Egypt, Algeria, Libya, the Sudan, Morocco and Tunisia combined. It is greater than the arable land of any country of West Africa, East Africa, Middle or South Africa; greater than the total arable land in Southwest Asia and about half the arable land in India or China, the two largest producers of grain in the world, with the exception of the U.S. and the U.S.S.R.

In the span of one short generation, the United States has lost a resource that few other countries in the world ever had. As I said earlier, the loss of land is accelerating, in spite of the efforts of the SCS, land use planning commissions, zoning laws and land use policies.

Many states, especially New York, New Jersey and Vermont, have passed tough land use statutes, aimed in part at reversing the loss of agricultural land to development, urban sprawl and highways. In New Jersey, in just one generation, the loss of agricultural land has been reduced from 60,000 to 5,000 acres annually.

In Pennsylvania, on the other hand, half of the prime agricultural land is directly in the path of urban expansion. In the short span of twenty years, Lancaster City grew in size by about 400 percent. And statewide, 100,000 acres of agricultural land went out of production.

The National Association of Conservation Districts estimates that the continued loss of agricultural land is leaving America with only a 20 year grace period before agricultural demands outstrip production. The research group, Forecasting International, has estimated that the period is less than that, perhaps 15 years (though fiber was included in the research).

Whether these figures are 15, 20 or even 30 years is not important. What is important is that they show that time is running out and little or nothing is being done about it. With population increasing at more than 3 million a year, the U.S. will demand more agricultural goods than it can produce. Where will it turn for the remainder? How much oil will the U.S. be able to import without the \$27 billion in foreign exchange received from selling agricultural produce abroad?

As Mr. Cutler of the U.S.D.A. noted in his testimony of June 15, 1977, the continued security of a sound agricultural base depends not only on good land but on adequate climatic conditions, stable and cheap energy, continued technological improvements in agricultural production and an end to population increase.

We are, however, terribly dependent on all of these factors. The work of Reid Bryson at the University of Wisconsin suggests that the benign and excellent agricultural climate of the past 30 years will no longer be the norm. Also, actual supplies of energy are being reduced at the same time that demand is soaring. As a result, energy prices will go up.

A close look at the problems of California indicates why the protection of agricultural resources in this country is intimately tied to our population and its growth rate. In 1966, California was adding 1460 people to its population of 19 million every single day. Now, California's population has reached 22 million and is expected to climb to 30 million before the end of the century.

This fantastic growth in people is largely responsible for the daily destruction of 475 acres of prime agricultural land, an increase of 100 acres a day from 1966. While California residents enjoyed the use of 750 acres of land per person in 1750, by 1900 that figure had been reduced to 67 acres. Today, if all the land in California were equally divided among her 22 million residents--including mountains, lakes, deserts--each citizen would be able to use $\frac{1}{2}$ of one acre of land.

While it is prime agricultural land which is too often removed from production to meet the escalating demands of 22 million Californians and 222 million Americans, it is marginal and poor land which has recently been brought into production. The capital costs of bringing such land into cultivation are enormous. In 1960, to yield a farm income of \$5500, an investment of \$111,000 was necessary. Today, a 500 acre farm would cost \$1 million in land costs alone, plus an additional \$175,000 for operating capital and machinery.

Last year the price of farmland in the U.S. increased 41%. Forty-seven percent of farmer's gross receipts simply went to pay for the principal and interest on Illinois farms, for example. As the demand for good farmland increases--especially in areas surrounding our metropolitan centers--the cost of farming will increase.

America's greatest resource and the center of our power as a nation rests in the hands of 8.3 million American farmers. This is one-half the American farm population of 1960. An article appeared in the Christian Science Monitor recently which pointed out that soon farming will be for the rich only. Schemes such as the Ag-Land Trust may very well be portents of things to come as farming becomes intertwined in the world of high finance and investment.

Summary

When environmental organizations speak of endangered species, they usually are referring to the bald eagle, or the whooping crane or the black-footed ferret. It could be said, however, that the American family farmer is also an endangered species.

In the future, people will live on agricultural land--it is too costly to live on mountains or deserts. There thus will be more people on less land. There will be also fewer resources--especially energy and water--to grow the food needed by the increased numbers of people. It strikes me as astonishing that people can still believe that one can take finite and increasingly limited resources--such as fertile soil, water, energy and fertilizer, benign weather and capital--and produce an infinite amount of food for an infinite number of people.

Most of the legislation designed to preserve our remaining acres of agricultural land are aimed at stopping sprawl but not growth. A city may no longer expand, but if its inhabitants grow in numbers, the demand for resources will continue to escalate. Only a limited number of people can live within a fixed environment with a limited carrying capacity on a renewable basis.

If the 3.3 million new Americans added to this country each year are restricted to living in existing urban or metropolitan areas--as the California plan would suggest--this will still mean the the existing farmland will have to cope with the pressure of an additional 3.3 million people to feed.

A look at Europe illustrates this problem. Europe has effectively coped with the sprawl of urban areas. Cities are compact. Farmland is conserved and if disturbed by mining, for example, it is rapidly reclaimed. If Europe had not been able to send millions of people to North and South America (during her "demographic transition"), her population would now be so large as to pull the entire continent down into abject poverty. Even with the safety valve of emmigration, Europe is still one of the most densely populated continents on the face of the earth.

The United States, however, does not have the luxury of untouched continents to which we can emigrate. We must, in a very short time, stop both our metropolitan sprawl and our population growth. If we refuse to bring our population under control, Nature will do so for us. That will, of course, take some time. But the solution will be cruel and once upon us, almost impossible to reverse. We cannot afford to wait until we start running out of food, or water, or energy, before we tackle this problem.

Arnold Toynbee has warned us that past civilizations were built upon good soil. Each has, in turn, destroyed that resource. Any global map records this phenomenon. Where once agriculture flourished, deserts now march. A study by the United Nations Environment Programme indicates that while 7% of the earth's surface is man-made desert, fully 50% of the total cultivable land in the world will have been made into deserts by mankind by the year 2000 if present trends continue.

Western civilization is built upon the last good piece of real estate in the world. We owe to ourselves, our children, and their children, to preserve what we have inherited. Not to do so would be a tragedy of mammoth proportions--for it will affect all the generations to follow.

The task of controlling our numbers and of stabilizing our population will be formidable . Writing in 1923, Professor Edward East of Harvard, in the great classic on food and population entitled "Mankind At The Crossroads", wrote why this task has to be completed:

"We who are passing along the great highway at the present moment of time are trustees for our descendants, not owners; and if we do not treat our trusteeship seriously and with due reverence, then we have no moral right to leave descendants."

Massachusetts Forest and Park Association

Three Joy Street Boston Massachusetts 02108 Tel. 617-742-2553

HERBERT W. PRATT
President
ELSPETH E. TAYLOR
Treasurer
NANCY CLAYTON ANDERSON
Executive Director

June 13, 1977

TO: The House Family Farms Subcommittee
FROM: Nancy C. Anderson, Executive Director
Massachusetts Forest and Park Association
RE: H.R. 5882

The Massachusetts Forest and Park Association, an Association which lobbies for good state environmental legislation, wishes to express its support for H.R. 5882, a bill to establish a national agricultural land use policy. Of particular interest to us is Title III of the proposed act, which would provide financial and technical assistance for pilot projects with the aim of reducing the conversion of agricultural land to other uses.

Currently before the Massachusetts Legislature is a bill (S888) which would empower the state to buy from farmers the right to build on their land. Because future development would be prohibited, it would be economically feasible for the owners to keep the land in agricultural use. Partial Federal funding for this proposed legislation would increase its efficacy.

Over 1.5 million acres of farmland in Massachusetts have been lost to non-agricultural uses within the last thirty years. This decrease in agricultural land use has resulted in higher food prices and the loss of farm-related jobs within the state.

H.R. 5882 would provide national coordination and financial assistance for programs similar to the project proposed for Massachusetts. The preservation of agricultural land in all regions of this country is necessary to secure essential economic, ecological, and aesthetic benefits.



CONSERVATION
LEGISLATION

National Livestock Feeders Association

309 Livestock Exchange Building

Omaha, Nebraska 68107

Phone: 733-9464

STATEMENT

to the

Subcommittee on
FAMILY FARMS

Committee on
AGRICULTURE

U.S. HOUSE OF REPRESENTATIVES

relative to

H.R. 4569

National Agriculture Land Policy Act

Presented by

Frank Arney
Director of Association Services
NATIONAL LIVESTOCK FEEDERS ASSOCIATION
309 Livestock Exchange Building
Omaha, Nebraska 68107

June 15, 1977

The National Livestock Feeders Association is a commodity trade association of persons engaged in producing and feeding livestock. Membership exists in 20 states, with primary concentration in the North Central Region, an area which feeds 55% of the fed cattle marketed, has 1/3 of the beef cows, and produces nearly 80% of the hogs in the nation.

National Livestock Feeders Association
 309 Livestock Exchange Building.
 Omaha, Nebraska 68107

Land is a vital natural resource and the National Livestock Feeders Association is concerned over the alarming rate at which productive agricultural land is being converted to non-agricultural uses. On the otherhand, the Association is also concerned that the right of the individual to own and use land not be eroded by government interference and control.

The NLFA appreciates and applauds the concerns implied in the proposed legislation regarding urban and industrial encroachment on highly productive agricultural lands, and agrees it is desirable to develop sound data on the land needs for food and fiber production and the implications of converting said land to other purposes.

Beyond that point, however, the Association has serious reservations about the proposed bill.

Establishment of Commission

In the interest of stemming bureaucratic expansion and cost, the NLFA must strongly oppose the establishment of another government commission. The growth of big government is even more alarming than the conversion of agricultural land to non-agricultural uses!

Furthermore, the feeders group views such a move as entirely unnecessary. The expertise to study the use and availability of agricultural land and its relationship to the national well-being already exists in the U.S. Department of Agriculture and the two Congressional Committees on Agriculture.

Therefore, it is the recommendation of the Association that the Congress instruct the Department, in conjunction with the two Congressional Committees on Agriculture, to proceed with a study designed to determine the land needs for agricultural production and the implications of converting productive agricultural land to urban, industrial, and recreational uses at the rates which have prevailed over the past several years.

Government Control of Land Use

Another reason for NLFA opposition to the formation of a new government commission is that such bodies- even though created to have limited life, traditionally do not pass out of existence. In this instance, there would be great risk of the commission becoming the on-going nucleus for an expanded Federal Government Land Use Control Agency. The proponents of Federal land use control would muster all kinds of "logical, in-the-public-interest" arguments for such a "sleight-of-the-hand" conversion and development.

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Members of the Association are unequivocally opposed to Federal land use control, having resolved "The dominate role of government in connection with land use should rest with local and state governments," and "The role of the Federal Government should be limited to that of overall coordination and technical assistance."

The full statement of policy adopted by the membership in this connection is as follows:

LAND USE

WHEREAS, Increased public attention is being focused on land use, with environmental and recreational considerations receiving disproportionate emphasis; and

WHEREAS, The right to own and use land for private purposes is basic to the American way of life and to our economic system; and

WHEREAS, Land is perhaps our most vital natural resource, upon which we depend for food, clothing, shelter and recreation;

THEREFORE, THIS ASSOCIATION Holds:

(1) That Government interference with the right of the individual to own and use land should be kept to the minimum consistent with the overall public interest;

(2) The dominate government role in connection with land use should rest with local and state governments;

(3) The role of the Federal Government should be limited to that of overall coordination and technical assistance;

(4) That the use of land for food production be given high priority, consistent with the need for ever-expanding production; and

(5) That freedom of ownership and land management be recognized as essential to a strong, healthy, and productive agriculture.

Conclusion

The proposed legislation as written could too easily become the springboard for land use regulation and control by the Federal Government, and therefore, passage would run the risk of setting a dangerous precedent, outweighing the possible "benefits" which might accrue to food consumers from curtailing the conversion of highly productive agricultural land to urban, industrial or recreational uses.



JUN 29 1977

National Wildlife Federation

1412 16TH ST., N.W., WASHINGTON, D.C. 20036

Phone 202-797-6800

June 27, 1977

The Honorable Richard Nolan
 Chairman, Family Farms, Rural Development
 and Special Studies Subcommittee
 House Agriculture Committee
 Washington, D.C. 20515

Dear Mr. Chairman:

The National Wildlife Federation requests that the following comments and enclosed resolution on agriculture be included in the record of the hearings recently held June 15-16, 1977 by your Subcommittee on H.R.5882, the National Agricultural Land Policy Act.

Briefly, the Federation generally supports the principles and objectives contained in H.R.5882 as far as they go. However, we believe the bill is too production-oriented and needs to be broadened to address in more detail the subject of soil conservation (i.e. soil erosion abatement) and the practices associated with it such as establishment of shelterbelts and maintenance of wildlife habitat.

To achieve that purpose, we recommend, as a minimum, the following strengthening amendments:

Page 4, line 5: Add "or where soil erosion is a significant problem."

Page 5, line 12: Delete "for maximum yields"; substitute "for food and fiber production within the constraints of sound soil conservation technology."

Page 8, line 7: Add after "land" the following words: "while enhancing its peripheral values for mankind and wildlife."

Page 10, line 7: Add after "purposes" the words "or from being subjected to universe practices leading to, or exacerbating, soil erosion."

Page 14, line 4: Add after "uses" the words "or which is being lost to soil erosion."

Page 14, line 13: Ditto

Page 15, line 9: Add after "utilization" the words "and protection."

We appreciate the opportunity to comment on H.R.5882. Subject to our recommended changes in the bill's language we can support its passage.

Sincerely yours,

THOMAS L. KINSELL
 Executive Vice President

Resolution No. 23

PRESERVATION OF AGRICULTURAL LANDS

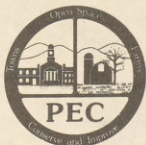
WHEREAS, much of the country's farmland is an irreplaceable resource which should be protected and improved, both for its ecological significance and because of its contribution to the Nation's economy; and

WHEREAS, little progress has been made in developing a coordinated and unified approach to land use planning; and

WHEREAS, if the fate of agriculture and agricultural land is left entirely to a future land-use plan it is very likely that it will be too late to deal adequately with this extremely important land category;

NOW, THEREFORE, BE IT RESOLVED that the National Wildlife Federation, in annual convention assembled March 14-16, 1975, in Pittsburgh, Pennsylvania, hereby supports the establishment of an agricultural preservation program; and

BE IT FURTHER RESOLVED that this program be instituted before the agricultural industry and its open space are irreversibly decimated.



Piedmont Environmental Council

28-C Main Street, Warrenton, Virginia 22186

703 347 2334

Statement of

Frank W. Norris
President, Piedmont Environmental Council

on

HR 5882

National Agricultural Land Policy Act

for Submission to

House Agricultural Subcommittee on Family Farms, Rural
Development and Special Studies

Washington, D. C.

June 24, 1977

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Mr. Chairman and Members of the Subcommittee:

I am Frank W. Norris, President, Piedmont Environmental Council, 28-C, Main Street, Warrenton, Virginia, 22186. I am pleased to have this opportunity to submit this brief statement in support of HR 5882. So many worthy organizations desired to present supporting testimony on June 16 and 17 that PEC could not appear before your distinguished Subcommittee, but we hope this statement will receive appropriate recognition in your consideration of this very important legislation.

First, may we congratulate you on your foresight and innovation in introducing this legislation. Certainly, our nation and our farmers have long needed a firm favorable delineation of national agricultural land policy, and a mechanism for pursuing and demonstrating that policy has also been required. This legislation is a welcome action to provide these essentials:

PROTECTING THE ENVIRONMENT IS EVERYBODY'S BUSINESS

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our nation and our farmers will be strengthened by its enactment.

Many of the statements already submitted to you have fully documented the severe and continuing loss of farmland throughout our nation; and the undesirable consequences of this situation are becoming increasingly evident on a national scale. I will not reinforce this solid testimony at the national level; rather, I will briefly discuss the problem as it confronts the area of interest to the Piedmont Environmental Council which includes nine Northern Virginia counties lying east of the Blue Ridge and within 30 to 80 miles of Washington.

This area covers about 2,200,000 acres, with a population of about 210,000 people. The area is dominantly rural; over half of the total acreage is in some form of agricultural use; and farming is still the principal industry in each of these nine counties. Our agricultural product does not weigh heavily on the national scale but it is highly significant locally.

Our entire area is also a beautiful and attractive area to live; so it is under severe and increasing pressure from metropolitan Washington, and other growth centers (Fredericksburg, Charlottesville). These impacts can be summarized by noting that, during the decade of the 1960's alone, our region lost 2,264 farms, or over 32% of its total. One of the hardest hit areas was Greene County, which during the same period lost 54% of its farms and 42% of its farmland. During just the last half of the decade, over 129,000 acres of Piedmont farmland went out of production, into either speculative ownership or development.

These statistics, impressive as they are, deal only in acreage. They do not document our loss in other equally important, if less statistical areas. For example, the loss of the family farm, the damage to the rural life-style, the degradation of rural values, the pervasive influence of land speculation, the impact of get-rich-quick development, the massive increase in taxes and cost of government at the local level, the inability of even the best farmer to plan ahead and make the necessary heavy investments - these and many other impacts demand attention and correction.

This situation has not gone unnoticed at the county and state level, and some actions have been taken to remedy it. For example, the Virginia legislature has recently authorized the establishment of agricultural districts on a local option basis; and land use taxation and tax relief on farm equipment, livestock and machinery has been similarly authorized. These actions have been welcome and are important first steps to remedy this situation.

However, actions at the local and State level, regardless of their effectiveness, can't do the whole job on the genuinely national problem. We need a national policy and a national mechanism which

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will provide a basic framework within which state and local actions can be taken. Let me clearly state that we are in no sense asking for federal controls at the local level; and we find nothing in HR 5882 which could remotely lead to such undesirable results. Rather, we view this legislation as a valid and essential execution of the federal role; it should be of marked assistance to the states and local communities as they grapple with this issue at their respective levels.

One final point: The Piedmont Environmental Council supports Title III of this act and believes that the development of demonstration projects will be essential to the execution of an effective long term program. We note that, from our viewpoint, the PEC region constitutes an ideal area to study, in depth, the problems of a rural area on an urban fringe. In that context, we would welcome an opportunity to work with established agencies in the conduct of a demonstration project under HR 5882, as soon as this most deserving legislation is enacted and the necessary arrangements made.

Again, we thank you for the opportunity to submit this statement and reiterate our strong support of HR 5882.

STATEMENT BY MR. DODD ON H.R. 5882

MR. DODD: Mr. Chairman, you have already heard testimony from Mr. George M. Wilbur, Commissioner of the Department of Agriculture in my home state of Connecticut, and from Mr. Robert Josephy, Chairman of the Connecticut State Board of Agriculture, who have done an outstanding job of detailing Connecticut's agricultural needs. I would like to add my voice to theirs in support of H.R. 5882, the "National Agricultural Land Policy Act."

Our nation has often been referred to as the world's breadbasket. Our advanced technology and abundance of natural resources have allowed us to produce one of the world's most plentiful food supplies. We have not yet required this supply in its entirety for our own use, and have always found a ready market for our surplus abroad, in nations whose own food supply is depleted.

In the future, as the threat of world famine grows, the United States is going to be called on to bear the brunt of the world's food needs. Yet this is a load that we may not be able to carry.

Despite the fact that we have always produced more food than we could use and despite the fact that we now produce more food on less acreage than ever before, this nation is also faced with an impending food crisis. It will not come this year, and perhaps it will not come ten years from now, but twenty years from now we may well find ourselves caught short, as we did in 1973 when we first realized what the words "energy crisis" meant. It is to this future that Mr. Jeffords' bill addresses itself.

This bill establishes a national policy of preserving agricultural land for agricultural use. It is a policy that calls for a continuing inventory of this nation's farmlands so that any decisions regarding them can be made on an informed basis. It calls for the federal government to cooperate with state and local governments in retaining, protecting, and improving agricultural land, and requires that federal activities affecting agricultural land be coordinated so as to protect that land.

Mr. Jeffords' bill creates a commission to study the special relationships in which agricultural land stands to other national concerns, such as our energy and economic needs, a commission that will study ways of implementing this national policy. It establishes a mechanism through which state and local governments can receive federal technical and financial assistance to carry out pilot projects consistent with this national policy. It is, finally, a bill that will help ensure that this nation is capable of meeting its future food needs.

Every year an enormous amount of this nation's most valuable agricultural land is removed from cultivation and used for construction and development purposes. For example, my home state of Connecticut has lost half its farmlands to development of some sort in the past twenty-five years. These are acres that Connecticut, with its small land area and large population, can ill afford to lose.

Realizing this, several years ago the State set up the "Governor's Task Force for the Preservation of Agricultural Land." In 1974 the Task Force recommended that some 325,000 acres be set aside permanently for cultivation. The Task Force's recommendations, however, were not adopted by the Connecticut State Legislature due to a lack of available funding, but the plan still exists, still is valid, and could quite possibly receive funding under the provisions of this bill. Passage of this bill could provide Connecticut with the federal assistance it vitally needs before it can proceed with its plans for setting aside land and studying ways in which that land can be improved. The bill would also encourage other states to develop similar programs.

A national land preservation program would give farmers a sense of stability and security. It would demonstrate to them that their special needs, needs too often ignored throughout the twentieth century, are finally recognized. Enactment of this legislation would be step towards ensuring, and even increasing, this nation's food supply for years to come.

If twenty or twenty five years ago, Congress had foreseen the coming energy crisis, steps could have been taken to soften its blow. We did not have that foresight then. I hope we have learned a lesson from that lack of vision and that we will not make that mistake again. Mr. Jeffords' bill calls for the establishment of a national program to preserve our agricultural lands, and hence our food supply. It is a program that will help keep us from famine's grasp. It is a bill that will benefit not only this nation's farmers, but every person now living or yet to be born in this country; indeed, in the entire world.

For these reasons, I urge you and the other members of this subcommittee to support H.R. 5882, the "National Agricultural Land Policy Act."