FRAMEWORK FOR AGRICULTURAL LAND STEWARDSHIP PLANNING

"...'Agricultural land stewardship' means farm and ranch landowners—the stewards of the state's agricultural land—producing public environmental benefits in conjunction with the food and fiber they have historically provided while keeping land in private ownership." — California Water Plan Update 2005, Agricultural Land RMS.

Agricultural Land Stewardship (ALS) Planning can provide an integrated and collaborative approach for addressing impacts associated with the use of farmland for project purposes and the conversion of farmland to different uses, especially uses that continue an open space use of the land.

The Agricultural Land Stewardship Framework and Tool box Strategies encourage the exploration of a voluntary framework that engages project proponents and other interested parties to pursue solutions that are based on the following fundamental premises:

- provide the environmental and habitat benefits that are part of the project
- are consistent with state and regional polices
- keep farmers on the land
- maintain agricultural and economic viability in the area where the project is located
- support the stability of local governments and special districts

This Framework looks at the following ways of using the Tool Box of ALS Strategies

A. Incorporate Tool Box of ALS Strategies into planning processes

B. Develop Agricultural Land Stewardship Plans for projects

FRAMEWORK FOR AGRICULTURAL LAND STEWARDSHIP PLANNING

A. Incorporate Tool Box of ALS Strategies into planning processes

A comprehensive set of ALS strategies can help develop informed agricultural land stewardship activities at three levels: landscape, regional and project. Some of the ALS strategies clearly apply to only one of these levels. Others may apply to two or even all of the levels. An example of how the strategies might be grouped based on these levels is attached as Attachment 1.

Early consideration, support, and funding of landscape and regional level ALS Strategies will help develop a culture of cooperation, collaboration, and recognition of the value of agriculture in California, especially in areas, such as the Delta, which are recognized as unique. This will aid in establishing a foundation of understanding that will assist in project planning. Funding can come from a variety of sources, including project funding and bond programs (see Strategy 24). Assuming there is adequate funding, implementation of an ALS Strategy could be carried out with regard to one or more of three different kinds of activities – project planning, environmental mitigation and/or other assistance (see Strategy 25). An example of how the strategies could be grouped based on who might pay for implementing them is attached as Attachment 2.

Landscape Level: Basic to understanding impacts of projects on agricultural resources is baseline information on crop patterns and other land uses, agricultural commodity and market trends, agriculture and transportation infrastructure, and manpower needs; as well as modeling and analysis of this data to support development of strategies to maintain a viable agricultural economy in a particular area. This information can help provide a more effective assessment of impacts that may result from ongoing and potential ecosystem restoration and flood protection actions, and can help support strategic investment decision making.

Regional Level: Regional agricultural planning, based on the analyses gained from the landscape planning describe above can be developed to prioritize and guide planning and investment of funding to preserve and enhance agriculture in a particular area. To the extent that there is regional conservation planning, it can provide a basis for informing the development of ecosystem restoration projects and ensure that best available science and adaptive management are foundational to a long term restoration program. The overlap of these planning processes can provide an element that fully considers the agricultural systems that the restoration will impact or replace. This will ensure that to the greatest extent practical, restoration efforts will avoid, minimize or mitigate impacts to agricultural operations. Additionally, incorporating better understanding of agricultural systems is likely result in more effective restoration efforts and overall cost and time savings.
**Project Level:** An Agricultural Land Stewardship Plan (ALSP) can provide an integrated and collaborative framework for addressing the use of farmland for project purposes and the conversion of farmland to different uses, especially uses that continue an open space use of the land. It goes beyond the mandatory California Environmental Policy Act requirements and considers both economic and environmental impacts of a project. Development of an ALSP should involve the local community in the planning process for the project along with local, state and federal agencies. At its core is involvement of the landowner and the county where the property is located, recognizing that local interests have unique and specialized knowledge. The Agricultural Land Stewardship Plan is discussed in more detail in Section B below.

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**B. Develop Agricultural Land Stewardship Plans for projects**

Normally a draft ALSP would be provided to the public at the same time as draft CEQA/NEPA environmental documents, but not later than construction or implementation of a project. To the extent they apply, the strategies of the Tool Box of Potential ALS Strategies should be considered in developing the ASLP. However, not all of the strategies will apply to a specific project. In fact, some of the strategies may provide different approaches that are not compatible.

The primary responsibility for preparing and implementing an ALSP lies with the project proponent. As discussed in Section A on planning, entities such as the local counties, the Delta Conservancy and the Delta Protection Commission may want to consider developing a regional agricultural and restoration plans which could help identify places where special attention should be given to preserving agricultural land for a variety of reasons, including that it is in the path of development; it is unique; or that it is critical to preserving important infrastructure. If a farmer is involved in carrying out the project, a more specific agreement may be needed that sets forth the responsibilities of the farmer. Part of this agreement may be a requirement that the farmer propose and carry out more specific implementing agricultural land stewardship measures.

Development of an ALSP should occur during the planning process of a project and should involve the local community along with local, state and federal agencies. Involvement of the landowner and the county where the property is located is particularly important and recognizes that local interests have unique and specialized knowledge of the region. In addition to the landowner and/or farmers affected, at a minimum, the following organizations or types of organizations should also be consulted:

- Local government, SACOG and other councils of government
- Federal and state resource and regulatory agencies
- Organizations with a regional interest such as the Delta Conservancy, the Delta Protection Commission and the Delta Stewardship Council
- Resource Conservation Districts
- Local colleges and universities, including the Agricultural Extension Service
- Local labor and farm worker organizations
- Local economic development corporations
- NGOs representing farmers
- NGOs representing entities that promote habitat protection and restoration activities.

The basic components of an ALSP could include the following:

1. Promote Agricultural Productivity of Farmland
   a. Early Planning (Strategies 3a, 9a, 19a, 19b, and 19c)
      i. Identify existing land uses and relation to other planning efforts
      ii. Identify how a proposed project can be part of or complement existing land uses, including agricultural use; flood management; mitigation and enhancement of aquatic and terrestrial habitat; recreation; and tourism
      iii. Establish a public advisor position to serve as an information source for those wanting to more about a proposed project (23a)
   b. Site-Related Avoidance and Mitigation (Strategy 3a)
      i. Try to avoid impacting agricultural lands (especially those identified as prime, unique, high value or important for the viability of local agriculture)
      ii. Give priority to appropriate public lands and existing conservation lands
      iii. Develop measures to reduce conflict between agriculture and nearby habitat lands by implementing good neighbor policies such as managing project lands to avoid impacts, establishing buffer zones, and developing compensation funds and agreements that protect landowners from endangered species liabilities (Strategies 6c and 7)
   c. Mitigate On-site (Strategy 3a and 6c)
      i. Design the project to optimize contiguous parcels for farming
      ii. Plan the project so that farming can continue during and after the project as much as possible
iii. Provide alternate access for roads, drainage and irrigation if existing access is disturbed.
iv. Save and reuse soil removed for project purposes

d. Consult with farmers on the role they wish to take, if any (Strategy 3b)
   i. Develop working landscapes where possible
   ii. Keep project land in private hands where possible and make local government whole (Strategies 9c and 11)
   iii. Compensate farmers to help manage project lands (Strategies 13 and 17)
   iv. Partner with landowners and others to maintain and enhance environmental quality on farmland (Strategy 12)
v. Manage land for purposes other than conventional crop production (Strategy 15 and 16)
vi. Provide incentives to take part in market based conservation programs (Strategy 14)
e. Ways to track Implementation (Strategy 3a)
   i. Provide a framework for adaptive management with regard to agricultural land
   ii. Provide a plan for reporting and monitoring to show that the actions agreed to in the ALSP are being carried out.

2. Minimize Impacts on Williamson Act Lands (Strategy 3a)
   a. Make sure that proper notice and findings are made
   b. Work with counties where Williamson Act land is located to expand Williamson Act authorized uses to include open space/habitat lands in Williamson Act Preserves (Strategy 9b)

3. Mitigation Under CEQA/NEPA for Conversion of Farmland (Strategy 3c)
   a. Baseline - Determine the basis for mitigation
      i. Prime agricultural land, unique farmland or farmland of statewide significance
      ii. Farmland of local significance and grazing land
      iii. Temporary conversion
   b. Off-Site Terrestrial Resources
      i. Determine whether agricultural land preserved for terrestrial species preservation or mitigation can count for agricultural land preservation (Strategy 11)
   c. Determining Mitigation for CEQA/NEPA Impacts
      i. Determine appropriate ratio for mitigation lands for agricultural conversion (Strategy 11)
      ii. Decide whether to use conventional mitigation that relies entirely on purchase of easements in the path of development or use an optional approach that can use a mix of conventional mitigation and other programs that will benefit agricultural activity in the area affected. (Can include most of the Strategies, especially 1, 1b, 1c, 2, 6a, 6b, 11, 12, 14, )

4. Mitigation for Social/Economic Impacts (Strategy 3c)
   a. Work with others to find funding to mitigate for social and economic impacts not mitigated through CEQA/NEPA. Possible sources include establishing a greenhouse gas offset market using credits created through the development and restoration of wetlands; using "Cap and Trade" program funds, reinstating state funding for California Land Conservation Act subventions; recommending funds to be included in any bond measure; and others.(Strategies 8, 15, 16, 18-25)

Samples of proposed or actual ASLPs can be found on the ALS website at https://AgriculturalLandStewardship.water.ca.gov/
Strategy 9b: Work with counties to expand Williamson Act authorized uses to include open space/habitat lands in Williamson Act Preserves

Strategy 9c: Investigate options for in lieu tax revenue for counties and payments for special districts

Strategy 16: Assist landowners to produce and sell greenhouse gas offset credits in the AB 32 Cap-and-Trade program

Strategy 19a: Develop an historic and current land use study in order to better plan future land use

Strategy 24: Work with others to identify bond or other funding to help sustain vital Delta economy (under development)

Strategy 25: Develop a fund (or funds) and governance system to allocate money designated for mitigation of impacts to agriculture and/or for sustaining a vital Delta economy (under development)

Strategy 23a: Project proponents could establish a public advisor position to serve as an information source for those wanting to more about a proposed project (under development)

Strategies related to Regional Planning

Strategy 1: Improve flood management

Strategy 1a: Enhance programs that protect Delta agriculture from flood damage

Strategy 1b: Help farmers comply with FEMA flood regulations

Strategy 1c: Help with local flood response efforts (under development)

Strategy 2: Maintain or improve on-farm agricultural productivity, including assisting with water quality regulatory compliance

Strategy 6a: Reinvigorate Delta County Weed Management Areas

Strategy 6b: Prioritize invasive weeds for Delta-wide control

Strategy 7: Reduce conflict between agriculture and nearby habitat lands by adopting a "good neighbor" policy

Strategy 11: Provide for agricultural conservation easements

Strategy 12: Partner with others to maintain and enhance environmental quality on farmland

Strategy 14: Provide incentives for farmers to take part in a market based conservation program

Strategy 15: Provide incentives to stabilize or reverse land subsidence on Delta islands

Strategy 18: Designate carbon sequestration and subsidence reversal crops as agricultural production for regulatory and incentive programs (under development)

Strategy 19b: Evaluate assistance needed to improve infrastructure related to Delta agriculture

Strategy 19c: Develop a plan for protection and restoration of habitat areas that takes into consideration vitality of agricultural economy (under development)

Strategy 20: Promote economic development

Strategy 21: Improve transportation infrastructure

Strategy 22: Assist farmers who want to manage their land to incorporate recreation and tourism

Strategy 23b: Farmbudsman – Help farmers navigate regulatory requirements for farm activities.

Strategy 23c: Work with others to better align regulatory processes to expedite wildlife friendly agriculture

Strategies related to Project Planning

Strategy 3: Project Planning (under development)

Strategy 3a: Early project planning to avoid use of agricultural land

Strategy 3b: Involve farmers and local community in project planning

Strategy 3c: Determine mitigation or assistance, as appropriate for environmental and social/economic impacts of projects

Strategy 6c: Encourage use of weed-free construction materials

Strategy 7: Reduce conflict between agriculture and nearby habitat lands by adopting a "good neighbor" policy

Strategy 11: Provide for agricultural conservation easements

Strategy 13: Compensate farmers to manage agricultural land as habitat for wildlife
**Strategy 17**: Compensate farmers to manage habitat lands

**Attachment 2**

ALS Strategies arranged by who pays

Strategies that can be part of project development

- **Strategy 3**: Project Planning (under development)
  - **Strategy 3a**: Early project planning to avoid use of agricultural land
  - **Strategy 3b**: Involve farmers and local community in project planning
  - **Strategy 3c**: Determine mitigation or assistance, as appropriate for environmental and social/economic impacts of projects

- **Strategy 6c**: Encourage use of weed-free construction materials

- **Strategy 7**: Reduce conflict between agriculture and nearby habitat lands by adopting a "good neighbor" policy

- **Strategy 9a**: Explore relationship between project and county planning activities (under development)

- **Strategy 11**: Provide for agricultural conservation easements

- **Strategy 12**: Partner with others to maintain and enhance environmental quality on farmland

- **Strategy 14**: Provide incentives for farmers to take part in a market-based conservation program

- **Strategy 13**: Compensate farmers to manage agricultural land as habitat for wildlife

- **Strategy 17**: Compensate farmers to manage habitat lands

- **Strategy 23a**: Project proponents could establish a public advisor position to serve as an information source for those wanting to more about a proposed project (under development)

Strategies that can be funded by environmental mitigation or vital agricultural economy funds

- **Strategy 1**: Improve flood management
  - **Strategy 1a**: Enhance programs that protect Delta agriculture from flood damage
  - **Strategy 1b**: Help farmers comply with FEMA flood regulations
  - **Strategy 1c**: Help with local flood response efforts (under development)

- **Strategy 2**: Maintain or improve on-farm agricultural productivity, including assisting with water quality regulatory compliance

- **Strategy 6a**: Reinvigorate Delta County Weed Management Areas

- **Strategy 6b**: Prioritize invasive weeds for Delta-wide control

- **Strategy 15**: Provide incentives to stabilize or reverse land subsidence on Delta islands

- **Strategy 19a**: Develop an historic and current land use study in order to better plan future land use

- **Strategy 19b**: Evaluate assistance needed to improve infrastructure related to Delta agriculture

- **Strategy 20**: Promote economic development

- **Strategy 21**: Improve transportation infrastructure (under development)

- **Strategy 22**: Assist farmers who want to manage their land to incorporate recreation and tourism

- **Strategy 23b**: Farmbudsman - Help farmers navigate regulatory requirements for farm activities.

- **Strategy 23c**: Work with others to better align regulatory processes to expedite wildlife friendly agriculture

- **Strategy 25**: Develop a fund (or funds) and governance system to allocate money designated for mitigation of impacts to agriculture and/or for sustaining a vital Delta economy (under development)

Strategies that can be part of maintaining a vital agricultural economy

- **Strategy 8**: Work with other interests to explore the value of reinstating state funding of Williamson Act subventions
Strategy 9b: Work with counties to expand Williamson Act authorized uses to include open space/habitat lands in Williamson Act Preserves

Strategy 9c: Investigate options for in lieu tax revenue for counties and payments for special districts

Strategy 16: Assist landowners to produce and sell greenhouse gas offset credits in the AB 32 Cap-and-Trade program

Strategy 18: Designate carbon sequestration and subsidence reversal crops as agricultural production for regulatory and incentive programs (under development)

Strategy 19c: Develop a plan for protection and restoration of habitat areas that takes into consideration vitality of agricultural economy (under development)

Strategy 24: Work with others to identify bond or other funding to help sustain vital Delta economy (under development)

[1] The terms “farmland” or “agricultural land” are generally interchangeable throughout this paper. The term “agriculture” is a broader term and includes the related effects on Delta farm workers, tenant farmers, and farmland owners and the economic impacts on the companies and individuals who provide productive inputs to Delta farmers, and on those who transport, process, store, and market the output of Delta farms. Farmer is used as a generic term that includes farmers, ranchers, landowners, or tenants if they are currently farming the land (or could farm the land) and want to continue managing the land whether or not it is used for project purposes. The approach suggested in this framework would not prohibit farmers from selling or leasing their land for project purposes if they do not want to continue to farm the land themselves.