

FOCUS:

“YUPPIE FARMS” AND CONSERVATION EASEMENTS IN SAN JUAN COUNTY, WASHINGTON

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“What kind of farm is ‘Eastlight Farm?’ A yuppie farm?” One conservation easement property owner told me his friends still jokingly ask him this question, even 10 years after the former Seattle consultant purchased and named his property on Orcas Island, WA. While the farm originally founded on the site in 1896 hasn’t been fully functioning in quite some time, the property’s conservation easement sets guidelines to help maintain its open field and remaining orchard trees. Though the owner recognizes the irony of his productionless ‘farm,’ he also asserts the land is a “Heritage Farm”—one that’s not operating, but is on the sight of a historical farm and still has environmental and archaeological remnants of that era.

I spent the summers of 2003 and 2004 on Orcas Island and returned for a full year in 2005-2006 to conduct my dissertation research there.

Orcas is part of the San Juan Islands, an archipelago located midway between Vancouver Island and the coast of Washington State. Though Orcas historically produced fruits and livestock, the island’s agricultural production has dropped greatly over the last century as a result of competition from mainland producers, rising land prices, and a combination of other factors.

In spite of the decline of agriculture, San Juan County’s Comprehensive Plan, residents, and visitors all refer to the island’s “rural character” as a defining feature of the islands that needs to be preserved. I became interested in the meaning of “rural” in a place where an agrarian economy has been largely replaced by tourism and the development of multi-million dollar homes. Does preserving “rural character” mean that the island would look nice, but there wouldn’t be any actual farming on it? Specifically, what role do

the island’s approximately 80 conservation easements play in maintaining “rural character,” and what other elements of the rural were not being addressed?

Conservation Easements

In recent years, conservation easements have emerged as the most widely used private conservation tool in the U.S. Although human intervention is usually thought of as a source of environmental change, in

many conservation easements people instead work to prevent future modification. Conservation easements consist of “permanently enforceable rights held by a land trust or government agency by which a landowner promises to use property only in ways permitted by the easement.” (1) A common explanation employs the “bundle of rights” metaphor: if we consider property to be a bundle of rights to land-

ownership—like a bundle of sticks—a conservation easement removes some of the sticks from that bundle. When a landowner donates a conservation easement to a land trust, that owner is voluntarily giving up some of the rights to his or her property. An owner may give up the right to further development or mining, for example, while still retaining legal ownership of the land. The IRS grants a tax deduction to owners who donate such rights in perpetuity and can demonstrate a public benefit. When a land trust pays for some of these rights on private lands, a CE can be called a Purchase of Development Rights, or PDR.

The most prominent feature in most CE deeds on Orcas Island is the limitation of built structures. CEs do not prevent all future development, but rather permit the landowner to donate or sell some of his or her building rights. For example, a 40 acre property zoned



R5 (that is, one structure allowed per 5 acre area) has the right to build 8 houses. When donating a CE, that owner can give up the right to 2 of those homes, for example, allowing 6 to still be built in the future. I spoke with one landowner of a “forever wild” easement who explained that the restrictions in his CE had nothing to do with identifying and preserving some “pristine” ecosystem, and much more to do with restricting development and placement of structures. In addition to specifying buildings’ locations and visibility, other restrictions are asserted through phrasing such as, “no fence or other barrier that will obstruct views across the agricultural fields of the Property from [the road] shall be placed or planted on the Property.” The preservation of open space is a key condition in most CEs on Orcas, but the protection of public views is especially valuable to residents as well as the IRS, who take into account such considerations when determining the public benefit of the CE.

On many historical farmlands protected under conservation easement on Orcas, owners are required to mow their property every two years to protect roadside views and soil quality. These “faux-agro” landscapes—as one resident calls them—share certain visual elements like open fields and old-looking homes or barns, yet are owned not by young farming families as the Jeffersonian ideal would dictate, but by retired couples who long for the peaceful ambiance of a home in the country. Many people see an open field and find it beautiful in part because it suggests a simpler, bucolic time. This is not to say all residents strive to work their land and live the noble life of the 19th Century farmer. To the contrary, a number of islanders—particularly those who own large tracts of land with no intention of producing on them—enjoy the look that, while rooted in myths of the past, has



since taken on its own meaning. That new meaning is one that values the rural as a place in which to experience the ideals of the agricultural past without the work, ultimately transforming what used to be a landscape of labor into a landscape of leisure.

Defining ‘Rural Character’

The transformation from working landscapes to landscapes of leisure is largely a product of a new economic order on Orcas. The service sector is now the number one industry in the San Juans, catering to an increasingly wealthy and elderly population. As one Orcas resident claimed, “agriculture isn’t as important to rural character anymore because people can afford to maintain the open spaces without the farming labor.” The rural landscape is critically important as the symbol of these agrarian values, though these landscapes are now maintained in very different ways including mowing.

What is the value of agriculture in this new rural setting? At one end of the spectrum, a minority of residents I interviewed cherish the persistence of the rural look with negligible concern for preserving agriculture or its history. One retiree told me it’s important to him to see green grass, and not that crops are being grown. Such individuals with no sentimental or commercial interest in agrarianism want open space only as a means of creating broader views into the distance. Another resident told me, “People need open space for relief, to see, feel, touch it.” Open space itself is assigned inherent value, and agriculture is just one means of achieving that aesthetic.

While several individuals, particularly those who frequent the supermarket rather than the local Farmers Market, are frank about their sole interest in the visual elements of the rural, others continue to value the

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pastoral look while remaining hopeful that such efforts are also preserving the potential for future agricultural production. Many residents laud the “faux agro” or “yuppie farm” as a way of maintaining rural character and preserving agricultural lands for a time in the future when agriculture might again become economically feasible. Lands that are mowed yearly to keep out encroaching brush are at least preserving the soil quality and leaving the land clear for agriculture. One resident told me, “mow farms provide the same effect as real farms,” in terms of maintaining the rural feel and preventing other types of development (i.e., housing). This notion that mow farms may not be ideal, but are at least better than more houses is popular on Orcas, as new developments raise both the population as well as property values.

To many Orcas farmers, the notion that mow farms are functionally equivalent to productive farms is absurd. As one longtime farmer asked, “Are we doing agricultural production here or are we just becoming a mowing society for tourists?” The rural look, valued by many for its beauty and associations with America’s yeoman myth, is not necessarily the same visually as a productive farm. Another Orcas farmer explained to me that farmers do indeed have a different aesthetic of the ‘rural’ than non-farmers: “A farmer sees the beauty in productivity. It takes a certain eye to see beauty in efficiency and not just an open field that isn’t being worked. A working landscape can look a lot different than an open field that’s being mowed, and people need to learn to recognize that aesthetic.” This distinction is particularly important should a conflict arise between the productivity of farming and its rural appearance. As one farmer asked, “farming isn’t necessarily neat and tidy—it might look messy. Will people still want it then?”



If rural character is not necessarily dependent upon an agricultural economy, how does one foster it in places where agriculture is not a major economic contributor? What does rural character mean, and what does it look and feel like? On Orcas, the new rural character has many associations. While some residents reply that agriculture is central to maintaining “rural character” in the County, others respond that, economically, agriculture simply will not be able to continue—though rural character can survive without it. Instead, to a number of islanders, rural character is associated with “not seeing any cars on the drive to town,” “privacy,” “roadside views,” “open spaces,” and “the opposite of Disney World,” and is described with adjectives like “pleasant,” “homogenous,” “peaceful,” and “quiet.”

Yet, others acknowledged that while rural character has a visual element, it’s also about community and livelihood—characteristics that conservation easements cannot address. One resident described rural character as “easy access to Moran State Park, seeing the ocean and beach,” but followed with a description of what she called the “people piece.” Knowing people around town and having lives intersect in multiple ways is characteristic of the rural lifestyle she hopes to help preserve on Orcas—for example, while two residents may disagree politically, they may also be allied in raising funds for the local Fire Department. There is clearly a strong visual element of rural character that various methods, including conservation easements, help to preserve. But how is the “people piece” being addressed?

Pastoral landscapes are appealing because they represent simplicity and a nature in which humans make sense, even after the agriculture is gone. Yet, rural character depends upon more than open fields and

an agricultural past. Many residents are involved in efforts to integrate the need for affordable housing and a diversity of economic opportunities that includes sustainable agriculture into the definition of “rural character.” It’s one thing to have land that looks like a farm; but creating a social and economic environment in which a farmer can afford to live and work the land is another, admittedly more complex, challenge. While “yuppie farms” are helping to preserve a look and a history, a more comprehensive approach to rural character is needed to maintain both a healthy landscape and vibrant community.

(1) Pidot, Jeff (2005). *Reinventing Conservation Easements: A Critical Examination and Ideas for Reform*. Cambridge: Lincoln Institute of Land Policy.