

# Draft for Review: Report and Recommendations of the California Agricultural Land Equity Task Force

Compiled by the California Strategic Growth Council  
4-4-2025

## Summary

This **DRAFT** report summarizes the deliberations and recommendations of the California Agricultural Land Equity Task Force (Task Force). Established in the California Budget Act of 2022 (AB-179), the Task Force is charged with developing recommendations to equitably increase access to agricultural land for food production and traditional tribal agricultural uses. The Task Force consists of a regionally diverse group of 13 members, including Tribal leaders and representatives, a land trust representative, individuals with expertise in issues affecting socially disadvantaged farmers or ranchers, an individual with expertise in agricultural land acquisition and finance, a State Board of Food and Agriculture member, a farmworker representative, a beginning farmer, the California Department of Food and Agriculture (CDFA) Farm Equity Advisor, and three individuals from the CDFA BIPOC Farmer Advisory Committee.

The views and recommendations expressed herein are those of the California Agricultural Land Equity Task Force and do not reflect an endorsement by the State of California.

This document is a preliminary summary of conversations to date and is subject to change.

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## Executive Summary

Stable and secure access to land is vital in achieving a robust food system, healthy natural and working lands, and long-term prosperity for California’s producers and land stewards. California’s past and present are characterized by inequitable access to land.

Historically underserved and socially disadvantaged farmers, ranchers, and Tribal land stewards have experienced systemic exclusion from land ownership and secure tenure in California. These exclusions have far-reaching consequences for individuals’ and communities’ wellbeing and the resiliency of the state’s agroecology and economy.

[ADD: Key narrative of problem and why agricultural land equity is the solution]

The California Agricultural Land Equity Task Force was established in the California Budget Act of 2022 (AB-179) to develop recommendations for the governor and legislature about how to equitably increase access to land for food production and traditional tribal agricultural uses. This report is a culmination of two years of meetings, site visits, guest speakers, presentations, and community engagement sessions across California.

### Priority Recommendations

1. TBD

# Overview of the California Agricultural Land Equity Task Force

Established in the California Budget Act of 2022 (AB-179), the California Agricultural Land Equity Task Force is a 13-member, public body administered by the California Strategic Growth Council (SGC).

The Task Force members worked together between October 2023 and December 2025 to develop the recommendations included in this report on how to equitably increase access to land for agricultural and traditional Tribal uses. Their obligation per statute was to “submit a report to the Legislature and Governor... that includes a set of policy recommendations on how to address the agricultural land equity crisis” by Jan. 1, 2026.

## Membership

Members were appointed by the California Strategic Growth Council, in consultation with the CDFA Farm Equity Advisor and the California Truth and Healing Council. The following individuals were appointed to the Task Force according to the membership categories specified in statute. The chair and vice chair are listed first followed by the other members in alphabetical order by first name.

- Nelson Hawkins, Task Force Chair and Founder, We Grow Urban Farm
- Emily Burgueno, Task Force Vice Chair and Head Seed Keeper, Iipay Nation of Santa Ysabel
- Darlene Franco, Chief Executive Officer and Wukchumni Council Chairwoman, Wukchumni Tribe
- Doria Robinson, Agricultural Industry Member, California State Board of Food and Agriculture and Executive Director, Urban Tilth
- Dorian Payán, Director of Holistic Land Relations, Sustainable Economies Law Center
- Irene de Barraicua, Director of Policy & Communications, Líderes Campesinas
- James Nakahara, Farm Business Advisor, Kitchen Table Advisors
- Lawrence Harlan, Treasurer, Fort Bidwell Indian Community Council
- Liya Schwartzman, Senior Program Manager, California FarmLink
- Nathaniel Brown, Owner/operator, Brown Sugar Farm
- Qi Zhou, Justice, Equity, Diversity, and Inclusion Program Manager, California Association of Resource Conservation Districts
- Ruth Dahlquist-Willard, Interim Director, University of California Sustainable Agriculture Resource and Education Program (UC SAREP)
- Thea Rittenhouse, Farm Equity Advisor, California Department of Food and Agriculture

## Recommendations Development Process

The members of the Agricultural Land Equity Task Force produced their recommendations through a collaborative process between October 2023 and December 2025 that included public meetings, discussion with a wide range of individuals with diverse knowledge and experiences, and diverse forms of community engagement, as summarized in Table 1.

**Table 1: Overview of work conducted**

Activity	Format	Number
Task Force meetings	Public, Hybrid	13
Subcommittee meetings	Public, Virtual	XX
Regions visited		XX
Invited speakers		XX
Site visits		XX
Engagement sessions		XX
Survey responses		XX

### Public meetings

The Task Force achieved the bulk of their work together in hybrid public meetings hosted in different regions across the state and virtual subcommittee meetings to explore specific topics. These meetings took the Task Force to seven different regions in California and included a total of \_\_ invited speakers to share their expertise and lived experiences.

### Community engagement

The Task Force prioritized community engagement throughout their process to ensure their final recommendations were responsive to the challenges and priorities of the communities they seek to serve. A comprehensive overview of all outreach activities conducted can be found in the appendix [forthcoming].

Core components of the Task Force's outreach efforts included site visits with farmers, ranchers, and Tribal land stewards, a digital survey in English, Spanish, and Chinese, and a series of in person and virtual engagement sessions. Staff and Task Force members synthesized the learnings from these outreach efforts in writing, discussed key takeaways during meetings, and incorporated the details and case studies into their recommendations.

### Advisory groups

The report development process also included review by an Advisory Committee and an Interagency Review Panel to ensure that the proposed recommendations would be efficacious and impactful. The Task Force members solicited and incorporated input from the Advisory Committee on specific topics and concepts when they desired specific input on the implementation or technical details of their recommendations. The Interagency Review Panel consisted of representatives from seven cabinet-level agencies who reviewed the draft recommendations for overlap with their agencies' existing goals, programs, and

operations. Task Force members made the final decisions about whether and how to implement the feedback that they received.

## Guiding concepts

The following are key concepts that were developed through the processes described above and are foundational to this report.

**Agricultural land equity:** The process of eliminating disparities in secure and affordable access to viable land for the cultivation of food, fiber, medicine, and culturally valuable resources.

**Agricultural land:** Lands that are stewarded to produce resources valuable to the communities engaged in the practices and knowledge of cultivation.

**Agriculture:** The knowledge and practice of cultivating plants, animals, and ecosystems for food, fiber, medicine, or other resources, including gardening, horticulture, viticulture, dairying, poultry, bee raising, ranching, and Traditional Ecological Knowledge and practices.

**California Tribal Nations:** Federally recognized and non-federally recognized California Native American Tribes.

**Land access:** How people, organizations, and governments gain the physical and legal ability to be in relationship with the land and may encompass a combination of allowable activities, such as the use of land for food and fiber production, the power to make decisions about allowable uses, the ability to benefit financially, and the right to sell or transfer the land to another person or entity.

**Land tenure:** The broad range of relationships that individuals and groups hold with respect to land and related resources, including but not limited to ownership, leasing, and cooperative management. Land tenure is shaped by economic structures as well as the rules and forms of governance that determine what is allowable and possible on the land, who makes decisions and how they are made, and which goals and outcomes are prioritized with those decisions.

**Priority producers and land stewards:** Socially disadvantaged and historically underserved farmers, ranchers, and Tribal land stewards, as defined in the 2017 Farmer Equity Act (AB 1348) and by the U.S. Department of Agriculture.

## What is agricultural land equity?

**Agricultural land equity is the process of eliminating disparities in secure and affordable access to viable land for the cultivation of food, fiber, medicine, and culturally valuable resources.** It is the intentional and continual practice of changing policies, practices, systems, and structures toward meaningful improvement in the lives of

land stewards who have been historically and systematically excluded from secure land tenure.<sup>1</sup>

Furthering agricultural land equity requires a nuanced understanding of how forms of inequity overlap and implementing a diverse set of solutions anchored in specific socioeconomic, geographic, and historical contexts.

**Rather than a singular checklist of required components, agricultural land equity is a process that must be designed in consultation with individuals and communities.**

The goal of land equity is agricultural land justice: a vision and transformation of society to eliminate intersectional hierarchies and advance collective wellbeing, where all producers and land stewards have the dignity, resources, power, and self-determination to fully thrive.

## Why is agricultural land equity necessary?

Agricultural land equity is a response to more than over two centuries of land theft, violence, and discrimination. Advancing agricultural land equity means charting a path forward by recognizing and addressing past harms, closing the resulting disparities that persist today, and supporting diverse producers and land stewards in overcoming barriers to secure land access and tenure.

## Historical context and contemporary barriers

California's history, like that of the U.S., has been characterized by historical injustices that underlie current disparities. The State of California was founded on the violent removal of California Tribal Nations from their lands, setting the stage for discriminatory laws and practices that persist today.<sup>2</sup> Black and other communities of color in California have faced centuries of land theft and discriminatory practices by both state and federal agencies.<sup>3</sup>

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<sup>1</sup> This and the definition of agricultural land justice are modeled on definitions of racial equity and justice by Race Forward: [Advancing racial justice in our policies, institutions and culture. | Race Forward.](#)

<sup>2</sup> [Executive Order N-15-9](#)

<sup>3</sup> A series of State-backed Federal policies, from the Chinese Exclusion Act of 1882 to the Alien Land Laws of 1913 and 1920, barred Asian immigrants from buying and leasing farmland (Minkoff-Zern, L-A, Peluso, N, Sowerwine, J, Getz, C. 2011. Race and regulation: Asian immigrants in California agriculture, in Alkon, AH, Agyeman, J eds., Cultivating food justice: Race, class, and sustainability. Boston, MA: The MIT Press. DOI: <http://dx.doi.org/10.7551/mitpress/8922.001.0001>). In 1942, Executive Order 9066 led to the forced removal and incarceration of more than 122,000 Japanese Americans on the West Coast (Incarceration of Japanese Americans – Rosie the Riveter WWII Home Front National Historical Park, U.S. National Park Service, <https://www.nps.gov/rori/learn/historyculture/incarceration-of-japanese-americans.htm>). In the same year, to address a national agricultural shortage in labor, the Bracero Program was established to bring Mexican farmworkers to the U.S., which set the stage for the State's current reliance on the labor of migrants from Mexico and Central America (Mitchell, D. 2010. Battle/fields: Braceros, agribusiness, and the violent reproduction of the California agricultural landscape during World War II. Journal of Historical Geography 36(2): 143–156. DOI: <http://dx.doi.org/10.1016/j.jhg.2010.01.003>).



The wealth of the U.S., including that of its agriculture industry, was built on stolen land and by the forced labor of California Tribal Nations and enslaved African Americans, who have been systematically excluded from land ownership and wealth-building opportunities.<sup>4</sup> Recent research points to billions of dollars lost in wealth for Tribal Nations and Black communities due to government-enacted dispossession.<sup>5</sup>

These inherited wealth disparities, along with historically unjust lending practices and limited access to support services, have produced contemporary inequities in resource distribution that are visible in land ownership patterns.<sup>6</sup> According to the 2022 USDA Census of Agriculture, 82% of privately held farmland in California is owned by producers who identify as White, while 83% of those who perform the majority of farm labor identify as Latino.<sup>7</sup> [ADD: data visualization re: demographics of land ownership in CA from USDA 2022 census]

Federally recognized California Tribes currently hold 635,739 acres, less than 1% of the state, in reservation lands.<sup>8</sup> An additional approximately 12,635 total acres of land in California have been returned to around twelve of the 110 federally recognized tribes and more than 80 tribes on the Native American Heritage Commission list since 1995 [add: Tribal Nature Based Solutions numbers]. This leaves many California Tribal Nations without land or on very small parcels.<sup>9</sup>

Inadequate access to land remains the primary barrier for producers and land stewards who identify as Black, Indigenous, and other people of color.<sup>10</sup> This is a significant portion of California's agricultural community. According to the 2022 USDA Census of Agriculture, in

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<sup>4</sup> Trotter, Workers on Arrival: Black Labor and the Making of America (2019) pp. xvi, xx-xxi; The California Reparations Report, 2023. Task Force to Study and Develop Reparation Proposals for African Americans. <https://oag.ca.gov/ab3121/report>

<sup>5</sup> Farrell, J, Burow, PB, McConnell, K, Bayham, J, Whyte, K, Koss, G. 2021. Effects of land dispossession and forced migration on indigenous peoples in North America. Science 374(6567). DOI: <http://dx.doi.org/10.1126/science.abe4943>; Reznickova, A. 2023. Lost inheritance: Black farmers face an uncertain future without heirs' property reforms. Cambridge, MA: Union of Concerned Scientists. DOI: <http://dx.doi.org/10.47923/2023.15127>.

<sup>6</sup> Horst, M, McClintock, N, Baysse-Lainé, A, Darly, S, Paddeu, F, Perrin, C, Reynolds, K, Soulard, C-T. 2021. Translating land justice through comparison: A US-French dialogue and research agenda. Agriculture and Human Values 38(4): 865-880. DOI: <http://dx.doi.org/10.1007/s10460-021-10202-4>.

<sup>7</sup> American Farmland Trust <https://farmland.org/project/farms-for-a-new-generation-in-california/>

<sup>8</sup> Plachta, Ari. 2022. Gavin Newsom said he would give land back to Native Americans in California. Has he? [www.sacbee.com/news/politics-government/article264454331.html#storylink=cpy](http://www.sacbee.com/news/politics-government/article264454331.html#storylink=cpy)

<sup>9</sup> Plachta, Ari. 2022. Gavin Newsom said he would give land back to Native Americans in California. Has he? [www.sacbee.com/news/politics-government/article264454331.html#storylink=cpy](http://www.sacbee.com/news/politics-government/article264454331.html#storylink=cpy)

<sup>10</sup> Ackoff, S, Flom, E, García Polanco, V, Howard, D, Manly, J, Mueller, C, Rippon-Butler, H, Wyatt, L. 2022. Building a future with farmers 2022: Results and recommendations from the National Young Farmer Survey. Albany, NY: National Young Farmers Coalition.

California, approximately 20%, or one in five agricultural producers, are considered socially disadvantaged farmers and ranchers.<sup>11</sup>

This group overlaps significantly with that of smaller producers and land stewards, who are the majority of California's producers: according to the 2022 USDA census, 62% of California's producers operate on 50 acres or less.<sup>12</sup> On the other end of the landholding spectrum, as of 2017 the largest 5% of properties in California made up 50% of cropland. This means that just 5% of landowners collectively own half of the total farmland in the state.<sup>13</sup>

The rate of consolidation is increasing: between 2017 and 2022, "farms with less than 180 acres fell nearly 13 percent...while California's largest farms—those over 1000 acres or with more than \$500,000 in sales—increased."<sup>14</sup> [ADD: data visualizations]

As these numbers suggest, California's farmland is increasingly owned by fewer families and companies. This is in part due to an increased investing in agricultural land by institutional investors. Following the financial crisis of 2007–08, speculative investments in agricultural land have risen substantially across the U.S., accounting for approximately 25% of all acquisitions.<sup>15</sup> In California, between 2011–17, limited liability companies bought 5.7 times as many acres of farmland across the state (on average 192 acres) compared to individual buyers (on average 34 acres).<sup>16</sup>

These investments are related to the increased cost of agricultural land in California. Since 2018, the value of farm real estate in California has increased by 28.3%.<sup>17</sup> Prices reached a high of an average of \$12,000 per acre in 2022, which was a 10.1% increase from just a single

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<sup>11</sup> 2022 Census of Agriculture – State Data USDA, National Agricultural Statistics Service. [https://www.nass.usda.gov/Publications/AgCensus/2022/Full\\_Report/Volume\\_1\\_Chapter\\_1\\_State\\_Level/California/st06\\_1\\_052\\_052.pdf](https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/st06_1_052_052.pdf)

<sup>12</sup> 2022 Census of Agriculture – State Data USDA, National Agricultural Statistics Service. Table 71. Summary by Size of Farm: 2022.

<sup>13</sup> Macaulay, L, Butsic, V. 2017. Ownership characteristics and crop selection in California cropland. *California Agriculture* 71(4): 221–230.

<sup>14</sup> O'Connor, Theresa. 2024. "What the 2022 Census of Agriculture Confirms about California." American Farmland Trust. <https://farmland.org/2022-census-of-agriculture-california/>

<sup>15</sup> Holt-Giménez, E. 2017. Agrarian questions and the struggle for land justice in the United States, in Holt-Giménez, E, Williams, JM eds., *Land justice: Re-imagining land, food, and the commons in the United States*. Oakland, CA: Food First Books/Institute for Food and Development Policy: 1–14; see also Fairbairn, M. 2020. *Fields of gold: Financing the global land rush*. Ithaca, NY: Cornell University Press.

<sup>16</sup> Rempel, J.L., et al. 2024. Access for sale? Overlying rights, land transactions, and groundwater in California. <https://iopscience.iop.org/article/10.1088/1748-9326/ad0f71/pdf>

<sup>17</sup> United States Department of Agriculture. 2022. Land values summary 2022. [https://www.nass.usda.gov/Publications/Todays\\_Reports/reports/land0822.pdf](https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf)

year prior.<sup>18</sup> For the 62% of California farms operating on 50 acres or less, purchasing those 50 acres would cost an estimated \$600,000.

Without a clear strategy to ensure fair and just access to agricultural land in California, these patterns threaten to worsen existing disparities in land ownership and secure tenure, resulting in a less economically, ecologically, and culturally diverse agricultural sector in the state.

## What can agricultural land equity achieve?

Advancing agricultural land equity, where priority producers and land stewards have increased ownership of and access to good quality land, will have numerous economical, ecological, environmental, and societal benefits. In fact, equitable access to land for agriculture and traditional Tribal uses is foundational to progress on state efforts towards justice, economic prosperity, food security, and resilient working lands.

## Advance sovereignty for California Tribal Nations

[ADD: Ways agricultural land equity contributes to the following:

- Governor Newsom's Executive Order N-15-19 and Statement of Administration Policy on Native American Ancestral Lands
- Truth and Healing Council Report
- California Natural Resources Agency (CNRA) Stewardship Strategy]

## Make progress on state efforts toward justice

[ADD: Descriptions of:

- Farmer Equity Act
- Reparations Task Force
- California Racial Equity Commission
- Priority communities in California Climate Investments programs like Sustainable Agricultural Lands Conservation Program]

## Foster economic prosperity

Agriculture is the cornerstone of many of California's regional economies. Access to land is foundational to a successful agricultural enterprise.

Fair and secure access to land is necessary for farming to remain an entry-level profession that is affordable and tenable in the long-term, with opportunities for intergenerational wealth and land access. This stability and continuity are critical to workforce development and economic opportunities.

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<sup>18</sup> United States Department of Agriculture. 2022. Land values summary 2022. [https://www.nass.usda.gov/Publications/Todays\\_Reports/reports/land0822.pdf](https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf)

[ADD: Working conditions for farmworkers and transition to farm operator]

## Ensure food security and diversity to build healthy communities

Advancing agricultural land equity means embracing and promoting the diverse crops and production practices associated with small-scale operations across the state. These diverse operations are more likely to cultivate products that are rooted in the regions that they serve. Ensuring diverse producers and land stewards have fair and secure access to agricultural land ensures that local communities—urban, peri-urban, and rural—have access to healthy, fresh, and culturally appropriate foods, medicines, and cultural resources.

## Promote healthy and resilient working lands

[ADD: Context re: 30 x 30 and related strategies]

Ensuring that diverse producers and land stewards have secure and stable access to the land that they cultivate is key to achieving California's climate goals and stewarding California's agricultural resources into the future.

First, returning ancestral lands land puts the land back into relationship with those who have stewarded it since time immemorial. Due to their deep place-based knowledge and strong stewardship traditions, California's Tribal Nations have consistently demonstrated the ability to manage land in ways that yield significantly greater biodiversity and better ecological outcomes compared to non-tribal management<sup>19</sup>.

Second, it puts agricultural land into the hands of producers and land stewards, limiting the financialization of California's farmland and its treatment as an investment object, which often results in the mismanagement of land and resources.<sup>20</sup>

Third, by establishing structures for sovereignty and secure land tenure, it creates pathways for producers and land stewards to care for land in culturally and ecologically meaningful ways. This ranges from grazing to reduce fuel loads to building healthy soils on croplands. Keeping viable land in production can also lead to multiple benefits, from sequestering carbon to reducing dust and associated air quality and public health concerns like valley fever. Effective stewardship requires long-term investments; secure tenure is necessary for producers and land stewards to devote the time and money required to cultivate healthy ecosystems and access associated state programs, such as the Healthy Soils Program.

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<sup>19</sup> Middleton-Manning, Beth Rose. 2011. Trust in the Land: New Directions in Tribal Conservation. Tucson: University of Arizona Press.

<sup>20</sup> Fairbairn, Madeleine. 2020. Fields of Gold: Financing the Global Land Rush. Ithaca: Cornell University Press.

Finally, smaller farms tend to have higher yields, more diverse cropping patterns, and greater non-crop biodiversity<sup>21</sup>. This diversity has been shown to play an important role in climate resiliency<sup>22</sup>. Thus, addressing land insecurity is critical to ensuring that the state meets its environmental goals.

## Recommendations

NOTE: The recommendations that follow are a preliminary summary of Task Force discussions to date and are subject to change with further discussion and development. The sections are numbered to facilitate discussion and do not represent an order of priority.

### Top priorities for the Governor

[TBD]

### Top priorities for the Legislature

[TBD]

## Full list of recommendations

### 1. Return ancestral lands to California Tribal Nations

The State of California was founded on the violent removal, coercion, murder, intimidation, and attempted extermination of California Native Americans. Governor Newsom's apology, issued in 2019 (Executive Order N-15-19), recognizes that the State of California "sanctioned over a century of depredations and prejudicial policies against California Native Americans." This order, along with land acknowledgements and similar statements, are the early steps of a much longer and broader process to address historical and continued injustices.

[ADD: Challenges with allotted land, including inability to access land being "landlocked"]

The recommendations that follow are intended to complement CNRA's Tribal Stewardship Strategy and the Truth and Healing Council's Report and further the commitments in

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<sup>21</sup>Farms + Data: California's farms are smaller than the US average, but they're big on diversity – and productivity – CDFA's Planting Seeds Blog

<sup>22</sup> Riccardi, V., Z. Meharbi, H. Wittman, D. James and N. Ramankutty. 2021. Higher yields and more biodiversity on smaller farms. *Nature Sustainability* 4: 651–657. <https://doi.org/10.1038/s41893-021-00699-2>; Esquivel, K. E., L. Carlisle, A. Ke, E. M. Olimpi, P. Baur, J. Ory, H. Waterhouse, A. Iles, D. S. Karp, C. Kremen and T. M. Bowles. 2021. The "sweet spot" in the middle: Why do mid-scale farms adopt diversification practices at higher rates? *Frontiers in Sustainable Food Systems* 5. <https://doi.org/10.3389/fsufs.2021.734088>; Rasmussen, L. V., et al. 2024. Joint environmental and social benefits from diversified agriculture. *Science* 384(6691): 87–93. <https://doi.org/10.1126/science.adj1914>

Governor Newsom's Statement of Administration Policy on Native American Ancestral Lands.<sup>23</sup>

### **1) Return state-owned lands to Tribal Nations**

- a) Give land to Tribal Nations, rather than money to buy land, without restrictions. Success Story<sup>1</sup>
- b) Ensure Tribal Nations do not need to create alternative entities nor purchase the land at fair-market value.
  - i) Address and update current policies and regulations, including the Surplus Land Act, that prohibit direct land transition.
  - ii) Grant clear authority to state agencies to transfer land directly to Tribal Nations without the need for a third-party intermediary.
  - iii) Establish first right of refusal process that provides Tribal Nations the access and opportunity to accept publicly held land at zero or minimal cost.
  - iv) If collaboration with a third party is required, prioritize partnerships with Tribal-led and serving organizations and culturally competent community-based organizations.
- c) Establish and fund a Tribal State Lands Committee
  - i) In collaboration with local and state agencies, require the Committee to identify surplus land and establish pathways for land return.
  - ii) Require the committee to develop and oversee a new state program designed to purchase and return abandoned or mismanaged lands.
  - iii) Require that the Committee to advise and oversee the creation of a statewide goal for acres of land returned to California Tribal Nations.

### **2) Expand land access and return opportunities for California Tribal Nations**

- a) Increase funding to existing programs that support ancestral land return, acquisition, and co-management projects, such as the California Natural Resources Conservation Agency's Tribal Nature Based Solutions program.
- b) Provide financial assistance and legal aid to Tribal Nations working to convert fee land to trust land.
- c) Incentivize land trusts and private individuals to transfer land to Tribal Nations. See recommendations on land trusts and tax incentives below for the specific pathways to achieve this objective.

<sup>23</sup> Office of the Governor. 2020. Statement of Administration Policy, Native American Ancestral Lands. <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.25.20-Native-Ancestral-Lands-Policy.pdf>



## 2. Recognize and remove barriers to sovereignty of California Tribal Nations

Throughout this report, the term “California Tribal Nations” is used in refer to both federally recognized and non-federally recognized California Native American Tribes. This term was selected to denote the inherent sovereignty of Native communities and their relations of care since time immemorial with the land that is now called California.

However, there are important legal distinctions between federally recognized and non-federally recognized Tribal Nations that impact strategies for advancing agricultural land equity. [ADD: Additional context on meanings of sovereignty and different legal protections and responsibilities.]

Where relevant, the recommendations below distinguish between strategies that are appropriate for federally recognized versus non-federally recognized Tribal Nations.

- 1) Implement nation-to-nation consultation procedures across state agencies according to the Native American Heritage Commission’s Tribal Consultation Policy.
- 2) Remove barriers to Tribal Nations’ ability to implement Traditional Ecological Knowledge such as cultural fire and fund efforts to share and advance this knowledge in culturally appropriate ways.
- 3) Enforce existing laws, such as the Native American Graves Protection and Repatriation Act, intended to protect Native remains, sites, and practices.

*Case study*

## 3. Conserve and protect California’s agricultural land

According to the Department of Conservation, farm and grazing lands in California decreased by more than 1.6 million acres between 1984 and 2018. This loss averages just over 47,000 acres per year, or about one square mile every five days.<sup>24</sup>

Urbanization accounts for the vast majority of this loss, more than 1.2 million acres over the 1984–2018 timeframe.<sup>25</sup> Urban sprawl both reduces land from agricultural production and drives up prices, as developers are generally able and willing to purchase land at higher values.

Prime Farmland, which represents the highest quality agricultural soil in the state, has seen the largest decrease in acreage, with just over 816,000 acres lost between 1984 and 2018.<sup>26</sup> This loss is significant. Soil is a uniquely precious resource that, once lost, can take centuries, if not millennia, to rebuild. To ensure the long-term viability of California’s

<sup>24</sup> California Department of Conservation. N.d. “Fast Facts.”

<sup>25</sup> California Department of Conservation. N.d. “Fast Facts.”

<sup>26</sup> California Department of Conservation. N.d. “Fast Facts.”

agricultural sector, California's invaluable working lands, and especially its prime agricultural soils, must be protected and managed effectively.

The following recommendations are intended to protect California's farmland and create fair opportunities for land access and secure tenure.

**1) *Incorporate agricultural land equity into existing conservation priorities***

- a) Establish an agricultural land conservation target informed by the 30x30 process.<sup>27</sup>
  - i) Prioritize priority producers and land stewards in 30x30 implementation strategies.
  - ii) Fund agencies' implementation and monitoring efforts.
- b) Acquire and fund the acquisition of Prime Farmland for agricultural conservation
  - i) Establish a conservation program that provides conditional funding to eligible entities, like resource conservation districts, land trusts, and Tribal Nations, to purchase and lease Prime Farmland that is leased to priority producers and land stewards.
  - ii) Fund the state's acquisition of Prime Farmland that is either returned to Tribal Nations or conserved and leased to priority producers and land stewards.

**2) *Support land trusts focused on equity***

- a) Support land trusts in acquiring land efficiently and then passing it on to producers and land stewards. Ensure specific protections including:
  - i) Fund buy-protect-sell programs that conserve agricultural land while prioritizing equitable and affordable land access. Require that the properties are sold to priority producers and land stewards and entities that support these communities.
  - ii) Restrict the resale price of properties protected by agricultural conservation easements to ensure they remain affordable for agricultural producers and land stewards. [Add: exact mechanism i.e. option to purchase at agricultural value]

**3) *Establish financial, technical, and legal support for land trusts and technical assistance providers to better serve priority producers and land stewards.***

- a) Fund training for land trusts focused on how to develop better, more effective agricultural easements, implement buy-protect-sell, and advance land trust cultural competency—particularly regarding Tribal Nations.

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<sup>27</sup> 30x30 California. N.d. "What is 30x30?"



- b) Fund community organizations to conduct cultural competency training for land trusts.
- c) Fund land trusts to cover the costs of permitting, maintenance, infrastructure, and other expenses so that those costs are not deferred to receiving land stewards.
- d) Create a state land trust accreditation process to educate land trusts on matters pertaining to equity and cultural competency and create mechanisms by which to evaluate implementation of best practices.
- e) Make public funding for land trusts contingent upon their accreditation and other characteristics:
  - i) Equity outcomes
  - ii) Community-based
  - iii) Cultural competency
  - iv) Demonstrated ability to engage with land stewards and consider their need in easement creation.

#### **4) Improve conservation tools for land stewards**

- a) Incentivize agricultural conservation easements and covenants that:
  - i) Enable cultural land management.
  - ii) Provide flexibility for producers and land stewards to respond to changing environmental and market conditions.
  - iii) Allow for building infrastructure that is necessary for land stewards to live on the land, such as housing.
- b) Fund intermediary landholders to develop necessary infrastructures on the land to support a profitable agricultural business before placing a conservation easement on the land.

### **4. Facilitate equitable transition of private lands**

In California, there are several factors that make it difficult for priority producers and land stewards to access agricultural land:

- 96% of farmland is privately owned, most of this privately held land is consolidated among a few large-scale landholders, and land consolidation is accelerating.<sup>28</sup>
- the cost of land has increased dramatically in the past ten years, and
- navigating the process of purchasing or gaining access to farmland presents significant barriers to those without technical and legal knowledge.

The Task Force recommends the following to address these barriers

#### **1) Facilitate transparent and fair land sales**

- a) Require land sales to be public information.

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<sup>28</sup> Luke Macaulay and Van Butsic, 2017. Ownership characteristics and crop selection in California cropland <https://californiaagriculture.org/article/108763>

- b) Fund local and regional organizations to develop culturally competent and regionally informed first opportunity to purchase ordinances for adoption by local governments. [Add: case study or example of existing legislation that implements this model on private vs. public lands]
- c) Fund technical assistance for land seekers that supports them in securing fair purchase or lease agreements.

## **2) Develop a state-level succession strategy**

Millions of acres of farmland are expected to transition between owners in the next 15 years.<sup>29</sup> Without a vision and clear plan for implementation, it is likely that this land transition will exacerbate existing inequalities, with powerful landholders further consolidating land ownership. To ensure that this transition advances equity and supports both retiring producers and the next generation, the following actions are recommended:

- a) Establish a state tax credit for landowners to rent and sell land to priority producers and land stewards. Provide additional incentives for selling or leasing at lower than market value and for additional provisions such as long-term, flexible leases.
- b) Revise existing tax law to enable and encourage the transition of land during producers' lifetime.
- c) Establish funding for land-linking programs to:
  - i) Support ongoing improvements and maintenance and continuously research and add new properties available in all regions across the state.
  - ii) Support capacity building and regional staff for the managing organization to partner with counties and local governments.
  - iii) Support and facilitate partnerships between landowners and priority producers and land stewards with the ultimate goal of sovereignty and full ownership. [Add: expand on what this support looks like.]
- d) Establish a producer pension fund to allow producers to retire without needing to sell their land to the highest bidder.

## **3) Establish and fund a Land Observatory**

- a) The Observatory should monitor agricultural land market trends and manage a public database on agricultural land ownership, lease rates, and demographic trends.
- b) The Observatory should also coordinate between the State Lands Commission and Tribal State Lands Committee to serve as a resource for

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<sup>29</sup> Yanhua Xie, Y. M. Hunter, A. Sorensen, T. Nogeire-McRae, R. Murphy, J. P. Suraci, S. Lischka and T. J. Lark. 2023. *Land* 12, 574. <https://doi.org/10.3390/land12030574>

other state agencies to advance statewide equity and climate resilience goals.

**4) *Establish a research and technical assistance department within the California State Lands Commission***

- a) Establish and fund the department to conduct research and technical assistances for equitable land access. [ADD: Scotland or Vermont case study]

**5. Advance and support secure land tenure**

Agricultural land equity does not stop with land access; rather, it requires stable and secure relationships to land, just governance structures, and suitable conditions for long-term economic viability.

**1) *Advance fair and just landowner-tenant relationships***

Over half of cropland in the U.S. is rented.<sup>30</sup> Many priority producers and lands stewards in California operate on a year-to-year lease and are less likely to have the time and resources to invest in conservation practices and land and infrastructure improvements. They are also less likely to qualify for funding and technical assistance programs.

While short-term leases may be desirable in some instances—for example, beginning producers looking for a shorter-term commitment—they can limit opportunities for business development, land improvements, and wealth creation often necessary for land acquisition.

Under many lease agreements, the tenant is responsible for making improvements or fixing broken infrastructure or equipment, yet the value associated with these improvements accrues to the owner, not the tenant, thereby making it even harder for tenant producers to build enough capital to acquire land.

To address these challenges, the following actions are recommended:

- a) Regulate lease agreements or support the development of a Tenant Producers' Bill of Rights to ensure fair leasing terms and respect for tenants' rights, including decision-making powers.
- b) Create incentives for long-term agricultural leases that benefit both landowners and tenants.
- c) Increase access to legal support and fund technical assistance providers who act as neutral mediators to assist with contract and relationship development.

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<sup>30</sup> Bigelow, D., Borchers, A., Hubbs, T., 2016. U.S. Farmland Ownership, Tenure, and Transfer. Economic Research Service, U.S. Department of Agriculture.  
[https://ers.usda.gov/sites/default/files/\\_laserfiche/publications/74672/60297\\_eib161\\_summary.pdf?v=27070](https://ers.usda.gov/sites/default/files/_laserfiche/publications/74672/60297_eib161_summary.pdf?v=27070)

- d) Ensure support for groups that provide lease mediation services. This includes support for approaches that can address unfair lease terms without resorting to formal legal procedures.
- e) Develop mechanisms that allow tenant producers to retain the monetary value associated with improvements made to leased land.
- f) Increase the maximum allowable length of leases in California from 51 to 100 years.

## **2) Increase technical assistance to priority producers and land stewards to ensure long-term land tenure**

[ADD: context and recommendations]

## **6. Reform policies and regulations to address uneven impacts**

Shifting policy and regulatory frameworks and their uneven enforcement are more likely to adversely affect priority producers and land stewards. Four policy areas, in particular, have the potential to perpetuate agricultural land inequity: the Sustainable Groundwater Management Act, the Irrigated Lands Regulatory Program, the Food Safety Modernization Act, and state labor policies and regulations.

Though these policies and regulations have important aims and outcomes, their implementation can have disproportionate impacts on priority producers and land stewards.

To respect the intention of the law while addressing potential inequities, the following actions are recommended:

- a) Increase interagency collaboration to avoid and address conflicting programs and requirements. For instance, policies aimed at increasing soil health can come into conflict with irrigation regulations.
- b) Establish a process by which proposed regulations and policies that may impact priority producers and land stewards are evaluated by the California Department of Food and Agriculture BIPOC Advisory Committee and Small Producer Advisory Committee.

### **1) Sustainable Groundwater Management Act**

- a) [ADD: Additional detail for more context re: below recommendations]
- b) Define exceptions for vulnerable communities and structure groundwater allocations to protect such communities and safeguard their groundwater and drinking water resources.
- c) Evaluate and address the impacts of land fallowing and repurposing on small producers.
- d) Establish best practices for water markets:
  - i) Require neutral third parties administrate groundwater markets.

- ii) Avoid disproportionate landowner fees for groundwater use by implementing tiered fees.
- iii) Anonymous users and trades.
- iv) Start small and evaluate water markets frequently, with regular stakeholder participation.
- v) Manage groundwater trades for groups of small producers.
- vi) Fund third-party organizations to facilitate groundwater market access with technical assistance, outreach and education, and manage groundwater trading for groups of small producers.

## **2) Irrigated Lands Regulatory Program**

[ADD: Context and recommendations]

## **3) Food Safety Modernization Act**

The stringent standards of the Food Safety Modernization Act can impede diversification and serve as a barrier to land access, particularly for small producers.<sup>31</sup> [ADD: Context and recommendations]

## **4) California Labor Policies and Regulations**

Agricultural labor laws are designed such that they discriminate against farmers who rely on cultural practices of labor reciprocity and unpaid help from extended family networks to sustain their economic viability.<sup>32</sup> [ADD: Context and recommendations]

# **7. Increase Fair Access to Public Funding for Land Acquisition**

High land costs are an especially significant barrier for many priority producers and land stewards who, in addition to facing discrimination in obtaining agricultural credit, are more likely to operate smaller, lower-revenue farms and have weaker credit histories, which can make it difficult to qualify for loans.

Many priority producers and land stewards rely on capital from public and private grants and loans that often have significant, multi-step processes which inhibit expediently getting capital into their hands and their flexibility with that capital. These factors affect their ability to gain and maintain access to land. Further, there is a lack of service providers and experts for farmers, ranchers and Tribal land stewards to turn to for assistance who are culturally competent and have the necessary knowledge and expertise.

Further, there is a lack of service providers and experts for priority producers and land stewards who are culturally competent and have the necessary knowledge and expertise.

To improve public funding for land acquisition, the following actions are recommended:

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<sup>31</sup> Carlisle, L. 2014. Critical agrarianism. *Renewable Agriculture and Food Systems* 29(2): 135–145.

<sup>32</sup> Sowerwine, J, Getz, C, Peluso, N. 2015. The myth of the protected worker: Southeast Asian micro farmers in California agriculture. *Agriculture and Human Values* 32(4): 579–595.

DOI: <http://dx.doi.org/10.1007/s10460-014-9578-3>.

**1) *Expand and improve technical assistance and capacity-building programs to meet the needs of priority producers and land stewards.***

- a) Evaluate the effectiveness of technical assistance and capacity-building programs in meeting equity goals and objectives.
- b) Based on the evaluation findings, increase funding for equity-centered technical assistance to support applicants navigate the complex funding landscape.
- c) Fund technical and legal support for priority producers and land stewards to maneuver land transactions with land trusts.

**2) *Revise existing programs to advance agricultural land equity through the following actions:***

- a) Assess and modify application, eligibility, and reporting requirements for conservation and land-based programs to align with equity objectives.
- b) Administer funds using block grants that are designed to be responsive to specific communities and needs.
- c) When grants are available to individual producers and land stewards to support land access, eligible activities and terms must be flexible and include the wide range of needs associated with working the land.
- d) Modify census-based programs, policies, and decisions that affect priority producers and land stewards to more effectively account for these communities and ensure fair distribution of public resources.<sup>33</sup>

**3) *Fund land acquisition for priority producers and land stewards.***

- a) Establish a state fund to support land acquisition and related costs, such as legal fees or down payments.
- b) Create a loan program for priority producers and land stewards to advance land access. The loans should be low-interest, forgivable, and/or reverse amortization loans.
- c) Provide downpayment assistance to improve access to conventional loans and other available finance.
- d) Establish tax benefits designed to support producers and land stewards whether or not they own the land e.g. tax relief on student loans, insurance, and other large expenses that burden producers and land stewards.
- e) Establish debt forgiveness programs for qualified producers and land stewards that have been systematically excluded from wealth building opportunities.

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<sup>33</sup> McGhee, E., S. Bohn, T. Thorman. 2018. The 2020 Census and Political Representation in California. <https://www.ppic.org/publication/the-2020-census-and-political-representation-in-california/>

## 8. Support and incentivize changes in zoning and land use planning

Development is a significant driver of the loss of California's agricultural land. Local zoning ordinances can thus play a critical role in preserving agricultural land. Further, local zoning ordinances and policies can be modified to advance agriculture in urban areas

The following actions are recommended:

- 1) Direct the Governor's Office of Land Use and Climate Innovation to develop model ordinances to support local governments with the recommendations outlined in this section.
- 2) Remove barriers to building housing infill sites to ease development pressure on peri-urban and rural lands.
- 3) Direct, incentivize, and support local governments to do the following:
  - a) Adopt urban growth boundaries and encourage innovative land use planning to limit development on prime agricultural land.
  - b) Require agricultural land mitigation banking as part of new developments and make mitigated land available for food and fiber cultivation.
  - c) In urban contexts, include composting and on-site resource management in agriculture zoning.
  - d) Develop and adopt multi-use zoning designations that allow for housing, retail, and agriculture-related activities to occur in areas currently zoned exclusively for agriculture.
  - e) Implement agriculture preservation overlays in zoning codes.
  - f) Modify zoning codes to allow for cultural land management.

### 1) Housing

Many producers and land stewards have difficulty living on or near the land they steward. Local zoning and permitting requirements, along with other governance structures like agricultural conservation easements, can often make it difficult to build adequate housing for producers, land stewards, and farmworkers. To address these challenges, flexibility in housing type is crucial while still ensuring safe and adequate housing.

However, it is also critical to prevent agricultural land from being developed as residential. The recommendations below encourage creative actions be taken to address the housing challenges of producers, land stewards, and farmworkers while preventing further loss of agricultural land.

- 1) Direct the Governor's Office of Land Use and Climate Innovation to create flexible frameworks for local and regional governments to adapt zoning for more flexible housing for farm operators and farmworkers.
- 2) Decrease permitting costs and reduce barriers to housing construction for farm operators and farmworkers on agricultural land.



- 3) Minimize regulations that limit or prohibit non-traditional forms of housing on agricultural land, including mobile homes, trailers, modular homes, double-wide homes, tiny homes, RVs, and campers
- 4) Develop agriculture housing permission zoning policies that allow for housing construction for farmworkers and farm owners on the land they steward, including mobile and other alternative forms of housing.
- 5) While increasing housing on and near agricultural land, maintain protections:
  - a) Establish a maximum ratio of housing-to-agriculture use to grant landowners flexibility without thwarting agricultural land conservation goals.
  - b) Ensure local governments maintain inspections and enforce fair leasing to protect tenants of employer-operated housing.
- 6) Ensure streamlined permitting and housing development maintains proper inspections and incentivize fair leasing to protect tenants living in employer-operated housing.
- 7) Amend local Williamson Act to ensure that housing, even temporary housing, is permitted on agricultural land.

## 9. Evaluate and leverage suitable public lands for agriculture

Four percent of California's cropland is owned by local, state, federal or another form of non-Tribal government. Roughly 50% of these 300,000 acres is currently fallowed.<sup>34</sup> Of these fallowed lands, those that are agriculturally viable, with stable water access, present a significant land access opportunity for priority producers and land stewards.

### 1) State-owned land

- a) Direct the California Department of Conservation (DOC) and California Department of Forestry and Fire Protection (CALFIRE) to collaborate with agencies that own land suitable for agriculture to conserve these valuable resources and make them available to land stewards or return them to Tribal Nations.
- b) Direct DOC to establish access agreements that allow for cultivation of public lands and the additional lands conserved in recommendations above.
  - i) Ensure fair leasing terms based on the recommendations elsewhere in this report.
- c) Pay land stewards for their stewardship of public lands.
- d) Expand the California Surplus Land Act to require local jurisdictions to incorporate feasibility assessment for agriculture and Tribal uses into their process of identifying excess sites. Separate this land from the housing pipeline and auction requirements.

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<sup>34</sup> Macaulay, L, Butsic, V. 2017. Ownership characteristics and crop selection in California cropland. California Agriculture 71(4): 221–230.



## **2) Local government-owned land**

- a) Support and incentivize local governments to make public land accessible at low or no cost through partnerships with community-based organizations.
  - i) Develop these incentives in consultation with local agencies and organizations.
- b) Support and incentivize the inclusion of urban agriculture in access agreements on public lands run by local jurisdictions such as parks, urban lots, etc.

## **Conclusion and Next steps**

[ADD: The process of implementing these recommendations must also be a practice of equity, requiring further community engagement].

## Appendix A: Glossary of Terms

**Agricultural land equity:** The process of eliminating disparities in secure and affordable access to viable land for the cultivation of food, fiber, medicine, and culturally valuable resources.

**Agricultural land justice:** A vision and transformation of society to eliminate intersectional hierarchies and advance collective wellbeing, where priority producers and land stewards, in particular, have the dignity, resources, power, and self-determination to fully thrive.

Critically, land justice will mean different things and entail different actions depending on two factors:

- the historical and contemporary harms that are being addressed, and
- the diverse goals of individuals, communities, organizations, and governments.

For some, land justice requires full sovereignty on ancestral lands. For others, land justice entails building wealth on the land and ensuring intergenerational land access. And for others, achieving land justice means building capacity for cooperative landholding and collective organizing.

These forms of agricultural land justice are anchored in different but complementary understandings of sovereignty, as defined below. The process of advancing land equity must reflect the exercise of sovereignty by recognizing and respecting diverse communities' rights and responsibilities of self-governance.

This diversity of goals requires a nuanced understanding of agricultural land justice as a community-centered process. It also requires acknowledging and addressing how solutions have differential impacts depending on the specific community and context. Efforts to achieve land justice therefore must entail careful analyses of whether any given action will reduce disparities and produce measurable change in the lives of land stewards who have been historically and systematically excluded from secure land tenure.

**Agricultural land:** Lands that are stewarded to produce resources valuable to the communities engaged in the practices and knowledge of cultivation. This expansive understanding of agricultural land is intended to capture peoples' reciprocal relationships with land and ecosystems that support many others, both human and non-human. This relates to the importance of the quality of land in evaluations of agricultural land equity. The question is not only who can access land but also which lands different people can access and under what conditions.

**Agriculture:** Advancing agricultural land equity requires a careful assessment of the term "agriculture" and how it has been used to exclude certain communities and practices. Settlers used agriculture to displace California Tribal Nations from their ancestral homelands. Approaches to agricultural productivity centered on commodity crops have

resulted in public structures and programs that support business operations but ignore, or in some cases actively prohibit, forms of agricultural production that are focused on household- or community-level subsistence and food sovereignty.

Agricultural land equity thus requires an expansive understanding of agricultural production and land stewardship. For the purposes of this report, the term “agriculture” is defined as the knowledge and practice of cultivating plants, animals, and ecosystems for food, fiber, medicine, or other resources. This includes gardening, horticulture, viticulture, dairying, poultry, bee raising, ranching, and Traditional Ecological Knowledge and practices.

**Ancestral land return:** Returning land to Tribal Nations. The effective return of land—also known as Land Back—includes secure tenure, ownership, and Tribal sovereignty as the fullest expression of land access.<sup>35</sup>

**Beginning farmer or rancher:** As defined by the United States Department of Agriculture (USDA), a beginning Farmer or Rancher is an individual who:

- Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years, and who
  - Will materially and substantially participate in the operation of the farm or ranch.
  - In the case of a contract with an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch, consistent with the practices in the county or state where the farm is located.

**California Tribal Nations:** Throughout this report, the term “California Tribal Nations” is used in reference to both federally recognized and non-federally recognized California Native American Tribes. This term was selected to denote the inherent sovereignty of Native communities and their relations of care since time immemorial with the land that is now called California.

**Historically underserved farmers and ranchers:** As defined by the USDA, historically underserved farmers and ranchers are members of groups that have been historically underserved by, or subject to discrimination in, Federal policies and programs. Four groups are defined by USDA as “Historically Underserved,” including farmers or ranchers who are:

1. Beginning.

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<sup>35</sup> Redbud Resource Group. 2022. GBLA Resource Tool: The Land Back Spider Graph. <https://www.redbudresourcegroup.org/post/gbla-resource-tool-the-land-back-spider-graph>

2. Socially Disadvantaged.
3. Veterans.
4. Limited Resource.

**Priority producers and land stewards:** Priority producers and land stewards are those have been historically and systematically excluded from land ownership and secure tenure for agriculture and traditional tribal uses.

This group is inclusive of individuals identified in two existing definitions:

1. Socially disadvantaged farmers and ranchers, as defined in the 2017 Farmer Equity Act (AB 1348): A farmer or rancher who is a member of a socially disadvantaged group. "Socially disadvantaged group" means a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. These groups include all of the following:
  5. African Americans.
  6. Native Indians.
  7. Alaskan Natives.
  8. Hispanics.
  9. Asian Americans.
  10. Native Hawaiians and Pacific Islanders.
2. Historically underserved farmers and ranchers, as defined by the U.S. Department of Agriculture (USDA), are members of groups that have been historically underserved by, or subject to discrimination in, Federal policies and programs. Four groups are defined by USDA as "Historically Underserved," including farmers or ranchers who are:
  1. Beginning.
  2. Socially Disadvantaged.
  3. Veterans.
  4. Limited Resource.

**Land access:** Land access refers to how people, organizations, and governments gain the physical and legal ability to be in relationship with the land and may encompass a combination of allowable activities, such as use of the land for food and fiber production, decision making power about allowable uses, ability to benefit financially, and the right to sell or transfer the land to another person or entity.<sup>36</sup>

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<sup>36</sup> Food and Agriculture Organization. N.d. What is access to land. <https://www.fao.org/4/y4308e/y4308e04.htm>; Global Land Tool Network. N.d. Access to Land and Tenure Security. <https://gltn.net/access-to-land-and-tenure-security/#>; United

**Land acquisition:** Land acquisition refers to obtaining a parcel of land along with the ownership or usage rights and responsibilities of that land.

**Land tenure:** Agricultural land equity does not stop with land access; rather, it requires stable relationships to land, ecological and economic viability, and just governance structures. The length of a lease can influence tenants' ability to adopt conservation practices, invest in land and infrastructure improvements, and qualify for farm programs.

For the purposes of this report, land tenure refers to broad range of relationship that individuals and groups hold with respect to land and related resources, including but not limited to ownership, leasing, cooperative management. Land tenure is shaped by economic structures and the rules and forms of governance that determine what is allowable and possible on the land, who makes decisions and how they are made, and which goals and outcomes are prioritized with those decisions.

**Limited Resource Farmer or Rancher:** As defined by the USDA, the term "Limited Resource Farmer or Rancher" means a participant:

- With direct or indirect gross farm sales not more than the current indexed value in each of the previous two years, and
- Who has a total household income at or below the national poverty level for a family of four, or less than 50% of county median household income in each of the previous two years.

**Socially disadvantaged farmer or rancher:** As defined by the 2017 Farmer Equity Act (AB 1348), a farmer or rancher who is a member of a socially disadvantaged group. "Socially disadvantaged group" means a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. These groups include all of the following:

5. African Americans.
6. Native Indians.
7. Alaskan Natives.
8. Hispanics.
9. Asian Americans.
10. Native Hawaiians and Pacific Islanders.

**Sovereignty:** Land equity requires stability and sovereignty on land once access is achieved. For the purposes of this report, "sovereignty" refers to the authority and

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Nations ESCWA. N.d. Term: Land access; right of access; access to land. <https://stage-unesocwa.unescwa.org/sd-glossary/land-access-right-access-access-land>

responsibility to govern. Sovereignty, in contrast to the term “autonomy,” is focused on relationships and responsibilities that accompany control over decision-making.

This approach to sovereignty is applicable in two interrelated yet distinct contexts:

- sovereignty as a defining characteristic of California Tribal Nations and the foundation for nation-to-nation relations and responsibilities, and
- land sovereignty as a social justice issue for those who have been deprived of a homeland and who have faced systematic land theft and dispossession, including ancestors of enslaved individuals.

In both contexts, control, agency, and responsibility are key. While exercising sovereignty will look different for citizens of Tribal Nations than it will for others, a critical component of land equity is autonomy over land use and decision-making.

This expansive understanding of agriculture and agricultural land is intended to capture peoples’ reciprocal relationships with land and ecosystems that support many others, both human and non-human. This relates to the importance of the quality of land in evaluations of agricultural land equity. The question is not only who can access land but also which lands different people can access and under what conditions.

#### **Stewardship:**

**Veteran Farmer or Rancher:** As defined by the USDA, the term “Veteran Farmer or Rancher” means a producer who

- Served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve component thereof; was released from service under conditions other than dishonorable; and:
  - Has not operated a farm or ranch, or has operated a farm or ranch for not more than 10 years; or
  - Who first obtained status as a veteran during the most recent 10-year period.

#### **Viable Land:**