



**AGRICULTURAL LANDS PRESERVATION COMMISSION**  
**MINUTES OF THE JULY 23, 2015 MEETING**

**DRAFT**

**COMMISSION MEMBERS PRESENT:** Kevin Nelson, Martha Neale, Fay Strongin, Everett Stuart, Dave Wallace, Ken Ayars

**COMMISSION MEMBERS ABSENT:** George Mason, Will Wright

**STAFF:** Michelle Sheehan – DEM, Lauren Farley – DEM, Mike Kenyon – USDA / NRCS

**GUESTS:** John Berg – The Nature Conservancy

The meeting was called to order at 4:04 pm at USDA, 60 Quaker Lane, Warwick, RI by K. Nelson, Vice Chair.

**On a motion by F. Strongin and a second by E. Stuart, the Commission voted unanimously to accept the minutes of the May 28, 2015 meeting.**

**ALPC Budget**

M. Sheehan gave an update on the ALPC budget. The current balance is \$5,127,500 and includes: Fiscal Year 2015 bond apportionment (\$1.5 million), current project and overhead commitments (\$1,085,000) and \$3 million apportionment due July 1, 2015. Current project commitments are \$150,000 to Rippin in N. Kingstown, \$550,000 to Bailey, \$185,000 to Regnier/Fletcher Road, and \$200,000 to Whaley Farm in South Kingstown. Current overhead commitments (appraisals and survey) total \$85,000.

**South Kingstown Land Trust/Weeden Farm (Matunuck Schoolhouse Road, South Kingstown): request to swap land under ALPC Development Rights for abutting land owned by the Union Fire District. Update from Attorney General's Office.**

M. Sheehan provided an update the SKLT's request for a land swap. DEM Executive Counsel Mary Kay consulted with the Attorney General's Office. Greg Shultz advised that guidance to ALPC regarding amendment requests is being developed and is forthcoming. This guidance is based on recently passed legislation stating, "A conservation or preservation restriction may not be terminated or amended in such a manner as to materially detract from the conservation or preservation values intended for protection..." (R.I.G.L. § 34-39-5). The decision on the Weedon Farm land swap is currently on hold pending development of guidelines by AG. K. Nelson suggested that the ALPC, as the expert body with agricultural easements, make a determination regarding whether a requested amendment will "materially detract" or not. Findings of fact and determination will be presented to AG.

**Status update of farms in negotiation:**

**Cesario: 111 Pond House Road, North Smithfield** – Appraisal received May 28, 2015 for \$130K. Appraisal has been presented to landowner. DEM waiting on response.

**Dimeo: 396 Greenville Avenue, Johnston** – Appraisal currently being conducted

**Adams: Hog Hill Road, Exeter** – Appraisal currently being conducted

**Ferguson (Broadwall): 811 Sisson Road, Coventry** – Appraised value of entire property is 1.21 M. Some forested acres are not eligible for NRCS-ACEP. Value of ACEP eligible land is 610K. Forest land may be donated. Negotiations will be conducted with landowner.

**Whaley: 2 Gerry Brown Farm Road, South Kingstown** – ALPC committed 200K to S. Kingstown led project in 2013. Project was on hold and is now being reappraised by SKLT. 2013 appraisal was \$780K.

#### **Scoring new applications:**

**Wingover – Crandall Road, Tiverton** The farm was scored by the commission and achieved an average score of 38.

**Confreda – 150 Wyoming Ave, Warwick** The farm was scored by the commission and achieved an average score of 38.

**Hibbid – 273 Puncatest Neck Road, Tiverton** The farm was re-scored by the commission using the current ranking criteria and achieved an average score of 49.5

**As the minimum score for acceptance into the program is 35, M. Neale made a motion seconded by F. Strongin to accept the Wingover Farm, Confreda Farm and Hibbid Farm into the program. The motion passed unanimously.**

At the May 28, 2015 meeting, Adams Farm, Exeter was scored by the commission and achieved an average score of 41.4. Gordon Farm, S. Kingstown was scored by the commission and achieved an average score of 44.8. **As the minimum score for acceptance into the program is 35, E. Stuart made a motion seconded by M. Neale to accept the Adams Farm and Gordon Farm into the program. The motion passed unanimously.**

#### **Request from SKLT to contribute \$200,000 for Gordon Farm, South Kingstown**

M. Sheehan presented SKLT's request. The Farm was appraised at \$280K. SKLT has requested \$50K from DEM Open Space Bond Funds and \$200K from ALPC. D. **Wallace made a motion seconded by K. Ayers to offer a contribution of \$70K. K. Nelson added the contingency that other options are conveyed to landowner including a fee acquisition using U.S. Fish & Wildlife Service Funding. The motion passed unanimously**

#### **Review draft Annual Report**

R.I.G.L § 42-82-5(6) Requires the Commission approve and submit within ninety (90) days after the end of each fiscal year, an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. M. Sheehan presented draft report to the Commission for review.

**M. Neale made a motion seconded by F. Strongin to accept the report. The motion passed unanimously.**

**ALPC Negotiation team – request to authorize DEM staff to conduct negotiations**

Rule 10.2 of the ALPC Rules requires the appointment of a negotiating team. **M. Neale made a motion seconded by F. Strongin to authorize DEM staff to conduct negotiations. The motion passed unanimously.**

**NRCS Agricultural Conservation Easement Program: update on current round of funding**

M. Kenyon informed Commission 5 parcels were submitted to ACEP-ALE program. RI was not allocated enough funding for all the parcels. A request was submitted to NRCS national office for additional funding. They anticipate a decision in early August.

There being no further business, on a motion by D. Wallace and a second by K. Ayars, the Commission voted unanimously to adjourn the meeting at 5:45 pm.

Respectfully submitted,

Lauren Farley, Division of Planning and Development, RIDEM