

Draft for Review: Report and Recommendations of the California Agricultural Land Equity Task Force

Draft for Review at October 2025 Meeting
10-6-2025

Established in the [California Budget Act of 2022 \(AB 179\)](#), the 13-member California Agricultural Land Equity Task Force is an independent body directed to “submit a report (by Jan. 1, 2026) to the Legislature and Governor...that includes a set of policy recommendations on how to address the agricultural land equity crisis.”

This draft report is the result of two years of public meetings, site visits, guest speakers, presentations, and community engagement sessions across California. The views and recommendations expressed herein are those of the Task Force and not necessarily those of the California Strategic Growth Council or the Governor’s Office of Land Use and Climate Innovation.

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Executive Summary

California faces an agricultural land inequity crisis that must be promptly addressed. For decades, many producers and land stewards have been systemically excluded from land ownership and secure tenure in California due to race, ethnicity, gender, class, and citizenship status, among other factors. These exclusions have far-reaching consequences for the wellbeing of these individuals and communities and the state's ecological and economic resilience.

Addressing these past and continuing harms requires active efforts to ensure that all people have secure and affordable access to viable land for the care and cultivation of food, fiber, medicine, and culturally valuable resources, free from systemic barriers and disparities. In turn, these efforts hold potential to benefit all Californians by strengthening local, diverse food economies and promoting healthy natural and working lands by enabling climate-smart and resilient agricultural practices, fostering a more resilient and just food system.

In 2022, the California State Legislature established the California Agricultural Land Equity Task Force to develop recommendations for the State Legislature and Governor on how to equitably increase access to land for food production and traditional Tribal agricultural uses.¹

The Task Force is an independent body administered by the California Strategic Growth Council. The views and recommendations expressed herein are those of the Task Force and not necessarily those of the California Strategic Growth Council or the Governor's Office of Land Use and Climate Innovation.

As an independent body comprised of public members with diverse backgrounds and experiences, the Task Force is uniquely situated to provide the Governor and Legislature with an understanding of peoples' lived experiences with agricultural land access and tenure. In addition to relying on members' expertise, the Task Force has prioritized community engagement and outreach throughout its process. The ideas and recommendations below reflect two years of meetings, site visits, guest speakers, presentations, and community engagement sessions with priority producers and land stewards across California.

Summary of goals and recommendations

Goal 1: Tribal Stewardship and land return

- 1.1 Embed ancestral land return for California Native American Tribes in all policies and programs
- 1.2 Return publicly held land to California Native American Tribes
- 1.3 Facilitate the return of privately held land to California Native American Tribes

¹ California Budget Act of 2022 (AB 179), <https://legiscan.com/CA/text/AB179/id/2606008>

- 1.4 Enable and promote the implementation of Traditional Ecological Knowledge and cultural practices

Goal 2: Restorative Land Fund and education campaign

- 2.1 Establish a Restorative Land Fund
- 2.2 Develop and implement a public education campaign

Goal 3: Preserved and thriving agricultural land

- 3.1 Develop a statewide agricultural land preservation plan
- 3.2 Preserve and steward California's privately held agricultural land
- 3.3 Preserve and steward California's publicly held agricultural land

Goal 4: Equitable land transition and acquisition

- 4.1 Develop first opportunity to purchase ordinances
- 4.2 Establish new funding opportunities for priority producers and land stewards
- 4.3 Establish a debt forgiveness program
- 4.4 Adopt new tax programs and benefits designed to serve priority producers and land stewards
- 4.5 Continually evaluate and improve funding programs
- 4.6 Expand tailored technical assistance for land access and acquisition
- 4.7 Establish and fund a Land Market Monitoring Program
- 4.8 Limit pension and investment fund ownership of agricultural land
- 4.9 Facilitate and support opportunities for urban agriculture

Goal 5: Secure land tenure

- 5.1 Address power imbalances in landowner-tenant relationships
- 5.2 Expand the capacity of CDFA's Farmer Equity Office
- 5.3 Establish and fund regional Ag Ombuds positions
- 5.4 Address inequitable policy consequences while respecting the intention of the law
- 5.5 Incentivize and support local governments to adopt zoning and land use planning practices that facilitate secure land tenure and stewardship
- 5.6 Address land tenure barriers for urban agriculture

This document is a draft in progress and is subject to change.

Overview of the California Agricultural Land Equity Task Force

Established in the [California Budget Act of 2022 \(AB 179\)](#), the 13-member California Agricultural Land Equity Task Force (Task Force) is an independent body directed to “submit a report (by Jan. 1, 2026) to the Legislature and Governor...that includes a set of policy recommendations on how to address the agricultural land equity crisis.”

The Task Force is administered by the California Strategic Growth Council (SGC) yet operates independently of SGC direction and oversight. SGC staff, with facilitation support from the California State University, Sacramento, supported the development of this report by facilitating public meetings and community engagement and assisting the Task Force in documenting, discussing, refining, and finalizing the ideas and recommendations expressed herein. Support staff have strived to be responsive to Task Force member’s directions and have worked to accurately reflect the Task Force’s ideas and opinions throughout its process. The Task Force has maintained final decision-making control over the contents of this report.

Membership

Per AB 179, Task Force members were appointed by the California Strategic Growth Council, in consultation with the California Department of Food and Agriculture (CDFA) Farm Equity Advisor and the California Truth and Healing Council. The following individuals were appointed to the Task Force in accordance with the membership categories specified in statute. The chair and vice chair are listed first, followed by the other members in alphabetical order by first name.

- Nelson Hawkins, Task Force Chair and Founder, We Grow Urban Farm
- Emily Burgueno, Task Force Vice Chair and Head Seed Keeper, Iipay Nation of Santa Ysabel
- Darlene Franco, Chief Executive Officer and Wukchumni Council Chairwoman, Wukchumni Tribe
- Doria Robinson, Agricultural Industry Member, California State Board of Food and Agriculture, and Executive Director, Urban Tilth
- Dorian Payán, Director of Holistic Land Relations, Sustainable Economies Law Center
- Irene de Barraicua, Director of Policy & Communications, Líderes Campesinas
- James Nakahara, Farm Business Advisor, Kitchen Table Advisors
- Lawrence Harlan, Treasurer, Fort Bidwell Indian Community Council
- Liya Schwartzman, Senior Program Manager, California FarmLink
- Nathaniel Brown, Owner/Operator, Brown Sugar Farm
- Qi Zhou, Community Engagement and Collaboration Program Manager, California Association of Resource Conservation Districts

- Ruth Dahlquist-Willard, Interim Director, University of California Sustainable Agriculture Resource and Education Program (UC SAREP)
- Thea Rittenhouse, Farm Equity Advisor, California Department of Food and Agriculture

Development of recommendations

The Task Force developed its recommendations through a collaborative process from October 2023 to December 2025, which included public meetings, discussions with a wide range of individuals with diverse knowledge and experiences, and multiple forms of community engagement, as summarized in Table 1.

Table 1: Overview of work conducted

Activity	Format	Number
Task Force meetings	Hybrid	12
Subcommittee meetings	Virtual	33
Regions visited	In person	9
Invited speakers	Hybrid	22
Site visits	In person	19
Engagement sessions	Hybrid	20
Survey responses	Digital	207

Public meetings

The Task Force accomplished the bulk of its work in hybrid public meetings held across the state, as well as virtual subcommittee meetings that explored specific topics. Most meetings included site visits and invited speakers who shared their expertise and lived experiences specific to the region. In addition, the Task Force established several subcommittees that explored specific topics through virtual public meetings.

Community engagement

The Task Force prioritized community engagement throughout its process to ensure its final recommendations were responsive to the challenges and priorities of the communities it seeks to serve. A comprehensive overview of all outreach activities conducted can be found in [forthcoming] Appendix E.

Core components of the Task Force's outreach efforts included site visits on farms, ranches, and Tribal lands, a digital survey in English, Spanish, and Chinese, and a series of in-person and virtual engagement sessions. Staff and Task Force members synthesized the learnings from these outreach efforts in writing, discussed key takeaways during meetings, and incorporated the details and case studies into their recommendations.

Technical guidance

The report development process also included review by an Advisory Committee and an Interagency Review Panel to improve and refine the Task Force's draft recommendations and ensure the final report would be impactful. The Task Force solicited and incorporated input from the Advisory Committee on specific topics and concepts as needs were identified by the Task Force. The Interagency Review Panel consisted of representatives from seven cabinet-level agencies who reviewed the draft recommendations for overlap with their agencies' existing goals, programs, and operations. The Task Force made final decisions about whether and how to implement the feedback it received based on its assessment of whether the external input aligned with the Task Force's core goals.

What is agricultural land equity?

Agricultural land equity is when all people have secure and affordable access to viable land for the care and cultivation of food, fiber, medicine, and culturally valuable resources, free from systemic barriers, and disparities. Advancing agricultural land equity requires changing policies, practices, systems, and structures to counter concentrated market forces and ownership of natural resources and achieve meaningful improvements in the lives of land stewards who have been historically and systematically excluded from secure land tenure.

Effective progress towards agricultural land equity requires a nuanced understanding of how various forms of prejudice intersect as well as how to implement diverse solutions that can be tailored to specific socioeconomic, geographic, and historical contexts.

Land equity may represent different goals and require distinct courses of action depending on the historical and contemporary harms being addressed and the specific individuals, communities, organizations, and governments involved. For California Native American Tribes, land equity requires full sovereignty on ancestral lands. For beginning and socially-disadvantaged farmers and ranchers, land equity means having the land needed to make a stable, dignified living as a producer or land steward and pass land on to the next generation. And for others, achieving land equity means building capacity for cooperative landholding and collective organizing.

This diversity of goals requires a nuanced understanding of agricultural land equity as a community-centered process. It also requires acknowledging and addressing how solutions have differential impacts depending on the specific community, regional ecology, and historical context. **Rather than a singular checklist of required components, progress toward agricultural land equity must be designed and led by individuals and communities that land equity is intended to serve.**

This process requires a more expansive and inclusive understanding of agriculture and agricultural land. To reflect the range of experiences, practices, knowledges, and forms of stewardship that the Task Force encountered through its process, this report defines

agriculture as the knowledge and practice of caring for and cultivating plants, animals, and ecosystems for food, fiber, medicine, or other resources. This includes gardening, horticulture, silviculture, viticulture, dairying, poultry farming, beekeeping, ranching, aquaculture, and Traditional Ecological Knowledge and practices. Building from this definition of agriculture, **agricultural land is land that is stewarded to produce resources valuable to the communities engaged in the practices and knowledge of cultivation.**

These definitions differ from those that are most commonly used in State policies and programs because they are intended to be inclusive of the producers and land stewards who have been actively excluded in the past and continue to be excluded today.

Throughout this report, **priority producers and land stewards refer to socially disadvantaged and historically underserved farmers, ranchers, and Tribal land stewards, as defined in the 2017 Farmer Equity Act (AB 1348) and the Agriculture Improvement Act of 2018 (H.R.2).**

The following section outlines the importance of prioritizing these specific groups to eliminate disparities, advance collective wellbeing, and ensure that all producers and land stewards in California can fully thrive.

Historical context and contemporary disparities

California's agricultural industry is marked by extreme disparities. California is the leading agricultural producer in the country, and even the world. Yet, while the state's agriculture industry has produced wealth for some, the large majority struggle to sustain their businesses, families, and communities, often due to a lack of secure access to viable land.

These inequities are the result of historical patterns of displacement and unequal distribution of land that have contemporary resonances.² Like that of the U.S., California's past is characterized by historical injustices, including centuries of land theft and discriminatory practices, that underlie current disparities.³ These include:

- The violent removal of California Native American Tribes from their lands, setting the stage for discriminatory laws and practices that persist today.⁴ Unratified treaties

² Olmstead, Alan L. and Paul W. Rhode. (2017). "A History of California Agriculture." *University of California Agriculture and Natural Resources*. Last Accessed October 2, 2025, from https://s.giannini.ucop.edu/uploads/giannini_public/19/41/194166a6-cfde-4013-ae55-3e8df86d44d0/a_history_of_california_agriculture.pdf; Pisani, Donald J. (1991). "Land Monopoly in Nineteenth-Century California." *Agricultural History*, vol. 65, no. 4, pp. 15–37. Last Accessed October 2, 2025 from <https://www.jstor.org/stable/3743944>

³ Raya, Marisa. (2025). "Causes of Agricultural Land Disparities in California." Last Accessed October 2, 2025, from <https://storymaps.arcgis.com/stories/67597d0c3ace4f00ba88a1e7bf1e9906>

⁴ Newsom, Gavin. (2019). "Executive Order N-15-19." Last Accessed October 2, 2025, from <https://www.gov.ca.gov/wp-content/uploads/2019/06/6.18.19-Executive-Order.pdf>

with the federal government left many tribes homeless and subject to vagrancy laws that forced them to work on new settlers' farms.⁵

- Racial terror and land theft throughout California that destroyed thriving African American communities. Discriminatory lending practices by the United States Department of Agriculture (USDA) and other agencies led to African American producers being forced off their land.⁶ Local sundown laws excluded African Americans from living in prime agricultural areas, and thriving agricultural communities, such as Allensworth, California, faced denial of rail and water infrastructure.⁷
- State and State-backed federal immigration laws and exclusion acts intended to maintain a low-cost supply of agricultural labor while denying property rights on the basis of race, ethnicity, or national origin.⁸ These include the Chinese Exclusion Act of 1882 and the Alien Land Laws of 1913 and 1920 that barred Asian immigrants from buying and leasing agricultural land.⁹ In 1942, Executive Order 9066 led to the forced removal and incarceration of more than 122,000 Japanese Americans on the West Coast.¹⁰ Many were unable to recover their property and businesses afterwards.
- Exploitative working and living conditions for farmworkers. In 1942 (the same year as Executive Order 9066 mentioned above), the Bracero Program brought people from Mexico to work as farmworkers in the U.S. Bracero program workers were sprayed with pesticides at the border, denied wages, and treated as disposable.¹¹ This is one

⁵ Johnston-Dodds, Kimberly. (2002). "Early California Laws and Policies Related to California Indians." *California Research Bureau*. Last Accessed October 2, 2025, from <https://courts.ca.gov/publication/california-research-bureau-early-california-laws-and-policies-related-california>.

⁶ California Task Force to Study and Develop Reparation Proposals for African Americans. (2023). "Final Report." pp. 484-5. Last Accessed October 2, 2025, from <https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>

⁷ Dean, Terrance. (2021). Expert Witness Testimony to the California Reparations Task Force Meeting – October 2021. Last Accessed October 2, 2025, from <https://oag.ca.gov/ab3121/meetings/102021>; Eissinger, M. Where Water Flows Communities Grow: Water and Rural California African American Settlements. https://www.academia.edu/4829085/Where_Water_Flows_Communities_Grow_Water_and_Rural_California_African_American_Settlements

⁸ Fuller, Vernon. (1940). "The Supply of Agricultural Labor as a Factor in the Evolution of Farm Organization in CA." *US Congress. Committee on Education and Labor. Violations of Free Speech and Rights of Labor, hearings, 76th Congress, 3rd session (74th Congress), Exhibit 8762-A*.

⁹ Minkoff-Zern, Laura-Anne, Nancy Peluso, Jennifer Sowerwine, and Christy Getz. (2011). "Race and regulation: Asian immigrants in California agriculture." *Cultivating food justice: Race, class, and sustainability*. Last Accessed October 2, 2025, from <http://dx.doi.org/10.7551/mitpress/8922.001.0001>

¹⁰ "Incarceration of Japanese Americans – Rosie the Riveter WWII Home Front." (2024). *National Park Service*. Last Accessed October 2, 2025, from <https://www.nps.gov/rori/learn/historyculture/incarceration-of-japanese-americans.htm>

¹¹ Mitchell, Don. (2010). "Battle/fields: Braceros, agribusiness, and the violent reproduction of the California agricultural landscape during World War II." *Journal of Historical Geography* 36(2), 143–156. Last Accessed October 2, 2025, from <http://dx.doi.org/10.1016/j.jhg.2010.01.003>

example among many of how migrants to California from China, Japan, Indian, and the Philippines, among many other countries, have faced discrimination and exploitative working conditions while providing the labor, skill, and knowledge that is the foundation for the state's agriculture industry.¹² A 2022 UC Merced survey outlines how farmworkers in California face exploitative labor practices, such as wage theft, that negatively impact food security and living conditions.¹³ Women farmworkers often face additional risks, including negative impacts of pesticides on fertility and reproductive health.¹⁴

As a result of these and other state and federal policies, the wealth of the U.S., including that of its agriculture industry, has been built on stolen land and the forced labor of California Native American Tribes, enslaved African Americans, and other exploited communities, who have been systematically excluded from land ownership and wealth-building opportunities.¹⁵ While individual households and communities navigated discriminatory policies in different ways, recent research points to billions of dollars lost in wealth for California Native American Tribes and Black communities due to government-enacted dispossession.¹⁶

These inherited disparities in land access and wealth, combined with historically unjust lending practices and limited access to support services, have produced contemporary inequities in resource distribution that are visible in land ownership patterns.¹⁷ According to the 2022 USDA Census of Agriculture, 82% of land in farms in California is owned by producers who identify as White, while those who identify as Hispanic own just 9.69% of land in farms; those who identify as Asian own 3.93%; those who identify as American Indian

¹² McWilliams, *Factories in the Field* 138; Chan, *Bittersweet Soil*, 1987

¹³ Brown, Paul, Edward Flores, and Ana Padilla. (2022). "Farmworker Health in California." *University of California, Merced*. Last Accessed October 2, 2025, from https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/fwhs_report_2.2.2383.pdf.

¹⁴ Ibid, 37. It is important to note that while this report focuses on the role of land ownership and secure tenure in alleviating inequities in the agricultural sector, it is also necessary to address the ongoing exploitation of farmworkers by farm owners.

¹⁵ Trotter, Joe. (2021). *Workers on Arrival: Black Labor in the Making of America* (2019) pp. xvi, xx-xxi; California Task Force to Study and Develop Reparation Proposals for African Americans. (2023). "Final Report." Last Accessed October 2, 2025, from <https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>

¹⁶ Farrell, Justin, Paul Berne Burow, Kathryn McConnell, Jude Bayham, Kyle Whyte, and Gal Koss. (2021). "Effects of land dispossession and forced migration on indigenous peoples in North America." *Science* 374(6567). Last Accessed October 2, 2025, from <http://dx.doi.org/10.1126/science.abe4943>; Reznickova, Alice. (2023). "Lost inheritance: Black farmers face an uncertain future without heirs' property reforms." *Union of Concerned Scientists*. Last Accessed October 2, 2025, from <http://dx.doi.org/10.47923/2023.15127>

¹⁷ Megan Horst, Nathan McClintock, Adrien Baysse-Lainé, Ségolène Darly, Flaminia Paddeu, Coline Perrin, Kristin Reynolds, and Christophe-Toussaint Soulard. (2021). "Translating land justice through comparison: A US–French dialogue and research agenda." *Agriculture and Human Values* 38(4): 865–880. Last Accessed October 2, 2025, from <http://dx.doi.org/10.1007/s10460-021-10202-4>

or Alaska Native own 3%; those who identify as Native Hawaiian or Other Pacific Islander own 0.95%; and those who identify as Black or African American own 0.3%.¹⁸ See below for more detail on racial categories and land ownership as reported by the USDA Census of Agriculture.

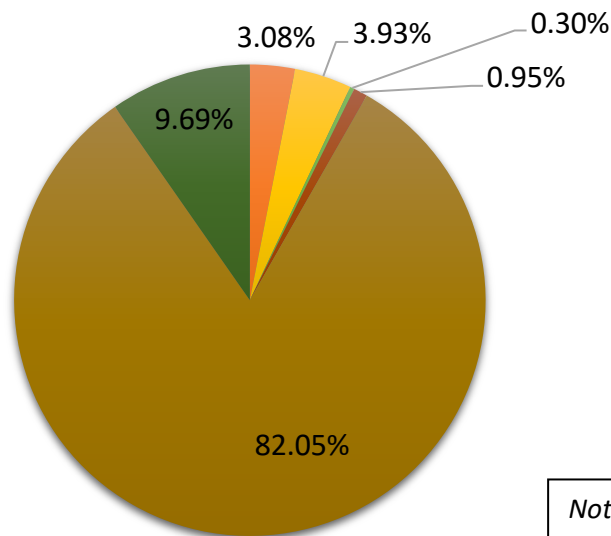
Meanwhile, based on the National Agricultural Workers Survey, 96% of farmworkers are of Hispanic origin including from Mexico and Central America and 9% identified as indigenous.¹⁹ There is significant linguistic and ethnic diversity among indigenous farmworkers who originate from the Mexican state of Oaxaca, Guerrero and Michoacán, among others,²⁰ and face unique barriers due to cultural and language differences.

¹⁸U.S. Department of Agriculture. (2024). "2022 Census of Agriculture: California State and County Data." *National Agricultural Statistics Service*. Last Accessed October 2, 2025, from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/cav1.pdf

¹⁹ Ornelas, Izaac, Wenson Fung, Susan Gabbard, and Daneil Carroll. (2022). "California findings from the National Agricultural Workers Survey (NAWS) 2015–2019: A demographic and employment profile of California farmworkers." *U.S. Department of Labor, Employment and Training Administration, Office of Policy Development and Research*. Last Accessed October 2, 2025, from <https://www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS%20Research%20Report%2015.pdf>

²⁰ "Indigenous Mexicans in California agriculture." (2025). *Indigenous Farmworkers*. Last Accessed October 2, 2025, from <http://www.indigenousfarmworkers.org/>

Percent of total acres of owned land in farms in CA by producer demographic (2022)



Note: Racial categories are "alone or in combination with other races."

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Hispanic, Latino, or Spanish origin

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Alongside race and ethnicity, gender also significantly impacts agricultural land access and tenure. Among other challenges, "exclusion from networks, difficulty accessing credit, and the tendency of the retiring generation to choose male heirs" have created additional barriers for women producers and land stewards.²² These disparities are even greater for women who identify as Black, Indigenous, and other women of color.

²¹U.S. Department of Agriculture. (2024). "2022 Census of Agriculture: California State and County Data." pp. 70–71. *National Agricultural Statistics Service*. Last Accessed October 2, 2025, from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1,_Chapter_1_State_Level/California/cav1.pdf

²² Joseph, Caitlin., Gabrielle Roesch-McNally, and Ariel Looser. (2024.) "The State of Gender Equity in U.S. Agriculture." p. 17. *American Farmland Trust*. Last Accessed October 2, 2025, from <https://farmlandinfo.org/wp-content/uploads/sites/2/2023/12/AFT-gender-equity-report.pdf>

Similar to disparities in land ownership, California's water rights are unevenly distributed.²³ Early State policies extended "first in time, first in right" to new settlers while stripping California Native Americans and other existing residents of claims of right.²⁴ Because viable agricultural land is largely dependent on consistent access to water, the consolidation of water rights impacts agricultural land access. As California continues working to achieve surface and groundwater sustainability, water rights are all the more critical in determining a producer of land steward's success.

Inadequate access to viable land is the primary barrier for producers and land stewards who are part of marginalized social groups.²⁵ This is a significant portion of California's agricultural community. According to the 2022 USDA Census of Agriculture, in California, approximately 20%, or one in five agricultural producers and land stewards, are considered socially disadvantaged farmers and ranchers.²⁶

Land consolidation and ownership trends

Based on the 2022 U.S. Census of Agriculture, there are 63,134 farms in California operating on 24,190,604 acres of land. This represents a decrease from 70,521 farms in 2017, operating on 24,522,801 acres.

Each year, the number of producers and land stewards shrinks while the largest landholders accrue more land. Farms on less than 180 acres disappeared at the highest rate in 2022 than farms between 180–999 acres and farms at over 1000 acres. Between 2017 and 2022, "farms with less than 180 acres fell nearly 13 percent...while California's largest farms—those over 1000 acres or with more than \$500,000 in sales—increased."²⁷

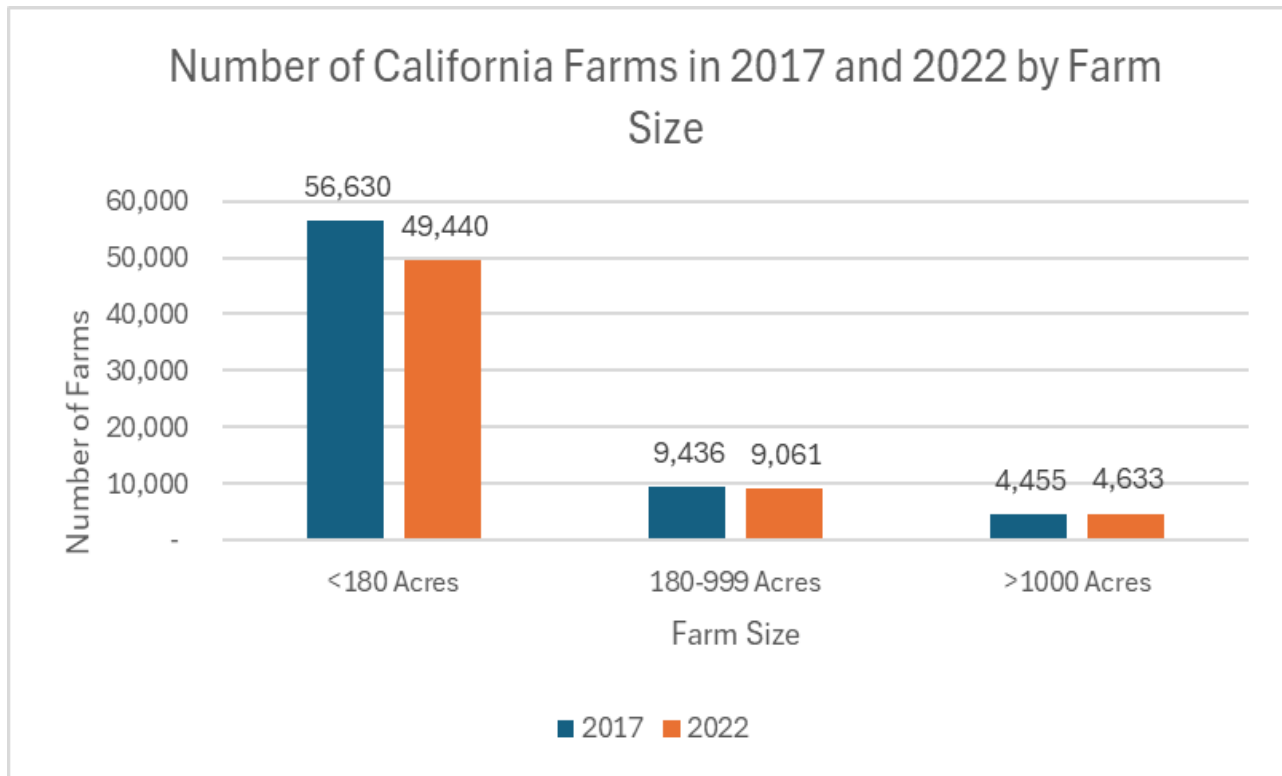
²³ Restore the Delta. (2023) Organizational press release: "ANALYSIS: California Water Rights Still 90% White." Last accessed Oct. 3, 2025 from <https://restorethedelta.org/2023/02/27/analysis-california-water-rights-still-90-white/>

²⁴ Poole, Kate. (2022). "Water Rights, and Wrongs, in California." NRDC Expert Blog, Apr. 28. Last accessed Oct. 3, 2025 from <https://www.nrdc.org/bio/kate-poole/water-rights-and-wrongs-california>.

²⁵ Sophie Ackoff, Evan Flom, Vanessa García Polanco, David Howard, Jessica Manly, Caroline Mueller, Holly Rippon-Butler and Lytisha Wyatt. (2022). "Building a future with farmers 2022: Results and recommendations from the National Young Farmer Survey." *National Young Farmers Coalition*. Last Accessed October 2, 2025, from https://youngfarmers.org/wp-content/uploads/2025/07/National-Survey-Web-Update_11.15.22-1.pdf

²⁶ U.S. Department of Agriculture. (2024). "2022 Census of Agriculture: California State and County Data." *National Agricultural Statistics Service*. Last Accessed October 2, 2025, from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/cav1.pdf

²⁷ O'Connor, Teresa. (2024). "What the 2022 Census of Agriculture Confirms about California." *American Farmland Trust*. Last Accessed October 2, 2025, from <https://farmland.org/2022-census-of-agriculture-california/>



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Most of California's producers and land-stewards are small-scale. Sixty-two percent of California's producers operate on 50 acres or less accounting for just under 10% of total acreage.²⁹ On the other end of the landholding spectrum, as of 2017, just 5% of landowners collectively own half of the total cropland in the state – meaning these few individual owners control 50% of cropland.³⁰

²⁸ U.S. Department of Agriculture. (2019). "2017 Census of Agriculture: California State and County Data." *National Agricultural Statistics Service*. Last Accessed October 2, 2025, from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/cav1.pdf

U.S. Department of Agriculture. (2024). "2022 Census of Agriculture: California State and County Data." *National Agricultural Statistics Service*. Last Accessed October 2, 2025, from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/cav1.pdf

²⁹ U.S. Department of Agriculture. (2024). "2022 Census of Agriculture: California State and County Data." Table 71. *National Agricultural Statistics Service*. Last Accessed October 2, 2025, from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_1_State_Level/California/cav1.pdf

³⁰ Luke Macaulay, and Van Butsic. (2017). "Ownership characteristics and crop selection in California cropland." *California Agriculture* 71(4): 221–230. Last Accessed October 2, 2025 from <https://escholarship.org/uc/item/25s7k7s7>

Cropland property size in relation to percent of total acres and total owners in CA (2017) ³¹		
Size in acres	Percent of total acres	Percent of total owners
>1,000	50%	4.63%
250–500	16.5%	5.7%
100–250	16.8%	12.9%
50–100	7.9%	13.3%
<50	9.9%	63.5%

As these numbers suggest, California’s agricultural land is increasingly controlled by a few large landowners. This ongoing trend in land consolidation is in part due to an increase in land owned by institutional investors. Following the financial crisis of 2007–08, speculative investments in agricultural land have risen substantially across the U.S., accounting for approximately 25% of all sales.³² In California, between 2011–17, limited liability companies bought 5.7 times as many acres of farmland across the state (192 acres, on average) compared to individual buyers (34 acres, on average).³³

These firms often have market knowledge and capital that make it impossible for smaller producers and land stewards to compete in real estate transactions. This inequity is compounded by rising prices for agricultural land. Land values vary significantly across geographies and in relation to other factors like water access and production type.³⁴ However, the general category of “farm real estate,” defined by the U.S. Department of Agriculture as “the value of all land and buildings on farms,” has increased in California by

³¹ Luke Macaulay, and Van Butsic. (2017). “Ownership characteristics and crop selection in California cropland.” *California Agriculture* 71(4): 221–230. Last Accessed October 2, 2025 from <https://escholarship.org/uc/item/25s7k7s7>

³² Eric Holt-Giménez. (2017). “Agrarian questions and the struggle for land justice in the United States.” *Land justice: Re-imagining land, food, and the commons in the United States*. Food First Books/Institute for Food and Development Policy. pp. 1–14. Last Accessed October 2, 2025, from <https://archive.foodfirst.org/wp-content/uploads/2017/04/HoltGimenezIntro.pdf>; See also Fairbairn, Madeliene. (2020). *Fields of gold: Financing the global land rush*. Cornell University Press.

³³ Rempel, Jenny Linder, Ella Belfer, Isha Ray, and Rachel Morello-Frosch. (2024). “Access for sale? Overlying rights, land transactions, and groundwater in California.” *Environmental Research Letters*. Last Accessed October 2, 2025, from <https://iopscience.iop.org/article/10.1088/1748-9326/ad0f71/pdf>

³⁴ California Chapter, ASFMRA. (2025). “2025 Trends Report.” Last accessed Oct. 3, 2025 from <https://calasfmra.com/ag-land-trends/>

28.3% since 2018.³⁵ According to the latest USDA Census of Agriculture, prices reached a high of an average of \$12,000 per acre in 2022, which was a 10.1% increase from the previous year.³⁶ For the 62% of California farms operating on 50 acres or less, prices can be even higher for smaller parcels, particularly when located near urban areas.

Without a clear strategy to ensure fair and just access to agricultural land in California, these patterns threaten to worsen existing disparities in land ownership and secure tenure, resulting in a less economically resilient and ecologically and culturally diverse agricultural sector in the state.

Benefits of agricultural land equity for all Californians

Ensuring fair opportunities for agricultural land access and secure tenure has collective benefits and is foundational to achieving the State's economic and environmental goals.³⁷

Supporting local businesses and food economies

Agriculture is a cornerstone of California's economy. The California Jobs First State Economic Blueprint calls for strengthening agricultural production in nine of California's 13 regions.³⁸ Fair and secure access to land is critical to achieving this goal, and various strategies outlined in this report focus on supporting local economies.

Secure land access is foundational for agricultural business success and necessary for the long-term economic viability of rural communities. Equitable access to land plays a crucial role in promoting and supporting small-scale operations across the state and the nation. This support is critical to ensuring thriving local economies and healthy communities. Smaller operations are more likely to engage in local food networks and cultivate products that are rooted in the regions that they serve, meaning that when diverse producers and land stewards have secure access to land, local communities—urban, peri-urban, and rural—are more likely to have access to healthy, fresh, and culturally valuable foods and

³⁵ "Land Values 2022 Summary." (2022). *U.S. Department of Agriculture. National Agricultural Statistics Service*. Last Accessed October 2, 2025 from https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf

³⁶ "Land Values 2022 Summary." (2022). *U.S. Department of Agriculture. National Agricultural Statistics Service*. Last Accessed October 2, 2025 from https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf

³⁷ Vang Rasmussen, Laura, Ingo Grass, Mehrabi Zia, Olivia M. Smith, Rachel Bezner-Kerr, Jennifer Blesh, Lucas Alejandro Garibaldi, Marney E. Isaac, Christina M. Kennedy, ... and Claire Kremen. (2024). "Joint environmental and social benefits from diversified agriculture." *Science* 384(6691): 87–93. Last Accessed October 2, 2025 from 10.1126/science.adj1914

³⁸ "State Economic Blueprint." (2025). *California Jobs First*. Last Accessed October 2, 2025, from <https://jobsfirst.ca.gov/wp-content/uploads/Economic-Blueprint.pdf>

medicines.³⁹ Regional food economies also reduce vehicle miles traveled, with associated benefits for reduced emissions and air quality. Together, these factors mean that regional food economies lead to better health outcomes for the communities they serve, particularly for populations facing existing inequities. Secure and stable access to land is therefore a critical component of achieving health equity.⁴⁰

Another focus of this report is the critical need to provide opportunities for land access for California farmworkers and others who aspire to transition to business ownership. Stable access to land was identified as a primary barrier for aspiring producers and land stewards who responded to the Land Access Experiences Survey as well as those who participated in community engagement sessions. As one aspiring producer put it, “we invest in rented land and then have to leave it behind when the land is sold or the lease expires. We have no security.” Many respondents mentioned the need for support with finding and obtaining land paired with business guidance and financial opportunities such as loans.

Protecting and sustaining healthy and resilient working lands

The preservation of California’s agricultural land is key to achieving both agricultural land equity and the State’s climate and environmental protection goals. Conserving agricultural land prevents its conversion to other uses—like residential and industrial development, which can have large ecological and climate impacts.⁴¹ Agricultural land conservation has also been identified as a key strategy for achieving California’s nature-based solutions climate targets. These targets are a major pillar of meeting the State’s goals of building climate resilience and achieving carbon neutrality by 2045. Additionally, these lands play a role in conserving 30% of California’s land by 2030 and enhancing the state’s renowned biodiversity.⁴²

³⁹ “The Role of Local and Regional Food Systems in U.S. Farm Policy.” (2016). *Congressional Research Service*. Last Accessed October 2, 2025, from https://www.congress.gov/crs_external_products/R/PDF/R44390/R44390.4.pdf

⁴⁰ Wiler, Anelyse M., Chris Hergesheimer, Ben Brisbois, Hannah Wittman, Annalee Yassi, and Jerry M. Spiegel. (2015). “Food Sovereignty, food security and health equity: a meta-narrative mapping exercise.” *Health Policy and Planning*, 30(8), pp. 1079–1092. Last Accessed October 2, 2025 from <https://doi.org/10.1093/heapol/czu109>.

⁴¹ “Natural and Working Lands Climate Smart Strategy.” (2022). *Nature-Based Climate Solutions*. Last Accessed October 2, 2025, from https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Expanding-Nature-Based-Solutions/CNRA-Report-2022---Final_Accessible.pdf

⁴² “Conserving 30 percent of California’s lands and coastal waters by 2030.” (2025). *30x30 California*. Last Accessed October 2, 2025, from <https://www.californianature.ca.gov/>; <https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Expanding-Nature-Based-Solutions/Californias-NBS-Climate-Targets-2024.pdf>; the California Climate Adaptation Strategy: <https://climateresilience.ca.gov/>; and the Climate Change Scoping Plan: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan>

To accomplish long-term ecological benefits, environmental protection, and climate resiliency, diverse producers and land stewards must have secure and stable access to the land necessary to invest in sustainable management practices.

Agricultural land equity promote resilient working lands in several ways. First, returning ancestral lands to California Native American Tribes puts the land back into relationship with those who have stewarded it since time immemorial. California Native American Tribes have used their deep place-based knowledge and strong stewardship traditions to manage land in ways that yield significantly greater biodiversity and better ecological outcomes compared to non-tribal management.⁴³ For example, California Native American Tribes' use of cultural fire is a critical land management practice that not only helps prevent disastrous wildfires and the associated human health harms but also improves the health and biodiversity of the state's ecosystems.

Second, placing agricultural land in the hands of producers and land stewards who live and work in the region can limit the buy-up of agricultural land by institutional investors and avoid the potential mismanagement of land and resources held by investment firms focused on short-term, extraction-based gains.⁴⁴ Institutional investors looking to maximize profit are often focused on high-value, resource-intensive crops.⁴⁵

Third, meta-analysis shows that smaller agricultural operations, on average, have higher yields and harbor greater crop and non-crop biodiversity at the parcel and landscape scales than do larger operations. Diversified operations can also experience higher profits by reducing production costs and accessing different markets.⁴⁶ Diversified agricultural practices can benefit individuals and society more broadly by producing higher yields over time, generating greater resilience to floods, droughts, and diseases, and improving soil health.⁴⁷ Further, these practices provide habitat for pollinators and other wildlife,

⁴³ Middleton-Manning, Beth Rose. (2011). "Trust in the Land: New Directions in Tribal Conservation." *The University of Arizona Press*. Last Accessed October 2, 2025 from <https://uapress.arizona.edu/book/trust-in-the-land>

⁴⁴ Fairbairn, Madeleine. (2020). *Fields of Gold: Financing the Global Land Rush*. Cornell University Press.

⁴⁵ <https://www.sfchronicle.com/opinion/openforum/article/farms-agriculture-corporations-21015386.php>

⁴⁶ Ricciardi, V., Mehrabi, Z., Wittman, H., James, D., & Ramankutty, N. (2021). Higher yields and more biodiversity on smaller farms. *Nature Sustainability*, 4(7), 651-657.

⁴⁷Office of Public Affairs. (2017) "Farms + Data: California's farms are smaller than the US average, but they're big on diversity – and productivity." *CDFA Planting Seeds Blog*. Last Accessed October 2, 2025, from <https://plantingseedsblog.cdfa.ca.gov/wordpress/?p=10952>; Ricciardi, Vincent, Zia Mehrabi, Hannah Wittman, Dana James and Navin Ramankutty. (2021). "Higher yields and more biodiversity on smaller farms." *Nature Sustainability* 4: 651-657. Last Accessed October 2, 2025 from <https://doi.org/10.1038/s41893-021-00699-2>; Esquivel, Kenzo Emiliano, Liz Carlisle, Alison Ke, Elissa M. Olimpi, Patrick Baur, Joanna Ory, Hannah Waterhouse, Alastair Iles, Daniel S. Karp, Claire Kremen and Timothy M. Bowles. (2021). "The 'sweet spot' in the middle: Why do mid-scale farms adopt

improving pollination and supporting natural pest management. These practices are also conducive to reducing pesticide and fertilizer use, which has environmental benefits and creates safer and healthier working and living conditions for employees and the broader agricultural community.

Finally, by establishing structures for autonomous decision-making and secure land tenure, agricultural land equity creates pathways and incentives for producers and land stewards to care for land in culturally and ecologically meaningful ways. This ranges from reducing fuel loads through grazing to building healthy soils on croplands. Keeping viable land in production can also lead to multiple benefits, from climate change benefits to reducing dust and associated air quality and public health concerns.

Effective stewardship requires long-term investments; secure tenure is necessary for producers and land stewards to devote the time and money required to cultivate healthy ecosystems and access associated state programs, such as the Healthy Soils Program. In sum, secure land tenure is critical to ensuring that California meets its environmental goals, from conserving land to building climate resilience and achieving carbon neutrality.

Recommendations for equitable land access

The California Agricultural Land Equity Task Force (Task Force) developed the following recommendations on “how to equitably increase access to agricultural land for food production and traditional tribal agricultural uses” as directed in the California Budget Act of 2022 (AB 179).

The recommendations that follow are divided into five overarching goals:

1. Tribal stewardship and land return
2. Restorative Land Fund and education campaign
3. Protected and thriving agricultural lands
4. Equitable land transition and acquisition
5. Secure land tenure

Each section begins by providing context and justification for the goal, followed by specific strategies and actions to advance the goal. Several recommendations reference supplemental information in the appendix to provide additional detail and context.

The Task Force was established to equitably increase access to agricultural land for food production and traditional Tribal agricultural uses. As such, all recommendations included in

diversification practices at higher rates?” *Frontiers in Sustainable Food Systems* 5. Last Accessed October 2, 2025, from <https://doi.org/10.3389/fsufs.2021.734088>; Rasmussen, Laura Vang, Ingo Grass, Zia Mehrabi, Olivia M. Smith, Rachel Bezner-Kerr, Jennifer Blesh, Lucas Alejandro Garibaldi, Marney E. Isaac, Christina M. Kenney, ... and Claire Kremen. (2024). “Joint environmental and social benefits from diversified agriculture.” *Science* 384(6691): 87–93. Last Accessed October 2, 2025 from <https://doi.org/10.1126/science.adj1914>

this report are intended to serve and support priority producers and land stewards, which refers to those who have been historically and systematically excluded from land ownership and secure tenure. Unless otherwise specified, all recommendations are directed to the State of California, including the governor, legislature, and agencies.

Key terms and definitions

Appendix A includes a complete list of terms and definitions used in this report. This section includes key terms with their unique definitions the Task Force has developed to guide their work related to agricultural land equity are and the recommendations that follow.

- **Agricultural land equity:** All people have secure and affordable access to viable land for the care and cultivation of food, fiber, medicine, and culturally valuable resources without systemic barriers or disparities.
- **Agricultural land:** Land stewarded to produce resources valuable to the communities engaged in the practices and knowledge of cultivation. This expansive understanding of agricultural land is intended to capture peoples' reciprocal relationships with land and ecosystems that support many others, both human and non-human.
- **Tribal sovereignty:** Tribal Nations' possession of all powers of self-government, except those relinquished under treaty with the United States, those that Congress has expressly extinguished, and those that the federal courts have ruled are subject to existing federal law or are inconsistent with overriding national policies. Tribal sovereignty includes the right to form governments, make and enforce civil and criminal law, establish and determine membership, license and regulate activities, zone, and exclude persons from Tribal lands.
- **Priority producers and land stewards:** Priority producers and land stewards are those who have been historically and systematically excluded from land ownership and secure tenure for agriculture and traditional tribal uses. This group is inclusive of individuals identified as socially disadvantaged farmers and ranchers, as defined in the 2017 Farmer Equity Act (AB 1348), and as an underserved producer, as defined in the Agriculture Improvement Act of 2018 (H.R.2). (See glossary for full definition.)

Implementing recommendations

Fully developing and implementing these recommendations will require capacity building and training for state and local agency staff, specifically related to cultural humility and outreach to priority producers and land stewards. Community engagement protocols and partnership should be developed in collaboration with California Native American Tribes, priority producers and land stewards, and community-based organizations that are led by and serve these communities.

Given the wide range of strategies and goals included, a robust measurement framework for tracking the implementation and outcomes of these recommendations should be developed along with clear direction about how to carry out and achieve the intended outcomes. A timeline should structure the shorter- and longer-term goals.

The audience of this report is the California Governor and Legislature, but everyone has a role to play in shaping, advancing and adopting these recommendations. The State should collaborate with priority producers, land stewards, California Native American Tribes, and community-based organizations who serve these communities to articulate the various pathways to implementation. This may include drafting new legislation, amending existing laws, and improving administrative and regulatory processes, among other strategies for implementation.

DRAFT

1. Tribal stewardship and land return

California Native American Tribes have specific histories and relationships to the State of California, resulting in a unique set of challenges and opportunities for advancing agricultural land equity. To address this, Goal 1 focuses on the specific needs of California Native American Tribes; however, the other goals are also relevant for California Native American Tribes, who should be explicitly included in any action to advance fair access for priority producers and land stewards.

Throughout this report, the term California Native American Tribes is used to reference both federally recognized and non-federally recognized California Native American Tribes. There are important legal distinctions between federally recognized and non-federally recognized California Native American Tribes that impact barriers to land access and strategies to overcome them. These differences are noted where relevant. The term California Native American Tribes was selected for consistency with the language used by state agencies, including in public grant programs. It is important to note that in Task Force meetings and community engagement, other terms were used by Tribal members, including California Tribal Nations, which conveys the inherent sovereignty of Native communities and their relations of care since time immemorial with the land that is now called California.

The State of California was founded on the violent forced removal, coercion, intimidation, and genocide of Indigenous Peoples from the lands and watersheds favored by newly arrived settlers. The forced removal of Indigenous Peoples directly resulted in attempted erasure of traditional languages and traditional knowledge systems from the Pacific West Coast. Erasure of Indigenous Peoples in California was meant to make way for the agriculture industry and newly formed towns, as well as manipulative engineering of watersheds throughout California directly affecting cultural heritage and sacred sites and, to this day, California Native American Tribes continue to be excluded from the California's coast and waterways.

This loss of California Native American Tribes' control and access to ancestral lands is tied to a long history of colonization in California that began under Spanish colonization and the Mission system. During the secularization of Missions in the Mexican period, Tribes were not granted fee title to lands and were only granted use rights.⁴⁸ As a result, California Native Americans generally did not have land titles to claim during the transition from Mexican to American rule. Further, in the early American period, the United States did not include tribes in land claims adjudicated under the 1851 Land Claims Commission Act.⁴⁹ In 1851 and 1852, eighteen treaties were negotiated to reserve approximately 8.5 million acres of land for approximately 120 villages, bands, and tribes across the state, but the treaties were not

⁴⁸ Shanahan, Jr., Donald G. (1975). "Compensation for the Loss of Aboriginal Lands of California Indians." *Southern California Quarterly* 57(3), 298. Last Accessed October 2, 2025, from <https://www.jstor.org/stable/41170608>

⁴⁹ Ibid, 302-303.

ratified by Congress, and the fact hidden from tribes and the public.⁵⁰ During this same period, the State of California also sponsored militia campaigns against tribes, legalized indentured servitude of tribal members, and limited Native American legal rights, all of which made it nearly impossible for Native Americans to hold title to land.⁵¹

In 1853, Congress established reservations in far northern California and central California, often forcibly relocating tribal members to newly established reservations, and leaving other California Native American Tribes not recognized.⁵² Many Native Americans who did not relocate to the distant reservations were left landless or were considered squatters on their ancestral lands.⁵³ Further, because of land loss and new water diversions, Native Americans were no longer able to gather traditional foods or plant subsistence crops if they refused to relocate to new reservations.⁵⁴ While reservations were created for tribes in inland southern California, specifically on small parcels that were less attractive to Anglo settlers,⁵⁵ reservations were not established along the southern and central California coast because of the high value of coastal land. This led to those tribes being landless without federal recognition and without access to the most productive lands.⁵⁶

After the passage of the Dawes Act in 1887, some California reservations were divided into allotments for private ownership by tribal individuals and families, which resulted in significant land loss.⁵⁷ Other Native Americans applied for and received public domain

⁵⁰ Ibid, 303–305, 315.; Heizer, Robert F. (1972). "The Eighteen Unratified Treaties of 1851–1852 Between the California Indians and the United States Government." Last Accessed October 2, 2025 from <https://nahc.ca.gov/webmaster/atlas/treaties/transcript.pdf>

⁵¹ Johnston–Dodds, Kimberly. (2002). "Early California Laws and Policies Related to California Indians." *California Research Bureau*. Last Accessed October 2, 2025, from https://www.csus.edu/college/education/engagement/_internal/_documents/indian_early_california_laws_and_policies_related_to_california_indians.pdf.

⁵² Madley, Benjamin. (2016). "Understanding Genocide in California under United States Rule, 1846–1873." *Western Historical Quarterly* 47(4).

⁵³ Gunther, Vanessa Ann. (2006). "Ambiguous Justice: Native Americans and the Law in Southern California, 1848–1890. p. 38, 52. " *Michigan State University Press*. Last Accessed October 2, 2025, from <https://msupress.org/9780870137792/ambiguous-justice/>

⁵⁴ Gunther, Vanessa Ann. (2006). "Ambiguous Justice: Native Americans and the Law in Southern California, 1848–1890. pp. 93–95. " *Michigan State University Press*. Last Accessed October 2, 2025, from <https://msupress.org/9780870137792/ambiguous-justice/>

⁵⁵ Gunther, Vanessa Ann. (2006). "Ambiguous Justice: Native Americans and the Law in Southern California, 1848–1890. p. 38. " *Michigan State University Press*. Last Accessed October 2, 2025, from <https://msupress.org/9780870137792/ambiguous-justice/>

⁵⁶ Mathes, Valerie Sherer and Phil Brigandi. (2018). *Reservations, Removal and Reform: The Mission Indian Agents of Southern California: 1878–1903*; Gunther, Vanessa Ann. (2006). "Ambiguous Justice: Native Americans and the Law in Southern California, 1848–1890. p. 44. " *Michigan State University Press*. Last Accessed October 2, 2025, from <https://msupress.org/9780870137792/ambiguous-justice/>

⁵⁷ Sutton, Imre. (1967). "Private Property in Land Among Reservation Indians in Southern California." *Yearbook of the Association of Pacific Coast Geographers* 29.

allotments as individuals or families (rather than as a tribe), but the vast majority of those allotments transferred out of tribal hands, decreasing from 2,552 allotments comprising 336,409 acres in 1960 to an estimated 400 public domain allotments totaling 16,000 acres today.⁵⁸

In 1905, the unratified treaties became public, and the ensuing public outcry led to the establishment of rancherias for the “landless Indians of California.”⁵⁹ Rancherias, a type of reservation unique to California, were established only in some counties in the central and northern part of the state.⁶⁰ In the 1950s, the Rancheria Acts abolished trust status of 46 rancherias, resulting in the division or sale of rancheria land. Since termination, judicial decisions and settlements have restored 27 rancherias and others have been restored through acts of Congress, while many rancherias remain federally non-recognized.⁶¹ In addition to land loss that severely limited access and control over ancestral lands, the State of California and the federal government discouraged and banned traditional forms of land stewardship while settlers reshaped the California landscape. Landscape-scale changes, like the introduction of Mediterranean grasses and livestock, degraded habitat and

Huntsinger, Lynn, and Lucy Diekmann. (2010). “The Virtual Reservation: Land Distribution, Natural Resource Access, and Equity on the Yurok Forest.” *Natural Resources Journal* 50(2). Last Accessed October 2, 2025, from <https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=1125&context=nrl>

⁵⁸ Nakamura, Gary, and Richard R. Harris. (1997) “Natural Resource Inventories of Public Domain Trust Allotments in California.” *American Indian Culture and Research Journal* 21(3). Last Accessed October 2, 2025 from <https://doi.org/10.17953>; “Public Domain Allotments.” (2024). *University of California, Davis*. Last Accessed October 2, 2025 from <https://pdallotments.sf.ucdavis.edu/public-domain-allotments>

⁵⁹ Miller, Larisa K. (2014). “Counting Context: C.E. Kelsey’s 1906 Census of Nonreservation Indians in Northern California.” *American Indian Culture and Research Journal* 38(2). Last Accessed October 2, 2025, from <https://escholarship.org/uc/item/6k18q3f9>

The Advisory Council on California Indian Policy. (1997). “The ACCIP Termination Report: The Continuing Destructive Effects of the Termination Policy on California Indians.” *California Truth & Healing Council*. Accessed October 2, 2025, from <https://catruthandhealing.com/wp-content/uploads/2021/05/accip-termination-report.pdf>

⁶⁰ Miller, Larisa K. (2014). “Counting Context: C.E. Kelsey’s 1906 Census of Nonreservation Indians in Northern California.” *American Indian Culture and Research Journal* 38(2). Last Accessed October 2, 2025, from <https://escholarship.org/uc/item/6k18q3f9>; The Advisory Council on California Indian Policy. (1997). “The ACCIP Termination Report: The Continuing Destructive Effects of the Termination Policy on California Indians.” *California Truth & Healing Council*. Accessed October 2, 2025, from <https://catruthandhealing.com/wp-content/uploads/2021/05/accip-termination-report.pdf>

⁶¹ Kathleen Whiteley’s “The Indians of California versus The United States of America: California Dreaming in the Land of Lost Treaties, 1900–1975.” Last Accessed October 2, 2025 from https://deepblue.lib.umich.edu/bitstream/handle/2027.42/163245/katcw_1.pdf?sequence=1; Daly, Heather Ponchetti. (2009). “Fractured Relations at Home: The 1953 Termination Act’s Effects on Tribal Relationship throughout Southern California Indian Country.” *The American Indian Quarterly* 33(4): 427–439. Last Accessed October 2, 2025, from <https://muse.jhu.edu/article/362023>

decreased the availability of native foods.⁶² Assimilationist policies, including the establishment of Indian boarding schools and bans on traditional and religious practices, also discouraged or banned the use of traditional foods and agricultural practices.⁶³ Finally, federal fire suppression policy dramatically reduced the use of low-intensity fire on federal forest lands in the Sierra Nevada, which had been used to support the growth of traditional plants.⁶⁴

Today, many California Native American Tribes have limited or no access to the vast majority of their ancestral lands, which in turn limits or removes Tribal access to essential ecosystems and cultural and spiritual practices. Beneficial stewardship does not start or stop with land but all that encompasses entire landscapes. California Native American Tribes recognize land as inseparable from the interconnectivity of all other natural elements, including water, air, and fire. With spiritual reverence and symbiotic stewardship advancements through Traditional Ecological Knowledges, Indigenous Peoples have sustained diverse flourishing watersheds, rivers, coasts, and marine habitats since time immemorial.

While the recommendations of this Task Force focus on land, water is no less critical to meeting the goals expressed here. This lack of access to ancestral lands and waterways has been compounded by the laws and policies that have excluded and prohibited Traditional Ecological Knowledge and stewardship from California's landscape. The outcome has been detrimental to cultural, societal, and ecological health and has drastically limited the way Tribal communities are accustomed to living in relation with the land, water, air, and life in all forms. These relationships of care are the foundation for many First Foods, fibers, and medicines, from acorns and elderberries to sedge basket material, that play a critical role in California's ecosystem.

Despite the history of land theft and ongoing structural barriers to land access, presently, there are 109 federally recognized and more than 60 non-federally recognized California

⁶² Sowerwine, Jennifer, Megan Mucioki, Daneil Sarna-Wojcicki, and Lisa Hillman. 2019. "Reframing food security by and for Native American Communities: A Case Study among Tribes in the Klamath River Basin of Oregon and California." *Food Security 11*: 579–607. Last Accessed October 2, 2025 from <https://doi.org/10.1007/s12571-019-00925-y>
Preston, William. 1997. "Serpent in the Garden: Environmental Change in Colonial California." *California History* 76(2/3): 268–277. Last Accessed October 2, 2025, from <https://online.ucpress.edu/ch/article-abstract/76/2-3/260/31436/Serpent-in-the-Garden-Environmental-Change-in?redirectedFrom=fulltext>

⁶³ Sowerwine, Jennifer, Megan Mucioki, Daneil Sarna-Wojcicki, and Lisa Hillman. 2019. "Reframing food security by and for Native American Communities: A Case Study among Tribes in the Klamath River Basin of Oregon and California." *Food Security 11*: 579–607. Last Accessed October 2, 2025 from <https://doi.org/10.1007/s12571-019-00925-y>

⁶⁴ Taylor, Alan H., Valeria Trouet, Carl N. Skinner, and Scott Stephens. 2016. "Socioecological transitions trigger fire regime shifts and modulate fire-climate interactions in the Sierra Nevada, USA, 1600–2015 CE." *PNAS* 113(48), 13684–13689. Last Accessed October 2, 2025 from <https://doi.org/10.1073/pnas.1609775113>

Native American Tribes. Federally recognized California Native American Tribes currently hold 723,700 acres, less than one percent of the state, in reservation lands.⁶⁵ In addition, approximately 94,670 acres are owned in fee by California Native American Tribes, with some of those acres funded by state grant programs and actively returned to Tribes under the Newsome Administration. While this work is a valuable step in the right direction, it does not fully address historical land loss and the continued harms of colonization on Tribal communities.

The amount of land held and population numbers for federally recognized California Native American Tribes is included in the table below from the most recent United States Census. It is essential to note, however, that this data has not been verified by each Tribal Government, and thus does not provide a complete or consistent assessment of California Native American Tribal land holdings or enrollment numbers. The "U.S. Census Bureau estimates that American Indians / Alaska Natives living on reservations or in Native villages were undercounted by nearly five percent. Which is more than double the undercount rate of the next closest population group."⁶⁶

The table does not include data about non-federally recognized California Native American Tribes as there is no single source for land held or enrollment numbers for these entities. As outlined above, California's history of land theft, unratified treaties, and systemic exclusion through policy mean that today, more than 60 California Native American Tribes do not have federal recognition. This historic legacy continues to result in institutionalized erasure, exclusion from resources, and unique barriers to land access and sovereignty for Native American Tribes who lack federal recognition.

Despite these limitations, the Task Force chose to include the most recently available census data in table below as important context for the State and the general public to understand when considering land return and the State's relationship with California Native American Tribes.

⁶⁵ U.S. Bureau of Indian Affairs.

<https://experience.arcgis.com/experience/88d47f08dc124f80a425534bbb761b72/>

⁶⁶"Tribal Communities." *California Census* 2020. Last Accessed October 2, 2025 from https://census.ca.gov/resource/tribal_gov/

Federally recognized California Native American Tribes' acres of land and population according to the U.S. Census⁶⁷

CA Native American Tribe census name	Acres of reservation or rancheria land (2024)	Acres in off-reservation trust (2024)	Population (2020)
Agua Caliente	31,457.93	3,780.82	27,090
Alturas	24.86		3
Auburn	69.14	1,074.32	2
Augustine	561.41		0
Barona	6,069.85	1,368.37	756
Benton Paiute	154.51	215.30	84
Berry Creek	38.53	129.43	153
Big Bend	45.15		5
Big Lagoon	5.21		17
Big Pine	277.00	14.83	571
Big Sandy	262.95	77.09	175
Big Valley	119.27		191
Bishop	874.20		1,907
Blue Lake	33.31	57.32	112
Bridgeport	43.31	38.85	46
Cabazon	1,587.66		192
Cahuilla	18,517.01		229
Campo	16,490.17		398
Capitan Grande	15,920.94		0
Cedarville	23.25	8.72	19
Chemehuevi	30,815.08		464
Chicken Ranch	10.67	90.76	4
Cold Springs	102.98		79
Colorado River	48,208.03		8,431
Colusa	215.34		91
Cortina	760.53		8
Coyote Valley	85.79		126
Ewiiapaayp	5,470.24		5
Dry Creek	80.57	18.43	0
Elk Valley	89.25	397.22	100
Enterprise	41.58	41.22	4
Fort Bidwell	3,428.05	84.59	97
Fort Independence	558.79		94
Fort Mojave	6,231.49	52.80	1,697
Fort Yuma	42,654.93		1,876

⁶⁷ United States Census Bureau. Last Accessed October 2, 2025, from <https://www2.census.gov/geo/tiger/TIGER2024/>; "Data." United States Census Bureau. Last Accessed October 2, 2025, from <https://data.census.gov/all>

Greenville	70.35		28
Grindstone	86.22		188
Guidiville	43.35	2.35	63
Hoopa Valley	90,634.93		3,173
Hopland	2,015.27		249
Inaja and Cosmit	861.07		0
Ione Band of Miwok	1,345.55		27
Jackson	292.90		0
Jamul	14.71		0
Karuk	16.58	1,067.87	578
La Jolla	8,638.30		145
La Posta	4,092.19		50
Laytonville	194.80		154
Likely	1.54		0
Lone Pine	235.40		242
Lookout	40.37		11
Los Coyotes	25,096.08		15
Lytton	5.08		0
Manchester-Point Arena	376.68		188
Manzanita	4,589.44	2.92	101
Mechoopda	838.84		3,227
Mesa Grande	1,744.19		87
Middletown	120.85		33
Montgomery Creek	76.88		33
Mooretown	32.81	263.12	197
Morongo	34,311.52	526.81	1,243
North Fork	66.22	391.19	51
Pala	13,549.60		1,541
Paskenta	2,142.67		6
Pauma and Yuima	6,032.27		179
Pechanga	4,691.23	2,422.70	582
Picayune	69.32	125.21	63
Pinoleville	104.30		142
Pit River	268.72		24
Quartz Valley	605.77	107.70	202
Ramona	546.12		0
Redding	117.49		40
Redwood Valley	270.64		237
Resighini	246.18		33
Rincon	4,017.47	605.37	1,095
Roaring Creek	82.08		19
Robinson	180.87	22.74	233
Rohnerville (Rancheria)	182.12		208

Round Valley	7,495.27	15,690.92	454
San Manuel	1,114.55		137
San Pasqual	1,416.16	584.77	1,270
Santa Rosa	400.42		898
Santa Rosa	11,384.86		131
Santa Ynez	155.52		264
Santa Ysabel	14,992.50		263
Sherwood Valley	351.63	143.52	208
Shingle Springs	158.63	91.15	108
Smith River	162.32	48.31	160
Soboba	6,470.11	1,500.62	567
Stewarts Point	42.45	508.30	86
Sulphur Bank	53.64		46
Susanville	1,024.35	369.54	570
Sycuan	637.60	1,638.58	218
Table Bluff	75.50		120
Table Mountain	91.77	723.03	24
Timbi-Sha Shoshone	1,721.78	334.48	25
Rumsey	482.97		41
Torres-Martinez	31,955.62	194.25	3,454
Trinidad	57.06	34.49	137
Tule River	53,897.72	50.97	1,250
Tuolumne	380.49		154
Twenty-Nine Palms	406.61	50.84	5
Upper Lake	476.27		70
Viejas	1,605.13	91.60	538
Washoe Ranches	278.46		3,223
Woodfords	390.11		225
XL Ranch	9,760.41		117
Yurok	55,949.03		1,236

In 2019, Governor Newsom issued Executive Order N-15-19, which was a formal apology and recognition that the State of California “sanctioned over a century of depredations and prejudicial policies against California Native Americans.” This order, along with institutional commitments like Governor Newsom’s Statement of Administration Policy on Native American Ancestral Lands⁶⁸, are the early steps of a much longer process to address

⁶⁸ Newsom, Gavin. (2020). “Statement of Administration Policy: Native American Ancestral Lands.” Office of the Governor. Last Accessed October 2, 2025, from <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.25.20-Native-Ancestral-Lands-Policy.pdf>
“Tribal Stewardship Policy and Toolkit.” (2025). California Natural Resources Agency. Last Accessed October 2, 2025 from <https://resources.ca.gov/Initiatives/Tribalaffairs/TribalStewardshipPolicy>

historical injustices that persist today. In the context of these persistent barriers to land ownership and access that arose from intentional exclusion and land theft, a cohesive, long-term commitment and response from the State is required.

Ancestral land return would restore access to cultural resources such as medicines, plants, and animals, and provide the ability for California Native American Tribes to restore native ecosystems and ceremonial grounds, boost soil health, and increase biodiversity. Land return would also importantly restore access to sacred sites and ancestral village sites, which are destroyed by development on ongoing basis. There is a healing element that comes with land return and restored access to village sites. This is what will help us heal and make us stronger.

The recommendations below are informed by conversations with Tribal members and Tribal leaders who have consistently emphasized the importance of land return without restrictions, encumbrances, or other requirements. This report recommends and encourages consultation and communication with California Native American Tribes on all land return efforts, and to identify legally feasible approaches to reduce, remove, and prevent restrictions on land to respect Tribal sovereignty.

1.1 Embed ancestral land return for California Native American Tribes in policies and programs

- a) Consult California Native American Tribes and center Tribal stewardship in the development and implementation of all State policies, programs, and laws. Ensure all State conservation and agriculture policies and programs include Traditional Ecological Knowledge and First Foods and allows flexibility for diverse Tribal stewardship practices.
- b) Create a Tribal Lands Equity Advisory Council tasked with guiding implementation of this report's recommendations, advising on evolving needs, and ensuring accountability over time.
- c) Identify and amend current laws, policies, and regulations that present barriers and burdens associated with ancestral land access, return, and Traditional Ecological Knowledge for California Native American Tribes, including
 - i) policies, regulations, and laws that prohibit direct land transfer without restrictions and encumbrances or impose burdensome fees, requirements, or taxes, or require compromise on sovereignty.
- d) Develop a right of first refusal program to encourage and enable public entities to transfer publicly held land to California Native American Tribes at zero or minimal cost.
 - i) Fund the development of templates and model language for right of first refusal agreements.
 - ii) Amend Civil Code 711 to ensure that the return of ancestral lands is a justified restraint.

- iii) Amend California Constitution Article XVI Section 3 to exempt the grant or donation of property to California Tribal Nations by the State.
- e) Embed tribal leadership in all ancestral land return policies and programs statewide. To design the best approach, co-develop the roles, responsibilities, and governance structure through consultation with federally recognized and non-federally recognized California Native American Tribes. Build on the ideas put forth by the Truth and Healing Council and consider the following elements:
 - i) Establish and fund a Tribal Land Return Commission comprised of regionally diverse delegates of federally recognized and non-federally recognized California Native American Tribes.
 - ii) The Commission will advise and oversee the creation of a statewide goal for acres of land returned to California Native American Tribes related to publicly and privately held lands.
 - iii) In collaboration with local and state agencies, the Commission will identify parcels of high priority public land and establish pathways for land return.
- f) Protect California Tribal practices and cultural landscapes, like traditional food groves, watersheds, and ceremonial sites by enforcing existing laws such as the California Native American Graves Protection and Repatriation Act (CalNAGPRA), AB 52 (Tribal Cultural Resources and CEQA), and SB 18 (Tribal Consultation Guidelines).

1.2 Return publicly held land to California Native American Tribes

- a) Coordinate with federal agencies to support the return of federally owned lands to California Native American Tribes.
- b) Transfer State-owned land to California Native American Tribes in a way that uplifts and never impedes Tribal sovereignty, including but not limited to the following actions:
 - i) Remove all requirements to waive sovereign immunity.
 - ii) Remove restrictions on sovereignty associated with conservation easements.
- c) Update the California Surplus Land Act to support ancestral land return:
 - i) Expand Government Code 54220 to declare the importance of returning ancestral lands to the California Tribal Nations, and that surplus lands, prior to disposition, should be considered for the transfer to a California Native American Tribe.
 - ii) Add Tribal uses to the existing list of approved "exempt surplus land" types for local agencies as outlined in the Surplus Land Act Guidelines.
 - iii) Ensure California Native American Tribes are included in the government-to-government land transfer exemption as it relates to Government code section 54221 (f)(1)(D). When a local government transfers land to a California Native American Tribe by establishing a co-management agreement and/or

Land Back agreement, this transfer should be exempt from the Surplus Land Act.

1.3 Facilitate the return of privately held land to California Native American Tribes

- a) Increase funding to existing state programs that support ancestral land return, acquisition, and co-management projects.
 - i) To assist with expediency and reduce costs associated with private land return, facilitate the use of a third party, such as a land trust or local government, to serve as a temporary intermediary to purchase and hold land until it can be returned to California Native American Tribes in accordance with their specific processes and timelines.
- b) Incentivize and support land trusts and private individuals to transfer land to California Native American Tribes. See recommendations on land trusts and tax incentives in Goal 2 for specific pathways to achieve this objective.
- c) Fund specialized real estate agent services to reduce the burden and up-front costs of private land return for California Native American Tribes.
- d) Fund technical assistance and legal aid to federally recognized California Native American Tribes working to convert fee land to trust land. Exempt California Native American Tribes from property taxes in the interim, as recommended in Goal 3.
- e) Resolve access challenges that resulted from the allotment of Tribal lands by providing funding for:
 - i) Costs associated with the development of access roads and rights of way to landlocked parcels.
 - ii) Consolidation of ownership of highly fractionated lands owned by California Native American Tribes. See USDA's Highly Fractionated Indian Land Loan Program for reference.⁶⁹

⁶⁹ "Highly Fractionated Indian Land Loan Program (HFIL)." *U.S. Department of Agriculture Farm Service Agency*. Last Accessed October 2, 2025 from <https://www.fsa.usda.gov/resources/programs/fractionated-indian-land-loan-program-hfil>

Case study: Golden Eagle Farm's fee-to-trust transfer

In February 2025, the federally recognized Mesa Grande Band of Diegueno Mission Indians successfully converted 480 acres of the 560-acre Golden Eagle Farm from fee simple into trust status, a significant milestone which advanced reparations toward tribal land equity, sovereignty, and legal and cultural controls. While there are various entities dedicated to assisting California Native American Tribes with fee-to-trust transfers, the process is immensely bureaucratic, expensive, and time-intensive. Tribes face hurdles and red tape at every step.

Trust land is land that is held for the benefit of a federally recognized tribe, removed from state jurisdiction, and honors the tribe's sovereignty. Fee land is owned by the tribe but is subject to state and county zoning, local and state property taxes, and limited tribal control.

Two of the most significant time and financial costs the Mesa Grande Band incurred were completing the required land survey due to boundary discrepancies within the county's maps and hiring an attorney that specialized in fee-to-trust transfers. Due to these financial and bureaucratic barriers, applications can take decades to complete. The time and cost associated with this complex process can prohibit California tribes from utilizing federal trust responsibility funding for other greatly needed community support programs.

As fee-to-trust transfers are one important tool to uplift California Native American Tribes' sovereignty and their right to equitable usage of their traditional homelands, additional resources and technical assistance are needed as outlined Goal 1.3.b.

1.4 Enable and promote the implementation of Traditional Ecological Knowledge and cultural practices

- a) Remove barriers to the use of Traditional Ecological Knowledge (TEK) on public and private lands, including cultural fire, which has been prohibited through state policy for centuries.
- b) Fund efforts to share and implement tribally-led Traditional Ecological Knowledge in culturally meaningful ways including place-based Tribal stewardship practices that cultivate a wide variety of First Foods (including plants, fungi, and wildlife), fibers, medicines, and cultural resources and the intergenerational transfer of land-based knowledge.
- c) Direct the Governor's Office of Land Use and Climate Innovation to work with California Native American Tribes to develop model zoning ordinances that address the specific needs of non-federally recognized and federally recognized California Native American Tribes. Include mechanisms to support stewardship on Tribal land, including traditional Tribal housing.

- i) Incentivize and support local governments to adopt these model ordinances and modify their zoning codes to allow for traditional Tribal uses and cultural land management.
- d) Provide guidance on establishing Cultural Conservation Zoning Overlays, like Cultural Conservation Easements, to give non-federally recognized California Native American Tribes land use authority over returned land. (See Appendix D for model language.)
- e) Prioritize Tribal stewardship and Traditional Ecological Knowledge in coastal areas through the following:
 - i) Acknowledge Tribal sovereignty by mandating local, state, and federal governing bodies to incorporate Tribal Nations are included in decision-making over coastal areas.
 - ii) Facilitate Tribal stewardship through ownership, co-management, and access agreements to ensure California Native American Tribes have access to their homelands along the coast.
 - iii) Require agencies that provide resources and support for coastal land management, including relevant forms of production such as aquaculture and mariculture, to:
 - 1) Make these resources accessible to California Native American Tribes by enhancing partnerships and prioritizing cultural humility.
 - 2) Include Tribal voices and Traditional Ecological Knowledge in their processes and procedures
 - 3) Expand efforts for Tribal involvement modeled on the development of the Kelp Restoration and Management Plan by the California Department of Fish and Wildlife.⁷⁰
 - iv) Fund capacity-building among California Native American Tribes to access tools such as Traditional Cultural Properties to formally recognize and protect cultural landscapes and village sites on the coast that are currently unrecognized.
 - v) Establish an education campaign to highlight the history of displaced and landless California Native American Tribes on the coast and their continued exclusion from these areas.

⁷⁰ Kelp Restoration Development Plan, California Department of Fish and Wildlife. Last accessed Oct. 3, 2025 from <https://wildlife.ca.gov/Conservation/Marine/Kelp/KRMP>

2. Restorative Land Fund and education campaign

Although California entered the U.S. in 1850 as a free state, enslavement already existed in the state and its “early state government protected the institution of enslavement and greatly limited African Americans’ civil rights.”⁷¹ The California Reparations Report, released in 2023 by the Task Force to Study and Develop Reparation Proposals for African Americans, documents centuries of forced and exploited labor, racial terror, segregation, and other forms of racial injustice that continue to impact African Americans.

The Task Force to Study and Develop Reparation Proposals for African Americans was established in AB 3121 (2020) to “stud[y] the institution of slavery and its lingering negative effects on living African Americans” and “recommend appropriate remedies of compensation, rehabilitation, and restitution.”⁷² Public testimony during Reparations Task Force meetings captured specific instances of land loss that included “state-sanctioned terrorization or eminent domain” as well as instances of discrimination against African American families that precluded land access and related opportunities.”⁷³ For example, “the Burgess and Gooch–Monroe families owned farmland in Coloma that was condemned and seized by the State to create Marshall State Park, while thriving Black farming towns, such as Allentown, were denied wells that they needed to expand and lost property value as a result. Black farmers could not access USDA loans and assistance to grow or maintain their operations.”⁷⁴

The recommendations in this report are intended to benefit all priority producers and land stewards who have faced exclusion and discrimination; as described in the introductory sections of this report, this has ranged from the forced incarceration of Japanese Americans in World War II to the exploited labor of migrant farmworkers who are denied pathways to citizenship.

However, it is also critical to document and address specific historical harms that are the foundation for unique economic, health, and social disparities.

This goal is focused on creating pathways for restitution for African Americans living in California who are descendants of persons enslaved in the United States, as defined by the California Reparations Report. As with Goal 1, Goal 2 offers a specific pathway by which to

⁷¹ California Task Force to Study and Develop Reparation Proposals for African Americans. (2023). “Final Report.” p. 106. Last Accessed October 2, 2025, from <https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>

⁷² California Task Force to Study and Develop Reparation Proposals for African Americans. (2023). “Final Report.” Last Accessed October 2, 2025, from <https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>

⁷³ Raya, Marisa. “How do Californians define Equitable Agricultural Land Access and Reparative Solutions?” Analyzing Statewide Public Input from the CA Reparations Task Force,” p. 1. – Can’t find this report

⁷⁴ Ibid, p. 2.

address past harms and current disparities through facilitating land access and ownership for agricultural and cultural use.

2.1 Establish a Restorative Land Fund

- a) Develop and fund through continuous appropriation a Restorative Land Fund that is accessible to African Americans living in California who are descendants of persons enslaved in the United States who wish to acquire land in California for agricultural use
- b) Fund the following activities:
 - i) Land acquisition for agricultural use and associated costs
 - ii) Costs associated with starting an agricultural operation, including infrastructure improvements
 - iii) Resolving title issues by financing the purchase or consolidation of property interests and financing costs associated with a succession plan, as modeled on the U.S. Department of Agriculture's Heirs Property Relending Program⁷⁵
 - iv) Legal and technical assistance for funding recipients to develop appropriate business and governance plans including cooperative and community land ownership structures.
 - v) Research to document eligibility for the program
 - vi) Capacity building and planning grants for county and city governments to develop local reparations frameworks
- c) Design the program to leverage investments with philanthropy and other related groups
- d) Ensure that program outreach is targeted and culturally appropriate
- e) Develop specific evaluation and accountability tools to ensure program is effectively providing pathway for retribution of historically documented harm

2.2 Develop and implement a public education campaign

- a) Fund research to identify the impact of the harms documented in the California Reparations Report on African American producers and land stewards and California's agriculture industry
- b) Fund research to document heirs' property challenges in California
- c) Fund the development and distribution of educational materials that highlight California's unique history of enslavement, racial terror, segregation, and other racially motivated injustices that shape current inequities

⁷⁵ "Heirs' Property Relending Program." U.S. Department of Agriculture. Last Accessed October 2, 2025 from <https://www.farmers.gov/working-with-us/heirs-property-eligibility/relending>

3. Preserved and thriving agricultural lands

To ensure the long-term viability of California agriculture, the state's invaluable agricultural land must be managed for ecological, social, and cultural benefits. Effective management depends on fair access and secure tenure for priority producers and land stewards.

California's fertile soils and diverse agro-ecologies are world-renowned. Yet the state's agricultural land base is under threat. According to the Department of Conservation, California's farm and grazing lands decreased by more than 1.6 million acres between 1984 and 2018. This loss averages just over 47,000 acres per year, or about one square mile every five days.⁷⁶ Based on existing trends, American Farmland Trust predicts that California will "pave over, fragment, or compromise 797,400 [additional] acres of agricultural land by 2040."⁷⁷

The loss of agricultural land negatively impacts one of California's most valuable and unique resources: soil. Yet the highest quality agricultural soil in the state, known as Prime Farmland in the Department of Conservation's Farmland Mapping and Monitoring Program, has seen the largest decrease in acreage, with just over 816,000 acres lost between 1984 and 2018.⁷⁸ This loss of agricultural land have been called a crisis that is restricting the available land base for priority producers and land stewards and making viable agricultural land more expensive and harder to access.

Urban development accounts for most of the decrease in the agricultural land base—more than 1.2 million acres over the 1984–2018 timeframe.⁷⁹ This conversion from agricultural to urban uses has many impacts. As prime farmland is lost to urban development, agriculture is pushed onto more marginal soils, requiring greater fertilizer, water, and energy inputs to achieve similar yields. Often, this shifting of land-uses removes valuable wildlife habitats, undermining ecosystem services that support agricultural land and urban areas alike.

To address the negative impacts of climate change and extractive agricultural practices, the State is working to align agricultural practices with available resources and facilitate climate-smart agriculture. This may result in some agricultural land being taken out of production; for example, reductions in groundwater pumping to align with groundwater sustainability plans for critically over-drafted basins, as managed by groundwater

⁷⁶ "Fast Facts." *California Department of Conservation*. Last Accessed October 2, 2025 from <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Fast-Facts.aspx>

⁷⁷ O'Connor, Teresa. (2024). "What the 2022 Census of Agriculture Confirms about California." *American Farmland Trust*. Last Accessed October 2, 2025, from <https://farmland.org/blog/2022-census-of-agriculture-california/>

⁷⁸ "Fast Facts." *California Department of Conservation*. Last Accessed October 2, 2025 from <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Fast-Facts.aspx>

⁷⁹ "Fast Facts." *California Department of Conservation*. Last Accessed October 2, 2025 from <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Fast-Facts.aspx>

sustainability agencies and required by the Sustainable Groundwater Management Act (SGMA), may reduce the agricultural land base. Estimates vary on how much land may be taken out of production to achieve groundwater sustainability goals; for example, in the San Joaquin Valley, recent estimates range from around 500,000 acres⁸⁰ to 1 million acres.⁸¹

As the State works to establish climate-smart and resilient agricultural practices, it will be critical to preserve lands that remain agriculturally viable and support priority producers and land stewards in achieving long-term land tenure.

One method for preserving California's Prime Farmland and Farmland of Statewide Importance, while also ensuring fair access and secure land tenure, is to steward these lands as a public resource with long-term public benefits. Approximately 4% of California's cropland is owned by local, state, federal or another form of non-Tribal government, and roughly 50% of this land is fallowed.⁸² This publicly held land – and in particular parcels that are agriculturally viable with secure, sufficient water – presents a significant land access opportunity for priority producers and land stewards.

In addition to utilizing existing publicly held land, increasing public landholding can halt the crisis of affordability at the root by removing Prime Farmland and Farmland of Statewide Importance from the speculative land market, thereby intervening in the appreciation of land values over time. While expending public resources through grants or down payment assistance can help people to acquire land, it does not effectively address the unattainable cost of land or the dependence on selling the land to the highest bidder in order to comfortably retire. Increasing the amount of publicly held land is one approach to slowing down the cycle of private gain while simultaneously increasing accessibility for priority producers and land stewards.

Efforts to increase the amount of publicly held land should be accompanied by other strategies for ensuring producers and land stewards are able to make a stable, dignified living and securely retire when the time is right. One such tool is the producer pension fund recommended in Goal 3.1.

⁸⁰ Hanak, Ellen, Alvar Escriva-Bou, Brian Gray, Sarge Green, Thomas Harter, Jelena Jezdimirovic, Jay Lund, Josué Medellín-Azuara, Peter Moyle, and Nathaniel Seavy. (2019). "Water and the Future of the San Joaquin Valley." *Public Policy Institute of California*. Last Accessed October 2, 2025 from <https://www.ppic.org/publication/water-and-the-future-of-the-san-joaquin-valley/>

⁸¹ Sunding, David, and Roland-Holst. (2020). "Water blueprint for the San Joaquin Valley economic impact analysis: Phase one results." *The University of California, Berkeley*. Last Accessed October 2, 2025 from <https://cawaterlibrary.net/document/water-blueprint-for-the-san-joaquin-valley-economic-impact-analysis-phase-one-results/>

⁸² Macaulay, Luke, and Van Butsic. (2017). "Ownership characteristics and crop selection in California cropland." *California Agriculture* 71(4):221-230. Last Accessed October 2, 2025, from <https://californiaagriculture.org/article/108763>

Preserving agricultural land is a core part of many of California's broader conservation goals, including but not limited to the 30x30 Initiative,⁸³ the Nature-Based Solutions Natural and Working Lands Climate Smart Strategy,⁸⁴ achieving carbon neutrality by 2045,⁸⁵ and biodiversity protection.⁸⁶ These strategies establish a target of conserving 12,000 acres of cropland and 33,000 acres of grazing land per year through 2030, with additional targets beyond this time horizon. In addition to these State-led initiatives, local governments must play a critical role in preserving agricultural land and reducing barriers to running a viable agricultural operation in urban and rural areas alike.

The recommendations that follow present a diverse set of strategies to preserve publicly and privately held agricultural land while centering fair access and secure land tenure. These strategies should be part of a statewide plan that establishes a comprehensive, cohesive strategy for effective land preservation and stewardship.

3.1 Develop a statewide agricultural land preservation plan

- a) Using the recommendations below as a foundation, develop a statewide plan for preserving and managing California's agricultural land, especially Prime Farmland and Farmland of Statewide Importance. This plan should:
 - a. include both publicly and privately held agricultural land,
 - b. complement existing conservation goals by providing a cohesive approach to preserving agricultural land, and
 - c. expand land access opportunities for priority producers and land stewards.
- b) Establish clear and consistent metrics and accountability structures to guide implementation. Tracking and evaluation should be done at regular intervals, and the results should be made publicly accessible, for example through the Land Market Monitoring Program.

3.2 Preserve and steward California's privately held agricultural land

- a) Establish a new fund for eligible entities, like resource conservation districts, land trusts, and non-profits, to purchase and then lease or transfer agricultural land to

⁸³ "Conserving 30 percent of California's lands and coastal waters by 2030." (2025). 30x30 California. Last Accessed October 2, 2025, from <https://www.californianature.ca.gov/>

⁸⁴ "Natural and Working Lands Climate Smart Strategy." (2022). *Nature-Based Climate Solutions*. Last Accessed October 2, 2025, from https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Expanding-Nature-Based-Solutions/CNRA-Report-2022---Final_Accessible.pdf

⁸⁵ Brown, Jr., Edmund G. (2018). "Executive Order B-55-18 to Achieve Carbon Neutrality." *Executive Department: State of California*. Last Accessed October 2, 2025, from <https://archive.gov.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>

⁸⁶ Newsom, Gavin. (2020). "Executive Order N-82-20." *Office of the Governor*. Last Accessed October 2, 2025 from <https://www.gov.ca.gov/wp-content/uploads/2020/10/10.07.2020-EO-N-82-20-.pdf>

priority producers and land stewards. Ensure California Native American Tribes are exempt from the requirement to lease or transfer the land.

- i) Prioritize community agricultural projects, including cooperatives, that facilitate long-term stewardship and tenure of the land by priority producers and land stewards.
 - ii) Encourage conservation tools such as buy-protect-sell+ programs that conserve agricultural land while prioritizing equitable and affordable land access. Require that priority producers and land stewards are prioritized for the lease or transfer of these properties.
- b) In new and existing conservation programs, fund the following activities and costs. Where needed, amend existing statute to provide legislative authority for these activities.
 - i) Acquisition of agricultural conservation easements and enhancements that facilitate equitable and affordable land access. Examples of easement enhancements include rights of first refusal, residential restrictions, and options to purchase at agricultural value (OPAV).
 - ii) Costs of permitting, deferred maintenance, infrastructure, and other expenses needed to bring a property into a ready state to support a viable agricultural operation, so that those costs are not deferred to receiving land stewards.
 - iii) Transaction costs and legal and technical support for priority producers and land stewards to negotiate and close land transactions, leases, and conservation and agricultural easements with land trusts, public agencies, and private landholders.
 - iv) Technical assistance to support the implementation of sustainable agricultural practices.
 - v) Implementation of climate-smart and regenerative agricultural practices, as defined by the California Department of Agriculture.
- c) In new and existing conservation programs, prioritize funding for applicants that incorporate the above activities and costs into their proposals and meet the following criteria:
 - i) Have completed an eligible training program as outlined below.
 - ii) Are community-based, as defined in existing programs.
 - iii) Practice cultural humility, as guided by the training programs listed below and other programs such as Governor's Office of Tribal Affairs' Cultural Humility Training.
 - iv) Have demonstrated experience in working with priority producers and land stewards.
- d) Fund the development and implementation of training programs for land trusts, public agencies, appraisers, lenders and other technical assistance providers that will support and teach participants 1) how to develop conservation tools like agricultural and cultural easements, easement enhancements, and equitable leases

that directly serve priority producers and land stewards, and 2) cultural humility, especially in relation to working with California Native American Tribes.

- i) Training programs should be developed and implemented in partnership with California Native American Tribes, priority producers and land stewards, and community-based organizations.
 - ii) Provide funding for land trusts and technical assistance providers to participate in the trainings.
 - iii) Require land trusts and community-based organizations to co-create conservation goals in collaboration with the communities which they are accountable to, including consultation with California Native American Tribes.
- e) Require agencies to update existing conservation program guidelines to allow for traditional Tribal uses (as defined in the glossary) and flexible agricultural uses.. Direct the Department of Conservation to develop a list of lessons learned and/or best practices to support these updates. Agencies should collaborate with California Native American Tribes, before collaborating with other agencies, to update program guidelines. Updates should achieve the following:
- i) Encourage cultural land stewardship through Traditional Ecological Knowledge-based management.
 - ii) Provide flexibility for priority producers and land stewards to respond to changing environmental and market conditions.
 - iii) Allow for building infrastructure that is necessary to maintain viability and for land stewards and farmworkers to live on the land, such as housing, irrigation, water storage, and post-harvest handling infrastructure.
 - iv) When entering into a conservation easement agreement with a Tribal entity, allow Tribes to define public access and conservation plans and terms based on TEK.
- f) Leverage the Multi-Benefit Land Repurposing Program and LandFlex Program to transition large-acreage agricultural land to stewardship by California Native American Tribes or small-scale priority producers and land stewards growing crops with lower water use, including funding infrastructure costs and resource access, to:
- v) Facilitate Tribal stewardship
 - vi) Reduce regional groundwater demand by supporting diversified operations
 - vii) Provide regional economic opportunities through keeping agricultural land in production as a working landscape
 - viii) Prevent the fallowing of land that may become a source of dust and pest problems if unmanaged.
 - ix) Provide funding directly to impacted communities for water, land, and community development projects so they are empowered to develop their own water conservation and land management plans.
- g) Incentivize and support local governments to establish agricultural land development offset programs that preserve adjacent agricultural land of the same or better quality at not less than a one-to-one ratio. As distance from the converted

land increases, require that more land be preserved. (See Appendix D for model language.⁸⁷)

- h) Incentivize and support local governments to adopt innovative land use planning strategies to limit development on agricultural land:
 - i) Establish urban growth boundaries.
 - ii) Implement agriculture preservation overlays.

3.3 Preserve and steward California's publicly held agricultural land

- a) Identify, track, and increase the State-owned agricultural land base that is suitable to lease to priority producers and land stewards.
 - i) Reference and build on the data compiled by the Department of Conservation's Farmland Mapping and Monitoring Program and collaborate with the proposed Land Market Monitoring Program proposed in Goal 4 once established.
- b) Expand the State's capacity to hold land and administer leases to priority producers and land stewards.
 - i) In cases where the State cannot serve as landlord, create a program by which land trusts and other community-based organizations can serve as intermediaries between the State and lessees, ensuring the terms of the lease and the conservation goals are followed.
- c) Direct a collaboration of state agencies, local governments, and technical assistance providers with knowledge of equitable contracts to develop models for secure, long-term leases on publicly held land.
 - i) Ensure fair leasing terms based on the recommendations included in this report.
 - ii) Examine existing public land leases and the administrative barriers that make leasing from public agencies inaccessible and prohibitive
- d) Incentivize and support local governments to make publicly held land accessible to priority producers and land stewards by providing secure, long-term leases at low or no cost through partnerships with community-based organizations. Develop these incentives in consultation with local agencies and organizations.
- e) Fund counties and cities to hire agricultural land liaisons whose purpose is to work with local governments and priority producers and land stewards to track available publicly held land and support all parties in facilitating lease agreements.

⁸⁷"Agricultural Mitigation Requirements." (2025). *City of Davis*. Last Accessed October 2, 2025 from <https://www.cityofdavis.org/city-hall/community-development-and-sustainability/open-space-program/acquisitions/agricultural-mitigation-requirements>

4. Equitable land transition and acquisition

By 2035, 40% of privately held agricultural land is expected to change hands as landowners retire. This transition opens the threat of urban and residential development paving over agricultural landscapes;⁸⁸ at the same time, it also presents an opportunity to expand land access for a new generation of producers and land stewards. Without a clear vision and plan for ensuring fair opportunities, however, this land transition could result in further land consolidation, higher land prices, and worsening access and transparency in the land market.

In 2022, the cost of farm real estate increased to an average of \$12,000 per acre, a 10.1% increase from one year before.⁸⁹ While land costs are subject to regional variability, in many cases these cost increases put the purchase of farmland out of reach for many land seekers. State resources to support priority producers and land stewards with land acquisition are limited, and in almost all cases, the demand outpaces available funding. Cost increases also exacerbate underlying patterns of discrimination. Priority producers and land stewards that the Task Force engaged shared countless stories of facing discrimination by financial institutions and landowners and explained how existing loan products have misaligned eligibility criteria for beginning, small-scale, and/or lower-revenue operations further limiting their options to purchase land.

In addition to land costs, priority producers and land stewards who engaged with the Task Force shared several significant barriers to accessing land. These include:

- Lack of real estate, legal, and financial expertise required to successfully navigate purchasing and accessing agricultural land
- Lack of knowledge on how and where to search for available agricultural land
- Language barriers with landowners
- Concern about negotiating a fair deal
- Lack of transparency regarding who owns the land, when a parcel will be sold, and whether it will remain in agriculture
- Fast pace of land market transactions; those who lack resources to track market trends lack the ability and opportunity to anticipate a sale or make an offer

⁸⁸ Xie, Yanhua, Mitch Hunter, Ann Sorensen, Theresa Nogeire-McRae, Ryan Murphy, Justin P. Suraci, Stacy Lischka, and Tyler J. Lark. (2023). "U.S. farmland under threat of urbanization: Future development scenarios to 2040." *Land* 12(3), 574. Last Accessed October 2, 2025, from <https://doi.org/10.3390/land12030574>

⁸⁹ "Land Values 2022 Summary." (2022). *U.S. Department of Agriculture. National Agricultural Statistics Service*. Last Accessed October 2, 2025 from https://www.nass.usda.gov/Publications/Todays_Reports/reports/land0822.pdf

In California, 96% of cropland is privately owned and consolidated among a few large-scale landholders with the top 5% of properties making up 50% of total California cropland.⁹⁰ Consolidated ownership among large scale agricultural companies, financial institutions, and investment firms turns agricultural land into a commodity for profit and leads to insurmountable barriers for priority producers and land stewards. Trends indicate that corporate farmland acquisition is outpacing that of individual buyers⁹¹ leading to an ever-more inaccessible, inequitable private agricultural land market.

Centuries of discrimination have taken both land and generational wealth from priority producers and land stewards, and the current conditions require a series of interventions to support priority producers and land stewards with fair access and acquisition opportunities. A suit of recommendations that respond to the myriad challenges discussed above are outlined below.

4.1 Develop first opportunity to purchase ordinances

- a) Fund a coalition of local and regional organizations to develop culturally and regionally informed first opportunity to purchase ordinances for privately held land zoned as agriculture for adoption by local governments. The coalition should develop model ordinances through statewide outreach and engagement with California Native American Tribes, local governments, and priority producers and land stewards.
- b) Prioritize California Native American Tribes for acquisition of their ancestral lands.
- c) Create a fund for California Native American Tribes and priority producers to respond to the opportunity to purchase when land becomes available.

4.2 Establish new funding opportunities for priority producers and land stewards

- a) Establish and fund a Land Transition Grant Program through continuous appropriation to support acquisition of agricultural land for priority producers and land stewards.
 - i) Fund land acquisition and related costs, such as identifying viable land and legal fees.
 - ii) Allow a third party to hold the land if needed until the recipient is ready for the land transition to occur.

⁹⁰ Macaulay, Luke, and Van Butsic. (2017). "Ownership characteristics and crop selection in California cropland." *California Agriculture* 71(4):221-230. Last Accessed October 2, 2025, from <https://californiaagriculture.org/article/108763>

⁹¹ Rempel, Jenny Linder, Ella Belfer, Isha Ray, and Rachel Morello-Frosch. (2024). "Access for sale? Overlying rights, land transactions, and groundwater in California." *Environmental Research Letters*. Last Accessed October 2, 2025, from <https://iopscience.iop.org/article/10.1088/1748-9326/ad0f71/pdf>

- iii) Ensure eligibility for producer- and land steward-governed organizations (e.g., cooperatives, agrarian commons, community land trusts) that co-own and co-steward land.
- b) Establish and fund a Land Transition Loan Program with low-interest, loan forgiveness, and reverse amortization options to support land acquisition for priority producers and land stewards.
 - i) Include down payment assistance for first-time buyers to improve access to conventional loans and other available finance for land acquisition.
 - ii) Establish a pilot program that supports the purchase of working farms. The pilot should experiment with eligibility criteria and qualifications tailored to priority producers and land stewards and use the results to generate data on alternative lending models.
 - iii) Administer loans through qualified financial institutions with agricultural knowledge and experience serving priority producers and land stewards, as feasible.
 - iv) Ensure eligibility for producer- and land steward-governed organizations that co-own and co-steward land.
- c) Establish a California Producer Pension Fund
 - i) Ensure eligibility for producer and land steward-governed organizations that co-own and co-steward land.
 - ii) Ensure eligibility for producer- and land steward-governed organizations that co-own and co-steward land.

4.3 Establish a debt forgiveness program

- a) Establish debt forgiveness programs for priority producers and land stewards to alleviate debt incurred for agricultural operations, conditional on the implementation of practices funded through CDFA's climate smart agriculture programs or Traditional Ecological Knowledge, as defined in the glossary.
 - i) Model this program on the federal Public Service Loan Forgiveness program.⁹²
- b) Ensure eligibility for producer and land steward-governed organizations that co-own and co-steward land.

4.4 Adopt new tax programs and benefits designed to serve priority producers and land stewards

- a) Support successful agricultural land succession by revising existing tax law to enable and encourage the transition of land during retiring producers' and land stewards' lifetimes.

⁹² "Public Service Loan Forgiveness FAQ." *Federal Student Aid*. Last Accessed October 2, 2025, from <https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service/questions>

- b) Create an Aggie Bond program—a federal-state partnership that allows private lenders to receive tax-exempt interest on loans made to beginning farmers and ranchers—to support fair financial institutions in reducing interest rates for priority producers and land stewards.⁹³
- c) Establish state tax credits designed to support priority producers and land stewards whether or not they own land, e.g., tax relief on student loans, insurance, and infrastructure expenses.
- d) Establish a state tax credit for landowners to rent and sell land to priority producers and land stewards.
 - i) Provide additional incentives for selling or leasing at lower-than-market value, committing to leases of at least five years in length, and leasing with purchase options or the right of first refusal.
 - ii) Allow for both the landowner and tenant to receive the same tax benefit for a given plot of land.
- e) Exempt California Native American Tribes from property taxes otherwise applicable to land in the process of transferring fee land to trust land.

What is an Aggie Bond?

Established through federal-state partnerships, Aggie Bonds make interest on private loans to beginning farmers and ranchers exempt from federal and/or state taxes. This enables private lenders to offer loans with lower interest rates. According to the Council of Development Finance Agencies, Aggie Bonds can reduce interest rates for beginning farmers and ranchers by one to three percent, on average, compared to the commercial farm loan rate. Private lenders assume all liability for loans created under an Aggie Bond program. Multiple states already have Aggie Bond programs, including Oregon, Minnesota, and Iowa.

4.5 Continually evaluate and improve funding programs

- a) Expand the California Grants Portal to provide an evergreen list of available public and philanthropic programs that fund agricultural land access and secure tenure. Ensure this resource list is available in different languages and links to websites with details about funders and successful applicants.
- b) Implement recommendations from the California Department of Food and Agriculture’s BIPOC and Small-Scale Producer Advisory Committees regarding application, eligibility, reporting requirements, and cost share requirements for conservation and land-based programs such as SWEEP, HSP, CFCP, etc.

⁹³ “CDFA Spotlight: Aggie Bonds.” (2005). *Council of Development Finance Agencies*. Last Accessed October 2, 2025, from <https://www.cdfa.net/cdfa/cdfaweb.nsf/0/3515cc91cab651c1882579360059f5e7>
 “Beginning Farmer Resources.” *Iowa Economic Development and Finance Authority*. Last Accessed October 2, 2025, from <https://opportunityiowa.gov/business/small-business-entrepreneurs/beginning-farmers/resources>
 “Aggie Bond Beginning Farmer Loan Program.” *Minnesota Department of Agriculture*. Last Accessed October 2, 2025, from <https://www.mda.state.mn.us/business-dev-loans-grants/aggie-bond-beginning-farmer-loan-program#:~:text=The%20Aggie%20Bond%20Loan%20Program,for%20a%20qualified%20beginning%20farmer>
 “Beginning & Expanding Farmer Loan Program (Aggie Bond).” *Business Oregon*. Last Accessed October 2, 2025, from <https://www.oregon.gov/biz/programs/aggiebond/pages/default.aspx>

- c) Improve existing grant programs related to land access, stewardship, and tenure to be responsive to specific communities and needs by adjusting statute as necessary to:
 - i) Adopt funding models that leverage investments with philanthropy and other related groups.
 - ii) Administer funds using block grants.
 - iii) Ensure eligible activities and grant terms are flexible and include a wide range of needs associated with land stewardship.
 - iv) Establishing permanent sources of funding and offering long-term support to grantees.
 - v) Fund technical assistance.
 - vi) Remove the requirement for a waiver of sovereign immunity
 - vii) Require at least 40% of program funds be set aside to support priority producers and land stewards.
 - viii) Improve accessibility and reduce application-related burdens by drafting guidelines and contracts in plain language.
 - ix) Acknowledge and address the specific needs of African American producers and land stewards during both the application and award periods.
- d) Mandate standardized program evaluation metrics for land access programs and require annual interagency collaboration to review and address findings (see Goal 4.1 for more on interagency collaboration). Ensure this process does not increase burdensome reporting requirements for applicants nor make it more difficult for community-based organizations to provide block grants and technical assistance. Develop tools to assist this process. Evaluation metrics may include:
 - i) Information about applicants, awardees, and final land stewards, including optional demographic questions.
 - ii) Geography.
 - iii) Acres impacted.
 - iv) Dollars invested.
 - v) Number of land stewards impacted.
 - vi) Length of lease and other tenure variables.
- e) Improve community assessment tools, such as CalEnviroScreen, that measure environmental, social, and economic needs statewide. The tools should more effectively account for historical harms and present-day disparities in agricultural communities as outlined in this report, thereby ensuring fair and representative access to funding.⁹⁴

⁹⁴ McGhee, Eric, Sarah Bohn, and Tess Thorman. (2018). "The 2020 Census and Political Representation in California." *Public Policy Institute of California*. Last Accessed October 2, 2025, from <https://www.ppic.org/publication/the-2020-census-and-political-representation-in-california/>

4.6 Expand tailored technical assistance for land access and acquisition

- a) Provide funding for regional coordination and capacity building among technical assistance providers serving priority producers and land stewards with the following:
 - i) Advice and guidance on land access and acquisition.
 - ii) Legal assistance navigating deeds, titles, water rights, and trusts specifically including support with resolving heirs' land ownership, succession issues, and secure land tenure.
 - iii) Land-linking services that help connect landowners and land seekers in the following ways:
 - 1) Improve and maintain land listing portals and add available properties in all regions across the state on an ongoing basis.
 - 2) Offer capacity building for regional land-linking staff to partner with counties and local governments.
 - 3) Support both parties with the development of fair purchase and secure lease agreements that include a pathway to ownership, including the option and support for seller financing.
- a) Prioritize technical assistance providers who serve priority producers and land stewards in more effective, thorough, and equitable ways by funding services that:
 - i) Are offered in diverse languages, demonstrate cultural humility, include digital technology support, and are responsive to unique regional needs.
 - ii) Support beginning farmers and farmworkers transitioning to farm and business ownership and operations.
 - iii) Include tailored expertise and assistance for producer- and land steward-governed and farmworker cooperatives to address the unique complexity and lack of current support for these entities.
- b) Advance the statutory obligations established in AB 2377 (Irwin, Agriculture: Cannella Environmental Farming Act of 1995: technical assistance grant program) by establishing a separate, continuous funding source and increasing the amount allocated to CDFA to support technical assistance for all its grant programs.
 - i) Enact legislation modeled on AB 2377 to require other agencies and departments to fund technical assistance to increase grant program access.

4.7 Establish and Fund a Land Market Monitoring Program

- a) Establish and fund a new Land Market Monitoring Program to monitor agricultural land market trends and manage a public database of agricultural lands at the parcel level. The database will ensure public transparency and knowledge about land ownership and serve as a tool to inform policy action towards more equitable land arrangements.⁹⁵
- b) Task the Land Market Monitoring Program with the following:
 - i) Survey publicly and privately held agricultural land to establish a baseline of availability and ownership information.
 - ii) Collect and analyze data from tax assessor's offices.
 - iii) Build on existing mapping and data collection efforts such as the Department of Conservation's Farmland Mapping and Monitoring Program.
 - iv) Share findings in publicly accessible and interactive ways in an annual report.
 - v) Collaborate with existing research efforts on the agricultural land market and leverage technology to advance its work.
 - vi) Report potentially anti-competitive land holdings and procurements practices to the Department of Justice.

Why a Land Market Monitoring Program (LMMP)?

In the context of rapid farmland loss and agricultural land consolidation, efforts to track market trends and changes in land use and make the information publicly accessible are increasing. Recent research on California farmland ownership was summarized in the [San Francisco Chronicle](#).

In 2025, a two-year pilot phase for a Land Observatory in Europe was funded to take on a similar task. Farmer and farmworker led organizations view the Observatory as a potential path to support land access, inform public policy, and track trends between ownership and public subsidies. More information about this pilot is [available online](#).

4.8 Limit agricultural land ownership by investment companies

- a) Adopt a "farmland for farmers" law that limits pension funds and investment companies from purchasing agricultural land, informed by proposed federal legislation S.2583 – Farmland for Farmers Act of 2023.
- b) Institute an agricultural land ownership fee on pension funds and investment companies with the revenue directed to support the proposed agricultural land acquisition funds in this report.

⁹⁵ <https://www.arc2020.eu/a-european-land-observatory-whats-in-sight/#:~:text=Political%20will%20at%20EU%20level,Land%20Observatory%2C%20starting%20in%20July>.

5. Secure land tenure

Agricultural land equity does not stop with land access. Rather, it requires stable and secure relationships to land overtime, appropriate and supportive regulatory structures, and suitable conditions for long-term economic viability.

Through engagement with priority producers and land stewards across California, the Task Force identified three key issues that negatively impact their ability to hold onto land: 1) burdensome policies and regulations, 2) zoning codes and permitting processes that undermine agricultural land use and stewardship, and 3) short-term, insecure, or otherwise unfavorable lease agreements for tenants.

Regulatory programs and policies are needed to protect public health, conserve natural resources, and promote fairness. However, programs with a “one size fits all” approach may have unintended consequences and uneven impacts for small-scale producers and land stewards with less secure land tenure or limited resources. Several policy areas, in particular, have the potential to perpetuate inequity if unintended consequences are not addressed, including the Sustainable Groundwater Management Act (SGMA), the Irrigated Lands Regulatory Program (ILRP), the Food Safety Modernization Act (FSMA), and local, regional, and state regulations for zoning, labor, and pesticide use.

The combined regulatory burden of multiple new programs, each with its own set of fees, reporting requirements, and time and resources required to achieve compliance, can have a cumulative effect of making entry into agriculture difficult and limiting viability for established producers and land stewards.⁹⁶

For priority producers and land stewards to remain economically viable in the context of local, state, and federal regulatory programs, it is essential to streamline regulatory requirements, define alternative or tiered structures to reduce inequities, and involve priority producers and land stewards in the review of new programs. Technical assistance with regulatory compliance is also a high priority to address the lack of fit with requirements originally developed for larger commercial agricultural operations, language and cultural barriers, and limited resources to achieve compliance across extensive regulatory programs and requirements.

In addition to state-level policies and regulations, local ordinances, code enforcement, and liens are often difficult for priority producers and land stewards to navigate and may limit agricultural operations. These concerns are especially relevant to efforts to promote land

⁹⁶ Hamilton, Lynn and Michael McCullough. (2025). “Two Decades of Change: Evolving Costs of Regulatory Compliance in the Produce Industry.” *Cal Poly, San Luis Obispo*. Last Accessed October 2, 2025, from https://digitalcommons.calpoly.edu/cgi/viewcontent.cgi?params=/context/agb_fac/article/1164/&path_info=2024_Final_Report_Lettuce_Regulatory_Costs_FINAL.pdf

equity in areas that may have zoning, water, nuisance, or other requirements that could apply to agricultural operations, such as urban or peri-urban areas and on land repurposed from prior uses. For example, producers and land stewards have mentioned limitations on the ability to have cold storage facilities and produce washing stations due to local zoning restrictions. These problems can be exacerbated when agencies are siloed and may not fully be aware of contradictory regulations.

Housing is also a key concern. Many producers and land stewards have difficulty living on or near the land they steward. Local zoning and permitting requirements, along with other governance structures like agricultural conservation easements, can often make it difficult to build adequate housing for producers, land stewards, and farmworkers. To address these challenges, flexibility in housing type is crucial while still ensuring safe and adequate housing and preventing agricultural land from being developed as residential.

These challenges are even harder to overcome for producers and land stewards who lease rather than own the land they cultivate. Many priority producers and land stewards in California operate with no lease agreements, and many others operate on unfavorable leases or on a year-to-year lease, making them less likely to have the time and resources to invest in conservation practices or infrastructure improvements. They are also less likely to qualify for funding and technical assistance programs because of those nonexistent or short-term lease agreements.

Further, under many lease agreements, the tenant is responsible for making improvements or fixing broken infrastructure or equipment, yet the value associated with these improvements accrues to the owner, making it even harder for tenants to build enough capital to acquire land. While short-term leases may be desirable in some instances—for example, beginning producers and land stewards looking for a shorter-term commitment—they can limit opportunities for business development, land improvements, and wealth creation often necessary for land acquisition.

The recommendations below are intended to address these major barriers – policies and regulations⁹⁷, local zoning and permitting requirements, and landlord-tenant relationships – which play a critical role in determining whether priority producers and land stewards can maintain viable businesses on land once they have access.

5.1 Address power imbalances in landowner-tenant relationships

- a) Adopt the Agricultural Tenants' Bill of Rights, found in Appendix B, to ensure fair leasing terms and respect for tenants' rights, including decision-making powers.

⁹⁷ See Appendix C for context and recommendations on policies and regulations that impact priority producers' and land stewards' ability to maintain access to land.

- b) Develop mechanisms that allow tenants to retain the monetary value associated with improvements made to leased land including infrastructure and ecological health.
- c) Increase the maximum allowable length of leases in California from 51 to 100 years.
- d) Increase access to and funding for legal support, technical assistance, and mediation services providers who serve priority producers and land stewards at low or no cost with contract and relationship development, mediation, and negotiation services. This includes support for approaches that can address disputes and default without resorting to formal legal procedures, including but not limited to labor and land use disputes, pesticide drift, lease terms, etc.

5.2 Expand the capacity of CDFA's Farmer Equity Office

- a) Provide additional funding to the California Department of Food and Agriculture's (CDFA) Farmer Equity Office to increase staff capacity and to perform the following roles.
- b) Facilitate interagency review, coordination, and evaluation prior to implementing new regulations that impact priority producers and land stewards to avoid conflicting guidance and requirements. For instance, ensure that policies aimed at enhancing soil health through compost and cover crops do not lead to undue burden in regulatory programs like the Irrigated Lands Regulatory Program (4.2 below).
- c) Establish a process by which proposed agricultural regulations and policies that may impact priority producers and land stewards are evaluated by the CDFA's BIPOC (Black, Indigenous, and People of Color) Advisory Committee, the CDFA Small Producer Advisory Committee, and any other pertinent public bodies tasked with evaluating the equitable development and implementation of agricultural policies. Ensure that their feedback is provided to regulatory agencies.
- d) Define criteria for alternative or tiered reporting and compliance requirements related to regulatory programs for small-scale farms, diversified farms, and cultural cropping systems to address systemic inequities in "one size fits all" regulatory programs.

5.3 Establish and fund regional Ag Ombuds positions

- a) Establish and fund new, permanent Ag Ombuds positions within a public, non-regulatory agency, such as UC Cooperative Extension.
 - i) The positions will serve as regional service providers for priority producers and land stewards to navigate permitting, regulatory processes, and public resources at all levels of government.
 - ii) Ensure new positions are distributed equitably statewide based on regional resources and needs.
- b) Establish a statewide Ag Ombuds coordinator position to document persistent challenges, to work with regulatory agencies on solutions, and to increase inter-agency communication for streamlined regulatory compliance.

- i) This position should serve as a liaison between the interagency coordination outlined in Goal 5.2 and the Ag Ombuds positions working with priority producers and land steward.

5.4 Address inequitable policy consequences while respecting the intention of the law

- a) Require that all regulatory programs provide technical assistance to assist priority producers and land stewards with compliance.
 - i) Establish a one-time fee waiver option for those out of compliance, but seeking technical assistance to comply and achieve compliance.
 - ii) Include assistance for producer and land steward-governed and farmworker cooperatives given the unique complexity and lack of current support for these entities.
- b) Implement the recommendations in the CDFA and CalEPA Regulatory Alignment Study³ that are relevant to equity for small-scale and limited-resource producers and land stewards, particularly the sections on Equity and Efficiency.
- c) Ensure representation of priority producers and land stewards in public decision-making bodies, including existing commissions, water districts, irrigation districts, resource conservation districts, groundwater sustainability agencies, local planning bodies, county supervisors, etc. Allow non-landowners and tenants to meaningfully participate in governance of these bodies through holding leadership positions and voting power.
- d) Amend and implement the following laws to enable secure land tenure, where applicable. (See Appendix C for more detailed recommendations.)
 - i) Sustainable Groundwater Management Act
 - 1) Develop alternate requirements and structures for groundwater allocations, fees, monitoring, reporting, and other requirements to limit unintended impacts on priority producers and land stewards.
 - 2) Provide incentives, technical support, and guidance for groundwater sustainability agencies and other entities to include priority producers and land stewards in well mitigation programs to replace shallow wells that go dry during SGMA implementation.
 - 3) Implement appropriate recommendations for protecting small-scale agricultural operations outlined in the California Water Commission's white paper, "A State Role in Supporting Groundwater Trading with Safeguards for Vulnerable Users," in support of Action 2.6 of Governor Newsom's Water Resilience Portfolio. Include tenant producers and land stewards as those needing protection from market power and the sale of agricultural land for its associated groundwater allocations. Develop specific guidance, resources, and oversight to address the risks to small- and medium-sized agricultural operators outlined in the

white paper. Implement the next steps for state engagement recommended in the white paper to protect vulnerable groundwater users as appropriate.

- ii) Irrigated Lands Regulatory Program (ILRP)
 - 1) Implement the alternate reporting requirements included in the Eastern San Joaquin General Order for small-scale, diversified agricultural operations that participate in water quality coalitions.
 - 2) Develop tiered structures for regulatory fees and fines to better match the scale of operations for priority producers and land stewards.
 - 3) Require water quality coalitions engage in outreach with priority producers and land stewards. Provide them with resources to support this work.
 - 4) Mandate water quality coalitions provide technical assistance and tools to assist priority producers and land stewards with compliance. Provide them with resources to support this work.
 - 5) Identify a stable source of funding for irrigated lands technical assistance beyond member fees.
- iii) Food Safety Modernization Act (FSMA)
 - 1) Establish an equitable process to schedule on-site inspections that is accessible to priority producers and land stewards with language barriers and/or limited access to digital communication methods.
 - 2) Identify additional “rarely consumed raw” specialty crops from diverse priority producer and land steward communities at the state level for exemption from FSMA inspections.
 - 3) Support the development of culturally appropriate and interactive curriculum meeting Produce Safety Alliance training requirements for FSMA compliance.
- iv) California Labor Policies and Regulations
 - 1) Expand and promote free Occupational Safety and Health Administration (OSHA) consultation services to support priority producers and land stewards.
 - 2) Revise OSHA fee structures and enforcement procedures, such as adopting a tiered approach, without reducing fundamental worker protections.
 - 3) Include equipment and infrastructure required for compliance available through agricultural equipment lending and sharing programs.
- v) Pest Management Policies and Regulations

- 1) Support research, technical assistance, and training on agroecological pesticide alternatives appropriately scaled for small and/or diversified agricultural operations.
- 2) Provide culturally appropriate training and technical assistance, including curricula and study materials, for private applicators to understand and follow pesticide safety regulations. Ensure these resources are available in languages spoken by priority producers and land stewards.

5.5 Incentivize and support local governments to adopt zoning and land use planning practices that facilitate secure land tenure and stewardship

- a) Direct the Governor's Office of Land Use and Climate Innovation to develop model ordinances that facilitate secure agricultural land tenure and stewardship, with emphasis on equitable land access, climate-smart agriculture, and Tribal co-stewardship. Provide resources to local governments, including the following:
 - i) Funding for the development and implementation of local ordinances that achieve the actions listed below.
 - ii) Training for Planning and Zoning Commissions on zoning changes to support regenerative agriculture and equitable land access.
- b) Incentivize and support revisions to zoning codes and local regulations to facilitate the continued viability of small-scale, diverse agricultural operations
 - i) Develop, update and adopt zoning codes to allow for agriculture-related activities, such as retail, infrastructure like cold storage and processing facilities, and housing for priority producers and land stewards, to occur in areas currently zoned exclusively for agriculture.
 - ii) Establish an "agricultural track" in building codes and infrastructure upgrades appropriate for small scale farms, diversified farms, and cultural cropping systems to address systemic inequities in "one size fits all" zoning regulations including but not limited to housing, infrastructure, wells, and septic systems.
 - iii) Reduce penalties for existing structures that meet building requirements. Develop pathways for priority producers and land stewards to bring existing unpermitted or out of code structures into compliance without excessive fees as long as the intent of the law and health and safety standards are met.
 - iv) Streamline permitting processes and decrease costs related to housing construction for agricultural workers while ensuring humane living conditions.
 - v) Develop agriculture housing-permissive zoning policies that allow for housing construction for farmworkers and owners on the land they steward, including traditional Tribal housing, mobile homes, trailers, modular homes, double-wide homes, tiny homes, RVs, and campers.

- vi) Remove barriers to infill housing projects to ease development pressure on peri-urban and rural land.
- vii) While increasing housing on and near agricultural land, maintain protections:
 - 1) Establish a maximum ratio of housing-to-agriculture use to allow flexibility without thwarting agricultural land conservation goals.
 - 2) Require local governments maintain ongoing inspections and enforce fair leasing practices to protect tenants, particularly in employer-operated housing.
- viii) Provide guidance on local implementation of the Williamson Act to ensure that housing for producers, land stewards and farmworkers, including temporary housing, is permitted.

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Appendix A: Glossary of Terms

Agricultural conservation easement: As defined by the CA Department of Conservation, a voluntary, legally recorded deed restriction that is placed on a specific property used for agricultural production. The goal of an agricultural conservation easement is to maintain agricultural land in active production by removing the development pressures from the land. Such an easement prohibits practices which would damage or interfere with the agricultural use of the land. Because the easement is a restriction on the deed of the property, the easement remains in effect even when the land changes ownership. For a more detailed definition, see the California Sustainable Agricultural Lands Conservation Program Grant Guidelines.

Agricultural land equity: All people have secure and affordable access to viable land for the care and cultivation of food, fiber, medicine, and culturally valuable resources without systemic barriers or disparities.

Agricultural land: Land stewarded to produce resources valuable to the communities engaged in the practices and knowledge of cultivation. This expansive understanding of agricultural land is intended to capture peoples' reciprocal relationships with land and ecosystems that support many others, both human and non-human.

Agricultural operation: An enterprise engaged in agriculture, as defined in this report. This includes, but is not limited to, agricultural activities by for-profit businesses, nonprofit organizations, cooperatives, and California Native American Tribes.

Agriculture: The knowledge and practice of caring for and cultivating plants, animals, and ecosystems for food, fiber, medicine, or other resources, including gardening, horticulture, viticulture, dairying, poultry, bee raising, ranching, and Traditional Ecological Knowledge and practices.

Ancestral land return: The transfer of property ownership or property rights to a California Native American Tribe with ancestral ties to that property.

Beginning farmer or rancher: As defined by the United States Department of Agriculture (USDA), a beginning Farmer or Rancher is an individual who:

- Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years, and who
 - Will materially and substantially participate in the operation of the farm or ranch.
 - In the case of a contract with an individual, individually or with the immediate family, material and substantial participation requires that the individual provide substantial day-to-day labor and management of the farm or ranch,

consistent with the practices in the county or state where the farm is located.

California Native American Tribe: A federally recognized or non-federally recognized Native American Tribe with ancestral homeland in California.

Community-based organization: A public or private nonprofit organization of demonstrated effectiveness that is representative of a community or significant segments of a community and provides educational or related services to individuals in the community (U.S.C. § 9101(6)).

Cultural easement or cultural conservation easement: Defined by the Native Land Conservancy as a legal agreement that guarantees Indigenous people cultural access to land in perpetuity. Cultural easements provide Native people with safe areas to practice their traditional and spiritual lifeways, such as ceremonies, seasonal celebrations, camping, and more.

Cultural humility: The self-reflective practice of examining one's own cultural norms and identities while learning about and respecting others' beliefs and ways of life. Cultural humility requires recognizing power dynamics and working to fix imbalances at an individual and institutional level to advance effective collaboration.

Federally recognized California Native American Tribe: An American Indian tribal entity which has ancestral lands within the geographic boundaries of present-day California and is recognized by the federal United States government as having a government-to-government relationship with the United States. Federally recognized California Native American Tribes possess certain inherent rights of self-government.

Land access: The physical and legal ability to be in relationship with the land. May encompass a combination of allowable activities, such as the use of land for food and fiber production, the power to make decisions about allowable uses, the ability to benefit financially, and the right to sell or transfer the land to another person or entity.

Land acquisition: Land acquisition refers to obtaining a parcel of land along with the ownership or usage rights and responsibilities of that land.

Land tenure: The broad range of relationships that individuals and groups hold with respect to land and related resources, including but not limited to ownership, leasing, and cooperative management. Land tenure is shaped by legal and economic structures as well as the rules and forms of governance that determine what is allowable and possible on the land, who makes decisions and how they are made, and which goals and outcomes are prioritized with those decisions.

Land trusts: Nonprofit organizations whose principal purpose and activity is the direct protection and/or stewardship of land and water, as defined by the California Council of Land Trusts.

Limited Resource Farmer or Rancher: As defined by the USDA, the term “Limited Resource Farmer or Rancher” means a participant:

- With direct or indirect gross farm sales not more than the current indexed value in each of the previous two years, and
- Who has a total household income at or below the national poverty level for a family of four, or less than 50% of county median household income in each of the previous two years.

Local government: A public entity at the sub-state level with governmental authority over a defined geographic area. This includes, but is not limited to, counties, cities, municipalities, townships, and school districts.

Non-federally recognized California Native American Tribe: An organization that identifies as a Native American group whose ancestors lived within the present-day boundaries of California prior to European contact, but that is not recognized by the federal government as having a government-to-government relationship with the United States (see “Historical Context and Contemporary Barriers” and “Tribal Stewardship and Land Return” sections of this report for more details about federal recognition in California).

Priority producers and land stewards: Priority producers and land stewards are those who have been historically and systematically excluded from land ownership and secure tenure for agriculture and traditional tribal uses.

This group is inclusive of individuals identified in two existing definitions:

1. Socially disadvantaged farmers and ranchers, as defined in the 2017 Farmer Equity Act (AB 1348): A farmer or rancher who is a member of a socially disadvantaged group. “Socially disadvantaged group” means a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. These groups include all of the following:
 1. African Americans.
 2. Native Indians.
 3. Alaskan Natives.
 4. Hispanics.
 5. Asian Americans.
 6. Native Hawaiians and Pacific Islanders.
2. An underserved producer, as defined in the Agriculture Improvement Act of 2018 (H.R.2), is “an individual (including a member of an Indian Tribe) that is
 1. a beginning farmer or rancher;
 2. a veteran farmer or rancher; or
 3. a socially disadvantaged farmer or rancher.”

The term “socially disadvantaged farmer or rancher” is defined in S.2830, Food, Agriculture, Conservation, and Trade Act of 1990, as “a farmer or rancher who is a member of a socially disadvantaged group,” meaning “a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.”

Publicly held land: Land that is owned by a governmental entity, whether at the federal, state, or local level.

Resource conservation districts: Local, non-regulatory special districts which provide technical and financial assistance to producers and land stewards for conservation projects.

Socially disadvantaged farmer or rancher: As defined by the 2017 Farmer Equity Act (AB 1348), a farmer or rancher who is a member of a socially disadvantaged group. “Socially disadvantaged group” means a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. These groups include the following:

1. African Americans.
2. Native Indians.
3. Alaskan Natives.
4. Hispanics.
5. Asian Americans.
6. Native Hawaiians and Pacific Islanders.

State-owned land: Land owned by the State of California, including but not limited to land held by state agencies, divisions, academic institutions, and research and extension branches of the State government.

Stewardship: Ongoing practices of care and responsibility in a manner that meets the long-term interests of communities, the natural world, and future generations.

Traditional Ecological Knowledge (TEK): Knowledge of ecological relationships, resource management, and sustainability that is passed down through generations via oral histories, ceremonies, and lived experiences. TEK integrates observation with values, ethics, and community responsibilities, offering holistic perspectives that are vital to environmental stewardship and resilience. TEK does not follow a one-size-fits-all model; rather, it varies from place to place and is defined differently by different communities.⁹⁸

⁹⁸ Adapted from Cal Poly Humboldt’s Department of Native American Studies, “Traditional Ecological Knowledge,” last accessed Oct. 6, 2025 at <https://www.humboldt.edu/nas/traditional-ecological-knowledge-tek>; and Save California Salmon, “Traditional Ecological Knowledge, Science, & Management,” last accessed Oct. 6, 2025 from https://www.californiasalmon.org/_files/ugd/d97ff6_a24cc36643a64627bae253020d3830a8.pdf

Traditional Tribal agricultural uses: Phrase used in the legislation that established the California Agricultural Land Equity Task Force (California Budget Act of 2022, AB 179). This phrase is inclusive of the terms “agriculture” and “Traditional Ecological Knowledge” as utilized in this report and defined in this glossary.

Technical assistance provider: Those who support individuals, businesses, and cooperatives with navigating legal, technical, business, and regulatory processes and procedures, as well providing support with planning and implementation. In the context of this report, technical assistance providers offer guidance and expertise related to agricultural land access and tenure.

Tribal cultural resources: Defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe.

Tribal sovereignty: Tribal Nations’ possession of all powers of self government, except those relinquished under treaty with the United States, those that Congress has expressly extinguished, and those that the federal courts have ruled are subject to existing federal law or are inconsistent with overriding national policies. Tribal sovereignty includes the right to form governments, make and enforce civil and criminal law, establish and determine membership, license and regulate activities, zone, and exclude persons from Tribal lands.

Urban agriculture: The practice of agriculture within an urban area, defined by the California Department of Food and Agriculture as more than 25 miles adjacent to or outside of one Urbanized Area containing a population of 50,000 or more people.

Underserved producer: As defined in the Agriculture Improvement Act of 2018 (H.R.2), “an individual (including a member of an Indian Tribe) that is

1. a beginning farmer or rancher;
2. a veteran farmer or rancher; or
3. a socially disadvantaged farmer or rancher.”

The term “socially disadvantaged farmer or rancher” is defined in S.2830, Food, Agriculture, Conservation, and Trade Act of 1990, as “a farmer or rancher who is a member of a socially disadvantaged group,” meaning “a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.”

Veteran Farmer or Rancher: As defined by the USDA, the term “Veteran Farmer or Rancher” means a producer who

- Served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve component thereof; was released from service under conditions other than dishonorable; and:

- Has not operated a farm or ranch, or has operated a farm or ranch for not more than 10 years; or
- Who first obtained status as a veteran during the most recent 10-year period.

Viable agricultural land: Land that can sustain agriculture, as defined in this report, in the long term. This often entails both ecological and economic sustainability and involves a range of resources and structures, from water availability to market access.

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Appendix B: Draft Agricultural Tenant Bill of Rights

Many priority producers and land stewards in California lease the land they operate, and many other operate on land with no lease agreements. Often, leases are short-term and have unfavorable or exploitative terms. Such agreements, on top of inherent power imbalances in leases and barriers to accessing and understanding lease arrangements, make priority producers and land stewards vulnerable to discrimination and exploitation, particularly non-English speaking producers and land stewards.

To ensure agricultural leases in California are fair and just, the governor and legislature should mandate that the following list of rights be respected in all agricultural leases.

- Agricultural lease duration for crop production must meet or exceed one year.
- Right to harvest crops in ground or in production at time of termination.
- No crop liens; no Landlord rights to unharvested or harvested crops as a cure for Tenant's default, unless agreed to in writing by both parties.
- Notice requirements for any proposed rent increases, minimum 6 month notice period
- Caps on agricultural rent increases (rent control for ag land) – Landlords cannot raise rent more than 10% total or 5% plus the percentage change in the cost of living – whichever is lower – over a 12-month period.
- An agricultural tenant's responsibility for payment of any share of or all real property taxes shall be contingent upon a lease term of at least three years, except that Tenant shall be responsible for paying property taxes on any Tenant-funded permanent improvements, and shall be responsible for any difference in property taxes due to a re-assessment of property based on improvements made by Tenant.
- Force Majeure – If any party fails to perform its obligations because of strikes, labor disputes, Acts of God, natural disasters, inability to obtain labor or material, governmental action, fire or other casualty, or other causes beyond the reasonable control of the party obligated to perform, then that party's performance shall be excused for a period equal to the period of such cause for failure to perform as long as the party who fails to perform gives reasonable notice after the event causing the failure.
- Landowner must provide at least 30 days notice of default of lease terms, at least 30 days to remedy and at least 30 days notice of termination before terminating for cause. Termination without cause is not permissible. Default includes:
 - Nonpayment of rent after period specified in lease agreement

- Breach of a material term of the lease
 - Using the property for unlawful purposes
- Survivability of tenure upon sale of property
- Security for “lease to own” agreements
- Tenant is entitled to remaining usable value of any permanent improvements, including permanent crops, invested on leased land at time of termination. Landowner must buy back the remaining usable value of these improvements within 30 days after the expiration or termination of the agreement.
- If tenancy remains undisputed for a period of at least 60 days after expiration of the lease, the lease is considered renewed on an annual basis under the terms of the most recent written contract between the parties.
- Any residential structures on leased agricultural lands are subject to residential tenant rights and rights to livable housing conditions.
- Landowners may not sell or otherwise remove water rights, groundwater allocations available water, or access to water expected and necessary for the adequate production of agricultural tenant’s current and future production and use under the term of the agreement.
 - Inability to operate due to lack of access to water may be cause for early termination of lease agreement without penalty for Tenant; lack of access to water includes cases where lack of water is due to failure of infrastructure owned by landowner and landowner is unable or refuses to repair said infrastructure.
- Dual indemnification
- Discrimination:
 - Landlords are prohibited from discriminating against tenants based on the tenant’s race, national origin, religion, sex, gender, sexual orientation, gender expression, gender identity, ancestry, language, disability status, marital status, familial status, source of income (Section 8 vouchers, for example), veteran status, or certain other characteristics.
- Any landowner seeking the benefit of state conservation programs on land managed or stewarded by a tenant who will be the contracting party (operator) must ensure that the lease term aligns with or exceeds the length of the conservation program contract. If permanent improvements will be made under the terms of the contract, the lease term must match the usable life of those improvements.

- Retaliation – Landlords may not retaliate against tenants for exercising their rights. For example, it is against the law for a landlord to try to evict a tenant who has asked for repairs or pointed out that a rent increase is unlawful, or to take away services or rights that the tenant previously enjoyed, like a storage space or parking.
- “Lockouts” – It is illegal to try to "evict" a tenant by locking them out, shutting off the water or electricity, or removing their personal property. The only lawful way to evict a tenant is to file a case in court and go through the legal process.
- Tenants have a right to receive a written copy of their final lease agreement in their primary/preferred language prior to signature.

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Appendix C: Context and Recommendations to Address Uneven Impacts of Policies and Regulations

1) *Sustainable Groundwater Management Act (SGMA)*

The Sustainable Groundwater Management Act (SGMA) was enacted to address the severe groundwater overdraft, declining aquifer levels, and other undesirable consequences of over-pumping groundwater in California. Under SGMA, local groundwater sustainability agencies (GSAs) are required to achieve sustainable groundwater management by 2040 in groundwater basins deemed “critically overdrafted” and by 2042 for the remaining basins under SGMA, mainly through increasing groundwater supply and/or decreasing demand for groundwater use. Because SGMA is a locally driven law, GSAs develop and implement groundwater sustainability plans (GSPs) to avoid undesirable results for beneficial uses and users of groundwater and mitigate overdraft within this timeframe. The California Department of Water Resources (DWR) serves two roles to support local SGMA implementation: 1) Regulatory oversight through the evaluation and assessment of GSPs and 2) Ongoing assistance to local GSAs. GSAs are considering a range of strategies to bring groundwater basins into sustainability by 2040, such as increasing groundwater recharge (supported by State actions including basin and subsurface characterization), land fallowing or repurposing (supported by some State grant programs to willing participants), and reductions in the amount of groundwater each grower is allowed to pump (groundwater allocations). The effect of local SGMA implementation on land equity could be substantial, with access to groundwater now affecting the value and availability of agricultural land, potential competition for groundwater, and new fees, monitoring requirements, and regulatory actions that can be passed on from GSAs with potential unintended consequences for more vulnerable groups of producers and land stewards. Efforts to promote land equity under SGMA should also avoid impacting additional vulnerable communities, such as protecting drinking water quality for rural residents. SGMA education for all beneficial users of groundwater is paramount for a common understanding of what GSAs are responsible for and how decisions made at the local level can affect groundwater users.

While SGMA requires sustainable management of groundwater that will avoid undesirable results for all groundwater users, the implementation process may disproportionately impact priority producers and land stewards. Small-scale agricultural operations tend to have older, shallower wells and are more vulnerable to declining groundwater levels, as pumping continues in many areas until full sustainability is required in 2040 and 2042. If a local GSA sets minimum threshold targets for groundwater levels below the level of shallower wells, these wells may go dry before groundwater sustainability is implemented. While large landowners and companies may have flexibility with different properties or the capital to drill new wells, sometimes in different groundwater basins, small-scale priority producers and land stewards are more likely to be fully dependent on one piece of

property, have limited ability to drill replacement wells when groundwater levels drop, and will be more drastically affected by across-the-board reductions in allocations of groundwater for irrigation. Groundwater markets that may develop as a result of SGMA would likely benefit larger agricultural operations with more capital and resources, with concerns about the development of market power for interest groups that could exclude users outside their network, difficulty of trading for producers and land stewards with smaller agricultural operations, and higher transaction costs to participate. The risks to tenant producers and land stewards in areas with groundwater markets are high. Since agricultural land can now be associated with groundwater allocations, and unused water can be sold in a groundwater market, agricultural land could be used for sales of groundwater instead of being leased to a tenant. Current market rates for land rental, property taxes, and groundwater sales may determine which is more profitable. These factors all could have substantial effects on land equity as access to groundwater, land prices and availability, and economic viability of priority producer operations may be affected.

- a) Define criteria for: exceptions, exemptions, de minimis categories, alternate requirements, and tiers to structure groundwater allocations, fees, monitoring, reporting, and other regulatory requirements to limit unintended impacts on vulnerable communities including priority producers and land stewards, small-scale and family-operated agricultural operations, and limited-resource producers and land stewards and ranchers.
- b) Identify funding and resources for technical assistance, cost sharing, engagement with GSAs, and legal consultation to support small-scale and priority producers and land stewards during the process of SGMA implementation.
- c) Determine best practices for land fallowing and repurposing programs to minimize impacts and maximize benefits for small-scale or priority producers and land stewards: for example, comparing the benefits of reducing groundwater pumping through maximizing large acreages of fallowed or repurposed land, repurposing existing land use to smaller diversified agricultural systems, and/or fallowing or repurposing land on smaller agricultural operations.
- d) Include small-scale priority producers and land stewards in well mitigation programs to support residents, producers, and land stewards with shallower wells and/or whose wells go dry during SGMA implementation.
- e) Support infrastructure for surface water access to diversify sources of irrigation water for small agricultural operations and priority producers and land stewards.

- f) Either prohibit groundwater markets or establish state regulations for groundwater markets to protect vulnerable communities of rural residents and priority producers and land stewards and limit the ability of larger entities to develop market power.⁹⁹
- i) Require neutral third parties to administer groundwater markets.
 - ii) Ensure that groundwater buyers and sellers and groundwater trades are anonymous.
 - iii) Define special management areas with rules that protect vulnerable communities based on hydrology, locations of shallow wells, etc.
 - iv) Place limits on trading to avoid impacts to vulnerable communities and/or the development of market power, such as: ag-to-ag only, within GSA or sub-basin only, or directionally (e.g. east to west).
 - v) Start small and evaluate water markets frequently, with regular stakeholder participation and ongoing monitoring to determine whether unintended consequences such as the development of market power are occurring.
 - vi) Fund third-party organizations to facilitate groundwater market access and participation with technical assistance, outreach and education, and manage groundwater trading for groups of small producers and land stewards.

2) Irrigated Lands Regulatory Program (ILRP)

The Irrigated Lands Regulatory Program (ILRP) was implemented to protect drinking water quality due to decades of over-fertilization in California agricultural production systems and the resulting contamination of aquifers with nitrates from fertilizers. Most producers report nitrogen applied and nitrogen removed through harvest to regional water quality coalitions or approved third parties, which report it in aggregated form with anonymous identifiers to regional water quality control boards. Producers within the central coast region, however, submit nitrogen applied and removed data directly to their regional water quality control board. Nitrate contamination is a serious public health issue requiring regulation; however, the structure of ILRP reporting requirements is much more streamlined for larger monoculture agricultural operations, while smaller, organic, and diversified operations struggle with the complexity of required reporting of nitrogen released from a wider range of different sources and nitrogen present in a diversity of harvested crops. Enforcement procedures can be severe, such as letters warning of fines of \$1000 per day if paperwork is not submitted on time, and information usually is not available in multiple languages. Funding for technical assistance is extremely limited, as no provision has been made for this at the state level and regional water quality coalitions are required to raise funds through charging member fees. Compliance can also be more complicated for tenant producers and land stewards: either the landlord or tenant can enroll as a member in a

⁹⁹ "A State Role in Supporting Groundwater Trading with Safeguards for Vulnerable Users: Findings and Next Steps." (2022). *California Water Commission*. Last Accessed October 2, 2025 from https://cwc.ca.gov/-/media/CWC-Website/Files/Documents/2022/O5_May/May2022_Item_10_Attach_1_WhitePaper_Final.pdf

water quality coalition to report nitrogen use and removal, and confusion can arise over who is responsible. These factors combine to make regulatory compliance with the ILRP extremely difficult for small-scale priority producers and land stewards to achieve without substantial technical assistance, adding to the overall regulatory burden that can inhibit the viability of agricultural operations. The recommendations for ILRP compliance in the CDFA and CalEPA Regulatory Alignment Study that are relevant to equity for small-scale and limited-resource producers and land stewards should be implemented, particularly the sections on **Equity** (opportunities to ensure the inclusion of socially disadvantaged communities, and farmers and ranchers in the development, implementation, and enforcement of regulations) and **Efficiency** (opportunities to simplify and expedite regulatory administrative, reporting, and compliance processes). Selected recommendations from this study are also highlighted below.

- a) Implement the alternate reporting requirements included in the Eastern San Joaquin General Order for all water quality coalitions that include participation of small-scale diversified agricultural operations.¹⁰⁰
- b) Invest in resources and technical assistance to support small-scale and priority producers and land stewards and with ILRP compliance.
- c) Revise regulatory communications to include references to technical assistance available and encourage producers to seek assistance with compliance.
- d) Revise regulatory actions and fees when reporting is not submitted on time to be less threatening: for example, remove the fine of \$1000 per day and replace it with a more reasonable fine, or develop a tiered structure for fines that is more reasonable for small-scale and priority producers and land stewards.
- e) Support water quality coalitions with resources for bilingual outreach, technical assistance, and development of tools relevant to small-scale and priority producers and land stewards.
- f) Streamline resources and requirements for domestic well testing, so that small-scale priority producers and land stewards enrolled in water quality coalitions can request labs and submit test results to GeoTracker from domestic well testing assistance programs.

¹⁰⁰ Dahlquist-Willard, Ruth, and Aparna Gazula. (2017). "Comments on the Eastern San Joaquin River Watershed Agricultural Order." Last Accessed October 2, 2025, from https://www.waterboards.ca.gov/public_notices/comments/a2239ac/comments20171205/ruth_dahlquistwillard.pdf

"State of California Water Resources Control Board Order WQ 2018-0002 – Waste Discharge Requirements General Order No. R5-2012-0116 for Growers Within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group." (2018). *State of California Water Resources Control Board*. Last Accessed October 2, 2025, from https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2018/wqo2018_0002_with_data_fig1_2_appendix_a.pdf

- g) Place a liaison between the State Water Resources Control Board and small-scale priority producers and land stewards within CDFA's Farmer Equity Office

3) Food Safety Modernization Act (FSMA)

The federal Food Safety Modernization Act (FSMA) requires wholesale producers of all scales to comply with requirements for training, recordkeeping, and on-site practices, in addition to any third-party food safety audits that their buyers may require. While the goal of preventing food safety outbreaks from harvested produce is essential to protect public health, the costs in time and materials for compliance and inspections contribute to the overall increased regulatory burden for small-scale priority producers and land stewards and the effect of compliance on the viability of small and beginning agricultural operations. This is particularly the case when the scope of federal compliance required may exceed the level of food safety risk on the operation: for example, when many crops are generally cooked rather than eaten raw. Certain culturally important crops from a diversity of agricultural communities and marketed to a diversity of California consumers may be very infrequently consumed raw, or even toxic when eaten raw. Yet, they are not on the "rarely consumed raw" (RCR) list for FSMA exemptions, because they were not included in the questions on dietary habits in the National Health and Nutrition Examination Survey (NHANES).

FSMA includes exemptions for very small agricultural operations (average annual sales of \$25,000 or less, adjusted for inflation) and crops on the [RCR list](#), and a qualified exemption with less stringent requirements for agricultural operations with a majority of their sales direct to local end users and average annual sales of \$500,000 or less (adjusted for inflation).¹⁰¹ Small-scale and priority producers and land stewards selling to regional and national wholesale markets may be most affected by FSMA requirements, since they must comply with the same requirements as larger operations yet have limited resources to do so. Inspections present an additional difficulty, as the process to select agricultural operations and contact producers and land stewards for FSMA inspections may not be set up to account for language and cultural barriers. In the listening sessions conducted by the Task Force, producers and land stewards mentioned the confusing requirements of multiple different required food safety inspections and suggested that a process to streamline requirements would be helpful.

¹⁰¹ "Exemptions Relevant to Produce Farms Under the Produce Safety Rule and the Food Traceability Rule." (2023). U.S. Food and Drug Administration. Last Accessed October 2, 2025, from <https://www.fda.gov/food/food-safety-modernization-act-fsma/exemptions-relevant-produce-farms-under-produce-safety-rule-and-food-traceability-rule>

Dahlquist-Willard, Ruth, Aparna Gazul, Jacob Roberson, Qi Zhou, Marianna Castiaux, Erin DiCaprio, Thais Ramos, and Alda Pires. (2021). "Comment from University of California Agriculture and Natural Resources." U.S. Food and Drug Administration. Last accessed October 2, 2025, from <https://www.regulations.gov/comment/FDA-2019-D-1266-0013>

- a) Implement the recommendations for food safety compliance in the CDFA and CalEPA Regulatory Alignment Study³ that are relevant to equity for small-scale and limited-resource producers and land stewards, particularly the sections on **Equity** (opportunities to ensure the inclusion of socially disadvantaged communities, and farmers and ranchers in the development, implementation, and enforcement of regulations) and **Efficiency** (opportunities to simplify and expedite regulatory administrative, reporting, and compliance processes). Selected recommendations from this study are also highlighted below.
- b) Establish an equitable and fair process that is accessible to producers and land stewards with limited access to digital communication methods to set up on-site inspections, such as advance notice in writing, opportunity to identify translation services, and options to involve a family member fluent in English.
- c) Identification of additional “rarely consumed raw” crops at the state level for exemption from FSMA inspections, particularly those with cultural importance for diverse California communities, and communication of this information to the FDA, similar to the case of taro in Hawaii
- d) Maintain grower data as confidential and not to be shared with other agencies or third parties without the consent of the grower, such as with an “opt-in” check box, including for CDFA’s Farm Data Repository.
- e) Allow growers under a defined threshold of sales to self-report successfully passing a private audit aligned with FSMA as a replacement for a full FSMA Produce Safety Rule inspection
- f) Fund bilingual outreach and technical assistance for FSMA compliance through partner organizations
- g) Provide state agency resources and Produce Farm Inspection Report Summaries in multiple languages
- h) Support efforts to develop culturally appropriate and interactive curriculum meeting Produce Safety Alliance training requirements for FSMA compliance
- i) Conduct periodic listening sessions with CDFA’s Farmer Equity Office committees, including the BIPOC Producer and Small-Scale Producer Advisory Committees

4) California Labor Policies and Regulations

Agricultural labor laws are needed to protect the quality of life and wages of farmworkers workers in California. However, some processes and policies can affect small-scale priority producers and land stewards differently than intended. For example, fees for OSHA violations can be out of proportion to the scale of the agricultural operation, and requirements for extended family members to help with agricultural labor can create difficulties for agricultural communities that rely on cultural practices of labor reciprocity

and unpaid help from extended family networks to sustain their economic viability.¹⁰² Producers and land stewards in listening sessions cited the difficulty of keeping up with changes in labor regulations and the need for education and technical support to remain in compliance.

- a) Revise OSHA fee structure to be more equitable: for example, implement a tiered approach for small-scale and priority producers and land stewards
- b) Expand and promote free OSHA consultation services¹⁰³
- c) Make equipment and infrastructure required for compliance available to rent or borrow in case of emergency, such as shade structures, portable restrooms, etc. – possibly as part of shared equipment lending programs
- d) Revise California labor regulations for extended family members providing part-time assistance with agricultural labor, limited under a minimum threshold of hours per week or month (e.g. direct uncles, aunts, cousins, nieces, and nephews 18 or over who would not be considered employees)
- e) Support training and technical assistance for understanding and complying with current labor regulations, such as minimum wage, piece rate, overtime, heat illness, workers compensation, and similar requirements. This could be provided through an “ag ombuds” or “public navigator” program.

5) Pest Management Policies and Regulations

Policies and regulations related to pest management can add to the overall regulatory burden affecting economic viability for priority producers and land stewards if they are misaligned with the scale and diversity of agricultural operations in those communities. At the same time, California’s Sustainable Pest Management Roadmap provides opportunities for multiple public benefits though promoting more sustainable pest management practices.

- a) Provide financial support for small-scale priority producers and land stewards for losses due to enforcement of quarantine regulations, such as mandatory destruction of crops or land fallowing
- b) Provide technical assistance and training for pest management options under quarantine regulations

¹⁰² Sowerwine, Jennifer, Christy Getz, and Nancy Peluso. (2015). “The myth of the protected worker: Southeast Asian micro farmers in California agriculture.” *Agriculture and Human Values* 32(4): 579–595. Last Accessed October 2, 2025 from <http://dx.doi.org/10.1007/s10460-014-9578-3>.

“CDFA and CalEPA Regulatory Alignment Study.” (2025). *California Department of Food and Agriculture*. Last Accessed October 2, 2025, from <https://www.cdfa.ca.gov/RegulatoryAlignment/>

¹⁰³ “The word is out... But have YOU heard?” *State of California Department of Industrial Relations*. Last Accessed October 2, 2025 from <https://www.dir.ca.gov/dosh/agmore.htm>

- c) Support research, technical assistance, and training on pesticide alternatives appropriately scaled for small and/or diversified agricultural operations under the Sustainable Pest Management Roadmap, particularly for agroecological or biologically integrated pest management methods such as biological control, cultural control, host plant resistance, and reduced-risk products.
- d) Provide training and technical assistance for private applicators to understand and follow pesticide safety regulations, including bilingual assistance for private applicator exam preparation, pesticide use reporting, obtaining permits, and understanding pesticide label requirements.

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Appendix D: Model Policies and Ordinances

[Add Davis Model Ordinance]

[Cultural Conservation Easement]

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Appendix E: Community Engagement

[Extended description of community engagement]

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