

Language to Consider – January 16, 2025, meeting of the California Agricultural Land Equity Task Force Land Use Governance and Sovereignty Subcommittee

In preparation for the January 16 Subcommittee meeting, SGC staff request that Subcommittee members review the language included in this document and share feedback during the Subcommittee meeting. This language is a select list of issues and preliminary recommendations related to the scope of this Subcommittee that have been shared by California Agricultural Land Equity Task Force members. Ideas and feedback shared by this Subcommittee will be brought to the full Task Force at a subsequent meeting.

Defining Sovereignty

The language below is based on the discussion at the Guiding Principles table at the November 2024 Task Force meeting and initial ideas shared by the Land Use Governance and Sovereignty Working Group members.

Sovereignty

Land equity requires stability, autonomy, and sovereignty on land once access is achieved. For the purposes of this report, “sovereignty” means the authority to govern. This expansive definition is applicable in two interrelated yet distinct contexts:

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

In both contexts, control and agency 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.

Easements and Covenants:

The State should do the following:

- Amend [Civil Code Section 815](#), which establishes conservation easements, to ensure that easement language allows for the construction of housing and additional infrastructure improvements to sustain successful agricultural operations or advance the sovereignty of Tribal Nations on the land.
- Develop a training program for land trusts focused on how to develop better, more effective easements, implement buy-protect-sell, and advance land trust cultural competency—particularly regarding Tribal Nations.
- Create a land trust accreditation process to educate land trusts and create mechanisms by which to evaluate implementation of best practices
- Require that the sale of property protected by agricultural conservation easements be sold to a qualified agricultural producer.

- Restrict the resale price of properties under agricultural conservation easements to ensure they remain affordable for agricultural producers.
- Support land trusts that want to engage in buy-protect-sell mechanisms for conserving agricultural land.
- Ensure that easements provide sufficient flexibility for farmers to adapt to evolving environmental and market conditions.

Urban Sprawl

If time allows, staff would like to review this idea with the Subcommittee:

- The State should develop incentive programs or requirements for local governments to adopt urban growth boundaries and greenbelts that limit the permitted geographical expansion of urban areas and preserve agricultural land and open spaces