

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

Draft for Review at November 2025 Meeting
11-3-2025

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 landownership and secure tenure in California due to race, ethnicity, gender, class, and citizenship status, among other factors. Today, these exclusions intersect with increasing pressures from agricultural land consolidation and financialization to have far-reaching consequences for the well-being of agricultural 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 stewardship and cultivation of food, fiber, medicine, and culturally valuable resources, free from systemic barriers, disparities, or exploitation. In turn, these efforts hold potential to benefit all Californians by fostering a more resilient and just food system through strengthening local, diverse food economies and sustaining healthy natural and working lands.

Established in the [California Budget Act of 2022 \(AB 179\)](#), the California Agricultural Land Equity Task Force is an independent 13-member 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 an independent body administered by the California Strategic Growth Council. As an independent body composed of public members with diverse backgrounds and experiences, the Task Force is uniquely situated to provide the Governor and Legislature with an understanding of people's 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.

Recommendations are divided into six topic areas:

1. Prioritize Tribal stewardship and land return.
2. Fund and incentivize land acquisition for priority producers and land stewards.
3. Halt and reverse agricultural land consolidation.
4. Preserve California's agricultural land while prioritizing equitable land access and stewardship.
5. Prioritize secure land tenure.
6. Support urban agriculture.

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.

Summary of recommendations

1. Prioritize Tribal stewardship and land return.

- 1.1. Establish an Ancestral Land Return Fund.
- 1.2. Embed ancestral land return for California Native American Tribes in all policies and programs.
- 1.3. Return publicly held land to California Native American Tribes.
- 1.4. Facilitate the return of privately held land to California Native American Tribes.
- 1.5. Enable and promote the implementation of Traditional Ecological Knowledge and cultural practices.

2. Fund and incentivize land acquisition for priority producers and land stewards.

- 2.1. Establish a Restorative Land Fund.
- 2.2. Develop and implement a public education campaign.
- 2.3. Fund organizations to purchase and lease or transition agricultural land to priority producers and land stewards.
- 2.4. Establish loan and debt forgiveness programs.
- 2.5. Adopt new tax programs and benefits designed to serve priority producers and land stewards.
- 2.6. Continually evaluate and improve funding and incentive programs.
- 2.7. Expand tailored technical assistance for land access and acquisition.

3: Halt and reverse agricultural land consolidation.

- 3.1. Limit pension and investment fund ownership of agricultural land.
- 3.2. Develop local first opportunity to purchase ordinances for priority producers and land stewards.
- 3.3. Establish a California Producer Pension Fund.
- 3.4. Establish and fund a Land Market Monitoring Program.

4: Preserve California's agricultural land while prioritizing equitable land access and stewardship.

- 4.1. Develop a statewide agricultural land preservation plan.
- 4.2. Improve conservation programs and tools to enable equitable land access and stewardship.
- 4.3. Promote local strategies for agricultural land preservation.
- 4.4. Leverage publicly held agricultural land to enable affordable access and secure stewardship.

5: Prioritize secure land tenure.

- 5.1. Address power imbalances in landowner-tenant relationships.
- 5.2. Expand the capacity of the California Department of Food and Agriculture'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.

6: Support urban agriculture.

- 6.1 Ensure eligibility of urban producers and land stewards in existing programs and provide tailored funding.
- 6.2 Make land available for urban agriculture and address barriers to secure tenure.

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

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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 support from California State University, Sacramento, facilitated public meetings and community engagement and assisted the Task Force in documenting, discussing, refining, and finalizing the ideas and recommendations, while aiming to accurately reflect the Task Force’s ideas and opinions throughout the 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 SGC, 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 elected 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 recommendations in this report were developed by the Task Force through a collaborative process from October 2023 to December 2025.

Public meetings

The Task Force hosted a total of 12 hybrid public meetings across California. Most meetings included site visits at nearby farms and ranches, urban gardens, and Tribal farms and gardens, along with 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 to ensure its final recommendations effectively address the challenges and priorities of the communities its members serve. A comprehensive overview of the outreach process is available in Appendix E.

The Task Force and support staff engaged with more than 400 people through a variety of outreach activities conducted in English, Spanish, Chinese, and Korean, and designed to reach producers and land stewards who have been systemically excluded from land access and secure tenure.

Activities that contributed to this outreach and engagement include:

- 12 counties visited
- 12 Task Force meetings with public comment
- 33 subcommittee meetings with public comment
- Two one-on-one meetings with California Native American Tribes following a formal request for input from the Task Force to California Native American Tribes
- 10 written public comment letters, three from California Native American Tribes
- 20 engagement sessions
- 20 site visits at farms, ranches, urban gardens, and Tribal farms and gardens
- 207 respondents to the Land Access Experiences Survey distributed virtually in English, Spanish, and Chinese (see survey text in Appendix E)
- 24 invited speakers
- Eight conferences and tabling events

The preliminary draft of the report was released in February 2025, with updated versions made public ahead of each Task Force meeting. Engagement sessions focused on the most recent available draft. For example, Tribal and producer engagement sessions held during summer 2025 focused on the May 2025 Draft Report, meaning that newer content—such as the Restorative Land Fund (see Section 2.1), which was developed in response to July 2025 engagement sessions—was not included in those summer discussions. The Task Force received public comment on each iteration of its draft report.

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 advisory committee members on specific topics and concepts as needs were identified. The advisory committee members included:

- Adam Calo, Radboud University
- Angel S. Fernandez-Bou, Union of Concerned Scientists
- Cassandra Lynn Ferrera, Center for Ethical Land Transition
- Catherine Brinkley, UC Davis
- Jamie Fanous, Community Alliance with Family Farmers
- Kathryn Lyddan, Convivial Land Consulting, LLC
- Marisa Raya, UC Davis
- Nitumigaabow Champagne, Dry Creek Rancheria Band of Pomo Indians

The interagency review panel consisted of staff from 11 state agencies and departments who reviewed the draft recommendations for overlap with their agencies' existing goals, programs, and operations. Final decisions regarding whether and how to implement feedback received were made by the Task Force.

Defining agricultural land equity

Through deliberation and engagement, the Task Force developed the following definition of agricultural land equity:

Agricultural land equity is when all people have secure and affordable access to viable land for the care, relationship with, and cultivation of food, fiber, medicine, and cultural resources without systemic barriers, disparities, or exploitation.

Advancing agricultural land equity requires changing policies, practices, systems, and structures to address concentrated market forces and ownership of natural resources to achieve meaningful improvements in the lives of producers and land stewards who have been historically and systematically excluded from secure land tenure.

Effective progress toward agricultural land equity requires a nuanced and community-centered understanding of how various forms of prejudice intersect to produce specific barriers to land access, while also shaping the relative impact of potential solutions across socioeconomic, geographic, and historical contexts. **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.**

Land equity may represent different goals and require distinct courses of action depending on the historical and contemporary injustices 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 passing land on to the next generation. And for others, achieving land equity means building capacity for cooperative landholding and collective organizing.

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.**¹ This includes gardening, horticulture,

¹ Note that this definition of agriculture differs from Cal. Civ. Code § 3482.5(e) (2013) which defines “agricultural activity” as “the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with those farming operations, including preparation for market, delivery to storage or to market, or delivery to carriers for transportation to market.” Last accessed Oct. 23, 2025 from

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 are intended to be inclusive of the producers and land stewards who have been intentionally excluded in the past and continue to be excluded today and thus differ from those that are most commonly used in State policies and programs. 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 Task Force acknowledges farmworkers are not explicitly mentioned in these definitions and notes that the term “priority producers and land stewards” as used in this report is inclusive of farmworkers and other producers and land stewards who aspire to start their own agricultural operations.

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

Historical injustices and contemporary disparities

California's agricultural industry is marked by extreme disparities. California is the leading agricultural producer in the country and the world's fifth-largest producer.¹ **Yet, while the state's agricultural 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 Indentured labor and enslavement have particularly enduring legacies. Although California entered the U.S. in 1850 as a free state, the forced labor of Native communities was already a core practice among settlers and was foundational to the California mission slave system and agricultural development in the state.³

Among many other atrocities, the early State of California sanctioned an indenture system that permitted the forced labor of Native youth that "evolved into a heartless policy of killing Indian parents and kidnapping and indenturing the victim's children."⁴ This policy remained in place until four years after the emancipation proclamation in 1863.⁵

Other state actions worked to exploit Indigenous communities for their land and labor. Unratified treaties with the federal government left many Tribes homeless and subject to vagrancy laws that forced them to work on new settlers' farms.⁶ Critical water infrastructure such as the Los Angeles aqueduct was built on stolen land and used forced labor.⁷ These types of policies and programs, combined with the violent indoctrination and removal of California Native American Tribes from their homelands, set the stage for discriminatory laws and practices that persist today and that continue to result in ecological degradation and biodiversity loss on Tribes' homelands.⁸

In addition to the forced labor of California Native Americans, the "early state government protected the institution of enslavement and greatly limited African Americans' civil rights."⁹ The final report of the California Reparations Task Force, released in 2023, documents centuries of forced and exploited labor, racial terror, segregation, and other forms of racial injustice that continue to impact African Americans in California.¹⁰ 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."¹¹ Local sundown laws excluded African Americans from living in prime agricultural areas in California, and thriving agricultural communities, such as Allensworth, were denied rail and water infrastructure.¹² Racist discrimination combined with land consolidation over the past century led to a 98% reduction in the number of Black farmers between 1920 and 2017 in the U.S.¹³

While individual households and communities navigated discriminatory policies in different ways, recent research points to billions of dollars lost in wealth for California Native Americans and Black communities due to government-enacted dispossession.¹⁴

There are many other documented injustices in California related to agricultural land and labor that must be remedied and healed. These include state and state-backed federal immigration laws and exclusion acts that have worked to maintain a low-cost supply of agricultural labor while denying property rights on the basis of race, ethnicity, or national origin.¹⁵ 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.¹⁶ In 1942, Executive Order 9066 led to the forced removal and incarceration of more than 122,000 Japanese Americans on the West Coast.¹⁷ Many were unable to recover their property and businesses afterward.

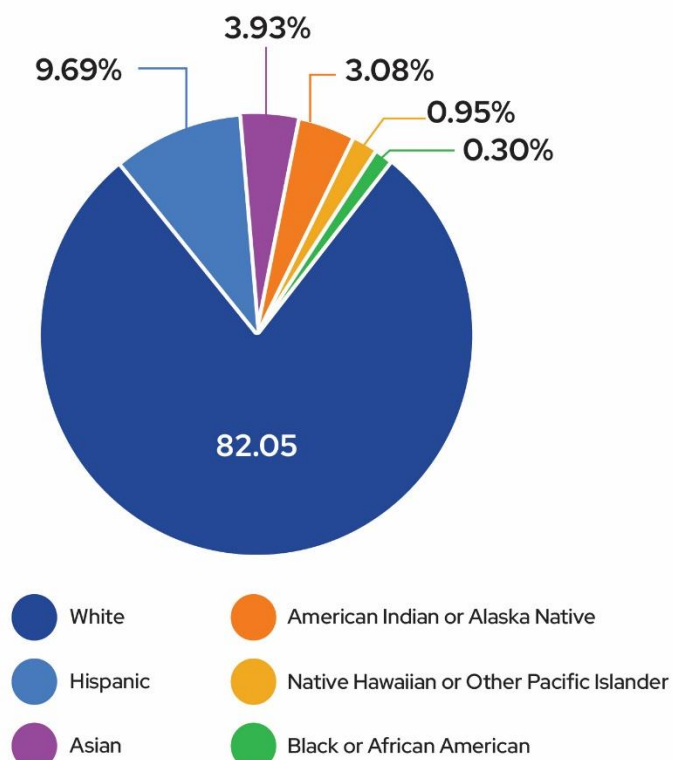
Also in 1942, the Bracero Program brought people from Mexico to work as farmworkers in the United States. Bracero Program workers were sprayed with pesticides at the border, denied wages, and treated as disposable.¹⁸ This is one example among many of how migrants to California from China, Japan, India, 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.¹⁹ Today, farmworkers in California continue to face exploitative labor practices, such as wage theft, that negatively impact food security and living conditions.²⁰ Women farmworkers often face additional risks, including negative impacts of pesticides on fertility and reproductive health.²¹

These exploitative practices and policies, combined with inherited wealth disparities, historically unjust lending practices, and limited access to support services, have produced contemporary inequities in resource distribution that are visible in current landownership patterns.²² According to the 2022 USDA Census of Agriculture,² 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 or Alaska Native" [inclusive of California Native American Tribes] 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%.²³

The 2022 USDA Census of Agriculture has been critiqued for undercounting and misrepresenting agricultural producers and Tribal land stewards in the United States. For example, see Secchi, Silvia. (2025.) "Who is an American farmer? Who counts in American agriculture?" *Agriculture and Human Values*. <https://doi.org/10.1007/s10460-025-10781-6>

These demographic trends in landownership differ greatly from those of agricultural labor in California. The National Agricultural Workers Survey (NAWS) found that in 2021–22, almost two-thirds (61%) of crop workers were born in Mexico, while 32% were born in the United States or Puerto Rico, 6% were born in Central America, and the remainder originated from various other regions, including South America, the Caribbean, Asia, and the Pacific Islands.²⁴ These labor statistics, while valuable, do not fully capture the nuanced identities of agricultural workers in California; for example, Indigenous farmworkers from the Mexican states of Oaxaca, Guerrero, and Michoacán, among others, are very linguistically and ethnically diverse and therefore face unique challenges in navigating cultural and linguistic differences.²⁵

Percent of total acres of owned land in farms in California (2022)



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.²⁶ These disparities are even greater for women who identify as Black, Indigenous, and other women of color.

Inadequate access to viable land is the primary barrier for producers and land stewards who are part of marginalized social groups.²⁷ This is a significant portion of California’s agricultural community. According to the 2022 USDA Census of Agriculture, in California, approximately 20%, or 1 in 5 agricultural producers and land stewards, are considered socially disadvantaged farmers and ranchers.²⁸

Land consolidation and ownership trends

The land equity crisis is driven by the consolidation and financialization of agricultural land and critical natural resources, such as groundwater. California’s agricultural land is becoming increasingly concentrated among a small number of large landowners. According to the 2022 U.S. Census of Agriculture, the number of farms in

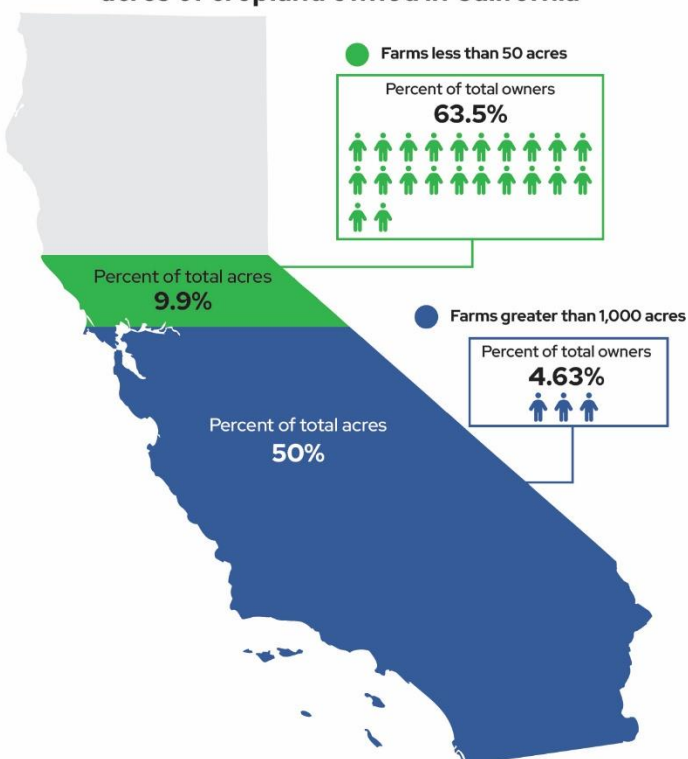
California dropped from 70,521 in 2017 to 63,134 in 2022, while total farmland decreased slightly from 24.5 million to 24.2 million acres.²⁹

The most significant losses were among small farms under 180 acres, which declined by nearly 13%, a much faster rate than mid-sized farms (180–999 acres). In contrast, the number of large farms—those over 1,000 acres or generating more than \$500,000 in sales—increased, highlighting a trend toward consolidation.³⁰

Most of California’s producers and land stewards are small-scale, with 62% operating on 50 acres or less. Yet this majority owns just under 10% of total agricultural land acreage in the state.³¹ At the other end of the landholding spectrum, as of 2017, **just 5% of landowners collectively own half of the state’s total cropland.**³²

Similarly, California’s water rights have long been unequally distributed.³³ 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.³⁴ 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 even more critical in determining a producer or land steward’s success.

Farm size in relation to percent of total owners and percent of total acres of cropland owned in California



Consolidated control over agricultural land and related resources like water is related to another trend: increased investment in agricultural land by institutional investors and private equity firms. 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.³⁵ 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).³⁶

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.³⁷ However, the value of farm real estate has increased in California by 28.3% since 2018.³⁸

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.³⁹ Prices can be even higher for smaller parcels, especially when located near urban areas, making landownership even more difficult for the majority of California producers and land stewards who operate on 50 acres or less.

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

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Future 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.⁴⁰

Benefits for 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.⁴¹ 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 provides opportunities for California's farmworkers and others who aspire to transition to business ownership, while also supporting small-scale operations that play a crucial role in local food networks by providing access to healthy, fresh, and culturally appropriate foods and medicines.⁴²

Benefits for healthy and resilient working lands

The health and 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 that may have greater negative ecological and climate impacts, such as residential and industrial development.⁴³ Agricultural land conservation has also been identified as a key strategy for achieving California's Nature-Based Solutions Climate Targets.⁴⁴ 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.⁴⁵

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

Agricultural land equity promotes 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.⁴⁶

Second, placing agricultural land in the hands of producers and land stewards who live and work in the region can limit the consolidation of agricultural and avoid the potential mismanagement of land and resources held by investment firms focused on short-term, extraction-based gains.⁴⁷

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, resulting in greater economic and ecological resilience.⁴⁸

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.

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.

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Recommendations for equitable land access

The recommendations that follow are divided into six sections:

1. Prioritize Tribal stewardship and land return.
2. Fund and incentivize land acquisition for priority producers and land stewards.
3. Halt and reverse agricultural land consolidation.
4. Preserve California's agricultural land while prioritizing equitable land access and stewardship.
5. Prioritize secure land tenure.
6. Support urban agriculture.

Each section begins with an overview that provides context and justifies the specific strategies and actions detailed in the recommendations. A few recommendations reference supplemental information in the appendix that provides 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 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 landownership 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

The glossary (Appendix A) lists terms and definitions used in this report. The following key terms and definitions are foundational to the recommendations that follow and were carefully developed by the Task Force.

- **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 land equity:** All people have secure and affordable access to viable land for the care, relationship with, and cultivation of food, fiber, medicine, and culturally valuable resources without systemic barriers, disparities, or exploitation.
- **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.
- **Tribal Sovereignty:** Native American Tribes' 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 landownership 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](#)). It is also inclusive of farmworkers and other producers and land stewards who aspire to start their own agricultural operations.

1. Prioritize Tribal stewardship and land return

California Native American Tribes have specific histories and relationships with 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 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. To this day, California Native American Tribes continue to be excluded from 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 included Spanish colonization and the mission system.⁴⁹ During the secularization of missions in the Mexican period, Tribes were not granted fee title to lands and were only granted use rights.⁵⁰ As a result, California Native Americans generally did not have land titles to claim during the transition from Mexican to American rule. In the early American period, the United States did not include Tribes in land claims adjudicated under the 1851 Land Claims Commission Act.⁵¹ In 1851 and 1852, 18 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 ratified by Congress, a fact that was hidden from Tribes and the public.⁵² 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.⁵³

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 unrecognized.⁵⁴ Many California Native Americans who did not relocate to the distant reservations were left landless or were considered squatters on their ancestral lands.⁵⁵ Further, because of land loss and new water diversions, California Native Americans were no longer able to gather traditional foods or grow subsistence crops if they refused to relocate to new reservations.⁵⁶ While reservations were created for Tribes in inland Southern California, specifically on small parcels that were less attractive to Anglo settlers, no reservations were established along the Southern and Central California coast because of the high value of coastal land.⁵⁷ This led to those Tribes being landless without federal recognition and without access to the most productive lands.⁵⁸

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.⁵⁹ Other Native Americans applied for and received public domain 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.⁶⁰

In 1905, the unratified treaties became public, and the ensuing public outcry led to the establishment of rancherias for the “landless Indians of California.”⁶¹ Rancherias, a type of reservation unique to California, were established only in some counties in the central and northern part of the state.⁶² 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 non-federally recognized.⁶³

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 decreased the availability of First Foods.⁶⁴ 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.⁶⁵ 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.⁶⁶

Today, many California Native American Tribes have little or no access to their ancestral lands, which severely restricts their ability to steward vital ecosystems and practice their cultural and spiritual traditions. 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.

California Native American Tribes recognize that beneficial stewardship does not start or stop with land but is inclusive of entire landscapes and ecologies. Land is 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, marine habitats, and grasslands since time immemorial, which are all central to food sovereignty and cultural preservation today.

Despite California's history of land theft, intentional erasure and destruction of biodiverse Tribal homelands, and ongoing structural barriers to land access, **there are presently 109 federally recognized and more than 60 non-federally recognized California Native American Tribes in the state.** Federally recognized California Native American Tribes currently hold 723,700 acres, less than 1% of the state, in reservation lands.⁶⁷ 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 Newsom 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. This harm is evident in the difference between current landholdings of federally recognized California Native American Tribes, as captured in the U.S. Census (see table below), and the treaties executed by the State of California and Tribes that were never ratified and deliberately hidden.⁶⁸ These unratified treaties were the state's first formal attempt to issue land to Tribes as well as the first instance of deceit by the state that continues to impact Tribal communities in California. Recognizing and honoring these treaties is critical to addressing past and continued injustices.

The table below presents data from the most recent United States Census on federally recognized California Native American Tribes' landholdings and population. It is essential to note that this data has not been verified by each Tribal Government and thus does not provide a complete or consistent assessment of land holdings or enrollment numbers. For example, these numbers may significantly underestimate population size; the "U.S. Census Bureau estimates that American Indians / Alaska Natives living on reservations or in Native villages were undercounted by nearly 5%. Which is more than double the undercount rate

of the next closest population group.”⁶⁹ The census data below should therefore be confirmed with each California Native American Tribe before it is cited or reproduced.

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 groups. 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 public to understand when considering land return and the state’s relationship with California Native American Tribes.

Federally recognized California Native American Tribes’ acres of land and population according to the U.S. Census⁷⁰

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

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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
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
			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 Lands,⁷¹ are the early steps of a much longer process to address historical injustices that persist today. In the context of these persistent barriers to landownership 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 an ongoing basis.

The recommendations below are informed by conversations with Tribal Leaders and members who have consistently emphasized the importance of land return without restrictions, encumbrances, or other requirements. This will require identifying legally feasible approaches to reduce, remove, and prevent restrictions on land to respect Tribal Sovereignty. Effective consultation and communication with California Native American Tribes must be foundational to all land return efforts.

1.1 Establish an Ancestral Land Return Fund

- a) Develop an Ancestral Land Return Fund for California Native American Tribes to acquire agricultural land, as defined in this report, within their ancestral territories.
 - i) Provide sustained funding through continuous appropriation
 - ii) Include support for responding to first opportunity to purchase (see 3.2) or right of first refusal (see 1.3.c opportunities when land becomes available.
 - iii) Align and increase funding to existing state programs that support ancestral land return, acquisition, and co-management projects, including removing restrictions on Sovereignty associated with conservation easements, such as requiring public access.
 - iv) Establish other funding pathways to incentivize and support land trusts and private individuals to transfer land to California Native American Tribes. See 2.5 for specific recommendations on this point.
- b) Utilize the Fund to support the following activities and costs:
 - i) Land acquisition and related costs.
 - 1. Allow 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

“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.”

– Tribal Engagement Session at Golden Eagle Farm

- can be returned to California Native American Tribes in accordance with agreed-upon processes and timelines.
- ii) Specialized real estate agent services to reduce the burden and up-front costs of private land return for California Native American Tribes.
 - iii) Costs associated with restoring and stewarding land and related needs.
 - iv) Technical assistance and legal aid to federally recognized California Native American Tribes working to convert fee land to trust land.
 - 1. Exempt California Native American Tribes from property taxes in the interim, as recommended in 2.5.
 - v) Legal and technical assistance with navigating deeds, titles, water rights, succession plans, and trusts, with specific support focused on consolidating ownership of highly fractionated lands, modeled on the USDA's Highly Fractionated Indian Land Loan Program.⁷²
 - vi) Assessment
 - vii) of access challenges for landlocked parcels to identify necessary legal and infrastructure investments.
 - viii) Costs associated with the acquisition of easements and development of access roads and rights of way to landlocked parcels.
- c) Design of the Fund should include the following activities and considerations:
- i) Targeted and culturally appropriate outreach, timelines, and procedures.
 - ii) Specific evaluation and accountability tools that will ensure the program is effectively providing a pathway for ancestral land return.

1.2 Embed ancestral land return for California Native American Tribes in the state's policies and programs

- a) As appropriate, conduct consultation with California Native American Tribes.
- b) Ensure all state conservation and agriculture policies and programs include Traditional Ecological Knowledge and First Foods and allow flexibility for diverse Tribal stewardship practices.
- c) 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.
- d) Identify and amend current policies, regulations, and laws that present barriers and burdens associated with ancestral land return and access for California Native American Tribes. This includes the following:
 - i) Policies, regulations, and laws that require covenants, encumbrances, or other restrictions on Tribal Sovereignty, such as requiring public access, on land that is returned or acquired.
 - ii) Policies, regulations, and laws that impose burdensome fees, taxes, or require a limited waiver of sovereign immunity.

- iii) Policies, regulations, and laws that require agencies to sell land (acquired with certain funding sources or for certain purposes) at fair market rate, such as Streets and Highway Code, Article 3, section 118.1.
- e) Establish and fund a Tribal Land Return guiding body composed of regionally diverse delegates of federally recognized and non-federally recognized California Native American Tribes.
 - i) Co-develop the roles, responsibilities, and governance structure through consultation with federally recognized and non-federally recognized California Native American Tribes and by building on the ideas put forth by the Truth and Healing Council.
 - ii) The guiding body should be tasked with advising and overseeing the creation of a statewide goal for acres of both publicly and privately held land returned to California Native American Tribes.
 - iii) In collaboration with local and state agencies, the guiding body 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](#) (2014), and [SB 18](#) (2004).
- g) Provide funding for land use consultation practices under [SB 18](#) (2004) and [AB 52](#) (2014) to increase California Native American Tribes' capacity to participate in land use decisions.
- h) Provide additional funding and resources to increase capacity of state agencies that are working to conduct land return to facilitate effective collaboration with California Native American Tribes.

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

In February 2025, the federally recognized Mesa Grande Band of Diegueño 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.

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.

[Add as separate pop out box within case study] In the context of California Native American Tribes, trust land is land that is held by the federal government for the benefit of a federally recognized Tribe. Trust land is under the sovereign control of a federally recognized Tribe and is not subject to state jurisdiction. This form of land ownership is unavailable to non-federally recognized Tribes. Fee land is land under the complete control of the title holder, but unlike trust land, fee land is subject to state and local laws and regulations, zoning ordinances, and property taxes.

1.3 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 lands to California Native American Tribes, beginning with lands that were promised under treaties, 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 to strengthen trust.

- ii) Remove restrictions on Sovereignty associated with conservation easements.
- c) Direct public entities that hold land to adopt right of first refusal policies that ensure public lands transitioned out of public ownership are offered to California Native American Tribes first at zero or minimal cost.
 - i) Fund the development of templates and model language for right of first refusal agreements.
 - ii) To ensure feasibility and efficacy of the new policies, amend California Constitution Article XVI Section 3 to exempt the grant or donation of property to California Native American Tribes by the state.
- d) Update the California Surplus Land Act⁷³ to support ancestral land return.
 - i) Expand Government Code 54220 to declare the importance of returning ancestral lands to California Native American Tribes and that surplus lands, prior to disposition, should be considered for 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).
 - iv) 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.

What is the Surplus Land Act (SLA)?

SLA aims to make local public land that is considered “surplus”, or no longer needed for government purposes, available for affordable housing. The Program Guidelines outline priority uses for surplus land, notification procedures, and exemptions to the policy.

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.
 - i) For example, to enable the use of cultural fire in alignment with [SB 310 \(2024\)](#), explore ways to address barriers resulting from differing liability between state agencies.
- 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:
 - ii) Acknowledge Tribal Sovereignty by mandating local, state, and federal governing bodies incorporate California Native American Tribes in decision-making over coastal areas.
 - iii) Facilitate Tribal stewardship through ownership, co-management, and access agreements to ensure California Native American Tribes have access to their homelands along the coast.
 - iv) 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.
 - v) Expand efforts for Tribal involvement modeled on the development of the Kelp Restoration and Management Plan by the California Department of Fish and Wildlife.⁷⁴
 - vi) 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.
 - vii) 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.

2. Fund and incentivize land acquisition for priority producers and land stewards

The composition of California's agricultural landholders is expected to change drastically in the coming decades. By 2035, 40% of privately held agricultural land is expected to change hands as landowners age out of farming and retire.⁷⁵ Without a clear vision and plan, this transition in landownership could worsen existing patterns of urban development and land consolidation in ways that negatively impact California's agricultural communities.⁷⁶ On the other hand, **this moment can and must be leveraged to expand land access for a new generation of producers and land stewards.**

As with the recommendations in Section 1, Section 2 offers a specific pathway by which to address past harms and current disparities through facilitating fair opportunities and tailored support for land acquisition among those who have been historically excluded. The "Historical injustices and contemporary disparities" section of this report outlines the complex historical and continuing harms that have led to the current inequities in land access and ownership in California, including but not limited to the following:

- The violent removal and forced labor of California Native American Tribes.⁷⁷
- Racially motivated land takings, exclusionary laws, and discriminatory lending practices that forced African American farmers in California from their land.⁷⁸
- The forced incarceration of Japanese Americans during World War II, resulting in significant loss of agricultural property and businesses.⁷⁹
- Immigration laws, exclusion acts, and exploitative labor policies and practices that maintained a low-cost supply of farm labor while denying property rights on the basis of race, ethnicity, or national origin.⁸⁰

This goal establishes targeted funding pathways, policy change, technical assistance, and associated outreach and education campaigns for communities in California who have been excluded from agricultural landownership and secure tenure. It also calls for reserving funds for people in California who themselves experienced or are descendants of individuals who experienced enslavement, racially motivated land takings, or exploitative labor conditions.

In particular, African Americans in California face continued exclusion and erasure, even from efforts meant to advance equity. For this reason, it is critical to ensure that this fund offers specific outreach and pathways for African Americans living in California alongside targeted outreach to other priority communities.

85% of those who responded to the Land Access Experiences Survey indicated that the cost of land is very or extremely challenging.

–Land Access Experiences Survey Report (full report available on the [Task Force webpage](#))

Funding is a critical part of ensuring equitable agricultural land access. 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.⁸¹ Land costs are subject to regional variability, but in areas where land prices are increasing, the resulting land values put ownership out of reach for many land seekers.

The high cost of acquiring agricultural land presents a major barrier for priority producers and land stewards—particularly those from historically marginalized communities—who continue to face systemic discrimination that limits their access to financing and equitable land ownership opportunities. During the Task Force’s engagement with communities across California (see Appendix E for details), priority producers and land stewards shared countless stories of facing discrimination by financial institutions and landowners and explained how the eligibility criteria for existing loan products do not match the realities of beginning, small-scale, and lower-revenue operations. The resulting exclusion from these products and programs further limits priority producers’ and land stewards’ ability to purchase land.

Many engagement session participants and survey respondents described the importance of support with finding and obtaining land paired with business guidance and improved access to financial opportunities such as loans. This need was especially acute for California farmworkers and others who aspire to transition to business ownership.

In addition to challenges with accessing finance and technical assistance for business development, there are many other barriers to land acquisition that must be addressed to ensure fair opportunities for land access. As shared by the producers and land stewards who engaged with the Task Force, these included:

- Racism among land sellers and agents who privileged white buyers.
- 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 that prevent effective communication with landholders.
- Concern about negotiating a fair deal.
- Lack of transparency regarding who owns the land, when a parcel will be sold, and whether the land that is sold 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.

Equitable land access is not just about acquiring acres – it requires removing systemic barriers, tailoring resources to diverse farming communities, and building supportive policy environment where small farmers can thrive.

–Farmer Participants, University of California Agriculture and Natural Resources (UCANR) Focus Group (full report available on the [Task Force webpage](#))

- Particular barriers for farmworkers who may have many years of experience but may face linguistic or citizenship barriers or whose experience is not recognized as qualifying for a loan.

These barriers require tailored support that meets the specific needs of diverse producers and land stewards. While the state currently offers some resources to support producers and land stewards with land acquisition, they are limited in scope and scale, and in almost all cases, the demand outpaces available funding. See Appendix G for a list of existing programs and resources related to agricultural land equity in California. The recommendations that follow establish tailored forms of financial and technical assistance, both of which are required to move the state beyond acknowledging past and ongoing disparities to addressing them.

Case Study: Kern County Black Farmers Association call for tailored resources

During the Task Force's engagement session with the Kern County Black Farmers Association, farmers, landowners, and those seeking to restore access to agricultural land described past and ongoing injustices, including land theft, systematic exclusion from land access, and ever-changing rules intended to prevent African American producers' ability to thrive on the land. Most participants in the session are currently operating on small plots in backyards or churches. They are ready to grow their businesses but lack a feasible path to acquire additional land and scale up their operations.

In addition to advocating for equitable access to financing for land acquisition, those who joined this session emphasized the necessity of legal and technical assistance for navigating deeds, resolving title and water rights issues, and facilitating land succession. They sent a strong, collective message that the support must include long-term, targeted, and culturally appropriate outreach to African Americans who are often excluded and left behind when public resources are designed to reach underserved communities at large. The host closed the session with a reminder of what equitable access to land means to her: **"As others erase our history, we tell our own stories and reclaim Black farming as both our rightful heritage and a dignified pathway to prosperity."**

2.1 Establish a Restorative Land Fund

- a) Develop Restorative Land Fund that is accessible to priority producers and land stewards in California who wish to acquire, maintain ownership, and establish tenure on land in California for agricultural use.
 - i) Provide sustained funding through continuous appropriation
 - ii) Include a set aside within the fund that is accessible to applicants who themselves experienced or who are descendants of people who experienced documented harm, including enslavement, racially motivated land takings, or exploitative labor conditions. Ensure a specific pathway for African Americans living in California who are descendants of persons enslaved in the United States, building from the structures established in [AB 437 \(2025\)](#) and [SB 518 \(2025\)](#).
- b) Utilize the Fund to support the following activities and costs:
 - i) Land acquisition for agricultural use and associated costs, and do the following:
 - 1. Allow intermediary organizations that serve priority producers and land stewards to hold the land temporarily, under contract, if needed, until the recipient is ready for the land transition to occur.
 - 2. Support priority producers and land stewards in responding to first opportunity to purchase (see 3.2) or right of first refusal (see 1.3.c) opportunities when land becomes available.
 - ii) Costs associated with starting and maintaining an agricultural operation, including water access and infrastructure improvements.
 - iii) Legal and technical assistance for navigating deeds, titles, water rights, succession plans, and trusts, with specific support for resolving heirs' landownership, as modeled on the U.S. Department of Agriculture's Heirs Property Relending Program.⁸²
 - iv) Legal and technical assistance for funding recipients to develop appropriate business and governance plans, including cooperative and community landownership structures.
- c) Design of the Fund should include the following activities and considerations:
 - i) Targeted and culturally appropriate outreach, timelines, and procedures, with particular attention to the needs of African American communities.
 - ii) Specific evaluation and accountability tools that will ensure the program is effectively addressing historically documented harm.
 - iii) Eligibility for cooperatives governed by producers and farmworkers who co-own and co-steward land.

2.2. Develop and implement a public education campaign to document past harm

- a) Fund research to identify and document the harms perpetrated against priority producers and land stewards that require restitution through the Restorative Land Fund, modeled on the California Reparations Report.
- b) Fund the development and distribution of educational materials that highlight California's unique history of enslavement, land takings, exploitative labor conditions, and other racially motivated injustices that shape current inequities.
 - i) Develop a constructive reparations framework to guard against past harms being repeated in the future.

2.3 Provide funding for the purchase and lease or transition of agricultural land to priority producers and land stewards

- a) Fund resource conservation districts, land trusts, California Native American Tribes, and nonprofits to purchase and then lease or transfer agricultural land to 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 that facilitate long-term stewardship and tenure of the land by priority producers and land stewards, including cooperatives governed by producers and farmworkers who co-own and co-steward land.
- b) 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.

Case study: An aligned approach to loan programs

Simon-Luke Aquino of Applai Tribe Farm & Garden has a one-quarter-acre plot at the Tijuana River Valley Community Garden and propagates starts at three plots in a church neighborhood garden in North County San Diego. He wishes to acquire land to expand his operation and has the education, experience, high-level technical guidance, community support, and business plan needed to grow. However, he was denied a loan because of misaligned eligibility criteria specifically related to the need to document three years of experience managing a farm. Meanwhile, Simon is actively tracking the avocado orchards in his community that are sold at prices he cannot afford then burned by the new landowner to clear the land for residential development.

Simon explained how a pilot loan program with more accessible and appropriate qualifications for small and beginning farmers and land stewards is needed to support them in scaling up and acquiring land. He described that such a program could target properties threatened by development to protect agricultural land while also generating data on alternative approaches to lending (see 2.4).

2.4 Establish loan and debt forgiveness programs

- a) Establish a loan program with low-interest, loan forgiveness, or reverse amortization options to support land acquisition and wealth building for priority producers and land stewards who are often excluded from available finance.
 - 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 for priority producers and land stewards that supports land purchase. 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, including Community Development Financial Institutions (CDFIs) and other mission-forward lenders.
 - iv) Ensure eligibility for producer- and land steward-governed organizations that co-own and co-steward land.
- b) Establish a debt forgiveness program modeled on the federal Public Service Loan Forgiveness program⁸³ for priority producers and land stewards to alleviate debt incurred for agricultural operations, conditional on the implementation of practices funded through the California Department of Food and Agriculture's climate- and regenerative agriculture-focused programs or Traditional Ecological Knowledge, as defined in the glossary (Appendix A).

- i) Ensure eligibility for producer- and land steward-governed organizations that co-own and co-steward land.

2.5 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.
- 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.⁸⁴
- c) Establish state tax credits designed to support priority producers and land stewards, whether they own land or not, e.g., tax relief on student loans, insurance, and infrastructure expenses.
- d) Establish a state tax credit for landowners who lease, sell, or donate 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.

2.6 Continually evaluate and improve funding and incentive 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 the State Water Efficiency and Enhancement Program (SWEEP), the Healthy Soils Program (HSP), the Sustainable Agricultural Lands Conservation Program (SALC), and the California Farmland Conservancy Program (CFCP).
- c) Ensure existing grant programs related to land access, stewardship, and tenure are responsive to specific communities and needs by including the following elements. Adjust statute and regulatory requirements as necessary.
 - 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) Establish permanent sources of funding and offering long-term support to grantees.
 - v) Provide access to technical assistance.
 - vi) Remove the requirement for a waiver of sovereign immunity to strengthen trust.
 - 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.

When revising existing programs to better align with equity goals, it's important to make them work better for small-scale, socially disadvantaged producers, who currently have a much harder time implementing state grant-funded projects than larger farms do and may be subject to a greater level of scrutiny because their projects are less cookie cutter.

–Technical Assistance Provider, UCANR Interview Series (full report available on the [Task Force webpage](#))

- 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 4.1 for related recommendations on interagency coordination).
 - i) Develop tools and processes to avoid burdensome reporting and administrative requirements for applicants and community-based organizations to provide block grants and technical assistance.
 - ii) Evaluation metrics may include:
 1. Information about applicants, awardees, and final land stewards, including optional demographic questions.
 2. Geography.
 3. Acres impacted.
 4. Dollars invested.
 5. Number of land stewards impacted.
 6. Length of lease and other tenure variables.
- e) Improve community assessment tools, such as CalEnviroScreen, that measure environmental, social, and economic needs statewide to more effectively account for historical harms and present-day disparities in agricultural communities as outlined in this report and ensure fair and representative access to funding.⁸⁵

2.7 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' landownership, 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 agreements and secure and equitable lease agreements including those providing a pathway to ownership and options for seller financing.

- b) 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 farmworkers and beginning producers and land stewards in transitioning to agricultural business ownership and operations.
 - iii) Include tailored expertise and assistance for cooperatives governed by producers and farmworkers who co-own and co-steward land to address the unique complexity and lack of current support for these entities.
- c) Advance the statutory obligations established in [AB 2377](#) (1995) 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](#) (1995) to require other agencies and departments to fund technical assistance to increase grant program access.

Any new programs or policies should come with translation support, multilingual education, and culturally competent staff. Government processes need to speed up and be user-friendly for those with language barriers. Delays can be devastating.

–Farmer Participants, UCANR Focus Group (full report available on the [Task Force webpage](#))

3. Halt and reverse agricultural land consolidation

The land equity crisis is driven by the consolidation and financialization of agricultural land and critical natural resources, such as groundwater. California's agricultural sector has long been marked by inequitable landownership, a trend that has escalated in recent decades.⁸⁶ In Fresno County, one of the most productive agricultural regions in the country, the situation is especially severe, with recent research showing that the largest 10% of owners control 73% of the farmland.⁸⁷

Land consolidation has profound social, economic, and ecological consequences for agricultural communities. As small- and mid-sized farms are replaced by fewer, larger operations, research indicates a decline in local employment opportunities, reduced circulation of capital within local economies, and weakened civic engagement and social cohesion—all of which erode economic and community resilience.⁸⁸ In addition, the consolidation of agricultural land and related resources is also associated with negative environmental and health outcomes including “excessive water use, monoculture, and food insecurity, reducing consumer choices, raising food prices, and threatening the resilience of the food system.”⁸⁹

In recent years, land consolidation has combined with financialization to change the landscape of agricultural landownership in California. The term “financialization” describes when “farms are being targeted for finance-sector investment and increasingly valued for their ability to produce financial profits” rather than food, cultural resources, and community benefits.”⁹⁰ Increasingly, institutional investors and private equity firms, ranging from pension funds and university endowments to private foundations and “high-net-worth individuals” are treating California's invaluable agricultural land as an investment object like any other, with wide-ranging impacts on California's agricultural communities.⁹¹

These trends in agricultural land consolidation and financialization threaten to worsen existing disparities in land access arising from centuries of discriminatory policies and practices that have taken both land and generational wealth from priority producers and land stewards. Addressing this history requires innovative, well-enforced measures to ensure fair access and acquisition opportunities.

The recommendations in this section offer restrictions and incentives that will halt and reverse patterns of land consolidation to ensure that producers and land stewards who wish to steward California's agricultural land into the future have fair opportunity to access land and create viable agricultural livelihoods in California.

3.1 Limit agricultural landownership 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](#). Include enforcement mechanisms to ensure the law is implemented as intended.
- b) Institute an agricultural landownership fee on pension funds and investment companies with the revenue directed to support the proposed agricultural land acquisition funds in this report.

3.2 Develop local first opportunity to purchase ordinances for priority producers and land stewards

- a) Fund a coalition of local and regional organizations to develop culturally and regionally informed first opportunity to purchase ordinances for privately held land that is zoned for agriculture.
 - i) Mandate the coalition develop its model ordinances through statewide outreach and engagement with California Native American Tribes, local governments, and priority producers and land stewards.
 - ii) Ensure CA Native American Tribes are prioritized for acquisition of their ancestral lands.
- b) Incentivize adoption of first opportunity to purchase ordinances by local governments.
- c) Ensure efficacy of these efforts by amending Civil Code 711 to ensure that the return of ancestral lands is a justified restraint.

3.3 Establish a California Producer Pension Fund

- a) Establish and fund a California producer Pension Fund to ensure producers and land stewards have a secure retirement option without depending on the sale of their land to the highest bidder.
- b) Ensure eligibility for producer- and land steward-governed organizations that co-own and co-steward land.

3.4 Establish and fund a Land Market Monitoring Program

- a) Establish and fund a 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 build on existing mapping and data collection efforts such, as the [Department of Conservation's Farmland Mapping and Monitoring Program](#), to ensure public transparency and knowledge about landownership and serve as a tool to inform policy action for more equitable land arrangements.
- b) Task the Land Market Monitoring Program with the following:
- i) Surveying publicly and privately held agricultural land to establish a baseline of availability and ownership information.
 - ii) Collecting and analyzing data from tax assessors' offices.
 - iii) Sharing findings in publicly accessible and interactive ways in an annual report.
 - iv) Collaborating with existing research efforts on the agricultural land market and leveraging technology to advance its work.
 - v) Reporting potentially anti-competitive land holdings and procurement practices to the Department of Justice.
 - vi) Research and report on the social, environmental, cultural, and economic impacts of land consolidation on rural communities.

Why a Land Market Monitoring Program (LMMP)?

Tracking market trends and changes in land use in a way that is accessible to the public is critical to effectively addressing rapid agricultural land loss, consolidation, and disparities in land access. The LMMP is informed by the European Land Observatory, a new program that began a two-year pilot phase in 2025. European 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. Preserve California's agricultural land while prioritizing equitable land access and stewardship

To ensure the long-term viability of California's agricultural sector, 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 agricultural ecologies are world-renowned. Yet the state's agricultural land base is under threat from urban and industrial development and the negative impacts of centuries of extractive agriculture.

California is losing agricultural land at an alarming rate. According to the Department of Conservation, California's farm and grazing lands decreased by more than 1.6 million acres between 1984 and 2018, averaging to about one square mile every five days.⁹² Urban development accounts for approximately 75% of this loss.⁹³ If current trends continue, California will "pave over, fragment, or compromise 797,400 [additional] acres of agricultural land by 2040."⁹⁴

The highest quality agricultural soil in the state, known as "Prime Farmland," has seen the largest decrease in acreage.⁹⁵ As California's invaluable soil is lost to urban or industrial development, agriculture is pushed onto more marginal soils that require greater fertilizer, water, and energy inputs to achieve similar results.

These trends threaten to worsen already damaged agricultural ecologies and watersheds that combine with broader patterns of climate change to pose new threats to California's agricultural land. Yet these threats are anchored in the state's history of colonial settler violence and extractive agricultural practices that have produced the forms of environmental degradation and climate instability that must now be addressed. **To truly heal from the negative consequences of ecological mismanagement, conservation efforts must acknowledge this history and center efforts for diverse and equitable land stewardship in their conservation tools and strategies.**

Centering equity will be especially important in strategies to align agriculture and water management practices with available resources that may reduce the agricultural land base in California. For example, groundwater sustainability plans for critically over-drafted basins managed by groundwater sustainability agencies, as required by the Sustainable Groundwater Management Act, may require reductions in groundwater pumping, with resulting impacts on agricultural land and production. In the San Joaquin Valley, it is estimated that between 500,000 acres⁹⁶ and 1 million acres of agricultural land may be taken out of production to achieve groundwater sustainability goals.⁹⁷

This loss of agricultural land has 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. In this context, the State of California has made preserving agricultural land a core part of many of its broader conservation goals, including the 30x30 Initiative,⁹⁸ the Natural and Working Lands Climate Smart Strategy,⁹⁹ achieving carbon neutrality by 2045,¹⁰⁰ and biodiversity protection.¹⁰¹ California's Nature-Based Solutions Climate Targets aim to conserve 12,000 acres of croplands and 33,000 acres of grasslands (often used for grazing) per year beginning in 2030, with additional targets beyond this time horizon.¹⁰² 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.

These targets and strategies are important but will only be effective if they center equitable land access and stewardship. Preserving California's viable agricultural lands and supporting regenerative agricultural practices are critical for the state's future, but the question of who can steward these lands is just as important. The recommendations in this section offer ways to improve existing conservation strategies and tools to support priority producers and land stewards in achieving long-term land tenure.¹⁰³

One method for preserving California's agricultural land, 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.¹⁰⁴ 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 landholdings can halt the crisis of affordability at the root by removing agricultural land 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 acquire land, it does not effectively address the unattainable cost of land or the dependence on selling the land to the highest bidder 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 affordably and efficiently gain secure tenure on those lands, make a stable and dignified living, and securely retire when the time is right.

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.

4.1 Develop a statewide agricultural land preservation and stewardship plan

- a) Develop a statewide plan that centers equitable land access in projects to preserve and manage California's agricultural land, especially Prime Farmland and Farmland of Statewide Importance, in alignment with Nature-Based Solutions Climate Targets. This plan should improve existing conservation goals and strategies, focused on the following objectives:
 - i) Preserving publicly and privately held agricultural land.
 - ii) Securing land access opportunities for priority producers and land stewards.
- b) Establish clear and consistent metrics, tracking and evaluation, and accountability structures to guide implementation and enable public oversight, for example, through the Land Market Monitoring Program (see 3.4).

Case Study: Ohlone Costanoan Esselen Nation seeking ancestral land return

Chairwoman Louise J. Miranda Ramirez of the Ohlone Costanoan Esselen Nation (OCEN) provided opening remarks during a Task Force meeting in November 2024 about the history of OCEN and the challenges they face in acquiring land for ceremony, food sovereignty, and shelter, particularly as a non-federally recognized California Native American Tribe. The Chairwoman explained the financial and practical restrictions associated with easements, zoning regulations, and other standard approaches to conservation that interfere with the Tribe's plans and cultural practices on the land.

Chairwoman Ramirez has collaborated for many years with a land trust to secure 84 acres for her Tribe's use, and in 2024, the land trust acquired the land. However, to assume ownership of the land and comply with the existing easement, the Tribe needed to bare unexpected costs including legal fees, insurance, annual maintenance costs, a property stewardship plan, and other required assessments, totaling approximately \$620,760. OCEN did not have the funding, and the land remained under the control of the land trust. As of 2025, the Tribe continues their work to acquire land where their cultural practices and land stewardship will not be restricted by easements, zoning, and misaligned conservation frameworks currently used in California.

In response to OCEN's experience and similar stories share with the Task Force, Section 4.2 outlines a multi-pronged approach to strengthen existing conservation programs, allow flexibility in conservation easements to better serve priority producers and land stewards, involve land stewards in the co-creation of conservation goals, and improve cultural humility across all efforts.

4.2 Improve conservation programs and tools to enable equitable land access and stewardship

- a) In new and existing conservation programs, fund the following activities and costs. Where needed, amend existing statutes 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 regenerative agricultural practices, as defined in the glossary (Appendix A).
- b) 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 state 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.
- c) Require agencies to update existing conservation easement and conservation program guidelines to allow for traditional Tribal uses, as defined in the glossary (Appendix A), and flexible agricultural uses. Updates should be guided by a collaboration with California Native American Tribes and include 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.
 - v) Direct the Department of Conservation to develop a list of lessons learned and best practices to support these updates.
- d) Leverage the Multi-Benefit Land Repurposing Program and LandFlex Program to transition large-acreage agricultural land to stewardship by California Native American Tribes or priority producers and land stewards growing crops with lower water use, including funding infrastructure costs and resource access, to:
 - i) Facilitate Tribal stewardship.
 - ii) Reduce regional groundwater demand by supporting diversified operations.
 - iii) Provide regional economic opportunities by keeping agricultural land in production as a working landscape.
 - iv) Prevent the fallowing of land that may become a source of dust and pest problems if unmanaged.
 - v) 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.
- e) Fund the creation and delivery of training programs for land trusts, public agencies, appraisers, lenders, and technical assistance providers. These programs should:
 - i) Teach how to develop conservation tools (e.g., agricultural/cultural easements, equitable leases) that benefit priority producers and land stewards.
 - ii) Promote cultural humility, especially in working with California Native American Tribes.
 - iii) Be co-developed and implemented with Tribes, priority producers, and community-based organizations.

Housing for farmworkers is very important and related to the loss of agricultural land. Many vineyard owners are interested in conservation easements, but they are deterred by limits on how much land can be used for structures. More landowners would utilize conservation easements if they didn't limit their ability to build, renovate, or expand structures that are needed for their agricultural operations, including farmworker housing.

-Technical Assistance Provider, UCANR Interview Series (full report available on the [Task Force webpage](#))

- iv) Provide financial support for participation by land trusts and technical assistance providers.
- f) 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.

4.3 Promote local strategies for agricultural land preservation

- a) Incentivize and support local governments to establish agricultural land development mitigation programs that preserve adjacent agricultural land of the same or better quality at not less than a 1-to-1 ratio. As distance from the converted land increases, require that more land be preserved. See Appendix D for model language.
- b) Incentivize and support local governments to adopt innovative land use planning strategies to limit development on agricultural land by:
 - i) Establishing urban growth boundaries.
 - ii) Implementing agriculture preservation overlays.

4.4 Leverage publicly held agricultural land to enable affordable access and secure stewardship

- 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 Land Market Monitoring Program once established (see 3.4).
 - ii) Expand the state's capacity to hold land and administer leases to priority producers and land stewards.
- b) Fund support for nonprofits, Resource Conservation Districts (RCDs), land trusts, and other community-based organizations in serving as intermediaries between public landholding agencies and lessees, to ensure the terms of the lease and conservation goals are followed and that priority producers are appropriately supported in accessing agricultural lands.
- c) Direct a collaboration of state agencies, local governments, and technical assistance providers with knowledge of equitable contracts to develop models and templates for secure, long-term leases on publicly held land.
 - i) Ensure fair leasing terms based on the recommendations included in this report. Encourage and educate public landholders to adopt the new model template agreements when leasing lands.
 - 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, community-based organizations, and priority producers and land stewards to track available publicly held land, publicize available lands in an accessible way, and support all parties in facilitating lease agreements.

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5. Prioritize secure land tenure

Agricultural land equity does not stop with land access. Rather, it requires stable and secure relationships to land, 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 land tenure:

- Short-term, insecure, or otherwise unfavorable lease agreements for tenants;
- Burdensome policies and regulations; and
- Zoning codes and permitting processes that undermine agricultural land use and stewardship.

As described by many respondents to the Land Access Experiences Survey (see the full report available on the [Task Force webpage](#)), there are many financial, ecological, and emotional costs of farming on rented land. Many priority producers and land stewards in California have unfavorable, year-to-year, or short-term leases, while others operate without a formal agreement. These tenuous arrangements reduce the incentive to invest in conservation practices or infrastructure improvements, which require a longer-term commitment to incur benefits. In some cases, tenants are limited by untenable restrictions, such as prohibitions on infrastructure or employees, imposed by landlords who lack understanding of the requirements of operating a farm. In addition, informal arrangements with no lease or short-term lease agreements can disqualify producers from grant programs and other public resources.

Being on leased land with a year-to-year agreement has made it difficult to implement practices and grow crops that would be beneficial from an ecological and business perspective (i.e. orchards, hedgerows, perennials).

We invest in rented land and then leave it behind when the land is sold or the lease expires. I cannot take the energy, hours, financial investments nor land improvements with me. We have no security.

–Land Access Experiences Survey Report (full report available on the [Task Force webpage](#))

In many lease agreements, the tenant is responsible for making improvements or repairing broken infrastructure or equipment, yet the value of 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 seeking a shorter-term commitment—they can limit opportunities for business development, land improvements, and wealth creation necessary for economic stability and future land acquisition.

Regulatory programs and policies are another major barrier to secure land tenure for priority producers and land stewards. While necessary to protect public health, conserve natural resources, and promote fairness, regulatory programs with a “one-size-fits-all” approach can result in unintended consequences and negative impacts for priority producers and land stewards, particularly those 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, and compliance requirements, can cumulatively create barriers to entry into agriculture and limit viability for established producers and land stewards.¹⁰⁵

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 hinder agricultural operations.

These concerns are especially relevant to zoning, water, and nuisance requirements, among others, that apply to agricultural operations in urban or peri-urban areas and on land repurposed from prior uses. For example, producers and land stewards noted local zoning restrictions that limit their ability to have on-site cold storage facilities and produce washing stations. These problems are exacerbated when agencies are siloed and issue contradictory guidance or regulations. Policies aimed at enhancing soil health through compost and cover crops, for example, can increase regulatory compliance burdens with the Irrigated Lands Regulatory Program.

Housing is also a key concern, as many producers and land stewards have difficulty living on or near the land they steward. Local zoning and permitting requirements can prevent the construction of adequate housing for producers, land stewards, and farmworkers. To address these challenges, flexibility in housing type is crucial while also ensuring safe and adequate housing and preventing agricultural land from being developed for residential use.

We urge involving county governments in crafting model ordinances and ensuring that local planning departments treat farm housing proposals with urgency and understanding, rather than skepticism. Clear statewide guidance is also important to help local officials embrace them and more farmers build housing on their land.

–Farmer Participants, UCANR Focus Group (full report available on the [Task Force webpage](#))

The recommendations below are intended to address these major barriers that play a critical role in determining whether priority producers and land stewards can maintain viable businesses and steward agricultural land in the long term.

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.
- 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 for priority producers and land stewards.
 - i) Remove the automatic trigger of preliminary change of ownership for leases over 35 years to avoid property tax reassessment that can discourage landowners from longer leases.¹⁰⁶
- d) Create funding for and increase access to 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, and lease terms.

"Land owners have treated me like they own me and own my crop, and don't understand what it really means to lease land to a farmer."

-Land Access Experiences Survey Report (full report available on the [Task Force webpage](#))

Case Study: Santa Clara County Farming Family

Two producers in Santa Clara County hosted the Task Force members on a site visit at their 4-acre vegetable farm where they grow diverse Asian leafy greens to support Bay Area communities. The farmers explained how their current arrangement presents various challenges related to zoning restrictions, lack of quality and affordable housing, and the responsibility to invest in on-farm infrastructure and repairs without the guarantee of long-term tenure on the land.

For example, the landowner lives in the only allowable house on the farm due to zoning restrictions, requiring the producers to rent a residence off-site. Additionally, the infrastructure on the property is decades old and prone to costly damage, such as the greenhouses frequently breaking, particularly during high-wind events. A recent fire, caused by old electrical wiring, also resulted in significant property damage. The farmers were responsible for cleaning up after the fire and repairing the infrastructure out of pocket.

If the landowner ends their lease, or if the farmers achieve their goal of purchasing land, they will have no way to recoup these investments. Stronger protection mechanisms that allow tenant farmers to retain the value of improvements they make on leased land (see 5.1), as well as improved zoning regulations that allow for more on-farm housing (see 5.5), are vital for many farmers who shared similar stories with the Task Force.

5.2 Expand the capacity of CDFA's Farmer Equity Office

- a) Prioritize and provide additional permanent funding to the California Department of Food and Agriculture's (CDFA) Farmer Equity Office to increase staff capacity and promote interagency regulatory alignment for better outcomes for priority producers and land stewards in the following ways:
 - i) 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 regulations, including the Irrigated Lands Regulatory Program, do not create undue burdens for producers and land stewards who participate in programs aimed at enhancing soil health through compost and cover crops (see 5.4).
 - ii) Provide continued support for 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.

1. Ensure that these committees' feedback is provided to regulatory agencies and that the regulatory agencies are required to review and address.
 2. Establish funding for the advisory members of the committees mentioned above (consider and disclose impacts of [Government Code Section 1090](#)).
- iii) 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.
 - iv) Implement the recommendations in the CDFA and CalEPA Regulatory Alignment Study that are relevant to equity for small-scale and limited-resource producers and land stewards, particularly the sections on Equity and Efficiency.¹⁰⁷
- b) Establish regional satellite offices as an extension of CDFA's Farmer Equity Office to conduct outreach and education about the Office and to serve as a liaison with Ag Ombuds people (see 5.3) and other technical assistance providers.

5.3 Establish and fund regional Ag Ombuds positions

- a) Establish and fund new, permanent Ag Ombuds positions within public, non-regulatory agencies, such as University of California Cooperative Extension (UCCE) or Resource Conservation Districts (RCDs).¹⁰⁸
 - 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 across the state based on regional resources and needs.
- b) Establish a statewide Ag Ombuds coordinator position within a public, non-regulatory agency to document persistent challenges, to work with regulatory agencies on solutions, and to increase interagency communication for streamlined regulatory compliance.

What is an Ag Ombuds?

As Vince Trotter, Ag Ombudsman for Marin County, shared in a public presentation, an ag ombuds is "a one-stop-shop for information on the many county, state and federal regulations that apply to commercial agriculture." When appropriate, ag ombuds can help producers obtain necessary permits and licenses to run their operation. Importantly, ag ombuds have no enforcement responsibilities, making them "a safe, neutral person to explore ideas with and help producers understand the laws in order to make their own decisions about their operation."

–Presentation in the Insights on Agricultural Land Access and Stewardship speaker series on Augst 26, 2025

- 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 stewards.

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

- a) Ensure representation of priority producers and land stewards in public decision-making bodies, including but not limited to existing commissions, water districts, irrigation districts, resource conservation districts, groundwater sustainability agencies, local planning bodies, and county supervisors. Allow non-landowners and tenants to meaningfully participate in governance of these bodies through holding leadership positions and voting power.
- b) Require that all regulatory programs provide technical assistance to assist priority producers and land stewards with compliance.
 - i) Coordinate with each program to establish one-time fee waiver options for those seeking technical assistance to achieve compliance.
 - ii) Include assistance for cooperatives governed by producers and farmworkers who co-own and co-steward land given the unique complexity and lack of current support for these entities.
- c) Amend and implement the following laws to enable secure land tenure, where applicable: Sustainable Groundwater Management Act, Irrigated Lands Regulatory Program, Food Safety Modernization Act, labor policies and regulations, and pest management policies and recommendations. See Appendix C for more detailed recommendations.
 - i) Sustainable Groundwater Management Act (SGMA)
 - 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

One size does not fit all in regulations. Regulators and policymakers must recognize that Asian vegetable growers have different practices and crops. We want standards (for example in food safety and pest management) that account for diverse farming traditions and crop types, rather than blanket rules that may not be appropriate.

–Farmer Participants, UCANR Focus Group (full report available on the [Task Force webpage](#))

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.¹⁰⁹ 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 and provide resources to water quality coalitions to provide technical assistance and tools to assist priority producers and land stewards with compliance.
 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 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 or diversified agricultural operations.
 2. Provide training and technical assistance in diverse languages and in culturally appropriate ways to priority producers and land stewards, so that, as private applicators, they can understand and follow pesticide safety regulations. Include curricula and study materials in diverse languages.
 3. Establish an adapted, more appropriate approach to private applicator certification for agroecological pesticide alternatives, such as products approved by National Organic Program (NOP) and Organic Review Material Institute (OMRI), using the University of California Cooperative Extension (UCCE) trainings as a model.

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, regenerative 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 through the following:
 - i) 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 and 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 zoning policies that allow for various types of on-farm housing for farmworkers and owners (e.g., 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.

6. Support urban agriculture

California's cities and suburbs present unique challenges and opportunities for advancing agricultural land equity.³ Leveraging urban spaces for agriculture offers opportunities for priority producers and land stewards to cultivate land near the markets and communities they serve. **These opportunities benefit all Californians by expanding access to nutritious foods, fostering community engagement, offering workforce development opportunities, educating communities about food and farming, and expanding green spaces.**¹¹⁰

Despite the many benefits of urban agriculture, many barriers to successful and sustained urban agriculture projects persist. In a focus group with urban growers, the participants shared that a lack of awareness of urban agriculture among local government staff and a lack of understanding about what is needed to run an operation is a major barrier to establishing friendly systems. This leads to lack of prioritizing urban agriculture and beneficial changes when they update existing codes and plans. These key barriers addressed in this section include:

- The exclusion of urban agriculture from most existing grant, loan, and incentive programs;
- Excessive costs associated with urban water rates and installing water meters, and;
- Zoning restrictions that limit urban producers and land stewards' ability to establish profitable agricultural businesses.

In recent years, the state has initiated new funding opportunities for urban agriculture. In 2023, the California Department of Food and Agriculture awarded \$11,670,000 in proposals through the one-time only, competitive California Urban Agriculture Grant Program. **Yet this was only a fraction of the "more than \$68 million [that] was requested during the application period, highlighting the interest and need for urban agriculture across California."**¹¹¹ In 2024, California's voters approved Proposition 4, also known as the Climate Bond, which makes available upon appropriation by the Legislature 20 million dollars for "urban agriculture projects that create or expand city or suburban community farms or gardens."¹¹²

In addition to providing financial support, other actions are needed to ensure equitable land access and secure tenure in California's urban spaces. The recommendations that follow

³ The California Department of Food and Agriculture (CDFA) defines urban agriculture as the cultivation, processing, and distribution of agricultural products in urban settings, including things like inground small plot cultivation, raised beds, vertical production, warehouse farms, mushroom growing, urban forestry and tree care, community gardens, rooftop farms, hydroponic, aeroponic, and aquaponic facilities, and other innovations. CDFA defines "urban" as a geographic area no more than 25 miles adjacent to or outside of one Urbanized Area containing a population of 50,000 or more people (California Department of Food and Agriculture).

outline strategies to enable and support urban agriculture to ensure equitable access to land in California for producing food, fiber, medicine, and other cultural resources.

6.1 Ensure eligibility of urban producers and land stewards in existing programs and provide tailored funding

- a) Formalize the recognition of urban producers and land stewards of all sizes by farm and agriculture agencies.
- b) Fund through continuous appropriation existing grant programs focused on urban agriculture, such as CDFA's Urban Agriculture Grant Program, and expand programs to identify and address gaps in support for urban agriculture and regenerative agricultural use.
- c) In new and existing programs, fund the following activities and costs:
 - i) Research, education, and policy change to reduce water rates for urban producers and land stewards, such as special access to agricultural or irrigation water rates.
 - ii) Installation of water meters at urban agriculture sites that commit to using water conservation equipment and other regenerative agriculture practices.
 - iii) Projects to document and advance the role of urban agriculture in educational opportunities and access to green space.
- d) Revise eligibility criteria in existing state and local grant programs where required to:
 - iv) Ensure urban agriculture projects are not excluded based on scale or acreage.
 - v) Recognize the co-benefits of urban agriculture beyond yield and acres of land being sustainability stewarded, including ecosystem benefits, nutrition education, community wellness, and cultural benefits.
 - vi) Award projects in urban agriculture incentive zones additional points in state and local grants.

6.2 Make land available for urban agriculture and address barriers to secure tenure

- a) Incentivize local governments to adopt and implement urban agriculture incentive zones statewide.¹¹³
- b) Amend the Surplus Land Act to require that parcels deemed inappropriate for housing be considered for urban agriculture uses, particularly in urban agriculture zones, before they are offered for public sale or sale for non-public benefit uses.

- c) Incentivize and support the inclusion of urban agriculture in access agreements on publicly held lands managed by local jurisdictions such as parks and urban lots.
- d) Direct the Governor's Office of Land Use and Climate Innovation to compile existing zoning codes, urban agriculture assessments, and general plan amendments from jurisdictions that have removed barriers to urban agriculture as part of a public-facing report identifying ways that jurisdictions can support urban agriculture.
 - i) Require that this report be regularly updated and offer zoning codes, assessments, and general plan amendments as models for other jurisdictions.
 - ii) To assist with implementation, fund technical assistance for local governments to update and improve policies to support urban agriculture.
- e) Remove legal and zoning barriers to compost production at scales that support urban agriculture. Provide for a minimum area of allowable land that can be used for composting that increases in proportion to the amount of agricultural land stewarded.

"When you don't have a champion in local government to advocate for including agricultural space in parks, new developments, or other city properties, it's very hard to get access and increase urban production."

-Urban Grower Participant,
UCANR Focus Group (full report available on the [Task Force webpage](#))

Next steps: Implementation and evaluation

The first step in advancing agricultural land equity is to acknowledge the historical violence and continued disparities that are the foundation for the State of California and its agricultural industry. **The next step is to establish clear and consistent pathways for the state to work with and be held accountable to priority producers, land stewards, California Native American Tribes, and community-based organizations in developing and implementing the recommendations in this report.** Active and consistent consultation and collaboration are critical for achieving agricultural land equity that is driven by the diverse needs and contexts of California's producers and land stewards.

This community-led approach requires flexible processes and timelines as well as a willingness among state and local governments to learn and adapt. **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.

A robust measurement framework for tracking the implementation and outcomes of these recommendations is critical, given the wide range of strategies and goals included in this report that should be tailored to different communities and contexts. To ensure accountability and efficacy, a timeline for implementation should be developed that structures and tracks shorter- and longer-term actions and goals.

It is important to recognize that the areas of law relevant to equity work are dynamic and subject to ongoing change. This report does not constitute legal advice and should not be relied upon as a substitute for consultation with legal counsel. Independent legal guidance is necessary to ensure that all applicable federal, state, and administrative laws are appropriately considered in decision-making.

One strategy to center agricultural land equity in both the short- and long-term is for the Legislature to add securing land access and Tribal stewardship of agricultural land by priority producers and land stewards, as defined in this report, as the intent of the Legislature in any implementing legislation.

The ideas and recommendations in this report lay the groundwork for future action. Due to time and capacity constraints, the Task Force was unable to fully develop some relevant concepts. These ideas—outlined in Appendix F—warrant further research and consideration as efforts to advance agricultural land equity continue.

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DRAFT

Appendix A: Glossary of terms

Agricultural conservation easement: As defined by the California 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: 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 land equity: All people have secure and affordable access to viable land for the care, relationship with, and cultivation of food, fiber, medicine, and culturally valuable resources without systemic barriers, disparities, or exploitation.

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. There are several Tribes whose territories extend beyond the colonial boundaries of the State of 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.

Farmland of Statewide Importance: Per the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Federally recognized California Native American Tribe: An American Indian [Native American] sovereign government which has ancestral lands within the geographic boundaries of present-day California that 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 steward: A person who cares for the land and is in relationship with the land in a manner that meets the long-term interests of communities, the natural world, and future generations.

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: A group that identifies as Native American 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 the “Historical injustice and contemporary disparities” and “Prioritize Tribal stewardship and land Return” sections of this report for more details about federal recognition in California).

Prime Farmland: Per the Department of Conservation’s Farmland Mapping and Monitoring Program (FMMP), farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

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

This group is inclusive of the individuals identified in the two existing definitions detailed below, as well as farmworkers and others who aspire to start their own agricultural operations.

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 [inclusive of California Native American Tribes]
 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 [California Native American 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."

Producer: A person who grows food or agricultural products or raises livestock for sale. This includes people engaged in activities like planting, cultivating, harvesting, and animal husbandry.

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

Regenerative agriculture: An integrated approach to farming and ranching rooted in principles of soil health, biodiversity and ecosystem resiliency leading to improved targeted outcomes, as defined by the California State Board of Food and Agriculture.¹

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

¹ "Defining regenerative agriculture for State policies and programs." (2025). California Department of Food and Agriculture. Last accessed Oct. 28, 2025 from <https://www.cdfa.ca.gov/RegenerativeAg/>

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 [inclusive of California Native American Tribes].
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.²

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

² Adapted from Cal Poly Humboldt’s Department of Native American Studies, “Traditional Ecological Knowledge,” last accessed Oct. 6, 2025 from <https://www.humboldt.edu/nas/traditional-ecological-knowledge-tek>; Save California Salmon. “Traditional Ecological Knowledge, science, & management.” Last accessed Oct. 6, 2025 from https://www.californiasalmon.org/_files/ugd/d97ff6_a24cc36643a64627bae253020d3830a8.pdf

scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe.

Tribal Sovereignty: Native American Tribes' 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 [California Native American 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."

Urban agriculture: According to the California Department of Food and Agriculture (CDFA), the cultivation, processing, and distribution of agricultural products in urban settings, including things like inground small plot cultivation, raised beds, vertical production, warehouse farms, mushroom growing, urban forestry and tree care, community gardens, rooftop farms, hydroponic, aeroponic, and aquaponic facilities, and other innovations. CDFA defines "urban" as a geographic area no more than 25 miles adjacent to or outside of one Urbanized Area containing a population of 50,000 or more people.

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.

Appendix B: Draft Agricultural Tenant Bill of Rights

Many priority producers and land stewards in California lease the land on which they operate, and many others operate without an agricultural lease agreement for the land they farm, ranch, or otherwise steward. Often, agricultural leases, whether handshake or written agreements, are short-term and have unfavorable or exploitative terms for tenants. In addition to the power imbalances inherent in a lease agreement between landholders and tenants, such agricultural lease agreements make priority producers and land stewards vulnerable to discrimination and exploitation, particularly non-English speaking producers.

Agricultural leases and leases for urban agriculture provide an opportunity for mutual benefit of both parties. A fair and balanced lease, combined with tax and other incentives for landholders adhering to specific minimum criteria as proposed here and in Section 2.5, can provide adequate returns for landholders and support productive agricultural operations.

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:

- The duration for any agricultural lease for crop production must be a minimum of one year.
- Tenant must receive written notice of any proposed rental increase at least six months prior to the intended start date of the rental increase. The written notice must be provided in the native language of the tenant. A landholder cannot raise rent more than 10% total or 5% plus the percentage change in the cost of living – whichever is lower – over a 24-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.
- Right to access the property to harvest planted crops in ground or in production at time of termination for a minimum of 90 days after any termination of the lease agreement.
- Landholder has no rights to unharvested or harvested crops as a cure for tenant's default, unless agreed to in writing by both parties.
- All agricultural leases must include a Force Majeure clause. Force Majeure language should at minimum state that if any party fails to perform its obligations because of natural disasters, fire or other Acts of God 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.

- Termination without cause is not permissible. Landholder must provide at least 30 days written notice to tenant of default, and must allow a period of at least 30 days for the tenant to remedy the alleged default. In the event the tenant does not cure the default within the specified time period and the parties do not come to other agreement, the landholder must provide at least 30 days written notice of termination before terminating for cause. Default may include:
 - Nonpayment of rent after period specified in lease agreement.
 - Abandonment of the property, provided the lease agreement clearly specifies the amount of time and conditions that constitutes abandonment.
 - Breach of a material term of the lease.
 - Using the property for unlawful purposes.
- Rent payments during a holdover period may not exceed the monthly prorated equivalent to 125% of the most recent rental amount.
- If tenancy remains undisputed for a period of at least 60 days after the expiration of the lease agreement, the lease agreement is considered renewed for an additional year under the terms of the most recent written contract between the parties. See Cal Code Civ. Proc. § 1161(2).
- Survivability of tenure in the event of sale or transfer of the property. The new owner takes the property encumbered by the terms of any current lease agreement.
- Any so called “lease to own” arrangement must be thoroughly documented with transparent terms to include at minimum, a statement of fair market rent for the property, allocation, use and recovery of additional rent toward down payment or other considerations for future property purchase, documentation of tenant investments, and be accompanied by a written purchase agreement. These agreements should be filed with the appropriate county.
- Tenant constructed or funded permanent improvements:
 - Tenant constructed or funded permanent improvements must be approved in writing by landholder prior to construction or development.
 - If permanent improvements will be made or funded by tenant on the leased property, the lease term should match or exceed the usable life of those improvements, unless otherwise agreed by both parties.
 - A tenant is entitled to the remaining usable value at the time of expiration or termination of their lease agreement of any approved permanent improvements, including permanent crops, that they have made or funded on the leased land. The landholder must buy back any remaining usable value or

current fair market value of these improvements within 30 days after the expiration or termination of the agreement, unless otherwise agreed in writing by both parties.

- o These terms do not apply to publicly funded improvements.
- Agricultural tenants have the right to livable housing conditions, and any residential structures on leased agricultural lands are subject to the same laws and regulations as apply to all other leased residences. See Civil Code, § 1941.1.
- Landholders may not sell or otherwise remove water rights, available water, or access to water expected and necessary for an agricultural tenant's current and future production and use under the terms of their agricultural lease agreement.
 - o Inability to farm due to lack of access to water may be cause for early termination of lease agreement without penalty for the tenant; lack of access to water includes cases where lack of water is due to failure of infrastructure owned by landholder and landholder is unable or refuses to repair said infrastructure or cases where tenant is responsible for improvements to water infrastructure, but the cost of repair or improvement is prohibitive.
- If the parties include an indemnification clause in their agricultural lease agreement, there must be dual indemnification; tenant cannot be required to indemnify the landholder and landholder parties without landholders also indemnifying the tenant and tenant parties.
- Discrimination:
 - o Landholders 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 landholder seeking the benefit of state conservation programs on land farmed 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.
- No retaliation – Landholders may not retaliate against tenants for exercising their rights. For example, it is against the law for a landholder 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 under their current agricultural lease agreement, like a storage space or parking.

- No “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 go through the applicable legal process.
- Tenants have a right to receive a written copy of their final lease agreement in their primary/preferred language prior to signature.

Appendix C: Context and recommendations to address uneven impacts of policies and regulations

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 d 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.³
 - 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 partner and collaborator 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.

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 \$1,000 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

³ "A State role in supporting groundwater trading with safeguards for vulnerable users: Findings and next steps." (2022). California Water Commission. Last accessed Oct. 2, 2025 from https://cwc.ca.gov/-/media/CWC-Website/Files/Documents/2022/05_May/May2022_Item_10_Attach_1_WhitePaper_Final.pdf

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 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.⁴
- 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 \$1,000 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.

⁴ Dahlquist-Willard, Ruth, and Aparna Gazula. (2017). "Comments on the Eastern San Joaquin River Watershed Agricultural Order." Last accessed Oct. 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 Oct. 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.

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).⁵ 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.

⁵ "Exemptions relevant to produce farms under the Produce Safety Rule and the Food Traceability Rule." (2023). U.S. Food and Drug Administration. Last accessed Oct. 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 Oct. 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.

California Labor Policies and Regulations

Agricultural labor laws are needed to protect the quality of life and wages of farmworkers 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.⁶ Producers and land stewards

⁶ 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); pp.

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 services.⁷
- 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.

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.
- 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

579–595. <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 Oct. 2, 2025 from <https://www.cdfa.ca.gov/RegulatoryAlignment/>

⁷ “The word is out... but have you heard?” State of California Department of Industrial Relations. Last accessed Oct. 2, 2025 from <https://www.dir.ca.gov/dosh/agmore.htm>

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.

Appendix D: Model policies and ordinances

City of Oakland cultural conservation easement ordinance

The first two pages of the cultural conservation easement ordinance are below and the full ordinance may be found on the City of Oakland's website.⁸

⁸ "Legislation." City of Oakland, California. Last accessed Oct. 28, 2025 from <https://oakland.legistar.com/LegislationDetail.aspx?ID=5890104&GUID=453CAFB0-7BA5-4B73-9392-BF9E1626DF23&G=undefined&Options=&Search=>

INTRODUCED BY ECONOMIC AND WORKFORCE
DEVELOPMENT DEPARTMENT, MAYOR LIBBY SCHAAF
AND COUNCIL PRESIDENT PRO TEMPORE SHENG THAO

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

ORDINANCE (1) GRANTING A CULTURAL CONSERVATION EASEMENT OVER AN APPROXIMATELY 5-ACRE PORTION OF JOAQUIN MILLER PARK KNOWN AS SEQUOIA POINT TO THE SOGOREA TE' LAND TRUST (GRANTEE), AT NO COST, TO PRESERVE AND ENHANCE THE CULTURAL, HISTORIC, EDUCATIONAL, NATURAL RESOURCE, SCENIC, AND OPEN SPACE VALUES OF THE EASEMENT PROPERTY IN PERPETUITY; AND

(2) AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A MEMORANDUM OF AGREEMENT FOR THE IMPLEMENTATION OF THE CITY OF OAKLAND'S RESERVED RIGHTS AND THE GRANTEE'S RIGHTS AND OBLIGATIONS UNDER THE CONSERVATION EASEMENT, AND TO AMEND SAID MEMORANDUM OF AGREEMENT WITHOUT RETURNING TO COUNCIL; AND

(3) AMENDING THE OAKLAND MUNICIPAL CODE TO ADD SECTION 12.64.420 TO AUTHORIZE THE USE OF PARKS BY RECIPIENTS OF CONSERVATION EASEMENTS WITHOUT OBTAINING PARK PERMITS; AND

(4) MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the City of Oakland is the owner of certain real property currently known as Joaquin Miller Park in the County of Alameda, State of California, consisting of approximately 500 acres; and

WHEREAS, the City recognizes that San Joaquin Miller Park is located within the unceded territory of the Chochenyo-speaking Ohlone people who have occupied and continue to occupy this region since time immemorial and the City desires to return an approximately 5-acre portion of the park commonly known as Sequoia Point, as depicted in the map attached hereto as Exhibit A (Easement Property), to Indigenous stewardship; and

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WHEREAS, California Civil Code Sections 815 through 816 allows the City to grant a conservation easement to a qualified nonprofit organization in order to preserve and enhance the cultural, historic, educational, natural resource, scenic, and open space values (Conservation Values) of the Easement Property in perpetuity; and

WHEREAS, Sogorea Te' Land Trust (Grantee) is an Indigenous women-led nonprofit land trust based in Oakland that facilitates the return of Indigenous land to Indigenous people, and is qualified to hold conservation easements under California Civil Code Section 815.3; and

WHEREAS, Oakland Municipal Code (OMC) Section 2.42.080 authorizes the City to grant a perpetual conservation easement for less than fair market value if the City Council has made a finding and determination that the grant of easement for less than fair market value is in the best interests of the City; and

WHEREAS, the City and Grantee share a strong interest in working collaboratively on the Easement Property to identify, conserve, and restore open space and natural resources; reestablish Native American traditions, cultural practices, and resource stewardship; and to educate and share these values and resources through public education partnerships; and

WHEREAS, Grantee brings a unique and valuable perspective to, and knowledge of, the Easement Property, and it is in the City's and the public's interest to establish a long-term partnership with Grantee; and

WHEREAS, Grantee's rights, interests and obligations under the conservation easement would be consistent with and enhance the natural resource value and public enjoyment of Joaquin Miller Park; and

WHEREAS, the City desires to grant, and Grantee desires to accept, a conservation easement in perpetuity over the Easement Property (Conservation Easement) in order to preserve and enhance the Conservation Values; and

WHEREAS, Grantee refers to the Easement Property as Rinihmu Pulte'irekne, meaning "above the red ochre" in the Chochoyeno language;

WHEREAS, the City and Grantee also desire to enter into a memorandum of agreement that may be amended by the City Administrator from time to time, without returning to City Council, to further define the processes and requirements for implementing the easement (Memorandum of Agreement); and

WHEREAS, OMC Chapter 12.64 requires a park permit for private events within City parks of 25 or more people; and

City of Richmond urban agriculture ordinance⁹

15.04.610.430 – Urban Agriculture

Urban Agriculture facilities must be located, developed, and operated in compliance with the following standards, where allowed by the 200 Series, Base Zoning Districts:

A. **Maintenance.** Urban agriculture uses shall be maintained in an orderly manner, including litter removal, irrigation, weeding, pruning, pest control and removal of dead or diseased plant materials.

B. **Equipment.** Use of mechanized farm equipment is prohibited in residential districts.

1. Heavy equipment may be used initially to prepare the land for agriculture use, and landscaping equipment designed for household use is permitted.

2. All equipment, when not in use, must be enclosed or otherwise screened from sight.

C. **Accessory Structures.** Structures to support urban agriculture, such as storage sheds, chicken coops, hop-houses, and greenhouses, are permitted, subject to the regulations of the underlying zoning district and the standards for accessory structures in [Article 15.04.601](#) (General Site Regulations) and animal-keeping enclosures in Section [15.04.610.070](#).

D. **Best Practices.** Urban agriculture activities shall include best practices to prevent animal waste and pollutants from entering the stormwater conveyance system and shall comply with all applicable federal, state, and local laws, ordinances, or regulations, including, but not limited to, [Chapter 12.22](#), Stormwater Management and Discharge Control Code of the Municipal Code.

E. **Animal Keeping.** See Section [15.04.610.070](#).

F. **Garbage and Compost.** Garbage and compost receptacles must be screened from the street and adjacent properties by utilizing landscaping, fencing or storage within structures and all garbage must be removed from the site weekly. Compost piles and containers must be set back at least 20 feet from residential buildings when an urban agriculture use abuts a residential use.

G. **Hours of Operation in Residential and Mixed-Use Zoning Districts.** In residential and mixed-use zoning districts, urban agricultural operations may begin at sunrise or 7:00 a.m.,

⁹ City of Richmond, California. "Article 15.04.610.430 - Urban Agriculture." Last accessed Oct. 27, 2025 from https://library.municode.com/ca/richmond/codes/code_of_ordinances?nodeId=ARTXVZOSU_CH15.04ZOSU_RE_SERIES_600GEST_ART15.04.610STSPUSAC_15.04.610.430URAG

whichever is earlier, and must end at sunset or 9:00 p.m., whichever is later, seven days a week. Automatic equipment functioning, such as sprinklers, is not considered an operation.

H. **Home Gardens.** The maximum size of a home garden shall not exceed 25 percent of the total floor area of the dwelling unit on the lot.

I. **Community Gardens.** Community gardens can be organized by community groups, nonprofit organizations, the City, or land owners. A manager must be designated for each community garden who will serve as liaison between gardeners, property owner(s), and the City.

J. **Food Membership Distribution.** Food Membership Distribution is an all allowable accessory to food and beverage sales and retail sales uses, and with an administrative use permit, other commercial uses.

1. The maximum number of members who may come to the site to pick up items delivered on one delivery day is 100, and the number of delivery days allowed in a calendar year is 70. The operator of a site is responsible for compliance with the regulations that apply to the frequency of delivery days and maximum number of members who may come to the site. This may require limiting the number of members who may participate in each order, or moving some deliveries to other locations.
2. Members may pick up items at the site only between 7:00 a.m. and 9:00 p.m.
3. Truck deliveries are allowed between 8:00 a.m. and 5:00 p.m.

City of Davis right to farm and farmland preservation ordinance¹⁰

ARTICLE 40A.01

RIGHT TO FARM

§ 40A.01.010. Purpose.

(a) It is a goal of the city general plan to work cooperatively with the counties of Yolo and Solano to preserve agricultural land in the Davis planning area which is not otherwise identified in the general plan as necessary for development. It is the policy of the city to preserve and encourage agricultural land use and operations within the city and Yolo and Solano counties, and to reduce the occurrence of conflicts between agricultural and nonagricultural land uses and to protect the public health. One purpose of this law is to reduce the loss of agricultural resources by limiting the circumstances under which agricultural operations may be deemed a nuisance.

(b) It is also the policy of the city to provide purchasers and tenants of nonagricultural land close to agricultural land or operations with notice about the city's support of the preservation of agricultural lands and operations. An additional purpose of the notification requirement is to promote a good neighbor policy by informing prospective purchasers and tenants of nonagricultural land of the effects associated with living close to agricultural land and operations.

(c) It is further the policy of the city to require all new developments adjacent to agricultural land or operations to provide a buffer to reduce the potential conflicts between agricultural and nonagricultural land uses.

(d) Implementation of these policies can be strengthened by establishing a dispute resolution procedure designed to amicably resolve any complaints about agricultural operations that is less formal and expensive than court proceedings.

(Ord. 1823 § 1)

§ 40A.01.020. Definitions.

For the purpose of this chapter, the following terms shall have the following meanings:

Agricultural land. Those land areas of Yolo County specifically zoned as agricultural preserve (A-P), agricultural exclusive (A-E), and agricultural general (A-I), as those zones are defined in the Yolo County zoning ordinances, those land areas of Solano County specifically zoned exclusive agricultural (A-40), as those zones are defined in the Solano

¹⁰ City of Davis. Code of Ordinances. "Chapter 40a." Last accessed Oct. 27, 2025 from <https://ecode360.com/44663143>

County zoning ordinances, and those land areas of the City of Davis specifically zoned as agricultural (A), planned development or any other zoned land as defined by the Davis Municipal Code where the land use on the land within the city limits is agricultural.

Agricultural operations. Any agricultural activity, operation, or facility including, but not limited to, the cultivation and tillage of the soil, dairying, the production, irrigation, frost protection, cultivation, growing, harvesting, and processing of any commercial agricultural commodity, including timber, viticulture, apiculture or horticulture, the raising of livestock, fur-bearing animals, fish or poultry, agricultural spoils areas, and any practices performed by a farmer or on a farm as incidental to or in conjunction with such operations, including the legal application of pesticides and fertilizers, use of farm equipment, storage or preparation for market, delivery to storage or to market, or to carriers for transportation to market.

Agricultural processing facilities or operations. Agricultural processing activity, operation, facility, or appurtenances thereof includes, but is not limited to, the canning or freezing of agricultural products, the processing of dairy products, the production and bottling of beer and wine, the processing of meat and egg products, the drying of fruits and grains, the packing and cooling of fruits and vegetables, and the storage or warehousing of any agricultural products, and includes processing for wholesale or retail markets of agricultural products.

Property. Any real property located within the city limits.

Transfer. The sale, lease, trade, exchange, rental agreement or gift.

Transferee. Any buyer or tenant of property.

Transferor. The owner and/or transferor of title of real property or seller's authorized selling agent as defined in Business and Profession Code Section 10130 et seq., or Health and Safety Code Section 18006, or a landlord leasing real property to a tenant.

(Ord. 1823 § 1)

§ 40A.01.030. Deed restriction.

As a condition of approval of a discretionary development permit, including, but not limited to, tentative subdivision and parcel maps, use permits, and rezoning, prezoning, and planned developments, relating to property located within one thousand feet of agricultural land, agricultural operations or agricultural processing facilities or operations, every transferor of such property shall insert the deed restriction recited below in the deed transferring any right, title or interest in the property to the transferee.

RIGHT TO FARM DEED RESTRICTION

The City of Davis, Yolo and Solano Counties permit operation of properly conducted agricultural operations within the city and the Counties.

You are hereby notified that the property you are purchasing is located within 1000 feet of agricultural land, agricultural operations or agricultural processing facilities or operations. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations. Discomfort and inconvenience may include, but are not limited to, noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents and/or the operation of machinery (including aircraft) during any 24 hour period.

One or more of the inconveniences described may occur as a result of agricultural operations which are in compliance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector.

Lawful ground rig or aerial application of pesticides, herbicides and fertilizers occur in farming operations. Should you be concerned about spraying, you may contact either the Yolo or Solano County Agricultural Commissioners.

The City of Davis' Right to Farm Ordinance does not exempt farmers, agricultural processors or others from compliance with law. Should a farmer, agricultural processor or other person not comply with appropriate state, federal or local laws, legal recourse is possible by, among other ways, contacting the appropriate agency.

In addition, the City of Davis has established a grievance procedure to assist in the resolution of disputes which arise between the residents of the city regarding agricultural operations.

This Right to Farm Deed Restriction shall be included in all subsequent deeds and leases for this property until such time as the property is not located within 1,000 feet of agricultural land or agricultural operations as defined by Davis City Code Section 40A.01.020.

(Ord. 1823 § 1)

§ 40A.01.040. Notification to transferees.

(a) Every transferor of property subject to the notice recorded pursuant to Section 40A.01.030 shall provide to any transferee in writing the notice of right to farm recited below. The notice of right to farm shall be contained in each offer for sale, counter offer for sale, agreement of sale, lease, lease with an option to purchase, deposit receipt, exchange agreement, rental agreement, or any other form of agreement or contract for the transfer of property; provided that the notice need be given only once in any transaction. The transferor shall acknowledge delivery of the notice and the transferee shall acknowledge receipt of the notice.

(b) The form of notice of right to farm is as follows:

NOTICE OF RIGHT TO FARM

The City of Davis, Yolo and Solano Counties permit operation of properly conducted agricultural operations within the city and the Counties.

You are hereby notified that the property you are purchasing/leasing/ renting is located within 1,000 feet of agricultural land, agricultural operations or agricultural processing facilities or operations. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations. Discomfort and inconvenience may include, but are not limited to, noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents and/or the operation of machinery (including aircraft) during any 24-hour period.

One or more of the inconveniences described may occur as a result of agricultural operations which are in compliance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector.

Lawful ground rig or aerial application of pesticides, herbicides and fertilizers occur in farming operations. Should you be concerned about spraying, you may contact either the Yolo or Solano County Agricultural Commissioners.

The City of Davis' Right to Farm Ordinance does not exempt farmers, agricultural processors or others from compliance with law. Should a farmer, agricultural processor or other person not comply with appropriate state, federal or local laws, legal recourse is possible by, among other ways, contacting the appropriate agency.

In addition, the City of Davis has established a grievance procedure to assist in the resolution of disputes which arise between the residents of the city regarding agricultural operations.

This notification is given in compliance with Davis City Code Section 40A.01.040. By initialing below, you are acknowledging receipt of this notification.

Transferor's Initials _____ Transferee's Initials _____

(c) The failure to include the foregoing notice shall not invalidate any grant, conveyance, lease or encumbrance.

(d) The notice required by this section shall be included in every agreement for transfer entered into after the effective date of this chapter, including property subject to the deed restriction cited in Section 40A.01.030.

(Ord. 1823 § 1)

§ 40A.01.050. Agricultural buffer requirement.

(a) In addition to the right to farm deed restriction and notice requirement, the city has determined that the use of property for agricultural operations is a high priority. To minimize future potential conflicts between agricultural and nonagricultural land uses and to protect the public health, all new developments adjacent to designated agricultural, agricultural reserve, agricultural open space, greenbelt/agricultural buffer, Davis greenbelt or environmentally sensitive habitat areas according to the land use and open space element maps shall be required to provide an agricultural buffer/agricultural transition area. In addition, development limits or restricts opportunities to view farmlands. Public access to a portion of the agricultural buffer will permit public views of farmland. Use of nonpolluting transportation methods (i.e., bikes), and use of the land to fulfill multiple policies including, but not limited to, agricultural mitigation and alternative transportation measures meets the policy objectives of the Davis general plan. The agricultural buffer/agricultural transition area shall be a minimum of one hundred fifty feet measured from the edge of the agricultural, greenbelt, or habitat area. Optimally, to achieve a maximum separation and to comply with the five-hundred-foot aerial spray setback established by the counties of Yolo and Solano, a buffer wider than one hundred fifty feet is encouraged.

(b) The minimum one-hundred-fifty-foot agricultural buffer/agricultural transition area shall be comprised of two components: a fifty-foot-wide agricultural transition area located contiguous to a one-hundred-foot-wide agricultural buffer located contiguous to the agricultural, greenbelt, or habitat area. The one-hundred-fifty-foot agricultural buffer/transition area shall not qualify as farmland mitigation pursuant to Article 40A.03 of this chapter.

(c) The following uses shall be permitted in the one-hundred-foot agricultural buffer: native plants, tree or hedge rows, drainage channels, storm retention ponds, natural areas such as creeks or drainage swales, railroad tracks or other utility corridors and any other use, including agricultural uses, determined by the planning commission to be consistent with the use of the property as an agricultural buffer. There shall be no public access to the one-hundred-foot agricultural buffer unless otherwise permitted due to the nature of the area (e.g., railroad tracks). The one-hundred-foot agricultural buffer shall be developed by the developer pursuant to a plan approved by the community services director or designee. The plan shall include provision for the establishment, management and maintenance of the area. The plan shall incorporate adaptive management concepts and include the use of integrated pest management techniques. The property shall be dedicated to the city in fee title, or, at the discretion of the city, an easement in favor of the city shall be recorded against the property, which shall include the requirements of this article.

(d) The following uses shall be permitted in the fifty foot agricultural transition area: bike paths, community gardens, organic agriculture, native plants, tree and hedge rows, benches, lights, trash enclosures, fencing, and any other use determined by the planning commission to be of the same general character as the foregoing enumerated uses. There shall be public access to the fifty-foot agricultural transition area. The fifty-foot agricultural

transition area shall be developed by the developer pursuant to a plan approved by the community services director or designee. Once the area is improved, approved, and accepted by the community services department, the land shall be dedicated to the city.

(e) The city reserves its right to form a special benefit assessment district, or other applicable district as is permitted under state law, and to maintain the agricultural buffer and transition area once the land is improved, dedicated, and annexed.

(Ord. 1823 § 1; Ord. 2300 § 2, 2007; Ord. 2390 § 3, 2012)

ARTICLE 40A.02

DISPUTE RESOLUTION

§ 40A.02.010. Properly operated farm not a nuisance.

(a) Agricultural operations shall not be considered a nuisance under this chapter unless such operations are deemed to be a nuisance under California Civil Code Sections 3482.5 and 3482.6. Agricultural and agricultural processing operations shall comply with all state, federal and local laws and regulations applicable to the operations.

(b) Notwithstanding any other provision of this chapter, no action shall be maintained under this chapter alleging that an agricultural or agricultural processing operation has interfered with private property or personal well-being or is otherwise considered a nuisance unless the plaintiff has sought to obtain a decision pursuant to the agricultural grievance procedure provided in Section 40A.02.020 (resolution of disputes) or a decision has been sought but no decision is rendered within the time limits provided in said section. This subsection shall not prevent any party or person from proceeding or bringing a legal action under the provisions of other applicable laws without first resorting to this grievance procedure.

(Ord. 1823 § 1)

§ 40A.02.020. Resolution of disputes.

(a) The city shall establish a grievance procedure to settle any disputes or any controversy that should arise regarding any inconveniences or discomfort occasioned by agricultural operations which cannot be settled by direct negotiation of the parties involved. Either party shall submit the controversy to a hearing officer as set forth below or to community mediation services, if agreed to by the parties, in an attempt to resolve the matter prior to the filing of any court action.

(b) Any controversy between the parties shall be submitted to the hearing officer within ninety days of the later of the date of the occurrence of the particular activity giving rise to the controversy or the date a party became aware of the occurrence.

(c) The effectiveness of the hearing officer for resolution of disputes is dependent upon full discussion and complete presentation of all pertinent facts concerning the dispute in order to eliminate any misunderstandings. The parties are encouraged to cooperate in the exchange of pertinent information concerning the controversy and are encouraged to seek a written statement from the agriculture commissioner as to whether the activity under dispute is consistent with adopted laws and regulations and accepted customs and standards.

(d) The controversy shall be presented to the hearing officer by written request of one of the parties within the time limit specified. Thereafter the hearing officer may investigate the facts of the controversy but must, within twenty-five days, hold a meeting to consider the merits of the matter and within five days of the meeting render a written decision to the parties. At the time of the meeting both parties shall have an opportunity to present what each considers to be pertinent facts. No party bringing a complaint to the hearing officer for settlement or resolution may be represented by counsel unless the opposing party is also represented by counsel. The time limits provided in this subsection for action by the hearing officer may be extended upon the written stipulation of all parties in a dispute.

(e) Any reasonable costs associated with the functioning of the hearing officer process shall be borne by the participants. The city council may, by resolution, prescribe fees to recover those costs.

(Ord. 1823 § 1)

ARTICLE 40A.03

FARMLAND PRESERVATION

Note: Prior ordinance history: Ords. 1823 and 2133.

§ 40A.03.010. Purpose and findings.

(a) The purpose of this chapter and this article is to implement the agricultural land conservation policies contained in the Davis general plan with a program designed to permanently protect agricultural land located within the Davis planning area for agricultural uses.

(b) Since 1995 the city has required agricultural mitigation for development projects that would change the general plan designation or zoning from agricultural land to nonagricultural land and for discretionary land use approvals that would change an agricultural use to a nonagricultural use, and the city council finds that this chapter and this article are necessary for the following reasons: California is losing farmland at a rapid rate; Yolo and Solano County farmland is of exceptional productive quality; loss of agricultural land is consistently a significant impact under CEQA in development projects; the Davis general plan has policies to preserve farmland; the city is surrounded by farmland; the Yolo and Solano County general plans clearly include policies to preserve farmland; the

continuation of agricultural operations preserves the landscape and environmental resources; loss of farmland to development is irreparable and agriculture is an important component of the city's economy; and losing agricultural land will have a cumulatively negative impact on the economy of the city and the counties of Yolo and Solano.

(c) It is the policy of the city to work cooperatively with Yolo and Solano counties to preserve agricultural land within the Davis planning area, as shown in the "planning area" map found in the Davis general plan, beyond that deemed necessary for development. It is further the policy of the city to protect and conserve agricultural land, especially in areas presently farmed or having Class 1, 2, 3, or 4 soils.

(d) The city council finds that some urban uses when contiguous to farmland can affect how an agricultural use can be operated, which can lead to the conversion of agricultural land to urban use.

(e) The city council further finds that by requiring adjacent mitigation for land being converted from an agricultural use and by requiring a one hundred fifty foot buffer, the city shall be helping to ensure prime farmland remains in agricultural use.

(Ord. 2300 § 1, 2007)

§ 40A.03.020. Definitions.

Adjacent mitigation. Agricultural mitigation land that is required to be located at the non-urbanized perimeter of a project.

Advisory committee. The City of Davis open space and habitat commission shall serve as the advisory committee.

Agricultural land or farmland. Those land areas of the county and/or city specifically designated and zoned as agricultural preserve (A-P), agricultural exclusive (A-E), or agricultural general (A-I), as those zones are defined in the Yolo County zoning ordinance; those land areas designated and zoned exclusive agriculture (A-40), as defined in the Solano County zoning ordinance; those lands in agricultural use; those lands designated in the city's general plan as agricultural (A); and those land areas of the City of Davis specifically designated and zoned as agricultural (A), agricultural planned development, or urban reserve where the soil of the land contains Class 1, 2, 3, or 4 soils, as defined by the Soil Conservation Service.

Agricultural mitigation land. Agricultural land encumbered by a farmland deed restriction, a farmland conservation easement, or such other farmland conservation mechanism acceptable to the city.

Agricultural use. Use of land for the purpose of producing food, fiber, or livestock for commercial purposes.

Easement stacking. Placing a conservation easement on land previously encumbered by a conservation easement of any nature or kind.

Farmland conservation easement. The granting of an easement over agricultural land for the purpose of restricting its use to agricultural land. The interest granted pursuant to a farmland conservation easement is an interest in land which is less than fee simple.

Farmland deed restriction. The creation of a deed restriction, covenant or condition which precludes the use of the agricultural land subject to the restriction for any nonagricultural purposes, use, operation or activity. The deed restriction shall provide that the land subject to the restriction will permanently remain agricultural land.

Non-urbanized perimeter. The agricultural land that borders the edge(s) of land that is, or is proposed to be, designated or zoned as non-agricultural land.

Priority open space acquisition areas. Areas designated by the city council by resolution as priorities for acquisition as open space.

Qualified conservation easement appraiser. A state certified appraiser who: (1) has conducted and prepared written appraisals on at least three agricultural conservation easement projects in the Central Valley in the past five years following the Uniform Standards of Professional Appraisal Practice and (2) has completed at least one course on the appraisal of conservation easements offered by a member organization of the appraisal foundation.

Qualifying entity. A nonprofit public benefit 501(c)(3) corporation operating in Yolo County or Solano County for the purpose of conserving and protecting land in its natural, rural, or agricultural condition. The following entities are qualifying entities: Yolo Land Conservation Trust and Solano Farm and Open Space Trust. Other entities may be approved by the city council from time to time.

Remainder mitigation. Required agricultural mitigation land that is not required to be located at the nonurbanized perimeter of a project.

Small project. A development project that is less than forty acres in size. A small project does not include one phase or portion of a larger project greater than forty acres that is subject to a master, specific, or overall development plan.

(Ord. 2300 § 1, 2007)

§ 40A.03.025. Agricultural land mitigation requirements.

(a) The city shall require agricultural mitigation as a condition of approval for any development project that would change the general plan designation or zoning from agricultural land to nonagricultural land and for discretionary land use approvals that would change an agricultural use to a nonagricultural use.

(b) The city has determined that effectively locating mitigation lands provides increased protection of agricultural lands threatened with conversion to non-agricultural uses. Requirements and incentives are established in this article to direct mitigation to areas that are under threat of conversion. In recognizing the importance of the location of mitigation, the city has identified two general categories of agricultural mitigation: (1) adjacent mitigation; and (2) remainder mitigation. For every applicable development project, the determination as to whether a combination of adjacent and remainder mitigation shall be required or whether only remainder mitigation shall be required shall be based on site specific factors, as specified in this article. Adjacent mitigation is addressed in Section 40A.03.030; remainder mitigation is addressed in Section 40A.03.035.

(c) Total mitigation for a development project shall not be less than a ratio of two acres of protected agricultural land for each acre converted from agricultural land to nonagricultural land. Location based factors (credits) for remainder mitigation contained in Section 40A.03.035 may result in ratios greater than 2:1.

(Ord. 2300 § 1, 2007)

§ 40A.03.030. Requirements for adjacent land mitigation.

(a) Mitigation along the non-urbanized perimeter. All new development projects adjacent to agricultural land that are subject to mitigation under this article shall be required to provide agricultural mitigation along the entire non-urbanized perimeter of the project. The required adjacent mitigation land shall be a minimum of one-quarter mile in width, as measured from the outer edge of the agricultural buffer required in Section 40A.01.050. Certain land uses listed in Section 40A.03.030(e) are exempt from the adjacency requirement.

(b) Satisfaction of adjacent agricultural mitigation. Adjacent agricultural mitigation shall be satisfied by:

- (1) Granting a farmland conservation easement, a farmland deed restriction, or other farmland conservation mechanism to or for the benefit of the city and/or a qualifying entity approved by the city. Mitigation shall only be required for that portion of the land which no longer will be designated agricultural land, including any portion of the land used for park and recreation purposes.
- (2) Mitigation credit for required adjacent mitigation is shown in the table below.

Required Adjacent Mitigation	
Location of mitigation land	Credit factor
Required minimum adjacent mitigation	1 times the number of acres protected

- (3) If more than the required 2:1 mitigation acreage is required to create the adjacent mitigation land, no more than twice the project acreage shall be required to satisfy the mitigation requirements of this chapter. If more than twice the project acreage is required to satisfy the minimum one-quarter mile

requirement, the configuration of the mitigation land shall be determined by the city council. In determining the configuration of the mitigation land, the city council shall consider factors such as, but not limited to, the following: (A) the shape of the mitigation land; (B) the quality of the soil in the mitigation land; (C) contamination of the mitigation land; (D) whether the mitigation land is in common ownership or owned by multiple owners; (E) fragmentation from other agricultural lands or connectivity to agricultural land; and (F) the existing use of the mitigation land.

- (4) The Davis planning area includes clusters of rural residential parcels that, due to their size and spacing, preclude commercial farming operations. For purposes of this article, a "cluster of rural residential parcels" shall mean a group of parcels where the majority of parcels have an existing residential structure and an average size of less than ten acres. If the required adjacent mitigation land includes a cluster of existing rural residential parcels, the city council may treat the cluster of rural residential parcels as part of the development project and allow the required adjacent mitigation land to be located on the outside edge of the cluster of rural residential parcels. If the city council chooses to do so, that decision shall not increase the total amount of adjacent mitigation required by the development project.

(c) Exclusion of agricultural buffer from adjacent mitigation. The land included within the agricultural buffer required by Section 40A.01.050(c) shall not be included in the calculation for the purposes of determining the amount of land that is required for mitigation.

(d) Alternative mitigation proposals. The city council may approve mitigation that does not meet the adjacency requirement if an alternative mitigation proposal meets the intent of this chapter and would have extraordinary community benefits. Alternative mitigation proposals may be approved if the following three factors are present, and the city council makes appropriate findings:

- (1) The alternative mitigation is threatened by demonstrated growth pressure equal to or greater than that faced by areas adjacent to the project site. Demonstrated growth pressure shall be established by a comparison of current land value of the alternative site and the adjacent site. Valuation analysis shall be prepared by an independent certified appraiser; and
- (2) The alternative mitigation is strategically located and provides one or more of the following: (A) protects a locally unique resource, (B) provides connectivity between existing protected or agricultural lands, (C) due to its location provides protection of other lands and resources in the Davis planning area and/or (D) located within a city-identified priority open space acquisition area; and

- (3) The alternative mitigation is of a size that facilitates protection of the targeted resource and its long term management.

(e) Exemptions. The following land uses are exempt from the adjacent mitigation requirements of this article, but not the remaining provisions:

- (1) The following projects, so long as they are not a part of a larger development project: permanently affordable housing, public schools, and public parks.
- (2) That portion of a development project abutting land already protected by permanent conservation easements or by some other form of public ownership that guarantees adjacent lands will not be developed for urban uses.
- (3) That portion of a development project abutting a limited access public road such as Interstate 80 or State Highway 113. (4) Small projects, as defined in Section 40A.03.020.

(Ord. 2300 § 1, 2007)

§ 40A.03.035. Requirements for remainder land mitigation.(a)

General. Remainder mitigation is mitigation land that is not required to be located at the nonurbanized perimeter of a project. Remainder mitigation may be located anywhere within the Davis planning area, subject to approval by the city council, in accordance with Section 40A.03.050. Incentives shall be provided for locating the remainder mitigation in areas targeted for protection by the city as shown in the table below.

(b) Satisfaction of remainder mitigation. Remainder mitigation shall be satisfied by:

- (1) Granting a farmland conservation easement, a farmland deed restriction, or other farmland conservation mechanism to or for the benefit of the city and/or a qualifying entity approved by the city. Mitigation shall only be required for that portion of the land which no longer will be designated agricultural land, including any portion of the land used for park and recreation purposes.
- (2) The following credits shall be applied to remainder mitigation land:

Remainder Mitigation	
Location of mitigation land	Credit factors
Adjacent to city limits and within ¼ mile of the city limits, excluding any land required as adjacent mitigation land.	2 times the number of acres protected
Adjacent to the required minimum adjacent mitigation land, if applicable	1 times the number of acres protected

Within city designated priority open space acquisition areas.	1 times the number of acres protected
Elsewhere in the Davis planning area	0.2 times the number of acres protected
Total	Mitigation acreage, as adjusted by the credit factors for adjacent mitigation (see Section 40a.03.030) and remainder mitigation (above), must total two times the acreage changed to nonagricultural. If the calculation of credit factors results in actual mitigation that is less than 2:1, additional acreage within the Davis planning area shall be secured to satisfy the total mitigation ration requirement.

Location and configuration of the mitigation land must be approved by the city council, in accordance with the factors specified in Section 40A.03.035(a).

(3) In lieu of conserving land as provided above, up to fifty percent of the remainder mitigation requirement may be satisfied by the payment of a fee based upon the fair market value of acquiring a farmland conservation easement or farmland deed restriction located adjacent to the city limits, subject to the following:

(A) For the purpose of establishing the in lieu fee, a qualified conservation easement appraiser shall establish the fair market value by conducting an appraisal of the required minimum adjacent mitigation land for the project. If no adjacent mitigation land is required for a project, the in-lieu fee shall be based on recent land transactions for properties located on and/or near the city limits. Appraisal costs shall be paid for by the developer or project applicant, and the qualified conservation easement appraiser shall be under contract with the city.

(B) The in lieu fee shall include a ten percent administrative fee to cover the city's costs to implement mitigation.

(C) The in lieu fee shall include an inflator that takes into account the inflation of property values and shall include a standard assumption for the time it takes the city to acquire property for agricultural mitigation. The inflator shall be calculated based on a three-year average of the House Price Index (HPI) for the Sacramento Metropolitan Statistical Area compiled by the Office of Federal Housing Enterprise Oversight. The inflator shall be based on the three most recent years for which HPI data are available and shall

be based on an assumption that the city will spend the in lieu fee within three years from the payment date.

(D) The in lieu fee option must be approved by the city council.

(E) The in lieu fee, paid to the city, shall be used for farmland mitigation purposes, with priority given to strategically located lands with prime agricultural soils and high habitat value.

(c) Exclusion of agricultural buffer from mitigation land. The land included within the agricultural buffer required by Section 40A.01.050(c) shall not be included in the calculation for the purposes of determining the amount of land that is required for mitigation.

(d) It is the intent of this article that the city shall work in a coordinated fashion with the habitat conservation objectives of the Yolo County Natural Heritage (NCCP/HCP) program. It is the intent of this article to not allow stacking of easements, except easements covering riparian corridors that may be subject to agricultural and habitat easements and that do not generally exceed five percent of the total area on any particular easement of agricultural mitigation land shall be permitted.

(Ord. 2300 § 1, 2007)

§ 40A.03.040. Comparable soils and water supply.

(a) The remainder agricultural mitigation land shall be comparable in soil quality with the agricultural land whose use is being changed to nonagricultural use.

(b) The agricultural mitigation land shall have adequate water supply to support the historic agricultural use on the land to be converted to nonagricultural use and the water supply on the agricultural mitigation land shall be protected in the farmland conservation easement, the farmland deed restriction or other document evidencing the agricultural mitigation.

(Ord. 2300 § 1, 2007)

§ 40A.03.045. Home sites.

Agricultural mitigation lands shall not be permitted to have a new home site.

(Ord. 2300 § 1, 2007)

§ 40A.03.050. Lands eligible for remainder mitigation.

This section shall only apply to remainder mitigation.

(a) The agricultural mitigation land shall be located within the Davis planning area as shown in the Davis general plan. In making their determination to accept or reject proposed mitigation land, the following factors shall be considered by the city council:

- (1) The lands shall be compatible with the Davis general plan and the general plans of Yolo and Solano counties.
 - (2) The lands shall include agricultural land similar to the acreage, soil capability and water use sought to be changed to nonagricultural use.
 - (3) The lands shall include comparable soil types to that most likely to be lost due to proposed development.
 - (4) The property is not subject to any easements, contamination, or physical conditions that would legally or practicably preclude modification of the property's land use to a nonagricultural use.
 - (5) The easement configuration(s) would be grossly irregular such that it precludes efficient agricultural operation or bisects existing farm irrigation systems and does not protect other natural resources, such as stream corridors.
- (b) The advisory committee shall recommend to the city council acceptance of agricultural mitigation land of twenty acres or more by a qualifying entity and/or the city, except that it may consider accepting smaller parcels if the entire mitigation required for a project is less, or when the agricultural mitigation land is adjacent to larger parcels of agricultural mitigation land already protected. Contiguous parcels shall be preferred.
- (c) Land previously encumbered by a conservation easement of any nature or kind is not eligible to qualify as agricultural mitigation land.
- (Ord. 2300 § 1, 2007)

§ 40A.03.060. Requirements of instruments—Duration.

- (a) To qualify as an instrument encumbering agricultural mitigation land, all owners of the agricultural mitigation land shall execute the instrument.
- (b) The instrument shall be in recordable form and contain an accurate legal description setting forth the description of the agricultural mitigation land.
- (c) The instrument shall prohibit any activity which substantially impairs or diminishes the agricultural productivity of the land, as determined by the advisory committee.
- (d) The instrument shall protect the existing water rights and retain them with the agricultural mitigation land.
- (e) The applicant shall pay an agricultural mitigation fee equal to cover the costs of administering, monitoring and enforcing (including legal defense costs) the instrument in an amount determined by city council. The fee shall include development of a property baseline report and monitoring plan.

(f) The city shall be named a beneficiary under any instrument conveying the interest in the agricultural mitigation land to a qualifying entity.

(g) Interests in agricultural mitigation land shall be held in trust by a qualifying entity and/or the city in perpetuity. Except as provided in subsection (h) of this section, the qualifying entity or the city shall not sell, lease, or convey any interest in agricultural mitigation land which it shall acquire.

(h) If judicial proceedings find that the public interests described in Section 40A.03.010 of this chapter can no longer reasonably be fulfilled as to an interest acquired, the interest in the agricultural mitigation land may be extinguished through sale and the proceeds shall be used to acquire interests in other agricultural mitigation land in Yolo and Solano counties, as approved by the city and provided in this chapter.

(i) If any qualifying entity owning an interest in agricultural mitigation land ceases to exist, the duty to hold, administer, monitor and enforce the interest shall pass to the city.

(j) The instrument conveying the interest in the agricultural mitigation land shall be recorded at the same time as any final map for the development project is recorded or at such other time as required as a condition of approval.

(Ord. 2300 § 1, 2007)

§ 40A.03.070. City of Davis farmland conservation program advisory committee.

(a) The Davis open space and habitat commission shall serve as the Davis farmland conservation advisory committee.

(b) It shall be the duty and responsibility of the open space and habitat commission to exercise the following powers:

- (1) To recommend the areas where mitigation zones would be preferred in the Davis planning area;
- (2) To promote conservation of agricultural land in Yolo and Solano counties by offering information and assistance to landowners and others;
- (3) To recommend tentative approval of mitigation proposals to city council;
- (4) To certify that the agricultural mitigation land meets the requirements of this chapter;
- (5) Any denial from the advisory committee may be appealed to city council.

(c) The open space and habitat commission shall ensure all lands and easements acquired under this article are properly monitored and shall review and monitor the implementation of management and maintenance plans for these lands and easement areas.

(d) All actions of the open space and habitat commission shall be subject to the approval of the Davis city council.

(Ord. 2300 § 1, 2007)

§ 40A.03.080. Reporting.

Periodically, community services department staff shall provide to the advisory committee reports delineating the activities undertaken pursuant to the requirements of this chapter and an assessment of these activities. The report shall list and report on the status of all lands and easements acquired under this chapter.

(Ord. 2300 § 1, 2007; Ord. 2390 § 3, 2012)

ARTICLE 40A.04

VIOLATION

§ 40A.04.010. Violation.

Any person or entity who violates any provision of this chapter shall be deemed guilty of an infraction and, upon conviction thereof, shall be punished by a fine not exceeding the maximum prescribed by law. In addition, any person or entity who violates any provision of Article I of this chapter shall be liable to the transferee of the property for actual damages. In an action to enforce such liability or fine, the prevailing party shall be awarded reasonable attorneys' fees.

(Ord. 1823 § 1)

ARTICLE 40A.05

PRECEDENCE

§ 40A.05.010. Precedence.

This article shall take precedence over all ordinances or parts of ordinances or resolutions or parts of resolutions in conflict herewith.

(Ord. 1823 § 1)

Appendix E: Community engagement

The Agricultural Land Equity Task Force included extensive community outreach and engagement activities throughout their work together to ensure that their final recommendations improve the lives of producers and land stewards that the Task Force was designed to serve.

The Task Force members acknowledge that in order to reach the full depth and diversity within and between communities impacted by land inequities across the state, an extensive and robust process, beyond the capacity of the Task Force members and staff support, would be required. The activities outlined below represent what they accomplished together, which should be built upon in the future.

What was accomplished

More than 400 people were engaged across all outreach activities conducted by the Task Force. The outreach was conducted in English, Spanish, Chinese, and Korean and designed to reach producers and land stewards who have been systemically excluded from land access and secure tenure.

The activities that contributed to this engagement are outlined below.

- 12 counties visited
- 12 Task Force meetings with public comment
- 33 Subcommittee meetings with public comment
- 2 One-on-one meetings with California Native American Tribes
- 10 Written public comment letters, 3 from California Native American Tribes
- 20 Engagement sessions
- 20 Site visits
- 207 Survey respondents (survey text below)
- 24 Invited speakers
- 8 Conferences and tabling events

Outreach and engagement priorities

The Task Force designed their engagement activities with the goal of reaching priority producers and land stewards, as defined in the glossary, with specific attention on the following audiences:

- Federally recognized and non-federally recognized California Native American Tribes and Tribal members stewarding the land.
- Farmers and ranchers that identify as Black, Indigenous, and People of Color (BIPOC).
- Small scale farmers, farmworkers, and other communities who are systemically excluded from land access.

- Farmers and ranchers who speak diverse languages and live in a wide range of geographies in California.

Outreach and engagement plan

The Task Force conducted diverse approaches to outreach and engagement including a digital survey, site visits, guest speakers, engagement sessions, interviews, and public comment. These activities took place in three general phases.

Phase 1 Planning (May 2024 – July 2024) – The Task Force established their commitment to community engagement during their May and July 2024 meetings through the following:

- Created the Community Outreach Subcommittee.
- Conducted their first site visits.
- Directed Staff to develop a community outreach plan and timeline.

Phase 2 Ground truthing (October 2024 – February 2025) – This phase was designed to engage a wide range of priority producers and Tribal land stewards about the barriers and resources needed to improve land access and secure tenure. The Task Force members aimed to build a foundation of understanding in advance of drafting their recommendations through the following:

- Launched the Task Force’s virtual Land Access Experiences Survey in English, Spanish and Chinese.
- Attended site visits and hosted guest speakers.
- Attended and presented at conferences and events.

Phase 3 Recommendations review (March 2025 – September 2025) – This phase focused on gathering input on the consecutive drafts the Task Force published and discussed in their public meetings through the following:

- Hosted producer engagement sessions.
- Hosted Tribal engagement sessions.
- Conducted interviews with technical assistance providers.
- Distributed a formal request for input to federally and non-federally recognized California Native American Tribes.
- Requested written public comment on the August Draft Report
- Continued attending site visits.

Incorporating input

The input received from hundreds of priority producers and land stewards throughout the engagement process was synthesized and shared publicly in summary reports on the Task Force [webpage](#). The Task Force members reviewed these materials in working groups, subcommittees, and during full Task Force meetings to decide how to reflect in their report and draft recommendations the wide range of ideas, priorities, and perspectives shared.

The Task Force also received and incorporated feedback from their advisory committee and from interagency review panel.

Engagement partnerships

To expand capacity beyond that of the Task Force members and support staff, Strategic Growth Council established partnerships with California Native American Tribes and organizations to analyze the survey, host engagement sessions and focus groups, and conduct interviews. The work was implemented and supported as follows:

- California State University Sacramento staff analyzed the Land Access Experiences Survey results.
- UC Agriculture and Natural Resources (UCANR) staff conducted eight focus groups with priority producers and land stewards and nine interviews with organizations that provide support to these groups.
- Task Force members led and supported engagement sessions co-hosted by:
 - Susanville Rancheria, Lassen County
 - Golden Eagle Farm, Mesa Grande Band of Mission Indians, San Diego County
 - Blue Lake Rancheria, Humboldt County
 - Pueblo Unido, Riverside County
 - Kern County Black Farmers Association, Kern County
 - Allensworth Progressive Association
 - African American Farmers of California
 - Resource Conservation District of Greater San Diego County, San Diego County
 - Project MILPA: Mixteco Indigena Community Organizing Project (MICOP), Central Coast Alliance United for a Sustainable Economy (CAUSE), Líderes Campesinas, Ventura County

Land Access Experiences Survey text

Land Access Experiences *Survey for the California Agricultural Land Equity Task Force*

The purpose of this survey is to hear directly from people who are currently working the land or aspire to do so. We'd like to hear about your experiences related to finding, accessing, and managing land for food production or traditional tribal agricultural uses. **All of your personal information will be kept private. The survey will only take about 10 minutes.**

Your responses to this survey will support and inform the work of the California Agricultural Land Equity Task Force (Task Force). The Task Force is drafting a report of recommendations to the Governor and Legislature on how to equitably increase land access for Native American tribes and socially disadvantaged farmers and ranchers in California. Learn more about the Task Force [on the project website](#). The California Strategic Growth Council (SGC) is the state agency that supports and administers the Task Force and is conducting this survey.

The survey is available in English, Spanish, and Chinese. Please reach out to landequity@sgc.ca.gov with any questions or concerns.

Your input is very valuable. Thank you for sharing your experiences with the Task Force!

All questions with an asterisk () are required. All other questions are optional.*

1. *Name:
2. *Email address:
3. *Zip code:
If you have multiple zip codes, enter your primary location.
4. *Do you identify with any of the following? Please select all that apply.
 - a. Aspiring farmer
 - b. Beginning farmer
 - c. Young farmer
 - d. Farmer
 - e. Farmworker
 - f. Gardener
 - g. Grazier
 - h. Land steward
 - i. Rancher (livestock, dairy)
 - j. Other (please explain):

Challenges & Opportunities

5. *What are your major past or present challenges related to land access? Please score the challenges below from 1 to 5. Write "X" if it is not relevant.

Scoring

1 = Not a challenge

2 = Slightly challenging

3 = Moderately challenging

4 = Very challenging

5 = Extremely challenging

X = Not applicable or I don't know

Challenge	Score 1-5
Cost of land	
Accessing financial resources	
Finding suitable land to buy or rent	
Water availability or infrastructure	
When land is sold, I am or have been forced to leave	
Length of lease	
Limitations on what I can do on the land (related to production practices, housing, sovereignty, etc.)	
Other (please explain)	

6. Please share more detail about your responses to question 5. How have these challenges affected you and your relationship to land?
7. *What resources would be most helpful to address your challenges? Please score the topics below based on your needs and experiences. Select "X" if it is not relevant.

1 = Not helpful

2 = Slightly helpful

3 = Moderately helpful

4 = Very helpful

5 = Extremely helpful

X = Not applicable or I don't know

Topic	Score 1-5
Financial support to buy or rent land	
Resources and support available in my preferred language	
Support finding land to buy or rent	
Technical support related to buying or renting land (such as legal questions, permitting, budget, etc.)	
Advanced notice and priority when a land sale happens in my community	
Better leasing terms for tenants	

Fewer limitations on what I can do on the land	
Other (please explain below)	

8. Please share more detail about your responses to question 7. What kinds of support would be most helpful and why?
9. Do you have a success story or positive experience accessing land that you want to share? Can you share 1-3 reasons for your success?

Your Experience with Grants and Loans

10. *Have you applied for a **loan** to support your land, farm, or business? *Some examples may include infrastructure improvements, conservation practices, purchasing land, etc.* Circle your answer.
 - a. Yes, and I was approved.
 - b. Yes, but I was denied.
 - c. No, I have not.
 - d. I don't know
 - e. Other (please explain):
11. *Have you applied for a **grant** to support your land, farm, or business? *Such as infrastructure improvements, conservation practices, purchasing land, etc.*
 - a. Yes, and I was awarded the funding.
 - b. Yes, but I was denied the funding.
 - c. No, I have not.
 - d. I don't know
 - e. Other (please explain):
12. Please list the name(s) of the grants and/ or loans you have applied for. If you don't remember the exact name, tell us which activities it supported. Skip if not applicable.
13. Can we follow up to interview you about your experience applying to grants or loans? *If yes, we will email you with next steps and compensate you for your time. Even if your application was not successful, we are interested in learning about your experience applying.* Circle your answer.
 - a. Yes
 - b. No
 - c. Not applicable
14. If you have not applied for a loan or grant, why not? Skip if not applicable.

More About You (You're Almost Done!)

The Task Force is focused on advancing equitable land access and would value knowing more about your land arrangements and how you identify. These questions are optional, and your personal information will be kept private.

15. Which best describes the land that you work on or steward? Select all that apply.

- a. I don't currently have access to land
 - b. I own land (including fee lands)
 - c. I lease private land
 - d. I lease public land
 - e. I operate on trust land
 - f. Other (please explain):
16. If you do not own the land, how many months total is your land access agreement? *If you have multiple properties with different agreements, please explain. If you have an agreement with no established length, please note that.*
17. How many acres do you manage or steward? If you have multiple properties, please share the combined total.
18. About how many hours per week do you spend working or tending to the land?
19. Do you identify with any of the following? Select all that apply.
- a. Afro-Latino/x/e
 - b. American Indian, Native American, or Alaska Native
 - c. Asian
 - d. Black or African
 - e. Latino/x/e
 - f. Middle Eastern or North African
 - g. Native Hawaiian or Pacific Islander
 - h. White or European
 - i. Do not wish to answer
 - j. Other (explain if you would like to):

Stay in Touch

20. You can learn more and follow the Agricultural Land Equity Task Force [on our website](#). How else would you like to be involved as the Task Force drafts its recommendations? Select all that apply.
- a. Add me to the e-list to receive quarterly email updates.
 - b. I would like to see and/or comment on a copy of the draft recommendations before they are finalized.
 - c. I would like to receive a copy of the final recommendations.
 - d. I am willing to be interviewed about my land access experiences and ideas.
 - e. I do not request any follow up.
 - f. Other (please explain):
21. Thank you for participating! Do you want to share anything else with us? If you are filling out this survey on behalf of someone else, please let us know here.

Appendix F: Ideas for future consideration

- Establish a vacant and abandoned land tax for those holding land for speculative purposes; must be designed carefully to avoid unintended consequences on producers and land stewards.

DRAFT

Appendix G: Existing programs and resources related to agricultural land equity

In addition to developing their report of recommendations, the Task Force compiled a list of existing grant, financing, technical assistance, and other resources related to land access and land equity to serve as a resource for priority producers and land stewards seeking access to land. The resource list and lead agency or organization is below, and further details on each program can be found in this [publicly viewable document](#).

Resource name and link	Lead agency or organization
Borrow Programs	Shared Capital Cooperative
Direct Agriculture Loan Program	Valley Small Business Development Corporation (VSBDC)
Direct Farm Ownership Down Payment Loan	USDA Farm Services Agency (FSA)
Direct Farm Ownership Microloans	USDA Farm Services Agency (FSA)
EZ Guarantee Loan	USDA Farm Services Agency (FSA)
Farm Credit	Farm Credit West (AgWest Farm Credit)
Farm Loans	Small Business Finance Center, California Infrastructure and Economic Development Bank (IBank)
Farm Ownership Loan	USDA Farm Services Agency (FSA)
Heirs Property Relending Program	United States Department of Agriculture (USDA)
Highly Fractionated Indian Land Loan Program	USDA Farm Services Agency (FSA)
Indian Tribal Land Acquisition Program	USDA Farm Services Agency (FSA)
Land Contract Guarantee Program	USDA Farm Services Agency (FSA)
Lending Programs	California FarmLink
Loans for Beginning Farmers and Ranchers	USDA Farm Services Agency (FSA)
Partnerships	Dirt Capital Partners
Programs & Financing	Akiptan
The Work Page	Manzanita Capital
What We Do	The People's Land Fund

<u>Land Conservation and Stewardship Grant Program</u>	Sierra Nevada Conservancy
<u>Agricultural Conservation Easement Program (ACEP)</u>	USDA Natural Resources Conservation Service (NRCS)
<u>Agricultural Land Mitigation Program (ALMP)</u>	California Department of Conservation (DOC) and High-Speed Rail Authority
<u>California Farmland Conservancy Program (CFCP)</u>	California Department of Conservation (DOC)
<u>Conservancy Grants</u>	California State Coastal Conservancy
<u>Ecosystem Restoration on Agricultural Lands (ERAL) Program</u>	Wildlife Conservation Board (WCB)
<u>Increasing Land, Capital, and Market Access Program</u>	USDA Farm Services Agency (FSA)
<u>Legal Reform Grant</u>	Indian Land Tenure Foundation
<u>Multibenefit Land Repurposing Program</u>	California Department of Conservation (DOC)
<u>Native American Agriculture Fund Grants</u>	Native American Agriculture Fund (NAAF)
<u>Rangeland, Grazing Land, and Grassland Protection</u>	Wildlife Conservation Board (WCB)
<u>Resource Commons Initiative</u>	National Black Food and Justice Alliance (NBFJA)
<u>Sustainable Agricultural Lands Conservation Program (SALC)</u>	California Department of Conservation (DOC)
<u>Tribal Nation Grant Fund (TNGF)</u>	California Gambling Control Commission (CGCC)
<u>Tribal Nature-Based Solutions Program</u>	California Natural Resources Agency (CNRA)
<u>Urban Agriculture and Innovative Production Grants</u>	USDA Natural Resources Conservation Service (NRCS)
<u>Urban Agriculture Grant Program</u>	California Department of Food and Agriculture (CDFA)
<u>California Tribal Fund</u>	First Nations Development Institute
<u>Emergency Conservation Program</u>	USDA Farm Services Agency (FSA)
<u>Tribal Capacity Building Pilot Program</u>	Strategic Growth Council

Accredited Land Trust Locator	Land Trust Accreditation Commission (LTAC)
Cooperative Agriculture Agreements	U.S. Fish and Wildlife Service
Livestock Grazing on Public Lands	Bureau of Land Management
Our Initiatives	40 Acre Conservation League
Conservation Reserve Program (CRP) -Transition Incentives Program	United States Department of Agriculture (USDA)
Urban Agriculture Incentive Zones Act	California State Board of Equalization
Williamson Act Program	California Department of Conservation (DOC)
2501 Program: Underserved and Veteran Farmers, Ranchers, and Foresters	United States Department of Agriculture (USDA)
Agrarian Commons	Agrarian Trust
Agreement-Building Services	California FarmLink
California Agriculture Mediation Program	California Department of Food and Agriculture, United States Department of Agriculture
Farm Succession Coordinators	International Farm Transition Network
Farmland Commons Program	The Farmers Land Trust
Focus Areas	The Center for Ethical Land Transition
Our Work	Kitchen Table Advisors
Technical Assistance Program	Intertribal Agriculture Council (IAC)