

# Briefing Materials

## Prepared for the Sep. 26, 2024 Meeting of the Land Access, Acquisition, and Ancestral Land Return Subcommittee of the California Agricultural Land Equity Task Force

The Land Access, Acquisition, and Ancestral Land Return Subcommittee (Subcommittee) of the California Agricultural Land Equity Task Force (Task Force) was established on August 15, 2024. Subcommittee members include Nathaniel Brown, Emily Burgueno, Ruth Dahlquist-Willard, Darlene Franco, Nelson Hawkins, Lawrence Harlan, James Nakahara, Doria Robinson, and Liya Schwartzman.

In preparation for the first Subcommittee meeting on September 26, 2024, SGC staff request that Subcommittee members review the revised Land Access, Acquisition, and Ancestral Land Return section of the [draft work plan](#) shared at the August Task Force meeting.

## Land Access, Acquisition, and Ancestral Land Return Section of the Work Plan

The revised work plan defines the Land Access, Acquisition, and Ancestral Land Return dimension of land access as the following:

How an individual, entity, organization, or government gains access to land in the first place. “Access” is interpreted broadly to entail a range of experiences and relationships with land.

## Guiding principles and approaches

- Acknowledge California Native American tribal sovereignty and that all land is stolen CA Native American land.
- Learn how repatriation restores land and soil health and native plant biodiversity, supports water retention, and revitalizes and restores cultural lifeways.
- Acknowledge historical patterns of discrimination and exclusion that continue to impact land access.
- Prioritize access and acquisition for land stewards who have been excluded.
- Understand and account for immigrant experiences and needs, especially those of undocumented farmers and farmworkers

## Topics, issues to address, and potential solutions

Topic	Issues to address	Potential solutions
<p><b>Land Back, repatriation</b></p>	<ul style="list-style-type: none"> <li>• Enforcing legal compliance and respect for ancestral lands, sacred sites, human remains, and cultural artifacts, especially on private land</li> <li>• Facilitating fee-to-trust acquisitions</li> </ul>	<ul style="list-style-type: none"> <li>• Increase government-to-government consultation and provide meaningful outreach to develop partnerships needed.</li> <li>• Increase public awareness of and support for California Native American tribal nations</li> <li>• Provide first rights of refusal to CA Native American tribes</li> <li>• Support Land Back as a path to repatriate an environment and culture.</li> <li>• Prioritize Traditional Ecological Knowledge (TEK) in ag practices and land management, provide opportunities to implement TEK</li> </ul>

Topic	Issues to address	Potential solutions
<b>Land markets</b>	<ul style="list-style-type: none"> <li>• Land consolidation (big landowners getting bigger) and financialization (institutional investing) make agricultural land prohibitively expensive for land stewards</li> <li>• Well-resourced, connected entities have early access to land sales</li> <li>• Consolidated land ownership can lead to consolidated water access</li> <li>• Urban development pressure on farmland</li> <li>• Racism in land sales and leasing</li> </ul>	<ul style="list-style-type: none"> <li>• Lot size adjustments</li> <li>• Prioritize alternative land arrangement possibilities, e.g., cooperatives, public land</li> <li>• Option-to-purchase agreements (various communities may be prioritized)</li> <li>• Rights of first offer or first refusal (various communities may be prioritized)</li> <li>• Platform to connect land seekers with landholders</li> <li>• Platform to notify of land availability</li> <li>• Multi-benefit land repurposing (MBLR) program</li> </ul>
<b>Access to and acquisition of public lands</b>	<ul style="list-style-type: none"> <li>• How might the “public land for public good” movement apply to agricultural context</li> </ul>	<ul style="list-style-type: none"> <li>• Long-term ag leases on public lands and opportunities for purchase</li> <li>• Lease holding entities buffer and protect public access for individual farmers</li> <li>• Different recommendations for public and private landholders</li> </ul>
<b>Access to finance</b>	<ul style="list-style-type: none"> <li>• Grant and loan programs exclude or disadvantage certain communities, e.g., eligibility requirements and loan financing</li> <li>• Incentives and disincentives impact equitable land access, e.g., tax incentives for owners</li> </ul>	<ul style="list-style-type: none"> <li>• New pathways for land acquisition, including subsidies for land purchases, land grants, forgivable loans</li> <li>• Mechanisms for timely response to acquisition opportunities</li> <li>• Capacity for community-based organizations (CBOs) to coordinate with other organizations/agencies and assist land seekers with the</li> </ul>

Topic	Issues to address	Potential solutions
		<p>multi-step process of land acquisition, including capital stacking and other creative financing options</p> <ul style="list-style-type: none"> <li>• Public funding that directly supports land stewards</li> <li>• Reverse amortization</li> <li>• Multi-year start-up loans</li> <li>• Beginning farmer loans, e.g. Capital for Beginning Farmer &amp; Rancher Act S. 4441</li> <li>• Increase number and impact of grant programs, especially those in which individuals are eligible applicants</li> </ul>
<b>Land succession</b>	<ul style="list-style-type: none"> <li>• Farmers aging out, no clear pathway to ensure an equitable transition</li> </ul>	<ul style="list-style-type: none"> <li>• Public resource that connects land sellers with land seekers</li> <li>• Support, funding, and technical assistance (TA) for succession planning (non-heir)</li> <li>• Mechanisms to bridge the gap of time and money</li> </ul>

**Potential topics for this subcommittee**

During the August meeting, Task Force members suggested that the Land Access, Acquisition, and Ancestral Land Return subcommittee could consider the following topics, perhaps through establishing working groups:

*Succession planning*

- Explore pathways for supporting and facilitating equity-focused succession planning and land transfers.

*Valuation*

- Hear from real estate and financial specialists about current agricultural land values and trends.

- Explore mechanisms and models that make agricultural land more financially accessible for priority communities, e.g. through regulatory structures and assessment practices.

### *Land Back (ancestral land return)*

- Review case studies and/or invite presenters to discuss successful Land Back projects
- Explore existing and potential mechanisms to advance ancestral land return