

Farmers faced with development giving up land protection

CLOVIS, Calif. (AP) — The march of subdivisions across the state is trampling farmland and leading some farmers to sell out, testing the effectiveness of California's main cropland protection program.

For 40 years, the Williamson Act allowed farmers to cut their property taxes by up to 75 percent if they promised to keep their plots in agriculture for the next 10 years. Of California's 28.1 million acres of prime farmland, 16.6 million enjoy the protection.

But as suburbs mushroom right next to orange groves and almond orchards, particularly in fast-developing areas like the agricultural Central Valley, growers are finding it difficult to practice their dusty, noisy business — especially in the face of skyrocketing land values.

The act still works to slow down development by requiring a 10-year wait between the moment the withdrawal is requested and the time the land is available for building, experts said.

Farmers owning about 31,104 acres of protected land began the

process of opting out of the agreement in 2003 — two-thirds of that in the San Joaquin Valley, which grows much of the fresh fruit and vegetables in the typical American salad bowl.

It is possible to request an immediate cancellation of the contract, but those are rarely granted and come with an expensive penalty: 12.5 percent of the land's highest value.

The booming value of land near the valley's burgeoning cities can help growers make the hard decision to allow their land to sprout a

bumper crop of suburban homes.

An acre of land near Clovis can fetch about \$15,000 under the act, but if the same land were available for building, it could sell for up to \$300,000, said farm real estate agent Dale Samuelian.

"There's big money in the game," he said.

In spite of the pressure, the program is not in danger of disappearing, state officials said.

In 2000, four counties adopted the act, followed by a fifth in 2001, leading to a wave of new sign-ups that has kept program participation

steady, according to the California Department of Conservation.

Only five counties, including Los Angeles and San Francisco, are now without the act.

Sayre Miller, whose family has been growing oranges, almonds and other crops in Clovis for five generations, told a typical tale.

Miller's father put their 1,000 acres under the Williamson Act's protection when it was created in 1965. Like many farmers, she credited the act with helping them stay in the boom-or-bust business.

But the area is growing by 7 per-

cent a year, and the population is expected to double over the next two decades. The family has decided to pull 500 acres out of the act, Miller said.

"I suppose Clovis is going to be paved over one day. People need a place to live," Miller said. "But it's a loss, and it's a personal loss to us."

On the Net:
California Department of Conservation, Williamson Act page: <http://www.consrv.ca.gov/DLRP/lca>

Ruling may ease assisted suicide

PORTLAND, Ore. (AP) — After more than a decade of legal battles over assisted suicide, a Supreme Court ruling affirming that states have the authority to regulate medical treatment of the terminally ill may help turn an Oregon law into a national model.

The 6-3 ruling Tuesday was considered a rebuke to the Bush administration and former Attorney General John Ashcroft. The court said they improperly threatened to use a federal drug law against Oregon doctors who prescribe lethal doses of medicine to dying patients who request it.

"The favorable ruling by the Supreme Court now permits other states to move forward in replicating Oregon's landmark law," said Peg Sandeen, executive director of the Death with Dignity National Center.

At least six other states have proposed, or are considering, some form of an assisted suicide law, with bills currently in the legislatures of California and Vermont.

The Oregon law was passed by initiative in 1994 and affirmed by an even larger majority of voters in 1997, within weeks of another Supreme Court ruling in a Washington state case that also backed states as the final authority for regulating medical practice.

A total of 208 people — mostly cancer patients — have taken the lethal prescription from 1998 through 2004, according to figures collected by Oregon health officials tracking how often the law is used.

"There's a lot of people out there who would love to have that law," said Charlene Andrews, a 68-year-old retired teacher who lives in Salem and is suffering from terminal breast cancer. She has not asked her doctor to prescribe a fatal dose of medication, but said she was glad the court upheld the law.

The issue remains thorny among physicians, who offer differing opinions. Dr. Kenneth Stevens of the Foundation Physicians for Compassionate Care, which has opposed the law, said he worries the terminally ill may feel pressure to end their lives. He noted the American Medical Association also is against it.

"I've been a cancer doctor for over 30 years, and I think the proper role for a doctor is to take care of the patient," Stevens said. "Assisted suicide should not be in the realm of medicine."

Another cancer specialist disagreed.

"I think Oregon physicians have, by and large, been comfortable with how it serves their patients," said Dr. Peter Rasmussen, a private practice oncologist in Salem and a plaintiff in the lawsuit against Ashcroft. "I think the biggest impact is going to be outside of Oregon."

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