

Briefing Materials

Prepared for the Sep. 17, 2024 Meeting of the Land Use Governance and Sovereignty Subcommittee of the California Agricultural Land Equity Task Force

The Land Use Governance and Sovereignty Subcommittee (Subcommittee) of the California Agricultural Land Equity Task Force (Task Force) was established on August 15, 2024. Subcommittee members include Dorian Payán and Emily Burgueno.

In preparation for the first Subcommittee meeting on September 17, 2024, SGC staff request that Subcommittee members review the revised Land Use Governance and Sovereignty section of the [draft work plan](#) shared at the August Task Force meeting.

Land Use Governance and Sovereignty Section of the Work Plan

The revised work plan defines the Land Use Governance and Sovereignty dimension of land access as the following:

What is allowable and possible, who decides, and how decisions are made and upheld once an individual, entity, organization, or government has access. Land use is defined broadly to include a range of values and stewardship and cultural practices.

Guiding principles and approaches

- Prioritize sovereignty for land stewards who have been disposed and excluded from secure land access.
- Respect California Native American tribal lands, sacred sites, and land management practices.
- Examine how the regulatory context impacts equity.

Topics, issues to address, and potential solutions

Topic	Issues to address	Potential solutions
Land use planning and restrictions	<ul style="list-style-type: none"> • Single-use zoning can prohibit diverse agricultural land uses, including grazing, housing, and cultural land management • One-size-fits-all regulations and requirements can impede equity • Easements and covenants can restrict certain cultural and agricultural practices and uses • Local land use planning and State legislation and regulations can be contradictory and present challenges for small scale, diversified agriculture 	<ul style="list-style-type: none"> • Multiuse zoning • Build respect for agriculture among neighbors, the wider public • Limits to public nuisance complaints about farmers • Acknowledge and address ways that California Native American tribes are prevented from practicing sovereignty on ancestral lands • Utilize existing lists/maps of affordable housing locations to find ag appropriate lands (what isn't good for housing might be perfect for farms and vice versa)
State and federal legislation	<ul style="list-style-type: none"> • Disproportionate impacts of Sustainable Groundwater Management Act (SGMA), related bills, and other legislation and regulations on small and tenant farmers • Regulations fail to provide different considerations and approaches for small scale, diversified farmers and for 	<ul style="list-style-type: none"> • Legal framework that supports California Native American land management practices • Advocate for the removal of policies that are barriers to implementing sovereignty • Remove barriers that prevent ag and urban farm projects moving forward, e.g. fair prices for agricultural uses

Topic	Issues to address	Potential solutions
	<p>urban, peri-urban, and rural lands</p> <ul style="list-style-type: none"> • Regulatory barriers prevent CA Native American Tribes' ability to implement sovereignty, including the right to engage in practices like cultural fire and access ancestral lands 	<ul style="list-style-type: none"> • Ensure that diverse production systems and small-scale farmers are considered when designing regulations
Housing	<ul style="list-style-type: none"> • Finding land with appropriate housing is a challenge for underserved farmers • Stipulations on land use do not align with CA Native American practices of stewardship 	<ul style="list-style-type: none"> • Incorporate housing into ag land easements