



GROWING GREEN: for SUSTAINABLE FOOD SYSTEMS

A Law Reform Project

www.ffcf.bc.ca/GrowingGreen.html

Growing Green: Project Priorities

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1.0 INTRODUCTION

Launched in April of 2002, *Growing Green* is a two-year law and policy reform project designed to:

- develop concrete, practical law and policy reform proposals to make growing and distributing food in BC more sustainable, and
- strengthen the capacity of voluntary organizations to contribute to federal, provincial, and local law and policy making.

Funded in part by the federal Voluntary Sector Initiative, *Growing Green* is a project of West Coast Environmental Law (WCEL), FarmFolk/CityFolk (FF/CF), and the Liu Institute for Global Issues. All three organizations are working collaboratively with (and sharing the project benefits among) dozens of farming, food, and voluntary sector organizations.

Growing Green's focus is on federal, provincial and local law and policy as it applies to growing food in and around BC's urban areas. To acknowledge and build upon innovative ideas generated across the country, *Growing Green* is working with and seeking advice from exemplary national organizations like the Toronto Food Policy Council.

Growing Green is based on the premise that participants in the food system already provide environmental services, but the system must produce more in order to be truly sustainable. Through a continuous and iterative collaboration process with farm, food and voluntary organizations, *Growing Green* identified several dozen of the issues that deserve attention. With the help of a project Reference Group of community leaders, *Growing Green* has determined the law and policy reform priorities set out below — which *Growing Green* believes offer a chance to make concrete and meaningful economic, social and ecological change.

Products of the project will include a final report with recommendations on policy priorities, and tools to help increase voluntary sector capacity for policy development. Time and energy permitting, the project will also generate “think pieces” (e.g. on food quality/safety) and a number of case studies (e.g. regarding a teaching/demonstration farm on Vancouver Island; a program in Greater Vancouver to shift schools from fast food to local food providers; and a food and beverage education centre in the Okanagan).

2.0 STRENGTHENING VOLUNTARY SECTOR PARTICIPATION IN POLICY DEVELOPMENT

Pursuing its goal of developing capacity in the voluntary sector, *Growing Green* has engaged in dialogue with as many voluntary sector farm, food and related organizations as possible. It has set aside budget resources to help facilitate policy dialogues. In the first year, it sponsored dialogues with the BC Food Systems Network, Certified Organic Associations of BC, and the POLIS Project on Ecological Governance (among others). *Growing Green* will sponsor more policy dialogues in its second year and will produce tailored resources to assist voluntary sector groups to continue and expand their participation in policy development in the future.

For years, project partners have been developing collaborative planning models. *Growing Green* will develop these models further (both theory and practice), and share them with other voluntary sector organizations in order to obtain feedback and constructive criticism.

3.0 MAKING SUSTAINABLE FOOD SYSTEMS WORK

3.1 Making the case for community-based food councils

Community-based food systems operate at household, neighbourhood, municipal and regional levels. In BC and around the world, people are increasingly recognizing the importance and benefits of community-based food systems, where food is grown, processed, and distributed closer to home. One indication of the strength of this movement is the launching of the Food and Safety Program¹ in the U.S. by the W.K. Kellogg Foundation.

Experience and studies show that community-based food councils have a vital supporting role to play. Such bodies can address the following challenges:

- land preservation
- hunger and food security²
- sustainable agriculture
- economic and community development
- human health

A community-based food council may be the vehicle to facilitate and advocate for:

- local procurement of food for institutions
- healthy school and hospital food
- Official Community Plans and by-laws that include food security and sustainable agriculture provisions
- support for local food processors
- support for Farmers' Markets
- the development of co-operative small business models and economic development for food production and distribution³

The most effective councils appear to have an official link with municipal and/or regional governments plus outside links and support. The broader the better.⁴ Some seem successfully to have addressed a challenge that existing community food coalitions in BC experience: how to integrate the full spectrum of interests in the food system, particularly agriculture with food insecurity/hunger.

In the past five years, concerns in communities around the province about local farming, public health and hunger have led to the creation of community-based food security coalitions (local food policy councils) in about 15 communities. These are linked provincially through the BC Food Systems Network.

¹ A new initiative of the Food Systems and Rural Development program. The initiative is based on a vision of a local food system for all segments of society that provides safe and nutritious food grown in a manner that protects health and environment and adds economic and social value to rural and urban communities. "Food for Thought: Community-Based Food Systems Enterprises – Issues for the 21st Century Food foundation systems. Third in a series, W.K. Kellogg, 2003.

² "The Concept of Community Food Security. Definition: Community food security is an extension of the food security concept. We define it as 'all persons in a community having access to culturally acceptable, nutritionally adequate food through local non-emergency sources at all times.'" Community Food Security: A guide to concept, design and implementation. Hugh Joseph, editor Draft February 1997. The BC Food Security Network defines Food Security as "A community enjoys food security when all people, at all times, have access to nutritious, safe, personally acceptable and culturally appropriate foods, produced in ways that are environmentally sound and socially just."

³ Emilia Romagna is the most prosperous region in Italy. Famous for its Parmigiano cheese, ceramic tiles and red Ferraris, the valley, which has the lowest unemployment rate in Europe, is a haven of entrepreneurialism and is considered nothing less than an economic miracle. Beyond the renowned network of small industrial businesses and their support organizations, Emilia Romagna also boasts one of the most successful and integrated cooperative movements in the world. The theme is creating jobs by supporting small businesses through collaboration. The strength of this region is its circle of cooperation within and between industries and social institutions.

⁴ Borron, Sarah Marie, Food Policy Councils: Practice and Possibilities, Congressional Hunger Center, February 12, 2003.

Growing Green hopes to provide ideas and resources to existing community-based food efforts under way in the GVRD (through the Vancouver Food Policy Organization and others) and CRD (through CR-FAIR and others).

Goals

- In collaboration with a wide range of players, develop a compelling case for establishing food councils with regional and local governments, starting with Vancouver/GVRD and Victoria/CRD.
- Analyze and address several specific issues related to farmers' markets, school food and street food to support the case.

Results⁵

By the time *Growing Green* ends in 2004 we want to see:

- Functioning and credible Food Policy Councils in Vancouver/GVRD and Victoria/CRD, endorsing policies that will support local food systems and supporting initiatives such as regional manufacturing/distribution networks and regional food brands and labels.
- Farmers' markets given some guidance in dealing with zoning and health regulation issues.
- Progress with school boards regarding issues and solutions related to corporate food and its alternatives in schools (e.g., Riverview School in Coquitlam's brief to its School Board).
- A scenario developed describing the impact on food insecurity in the Downtown Eastside if the area had access to street food in a fashion similar to Bangkok and thousands of other cities. (N.B. under present circumstances this is not seen to be a "doable" project, but rather one designed to surface a variety of interesting issues.)

⁵ Sustainable Food Chains: Briefing paper 1, Local Food: benefits, obstacles and opportunities, Sustain: The alliance for better food and farming, 2002.

- **Improving the supply and demand of local foods** through increased production of appropriate foods for local markets, improved infrastructure such as abattoirs and small scale food processing facilities, establishing farmers' co-ops and joint marketing initiatives, and encouraging public and private retailers and caterers to stock/use more sustainable foods.
- **Conducting further research into local food and the local food economy.** Although there is some information on the size and potential of the local food sector outlined in documents such as f3's FLAIR report, and others, a detailed picture of the current state and trends within the local food sector, both nationally and regionally, has not been fully determined, nor has the benefits of local food been rigorously quantified.
- **Educating people about local and regional food specialties and recipes.** Raise awareness of the benefits of healthy, local foods and provide the means by which people can learn about growing, processing, storing, preserving, and cooking seasonal, and regionally distinctive foods.
- **Developing appropriate national, regional, and local strategies** to support the development of sustainable food economies. Each level of government needs to develop strategies covering the entire food chain which will benefit sustainable food economies.
- **Adopting appropriate trade and development policies** which benefit local communities rather than multi-national corporations. The UK government needs to review its contradictory policy of advocating development of the local food economy whilst supporting increased free-trade of food within European and global markets, controlled by a relatively few large companies.
- **Improving regulations** in health and safety, food hygiene, environmental health, and labeling so that they do not disproportionately affect smaller producers and enterprises over larger ones.
- Changing planning regulations to encourage local food and put local food producers on a level playing field with non-local producers.
- **Providing finance and funding** to the local food sector through grants and low rate loans for capital costs, training, and other services to develop the supply and marketing of local foods. Lowering of the current thresholds for some grants would make them more accessible to small-scale processing and marketing activities.
- **Improving traceability and labelling regulation** to incorporate mandatory availability of information of the origin and journey of food. The recent example of beef being labelled as Scotch beef when in fact the animals had been born and raised in England (and then 'finished' in Scotland) illustrates the inadequacies in traceability and the current labelling legislation.

3.2 Showcasing model Official Community Plans and Bylaws

Generally, until recently, agriculture and food have not been on the radar of regional and local governments. Now senior levels of government are reducing budgets and services and pushing more responsibilities down to regional and local levels.

Agriculture and food interests in communities are coming under increasing pressure (from regulation, development and other factors). Both the *Farm Practices Protection Act* and new *Agricultural Land Commission Act* require increased attention to planning for agriculture in regional/local governments. Agricultural land speculation around the province has increased dramatically since the *Agricultural Land Commission Act* was changed.

The Ministry of Agriculture, Food and Fisheries' (MAFF) 2002-05 Service Plan calls for bylaws review (of local governments with significant agricultural activity) with a view to increasing their support for agriculture. MAFF staff has been collecting information on agriculture-friendly bylaws and are helping facilitate development and management of Agricultural Advisory Committees (AACs) around the province.

Growing Green will partner on these initiatives with Smart Growth BC, its Smart Growth on the Ground project and with Smart Growth Canada.

Goals

- Identify or help others draft or amend 3-4 bylaws and relevant sections of Official Community Plans to facilitate local food economies.
- Participate in educating Councils about the importance of local food economies and of planning for agriculture and food.
- Explore best ways to link Agriculture Advisory Committees and community-based food security organizations around BC, with a view to the formation of community-based food councils.

Results

By the time *Growing Green* ends in 2004 we want to see:

- Bylaws in 3-4 local governments that support local food systems components such as agricultural infrastructure (drainage, electricity, water), farmers' markets, Community Supported Agriculture, buying co-ops, box programs, on-farm processing, agri-food teaching/demonstration centres, agri-tourism and/or restaurants committed to local foods.
- Sections of Official Community Plans in 3-4 local governments that support development of local food economies and systems.
- Community-based food councils in the GVRD, CRD and elsewhere appropriately linked with AACs and equipped with management and reporting structures to buffer political shifts.
- Ten Councils educated about the importance and potential of their local food economy and useful/workable strategies to support it (e.g. feasibility and benefits of using farmland for floodplain management).

3.3 Contributing to provincial public health legislation

A *Public Health Act* for BC (new legislation) is being drafted. Some characteristics of the work so far:

- the approach is based on population health/determinants of health; chronic disease prevention is a key focus
- food security is seen as both an initiative and an outcome
- the Community Nutritionists Council of BC has been asked to make a case for Community Nutritionists' contribution to food security and food security's contribution to public health
- the current thinking is that under the Act there will be a set of performance expectations, rather than regulations.
- The drafting of this Act presents significant opportunities for *Growing Green*:
 - to marshal arguments and evidence connecting local food systems, community food security, and public health
 - to explore what a provincial Food Security Initiative could look like
 - to make links and build relationships between agriculture, health and environment issues, agencies, policy and personnel
 - to voice our concerns about legislation that may be short on duties and obligations.

Goals

- Negotiate for the new *Public Health Act*, regulations and related discussion papers to include more food and food systems examples, and new linkages, e.g.:
 - between food security, public health, and increased community economic activity in local farm and food businesses
 - between food safety, public health, and environmental factors (e.g., diet as major pathway for exposure to pollutants, and concerns about food-borne antibiotic resistance)
 - between food, nutrition and health in hospital settings (iatrogenic effects of the health care system).
- Provide policy recommendations for the new Act related to:
 - core programs under the Act, especially healthy eating
 - performance expectations for key programs, strategies and health professionals' roles
 - critical duties and obligations
 - Miscellaneous Statutes Amendment section (impacts on other legislation).
- Provide an appendix to the Act regarding a BC Food Security Initiative.

Results

By the time *Growing Green* ends in 2004 we want to see:

- BC Public Health legislation that:
 - has healthy eating as a core program
 - demonstrates an understanding of food systems from seed to plate
 - facilitates linkages with a range of BC government and non-government agencies involved in food systems (e.g. agriculture, health and environment)
 - includes duties and obligations critical to the maintenance of community-based food security as a basic component of public health.
- A BC Food Council (to implement a BC Food Security Initiative) including membership from community grassroots, linked with Medical Health Officers, with ongoing input to provincial and regional/local public health policy.

3.4 Attracting small-scale food processors

Processors are a key link in local food systems (for instance, when Vancouver Island lost its largest chicken processor, in the next 3 years it lost half its commercial chicken producers). Stronger community-based processors mean more local ownership, identity and diversity, increased jobs and dollars circulating locally, and reduced “food miles.”

There is growing consumer interest in healthy, tasty, local foods that lend themselves well to niche markets that can be supported by local processors. Small-scale (less than 25 employees) processors in BC have identified a strong interest and need to work together: a BC Small Scale Food Processor Association incorporated as a federal non-profit in 2002 and is running workshops and developing regional strategic plans for the sector. At the same time, planning is under way for a BC Food and Beverage Processors Association.

Commercial community kitchens are facilities that can link commercial processing ventures and community-based projects like the Tree Fruit Project or Good Food Box - there is a project under way to develop a provincial network of 7-8 community commercial kitchens. Also, one regional food “brand” has been developed in BC (the Island Farmers’ Alliance rooster), and others have been proposed, for food produced in a specific bioregion or “foodshed.”

The *Growing Green project* provides an opportunity to interact with all these initiatives and strategize how best to support processors in community-based food “value chains.”

Goals

- Provide strategic input and policy recommendations regarding efforts currently under way in BC to link and organize food processors, with particular focus on:
 - keeping processors in communities
 - ensuring small-scale operations play key roles.
- Research and promote flexible manufacturing/distribution networks using examples like the Emilia Romagna area in Italy.
- Ensure that commercial processing links with community-based projects like community kitchens, Good Food Box programs and more.

Results

By the time *Growing Green* ends in 2004 we want to see:

- A viable BC Food and Beverage Processors Association that provides appropriate services to small-scale operations.
- One pilot regional manufacturing/distribution network (possibly a co-op) established that pools product from various small local processors and does processing, labelling, packaging and distribution – partly supported by loans from credit union(s) that believe in keeping local food dollars circulating, and sponsored by a community-based food council.
- Parallel development of regional “brands” for a category of food to be known as local or “Residents’ Choice,” defined as produced and/or processed within, say, 200 km of the purchase location (within the local foodshed).

4.0 MAKING SUSTAINABLE FOOD SYSTEMS PAY

4.1 Making long-term land management pay

The food system would provide more ecological services if there was a better economic case for doing so. *Growing Green* is investigating the following ideas as ways to make more sustainable food practices pay:

- Farmers making long-term investments into sustainable farming practices encounter regulatory barriers. Some of the obstacles are:
 - raising money off title in the ALR
 - building houses for other families that want to work and invest in the farm
 - transferring the farm to future farmers or generations and providing for retirement without subdividing
 - obtaining affordable access to markets (quota) for supply-managed commodities
- To help reduce or remove these obstacles, *Growing Green* will investigate the following law reform topics:
 - Eliminate or reduce ALR or local government rules/bylaws that prevent or discourage multi-family housing; Ensure that multi-family housing models are designed to avoid rural sprawl and promote long term sustainable farming on the land.
 - Eliminate or reduce restrictions on registering short-term leases on title within the ALR.
 - Eliminate barriers and design solutions for adopting trust models (like the UK's National Trust) that could: (1) attract much needed investment into sustainable farming (2) permit farmers to make a living wage for their efforts, and (3) allow farmers to pass on their sustainable farm practices to future generations without subdividing.
 - Eliminate or reduce barriers to restoring farmers' rights in the ALR to ensure future sustainable farm practices on their land by registering conservation covenants against their title.
 - Obtain quota for sustainable/integrated farmers to use 'collectively' in order to increase economic security, and promote ecological benefits associated with sustainable farming (ultimately integrated farms).

4.1.1 Investigating co-farming/multi-family housing

The story on the next page is a composite of stories from a number of farmers in BC.

Goals

- Raise capital (both financial and human) for multi-family, multi-generational, integrated farms.
- Help farmers transfer farms to future generations of family farmers without subdividing.
- Increase ecological benefits produced from farmland.

Results

By the time *Growing Green* ends in 2004 we want to see:

- Appropriate changes to ALC regulations and relevant local government bylaws to accommodate co-farming — fully addressing rural sprawl and long-term farm production concerns
- Rural sprawl issues fully addressed, including investigations into (among other things): multi-family residences; 'in-town' housing; duplexes or townhouses designed to

minimize footprint; maintaining ALC control; adding other innovative features such as working farm trusts, and covenants.

- Long-term farm production issues fully addressed including investigations into: ways to ensure younger generation can afford to invest in the family farm; 2 houses for every family farm (one for retirement), public investments into farm apprenticeships; accreditation or registration for farmers
- Other important design issues fully addressed including suitable housing for seasonal farm labour.
- Local laws reconciled with ALR.
- 'Split assessment' issue addressed by the Assessment Authority.

Farmer B has x acres of land a few miles from an urban centre. Some of the land is woody and cannot be used for cultivation. Some of the land is currently uncultivated but can be improved. Farmer B estimates that he and his family must generate \$75,000 in sales to make a living off the land. As a small family, they are unable to raise the capital.

Several other families have approached Farmer B about 'co-farming' the land. Farmer B likes the idea: some would work the land, others would work at other jobs in town until the farm is fully functioning. Families would purchase shares in a farm business and the farm business would set up residences for 5-6 families. Residences would be designed to minimize ecological impact; families would share many services (laundry, etc.). The farm business would diversify its operations to include a farmers' market on the highway leading into town, and agri-tourism. The farm business might even integrate animal and plant production to establish a nutrient management cycle.

Both the Agricultural Land Commission (ALC) and the local Regional District say no. ALC regulations allow Farmer B to build one secondary suite 'per parcel'⁶ [s. 3(1)(b)], one manufactured home for use by immediate family member [s. 3(1)(b)]; 4 bed and breakfast rooms [s. 3(1)(d)] or accommodation for agri-tourism [s. 3(1)(a)]. But Farmer B cannot build another home for a working family.

The Regional District says he cannot have more than family per farm. The Assessment Authority says it will 'split assess' the property so Farmer B will lose the preferential property tax status he currently enjoys.

Local residents and farm advocates are concerned that Farmer B's co-farming will lead to 'rural sprawl'—that unplanned residential development will leave a large footprint. They also worry that once Farmer B passes on, new landowners may not accept the smells and sights of a working farm and/or demand more 'urban' services—effectively taking Farmer B's farm out of production. The other families are not interested in leasing parts of Farmer B's land because the ALC says they cannot register the lease against Farmer B's title as security for the thousands of dollars they wish to spend adding water and fencing systems.

⁶ Parcel is defined as 'single indefeasible title' s. 1.

4.1.2 *Bringing UK National Trust and other 'working farm' trust models to BC*

In other jurisdictions — most notably the United Kingdom — trust organizations acquire land not just for preservation, but also to allow sustainable farmers to work the land. The results, in many cases, are considerable ecological services for the benefit of the public, and dramatically enhanced incomes for farmers holding long-term leases to the property.

The National Trust in the UK owns 1,100 to 1,200 working farms. A few years ago, it obtained statutory authority to impose farm practice restrictions as conditions to the long-term leases. It designs and implements 'whole farm plans' for this purpose. Some of the trust organizations active in BC have experimented with purchasing working farms on an ad hoc basis, and there are a few models of otherwise publicly owned working farms (Environment Canada's Provincial Estuary Conservation Program, Colony Farm). There are also notable models in Sonoma County (California), and Virginia.

Goals

- Lead discussions between farmers and land trust organizations about bringing 'working farm' land trust models to BC.
- Enhance farming incomes for multi-family, multi-generational, integrated farms.
- Help farmers transfer farms to future generations of family farmers without subdividing.
- Increase ecological benefits produced from farmland.

Results

By the time *Growing Green* ends in 2004 we want to see:

- Identification and elimination of policy and regulatory barriers to adopting in BC a model like the UK National Trust 'whole farm plan'—enabling trust organizations to hold land reserved for ecological farming, and enabling farmers to increase incomes through long-term leases on the land.
- Amendment of Federal *Income Tax Act* to clarify conditions under which ecological farming trusts and covenants would be eligible for 'ecological gift' tax incentives (e.g., 'open space').
- Engagement of a core group of BC's 10-15 conservation trust organizations and the Agricultural Land Commission (e.g. at Victoria Stewardship Conference).
- Modest number of pilot projects.
- Reconciliation of models with evidence that 'leaseholders' don't steward the land as effectively as landowners.
- Federal government interest and support (perhaps related to money set aside for Agricultural Partnership Framework).
- Credit union and ethical investment community engaged.

4.1.3 Restoring right to conservation covenants

Land trust organizations often work with farmers who wish to register conservation covenants on their properties.

The newly enacted *Agricultural Land Commission Act* says 'a covenant that prohibits the use of agricultural land for farm purposes has no effect until approved by the Commission.' Many trust organizations have written to the ALC to object to this section on the grounds that it would further discourage efforts of farmers to register conservation covenants on properties within the ALR. Before the change, it was Land Title Office policy to ask the Surveyor General for advice. It was Surveyor General policy to consult with the ALC. To resolve disputes, the Surveyor General would seek a decision from two ministers. The view of the Agricultural Land Commission is that no covenants have ever been rejected by the Commission. Others objected to the change on the grounds it was inconsistent with a federal income tax program to encourage 'ecological gifting'.

Goals

- Help farmers 'reclaim' property rights from the Agricultural Land Commission.
- Eliminate a regulatory barrier farmers face when they want to secure sustainable farming practices on their property for future generations.

Results

By the time *Growing Green* ends in 2004 we want to see:

- Appropriate changes to the *Agricultural Land Commission Act* and federal *Income Tax Act*, for example:
 - Policy and regulatory amendments necessary to support farmers and conservancy organizations who wish to place ecological restrictions on their farming practices in the form of a conservation covenant (s. 22 of the *Agricultural Land Commission Act* to provide clear direction on how conservation covenants under s. 219 of the *Land Title Act* will be accepted by the Agricultural Land Commission)
 - Measurable criteria in clear regulatory language.
 - Model covenants
 - Consistent ALC treatment of conservation covenants, especially in relation to other restrictions and exclusions.
 - Ensuring covenants qualify for ecological gift program
- Engagement of a core group of BC's 10-15 conservation trust organizations and the Agricultural Land Commission (e.g. at Victoria Stewardship Conference).
- Small 'mentoring' workshops for lawyers who want to build capacity to write conservation covenants.

4.1.4 Access to supply management schemes for organic and other small-scale sustainable farms

Small-scale farmers (particularly organic farmers) argue that although many support the principle of supply management schemes, the administration of existing schemes fails to serve them. They argue their products are fundamentally different than those of conventional producers and should therefore not be regulated as if they are the same. Farmers who want to integrate their farms by producing multiple products want to reduce the multiple regulatory burden of reporting to several different marketing boards. Fees and levies associated with supply management schemes are too onerous for small farmers, and cost of quota is prohibitive for small farms and new entrants. The ability to buy and sell quota contributes to high cost of quota.

Supply management boards aren't designed to regulate hundreds of small farm quotas. The BC Chicken Marketing Board, for example, must administer federal health regulations, and doesn't have the capacity to inspect hundreds of small farms. Given public and government support for organic producers, they may be open to any scheme under which small farms would share quota *and* be accountable for health regulations.

Risk to provincial supply management schemes is low: If a farming organization (e.g. COABC) were to obtain quota to use collectively, and fail to meet quota, the cost to the Province's overall quota requirements would be insignificant.

Goals

- Obtain quota for sustainable farmers to use 'collectively' in order to increase affordable economic security.
- Promote ecological benefits associated with sustainable farming (ultimately integrated farms).

Results

By the time *Growing Green* ends in 2004 we want to see:

- Support from an organization like COABC for a pilot project with the chicken board (or other supply management board)
- Together with farming organization, design and implementation of a model (for both short term and long term):
 - Potential model Phase I: Small family farmers should be able to hold quota collectively. Collective can then distribute quota among its members (perhaps using 'permits'). Distributed quota would be held by the collective at all times, and would not run with the land. If land is transferred, new farmer would have option to apply for existing sub-quota allocation.
 - Potential model Phase II (to be mapped out and examined): Collective would obtain quota from more than one supply management board so that its members can integrate their farms without a crippling regulatory burden.
 - Directly address need for health and safety accountability.
- Other design issues addressed:
 - Minimum threshold for supply management schemes (i.e. schemes only apply to farms producing x amount of product)
 - Cost of acquiring new quota
 - Restrictions on type of product (e.g. alternatives to 'hubbard' chicken)

- Statutory recognition of organic farming
- Competing claims of 'organic' production
- Design and delivery of a forceful argument that all supply-managed schemes should be amended so boards are controlled by lay members, but have the benefit of representation from producers and processors in order to make fair and informed decisions.

4.1.5 Registering short-term leases against title

Growing Green has heard from farmers that although the Agricultural Land Commission states that a farmer can register a short-term lease on part of a property in ALR land, this practice is in fact denied because of court decisions. The result is that a person wishing to secure his or her investment in fencing and irrigation on leased land is unable to do so by registering the lease against the owner's title.

Goal

- Strengthen a farmer's ability to secure long-term investments in sustainable farming on leased ALR land.

Results

By the time *Growing Green* ends in 2004 we want to see:

- If appropriate, amendments to ALR legislation to allow a farmer to register a short-term lease against title in the ALR.

4.2 Making ecological practices pay

The food system produces far more than just the calories we eat. Farmers traditionally plant a diversity of crops. This not only ensures that food supplies will be protected during weather fluctuations but also protects the earth's genetic heritage. The food economy provides incomes that support rural cultures. Carefully managed, farmland protects the soil, provides a buffer against droughts and floods, and can provide habitat for a range of species.

In many situations, farmers are penalized for protecting the environment, since "sustainable practices" increase costs and make farms uncompetitive. This has led to a food system that causes significant environmental problems.

If farmers provide ecological services for the benefit of all citizens, it begs the question: how do citizens acknowledge and support their efforts?

Investigating rules and structures ('governance') as they relate to supporting farmers for the ecological services they provide is a vast and complex task. *Growing Green* believes it is a subject best approached by looking at one particular set of ecological services: the habitat, drinking water, pest control, sediment control, and flood management offered by healthy freshwater streams on farmland.

Growing Green has chosen as a case study for this investigation a project in Saanich, BC (Victoria) where a farmer enhanced the ecological function of a stream on his property and received both economic and environmental benefits in return. Using a ecological process developed in both the US and in BC called 'properly functioning condition' (PFC), the Galey Brothers farm turned a ditch

into a fully functioning stream and received the Federation of Canadian Municipalities Sustainability Award for 2002.

The Galey Brothers farm, however, had the luxury of experimenting with PFC because of economic circumstances that are not typical of other Island farmers. Finding ways to give other farmers this economic luxury is therefore an economic barrier to promoting widespread use of the practice. Compensating farmers for the ecological benefits they produce is one way to remove the barrier—and again the Galey Brothers PFC project may offer some helpful insights.

Goals

To reduce conflict between the farmers and the ecological services that farms produce we need to create ways of reducing the costs of wildlife and reward farmers for promoting habitat. Based on consultations with a wide range of stakeholders (farm groups, environmental advocates, legal experts, agrologists, ecologists), two different types of policy need to be established:

- **A mechanism to identify farms that provide wildlife habitat.** The first step is to recognize which farms provide wildlife habitat. There needs to be an agreed-upon method for evaluating the wildlife potential on different farms and for different types of farm management. The USDA's *Proper Ecosystem Functioning Condition*⁷ provides one model that has been successfully applied in a number of cases on Vancouver Island. The LEED⁸ programme of certifying green buildings in the US could be applied to farms in British Columbia. Current organic standards could also be extended to encompass farms that promote ecological functions like wildlife habitat. Whatever specific mechanism, it is necessary to provide a way of recognizing farms that help provide wildlife habitat.
- **A mechanism for rewarding farmers who provide habitat.** The next step is to implement financial incentives for farmers who promote wildlife habitat. There is a huge array of possible incentives: (1) tax breaks for farmers who promote habitat on their farms; (2) government sponsored marketing for farmers who promote habitat and are certified through a mechanism identified in proposal #1, (3) compensation for wildlife damage.

Preliminary recommendations

We propose to use an already-established methodology (like PFC) and an already existing certification body (like COABC9) to create a LEED-like certification body for farms in BC. This body would be useful for farmers who are direct marketing, and provide the basis of awarding specific financial incentives (for example, tax breaks for providing habitat or compensation for wildlife damage).

⁷ "PFC is a methodology for assessing the physical functioning of riparian and wetland areas. The term PFC is used to describe both the assessment process, and a defined, on-the-ground condition of a riparian-wetland area. In either case, PFC defines a minimum or starting point. The PFC assessment provides a consistent approach for assessing the physical functioning of riparian-wetland areas through consideration of hydrology, vegetation, and soil/landform attributes. The PFC assessment synthesizes information that is foundational to determining the overall health of a riparian-wetland area. The on-the-ground condition termed PFC refers to how well the physical processes are functioning. PFC is a state of resiliency that will allow a riparian-wetland system to hold together during a 25 to 30 year flow event, sustaining that system's ability to produce values related to both physical and biological attributes."
<<http://www.mtnvisions.com/Aurora/pfc.html>>

⁸ The LEED (Leadership in Energy and Environmental Design) Green Building Rating System™ is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings. Members of the U.S. Green Building Council representing all segments of the building industry developed LEED and continue to contribute to its evolution.
<http://www.usgbc.org/LEED/LEED_main.asp>

⁹ <http://www.certifiedorganic.bc.ca/Listserve/Listserve_info.html>