



Preparing Your Sustainable Agricultural Lands Conservation Pre-proposal

March 26, 2019 | Sacramento, CA



California
Department of
Conservation



CALIFORNIA
STRATEGIC
GROWTH
COUNCIL



Cap and Trade
Dollars at Work

Webinar Structure

- 1 hour webinar
- We will take questions at the end of the presentation
 - Use chat function to ask questions at any time
 - Send to “Everyone”
 - Include slide number your question refers to
- Please use chat function if you are having technical difficulties
- Have Guidelines and pre-proposal handy

Outline

- SALC Overview
- Eligibility Criteria
- Completing your Pre-proposal
- New for the 2018-19 Round 5 Guidelines
- Priority Population Status
- Next Steps and Questions

Sustainable Agricultural Lands Conservation

- Promote smart growth by protecting strategic agricultural lands from conversion to urban or rural residential uses
- Support a healthy and resilient agricultural economy and food security
- Avoid increases to greenhouse gas emissions through conservation of agricultural lands

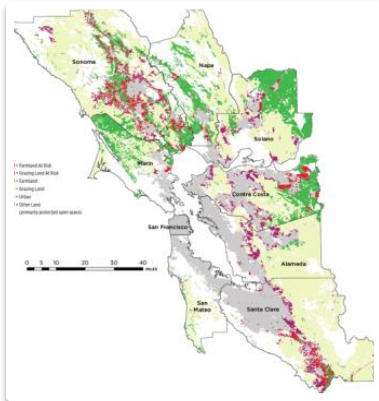


Funding

- 10% of the AHSC Program's GGRF monies
- Round 4 cycle awarded \$48 million funding (17) projects
- Round 5 funding determined after fourth auction (May 2019)



Eligible Project Types



Agricultural
Conservation
Planning Grants

Agricultural
Conservation
Easements



Eligible Project Types

Agricultural Conservation Easements grants to permanently protect important agricultural lands under threat of conversion through the acquisition of voluntary, permanent agricultural conservation easements.

Sustainable Agricultural Conservation Planning grants to develop and implement plans for the protection of agricultural lands at risk of conversion to non-agricultural uses.

Who can apply for a Agricultural Conservation Easement grant?

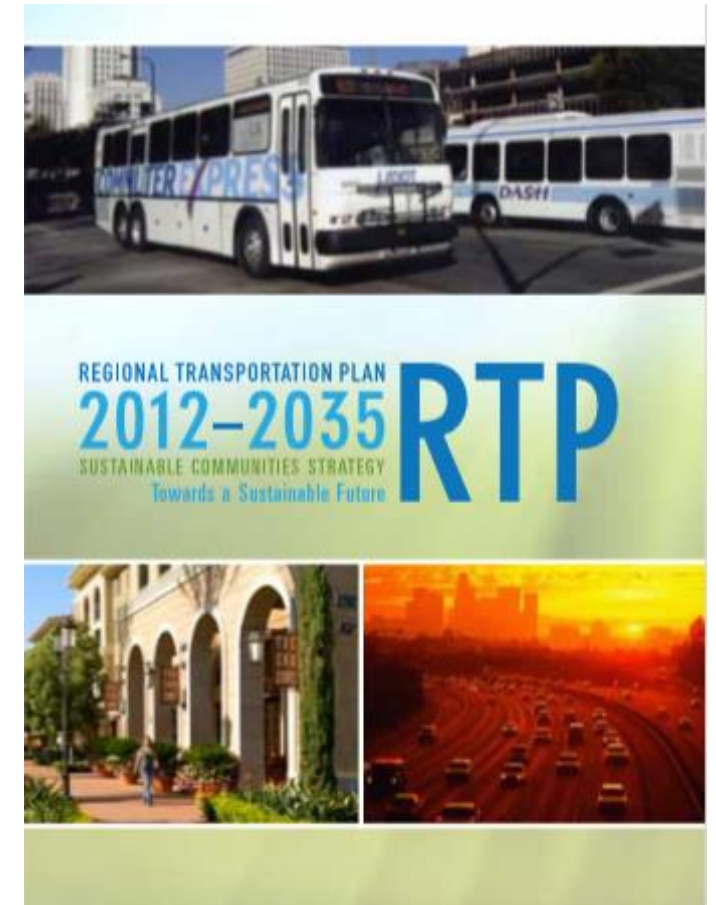
- Cities, counties, nonprofit organizations, resource conservation districts, regional park or open-space districts or regional park or open-space authorities
 - Must have the conservation of agriculture, rangeland, or farmland in their stated purpose or adopted policies
- California Native American tribes as identified in Civil Code 815.3(c)

Eligibility Criteria



Greenhouse Gas Emissions Reduction

- Risk of Conversion: Must demonstrate that the land in question is likely to be converted to a non-agricultural use (as measured using one of [ten](#) risk options)
- Sustainable Communities Strategy (SCS): Must support the implementation of an SCS or, if an SCS is unavailable, a regional plan that includes policies to reduce GHGs



Risk of Conversion



Demonstrate agricultural lands are at risk of conversion by meeting at least one of the ten Risk Options

Result in quantifiable greenhouse gas (GHG) reductions per the approved Quantification Methodology



Risk of Conversion

- Risk Option 1 to 5 categorize risk based on theoretical potential for up-zoning to residential use
- Risk Option 6 & 7 categorize risk based on theoretical potential for up-zoning to rural residential use
- Risk Option 8 to 10 categorize risk based on theoretical subdivision to existing zoning minimums

*A complete list is available in Appendix A of the SALCP Guidelines

Risk of Conversion

Residential Risk

(Risk Option 5 example):

1. Identify project site
2. Identify any nearby cities/spheres of influence
3. Establish 2 mile radius from city edge

Project does not qualify under Residential Risk Option 5



Risk of Conversion

Rural Residential Risk

(Risk Option 7 example):

1. Identify nearby residential parcels
2. Establish 5 mile radius from edge of nearest residential area.

Project qualifies under Rural Residential Risk Option 7



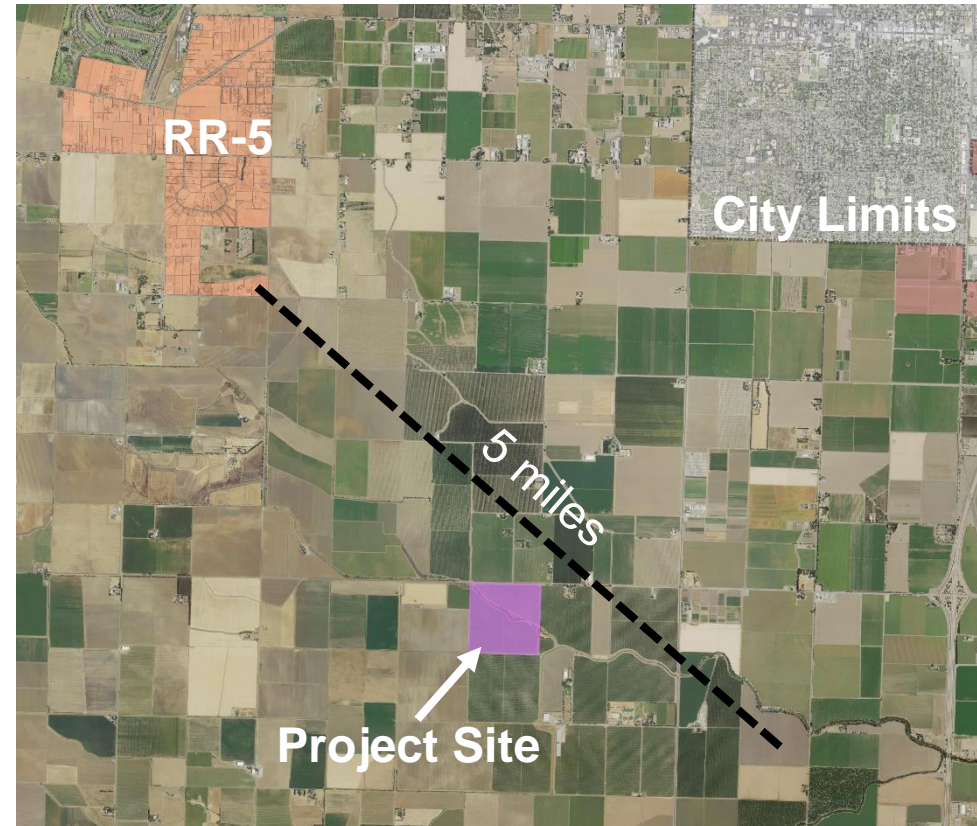
Risk of Conversion

Rural Residential Risk

(Risk Option 7 example):

1. Identify nearby rural residential parcels (1-10 acres)
2. Establish 5 mile radius from edge of nearest rural residential area.

Project qualifies under Rural Residential Risk Option 7



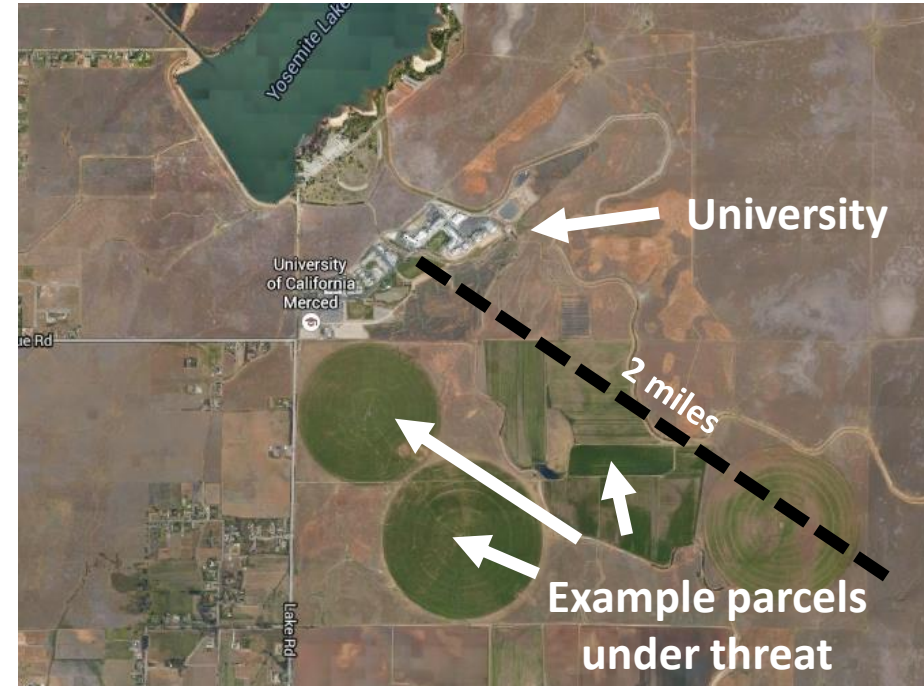
Risk of Conversion

Subdivision to Current Zoning

(Risk Option 9 example):

Look for features such as:

- Golf course
- Casino
- School/University
- Public Recreation Area



Option 9 – school/university

Risk of Conversion

- SALC Program staff will use the risk option with the strongest support to calculate the GHG reduction benefits associated with your project.
- Projects will receive up to fifteen points based on their GHG reduction per acre relative to similar project types.

Sustainable Communities Strategy

- Projects must support the implementation of an adopted or draft Sustainable Communities Strategy or, if an SCS is unavailable, a regional plan that includes policies to reduce GHGs
- An SCS is available for every region covered by a Metropolitan Planning Organization (MPO)
 - Additional information available at: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plans-evaluations>
- Areas without an SCS can refer to an available regional plan
 - Acceptable regional plans are those included under CA Government Code sections commencing 65080 (transportation plans) and 65580 (housing elements)
 - Regional Transportation Plan information can be found at <http://www.dot.ca.gov/hq/tpp/offices/orip/rtp/> under RTP Products & Reports



Agricultural Use

- Parcel(s) proposed for conservation are expected to continue to be used for and are large enough to sustain commercial agricultural production
- Parcel(s) are in an area that possesses the necessary market, infrastructure, and support services to support long-term commercial agricultural production

Additional Eligibility Criteria

- Nonprofit applicants that intend to be the easement holder must be accredited by the Land Trust Accreditation Commission **or have adopted equivalent or greater policies regarding:**
 - Conflict of interest
 - Amendments
 - Monitoring
 - Endowments
 - Enforcement

Additional Eligibility Criteria

Must accept the Conditions of Funding, which include:

- Clean Title to the agricultural conservation easement can be conveyed at close of escrow.
- The applicant and seller of the agricultural conservation easement agree to restrict the use of the land in perpetuity.
- **For projects where the property includes some forest lands, the project will comply with Civil Code Section 815.11.**
- The total purchase price of the proposed easement shall not exceed the appraised fair market value of the easement.
- The easement appraisal must comply with the Department's published Overview and Preparation of Agricultural Conservation Easement Appraisals.
- The appraisal used to establish the easement value must be approved by DGS and the Department.
- The easement acquisition can be completed within 2 years of grant agreement signature.
- For projects on cultivated lands, the easement will prohibit permanent restrictions of agricultural use on existing cultivated lands. Projects may restrict uses on non-cultivated portions of the property, including within or adjacent to riparian or wetlands areas or complexes.
- **For projects on agricultural lands not in cultivation, such as pasture and rangeland, restrictions will only be allowed if the primary purpose for which the easement is being sought is consistent with continuing agricultural use, if the restrictions do not substantially prevent agricultural uses on the property, and if the nonagricultural qualities that will be protected are inherent to the property.**

Completing Your Pre-proposal



Pre-Proposal Requirements

- Include a preliminary title report that is less than 12 months old
 - Include all parcels proposed for conservation under the easement
 - Include underlying documents
- Map your project's structure (i.e., boundaries, acreage, exclusions)
- Define any reserved rights (i.e., building envelopes, single family residences, etc.)

Restrictions on Ag Use

- For projects on cultivated lands, the easement must prohibit permanent restrictions on agricultural use on existing cultivated areas
- For projects on agricultural lands not in cultivation, such as pasture and rangeland, restrictions will only be allowed if the primary purpose for which the easement is being sought is consistent with continuing agricultural use.

Budget

- Associated Costs
 - \$50,000 awarded for each project
 - Accepted costs: staff/subcontractor time, PTR, BDR, one appraisal, escrow/closing fees
 - Costs subject to review and approval: survey, environmental site assessment, mineral remoteness evaluations
- Grant Agreement Term
 - Invoice no more than monthly
- Match funding
 - Identify match status

New for the 2018-19 Guidelines



The Basics

- Pre-proposals are required (due April 17)
- Proposals must be submitted digitally to SALCP@conservation.ca.gov

Dwelling Units

- Single family residences
 - Each single family residence reserved in the easement will be limited to a maximum living area that is consistent with grantee's policies, local building codes, and the surrounding neighborhood.
- Secondary dwelling units and farmworker housing
 - Shall not be prohibited, per the terms of the easement
 - Restrictions cannot be more restrictive than Government Code Section 65852.2 and Health and Safety Code section 17021.6.

Documentation of Public Notice

- Only requirement: Submit a detailed letter to the local jurisdiction's planning director **prior to application submission**

Priority Population Status



Priority Populations

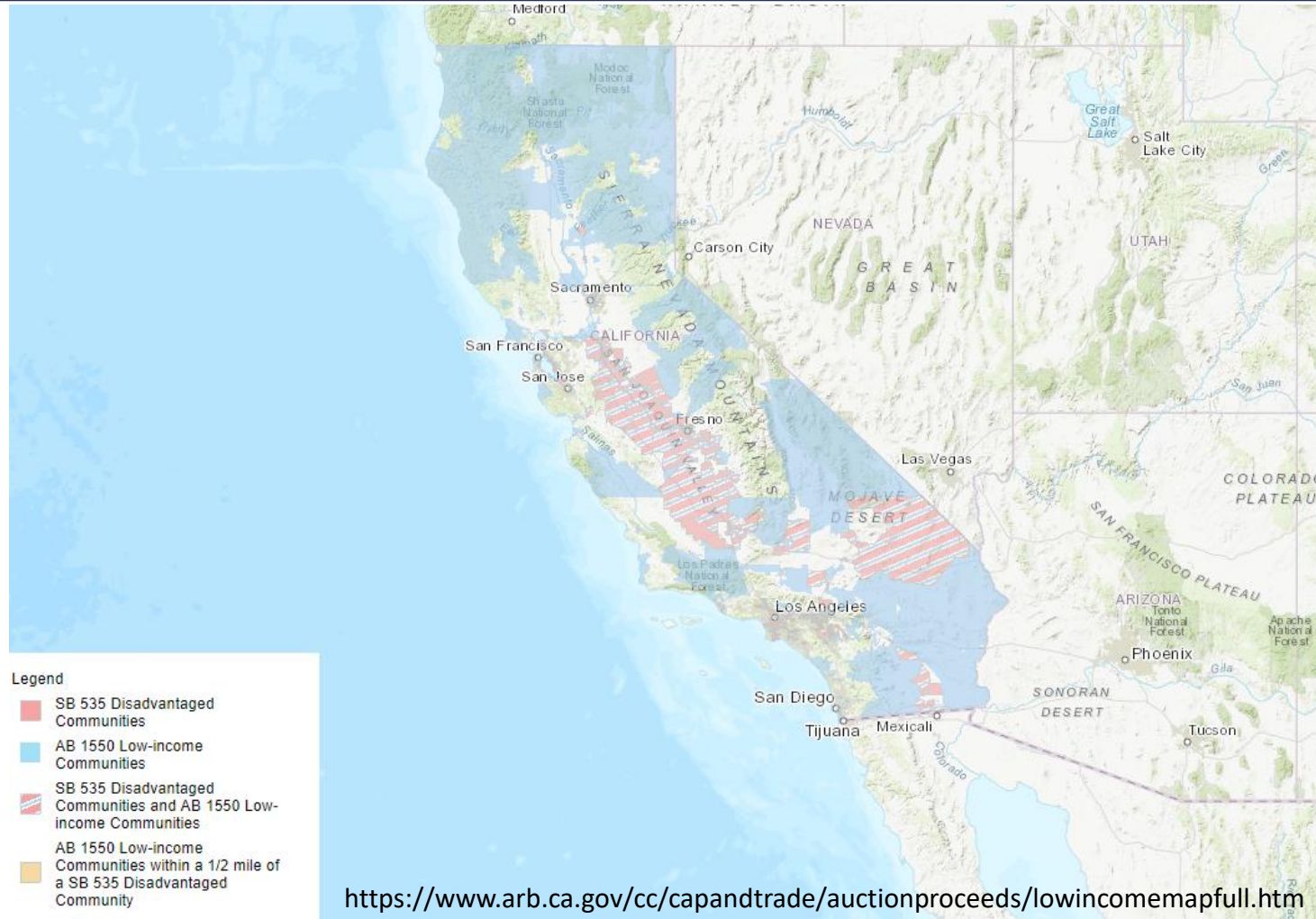
- SALCP will now provide up to 100% funding for projects where 50% or more of the project is located within a priority population area.
- Projects located within a priority population area will receive 5 points towards the application score.
- Projects that qualify for priority population status will receive an additional 5 points towards the application score.

Priority Populations

How do I know if my project falls within a priority population?

1. Is a majority (50% or more) of the project located within a disadvantaged community census tract?
 2. Is a majority (50% or more) of the project located within a low-income community census tract?
 3. Is a majority (50% or more) of the project located within a ½ mile of a disadvantaged community and within a low-income community census tract?
- <https://www.arb.ca.gov/cc/capandtrade/auctionproceeds/communityinvestments.htm>

Priority Populations

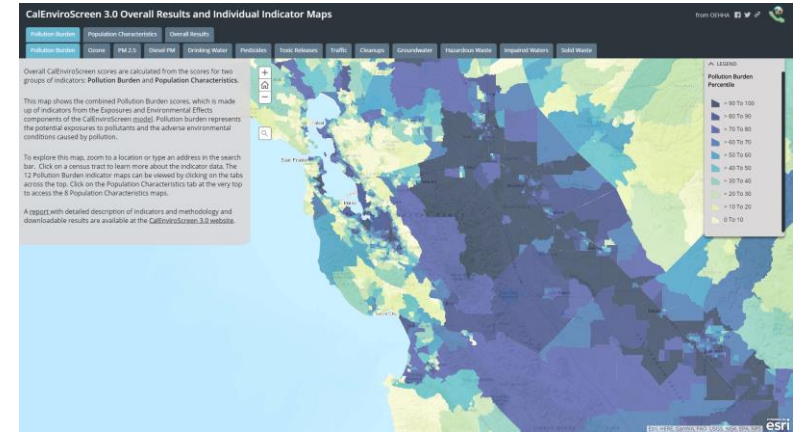


Priority Populations

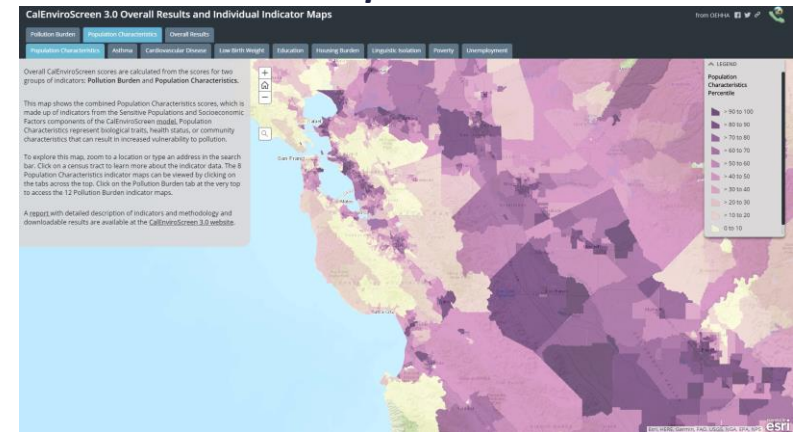
How do I determine whether my project meets an important community need?

1. Consider factors in CalEnviroScreen

Pollution Burden



Population Characteristics



Priority Populations

How do I determine whether my project meets an important community need?

1. Consider factors in CalEnviroScreen

OR

2. **Host community meetings to solicit local input**

*Provide meeting minutes,
copy of Public Notice,
sign-in sheet*



Priority Populations

How do I determine whether my project meets an important community need?

1. Consider factors in CalEnviroScreen

OR

2. Host community meetings to solicit local input

OR

3. **Receive documentation of local community support**

Letters/emails should identify the need fulfilled and how the project specifically meets that need

Priority Populations

How do I determine whether my project meets an important community need?

1. Consider factors in CalEnviroScreen

OR

2. Host community meetings to solicit local input

OR

3. Receive documentation of local community support

OR

4. **Identify common need(s) using Table 5 of CARB's Funding Guidelines**

Examples of needs:

- *Increase access to open space*
- *Provide educational opportunities through community engagement*



Priority Populations

How do I determine whether my project provides direct, meaningful, and assured benefits to a priority population?

1. Does the project preserve a site that allows public access?
2. Does the project significantly reduce flood risk to households within a priority population?
3. Does the project maintain water quality and watershed health by avoiding conversion of forest lands or wetlands that would have resulted in impacts to nearby water bodies located in or directly adjacent to the priority population the project is in?

Priority Populations

How do I determine whether my project provides direct, meaningful, and assured benefits to a priority population?

4. Does the project increase food access to a priority population through: regular farmers' markets or donations to food banks/distribution centers that serve priority populations
5. Does the project provide regular and ongoing educational opportunities through partnerships with schools or non-profit organizations located in a priority population and allow site access to residents of these communities?

NEXT STEPS

April 17:	Preproposals Due (mandatory for easement projects)
September 13:	Applications Due
December 2019*:	Awards recommended for approval by SGC
By April 2020:	Grantees enter into grant agreements with DOC

*Subject to change

Prop 68 Land Trust Capacity & Project Development

- Funding opportunities for land trust capacity building and project development
- Prop 68 allocated \$20M to DOC to protect, restore or enhance working lands and riparian corridors
- Solicitation Notice and Application will be published soon

Contact Information

Email pre-proposals by April 17th to:
SALCP@conservation.ca.gov

Program information found at:
www.conservation.ca.gov
www.sgc.ca.gov

Staff can be reached at:
(916)324-0850



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Questions

Thank You!