

Briefing Materials

Prepared for the California Agricultural Land Equity Task Force Meeting on May 9, 2024

The California Agricultural Land Equity Task Force (Task Force) was established in the Budget Act of 2022 ([AB 179](#)) to develop recommendations to equitably increase access to agricultural land for food production and traditional tribal agricultural uses. The Task Force consists of a regionally diverse group of individuals representing socially disadvantaged farmers and ranchers, land trusts, agricultural finance and real estate, and the State of California.

This briefing packet, developed by Strategic Growth Council (SGC) staff, includes two components:

1. A staff report to share information and updates and
2. A list and descriptive overview of existing federal, state, tribal-led or serving, and non-governmental resources that in some way target agricultural land access and/or agricultural land equity.

Table of Contents

Strategic Growth Council Staff Report..... 2
Existing Resources Related to Agricultural Land Access and/or Equity 4
Appendix.....13

Strategic Growth Council Staff Report

To California Agricultural Land Equity Task Force Members

May 9, 2024

California Agricultural Land Equity Task Force Membership Update

The Strategic Growth Council unanimously approved Darlene Franco's appointment to the Task Force on February 28, 2024. Welcome, Darlene!

Strategic Growth Council Staffing Update

SGC is hiring a Legal and Task Force Analyst who will report to the Agricultural Land Equity Program Lead and will split their time evenly between supporting the Agricultural Land Equity and Legal teams at SGC. Task Force members will likely work directly with the Legal and Task Force Analyst to coordinate travel and other meeting logistics. SGC staff will email Task Force members to introduce the new team member once they are on board.

Announcements

In April 2024, the Senate Committee on Agriculture and the Senate Natural Resources and Water Committee voted in favor of [SB 1448](#) which "would authorize the [Strategic Growth] Council, using existing or private funds, to provide public task force members a reasonable per diem allowance, as specified, or at a higher rate authorized by the task force, for each day's attendance at a noticed meeting of the task force. The bill would require the [final] report to be posted on the council's internet website." A recording of the hearing is available in the [Senate media archive](#).

The Racial Equity Commission has hosted three public meetings. You can learn more and register to attend meetings on the [Racial Equity Commission's website](#).

The Strategic Growth Council approved awards for the Tribal Capacity Building Pilot [Program](#) on April 24, 2024.

As part of its Black History Month programming, California Department of Food and Agriculture (CDFA) produced a short video highlighting the Ujamaa Farmer's Collective and the impacts of the Farmer Equity Act. Watch the video on the [CDFA Farm Equity Homepage](#).

CDFA will hold two tribal listening sessions to receive tribal input on the state's definition of "regenerative agriculture" for the purpose of state policy and programs. Contact regenerativeag@cdfa.ca.gov for more information.

The Reparations Task Force is the subject of a new ABC7 Originals documentary, [available on YouTube](#).

There have been several recent news stories about land back projects in California:

- The Nevada City Rancheria Nisenan Tribe is poised to purchase over 200 acres of its traditional homelands. Read more about the effort on the [California Heritage: Indigenous Research Project \(CHIRP\) website](#) and in this [Cap Radio article](#).
- The Yurok Tribe will co-manage 125 acres of ancestral lands in the Redwoods National Forest that has been transferred back to tribal ownership. Find more information in this [Oregon Public Broadcasting video](#).
- The Shingle Springs Band of Miwok Indians has announced the purchase from CalPERS of a 2.39-acre parcel in downtown Sacramento that was home to the ancestral village of Pusúune. Read more from [Fox 40 News](#).

Budget Update

As requested by Task Force members at the February 16, 2024 meeting, each staff report will include a budget update, as below.

Task Force Budget Table

Current as of February 2024.

Category	FY 22-23 expenditures	FY 23-24 expenditures through Feb. 2024	Total budgeted	Total obligated	Total remaining
Personnel (SGC staff)	\$0	\$67,381	\$1,121,689	\$1,121,689	\$0
Operating expenses (travel, facilitator, language access, etc.)	\$91,000	\$1,848	\$833,311	\$264,529	\$475,934
Research and technical assistance	\$0	\$0	\$270,000	\$0	\$270,000
Local assistance (e.g., grants, pilot projects, research)	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Total	\$91,000	\$69,229	\$3,255,000	\$1,386,218	\$1,745,934

Existing Resources Related to Agricultural Land Access in California

Introduction

During the February 16, 2024 meeting, members of the Task Force requested that SGC staff compile a list of existing resources that address agricultural land equity and related issues in California. To meet this directive, SGC staff compiled a list of publicly and privately administered resources in three categories: grants, financing, and technical assistance. SGC staff shared drafts of this work with various interagency and external partners to ensure the outcome was as comprehensive as possible.

The resulting list includes programs and resources administered by non-governmental organizations (NGOs), tribal-led or serving organizations, California state agencies, and U.S. federal agencies that support access, acquisition, conservation, and related activities as they pertain to:

- Agricultural land in California
- California Native American tribal land

The goal was to provide a snapshot of the current resource landscape so that Task Force members can build from there to identify gaps and consider priority areas for improvement. Importantly, not all resources in the resulting list prioritize equity, and those that do, do so in different ways. The “Initial Observations” section below includes a discussion of whether and to what extent different resources are explicitly designed to advance equity.

The full list of 53 resources included in this analysis is in the appendix. Given the complexity of the resource landscape, the list of resources is likely incomplete. For example, while certain grant programs may not explicitly support land access, flexible guidelines can leave room for awardees to implement land-related activities nonetheless. In other words, there are likely additional resources which have been mobilized to support land access projects that are not included in this analysis.

The initial observations below are intended to provide a baseline for discussions among Task Force members and the research can be revised and expanded as the Task Force continues its work. For example, future research could move beyond the framework of grants, financial tools, and technical assistance to include an analysis of how legislation impacts the resources that are available and how and by whom

they are mobilized. Land-use planning and decision making are also influenced by federal environmental legislation and state and local government land use planning and regulations.

Initial Observations

The 53 resources included in this analysis are listed in the appendix. SGC staff are in the process of compiling a matrix with more detail about each resource that will be made publicly available upon completion.

SGC staff synthesized broad observations about the resource landscape, summarized below in three parts. The first section explains two intersecting continuums: equity and access. The second section describes initial observations and broad patterns for each resource category: grants, financing, technical assistance, and “other”. The final section outlines broader state and federal directives that shape the current and future resource landscape.

Resource Continuums

Equity Continuum

This section analyzes the extent to which equity is explicitly prioritized in program descriptions and designs. It is important to acknowledge that even when equity is listed as a goal, there are many factors that may limit resource access and uptake by underserved communities, including eligibility criteria, allowable activities, the funding amount and duration, funding terms (e.g., requiring match funding or providing payment on a reimbursement basis), language access, culturally appropriate assistance from resource providers, ease of navigating the application process, and more. Future research could examine each resource at a more granular level to consider these factors.

The equity continuum, as conceptualized in this initial analysis, identifies the extent to which each resource explicitly considers equity in program design and eligibility criteria. On one end of the equity spectrum are grant programs, technical assistance services, and financial tools that are explicitly designed with the primary goal of serving and meeting the needs of Native American tribes (e.g., the Legal Reform Grant from the Indian Land Tenure Organization) and underserved producers (e.g., grants from the Resource Commons Initiative and National Black Food and Justice Alliance).

On the other end of the spectrum, there are many resources that fund agricultural land access and land conservation for some farmers, but lack structural considerations related to whom these programs will reach and serve. Some of these

programs and resources may work to further entrench land *inequities* by including existing, secure land tenure as an eligibility requirement (e.g., Agricultural Land Mitigation Program from the California Department of Conservation), or by establishing support mechanisms designed around existing landownership (e.g., U.S. Bureau of Land Management’s Livestock Grazing on Public Lands program).

Many resources include equity as a secondary goal and therefore fall somewhere in the middle of the equity-focused spectrum. The Sustainable Agricultural Lands Conservation Program (SALC), for example, has gone through several rounds of listening sessions and guideline updates to include set asides and funding targets for underserved communities and California Native American tribes, among other revisions, to increase program access for priority populations.

Access Continuum

The second continuum considers the extent to which these resources aim to make direct changes to agricultural land access and tenure or improve long-term availability of farmland through conservation. One end of the spectrum includes resources that fund activities directly related to agricultural land access, tenure, or conservation. Some examples include resources that fund land acquisition and easements (e.g., California Department of Conservation’s California Farmland Conservancy Program), move farm transition into new hands (e.g., The Center for Ethical Land Transition), or provide necessary financial tools (e.g., Dirt Capital). These resources aim to result in concrete, material changes to land through limiting development rights, shifting ownership, or updating tenure arrangements. In the grant context, these can be referred to as implementation grants.

The other end of the spectrum includes resources that support planning or capacity building efforts necessary for future land access or conservation but do not explicitly fund activities related to farmland ownership or availability. Technical assistance resources fall on this end of the spectrum in many cases, such as the Intertribal Agriculture Council’s Technical Assistance Program. The Indian Land Tenure Foundation’s Legal Reform Grant is another example of a capacity building resource as it supports projects that focus on legal or policy reform related to improving tribal control of land.

In the middle of the access continuum are grant programs and technical assistance services that support a combination of both planning and implementation (e.g., Multibenefit Land Repurposing Program, California Department of Conservation). The center of the spectrum also includes financial incentives or other programs that aim to support material changes to land ownership, tenure, or availability but do not

guarantee it. For example, the United State Department of Agriculture’s Conservation Reserve Program – Transition Incentives Program provides additional payments to landowners who voluntarily decide to sell or lease to beginning, veteran, or socially disadvantaged farmers and ranchers.

The equity and access continuums are important to acknowledge as Task Force members begin to consider the overall impact of the current resource landscape, the possible gaps, and what additions or changes would be needed to achieve more equitable land access patterns and tenure across California.

Overview of Resource Types

This section provides a more detailed overview of the resources organized by type: grants, financing, technical assistance, and “other”. The details included below cover the distribution of resources by public and private entities, the portion of resources that target equity, and patterns in program objectives and eligibility.

Grants (19 total)

The large majority (16) of grants included in the analysis are administered by the state and federal governments. Nine of these public agency resources focus on protecting and preserving private and public agricultural lands through conservation easements (e.g., Sustainable Agricultural Lands Conservation Program).

Two state grants and one federal grant were designed to reach and resource underserved populations exclusively. Two examples include the Tribal Nature-Based Solutions Program (California Natural Resources Agency), which funds California Native American tribes and tribally led entities, and the Increasing Land, Capital, and Market Access grant program (United States Department of Agriculture) supports projects that focus on undeserved producers. Both of these programs are new and have one-time funding only.

Nine of the 12 California state agency grants include set asides or give priority to applicants whose projects reach California Native American tribes and/or disadvantaged communities.

Three grants are administered through non-governmental organizations (NGOs), two of which focus on serving Native American tribes. All three of these center equity in their design and move resources directly into the hands of groups who have been dispossessed of land.

Of the 19 grants included in the full resource list, 17 include Native American tribes as eligible applicants. Three of these 17 limit eligibility by requiring a tribal nation to be Federally Recognized, or a co-applicant with a 501(c)3 or government agency.

Only 3 of the 19 grants are designed to fund farmers and farm businesses directly. Most of these grants require funding to be passed through a nonprofit or local government.

Notable Gaps in Grants:

The benefits of conservation and agriculture easements are often not felt by small, underserved farmers with insecure land tenure. One reason is because the easement process typically involves public or private landowners with significant amounts of land, a land trust or other land holding non-profit, and public agencies.

There are only two grants that focus on urban agriculture and fund land access as a subset of other activities. There are no grants that fund land access for indoor agriculture, which intersects with urban agriculture and may become more of a need in desert regions where temperatures can be too high to grow outdoors.

There are no grants at the state level that take a holistic approach like that of USDA's Increasing Land, Capital, Market Access grant program, which funds agricultural land conservation, access, and equity.

Financing (18 total)

Ten loans in this category are provided through the USDA Farm Services Agency (FSA). Many of these target priority populations, including veteran, beginning, small, and/or socially disadvantaged communities, in their descriptions. However, social and financial barriers remain for underserved producers to successfully access these resources. Eligibility criteria, such as proof of secure land access and/or collateral, direct farm management experience, and multiple years of farming business records, often prevent underserved farmers from accessing loans. For USDA loans, undocumented farmers are ineligible.

The remaining eight resources in this category include financing and lending offered by private or nonprofit organizations. Six of these organizations aim to offer culturally informed, accessible options at lower lending rates than government programs and focus on serving farmers of color (Manzanita Capital), clients with cooperative governance models (Shared Capital Cooperative), and Native American tribes in and outside of California (Akiptan).

Of the 18 total resources in this list, the majority allow financing to be spent on land purchase, and four resources pair technical assistance with financial support.

Notable Gaps in Financing:

The high cost of land in California can make it impossible to afford a down payment or portion of the purchase price, even with a loan to cover the rest. USDA's Direct Farm Ownership Down Payment Loan targets disadvantaged communities and beginning and veteran farmers, but only covers 45% of the purchase price or \$300,000, whichever is less.

Technical Assistance (16 total)

In contrast to the previous two categories, all but four technical assistance (TA) resources are administered through NGOs and tribal-led or serving organizations rather than public agencies. These programs support the development of community-based land ownership structures (The Farmers Land Trust), farmers' access to land and capital (Kitchen Table Advisors), meeting the unique needs of Native American tribes (First Nations Development Institute) and agreement-building services (California FarmLink).

Eleven of the 12 NGO-provided technical assistance resources have an equity component and aim to connect underserved populations with resources. For example, the Intertribal Agriculture Council increases access for Native American tribes to USDA programs in various ways and Agrarian Trust prioritize racial equity and the just transition of land in their work to foster community ownership of farmland.

Two of four state and federal TA programs have an explicit focus on equity (e.g., Tribal Capacity Building Pilot Program and the 2501 Program: Underserved and Veteran Farmers, Ranchers, and Foresters). Neither program exclusively focuses on land access; however, both fund activities to expand priority populations' access to resources, plan projects, pay for staff time, and more.

Regarding eligibility, almost all TA resources offer support directly to farmers and Native American tribes, which is in contrast to the grant programs which often direct funding towards intermediary organizations first that then further distribute resources.

Notable Gaps in Technical Assistance:

The strength of non-governmental and tribal-led or serving organizations in this section highlights the gap in public technical assistance programs related to land access. There are dozens of technical assistance providers within state and federal

agencies who work directly with farmers on essential issues including climate resilience, language access to public resources, business advising and more. However, there is a notable lack of technical assistance within these public institutions that focuses more specifically on land access challenges and solutions for small and underserved farmers and ranchers.

Other Resources (7 total)

There are seven other resources listed in the appendix that shape agricultural land access and/or equity but do not fit neatly into the three previous categories. These resources include different mechanisms that incentivize landowners to rent or sell land to priority populations and urban farmers (e.g., Urban Agriculture Incentive Zones, administered by the California State Board of Equalization). This category also includes land trusts, which typically hold large swaths of land and are eligible applicants for many public funding opportunities. There are also two resources in this category that make publicly owned land directly available to land stewards under certain terms (e.g., Livestock Grazing on Public Lands, Bureau of Land Management and Cooperative Agriculture Agreements, U.S. Fish and Wildlife Service).

Two of the resources in this category are designed to benefit underserved farmers. One notable example is the 40 Acres Conservation League, which is a Black-led nonprofit working to purchase and protect more than 25,000 acres of land by 2030 for farmer training and recreation. The remaining five programs, however, largely benefit existing landowners; while they may preserve essential farmland resources or open up more land for food production, equity is not an explicit goal of the program (e.g., Williamson Act Program).

Notable Gaps in Other Resources:

There are only two programs in this resource list that enable private use of public lands. This mechanism could be explored further.

One resource that is outside the scope of California's resource landscape but could serve as a model is the [Beginning Farmer Tax Credit from the Minnesota State Department of Agriculture](#), which provides state tax credits to landlords who rent or sell farmland, equipment, livestock, and other agricultural assets to beginning farmers.

Much like the tax credit program just describes, the tax credit programs listed in this "Other Resources" section are designed to benefit the existing landowners. No

tax credits related to land tenure and access were discovered in this research that directly, financially benefit underserved producers or farmer tenants.

Broader Context

In recent years, several directives at the state and federal levels have initiated new and ongoing conversations that promise to shape the equity goals and outcomes of programs in the resource landscape into the future.

At the state level, recent bills and executive orders have established several new bodies, including the [California Agricultural Land Equity Task Force](#), the [California Truth and Healing Council](#), the [Reparations Task Force](#), the [Commission on the State of Hate](#), and the [Racial Equity Commission](#). These bodies have a variety of mandates and reporting structures, but collectively generate new considerations and mechanisms to address racial equity within the State.

In addition, recent legislation and directives, such as [CDFA's Racial Equity Action Plan](#), Governor Newsom's [Statement of Administration Policy on Native American Ancestral Lands](#), and [30x30 California](#), require agencies to prioritize equity and justice in the distribution of state resources, programs, and services.

At the federal level, recent directives like the [White House Memo on ITEK \(Indigenous Traditional Ecological Knowledge\)](#) and the USDA Forest Service's [Strengthening Tribal Consultations and Nation-To-Nation Relationships Action Plan](#) demonstrate evolving approaches to the U.S.'s relationship with Native American Tribes.

These and similar commitments are reflected in the programs and practices captured in this report and will continue to shape what happens moving forward. They are therefore critical reference points for understanding the current landscape, evolving priorities, and future possibilities.

At the same time, existing legislation and legal frameworks play a critical role in whether and how these commitments are actualized. An important example is [California Proposition 209 \("Prop 209"\)](#), passed by voters in 1996, which "eliminate[s] state and local government affirmative action programs in the areas of public employment, public education, and public contracting to the extent these programs involve 'preferential treatment' based on race, sex, color, ethnicity, or national origin." This has a direct impact on grant program guidelines because it prohibits prioritization for funding based on race, ethnicity, or gender.

However, recent legislation such as [AB 32](#) (Chapter 488, Statutes of 2006) and [SB 32](#) (Chapter 249, Statutes of 2016) require state agencies to establish funding targets for low-income communities and households and/or disadvantaged communities (DACs), as specified in [CalEnviroScreen](#). For example, 35 percent of all projects funded through [California Climate Investments \(CCI\)](#) should be located within and benefiting residents of disadvantaged communities, low-income communities, and low-income households across California.

The complex landscape of policies and directives that govern the distribution of public resources leads to shifting legal interpretations that impact program guidelines. For example, the question of how to mobilize the category of “socially disadvantaged farmers and ranchers” (as defined in AB 1348) in relation to Prop 209’s prohibition of “preferential treatment” based on race, ethnicity, or gender creates challenges for program design and implementation, which in turn may influence program outcomes.

A few agencies have instituted new practices or platforms intended to increase program access by under-resourced communities. For example, the California Department of Housing and Community Development (HCD) created a [Multifamily Finance Super NOFA](#) to “streamline four of HCD’s rental housing programs to align eligibility criteria, scoring, and release of funds allowing for a coordinate single application and award process.” This simplified process reduces workload for applicants. Additional strategies and recommendations are shared in [CivicWell’s “Better Funding” report](#).

Appendix

List of Resources Addressing Agricultural Land Access and/or Equity in California

Note: This list of resources is for informational purposes only and does not reflect an endorsement by or coordination with the State of California.

Grants

State of California

- [Agricultural Land Mitigation Program](#), Department of Conservation (DOC) and High Speed Rail Authority (limited to Fresno, Madera, Merced, Kern, Kings, and Tulare counties)
- [California Farmland Conservancy Program, \(CFCP\)](#), DOC
- [California State Coastal Conservancy Grants](#), California Natural Resources Agency (CNRA)
- [Ecosystem Restoration and Agricultural Lands](#), Wildlife Conservation Board (WCB)
- [Multibenefit Land Repurposing Program](#), DOC (limited to Sustainable Groundwater Management Act priority regions)
- [Rangeland, Grazing Land, and Grassland Protection](#), WCB
- [Sustainable Agricultural Lands Conservation \(SALC\) Program](#), DOC and Strategic Growth Council (SGC)
- [Tribal Nation Grant Fund](#), California Gaming Control Commission
- [Tribal Nature-Based Solutions Program](#), CNRA
- [Urban Agriculture Grant Program](#), California Department of Food and Agriculture (CDFA)
- [Strategic Land Conservation Directed Grant Program](#), Sierra Nevada Conservancy (Sierra-Cascade region)

Federal Government

- [Agriculture Conservation Easement Program \(ACEP\)](#), U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS)
- [Emergency Conservation Program](#), USDA Farm Services Agency (FSA)
- [Increasing Land, Capital, and Market Access Program](#), USDA FSA
- [Urban Agriculture and Innovative Production Grants](#), USDA NRCS

Non-Governmental and Tribal-Led or Serving Organizations

- [California Tribal Fund](#), First Nations Development Institute (CA and Western U.S.)
- [Legal Reform Grant](#), Indian Land Tenure Foundation (U.S.)
- [Resource Commons Initiative](#), National Black Food and Justice Alliance (NBFJA; U.S.)

Financing

State of California

- [Farm Loans](#), Small Business Finance Center, California Infrastructure and Economic Development Bank (IBank)

Federal Government

- [Direct Farm Ownership Downpayment Loan](#), U.S. Department of Agriculture (USDA) Farm Service Agency (FSA)
- [Direct Farm Ownership Microloans](#), USDA FSA
- [EZ Guarantee Loan](#), USDA FSA
- [Farm Ownership Loan](#), USDA FSA
- [Heirs Property Relending Program](#), USDA
- [Highly Fractionated Indian Land Program](#), USDA FSA
- [Indian Tribal Land Acquisition Program](#), USDA FSA
- [Land Contract Guarantee Program](#), USDA FSA (note: this program has not been used in CA)
- [Loans for Beginning Farmers and Ranchers](#), USDA FSA

Non-Governmental and Tribal-Led or Serving Organizations

- [Borrow Programs](#), Shared Capital Cooperative (U.S.)
- [Direct Agriculture Loan Program](#), Valley Small Business Development Corporation (VSBDC; Fresno, Kern, Kings, Madera, Mariposa, Merced Tulare counties)
- [Dirt Capital Partners](#) (U.S.)
- [Farm Credit](#), Farm Credit West (AgWest Farm Credit; Western U.S.)
- [Lending Programs](#), California FarmLink (CA)
- [Manzanita Capital Collective \(CA\)](#)
- [Programs and Financing](#), Akiptan (U.S.)
- [The People's Land Fund \(CA\)](#)

Technical Assistance

State of California

- [California Agriculture Mediation Program](#), California Department of Food and Agriculture (CDFA) and U.S. Department of Agriculture (USDA)
- [Tribal Capacity Building Pilot Program](#), Strategic Growth Council

Federal Government

- [2501 Program: Underserved and Veteran Farmers, Ranchers, and Foresters](#), U.S. Department of Agriculture (USDA)

Non-Governmental and Tribal-Led or Serving Organizations

- [Agrarian Trust](#) (U.S.)
- [Agreement Building Services](#), California FarmLink (CA)
- [California Tribal Fund](#), First Nations Development Institute (CA and Western U.S.)
- [Dirt Capital Partners](#) (U.S.)
- [Farm Succession Coordinators](#), International Farm Transition Network (U.S.)
- [Farmland Commons Program](#), The Farmers Land Trust (U.S.)
- [Kitchen Table Advisors](#) (CA)
- [Manzanita Capital Collective \(CA\)](#)
- [Programs and Financing](#), Akiptan (U.S.)
- [Technical Assistance Program](#), Intertribal Agriculture Council (U.S.)
- [The Center for Ethical Land Transition](#) (CA)
- [The People's Land Fund \(CA\)](#)

Other Resources

State of California

- [Williamson Act Program](#), California Department of Conservation (DOC)
- [Urban Agriculture Incentive Zones Act](#), California State Board of Equalization (on regional basis)

Federal Government

- [Conservation Reserve Program - Transition Incentives Program](#), U.S. Department of Agriculture (USDA)
- [Cooperative Agriculture Agreements](#), U.S. Fish and Wildlife Service
- [Livestock Grazing on Public Lands](#), U.S. Bureau of Land Management

Non-Governmental and Tribal-Led or Serving Organizations

- [40 Acres Conservation League](#) (CA)

- [Accredited Land Trust Locator](#), Land Trust Accreditation Commission (U.S.)