

**Round 10 Sustainable Agricultural Land Conservation Program Guidelines
Public Comments Log**

Comment Number	Commentor	Section	Subsection	Topic	Comment
1	Sutter Buttes Regional Land Trust	3	Eligible Projects	Ag Intensification	The term "non-cultivated" is too restrictive for the Central Valley, where agricultural lands have replaced seasonal wetlands. We estimate that 25% of California's rice lands are at risk of conversion to uses incompatible with waterfowl habitat, with much of it likely to become permanent crops like orchards and vineyards. To address this, the CVJV aims to protect 10% of the productive rice lands in the Sacramento Valley to support bird populations on an international scale. We respectfully urge you to strike the phrase "on non-cultivated lands" used in Section 3 to better acknowledge the importance of cultivated lands for wildlife habitat and to support the preservation of these critical areas.
2	Central Valley Joint Venture	3	Eligible Projects	Ag Intensification	The current SALCP easement guidelines, however, do not allow restrictions to protect conservation values on lands already being cultivated (e.g., by preventing conversion of ricelands to permanent crops such as orchards or restricting the crops being grown to beneficial small grains such as rice). Accordingly, these guidelines are not sufficient to protect the existing migratory bird habitat conservation values of ricelands. In order to make the SALCP an effective tool to protect both the agricultural and conservation benefits provided by ricelands, the CVJV requests that the following language be added to Section 3, Page 13 of the SALCP Draft Guidelines following the discussion of agricultural intensification restrictions on non-cultivated land: "Crop restrictions on cultivated land are permitted if each of the following conditions is met: • The restriction is consistent with the property's current and reasonably foreseeable agricultural use, and • Agricultural use of the property is not substantially impaired."
3	Shasta Land Trust	Appenedix C	Applicant-Led Tribal Notification	Tribal Notification	1) Please provide a hyperline wthin the guidelines for the NAHC Contact List or request procedures 2) Is there a template for tribal notification letters? 3) Will tribal notification ever be required for Conservation Easements or just Fee Title acquisitions?
4	Shasta Land Trust	1	Equity	Match Requirements	Current guidelines state that SALC retains the right to "require match for any project based on the characteristics of the property and/or project." Please provide examples and/or an explanation of this.
5	Shasta Land Trust	Appendix D	Demographics	Veteran/Beginning Farmer Status	When asked questions beginning with "Is the landowner...," how does one answer when there are multiple owners?
6	Shasta Land Trust	1	Equity	Priority Populations	Can SALC make recommendations to CARB regarding priority populations? See explanation below: Projects that lie within a Low Income Community census tract qualify for CARB's priority population because they provide benefit to the community. However, the CARB map has made a change from a "Low Income Household" census tract to "Low Income Household eligible." The priority population question "Does this project lie within the boundaries of a Low Income Household?" should include "or a Low Income Household eligible community?" Projects with no household on site or with owners living out of the area can still provide CARB benefits to Low Income Household Eligible communities.

7	California Rangeland Trust	Appendix C	Applicant-Landowner Letter of Intent	Letter of Intent	<p>I understand that the Letter from Groundwater Sustainability Agency is no longer required and instead language was added to the Applicant-Landowner Letter of Intent for projects located in critically overdrafted basins. Mainly, I believe the following points below might actually discourage landowners from pursuing voluntary conservation easements:</p> <p>b) will acquire additional water rights to sustain the existing operation, or</p> <p>c) will fallow land sufficient to avoid exceeding the total volume of water specified in the groundwater allocation for the property.</p> <p>Utilizing language, such as will, along with the financial considerations of acquiring additional water rights or fallowing land seem like they could turn off potential landowner partners and might not be economically feasible for any given agricultural operation. I understand the good intentions behind water sustainability initiatives and incorporation of this language in the Applicant-Landowner Letter of Intent. However, I'd recommend revising this language and taking another look to not dissuade landowners from pursuing funding with DOC SALC.</p> <p>Several current / future landowner partners intend to eliminate the potential to convert any of the proposed conservation easement area from being converted to "intensified agriculture". This makes a lot of sense for projects located within critically overdrafted basins. Will DOC SALC factor in and award additional points to projects in critically overdrafted basins that will restrict "intensified agriculture" to 10% or eliminate this potential land conversion altogether?</p>
8	Northern California Regional Land Trust	3	Property Valuation	Appraisals	<p>Organizations should be able to bill for appraisals at the time the service is complete like the land survey. Appraisers required Land Trust's to pay a deposit and then pay the full bill within 30 days of the report but DOC will not reimburse for the appraisal until the project is completed and the title insurance is in place. An appraisal can cost from \$10,000 to \$20,000 and that is a huge upfront cost to small land trust's, especially since it could be many months before the final invoice is submitted.</p>
9	San Diego Food System Alliance	2	Funding	Adopted Policies	<p>Original language: "Where non-profit applicants intend to be the easement or fee title holder of the acquired property, be accredited by the Land Trust Accreditation Commission, or have adopted equivalent or greater policies regarding conflict of interest, amendments, monitoring, stewardship endowments, and enforcement, as relevant."</p> <p>Suggested change: "Where non-profit applicants intend to be the easement or fee title holder of the acquired property, be accredited by the Land Trust Accreditation Commission, or have adopted or be in the process of developing equivalent or greater policies regarding conflict of interest, amendments, monitoring, stewardship endowments, and enforcement, as relevant."</p> <p>Comments/questions:</p> <ul style="list-style-type: none"> ● We find the requirement to have adopted policies to be constricting, especially for organizations like ours who may not currently have these policies in place, but would like to develop these during the grant period. ● Do these requirements apply if the non-profit applicant is not the easement or fee title holder? ● If the non-profit applicant has plans to be the easement or fee title holder of a property, but it will not be acquired through funds from this grant, do these requirements apply?
10	Placer Land Trust	general		General formatting	<p>Is there any way that the three grant opportunities can be split into separate guideline documents and not all included in the same grant guidelines? It would be easier for the applicant to review just the guidelines for the opportunity of interest, instead of all three together. This also gets a little confusing in the grant agreement when the guidelines are attached to the end of the grant agreement. (the page numbering also gets messed up when attaching the guidelines to the grant agreement)</p>
11	Placer Land Trust	general		General formatting	<p>The draft guidelines have page numbering errors in sections 1 & 2 – hopefully those will be corrected in the final version. (section 2 starts over as page 1)</p>

12	Sequoia Riverlands Trust	Appenedix C	Applicant-Led Tribal Notification	Tribal Notification	Regarding Acquisitions and the notice that is encouraged to notify all tribes with a potential connection to the project location: <ul style="list-style-type: none"> • How do we determine if there is a potential for this connection and be assured that we are notifying all potential interest holders? • Is there a list of tribes by County? • Will there be a template for the required notification?
13	Member of Kumeyaay Nation (workshop #2 comment)				Factors affecting why my nation, the Kumeyaay nation, never applied for SALC include the conditions the program has for agricultural lands and restrictions on building/not creating any new structures. This infringes on tribal sovereignty and how we steward conserve/build on our lands. When we build we build in ways that are of the land because we are of the land. Being told how to steward land is one reason southern CA tribes have never completed a SALC application.
14	The Nature Conservancy	Section 3	Eligible Applicants	Applicant eligibility	Eligibility requirements are overly restrictive and unnecessarily limit the breadth of projects and applicants. Request to A) expand eligible projects and B) expand eligible ownership outcomes C) expand eligible applicant for non-profits that do not have similar goals in their bylaws
15	The Nature Conservancy	Section 3	Eligible Projects	Eligibility and Funding	Proposed Revisions to Funding Restrictions and Easement Language including A) Direct SALC funding to an entire property, not only to lands with direct agricultural benefits. B) Revise SALC Definition of Conservation Purposes C) Support Multi-Benefit Projects by Screening for those project characteristics early in the Application Process.
16	California Rice Commission	Section 3	Eligible Projects	Ag Intensification, Prioritization	Request the inclusion of provisions within the Sustainable Agricultural Lands Conservation (SALC) grant program that recognize and prioritize the preservation of habitat benefits linked to specific crop types. Specifically, we request that SALC approve easement projects that voluntarily restrict crop type to the type being cultivated at the initiation of an easement on agricultural land, provided the crop is known to deliver higher-quality habitat benefits to species of high regional significance than any other crop type. When a crop type restriction is utilized, the impact of it should be incorporated into the appraisal process.
17	Santa Clara Valley Open Space Authority	Section 3	Eligible Applicant	Applicant eligibility	On page 11, the language now states that a non-profit must have conservation of agricultural land stated as their primary purpose. Since conservation entities often protect multi-benefit landscapes, this replacement may unintentionally deter organizations with multiple priorities. Please consider revising this text such that agricultural protection is "one of the primary purposes" to ensure applicants with diverse missions apply.
18	Santa Clara Valley Open Space Authority	Section 3	Property Restrictions	Additional Requirements and Considerations - SFR's	On page 31, there is a new requirement that single family residences "directly support stewardship of the land proposed for conservation, subject to approval by the Department." We would appreciate more details about this requirement and its implementation. We suggest the Department defer the inclusion of this requirement in the guidelines until these details are available, which can potentially include updates to the easement template to reflect this change, and guidance for monitoring and enforcement (e.g., How do we confirm that the residence directly supports stewardship?What are the department's expectations for the direct support of stewardship?)

19	Santa Clara Valley Open Space Authority	Section 3	Management Plans		The Authority received comments from a landowner regarding the Conservation Management Plan and Carbon Farm Plan (Plans) opportunity. The landowner expressed that incorporating the Plans into the Conservation Easement with a requirement to review every 10 years creates a permanent restriction for landowners that may not accommodate the flexibility needed for farming operations. The landowner indicated that the benefits of these Plans are not worth the additional obligation in perpetuity.
20	Santa Clara Valley Open Space Authority	Appendix C, D	Management Plans		The Authority offers the following ideas for additional consideration: o Simplify the plans requirements and make the Plans independent of the Conservation Easement. o Remove the scoring associated with answering "unknown at this time" when considering Plans in the pre-application. o Offer additional resources to support grantees in finding a "qualified perparer"develop the Plan(s) and offer additional
21	California Rangeland Trust	1	Equity		Pg 7 The draft guidelines change the requirement from 50% of the project being located within or near a disadvantaged or low income community census tract, to simply "the project." Is this change intended to result in a requirement of the entirety of the project being located within a or near a disadvantaged or low income community census tract? Or, is the change meant to be broad enough so that a portion of the project is located as such, but not a minimum of 50%? We urge you to consider adopting the latter view; some large projects may have portions that are located outside of the scope of the metric and valuable conservation opportunities may be lost if the former view is adopted.
22	California Rangeland Trust	Appendix C	Tribal Notification		Pg 14: Tribal Notification. We understand and respect the reasoning behind the inclusion of tribal notification. However, we do not believe that notification is necessary in the case of easement acquisition projects. Easement acquisition projects do not transfer a fee property interest, nor do they involved ground disturbance that may impact culturally sensitive areas. We suggest exempting easement acquisition projects from the new tribal notification requirement. Section 3, Page 17: Tribal Notification. We appreciate the encouragement to notify all tribes with a potential connection to a conservation easement project property, but we do not believe that notification is necessary in the case of easement acquisition projects for the same reasoning outlined above. We are unclear as to whether DOC SALCP staff will consider notification as a positive, or no evidence of notification as a negative, to the project's score, and we urge you to clarify that in the language.
23	California Rangeland Trust	Appendix C	Property Restrictions	Additional Requirements and Considerations - SFR's	Page 31: Single Family Residences, Secondary Dwelling Units, and Farm Worker Housing. While we support limiting future single-family residences, we are concerned that the requirement that all single family residences be to directly support stewardship of the land proposed for conservation may be too prohibitive. Consider a multi-thousand acre ranch containing only one or two residences. Perhaps an aging mother lives in one, the second generation lives in the other, and they wish to reserve additional building envelopes for housing for a third generation. If the third generation still desires to live on the ranch by family to ease their own familial burdens (child care, etc.) but does not work on the ranch, this would disqualify the ability of the family to reserve a space for them. This could lead to areas of the property simply being left out of the easement, rather than included, which could result in subdivision of that area in the future. We suggest reconsidering this language altogether or, in the very least, allowing more flexibility within the requirements.