

Ferry County Fact Sheet

Agriculture of Long-Term Significance

The State of Washington found that Ferry County (County) was out of compliance in regards to the designation of Agriculture Lands of Long-Term Significance (AGofLTS). In 2021, after years of litigation, the issue was turned over to the Growth Management Hearings Board (GMHB)¹. “The GMHB hears and decides claims that a city, county, or state agency has not complied with the goals and requirements of the Growth Management Act, some provisions of the Shoreline Management Act, and the State Environmental Policy Act. These disputes arise from challenges to official actions taken by a city, county, or state agency adopting or amending comprehensive plans or development regulations.”

The County reviewed the relevant Revised Code of Washington (RCWs) and Washington Administrative Code (WACs), then compared the requirements to what was previously designated and determined that the designations that were made did not meet WA state requirements. In the spring of 2023 the County advertised their draft revision of Section 9, Agriculture Lands of Long-Term Significance, of the Development Regulations. The updated Development Regulations Ordinance was approved and signed by the Ferry County Board of Commissioners on September 18, 2023 and the GMHB issued their *Order On Compliance*² in December of 2023.

The following data covers the process used by Planning Commission and Planning Department to designate parcels as agriculture lands of long-term significance.

The County only considered land that is taxable land³ within the geographic border of Ferry County. Based on WAC 365-190-050, the following provides the information used by the County in its county wide analysis to designate agricultural resource lands.

Urban Growth Areas (UGA)

WAC 365-190-050(3)(a) states that lands should be considered for agricultural resource designation if “the land is not already characterized by urban growth.” The County has only one UGA, the town of Republic⁴, which was categorically excluded. Ferry County has other “community centers” like Curlew, Danville, Inchelium, Keller & Orient. Those developed areas were excluded based on parcel size.

Land Capability & Use

WAC 365-190-050(3)(b) states that lands should be considered for agricultural resource designation if “the land is used or capable of being used for agricultural production” and “evaluates whether lands are well suited to agricultural use based primarily on their physical and geographic characteristics.” The land that is capable of being used for agricultural production is primarily limited by the soil classification and the County has limited areas of soils that are generally suitable for cultivation.

¹ <https://elaho.wa.gov/boards/growth-management-hearings-board>

² GMHB Case No. 17-1-0003, Order On Compliance, Dated 28 Dec 2023

³ Excludes State, Federal and Trust lands. Data provided by Ferry County Assessors ArcMap Database.

⁴ Ferry County Comprehensive Plan, Section 3.1.6, Para 1

Determining Factors

WAC 365-190-050(3)(c) lists the criteria that the county should follow when considering land to designate as long-term commercial significance for agriculture. The County took the following into consideration:

- Predominant parcel size: The County based their designations on parcels⁵ larger than 20 acres.
- The classification of prime and unique farmland soils as mapped by the Natural Resources Conservation Service⁶: The County based their designations on parcels that had 60% or more coverage of the soil capability classes 1 thru 4⁷
- Tax status: The County included parcels that were enrolled under the current use tax assessment, as of 1 May 2023, and are larger than 20 acres⁸.
- Due to the fact that the County is extremely rural in nature, the remaining criteria was not considered to have an effect in its classification of agriculture resource lands.
 - o The availability of public facilities, including roads used in transporting agricultural products
 - o The availability of public services
 - o Relationship or proximity to urban growth areas
 - o Land use settlement patterns and their compatibility with agricultural practices
 - o Intensity of nearby land uses
 - o History of land development permits issued nearby
 - o Land values under alternative uses
 - o Proximity to markets

The County also used elevation as determining factor in its selection process and did not include land that was at 4000 feet⁹ or above.

Additional Considerations

WAC 365-190-050(6) states that “counties and cities may further classify additional agricultural lands of local importance.” The County has included all lands that have been voluntarily placed into the Conservation Easement program¹⁰.

Final Designation Numbers

Using the above criteria, the County has designated the following as AGofLTS:

AGofLTS criteria – 469 Parcels for 32,112.9 acres

AG Tax Designation (as of 1 May 2023) – 548 parcels for 57,139.66 acres

Conservation Easements – 12 parcels for 370.96 acres that were not already designated

Development of a parcel designated as AGofLTS is possible. That information can be found in the [Ferry County Zoning & Lot Size FAQs](#) or contact the Ferry County Planning Department for details.

⁵ Data provided by the Ferry County Assessors ArcMap Database.

⁶ USDA Soil Survey ESRI Shapefile Data for WA619 (North Ferry County) & WA648 (Colville Indian Reservation)

⁷ USDA Land Capability Classification, Agriculture Handbook No. 210, dated Sept 1961

⁸ Parcels designated with DOR Code 83 provided by the Ferry County Assessor (Assessor-farm and ag acres.xlsx)

⁹ USDA/NRCS - National Geospatial Center of Excellence, National Elevation Data 10 meter or better

¹⁰ Parcel data provided by Okanogan Land Trust