

JUNE 2008

To:

City of Richmond : " COUNCIL MEETING " JUNE 23, 2008

Re: The proposed " \$10 million Agricultural Endowment Fund " to be created "subject to " the successful Agricultural Land Reserve (ALR) exclusion for the 136 acre Garden City Lands (located at 5555 # 4RD.).

The evidence strongly suggests this \$10 Million endowment fund is an attempt to fulfill the "net benefit " provisions that often accompany ALR Exclusion applications...ie that a net benefit to agriculture be provided in return for the exclusion from the ALR of a given parcel of land that is currently within the ALR

What intrigues many other Richmond citizens with small ALR properties on #4RD is that this interpretation of " net benefit" is not consistent with what City Staff informed a delegation of aforementioned # 4 RD. ALR property owners ,(ie those with properties on the very same road (ie #4RD) as the 136 acre Garden City ALR Lands are located) .

In (2) meetings with City Staff , no mention to our #4RD. delegation was ever made by City Staff of any " endowment fund " being established as a "net benefit" requirement for ALR Exclusion. Instead, our # 4RD. delegation was informed of some "red tape" driven bureaucratic amalgam of such things as " re-plotting" (?), " possible " restrictive covenants (?), and also joint- venture partnerships with other ALR landowners in the area(?), etc. etc. , even though the majority of #4RD property owners in the ALR fall under Section 23 of the ALC Act . In contrast, the Garden City Lands is not Section 23 eligible , and also ineligible for Section 23 by a very wide margin , in fact by 2 orders of magnitude . (Advisory: Staff and Council should perhaps review ALC Act Section 23) .

Upon further due - diligence, we #4RD property owners have not found anything within the ALC Act, nor within ALC policy, nor even within the City of Richmond's own policies, that neither clearly nor concisely lays out specifically what constitutes a " net benefit " or consistently qualifies as a " net benefit " . As further evidence of this inconsistency, the net benefits offered for the 1st ALR exclusion application for the Garden City Lands at 5555 # 4 RD. are not only vastly different than the net benefits offered for the more recent 2nd ALR exclusion application , YET neither of these (2) " net benefit" attempts for the Garden City Lands at 5555 #4RD are consistent with what was suggested as "net benefit" criteria by City Staff for our #4RD delegation (= Confusing) .

Thus, the conclusion one would arrive at is that there are, in fact, no consistent "net benefit" criteria for Richmond's ALR exclusion applicants, and that these criteria are simply random and subjective , and are simply cobbled together in ad- lib fashion. Then again, why does the City make claims to some Richmond citizens that a quasi - " net benefits" list is actually in place, yet for some other applicants the same " net benefit " list does not exist ? (Again, very VERY confusing.)

Surely, if a formal and predictable "net benefit" criteria and policy actually existed, (*and even excluding the fact of any/all applicants formal eligibility under Section 23 of the ALC Act*), the "net benefit" criteria should be the same for both sides of the very same road, (ie # 4RD.) should they not ?, if not also for all of Richmond 's ALR ? .

Given that the Garden City Lands, located at 5555 # 4RD. ALR Exclusion application has been approved by Council, and is now before the ALC, the **\$10 Million endowment fund** is being submitted by these same applicants as an attempt to fulfill the "net benefit" criteria for ALR exclusion. The fiscal amount of " \$10 Million " was offered/abled, but the details of this same endowment and its dedicated dispensation mechanism are still very unclear and ambiguous and thus its actual details are apparently to be resolved at a future date AFTER the ALR exclusion, and only if the 2nd attempt at ALR exclusion is successful. That lack of a clear and distinct plan is very UNprofessional, I might add.

Further to this:

Richmond's "AGRICULTURAL PROFILE" (2002) and "R.A.V.S." (2003)

In a more comprehensive review and analysis of Richmond's ALR and the various relevant City Bylaws and policy with respect to Richmond agriculture, I will refer to the City's " AGRICULTURAL PROFILE " document, circa 2002 .

On Page 41 of the 89 page. document, it states that in 1981, only 14% of the City's ALR lands lay outside the Census Farms .

More to the point, in 1981, the data indicates only 14 % of Richmond's ALR was not being actively farmed . Or, conversely, in 1981, 86% of the ALR land within Richmond was being actively farmed or engaged in some agricultural production , etc.

However, the same 2002 document notes that in 1996, ie in the 15 years since 1981, the Richmond agricultural - statistics had changed dramatically, ie the amount of Richmond's ALR acreage that lay outside the census farms had risen dramatically from 14 % in 1981 to 39 % in 1996, an almost 300% decrease in ALR land in active farm use . Thus, one concludes that within 15 years, approx. 3 X's the ALR land in Richmond was no longer being farmed . However, duly note that this statistic of 39 % from 1996 is now 12 years old, yet still used today in 2008 to reflect this decrease in agricultural activity on Richmond's ALR lands. In addition " Farm Class " data in the same 2002 Agricultural Profile also closely corroborates this trend in decreased farming activity.

The Question is :

What is the real number in 2008 with respect to the amount of Richmond ALR Land not actively farmed nor in active use for agricultural purposes ? .

Answer:

Given the historical trends, the amount of Richmond ALR land not being actively farmed is most likely much higher now in 2008 than in 1996 .

Now, with reference to the " RICHMOND AGRICULTURAL VIABILITY STRATEGY " (RAVS) circa 2003.

It appears the AGRICULTURAL PROFILE (circa 2002) was setting the stage as a data base " diagnostic " precursor for the policy - based RAVS " cure " (circa 2003).

A more than reasonable conclusion can be drawn that the 1996 statistics indicating a huge drop in Richmond ALR land being actively farmed in a relatively short time period, which thus caused a concern within Richmond City Hall .

SECTION 6 of the ALC ACT, which effectively describes the mandate of the ALC, often uses the words "encourage", "enable" and "accommodate" active agricultural production on ALR land as opposed to some static- quo statistic simply reflecting the amount of land (acreage) included within the ALR.

The AGRICULTURAL PROFILE (circa 2002) may be interpreted as a data base, and the RAVS (circa 2003) may also be interpreted as policy and initiatives to address what the Profile identifies as what currently "ails" Richmond agricultural industry being actively pursued on Richmond ALR lands : Thus, RAVS' purpose appears to encourage active agricultural uses on Richmond's ALR lands , and is thus more consistent with Section 6 of the ALC Act.

Now.....Back to the **\$ 10 Million Endowment Fund for Richmond agriculture:**

It appears that some parties have made use of the ever - dreaded words of "assume" or "presume" re : this endowment fund , and that the funds from the \$10 Million agricultural endowment fund will flock like snow geese and pass over most of west Richmond ALR and central Richmond ALR and effectively " land " in the farthest reaches of East Richmond's ALR.

Question:

Why would anyone assume and/or presume that ? ...especially given the City of Richmond's own "AGRICULTURAL PROFILE" circa 2002 and "RAVS" circa 2003 ?

Please note that the letter "V" in "RAVS" stands for " **V-I-A-B-I-L-I-T-Y** ".
Please note that the letter "S" in "RAVS" stands for " **S-T-R-A-T-E-G-Y** "

It appears quite clear that the City wishes to stem the agricultural bleeding , or resuscitate the agricultural patient , the City having clearly diagnosed problems exist in Richmond's ALR .

Given that the Richmond ALR has a diverse background of parcel size as well as ownership, it is very reasonable to conclude that many Richmond ALR property owners have come to their own individual conclusions, and that for a number of reasons, under a status - quo since 1981, that active farming or any agricultural pursuits to, at

minimum, acquire "Farm Status" within Richmond's own ALR is simply NOT a viable proposition, and as a result of past, present and future circumstances.

It is also reasonable to conclude that via the City drafting of RAVS, the City's is not only acknowledging a major problem exists in Richmond's ALR, the RAV's is inherently an admission by the City of Richmond that most of the blame lies at the feet of RICHMOND City Hall, does it not?

Or, in essence, why else would the City undertake a rather broad and comprehensive "*Agricultural Viability Strategy*" for all of Richmond's ALR?

One hopes the RAVS is NOT, I repeat NOT simply another false hope and broken promises type -of- document Gov'ts are often accused of creating in order to pay lip service to a problem and yet to confuse the General Public that an actual pro-active and productive course of action is in place, and to quite possibly ultimately placate if not outright deceive the Agricultural Land Commission (ALC) that all- is -well in Richmond's ALR?

However, given no current statistics are available, but using the "old" 1996 statistic of 39% of Richmond's ALR is not being farmed... should not the \$10 Million fund, at minimum, be directed solely to the approx. 39% (and likely more) of Richmond's ALR that is NOT being farmed?

Why would anyone invest any funds into the 61% of the Richmond ALR that, according to the data, IS being actively farmed? Or, even more to the point, that 61% of Richmond ALR has shown itself to be VIABLE ie actively farmed via a diagnosis by the City's very own studies and reports.

In addition, the majority of these viable farm operations actually exist in the farthest reaches of East Richmond, yet the very same area which some parties assume/presume the proposed \$10 Million endowment fund is to actually be directed to those very same agriculturally- viable areas of Richmond's ALR? Again, very very confusing!

Using an analogy,

--- Does the health care system throw \$\$\$ at healthy aka "viable" patients? or does it direct its resources to assist the "less viable" patients?

--- Does the education system direct resources at "A" students? or instead directs its resources to those students more in need of assistance?

In light of this, a logical conclusion would be that the LEAST Viable Richmond ALR lands should get the MOST funding from the proposed "net benefit" endowment funds, (again, which would only result if the ALC grant the ALR exclusion for the Garden City Lands at 5555 #4 RD).

Now we come full circle

As I outlined earlier at the start of my presentation, and given the City of Richmond's rather inconsistent ALR Exclusion criteria and policies, (especially between #4 RD. ALR properties on the East side of #4RD versus the 136 acre ALR parcel on the West side of #4RD)...; yet concurrently making attempts to be consistent with the both

(i) the AGRICULTURAL PROFILE (2002) and

(ii) the RAVS (2003),

we wish to announce that many of us on #4RD will be petitioning the ALC that in the very high unlikelihood the ALC actually grants the ALR exclusion for 136 acre parcel @ 5555 #4RD, that not only should the **\$10 MILLION agricultural endowment fund** be directed to each ALR property on the East Side of # 4RD., but the proposed \$10 Million amount will need to be **vastly increased** in order to even begin to make the # 4RD ALR properties on the East side of #4RD even remotely "Viable" for any agricultural pursuit whatsoever and using a variety of parameters.

Should the ALR exclusion for the Garden City lands be granted by the ALC, the documents accompanying the applications show there is full intent by the City to allow for approx **14,000 people** to be housed in approx. **5000 living units** concentrated in high density residential development immediately west of #4RD. and adjacent to the ALR.

In other words, the equivalent of literal Manhattan in NYC, will result directly across from what the City assumes in its own Agricultural related documents is " Old McDonald's Farm " on the East side of #4RD. There is a clear, distinct direct and undeniable correlation between small ALR parcels closest to the City Center and ever decreasing agricultural viability of these same ALR parcels. **In fact, active farming is already non-existent for the vast majority of # 4 RD. ALR properties as we speak. However, using the City's logic or lack thereof ...14,000 more residents on the very same street (ie #4RD) in the very same neighbourhood will increase agricultural viability of non - existent farms on the East side of #4 RD. ? Huh ?**

I need not overwhelm you with the details at this point, but suffice it to say that it appears the City has not followed thorough on ONE single recommendation nor policy as identified or outlined in either its own "2002 Agricultural Profile" or the " 2003 RAVS" , and specifically those portions that apply to # 4 RD. ALR properties.

Only with a "\$10 million fix " as a " start " would the City and its alleged agricultural policies and strategies be considered more than "token" and thus not simply increasingly hollow lip - service. However, failure to do so would effectively give # 4 RD. property owners grounds for pursuit of other options.

A more detailed submission will be submitted in the near future.

As a Summary:

--- The "net benefits" that the City either claims exist or endorses for ALR Exclusions are not consistent amongst different applicants .

--- The "Agricultural Profile" circa 2002 and the "RAVS" circa 2003 clearly indicate decreasing agricultural activity in Richmond ALR.

--- The RAVS is both an admission of failure by the City to support agriculture in many areas of Richmond , and in fact may also be an admission of guilt in creating this environment of non - agricultural viability for a large percentage of Richmond's ALR.

--- The \$ 10 million endowment fund should be directed to the least viable , which should be defined as the ALR land most impacted by a combination of both (i) the City's Urban Planning and (ii) the City's agricultural related policies (or lack thereof) .

In the mean time, much like the old saying of "*what happens in Vegas stays in Vegas*", thus what leaves # 4 RD West Side (ie the \$10 million endowment fund from 5555 #4RD.) should stay on # 4 RD.(East Side).

We will be making a number of submissions to the ALC to this very effect as it begins to adjudicate the Garden City Lands application in the upcoming months , which we further feel our submissions should greatly assist the ALC in the making of any decision re: any/all ALR properties on **both** sides of # 4 RD.

I will expand on this discussion with some "cold hard facts" at upcoming Council or Committee Meetings in the very near future.

PS: I can assure you the facts and figures forthcoming will be very intriguing.

Regardless,..... it is high time and long overdue that the City of Richmond, and perhaps even the ALC, take full responsibility for this mess on #4RD, quit turning its back to us, and become far more accountable for placing us on #4RD and ultimately the rest of citizens of Richmond in this very compromising situation which will only get worse the longer it is left both ignored and unresolved.

If the City's professionalism, competence , integrity and credibility mean nothing to Council and Staff, at least have the courtesy to be upfront and bluntly admit it in your claims to represent us and in your search for a new logo and identity. If this matter is any indication, the City is not "*Better in every way*" nor does it fulfill other somewhat hollow City mission statements. Failing one citizen negates such claims, but in fact , the City is actually failing several hundred, if not thousands , of its own Richmond citizens if this #4RD issue continues with the apparent blessing of Richmond Council and Staff .

Otherwise.... Stay Tuned as this issue continues to develop .

Roland A. Hoegler