

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

Compiled by the California Strategic Growth Council
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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.

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.

Priority Recommendations

1. TBD

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

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, Community Engagement and Collaboration 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 [XX] 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: The physical and legal ability to be in relationship with the land. 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 legal and 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 the Agriculture Improvement Act of 2018 (H.R.2).

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.¹

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 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. Agricultural land equity is also a strategy that achieves California State goals and contributes to food security, ecological health, and climate adaptation.

Historical context and contemporary barriers

California's history, like that of the U.S., has been characterized by historical injustices, including centuries of land theft and discriminatory practices, that underlie current disparities. California's agricultural history is intertwined with a series of State immigration laws and exclusion acts intended to maintain a low-cost supply of farm labor without creating competition for land, as Chinese, Japanese, Indian, Black, and Mexican farmers all saw their property rights denied.²

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.³ Racial terror and land theft destroyed thriving African Americans communities, while discriminatory lending practices by the USDA and other agencies led to African American farmers being pushed off their land.⁴ A series of State-backed Federal policies, from the

¹ 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.

² Fuller, Vernon. "The Supply of Agricultural Labor as a Factor in the Evolution of Farm Organization in CA." US Congress. Committee on Education and Labor. Violations of Free Speech and Rights of Labor, hearings, 76th Congress, 3rd session (74th Congress), Exhibit 8762-A, January 1940.

³ [Executive Order N-15-9](#)

⁴ California Task Force to Study and Develop Reparation Proposals for African Americans Final Report. 2023. pp. 484-5. <https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>

Chinese Exclusion Act of 1882 to the Alien Land Laws of 1913 and 1920, barred Asian immigrants from buying and leasing farmland.⁵ In 1942, Executive Order 9066 led to the forced removal and incarceration of more than 122,000 Japanese Americans on the West Coast.⁶

In the same year, to address a national shortage in agricultural labor, the Bracero Program was established to bring Mexican farmworkers to the U.S., setting the stage for the State's current reliance on migrant labor, especially from Mexico and Central America.⁷ Too often, farmworkers face exploitative working and living conditions; a 2022 UC Merced survey found that farmworkers in California face a range of challenges, from employer wage withholding to food insecurity.⁸ Women farmworkers can face additional risks including higher rates of pesticide poisoning.⁹

As a result of these and other State and Federal policies, the wealth of the U.S., including that of its agriculture industry, has been built on stolen land and the forced labor of California Tribal Nations, enslaved African Americans, and other exploited communities, who have been systematically excluded from land ownership and wealth-building opportunities.¹⁰ Recent research points to billions of dollars lost in wealth for Tribal Nations and Black communities due to government-enacted dispossession.¹¹

These inherited land access and wealth disparities, along with historically unjust lending practices and limited access to support services, have produced contemporary inequities

⁵ 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>

⁶ Incarceration of Japanese Americans – Rosie the Riveter WWII Home Front National Historical Park, U.S. National Park Service, <https://www.nps.gov/rovi/learn/historyculture/incarceration-of-japanese-americans.htm>

⁷ 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>

⁸ Brown, Paul, Edward Flores, and Ana Padilla. 2022. *Farmworker Health in California*. University of California, Merced. https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/fwhs_report_2.2.2383.pdf.

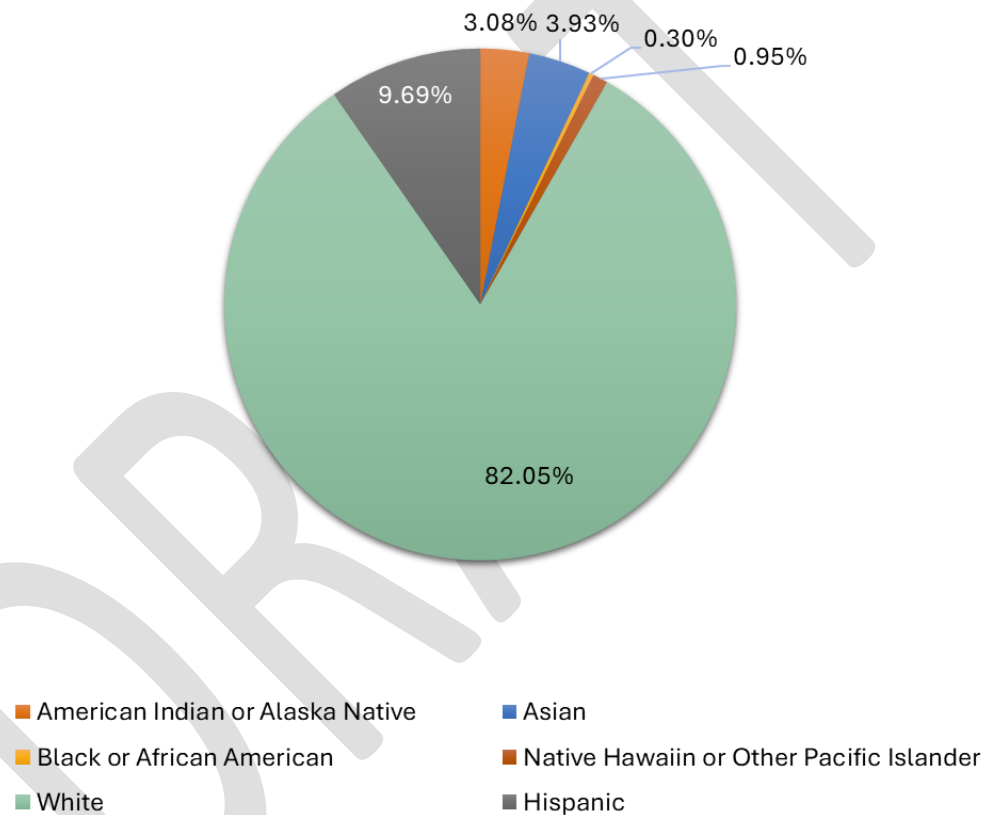
⁹ Ibid, 37. It is important to note that while this report focuses on the role of land ownership and secure tenure in alleviating inequities in the agricultural sector, it is also necessary to address the ongoing exploitation of farmworkers by farm owners.

¹⁰ 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>;

¹¹ 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>.

in resource distribution that are visible in land ownership patterns.¹² 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.¹³

Percent of Total Acres of Owned Land in Farms in CA by Producer Demographic (2022)



Alongside race and ethnicity, gender also impacts agricultural land access and tenure. Among other challenges, “exclusion from networks, difficulty accessing credit, and the tendency of the retiring generation to choose male heirs” have created additional barriers for women producers and land stewards.¹⁴ These disparities in are even greater for women who identify as Black, Indigenous, and other Women of Color.

¹² 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>.

¹³ American Farmland Trust <https://farmland.org/project/farms-for-a-new-generation-in-california/>

¹⁴ Joseph, C., G. Roesch-McNally, and A. Looser. 2024. The State of Gender Equity in U.S. Agriculture.” American Farmland Trust, p. 17. <https://farmlandinfo.org/wp-content/uploads/sites/2/2023/12/AFT-gender-equity-report.pdf>

Inadequate access to land is the primary barrier for producers and land stewards who are part of marginalized social groups.¹⁵ This is a significant portion of California's agricultural community. According to the 2022 USDA Census of Agriculture, in California, approximately 20%, or one in five agricultural producers and land stewards, are considered socially disadvantaged farmers and ranchers.¹⁶

This group overlaps significantly with that of small-scale operators, who make up the majority of California's producers and land stewards: according to the 2022 USDA census, 62% of California's producers operate on 50 acres or less.¹⁷ On the other end of the landholding spectrum, as of 2017, the largest 5% of properties in California made up 50% of cropland, meaning just 5% of landowners collectively own half of the total farmland in the state.¹⁸

Farm size in relation to percent of total acres and total owners in CA (2017) ¹⁹		
Size in acres	Percent of total acres	Percent of total owners
>1,000	50%	4.63%
250–500	16.5%	5.7%
100–250	16.8%	12.9%
50–100	7.9%	13.3%
<50	9.9%	63.5%

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."²⁰

¹⁵ 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.

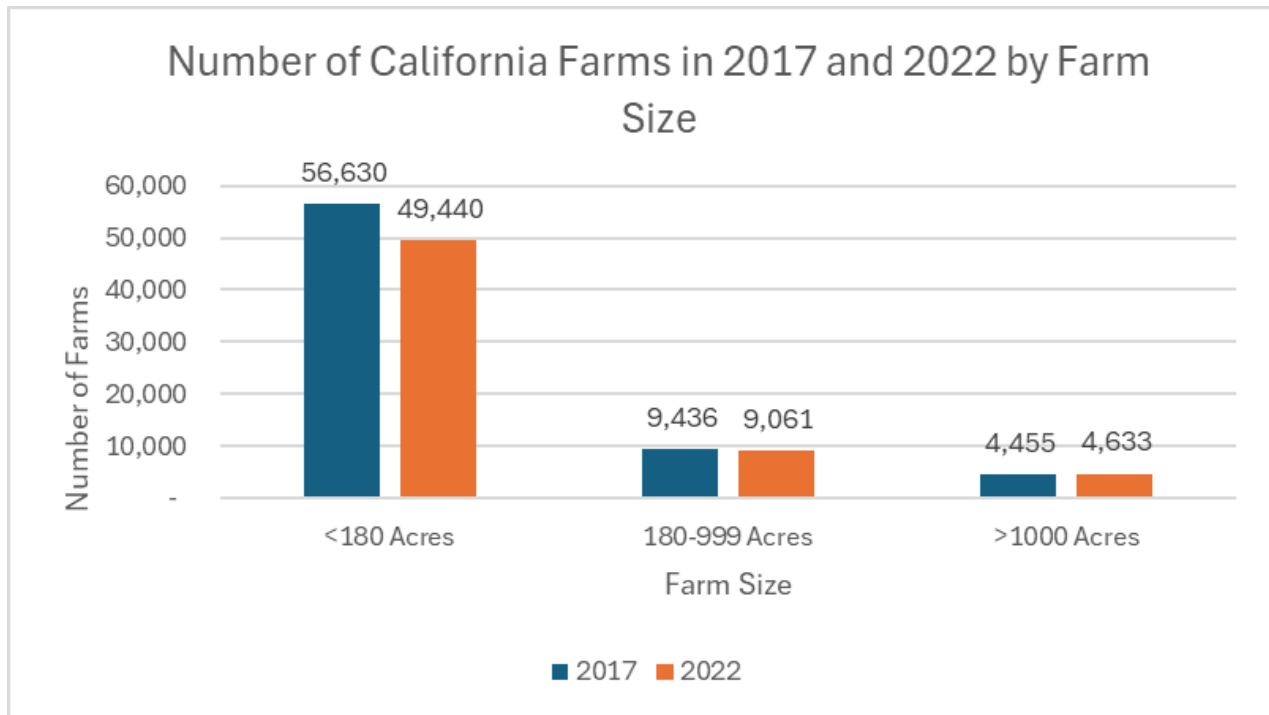
¹⁶ 2022 Census of Agriculture – State Data USDA, National Agricultural Statistics Service. https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/st06_1_052_052.pdf

¹⁷ 2022 Census of Agriculture – State Data USDA, National Agricultural Statistics Service. Table 71. Summary by Size of Farm: 2022.

¹⁸ Macaulay, L, Butsic, V. 2017. Ownership characteristics and crop selection in California cropland. California Agriculture 71(4): 221–230.

¹⁹ Macaulay, L, Butsic, V. 2017. Ownership characteristics and crop selection in California cropland. California Agriculture 71(4): 221–230.

²⁰ O'Connor, Theresa. 2024. "What the 2022 Census of Agriculture Confirms about California." American Farmland Trust. <https://farmland.org/2022-census-of-agriculture-california/>



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As these numbers suggest, California's farmland is increasingly controlled by a few large landowners. 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 sales.²² In California, between 2011–17, limited liability companies bought 5.7 times as many acres of farmland across the state (192 acres, on average) compared to individual buyers (34 acres, on average).²³

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%.²⁴ Prices reached a

²¹ 2017 Census of Agriculture – State Data USDA, National Agricultural Statistics Service. https://data.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1_Chapter_1_State_Level/California/cav1.pdf; 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

²² 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.

²³ 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>

²⁴ United States Department of Agriculture. 2022. Land values summary 2022. https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf

high of an average of \$12,000 per acre in 2022, which was a 10.1% increase from just a single year prior.²⁵ 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.

Recognize and respect California Tribal Nations' sovereignty

In this report, the term “agriculture” includes Traditional Ecological Knowledge and the forms of stewardship that anchor California Tribal Nations’ relationships with land. Cultural practices of stewardship, such as basket weaving and cultural fire, have been actively excluded or prohibited by the State to the detriment of societal and ecological health. A core goal of this report is to reframe the meaning of “agriculture” to include living in relation with the land, water, air, and life in all forms. These relationships of care are the foundation for many culturally and regionally diverse First Foods, such as berries, acorns, and fish.

California Tribal Nations were forcibly removed from their ancestral lands. Today, many Tribal Nations cannot access their ancestral lands, and among those who do maintain access, they are often limited to a small section of their ancestral homelands. This often severs access to essential ecosystems and cultural relations, as in the case of Tribal Nations whose recognized lands are inland but for whom coastal lands are core to their cultural knowledge, practice, and belonging.

Ensuring Tribal Nations’ access to ancestral lands, then, must be a critical component of State efforts to recognize and address the centuries of violence and injustice that persist today. The recommendations herein center the role of Traditional Ecological Knowledge, Tribal agricultural practices, and food and fiber sovereignty as core to efforts to recognize and respect California Tribal Nations’ sovereignty. They are intended to complement and build upon parallel State projects and policies, including the California Truth and Healing Council, Governor Newsom’s Statement of Administration Policy on Native American

²⁵ United States Department of Agriculture. 2022. Land values summary 2022. https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf

Ancestral Lands, and the California Natural Resources Agency's (CNRA) Tribal Stewardship Strategy and Tribal Nature-Based Solutions Program.

Make progress on State efforts toward justice

California's history includes many instances of discriminatory, exclusionary, and harmful policies that have shaped contemporary injustices. In recent years, the State has enacted numerous policies and programs to recognize and address this history, such as the California Reparations Task Force, the California Racial Equity Commission, the Farmer Equity Act, and this Task Force.

These policies and programs represent the State's commitment to rectifying historical wrongs and advancing fair and just access to agricultural land plays a critical role in this process by providing opportunities for wealth building, food security and sovereignty, and regional economic prosperity.

Foster economic prosperity

The California Jobs First State Economic Blueprint calls for strengthening agricultural production in nine of California's 13 regions.²⁶ While agriculture is a cornerstone of California's economy, secure land access is foundational for farm business success.

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 building and land access. This stability and continuity are critical to workforce development and economic opportunities.

Many farmworkers, for example, aspire to own their own businesses, but land access is often a key barrier to making the transition from laborer to owner.

Ensure food security and diversity to build healthy communities

Food security and sovereignty are foundational to overall societal health.²⁷ Fair and secure access to land are foundational to achieving food security and sovereignty. Agricultural land equity is therefore foundational to achieving health equity.

Secure land tenure plays an important role in promoting and supporting small-scale operations across the state and the nation. Smaller operations are more likely to engage in local food networks and cultivate products that are rooted in the regions that they serve, meaning that when diverse producers have secure access to land, local communities—

²⁶ California Jobs First. State Economic Blueprint. February 2025. <https://jobsfirst.ca.gov/wp-content/uploads/Economic-Blueprint.pdf>

²⁷ Wiler, A., C. Hergesheimer, B. Brisbois, H. Wittman, A. Yassi, and J. M. Spiegel. 2015. Food Sovereignty, food security and health equity: a meta-narrative mapping exercise. *Health Policy and Planning*, 30(8), pp. 1079-1092, <https://doi.org/10.1093/heapol/czu109>.

urban, peri-urban, and rural—are more likely to have access to healthy, fresh, and culturally valuable foods and medicines.²⁸

As a cornerstone of achieving food security and food sovereignty, secure and stable access to land is a critical component of achieving health equity.

Protect and promote healthy and resilient working lands

Key to achieving agricultural land equity and the state’s climate and environmental protection goals is the conservation of California’s agricultural land. Conserving agricultural land prevents its conversion to other uses—like residential development, a more carbon intensive land use.²⁹ Agricultural land conservation has also been identified as a key strategy for achieving California’s goals of conserving 30 percent of its land by 2030, enhancing biodiversity, and achieving carbon neutrality by 2045.³⁰

Beyond conservation, 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 and environmental protection goals and stewarding California’s agricultural resources into the future.

Agricultural land equity promotes healthy working lands in several ways.

First, returning ancestral lands 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.³¹ For example, California Tribal Nations’ use of cultural fire is a critical land management practice that not only helps prevent disastrous wildfires but also improves the health and biodiversity of the state’s ecosystems.

Second, it puts agricultural land into the hands of producers and land stewards, limiting the buy-up of agricultural land by institutional investors and the potential mismanagement of land and resources held by investment firms.³²

²⁸ Congressional Research Service. The Role of Local and Regional Food Systems in U.S. Farm Policy. February 2016. [R44390.4.pdf https://plantingseedsblog.cdfa.ca.gov/wordpress/?p=10952](https://plantingseedsblog.cdfa.ca.gov/wordpress/?p=10952)

²⁹ Nature-Based Climate Solutions. Natural and Working Lands Climate Smart Strategy. https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Expanding-Nature-Based-Solutions/CNRA-Report-2022---Final_Accessible.pdf

³⁰ [30x30 California](#)

³¹ Middleton-Manning, Beth Rose. 2011. Trust in the Land: New Directions in Tribal Conservation. Tucson: University of Arizona Press.

³² Fairbairn, Madeleine. 2020. Fields of Gold: Financing the Global Land Rush. Ithaca: Cornell University Press.

Third, smaller farms tend to adopt practices that promote biodiversity, such as using more diverse cropping patterns. These practices benefit farms and society more broadly. Benefits include higher yields; greater resilience to floods, droughts, and diseases; improved soil health. Further, these practices provide habitat to pollinators and other wildlife, improving pollination and providing for natural pest management.³³

Finally, by establishing structures for sovereignty and secure land tenure, agricultural land equity 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. In sum, secure land tenure is critical to ensuring that the State meets its environmental goals, from conserving land to achieving carbon neutrality.

³³Farms + Data: California's farms are smaller than the US average, but they're big on diversity – and productivity – CDFA's Planting Seeds BlogCDFA's Planting Seeds Blog; 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>

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 numbered sections are listed in no particular order and do not necessarily represent Task Force members' priorities.

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 injustices that persist today.

Federally recognized California Tribes currently hold 635,739 acres, less than 1% of the state, in reservation lands.³⁴ An additional approximately 12,635 total acres of land in California have been returned to twelve of the 110 federally recognized tribes and more than 80 tribes on the Native American Heritage Commission list since 1995. In 2024, CNRA's Tribal Nature Based Solutions Program awarded grants to 33 Tribal Nations to support the return of roughly 38,950 acres of land. While this work is a valuable step in the right direction, many California Tribal Nations are landless or on very small parcels.³⁵

One such injustice is the loss of Tribal land through allotment. The General Allotment Act (Dawes Act), passed by Congress in 1887, authorized the division of Tribal land into allotments for Tribal individuals and families, which were normally between 40 and 160 acres. If reservation land exceeded that needed for allotment, "excess land" could be sold to non-Tribal individuals. Often, the most productive land was deemed "excess."³⁶ Additionally, the Act allowed Tribal landowners to sell or lease their land once 25 years had

³⁴ 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

³⁵ 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

³⁶ Indian Land Tenure Foundation. <https://iltf.org/land-issues/history/>

passed since the issuance of the allotment, and numerous legislative amendments made it easier to transfer land to non-Tribal individuals.

Overall, allotment resulted in the loss of roughly 90 million acres of land from Tribal control, and numerous other challenges persist today as a result of allotment, including checkerboard-like ownership of land, lost access to sacred sites, fractionation through transfer to multiple heirs, and lack of access to land that is “landlocked,” meaning surrounded by privately held land.³⁷

*Success Story of fee-to-trust conversion 2) a)*¹

The persistent land access challenges arising from allotment and other forms of land theft and exclusion require a cohesive response from the State. 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 Governor Newsom’s Statement of Administration Policy on Native American Ancestral Lands.³⁸

1) Return state-owned lands to Tribal Nations

- a) Transfer ancestral lands to Tribal Nations without restrictions.
- b) Establish and fund a Tribal State Lands Commission comprised of regionally diverse delegates of federally recognized and non-federally recognized California Tribal Nations.
 - i) Establish and fund a new state program designed to purchase and return ancestral lands.
 - ii) Require that the Commission advise and oversee the creation of a statewide goal for acres of land returned to California Tribal Nations.
 - iii) In collaboration with local and state agencies, require the Commission to identify surplus land and establish pathways for land return.
- c) Ensure Tribal Nations do not need to create alternative entities, such as non-profits, 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) Require state agencies to transfer land directly to Tribal Nations, without the need for a third-party intermediary such as a land trust, through a specified process and within a consistent timeframe.
 - iii) Establish a right of first refusal process that provides Tribal Nations the access and opportunity to accept publicly held land at zero or minimal cost.

³⁷ Indian Land Tenure Foundation. <https://iltf.org/land-issues/history/>

³⁸ 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>

- iv) If collaboration with a third party is required, prioritize partnerships with Tribal-led and serving organizations and community-based organizations that practice cultural humility.

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

- a) Provide financial and technical assistance and legal aid to Tribal Nations working to convert fee land to trust land.
- b) 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.
- 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.
- d) Coordinate with federal agencies to support the return of federally owned lands to Tribal Nations.

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

Case study

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.

It is important to consider the legal distinctions between federally recognized and non-federally recognized Tribal Nations that impact strategies for advancing agricultural land equity.

- 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 the implementation of Traditional Ecological Knowledge such as cultural fire***
 - a) Fund efforts to share and advance this knowledge in culturally meaningful ways.
- 3. *Enforce existing laws, such as the California Native American Graves Protection and Repatriation Act (CalNAGPRA), intended to protect Native remains, sites, and practices.***
- 4. *Direct the Governor's Office of Land Use and Climate Innovation to work with Tribal Nations to develop model zoning ordinances that are tailored to the specific needs of non-federally recognized and federally-recognized Tribes.***
 - a) Include guidelines that will support stewardship uses on Tribal land, including housing. Direct local governments to adopt these ordinances.

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.³⁹

Urbanization accounts for the vast majority of this loss, more than 1.2 million acres over the 1984–2018 timeframe.⁴⁰ 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 2018.⁴¹ 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 agricultural sector, California's invaluable working lands, and especially its prime agricultural soils, must be protected and managed effectively.

The following recommended actions are intended to protect California's farmland while ensuring fair opportunities for access and secure tenure on those lands.

³⁹ California Department of Conservation. N.d. "Fast Facts."

⁴⁰ California Department of Conservation. N.d. "Fast Facts."

⁴¹ California Department of Conservation. N.d. "Fast Facts."

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

- a) Establish an agricultural land conservation target informed by the 30x30 process.⁴²
 - i) Prioritize priority producers and land stewards in 30x30 implementation strategies.
 - ii) Fund agencies' implementation and monitoring efforts.

2) *Acquire and fund the acquisition of Prime Farmland for agricultural conservation*

- a) Establish a conservation program that provides conditional funding to eligible entities, like resource conservation districts, land trusts, and Tribal Nations, to purchase and then lease Prime Farmland to priority producers and land stewards.
- b) 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.
- c) 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.
- d) Restrict the resale price of properties protected by agricultural conservation easements to ensure they remain affordable for agricultural producers and land stewards.

3) *Establish financial, technical, and legal support to facilitate better collaboration between land trusts, technical assistance providers, and priority producers and land stewards*

- a) The Department of Conservation should fund the development of a training program for land trusts and technical assistance providers that will teach participants: 1) how to design conservation tools like agricultural and cultural easements that directly serve priority producers and land stewards, and 2) cultural humility, especially in relation to working with Tribal Nations.
 - i) The training program should be developed and implemented in partnership with Tribal Nations, diverse producers, and community-serving organizations.
 - ii) Provide funding for land trusts and technical assistance providers to participate in the training.
- b) Fund land trusts to cover the costs of permitting, maintenance, infrastructure needed to operate a viable agricultural business, and other expenses so that those costs are not deferred to receiving land stewards.

⁴² 30x30 California. N.d. "What is 30x30?"

- c) Fund technical and legal support for priority producers and land stewards to maneuver land transactions with land trusts and other landholders.
- d) Prioritize support for land trusts and technical assistance providers that:
 - i) Complete the training outlined above in section 3.a.
 - ii) Demonstrate benefits for priority producers and land stewards.
 - iii) Are community-based.
 - iv) Practice cultural humility.
 - v) Demonstrate ability to engage with land stewards and consider their needs in easement creations and other services.

4) Improve conservation tools for land stewards

- a) Update the law defining conservation easements in California, in collaboration with Department of Conservation (DOC), to allow for traditional Tribal uses and appropriate agricultural uses. Ensure the following provisions:
 - i) Enable cultural land management and traditional ecological knowledge.
 - ii) Provide flexibility for producers and land stewards to respond to changing environmental and market conditions.
 - iii) Allow for building infrastructure that is necessary to maintain farm viability and for land stewards and farmworkers to live on the land, such as housing, irrigation, water storage, and post-harvest handling infrastructure.

4. Facilitate equitable transition of private lands

Millions of acres of farmland are expected to transition between owners in the next 15 years.⁴³ Without a vision and clear plan for implementation, it is likely that this land transition will worsen existing inequalities, with powerful landholders further consolidating land ownership.

In California, there are several factors that make it difficult for priority producers and land stewards to access agricultural land. A total of 96% of farmland is privately owned and largely consolidated among a few large-scale landholders. Land consolidation continues to accelerate,⁴⁴ while the cost of farmland increased to an average of \$12,000 per acre in 2022, a 10.1% increase from the year before.⁴⁵ On top of the financial barriers, technical and

⁴³ 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>

⁴⁴ Luke Macaulay and Van Butsic, 2017. Ownership characteristics and crop selection in California cropland <https://californiaagriculture.org/article/108763>

⁴⁵ United States Department of Agriculture. 2022. Land values summary 2022. https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf

legal knowledge is often required to successfully navigate the process of purchasing or gaining access to farmland.

A statewide strategy is needed to enable fair access to land, reduce land prices and consolidations, and support both retiring producers and the next generation.

1) Facilitate transparent and fair land sales

- a) Require land sales to be public information.
- b) Fund local and regional organizations to develop culturally 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

- 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 retiring producers' and land stewards' lifetimes.
- c) Establish funding for land-linking programs to:
 - i) Improve and maintain land listing portals and add available properties in all regions across the state on an ongoing basis.
 - ii) Offer capacity building for regional staff to partner with counties and local governments.
 - iii) Facilitate connections between landholders and land-seekers, provide technical assistance, and support both parties with the development of secure agreements that include a pathway to ownership.
- d) Establish a producer pension fund to allow producers and land stewards 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 Tribal State Lands Committee and other state agencies and serve as a resource in advancing statewide equity and climate resilience goals.

4) Establish a new technical assistance department

- a) Establish and fund the department to provide technical assistance 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.

Over half of cropland in the U.S. is rented.⁴⁶ 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 and land stewards to build enough capital to acquire land.

In addition to lease length and cost of infrastructure with no return, producers across the state face barriers being able to stay on their land due to viability of their farm. Small, beginning farmers shared that limited market access presented the greatest barriers to growth and success. They shared that fairer prices for their product and more sales channels are needed even before individual land ownership due to their current dependence on unfair wholesaler pricing [Site engagement session and site visit summaries.]

1) *Advance fair landowner-tenant relationships*

- a) Support the development and implementation 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) Develop mechanisms that allow tenants to retain the monetary value associated with improvements made to leased land.
- d) Increase the maximum allowable length of leases in California from 51 to 100 years.

⁴⁶ 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

- e) Increase access to legal support and fund technical assistance providers who assist with contract and relationship development and provide lease mediation services. This includes support for approaches that can address unfair lease terms without resorting to formal legal procedures.

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

- a) Improve technical assistance to assist with implementing sustainable and viable agricultural uses in areas that have been heavily impacted by changing climate or water conditions.

6. Reform current policies and regulations to address uneven impacts

Shifting policy and regulatory frameworks and their uneven enforcement are more likely to adversely affect those with insecure land tenure. 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 smaller-scale holders and those who do not have secure access to land.

1) *Address inequities while respecting the intention of the law*

- a) Mandate interagency review and evaluation prior to implementing new regulations to avoid conflicting guidance and requirements. For instance, ensure policies aimed at increasing soil health do not 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.

2) *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) Fund research to evaluate and address the impacts of land fallowing and repurposing on small producers and land stewards.
- 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 and land stewards.
- 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 and land stewards.

3) Irrigated Lands Regulatory Program

[ADD: Context and recommendations]

4) 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 and land stewards.⁴⁷

[ADD: Context and recommendations]

5) 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.⁴⁸ [ADD: Context and recommendations]

7. Ensure 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.

When priority producers and land stewards do access public and private grants and loans they are often challenged with the slow, burdensome processes and limited flexibility related to spending the capital.

Further, there is a lack of service providers and experts who practice cultural humility and have the necessary knowledge, expertise, and language capabilities needed to effectively serve priority producers and land stewards in accessing public funding.

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

⁴⁷ Carlisle, L. 2014. Critical agrarianism. *Renewable Agriculture and Food Systems* 29(2): 135–145.

⁴⁸ 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 the equity goals and objectives established by publicly funded programs.
- b) Based on the evaluation findings, increase funding for equity-centered technical assistance to support applicants in navigating the complex funding landscape.
- c) Ensure language access is a core component of all technical assistance and capacity-building programs during both the application and award periods.

2) *Evaluate and revise existing programs to advance agricultural land equity*

- 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) Improve distribution of public resources by recognizing and accounting for inefficiencies in census data, especially in agricultural regions. Identify other mechanisms for measuring needs to ensure that decisions that affect priority producers and land stewards accurately account for these communities.⁴⁹
- e) Establish uniform metrics and evaluation processes to understand and improve program outcomes. Require grant programs to report annually using a uniform matrix. Matrix categories may include:
 - Information about applicants, awardees, and final land stewards, including optional demographic questions.
 - Geography.
 - Acres impacted.
 - Dollars invested.
 - Number of land stewards impacted.
 - Length of lease (tenure variables).

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.

⁴⁹ 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/>

- b) Create and/or provide funding for 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) Create an Aggie Bond program—a federal-state partnership that allows private lenders to receive tax-exempt interest on loans made to beginning farmers—to support fair financial institutions in reducing interest rates for priority producers and land stewards.
- d) Create a downpayment assistance program to improve access to conventional loans and other available finance.
- e) 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.
- f) Establish debt forgiveness programs for qualified producers and land stewards that have been systematically excluded from wealth building opportunities.

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

Development is a significant driver of the loss of California’s agricultural land. Based on existing trends, American Farmland Trusts predicts that California will “pave over, fragment, or compromise 797,400 acres of agricultural land by 2040.”⁵⁰ Local planning thus plays a critical role in preserving agricultural land and reducing barriers to running a viable agricultural operation in urban and rural areas alike.

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. Creative action is needed to address the housing challenges of producers, land stewards, and farmworkers while preventing further loss of agricultural land.

[Add: farmer story on how restrictive zoning presents barrier to farming and living]

- 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) Direct, incentivize, and support local governments to conserve agricultural land**

⁵⁰ O’Conor, T. 2024. What the 2022 Census of Agriculture Confirms about California. American Farmland Trust. <https://farmland.org/blog/2022-census-of-agriculture-california/>

- a) Adopt innovative land use planning strategies to limit development on prime agricultural land including but not limited to:
 - i) Establish urban growth boundaries.
 - ii) Implement agriculture preservation overlays.
 - iii) Require agricultural land mitigation banking as part of new developments and make mitigated land available for food and fiber cultivation.
- b) In urban contexts, include composting and on-site resource management on land zoned for agriculture.
- c) Modify zoning codes to allow for traditional Tribal uses and cultural land management.

3) Direct, incentivize, and support local governments to expand housing for farmers and farmworkers

- a) Decrease permitting costs and streamline permitting processes.
- b) Develop agriculture housing permission zoning policies that allow for housing construction for farmworkers and farm owners on the land they steward, including non-traditional forms of housing such as mobile homes, trailers, modular homes, double-wide homes, tiny homes, RVs, and campers.
- c) Remove barriers to infill housing projects to ease development pressure on peri-urban and rural lands.
- d) Develop and adopt multi-use zoning designations that allow for agriculture-related activities, such as housing and retail, to occur in areas currently zoned exclusively for agriculture.
- e) While increasing housing on and near agricultural land, maintain protections:
 - a) Establish a maximum ratio of housing-to-agriculture use to allow flexibility without thwarting agricultural land conservation goals.
 - b) Ensure local governments maintain inspections and enforce fair leasing to protect tenants particularly in employer-operated housing.
- f) Amend local Williamson Act to ensure that housing, even temporary housing, is permitted on agricultural land.

9. Utilize suitable public lands for agriculture

Four percent of California's cropland is owned by local, state, federal or another form of non-Tribal government. According to the 2017 USDA Census of Agriculture, roughly 50% of these 300,000 acres are currently fallowed.⁵¹ 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.

⁵¹ Macaulay, L, Butsic, V. 2017. Ownership characteristics and crop selection in California cropland. *California Agriculture* 71(4): 221–230.

[Add: Farmer story: Community garden in San Diego purchased public land; challenges & opportunities]

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 return them to Tribal Nations or make them available to land stewards to purchase or lease below market value.
- b) Direct DOC to establish secure, long-term access agreements that allow for cultivation of public lands.
 - i) Ensure fair leasing terms based on the recommendations included in Goal 5 of 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.

2) Local government-owned land

- a) Support and incentivize local governments to make public land accessible to priority producers and land stewards by providing secure, long-term leases 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.⁵²

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.

Cultural humility:

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.

⁵² 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>

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:
 1. African Americans.
 2. Native Indians.
 3. Alaskan Natives.
 4. Hispanics.
 5. Asian Americans.
 6. Native Hawaiians and Pacific Islanders.
2. An underserved producer, as defined in the Agriculture Improvement Act of 2018 (H.R.2), is "an individual (including a member of an Indian Tribe) that is
 1. a beginning farmer or rancher;
 2. a veteran farmer or rancher; or
 3. a socially disadvantaged farmer or rancher."

The term "socially disadvantaged farmer or rancher" is defined in S.2830, Food, Agriculture, Conservation, and Trade Act of 1990, as "a farmer or rancher who is a member of a socially disadvantaged group," meaning "a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities."

Land access: The physical and legal ability to be in relationship with the land. 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 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 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 legal and 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.

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 the following:

4. African Americans.
5. Native Indians.
6. Alaskan Natives.
7. Hispanics.
8. Asian Americans.
9. 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 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:

Underserved producer: As defined in the Agriculture Improvement Act of 2018 (H.R.2), “an individual (including a member of an Indian Tribe) that is

1. a beginning farmer or rancher;
2. a veteran farmer or rancher; or
3. a socially disadvantaged farmer or rancher.”

The term “socially disadvantaged farmer or rancher” is defined in S.2830, Food, Agriculture, Conservation, and Trade Act of 1990, as “a farmer or rancher who is a member of a socially disadvantaged group,” meaning “a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.”

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: