



AG + OPEN SPACE
SONOMA COUNTY

JOINT MEETING OF THE AG + OPEN SPACE
FISCAL OVERSIGHT COMMISSION AND ADVISORY COMMITTEE

SPECIAL MEETING AGENDA

December 14, 2023 | 5:00 pm

COMMITTEE MEMBERS PLEASE CALL IF UNABLE TO ATTEND

MEMBERS OF THE PUBLIC MAY PARTICIPATE VIA ZOOM OR IN PERSON

The December 14, 2023 Joint Meeting of the Sonoma County Ag + Open Space Fiscal Oversight Commission and Advisory Committee meeting will be held in person at Finley Community Center located at 2060 West College Avenue Santa Rosa, CA 95401. The public may also participate virtually through Zoom.

Members of the public can watch or listen to the meeting using one of the two following methods:

1. **Zoom:** Join the Zoom meeting on your computer, tablet or smartphone by clicking: <https://sonomacounty.zoom.us/j/98316944769?pwd=MURud1o3TDV RWStOSEF5Z25MdElzdz09>

If you have the Zoom app or web client, join the meeting using the Password: 778144
Call in to meeting: Dial 1 669 900 9128. Enter meeting ID: 983 1694 4769

2. **In Person:** Members of the public may attend in person at the Finley Community Center office at 2060 West College Avenue, Santa Rosa, CA 95401 in Room 4.

PUBLIC COMMENT DURING THE MEETING: You may email public comment to Michelle.Nozzari@sonoma-county.org. All emailed public comments will be forwarded to all Committee Members and read aloud for the benefit of the public. Please include your name and the relevant agenda item number to which your comment refers. In addition, if you have joined as a member of the public through the Zoom link or by calling in, there will be specific points throughout the meeting during which live public comment may be made via Zoom and phone.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation or an alternative format to assist you in observing and commenting on this meeting, please contact Michelle Nozzari by email to Michelle.Nozzari@sonoma-county.org by 12:00pm Wednesday, December 13, 2023 to ensure arrangements for accommodation.

1. Call to Order

2. Agenda Items to be Held or Taken Out of Order; Off- Agenda Items

3. General Announcements Not Requiring Deliberation or Decision

4. Public Comment

The Brown Act requires that time be set aside for public comment on items not agendized.

5. Buy, Protect, Sell Program Pilot Overview

Attachment A

Amy Ricard, Community Resources Manager

Mary Chambers, Agricultural Specialist

6. Adjournment



Exhibit A



MEMORANDUM

Date: December 7, 2023
To: Fiscal Oversight Commission, Advisory Committee
From: Amy Ricard, Community Resources Manager
Mary Chambers, Agricultural Specialist
c: Misti Arias, General Manager
Subject: Farmland For All Buy-Protect-Sell Pilot

Executive Summary

In order to forward the goals of the Vital Lands Initiative and in response to the input of our agricultural community stakeholders, Ag + Open Space is developing a Farmland for All toolkit, which will provide multiple avenues to support agricultural land access for agricultural producers. The first tool that Ag + Open Space is developing for the Farmland for All toolkit is a “buy-protect-sell” strategy. In a buy-protect-sell transaction, Ag + Open Space will seek out and purchase a farm or ranch from a willing seller, protect it with a conservation easement, and sell the conserved land to a qualified buyer. Ag + Open Space will begin our use of the buy-protect-sell approach by piloting this tool with one property in 2024-2025. As part of the buy-protect-sell pilot, Ag + Open Space will also explore the use of conservation easement enhancements such as an Agricultural Conservation Covenant requiring ongoing agricultural production on the property and resale restrictions designed to maintain the property’s affordability over time. The easement and associated enhancements may reduce the property’s appraised value, potentially making it more affordable for agricultural producers. Based on the insights gained through this pilot, Ag + Open Space may seek direction to continue piloting the use of buy-protect-sell with additional properties or to create an ongoing Farmland for All buy-protect-sell program that would continue to protect additional properties through this process for the foreseeable future.

The Farmland for All toolkit and the buy-protect-sell pilot will add to and enhance the tools that Ag + Open Space uses to conserve agricultural land. While we develop these new tools, we will be continuing, and expanding, our ongoing traditional agricultural land conservation efforts.

Background

The Sonoma County Agricultural Preservation and Open Space District (Ag + Open Space) is guided by the Vital Lands Initiative, a long-range comprehensive plan to prioritize the land conservation activities of Ag + Open Space through 2031. The plan was developed with the best available science and data, as well as extensive input from Ag + Open Space partners and the community, to ensure the document reflects the knowledge and expertise of stakeholders and the land conservation goals of the Sonoma County voters. Ag + Open Space’s priorities are also guided by continuing input from our stakeholder communities. Sonoma

county farmers and ranchers have identified affordable, stable land access and land tenure as one of the biggest barriers to their success. This is especially true for individuals and communities who have historically faced discrimination and exclusion.

The Farmland for All program

As part of the implementation of the Vital Lands Initiative, Ag + Open Space is developing a “Farmland For All” program. The Farmland for All program will be a toolkit containing multiple tools and strategies focused on enhancing equitable access to agricultural land for agricultural producers. This will supplement our long-standing agricultural conservation easement program. The program will help to further the following Vital Lands Initiative goals and objectives:

- *Protect a variety of lands that ensure an equitable distribution of benefits to our diverse communities.*
- *Protect lands that support diverse, sustainable, and productive agriculture.*
- *Create a balanced portfolio of protected lands that represents the diverse types of agriculture in Sonoma County.*
- *Support access to land for farmers and ranchers.*

Ag + Open Space recognizes that ensuring that agricultural land is accessible to farmers or ranchers who will keep it in production is an essential part of our agricultural land conservation mission, since continued agricultural use can maintain important conservation values on these properties, such as soil health and agricultural infrastructure. Agricultural use is also necessary for these properties to reach their full potential for providing benefits to the Sonoma County community, such as local food production and employment opportunities.

With our expertise in the use of real estate tools for land protection, Ag + Open Space is well-positioned to address these challenges. The Farmland for All program is an opportunity to use our land conservation tools to create and support a range of solutions that enhance equitable access to agricultural land in Sonoma County.

In line with Ag + Open Space’s mission to permanently protect the diverse agricultural, natural resource, and scenic open space lands of Sonoma County for future generations, the goals of the Farmland For All Program are:

1. Prevent conversion of agricultural land to non-agricultural uses through tools such as conservation easements and covenants on agricultural land which permanently restrict non-agricultural development, protect the land’s agricultural values, and in certain cases require agricultural production.
2. Preserve the agricultural conservation values of the land by supporting responsible stewardship of land via stable land tenure and best management practices.
3. Increase access to agricultural land now and in the future by reducing the price of agricultural land via conservation easements which remove non-agricultural development rights, and via easement enhancements such as mandatory agricultural use covenants.
4. Increase access to agricultural land for agricultural producers by proactively connecting producers with access opportunities.

5. Enhance equitable access to agricultural land, and expand conservation programs to racially and culturally diverse communities.
6. Support local food security by ensuring that land remains in productive agricultural use.

To ensure the Farmland for All program enhances land access equity, Ag + Open Space is working to develop an understanding of which members of our community have historically had less access to agricultural land. Ag + Open Space has consulted, and will continue to consult, with organizations representing diverse communities, especially those facing increased barriers to land access. Ag + Open Space will conduct outreach to these communities to share information on program opportunities, and will develop partnerships to provide support for all applicants and participants in Farmland for All programs to help address barriers.

Stakeholder input and review

Development of the Farmland for All toolkit will be based on extensive, and ongoing, consultation with the Sonoma County agricultural community, including current and former farmers and ranchers, farmers and ranchers seeking secure access to agricultural land, farm and ranch advocacy organizations, and farmworkers. This includes the 2023 [Land Access and Land Tenure for Limited Resource Farmers study](#), which Ag + Open Space developed in collaboration with the University of California Cooperative Extension (UCCE) and Sustainable Agriculture Education (SAGE). The Land Access and Land Tenure study informs Ag + Open Space and its partners about limited resource farmers' needs and interests around land access and tenure. The study also provides recommendations for action to support equitable land access, secure land tenure, and associated farm business viability for limited resource farmers in the County.

The Land Access and Land Tenure study, along with a range of other stakeholder input, confirms that access to land is one of the biggest barriers to success for farmers and ranchers in Sonoma County. Land access is especially difficult to achieve for individuals and communities who have historically faced discrimination or exclusion.

The Buy-Protect-Sell Pilot

The first tool that Ag + Open Space is developing for the Farmland for All toolkit is a "buy-protect-sell" program pilot. Ag + Open Space will begin our use of the buy-protect-sell transaction model by piloting this tool with one property in 2024-2025.

As part of a buy-protect-sell transaction, Ag + Open Space will seek out and purchase a farm or ranch from a willing seller, protect it with a conservation easement, and sell the land to a qualified buyer. As part of the buy-protect-sell pilot, Ag + Open Space will also explore the use of easement enhancements such as an affirmative Agricultural Conservation Covenant requiring ongoing agricultural use and resale restrictions designed to maintain a property's affordability over time. The easement and associated enhancements may reduce the property's appraised value, potentially making it more affordable for agricultural producers.

Ag + Open Space selected the buy-protect-sell model as the first tool to be piloted under the Farmland for All program based on a range of stakeholder consultation, including the *Land Access and Land Tenure* study. Stakeholder input showed that, while there is no one-size-fits-all approach to agricultural land access, a path toward permanent land ownership is a high priority for many farmers and ranchers. Land ownership

provides long-term stability and decision-making control for agricultural producers, allowing them to make investments in soil health, infrastructure, and other features of a property in ways that they would not be able to under a short-term land access arrangement such as an annual lease. Supporting land ownership by agricultural producers and/or other entities which will support producers' land access is also aligned with Ag + Open Space's preferred path to land protection, which is to hold and steward conservation easements over properties, without incurring the costs associated with owning and managing land outright.

The buy-protect-sell pilot process will consist of the steps described below. These steps could be combined and ordered in multiple ways and may occur at overlapping times. For example, while Ag + Open Space might purchase a promising property before identifying who to sell it to, and then seek to select a qualified buyer, it's also possible that Ag + Open Space would work with a landowner who would be open to maintaining ownership of their property until Ag + Open Space had completed selection of a new buyer, allowing for a simultaneous transaction.

- Identify pool of qualified buyers
 - Ag + Open space will develop a pool of qualified buyers who meet a minimum level of required experience. Applicants will complete a simple initial application which will assess their experience and qualifications.
 - A Buyer Assessment Committee will assess the applications.
 - Eligible applicants may be any type of legal entity qualified to hold land. This could include individuals, nonprofits, LLCs, cooperatives, tribes, or governmental agencies.
- Identify high-priority property
 - Ag + Open Space will find and select properties whose conservation will forward Ag + Open Space's mission and the Farmland for All program goals, and which will fulfill the needs of farmers and ranchers seeking land.
 - Among other characteristics, properties must be appropriately zoned for agriculture, have appropriate soils and water supply, and face a high risk of conversion.
- Purchase property
 - Ag + Open Space will purchase the identified property, either at fair market value as determined by an independent appraisal, or at below fair market value if the landowner wishes to seek a charitable donation.
- Design permanent protections for property
 - Ag + Open Space will develop a conservation easement; an Agricultural Conservation Covenant; and, potentially, resale restrictions and other easement enhancements for the property.
- Select buyer for specific property
 - Ag + Open Space will select a specific buyer for each property via a proposal assessment process. Entities and individuals who have been accepted into the qualified buyer pool will be invited to submit a proposal and may be further assessed through interviews. Applicants will be assessed at each stage by a Buyer Assessment Committee.
 - The goal will be to identify a long-term owner with the potential to develop or support successful farm business(es) on the property, and whose vision for land management and community engagement aligns with program goals. Buyer selection will be based on:

- Qualifications: Experience and skills related to farm or ranch management, business management, marketing, community engagement, and other relevant areas. Prior experience working in or near Sonoma County is a plus.
- Vision: A plan to manage the property in a manner consistent with its features and productive capacity, with a strong potential for long-term success. Provision of other community benefits is a plus.
- Readiness: A plan to access the capital, equipment, inputs, and other resources necessary to purchase and operate the property.
 - Support will be available to all applicants as they participate in the application process.
- Sell property, subject to conservation easement and appropriate enhancements
 - Ag + Open Space will sell the property, subject to the conservation easement, Agricultural Conservation Covenant, and other easement enhancements, to the selected buyer.
- Monitor property in perpetuity
 - Ag + Open Space will monitor compliance with the conservation easement and affirmative agricultural covenant in perpetuity.

Post-pilot learning and future implementation

After an initial pilot of the buy-protect-sell strategy with one property during 2024-2025, Ag + Open Space will evaluate the process and identify the benefits and challenges of this approach. As part of this learning process, Ag + Open Space will incorporate insights from other related transaction experiences.

Based on the insights gained through this pilot, Ag + Open Space may seek direction to continue piloting the use of buy-protect-sell with additional properties or to create an ongoing Farmland for All buy-protect-sell program that would continue to protect additional properties through this process for the foreseeable future.