

# **SB 275 AGRICULTURAL LAND STEWARDSHIP PROGRAM**

## **FINAL TEXT OF REGULATIONS**

### **CALIFORNIA CODE OF REGULATIONS TITLE 14. NATURAL RESOURCES DIVISION 2. DEPARTMENT OF CONSERVATION CHAPTER 6. SOIL CONSERVATION**

#### **§3000. Definitions**

All terms used in these regulations shall have the same meaning as provided in Public Resources Code sections 10210 through 10223.

Authority: Section 10240(b), Public Resources Code. Reference: Sections 10200 - 10277 Public Resources Code.

#### **§3010. Eligibility**

A real estate appraisal pursuant to Public Resources Code section 10260 must be completed prior to acting upon any grant application under the Agricultural Land Stewardship Program (ALSP) involving the acquisition of interests in real property. The cost of the appraisal is to be borne by the applicant. However, if the applicant is successful in obtaining a grant, the cost of the appraisal shall be considered a direct cost pursuant to Public Resources Code section 10231 and may be reimbursed at the discretion of the Director, based upon the fiscal considerations of a specific project.

Authority: Section 10240(b), Public Resources Code. Reference: Section 10231 Public Resources Code.

#### **§3011. Local Government Support for Agricultural Land Conservation**

In meeting the requirement of Public Resources Code section 10244, a local government shall include a summary of any specific actions taken in support of its stated goals and objectives for agricultural land conservation, including but not limited to specific planning and zoning decisions that have been taken that demonstrate this commitment.

Authority: Section 10240(b), Public Resources Code. Reference: Section 10244 Public Resources Code.

### §3012. Potential Easement Impacts Upon Neighboring Lands

In considering the selection criteria for ALSP applicants, information providing evidence that, by acquisition of an agricultural conservation easement for a given parcel or parcels, long term conservation of neighboring lands through any combination of geographic, zoning, or other considerations can logically be expected without incurring costs of additional easement acquisitions, will be considered pursuant to Public Resources Code section 10252(l).

Authority: Section 10240(b), Public Resources Code. Reference: Section 10252(l) Public Resources Code.

### §3013. Temporary Purchase of Fee Interests

An applicant for funding of a temporary purchase of a fee interest in anticipation of creating an agricultural conservation easement pursuant to Public Resources Code section 10239 shall satisfy the criteria otherwise applicable to easements as provided in this chapter as well as the Agricultural Lands Stewardship Program Act of 1995.

Authority: Section 10240(b), Public Resources Code. Reference: Sections 10239, 10251, 10252 Public Resources Code.

### §3014. Easement Enforcement

Agricultural conservation easements funded through this program shall provide that in the event the holder of the easement fails to enforce any of the terms of the easement, as determined in the sole discretion of the Director of the Department, the Director of the Department and his or her successors and assigns shall have the right to enforce the terms of the easement, including limits on significant impairment of agricultural productivity and multiple uses created by incidental activities as specified in Public Resources Code section 10262. Multiple uses shall be those as defined in Public Resources Code section 10252(b).

Authority: Section 10240(b), Public Resources Code. Reference: Section 10262 Public Resources Code.

### §3015. Easement Transfer

Agricultural conservation easements funded through this program shall provide that in the event that a local government or nonprofit organization holding an easement that was acquired with the use of ALSP funds is dissolved, the Department shall identify and select an appropriate public or private entity to whom the easement shall be transferred pursuant to Public Resources Code section 10235(b). In cases where the easement was acquired utilizing ALSP funds as well as funds from other sources, the Department shall work with the other contributing sources to identify and select an appropriate entity to whom the easement shall be transferred.

Authority: Section 10240(b), Public Resources Code. Reference: Section 10235 (b) Public Resources Code.