

# California Agricultural Land Equity Task Force Land Use Governance and Sovereignty Subcommittee Meeting Summary: January 16, 2025

DRAFT until approved at subsequent meeting

## Meeting Called to Order

Staff started the meeting at 10:05 a.m.

## Welcome and Housekeeping

Staff provided housekeeping information for all meeting participants. Slides and materials presented during the meeting are available on the Strategic Growth Council ([SGC website](#)).

## Roll Call

Staff conducted roll call. Members present:

- Dorian Payán
- Irene de Barraicua

Members absent:

- Emily Burgueno, Agricultural Land Equity Task Force Vice Chair

Quorum was established.

## Action: Approval of Past Meeting Summaries

Approval of September 17, 2024, meeting summary.

### Task Force Discussion:

No discussion.

### Public Comment:

No public comment.

### Action:

Member de Barraicua moved to approve the September meeting summary. Member Payán seconded the motioned.

Motion passes (2-0-1\*) \*Marks abstention or absence from vote.

## Working Session

### Staff Updates:

Staff provided updates on guest speaker requests. Staff are working to schedule presentations from The Circle Law Group and The Indian Land Tenure Foundation.

Staff proposed sharing the Grants and Resources Subcommittee's research findings on the Department of Conservation's Farmland Conservancy Program and the California Natural Resources Agency's Tribal Nature Based Solutions Program in lieu of separate research or guest speaker presentations for this subcommittee.

Staff then shared an opportunity to collaborate with a team of environmental law researchers examining local land use planning for climate action. The team is creating policy briefs to assist mostly local governments in advancing climate goals, and the team is interested to adapt their work to contribute to the work of the Task Force. Staff proposed having this subcommittee and the Sustaining Natural and Cultural Resources Subcommittee meet with the team of researchers to identify questions related to land use policies and regulations and associated impacts on equitable agricultural land access.

The research team would conduct research based on the discussion, write a policy brief draft, then host a half-day workshop to discuss and refine the policy brief. The final policy brief would be presented to the full Task Force to consider and included in the final report as deemed relevant.

Subcommittee members shared they view this as a valuable opportunity and requested to move forward with it.

Staff next provided updates on research requests. Regarding evaluating what municipalities are doing to integrate urban agriculture in their general plans, staff will share a searchable database of California's local governments' general plans and will share this research request with a member of the Advisory Committee once established.

Regarding considering how to equip the statements made in Governor Newsom's Statement of Administration Policy on Native American Ancestral Lands with regulatory power, staff proposed this be considered by the Land Access, Acquisition, and Ancestral Land Return Subcommittee. Subcommittee members approved.

Regarding cultural fire, staff noted that this issue is being considered in the Sustaining Natural and Cultural Resources Subcommittee and recommended organizing a joint working group between the two subcommittees. Subcommittee members supported this idea. Member Payán committed to being the subcommittee's representative for this working group. Staff will propose this to the Sustaining Natural and Cultural Resources Subcommittee at its February meeting.

### Draft Language Review

Staff shared the draft definition of sovereignty and sought subcommittee members' feedback. Key feedback included:

1. Add the concepts of care and responsibility for the land rather than just control over it.
2. Note the difference between autonomy and sovereignty, where sovereignty is more relational, and autonomy is more independent.

3. Recognize that all of California is the traditional land of California Tribal Nations and the discussion must begin with Tribal sovereignty; at the same time multiple forms of sovereignty can exist simultaneously for different communities. The two draft concepts of sovereignty are compatible.
4. Advance sovereignty and access to land for those who have tended the land well, especially farmworkers who have been working the land for decades.

Members also noted that process is a key aspect of respecting the sovereignty of the communities the Task Force's recommendations seek to serve, and the implementation of the Task Force's recommendations should be guided by additional future community input.

Staff then asked for subcommittee members to reflect on the benefits of and issues caused by easements. Regarding benefits, members noted that they are perpetual agreements that conserve agricultural land. They can also reduce market cost and help organizations that can't hold title to the land, like "shoestring" agricultural groups and non-federally recognized Tribal Nations.

Regarding issues, members noted that easements are the first thing landowners are offered when considering conservation but do not spark further introspection or reckoning with the history of the land or equitable outcomes. Further, subcommittee members noted restrictions on autonomy arise from limitations on who can hold the land. They further shared that easements can limit what landowners may do on the land, harming their ability to live on and make a living on the land. When easements are drafted, if certain groups are absent from the discussion, their vision for the land is not considered in its development.

Staff next shared draft recommendations relating to easements and covenants for subcommittee member review and asked for feedback. Subcommittee members suggested the following:

1. Establish best practices that advance cultural competency.
2. Create more impactful easements with less administrative burden.
3. Include potential stewards of the land in the easement development process.
4. Establish a hypothetical new accreditation program for California focused on advancing cultural competency and equity.
5. Make accreditation necessary for land trusts looking to advance buy-protect-sell.
  - a. When land is sold, community control is lost. Perhaps the "sell" portion of buy-protect-sell can be rethought to advance community control and benefit by being transferred to a public agency or community organization.
6. Allocate State financial support to land trusts in association with certain criteria, such as:
  - a. Length of existence,
  - b. Connection with the community,
  - c. Demonstrated cultural competency, and
  - d. Ability to engage members of priority communities.
7. In relation to the draft recommendation to require the sale of property protected by agricultural conservation easements be sold to a qualified agricultural producer, define who a qualified agricultural producer is, including:
  - a. Socially disadvantage farmers and ranchers,
  - b. Individual entrepreneurs,
  - c. Socially oriented entities,
  - d. Agroecological principles, and
  - e. Cooperatives.
8. Ensure easements and covenants create an agricultural legacy that allows for future generations to steward the land.

Members noted that, even with easements, the price of land can still be a significant challenge. These programs should be paired with mechanisms and incentives to make resale prices lower.

Staff then shared a proposed recommendation for addressing urban sprawl and its threat to farmland. Members shared the following feedback:

1. There is a tension between urban agriculture and the ever-present need for housing.
2. Sovereignty entails not just access to land but also access to necessary resources.
3. There should be increased collaboration between California's urban and rural environments:
  - a. Urban housing should be more affordable to alleviate pressure on rural land development for housing.
  - b. Infrastructure should be developed and improved to allow people to live in cities and commute to work on their farms.
    - i. Everyone in the agricultural industry should have access to their place of work within a certain amount of time without needing to live very rurally or on the farm.
  - c. Akin to the State's existing initiatives, like the California Natural Resources Agency's Outdoors for All initiative, initiatives should be advanced that increase access to agricultural land.

**Public Comment:**

No public comment.

Staff reviewed the day's discussion and key action items. Staff will schedule the next subcommittee meeting to take place in late February or early March. Staff highlighted upcoming meetings of the Task Force.

**General Public Comment:**

No public comment.

The meeting adjourned at 12:00 p.m.