

A photograph of three people in a farm setting. On the left, a woman in a red and white plaid shirt and blue jeans is looking at a document held by a man in a purple shirt. On the right, a woman in a white and green plaid shirt, blue jeans, and a white baseball cap is also looking at the document. They are standing in a dirt area with metal fencing and a barn in the background.

California Agricultural Conservation

Land Trust Listening Tour Report



California
**Department of
Conservation**
Land Resource Protection

July 2019



Dear Land Trust Community,

We are pleased to present to you the results of the Department of Conservation's 2018 listening tour. We hope you will find this document useful.

Since 1984, California has lost 1.4 million acres of farmland, and it continues to do so at an average rate of nearly 50,000 acres per year. Though there is currently more State funding for agricultural conservation available than ever before, and though we have increased the acreage we protect each year, we are still not keeping pace with the loss of one of our most fundamental resources. That loss is expected to increase in the near future due to climate and water availability issues. With your help, we have been able to identify key issues hindering land trust's efforts to increase conservation activities.

During the spring and summer of 2018, the Department conducted interviews with 40 land trusts, local government entities, and other conservation partners to identify how Department programs can increase conservation partner capacity to conserve agricultural lands throughout California.

We heard from you that capacity problems took many forms: an inability to conduct sufficient landowner outreach to develop and complete transactions; inadequate resources to build and sustain vital relationships and collaborations; and a daunting lack of public education about the work we are doing.

Some of the issues we heard about related to needs that go beyond those that DOC is currently equipped to address, such as the need for consultant training. Addressing others will require further research, such as the need to address diminished easement values. Some things will just take time, such as working with the legislature to make funds available for such activities in the future.

Other issues we were able to address immediately. For example, we were able to change the guidelines for our Sustainable Agricultural Lands Conservation Program to allow land trusts to be reimbursed for their costs sooner in the easement process, which we hope will ease the burden of carrying out projects on small organizations. We took to heart requests that we increase our own outreach, education, and marketing efforts, and have worked to update our website to provide more information about our programs for both land trusts and landowners.

Your feedback helped the Department formulate a new \$1 million Land Trust Capacity Building program, which is intended to help increase conservation and support climate adaptation and resilience across the state. The program will provide resources for project development and priority/strategic planning, which we know are difficult to fund. You can find the guidelines on our [website](#).

We hope this is only the beginning of a conversation that will help the State and its partners work together to protect our precious farmland resources and achieve California's climate change amelioration goals.

Thank you again for your thoughtful participation and willingness to volunteer your time and expertise yet again to inform the protection of our State's lands.

With Gratitude,

Keali'i Bright
Division Director

Table of Contents

Acknowledgements.....	2
Executive Summary	3
Introduction	4
Purpose.....	4
Process.....	4
Questions.....	5
What We Heard	6
Capacity	6
Easement Valuation	8
Outreach.....	9
Collaboration and Networking.....	10
Multiple Benefits	11
Landowner Interest	12
Conservation Tools.....	12
Next Steps	16
Appendix A: Listening Tour Questions.....	A-1
Appendix B: Recommendations	B-1

Acknowledgements

This report is the product of interviews and field visits with some of California's most respected experts and practitioners in agricultural conservation. The Department of Conservation is deeply grateful for the expertise and wisdom of the hard working and knowledgeable individuals from the following organizations:

Ag Land Trust	Sacramento Valley Conservancy
American Farmland Trust	San Mateo Resource Conservation District
Bay Area Open Space Council	Santa Clara County
Bear Yuba Land Trust	Santa Clara LAFCo
California Farmland Trust	Santa Clara Valley Open Space Authority
California Rangeland Trust	Santa Clara Valley Habitat Agency
Eastern Sierra Land Trust	Santa Cruz County, The Land Trust of
FarmLink	Santa Cruz Resource Conservation District
Land Conservancy of San Luis Obispo County	Scharffenberger Land Planning & Design
Land Trust for Santa Barbara County	Shasta Land Trust
Land Trust of Napa County	Sierra Foothill Conservancy
Marin Agricultural Land Trust	Siskiyou Land Trust
Mendocino Land Trust	Solano Land Trust
National Young Farmers Coalition	Sonoma Agricultural Preservation & Open Space District
Northcoast Regional Land Trust	Sonoma Land Trust
Northern California Regional Land Trust	Sutter Buttes Regional Land Trust
Peninsula Open Space Trust	Tri-Valley Conservancy
Rivers and Lands Conservancy	Trust for Public Land
Riverside-Corona Resource Conservation District	C. Victoria Simonds, Attorney at Law
Placer Land Trust	Yolo Land Trust

The following individuals contributed to the development and writing of this Report:

Catherine Baxter	Michael Shaw
David Dodds	Shanna Atherton
Jessica Rader	Tim Bryant
Kathryn Lyddan	Virginia Jameson
Matthew Dunnahoe	

Cover Photo: Department of Conservation staff discuss property characteristics during a site visit. Photo courtesy of Division of Land Resource Protection staff.

Executive Summary

The California Agricultural Conservation Land Trust Listening Tour provided executives and staff from the California Department of Conservation an opportunity to learn about the challenges and issues facing land trusts in light of increased funding. The Department of Conservation spoke with representatives from land trusts, park and open space districts, nonprofits, and resource conservation districts, as well as consultants to these groups.

The listening tour took place during the spring and summer of 2018. The Department of Conservation conducted interviews with forty conservation organizations and spent five days visiting local partners and touring properties. Participants throughout the state expressed similar challenges and identified similar threats to agricultural land conservation. Needs identified by participants included:

- Organizational **capacity** to complete agricultural conservation projects
- A reassessment of the methodology used to calculate **easement values**
- Public awareness and **outreach**
- **Collaboration and networking** among the land conservation community
- Conserving agricultural lands for **multiple benefits**
- Stimulate additional agricultural **landowner interest**
- Capacity to explore and utilize additional **conservation tools**

The Department of Conservation's staff and executive leadership are committed and look forward to working with the agricultural land conservation community to implement changes to its programs that address the opportunities and impediments discussed in this report and to ensure that available funding is used efficiently to conserve California's agricultural lands.

Introduction

California has always been a leader in conserving agricultural land, which is the foundation of the state's rural economy and food security. The State has shown its commitment to agricultural conservation by investing in protecting farmland and rangeland for 25 years.

From 1994 to 2014, California invested \$85 million to prevent the conversion of farmland and rangeland into residential, commercial, and other non-agricultural related uses. Between 2015 and 2018, the State funded over \$139.8 million dollars in agricultural conservation, increasing its investment in agricultural land conservation as part of its climate change mitigation strategy. These investments have primarily been for the acquisition of agricultural conservation easements but have also funded agricultural conservation plans at the regional level.

These and future investments are critical to meeting the State's climate and public health goals. They also present opportunities and challenges for land trusts, local governments, resource conservation districts, and other stakeholders charged with conserving agricultural lands.

Purpose

In order to better understand the issues facing its stakeholders, the Department of Conservation set out to identify:

- Opportunities and impediments to agricultural land conservation in the state, and
- Ways in which the Department of Conservation can improve organizational capacity to conserve agricultural lands.

As part of its effort to contribute to the State's ambitious climate adaptation and mitigation goals and to support agricultural land conservation statewide, the Department of Conservation also sought to investigate how land trusts integrate or balance agricultural conservation with natural resource values and whether land trusts are considering conservation tools beyond traditional easements.

Process

The Department of Conservation distributed a list of questions to stakeholders involved in California agricultural conservation. The Department of Conservation staff conducted interviews with forty conservation organizations and spent five days visiting local partners and touring properties. Interview questions were used as a guide; the Department of Conservation invited all participants to focus on those questions most relevant to their organizations rather than requiring that all participants answer all questions. Because not every participant answered every question, this report highlights various issues identified by participants but does not attempt to analyze

which issues are of greatest importance to the community as a whole. The Department of Conservation took notes during each interview and prepared summaries of all conversations from those notes. These summaries were then reviewed and augmented by the participants to ensure that their responses were not misinterpreted. This report synthesizes common issues and recommendations that were identified through this process.

Questions

Questions asked that provided information for this report included:

- What is the greatest impediment to agricultural land conservation in California? How about in your region?
- What is the greatest opportunity for California agricultural conservation today?
- What would be most helpful to your land trust as your organization works to:
 - Build the organizational and financial capacity to access the new funding available for agricultural conservation?
 - Develop the legal, financial and scientific capacity necessary to adopt new conservation tools?
 - Identify science-based strategic conservation priorities?
- What is your list of the top three potential changes that the Department of Conservation could make to its easement programs that would make easement transactions with the Department of Conservation easier?
- Would your land trust consider easements with the following terms:
 - Conservation agreements with terms less than perpetuity?
 - Affirmative covenants? For instance, covenants that require that the property remain in agricultural production? Or that a certain management practice be maintained?
 - Easements that require a regularly updated management plan?
 - Contracts for sustainable management practices on protected land?

A complete list of the questions asked is provided in Appendix A.

What We Heard

Participants throughout the state expressed similar interests, challenges, and threats to agricultural land conservation. Needs identified by participants included:

- Organizational **capacity** to complete agricultural conservation projects
- A reassessment of the methodology used to calculate **easement values**
- Public awareness and **outreach**
- **Collaboration and networking** among the land conservation community
- Conserving agricultural lands for **multiple benefits**
- Stimulate additional agricultural **landowner interest**
- Capacity to explore and utilize additional **conservation tools**

Participant comments on these topics and other items of note from our conversations are discussed in greater depth below.

Capacity

Participants indicated that the greatest impediment to agricultural land conservation is the lack of organizational capacity to complete the work necessary to conserve agricultural land. Multiple land trusts indicated that they lack both the funding and staff necessary to complete transactions.

33 participants discussed their capacity needs. 11 participants discussed the need for increased land trust capacity overall. From the more detailed feedback provided by participants, capacity needs largely fell into the following categories:

- Staffing and project costs
- Consultants
- Outreach and collaboration
- Organizational needs

Staffing and project costs

Though participants appreciated the increase in project implementation funding in recent years, a majority of participants identified funding for staff and project costs as an area of greatest need. Of these:

- 11 expressed a need for increased staff capacity generally
- 10 need funding to support project development activities
- 9 stated a need for additional project funding, including funding for transaction and stewardship costs

- 7 expressed a need for fee acquisition funding
- 2 articulated a need for financial support to adopt new conservation tools
- 1 sought support developing applications

Consultants

Many participants called attention to the lack of consultants with expertise in agricultural conservation. Consultants provide important services and independent advice to complete conservation transactions in a timely and efficient manner. Of the 11 comments received:

- All 11 highlighted the need for additional attorneys
- 7 identified the need for additional appraisers
- 5 commented on the need for consultants to prepare baseline documentation or management plans

Outreach and Collaboration

Participants indicated that they lacked the financial capacity to conduct effective outreach and maintain durable collaborations to promote agricultural conservation. Increased outreach and collaboration among conservation stakeholders would improve their ability to conserve agricultural land.

Of these:

- 3 identified the need to increase landowner engagement and education to improve conservation outcomes
- 7 emphasized the need to coordinate with stakeholders and maintain durable collaborations with regional partners to more effectively meet conservation goals
- 4 spoke of the need for funding to develop staff capacity and training to facilitate effective outreach and collaboration
- 2 noted that outreach is hindered by lack of staff time and expertise

Organizational needs

Some organizations required a broader level of support to implement industry-identified best practices. The following needs were identified by those organizations:

- 1 identified the need for staff development
- 1 identified the need for improved internal financial tracking tools
- 1 identified the need for general legal support

Training

Some participants indicated they would appreciate and benefit from access to educational programs either by webinars, conferences, or workshops.

- 3 expressed the need for training about how to complete easement transactions and how to promote best practices
- 4 suggested the Department of Conservation offer classes and mentorship on agricultural conservation issues, offer guidance to land trusts, and continue education on stewardship issues
- 6 mentioned providing training and mentoring to emerging leaders within the field to foster their long-term conservation commitments

Participant Recommendations

Of the participants that identified a need for project development and stewardship endowment funding, all recommended that the Department of Conservation fund these costs. In addition:

- 11 participants recommended that the Department of Conservation fund a position similar to a [Watershed Coordinator](#) to work across agency, organizational, and jurisdictional boundaries to integrate funding from a variety of sources for agricultural land conservation
- 10 suggested that the Department of Conservation work to build consultant capacity, particularly attorney capacity, through trainings and hiring interns
- 7 stated that the Department of Conservation should revise its associated costs policy to make it easier for grantees to be reimbursed for associated costs, particularly prior to easement close
- 4 recommended that the Department of Conservation offer more training opportunities, visit with partners, and disseminate more information about its programs and other funding opportunities
- 1 recommended that the Department of Conservation include publicity-related activities as eligible for reimbursement in its grant agreements
- 1 recommended that funders encourage collaboration as part of their program structures

Easement Valuation

Participants expressed concern about how easements are valued and appraisal-related challenges. The Department of Conservation guidelines value easements as the difference between the fair market value of the property before the easement and the fair market value after the easement. Participants stated that in some areas of the state, the value of easement encumbered property is approaching that of unencumbered property. These market forces make landowners less interested in

selling conservation easements, as the before and after fair market valuations would be nearly the same.

Related to valuation issues, we heard discussions about delays in the appraisal process and the easement process generally, and how those delays impact a project's ability to close in a timely fashion.

Overall:

- 7 spoke of easement-encumbered properties selling for values close to those of unencumbered properties, meaning the easement value was very low
- 14 identified appraisal challenges, from the lack of appraisers that understand the Department of General Services' requirements to the length of time it takes to go from appraisal commission to appraisal approval, to a desire to move away from property-specific appraisals

Participant Recommendations

- 3 recommended moving away from property-specific appraisals to either a fixed ratio of the fair market value or to follow one of two models used by the federal government for easement acquisitions in California: a regional dollar per acre or a set amount of regional investment to a grantee
- 2 recommended adopting an "Option to Purchase at Agricultural Value" model
- 4 recommended improvements to the Department of General Services' appraisal review process, including providing training to appraisers, developing a better system to convey the Department of General Services feedback on appraisals, and shortening the Department of General Services' appraisal review time
- 2 recommended that the Department of Conservation develop a way to provide additional funds for easements where the appraisal comes in higher than was estimated in the application
- 1 recommended the Department of Conservation align its policies on updating appraisals to be consistent with those of federal funding partners

Outreach

Participants stated that lack of public awareness is a significant impediment to agricultural land conservation statewide. One of the purported opportunities to improve agricultural land conservation is improving public awareness of the importance of agricultural conservation locally and statewide. Participants spoke of the need for outreach to increase public awareness, foster community relationships, and facilitate planning. Participants also made specific recommendations to the Department of Conservation regarding how it could facilitate outreach among its partners.

Public Awareness

- 10 spoke of the need for outreach to educate the public about the importance of agriculture and agricultural conservation
- 8 described using onsite/hands-on experiences, such as agritourism and school field trips, to increase awareness of agriculture and agricultural career opportunities
- 2 described how outreach is needed to increase public awareness about the myriad climate benefits associated with agricultural land conservation
- 2 described how outreach is needed to increase public awareness about agriculture's economic benefits, such as jobs, exports, and local markets

Community Relationships

- 2 indicated that outreach would foster local community trust in their conservation organization and mission

Planning

- 1 suggested outreach as a tool to facilitate stakeholder discourse
- 1 spoke of outreach to encourage landowner succession planning

Participant Recommendations

The Department of Conservation received two recommendations to produce outreach materials, such as fliers, handouts, and brochures for use by the Department's partners.

Collaboration and Networking

Participants noted the need to create a network that would allow land trusts, local governments, and resource conservation districts to collaborate and share information pertaining to agricultural conservation and sustainable management practices.

- 6 expressed a partnership with land trusts and restoration groups
- 5 identified the need to share information through a conference or webinar
- 2 suggested the need to partner with resource conservation districts
- 2 would like to establish a network for easement monitoring and legal defense
- 2 expressed a need to improve natural resource conservation capacity and expand a regional presence via collaboration

While some expressed the need to implement programs to facilitate collaboration, other participants have already created partnerships to help meet their conservation goals:

- 9 work with organizations of various backgrounds to share information on different topics, such as how to report finances, oppose expansions of city limit lines, apply for grants to reduce pesticide use by installing raptor boxes, and conserve at-risk lands
- 7 land trusts work with resource conservation districts
- 6 are part of networks that promote succession planning, land access, and stewardship of the land
- 2 land trusts work with other land trusts
- 2 land trusts collaborate with the Natural Resources Conservation Service

Participant Recommendations

- 11 recommended that the Department of Conservation fund a position similar to a Watershed Coordinator to work across agency, organizational, and jurisdictional boundaries, as well as integrate funding from a variety of sources
- 5 recommended that the Department of Conservation support organizational capacity to build and maintain lasting partnerships
- 2 recommended conversations surrounding the topic of agricultural conservation
- 1 suggested that funders encourage collaboration

Multiple Benefits

12 participants stated that conservation of land for multiple benefits was the greatest opportunity for—and indeed vital to—conserving agricultural land today. Most participants work on both natural resource and agricultural land protection and seek projects where they can protect land with multiple conservation values.

- 2 land trusts are primarily interested in pursuing agricultural conservation easements on properties that provide co-benefits such as protection of vernal pools, Swainson's hawk habitat, riparian habitat, or agricultural tourism
- 1 suggested participant prioritizes properties that provide habitat for endangered species and would benefit from improved management practices

Participant Recommendations

To help conserve land with multiple benefits, two participants recommended that the state provide payments to landowners for ecosystem services.

Landowner Interest

Land trusts provided competing messages regarding landowner interest within their jurisdiction.

Many participants work in areas with landowners who are comfortable with agricultural conservation and eager to sell conservation easements. 13 participants stated that there is significant landowner interest in conserving agricultural land; however, these land trusts also reported that they lacked the organizational capacity to meet this landowner demand in their geographic area.

Other land trusts cited lack of landowner interest and landowner family dynamics as a significant challenge to agricultural land conservation:

- 4 indicated that family dynamics and generational change impeded their ability to conserve properties
- 4 indicated that distrust or lack of landowner knowledge about the value of conservation impeded their ability to conserve agricultural land
- 2 described the need for additional match funding opportunities to attract willing sellers
- 1 suggested that cannabis cultivation played a role in landowners' reluctance to sell conservation easements as it gave them other means of financial opportunities and conflicted with conservation values

Participant Recommendations

In areas where landowner interest is low, 2 participants recommended that the Department of Conservation fund land trusts' outreach and engagement efforts.

Conservation Tools

Agricultural conservation easements contain restrictions that impact how agricultural land is managed forever. Easements, however, are just one tool to help conserve agricultural land. Other available tools may achieve similar conservation goals without restricting the land in perpetuity. The Department of Conservation sought to better understand how participants view a suite of conservation tools and easement terms.

Affirmative covenants

An affirmative covenant is a contractual promise within the easement deed that requires continued farming operations on the easement-encumbered property. Of the 15 land trusts that addressed affirmative covenants during their interviews:

- 6 have not considered or are not currently utilizing affirmative covenants
- 5 indicated some level of caution about utilizing affirmative covenants
- 2 have begun to integrate affirmative covenants into their easements

- 2 indicated that affirmative covenants are unnecessary in the counties they serve because agriculture is currently the highest and best use for land in the region

Land trusts expressed the following concerns about integrating affirmative covenants into their easements:

- 3 expressed concerns about increased easement purchase costs and stewardship costs to monitor compliance with such terms
- 2 noted that it is difficult to draft appropriate terms
- 2 expressed concerns about potential legal risks, including the viability of such terms following ownership changes

Easement terms that restrict agriculture

Restrictive terms are requirements in an easement that prohibit certain activities on a property. In this way, restrictive terms are different from affirmative covenants. As discussed above, many participants conserve land for multiple benefits. To conserve all of those benefits, it may be necessary to place certain restrictions on certain agricultural uses. For example, a restrictive easement term might prevent rangeland that also has endangered species habitat and watershed headwaters from being converted to a vineyard.

Of the 14 land trusts that discussed easement terms that restrict agriculture:

- 7 already restrict cultivated agriculture in areas determined to be best suited for grazing land or open space
- 2 are considering vineyard restrictions in the future
- 2 are not interested in restricting uses through easements

The most common restriction utilized by participants in their easements is a prohibition on the conversion of grazing land to more intensive irrigated agricultural use. While most participants indicated that restrictions on agricultural use are a valuable conservation tool, they made the following observations about their use:

- 6 indicated that some restrictions on agriculture are appropriate for rangeland, forestland, habitat, or to protect multiple benefits across the landscape.
- 1 cautioned that careful consideration should be given to the potential impacts of climate change impacts and water availability when incorporating restrictions on agricultural use
- 1 suggested that agricultural land use restrictions could be better addressed in a management plan rather than the easement

Management plans

Of the 13 land trusts that responded to the question whether they would consider use of management plans as a conservation tool:

- 6 utilize management plans on existing rangeland, woodland, and habitat easements
- 2 would consider management plans if updated on a regular basis

While many participants were not opposed to the use of management plans in conjunction with their easements, they provided the following observations about their use:

- 3 thought that requiring management plans could result in overly complicated easements or be burdensome to implement over time if frequent updates are necessary
- 2 were concerned that management plans may be viewed by landowners as undesirable or be perceived as an overreach with the potential to create long-term problems

Sustainable management practices

There is broad agreement that sustainable management practices benefit agricultural properties and make sense long term. Contracts for management practices that improve soils, enhance riparian areas, and increase carbon sequestration are one way to ensure that such practices are maintained over multiple years without tying the landowner to such practices in perpetuity. Participants expressed interest in financial incentives for sustainable management practices; however, they simply don't have the capacity to learn about programs that provide funds for such practices, nor do they have staff with the technical background necessary to work with landowners on such practices.

11 land trusts responded to the question about whether they would consider use of contracts for sustainable management practices as a conservation tool. Of those:

- 6 understood the benefits of contracts for sustainable management practices; however, they have yet to pursue such contracts themselves
- 4 expressed a need to better understand contracts for sustainable management practices and their implementation
- 4 currently partner with their local resource conservation district to implement sustainable management practices on willing landowners' properties
- 3 already incorporate sustainable management practices into their management plans or explicitly allow for sustainable management practices in their easements
- 1 expressed concern that this will increase stewardship requirements

Transfer of development rights

Nine participants stated their interest in and use of tools that transfer development rights. Of these:

- 7 expressed interest in a transfer of development rights program but have not yet explored its feasibility
- 1 has easements that involved transfer of development rights

Participant Recommendations

- 5 participants recommended that the Department of Conservation and partner funding programs pay for the preparation of management plans
- 5 participants recommended that the Department of Conservation fund pilot projects to demonstrate and incentivize effective on-farm conservation practices

Next Steps

The Department of Conservation is looking at ways to implement the recommendations provided by participants. A table listing all of the recommendations, including some not specifically discussed in this report, is included as Appendix B.

The Department of Conservation's Land Trust Capacity and Project Development grant program funded by Proposition 68 addresses capacity concerns, and some recommendations have already influenced existing program guidelines. For instance, the most recent guidelines for the Sustainable Agricultural Lands Conservation Program provide for monthly reimbursement of associated costs rather than requiring that grantees wait for reimbursement until their easement has closed.

Laws, regulations, funding conditions, and the Department of Conservation policies may not permit all recommendations to be implemented. In some instances, changes can be made to grants under one funding source but not another. The Department of Conservation's staff and executive leadership are committed and look forward to working with the agricultural land conservation community to implement changes to its programs that address the opportunities and impediments discussed in this report and to ensure that available funding is used efficiently to conserve California's agricultural lands.

Appendix A: Listening Tour Questions

1. What is the greatest impediment to agricultural land conservation in California? How about in your region?
2. What is the greatest opportunity for California agricultural conservation today?
3. What would be most helpful to your land trust as your organization works to:
 - Build the organizational and financial capacity to access the new funding available for agricultural conservation?
 - Develop the legal, financial and scientific capacity necessary to adopt new conservation tools?
 - Identify science-based strategic conservation priorities?
4. Is your organization accessing state funding? If not, why?
5. What is your list of the top three potential changes that the Department of Conservation could make to its easement programs that would make easement transactions with the Department of Conservation easier?
6. How does your organization prioritize projects? What methodologies does your organization use?
7. How does your land trust integrate or balance agricultural conservation with natural resource values?
8. Would your land trust consider easements with the following terms:
 - Conservation agreements with terms less than perpetuity?
 - Affirmative covenants? For instance, covenants that require that the property remain in agricultural production? Or that a certain management practice be maintained?
 - Easements that require a regularly updated management?
 - Contracts for sustainable management practices on protected land?
9. How does your organization collaborate with other land trusts? Has your organization ever considered a “durable” collaboration with another organization?
10. Does your organization conduct performance monitoring or contract with other entities to conduct performance monitoring?
11. Does your organization collaborate with resource conservation districts? If so, how?
12. How much is farmland affordability and access an issue where your land trust works? Do you think that agricultural land trusts should address these issues? If so, how?
13. How can we better connect our agricultural conservation work with efforts to build rural climate resiliency and adaptability? How can we better connect our agricultural conservation work with efforts to build compact, climate resilient cities? How can land trusts partner with local and/or regional governments to help advance more integrated planning and resource conservation efforts?

14. How does your organization view transfer of development rights, and their potential efficacy (or lack thereof) alongside more traditional programs?
15. How important is agricultural employee housing where your land trust works? Should land trusts address this issue? If so, how?
16. How should we work together to educate urban Californians about the importance of California agricultural land conservation?

Appendix B: Recommendations

Participant	Recommendation
Acquisition Costs	
<i>Fee acquisition</i>	
34	One of the most effective things that the Department of Conservation could do to increase land trust capacity would be to fund the purchase of land in fee.
31, 33	Would like to see funding to assist in the purchase of land in a down market, creation of a conservation easement that the land trust would hold, then sale of the easement-encumbered property in an up-market. Discussed using the CFCP fee acquisition model in other programs. Under CFCP, fee title to property may be purchased but the fee must be sold and funding repaid within 3 years; the CFCP funding essentially serves as a bridge loan.
25	It would be amazing if the Department of Conservation funded fee title acquisitions. While fee title acquisition is not currently the participant's method of conservation, they have been discussing the idea.
8, 11, 20, 27, 35	Of the agricultural landowners in the county willing to consider conservation transactions, most have indicated a preference to sell their properties outright rather than conveying a conservation easement. It would be very helpful if the Department of Conservation had flexibility in its funding programs to support fee purchase of agricultural properties, perhaps even just up to the amount a conservation easement would cost.
<i>Match funds</i>	
29	Would like to see the 25% match requirement be reduced to allow for more potential projects move forward, especially in Sacramento, Stanislaus, Merced, Madera, and Contra Costa counties where there is no local source of matching funds.
30	Suggested that projects with extra match be awarded extra points in the SALC selection criteria.
29	One suggestion to the Department of Conservation would be offer 100% funding.
3, 10, 13, 15, 17, 28, 39	Often multi-benefit projects require some limitation on agricultural production. Recommended eliminating the 51% matching funds requirement for these projects.

Application	
34	Recommended that in its easement application requests, the Department of Conservation fund a percentage of an easement's value rather than an absolute dollar amount. This would allow for greater flexibility of the appraisal comes in higher or lower than anticipated.
3, 10, 13, 15, 17, 28, 39	Suggested that the Department of Conservation use Box.com to store data and required documents submitted by land trusts.
23	Recommended that the Department of Conservation eliminate the "local government resolution of support" requirement.
3, 10, 13, 15, 17, 28, 39	Suggested that the Department of Conservation eliminate some of the duplication that is involved when submitting a pre-proposal and a final application. One noted that land trusts that are "certified" at NRCS do not have to resubmit all the materials with each application and are excused from some of the application requirements.
<i>Funding cycle</i>	
3, 10, 13, 15, 17, 28, 39	Suggested that the Department of Conservation might want to fund two cycles: a project development cycle and a post-application cycle.
29	Suggested that the Department of Conservation offer twice-a-year grant cycles so that applicants can more easily combine grants.
34	Shifting to a rolling application cycle for SALC would help spread out the workload and make it easier to sync different sources of match funding.
30	Recommended that the SALC program move to a rolling or quarterly application period.
<i>Application coordination</i>	
22	Advocated for a common application for multiple funders.
1	Noted that the state agencies coordinated closely on delivering Proposition 84 grants and funding, and that a similar approach could increase efficiency for grantors and grantees alike. Currently, acquisition staff devote a significant amount of their time to secure grant funding.
16	Suggested that the Department of Conservation should consider comparing its application requirements with other state agencies. Both WCB and the State Coastal Conservancy seem to have simpler grant applications.

Associated Costs and Stewardship Endowments

12	Would like to see the Department of Conservation help fund transaction costs and stewardship endowments. This could be crucial to engage landowners.
3, 10, 13, 15, 17, 28, 39	Suggested that the Department of Conservation fund endowments or determine whether there may be flexibility to fund endowments at a State level.
1	Recommended that the Department of Conservation consider providing funding for conservation easement stewardship as part of its easement grant award to recognize and support the perpetual obligation of land trusts to steward each conservation easement.
23	Recommended that funding be made available for transactional costs and stewardship endowments for donated easements.
3, 10, 13, 15, 17, 25, 28, 39	Recommended that the Department of Conservation make it easier to identify and collect associated costs. They suggested allowing a percentage for associated costs rather than requiring a specific amount for each line item in the application budget. This limits flexibility and makes it difficult for the land trusts to bill.
19	Suggested that the Department of Conservation consider including publicity in associated costs for the SALC and CFCP programs.
6	The budgeting requirements for transaction costs need to be improved. It's not always possible to estimate the cost of a transaction.
37	It would be helpful to have more flexibility in revising staff and consultant time in the budget during the grant period.
37	Recommended the Department of Conservation require that building envelopes be surveyed and include survey costs as permissible associated costs.

Conservation Tools	
5	Needs capacity-building funding to develop new tools that could benefit agricultural land trust and to teach land trust about these new tools.
5	Indicated that affirmative covenants to keep ag land in active production should be a best practice for conservation easements. Believes that affirmative covenants would reward working farmers and ranchers with more affordable land values.
20	Recommended developing the Department of Conservation and partner funding programs to pay for preparation of comprehensive management plans, as well as pilot implementation projects to demonstrate and incentivize effective "on-farm" conservation practices.
<i>Co-Benefits</i>	
22	Would like to see the state develop more programs that account for and reward ranchers for ecosystem services like carbon sequestration and riparian and oak woodland conservation and restoration.
24	Pointed out that easements provide a one-time payment to the current generation, and that subsequent generations may not receive any financial benefit. Ongoing payments for ecosystem services could provide financial support to future generations of farmers.
Consultants	
29	Noted the need to build consultant capacity, particularly affordable attorneys familiar with Land Trust Alliance Standards and Practices.
31, 33	Recommended that the Department of Conservation fund training of lawyers on agricultural conservation. It would also be helpful to engage law students as interns.
3, 10, 13, 15, 17, 28, 39	Suggested that the Department of Conservation consider building the capacity of consultants.

Easement Terms	
33	Strongly suggested that the Department of Conservation support property owners with conservation language that does not prohibit seasonal, agricultural education, agricultural tourism and public interaction activities. These activities tend to be economically sustainable options for landowners.
37	Easements should be flexible to allow for fallowing, hot houses, solar facilities and moveable building envelopes to keep operations viable.
15	Recommended that the Department of Conservation's easement programs allow sufficient restrictions to protect the multiple conservation benefits targeted by other easement funders and supported by the public.
37	Suggested more flexibility in easement language. For instance, they would like to see the ability to more easily move building envelopes. The group briefly discussed the impact of floating building envelopes on the IRS's willingness to consider a donated easement a charitable donation.
37	Easements should be more restrictive on water use and sale. Additionally, easements need to address water, temperature, subsidence, salinization and the physical, chemical, and biological changes that climate change will bring to agricultural land.
22	Stated that it would be helpful if the Department of Conservation could collaborate more closely with match funders like NRCS and WCB. The funders could streamline the easement process by using similar easement language or by creating a common easement template.
6	Noted that it would be great if all state agencies had a standard easement template with flexibility, as needed.
24	It would make the process much easier if the Department of Conservation and NRCS had compatible minimum terms. Recommended that the Department of Conservation look at the Wildlife Conservation Board and Coastal Conservancy's minimum deed terms as examples.

Easement Value	
31, 37	Recommended that the Department of Conservation reserve the right to pay more than the amount stated on the application if the appraisal comes out higher than anticipated.
3, 10, 13, 15, 17, 28, 34, 39	Noted that the appraisal process is sometimes an impediment. As easement-encumbered properties begin to sell for closer to fair market value, the easement value is diminished. Another confirmed that they were also seeing this trend and suggested that the appraisal process should be altered to reflect the value of eco system services. The group discussed the possibility of creating a tiered system to value easements with a different value per acres based on certain metrics. A third noted that NRCS uses a geographic area rate cap (GARC) that assigns a certain value per acre based on the region and type of property. The group considered whether the Department of Conservation could use a GARC model to value SALC and Agricultural Land Mitigation Program easements. The group noted that it might be more challenging to use the GARC model on bond-funded programs like CFCP. A fourth noted that the appraiser gives the landowners a greater sense of surety regarding the easement value of their property.
24	Suggested moving away from appraisals and offering landowners a flat rate per acre.
25	Recommended that the Department of Conservation align its appraisal update policy with those of its federal partners.
34	Recommended that the Department of Conservation consider the model that the Department of Defense uses. The Department of Conservation decides how much they want to invest in a region and awards the funds to the local land trust. The land trust seeks out, develops and closes projects.
36	Would like to see the Option to Purchase at Agricultural Value model used in California and funded by the SALC program.

<i>Working with DGS</i>	
3, 10, 13, 15, 17, 28, 39	Recommended that DGS appraisers receive agricultural conservation training. They also recommended that the Department of Conservation review the DGS process and ensure it complies with the Office of Administrative Law rulemaking process.
24	Recommended a better system to get feedback on appraisals from DGS. DGS seems unapproachable, and it's difficult to understand the next steps when DGS rejects an appraisal.
22	One of the greatest challenges with conservation easement appraisals is the lag time for review by DGS. DGS can take up to two months to review the appraisal, which holds up the project. By the time the appraisal gets approved and the project gets closer to recording, the appraisal is often outdated and requires an update. It would be helpful to understand what triggers a DGS rejection and what is needed for a quicker turnaround for review.
Grant Agreement	
25	Would like to be able to use the extra funds for transactions costs if an easement appraisal comes in lower than estimated.
37	Recommended scaling back on the progress report requirements for easement projects.
Information Access	
2	Would like to see a more focused clearinghouse of information for land trusts.
31, 33	Discussed the power contained in the data that the Department of Conservation has been collecting over the years. It may be useful for the Department of Conservation to fund the creation of a searchable, traceable database for land trusts.

Collaboration and Networking	
23	Could use state capacity building funding to explore durable collaborations and/or mergers with other land trusts working in their county. Already provides technical assistance to other land trusts, and they would like to build a larger organization with greater presence in the region. To serve the entire county, another office and staff person is needed.
8, 11, 20, 27, 35	Stressed the importance of collaborative partnership and urged the Department of Conservation to support organizational capacity to build and maintain lasting partnerships.
9	Noted funders may need to encourage collaborations, as was the case with the Living Landscape Initiative.
14	It would be helpful to have funding for policy and governmental relations working groups to discuss priorities.
15	Noted that it would be very powerful to have a California/Western states "easement monitoring network" for easement monitoring and legal defense that would allow for third party monitoring.
<i>Convenings</i>	
2	Noted that geographically based conversations about conservation would be helpful.
23	Suggested that it would be helpful to convene agricultural land trusts to discuss capacity building, county funding and issues specific to agricultural conservation.
19	Endorsed the idea of a farmland conservation conference.
<i>Conservation coordinators</i>	
8, 11, 20, 27, 35	A Watershed Coordinator or similar position would be very helpful in working across agency, organizational, and jurisdictional boundaries and to integrate funding from a variety of sources to complete large-scale projects.
3, 10, 13, 15, 17, 28, 39	Needs funding for networking and partnership development. Recommended funding "land conservation coordinators" who operate like watershed coordinators.

Outreach	
23	It would be beneficial to receive funds for outreach and education to build trust and help landowners better understand conservation easements.
3, 10, 13, 15, 17, 28, 39	Would like the State to help develop markets for products produced on farms and ranches conserved through agricultural conservation easements. Would also like help with communication materials indicating that an agricultural conservation easement made the product possible.
<i>Department outreach</i>	
19	Noted that the public is not aware of the work that the Department of Conservation and the land trusts are doing. Recommended that the Department of Conservation increase its public service announcements and education.
21	Not aware of the funding opportunities for farmland conservation. Suggested that the Department of Conservation produce more outreach materials about their programs that could be sent to agricultural property owners. Suggested a brochure outlining the criteria, terms and benefits of Department of Conservation's easement programs.
2	The staff and board need basic training on availability of State funds. Would appreciate it if the Department of Conservation staff could come and meet with their board.
12	The Department of Conservation could develop a landowner brochure that the land trust could use in landowner outreach.
19	It would be helpful to have someone meet to review the options for conservation funding. A board of directors presentation about easement funding opportunities would be very helpful. Needs solid information about the funding that is available.
14	Recommended the Department of Conservation increase its outreach activities and provide more information about grant opportunities, requirements, and the application process, particularly regarding planning grants that would support creation of public funding sources.

Planning Grants	
15	It would be helpful if SALCP Strategy and Outcome grants could be used to fund land trust consulting work with the county. Recommended that the Department of Conservation's planning grants programs allow the land trust to serve as a lead applicant.
Program Priorities	
1	If statewide priorities were adopted related to farmland access, that might help us clear the hurdle to adopting those tools.
5	Would like to see stronger priority given to easement projects that (i) ensure continued agricultural production, (ii) lower the price of land to closer to agricultural value and (iii) requires that a farm succession plan is in place.
37	SALC is currently using a scattered approach to farmland conservation. The suggested that the Department of Conservation encourage land trusts to develop strategic and priority plans that identify blocks of farmland to be protected. A coalition of agricultural land trusts working together could maximize strategic conservation efforts. Also urged the Department of Conservation to consider the Sustainable Groundwater Management Act and climate change when prioritizing easements.
31, 33	The SALC program should include proximity to military bases as a risk category. In the alternative, the SALC program could give priority to the easements in Readiness and Environmental Protection Integration program.
21	Programs should be tailored to meet different regions' needs.
Project Development Costs	
22	It would be helpful for either the Department of Conservation to speed up the grant agreement process or allow costs to be incurred up to 180 days of the award letter.
37	Would like the grant agreements to reimburse grantees for work prior to the grant agreement start date.
6	Recommended grants reimburse applicants for the time spent preparing the grant application.

3, 10, 13, 15, 17, 28, 39	It would be very helpful if the Department of Conservation would fund project development costs, even when projects fall through. Noted that the Sierra Nevada Conservancy will pay for title reviews and project development with their Proposition 68 funds. One noted that the California Deer Association also provides project development funding.
22	It would be very helpful for the Department of Conservation to provide project development grants.
Project Timing	
30	The timing of the SALC process is an issue. Projects should be completed within one year so that the appraisals don't get stale.
34	Would appreciate it if the Department of Conservation could close easement transactions within a year.
29	To complete an easement through the grant process can take 2 years or longer from preparing and submitting an application to the close of the easement and final invoicing. Potentially, a more streamlined process exists that would not only help the participant but the Department of Conservation too. Recommended a focus group with various land trusts and the Department of Conservation to think about efficiencies in the process without compromising the funding programs.
1	Recommended revising the requirement that grantees demonstrate all match funding within six months of the grant agreement date, as this can sometimes be a challenge.
Technical Assistance/Training	
37	Noted that some land trusts could benefit from more GIS mapping assistance from the Department of Conservation.
37	Noted that land trusts need more training in how to do easement transactions. The Department of Conservation staff has built their skills over the years and can offer guidance to land trusts. Suggested that the Department of Conservation and the Farm Bureau could offer trainings and classes on agricultural conservation issues. The Department of Conservation could also facilitate land trust staff training by providing more "handholding" for new land trust staff during the easement grant period. Suggested that the Department of Conservation designate a senior staff member to work with new land trust staff.
37	By taking on interns and exposing them to land conservation, the Department of Conservation could help recruit the next generation of agricultural conservationists.

12	Recommended that the Department of Conservation consider assisting with legal counsel.
3, 10, 13, 15, 17, 28, 39	Appreciated the fact that the Department of Conservation runs the quantification methodology for the SALC projects.
2	Would appreciate webinars to share information.
12	Believes that access to educational programs would benefit land trusts.
19	Recommended that the Department of Conservation have staff specialize in specific regions of the state so that staff can understand the trends and issues of that region.
General	
6	Suggested aligning the SALC program review processes and requirements with those of WCB and the State Coastal Conservancy.