
California Farmland Conservancy Program

Focus on Farmland

Newsletter of the CFCP

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Beach and Silveira Farms Preserved in Merced County

The Central Valley Farmland Trust (CVFT), the California Farmland Conservancy Program (CFCP), and the Modesto-based Great Valley Center recently partnered to purchase agricultural conservation easements on two farms in Merced County near the city of Livingston. In both projects CFCP and the Great Valley Center provided funding while CVFT provided project coordination and will hold the easements.

Both farms – Beach and Silveira -- are located near Livingston in some of the most productive farmland within Merced County. The area consists primarily of farms on parcels typically ranging from 20 acres to over 100 acres in size. The area is especially productive for fruit and nut orchards because of its soil quality, availability of affordable and high quality irrigation water, and proximity to processing and marketing infrastructure. Irrigation is provided by the Merced Irrigation District.



Almond trees on the Beach Farm in Merced County

Livingston has experienced rapid growth in the last few years, with recent subdivision activity on the southern limits of the city. Livingston's latest General Plan calls for annexation south of the current city limit and to convert 464 acres of farmland to residential development, within one-half mile of the Beach Farm. In October 2008, Livingston's City Council unanimously voted to approve a draft master plan and environmental impact report that projects exponential growth for the area.

“These are productive farms in an area where urban growth has exceeded projections, so we’re very pleased to help ensure that they will always remain in agricultural use,” said Brian Leahy, head of the Department of Conservation’s Division of Land Resource Protection.

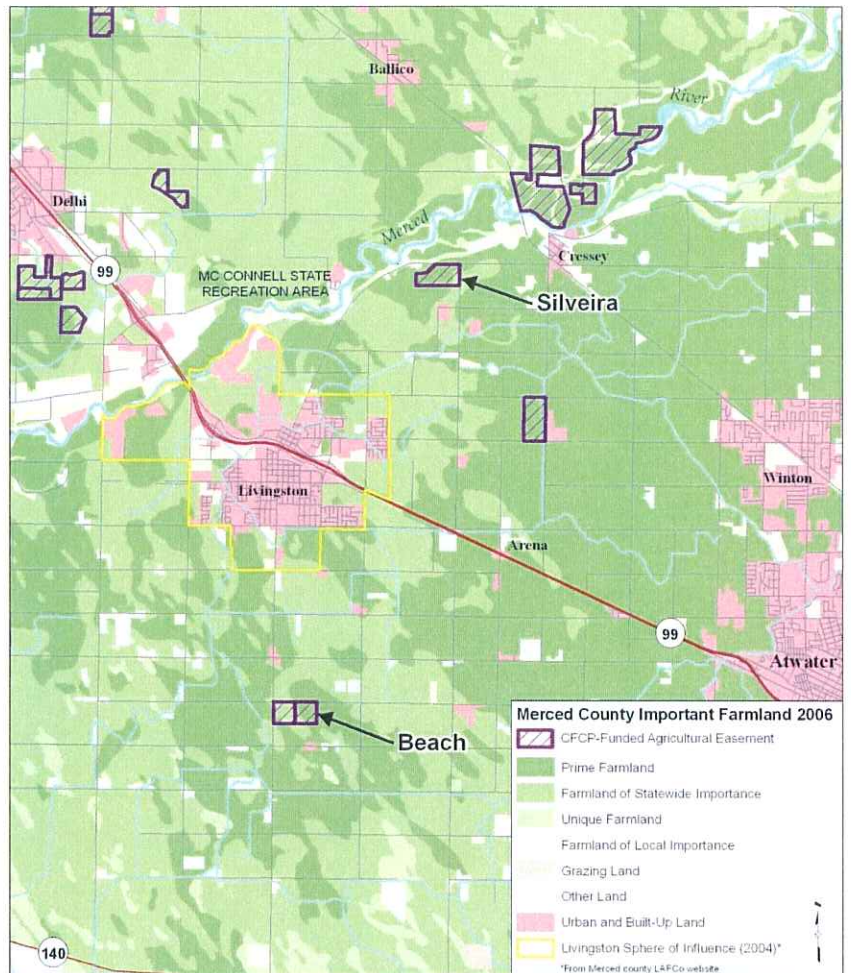
Silveira farm is 1.75 miles from Livingston’s Sphere of Influence, but the City is planning to extend its boundary to within three-fourths of a mile of the Silveira farm. There is already newer residential subdivision development at the eastern edge of the city limits. Future development pressure may increase from a planned freeway interchange two miles south of the farm and a proposed Wal-Mart distribution center to be located between the cities of Merced and Livingston.

“Growth is inevitable and will likely happen on farmland since most of the Central Valley cities are surrounded by it,” said Bill Martin, CVFT’s Executive Director. “We work with cities and counties to strategically place agricultural conservation easements on the better farmland without deliberately impeding planned growth. We appreciate the support of our funding agencies on these projects, the Department of Conservation and Great Valley Center, and we hope that other landowners in the area will see the benefits of the agricultural conservation easement option”.

The 62-acre Silveira farm is planted in almonds, except for a 17-acre portion that is leased to a farmer who grows sweet potatoes and a two-acre portion that is planted in organic blueberries. A portion of the almond orchard is certified organic, with the balance currently transitioning to the same. Beach Farm encompasses 80 acres, with 77 planted in almonds. An almond processing facility is located 1.5 miles north of Silveira Farm, serving much of the region.

CVFT is a private, nonprofit, regionally-based land trust working with landowners who want to conserve their farmland for future generations. The organization works with landowners in Sacramento, San Joaquin, Stanislaus and Merced counties. For more information, visit www.valleyfarmland.org.

Founded in 1997, the Great Valley Center is a private, non-profit organization that supports activities and other organizations working to improve the economic, social and environmental well-being of California’s Central Valley, in partnership with the University of California, Merced. For more information on the Great Valley Center, please visit its website at www.greatvalley.org.



Silveira and Beach farms shown near Livingston

Mission Accomplished: Ducks Unlimited and The Land Trust of Napa County CFCP Planning/Technical Assistance Grants

American Basin Planning/Technical Assistance Grant

Ducks Unlimited (DU) recently wrapped up a successful two-year project supported by a CFCP planning/technical assistance grant. DU's Western Regional office used the grant to assist in identifying and developing seven potential agricultural conservation easement projects within the American Basin of Sutter, Placer, and Yuba Counties. Of the seven conservation easement prospects, DU has secured funding for three and continues to seek funding for the remaining four. These accomplishments are the culmination of a broader strategy supported by the grant that started with landowner outreach and a conservation priorities assessment.

Outreach efforts initially centered on one-on-one meetings with landowners. Meetings were usually at the landowners' properties and included tours of the property and explanations of agricultural conservation programs. DU also participated in two landowner outreach meetings that included guest speakers from the staff of NRCS, CA Department of Fish and Game, US Fish and Wildlife, and DU.

To identify and assess where it wanted to prioritize its conservation efforts, DU used computer mapping capabilities developed in partnership with the NRCS. DU also worked closely with the Sacramento Valley Water Quality Coalition and the American Basin Working Group. As interested landowners came forward, DU reviewed and ranked the potential projects. For those projects with the greatest promise, DU followed up with conservation easement negotiations, appraisals, and property title reviews. The final phase of the grant involved DU working to secure funding and submit funding proposals to different funders for these potential easement acquisition projects.

Joe Navari, a Real Estate Specialist with DU and principle administrator of the grant, said "the future of [DU's] CEAL [Conservation Easements for Agricultural Land] Program is bright. There are also many more landowners willing to entertain an agricultural easement in counties throughout the Sacramento River Valley. DU is sure the interest in agricultural easements will remain high -- especially as commodities prices remain high."

Over the past 10 years, DU has worked with individual Sacramento Valley farmers to provide the support necessary to preserve and protect productive agriculture through the CEAL Program. This program has built strong relationships with owners/operators, local, state and federal resource managers, county planners, and government representatives to help build long-term strategies to keep the Valley's agricultural economy strong. For more information, please visit the California portion of DU's website at: <http://www.ducks.org/states/26/index.html>.

Land Trust of Napa County Planning/Technical Assistance Grant

The Land Trust of Napa County is wrapping up a CFCP Planning/Technical Assistance grant that focused on facilitating the donation of agricultural conservation easements to the Trust. The intense effort was tied to the narrow window to make use of the federal provisions of enhanced tax benefit to landowners who make qualified donations of interests in their lands. The federal provisions for enhanced deductions of land donations ended on December 31, 2007, but were subsequently reauthorized earlier this year, and will now remain in effect until December 31, 2009.

The Land Trust of Napa County has found an active interest in conservation easement donations, which stems in part from the high agricultural land values of the Napa Valley as well as the high returns on premium grapes grown in the region. Landowners having the income to make full use of the enhanced deductions see donations of easements as a practical benefit while making the commitment to permanently

preserve agricultural land. The CFCP Planning/Technical Assistance grant supported land trust staff efforts to meet with landowners, provide outreach materials, negotiate easement terms, and complete the easement transactions. The land trust completed a total of seven easement donations during the grant term and anticipates the completion of at least three more that were initiated during the term of the grant.

Funding and Legislative Updates

CFCP received \$5 million in new local assistance (grant) funding from the 2008 Budget Act, authorized by AB 1781 (Laird) Chapter 268. These funds are derived from Proposition 84 bond authorization approved by voters in 2006. CFCP's current website instructions for grant applications remain in effect for these funds. As announced in this newsletter, CFCP is now accepting applications in electronic form, as an alternative to traditional hard copy applications.

Several bills were enacted at the end of the current legislative session that affect agriculture and land conservation. Among them are the following:

- AB 2921 (Laird) Chapter 503. This legislation principally clarifies and strengthens of Williamson Act provisions, including those related to contract cancellations, payment of cancellations fees, circumstances that result in material breaches of contracts, and the Department of Conservation's authorities to address material breaches of contracts.
- AB 1389 (Committee on Budget) Chapter 751. This local government omnibus budget trailer bill includes provisions that reduce Open Space Subvention Act payments (the payments made to local governments to partially offset property tax reductions provided under the Williamson Act) by ten percent. Subvention payments have been about \$39 million annually, so this reduction represents approximately \$3.9 million annually. The legislation also requires that subvention payments not be made before April 20 of each year.
- AB 2881 (Wolk) Chapter 686. This legislation addresses the issue of rural residential development and potential nuisance complaints occurring within agricultural areas. Specifically, this bill requires a real estate agent or broker to include a disclosure and "Notice of Right to Farm" in a real property sales contract for any real property that is located within one mile of farm or ranch land, as designated by the Department of Conservation's Farmland Mapping and Monitoring Program. The notice shall detail that the property "may be subject to inconveniences or discomforts resulting from agricultural operations that are a normal and necessary aspect of living in a community with a strong rural character . . ."

CFCP / DOC News Updates:

CFCP is now accepting applications in electronic form: To facilitate the electronic submittal CFCP has created a new e-application file that contains in one Word® document all of the various required application forms and includes placeholders for other required documentation that must be submitted. There is a separate e-application file for acquisition grants and planning/policy grants. Some components of a CFCP application may not lend themselves to electronic submittal, in which case submitting those components in hardcopy form remains appropriate.

Applications are encouraged to consider using the more environmentally-friendly e-application for future submittals. For more information, please visit CFCP's application [webpage](#).

Other News:

Trends in Agricultural Land & Lease Values: The California Chapter of the American Society of Farm Managers & Rural Appraisers (ASFMRA) has released its 2008 issue of Trends in Agricultural Land & Lease Values. The annual publication is a source for agricultural land value data in California and an resource tool for the industry. Historical information is included in each issue of Trends going back an average of six years. Regional editorial overviews that provide background information for the charts and graphs are included as well as a glossary of terms for those who might be unfamiliar with some of the verbiage used in the reporting.

Copies of 2008 Trends are available from the California Chapter, ASFMRA for \$15 plus shipping and handling. Contact the chapter at 209.368.3672 or email secretary@calasfmra.com for information.

Upcoming Events:

The California Council of Land Trusts is hosting the 4th annual **California Land Trust Conference** on February 23 – 25 in Sacramento. The annual conference features conservation news, information, advocacy and networking opportunities with land trust and public agency colleagues. For more information please visit www.calandtrusts.org.

The California Farmland Conservancy Program, administered by Department of Conservation's Division of Land Resource Protection, is designed to ensure that the state's most valuable farmland can be preserved. Through the program, local governments and nonprofit organizations can receive grants to purchase development rights from willing landowners, thus creating permanent conservation easements.

We hope you've found this issue of *Focus on Farmland* useful and informative. Please contact us with any questions or ideas you have for future editions. Feel free to forward this email to other interested parties.

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