

Farmland for All buy-protect-sell program pilot

Racial Equity Tool Worksheet

Step #1 What is your proposal and the desired results and outcomes?

1. Describe the policy, program, practice, or budget decision (for the sake of brevity, we refer to this as a “proposal” in the remainder of these steps)

In order to forward the goals of the Vital Lands Initiative and in response to the input of our agricultural community stakeholders, the Sonoma County Agricultural Preservation and Open Space District 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. The first tool in the Farmland for All toolkit is a “buy-protect-sell” strategy, whereby the organization will seek out and purchase a farm or ranch property from a willing seller, protect it with a conservation easement, and sell the conserved land to a qualified buyer. The Sonoma County Agricultural Preservation and Open Space District will begin 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, the organization will also explore the use of conservation easement enhancements such as an agricultural conservation covenant requiring ongoing agricultural production on the property and an affordability covenant consisting of resale restrictions designed to maintain the property’s affordability over time. The easement and covenants may reduce the property’s appraised value, potentially making it more affordable for agricultural producers. Based on the insights gained through this pilot, staff 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 Program, including the buy-protect-sell pilot, will add to and enhance the tools that the organization currently uses to conserve agricultural land. While we develop these new tools, we will be continuing, and expanding, our ongoing traditional agricultural land conservation efforts.

2. What are the intended results (in the community) and outcomes (within your own organization)?

The Farmland for All program overall is intended to enhance equitable access to agricultural land for agricultural producers through development and implementation of a range of tools.

In the short term, the intended result of the buy-protect-sell program pilot is to sell one property to a qualified agricultural producer and/or organization, and to generate learnings about how Ag + Open Space can use land conservation tools to address barriers to equitable land access.

In the long term, we hope to use these learnings to inform either further piloting of buy-protect-sell transactions with additional properties, or creation of an ongoing buy-protect-sell program that would continue to protect additional properties through this process for the foreseeable future. We also hope that the learnings from this pilot will support the development of additional Farmland for All tools to support agricultural land access for agricultural producers.

3. What does this proposal have an ability to impact?

Children and youth	Health
Community engagement	Housing
Contracting equity	Human services
Criminal justice	Jobs
Economic development	Parks and recreation
Education	Planning /development

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Environment	Transportation
Food access and affordability	Utilities
Government practices	Workforce equity
Other: Land access and affordability, Equity of land ownership	

Step #2 What's the data? What does the data tell us?

1. Will the proposal have impacts in specific geographic areas (neighborhoods, areas, or regions)? What are the racial demographics of those living in the area?

No geographic area is specified for this pilot program. We intend to purchase a small agricultural property with agricultural zoning. For the pilot specifically, we will likely need to select a specific property to buy based on current availability and landowner interest, so it is hard to predict at this point where this property might be located.

In the long term, identifying the population demographics of those areas which have the highest number of small agricultural properties with agricultural zoning would allow us to make some predictions about what populations would likely be most affected by ongoing implementation and to identify if changes to our approach were needed in order to achieve or enhance equitable outcomes.

2. What does population level data, including quantitative and qualitative data, tell you about existing racial inequities? What does it tell you about root causes or factors influencing racial inequities?

While 96% of Sonoma County agricultural producers identify as white (according to data from the 2017 ag census), only 64% of Sonoma County residents identify as white. Additionally, based on discussions with stakeholders (see [Land Access and Land Tenure](#) study), there are a great number of highly experienced farmers who would like to establish their own farm business among the more than 8,000 farmworkers who work in Sonoma County, yet relatively few have been able to do so. These numbers seem to indicate that the barriers to success, while extremely high for all agricultural producers in Sonoma County, are significantly higher for non-white producers.

There are many barriers to success for agricultural producers, and many root causes to investigate. Ag + Open Space, as a land conservation organization, has focused primarily on investigating land-based barriers. And indeed, according to stakeholder input (such as the Land Access and Land Tenure study), one of the most significant barriers to success for ag producers is a lack of access to land and/or a lack of stable tenure on that land. Non-white producers are especially disadvantaged in terms of land access, due in large part to a history of systematic removal, discrimination, and exclusion, which removed non-white individuals and communities from their land, prevented them from acquiring land, or confined their land ownership to only certain areas of the County.

One of the most often-cited barriers to land access in the present day is the high price of land. Like other barriers to success, this is an especially large challenge for non-white producers, due in large part to widespread inequality in wages by race/ethnicity and gender. Non-white residents of Sonoma County on average have lower median earnings (as described in the 2021 Portrait of Sonoma), less savings, and ultimately, less money available to purchase land.

3. What performance level data do you have available for your proposal? This should include data associated with existing programs or policies.

Ag + Open Space plans to develop tracking of performance level data for the buy-protect-sell pilot, and any future buy-protect-sell program or other Farmland for All tools, in partnership with the Office of Equity. The Office of Equity has provided us with some initial questions which we will use as a guide to help us make sure we are collecting the relevant information:

1. Who does this program serve?

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2. What is the program's intended impact? (How do I know if this program works? How would I know if anyone is "better off" as a result of it?)
3. What is the quality of the program/strategy? (cultural relevance, language access, participation rates, etc.)
4. What is the story behind the data?
5. Who are the partners with a role to play? (Who is missing at the table?)
6. What works to have greater impact? (Which actions/changes have you made and how have they worked out?)
7. What are your next steps? (Who will do what? What resources are needed?)

4. Are there data gaps? What additional data would be helpful in analyzing the proposal? If so, how can you obtain better data?

In order to analyze the impacts of this pilot program, our future long-term land access work, and our work overall, it may be helpful to investigate:

- Demographic data for the persons who have so far benefited from Ag + Open Space conservation easement purchases, proximity to Ag + Open Space conserved land, and other work. A better understanding of who has benefited from our work thus far will allow us to more clearly identify gaps.
 - Some work in this area has already been completed or is under way, for example the recent Sonoma County Park Gap Analysis which analyzed what areas of the County have the least access to open space.
 - Data will be disaggregated to the extent possible by income, race/ethnicity, gender, age group, census tract, and other relevant categories.
- Geographic areas of the County which most severely lack access to protected agricultural land and/or locally produced food, similar to the approach taken in the recent Park Gap Analysis.
- Identification of the geographic areas of the County with the highest concentration of properties that we would anticipate targeting for protection through this program, and an analysis of the demographics of these areas to help us identify any unintended inequitable impacts from our choice of target property type.

As we investigate the above items, we plan to include income and HDI (Human Development Index) score as priority demographic criteria to help us understand disparities in who is benefitting from our work, until such time as better criteria for understanding these disparities become available.

Step #3 How have communities been engaged? Are there opportunities to expand engagement?

1. Who are the most affected community members who are concerned with or have experience related to this proposal? How have you involved these community members in the development of this proposal?

The community members whom we hope to affect most via this program pilot are agricultural producers, or entities directly supporting them, who are seeking long-term, stable access to agricultural land via land ownership. We plan to maintain a focus on reaching out to members of communities who have historically been excluded from owning or accessing land, with the aim of ensuring that our programming is designed to be accessible to and supportive of these communities.

We have engaged with these producers and with advocacy organizations which support them via:

- Interviews:
 - As described in the [Land Access](#) study, we interviewed more than 20 agricultural producers seeking stable land access, including 4 farmworkers aspiring to own their own farm business. Payments were provided to interview participants.

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- Draft versions of the pilot program have also been shared with a number of representatives from the agricultural community for comment, with follow up conversations to discuss their input and how to incorporate it into the program.
- Group discussions:
 - As described in the [Land Access](#) study, we convened an Advisory Group consisting of 11 participants, approximately a third of which were agricultural producers. This group met three times to provide input on the study design, findings, and recommendations, with the aim of identifying recommended actions to support land access and tenure for limited resource farmers. Payments were provided to Advisory Group participants. The input of this group has been integral to the design of this pilot.
 - We presented the outline of the pilot to the Sonoma County Food Systems Alliance and to the Community Alliance With Family Farmers Sonoma County Leadership Circle for their comments and incorporated their input into the program design.
 - We presented the outline of the pilot to the Ag + Open Space Advisory Committee Agricultural Subcommittee for their comments and incorporated their input into the program design.
- Survey:
 - As described in the [Land Access](#) study, UCCE developed and distributed a survey designed to learn more about the barriers faced by farmers and ranchers in Sonoma County. While this survey did not focus primarily on land access, it added to our overall understanding of the local agricultural community and has contributed to program design.

While we have been able to carry out a fair amount of engagement with producers themselves (see “interviews” above), a large portion of our engagement has been with advocates or representatives of producers. It is difficult for farmers and ranchers, especially those from Historically Excluded communities, to participate in these processes because they are very busy and have little time to spend on activities that don’t directly contribute to their business success. As we learn from this pilot and consider long-term programming, we hope to continue to prioritize direct engagement with producers. We hope to identify ways in which we can engage with producers more directly, and provide them with more support as they engage with us (for example by offering food, or support for transportation or childcare). The upcoming County Policy on how to practice supportive community engagement will be of great help in this regard.

2. What has your engagement process told you about the burdens or benefits for different groups?

Those individuals or communities who do not already own land, have an existing relationship that enables them to access land affordably (for example parents, a family friend, or a work connection), or a high amount of existing personal resources (a large amount of savings or inheritance, a high income from an off-farm job, or a spouse or other family member with a high-income off-farm job) struggle to access land and maintain land tenure. A lack of opportunity to own land leads in turn to other disadvantages (see Step 3, Question 3, below). All of these barriers are most likely to affect BIPOC and other HE individuals and communities. We therefore hope that this program will create the most benefit for BIPOC and other HE folks because they are currently the most impacted by these barriers.

On the other hand, elements of the program that prove to be the most burdensome may also affect BIPOC and other HE communities the most negatively; see Step 4 Question 2 for discussion of unintended consequences and potential ways to mitigate them.

3. What has your engagement process told you about the factors that produce or perpetuate racial inequity related to this proposal?

Market-based land ownership transfer is one way that racial inequities in land ownership are perpetuated, because when who gets to own land is determined based on who has the most money, those with less money (often BIPOC individuals or groups, due to historic and ongoing discrimination among other injustices) have fewer opportunities to own land. This in turn restricts the opportunities of these individuals to earn income from land-based work such as agricultural production, to receive collateral-based loans, and to build generational wealth via

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long-term land ownership. The negative impacts of market-based land ownership transfer are especially strong in Sonoma County, where there are high levels of land speculation and extremely high demand from very wealthy individuals for small agricultural properties to be used as estates or vacation homes.

Additionally, since land access is sometimes achieved through family or other personal connection with an existing landowner, those who have these connections are more likely to be able to access land. This tends to further perpetuate inequities since the vast majority of agricultural land is owned by white individuals and they are more likely to have family or other personal connections to other white individuals.

Step #4 What are your strategies for advancing racial equity?

1. Given what you have learned from research and stakeholder involvement, how will the proposal increase or decrease racial equity? Who would benefit from or be burdened by your proposal?

Because the initial pilot described in this proposal will only involve protection and sale of one property, it is likely that its impact on racial equity will be small. However, we hope that the learnings from this pilot will allow the development of an ongoing buy-protect-sell program and/or other agricultural land access tools. In the long term, our hope is that these tools will address barriers to agricultural land access and tenure, in particular land affordability but also the difficulty of finding available ag land for those without a preexisting connection with a landowner, and (via support provided during the application process) the development of capacities such as writing a business plan or keeping business records which are tangential to agricultural production but essential for long term business success. Since these barriers are especially high for BIPOC individuals and groups, we hope that reducing them will help to address inequities in land ownership, and thereby, in success as agricultural producers.

2. What are potential unintended consequences? What are the ways in which your proposal could be modified to enhance positive impacts or reduce negative impacts?

Some potential unintended consequences, with possible mitigation strategies, are described below.

- **Process design is not sufficiently sensitive to needs of the BIPOC community.** For example, if the application process is too burdensome, applicants who do not have adequate time to complete the process or who lack the language skills to easily engage with the process will be disadvantaged. BIPOC applicants are more likely to face these difficulties, so this would perpetuate inequity by inadvertently advantaging white or otherwise privileged applicants.
 - Intended mitigation:
 - Identifying, to the extent possible, available assistance, resources, and partnerships that applicants can use during each step of the application process.
 - Maintaining a special focus on identifying assistance, resources, and partnerships which are relevant and welcoming to BIPOC individuals (for example, identifying organizations that provide assistance in Spanish and other languages, identifying organizations that are already led by and/or serving marginalized community groups).
 - Including video or audio options in addition to written options where possible.
- **Even after a conservation easement and associated enhancements are applied, the property price is not sufficiently reduced to make it affordable for most/all BIPOC applicants who would otherwise be interested in purchasing the property,** thus perpetuating racial inequities in land ownership.
 - Intended mitigation:
 - We are exploring a range of options for making the post-easement price of the property as low as possible, including restrictions on housing use on the property (for example, restricting use of housing on the property to agricultural workers and their families) and restrictions on the resale price of the property (for example, capping the annual percent increase of the property's resale value, which will also affect the property's present-day appraised value by limiting the property's potential future investment payoff).

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- We also intend to identify supportive financial service providers to whom we can direct applicants, who can help them access loans to purchase the property if necessary.
- **Restrictions on the property make the property more affordable in the short term but restrict the new owner's ability to build long-term wealth through appreciation of the property's value.** This is a risk with any type of deed restriction on a property, but is an especially significant issue when considering restrictions on resale price.
 - Intended mitigation:
 - To some extent, this trade-off is unavoidable; the nature of market valuation and property appraisal means that generally, factors that lower the property's current appraised value will also reduce its appraised value in the future.
 - Considering resale price restrictions specifically, we are investigating ways to lessen the impact of such a restriction, for example by excluding from such a restriction any increase in value caused by the landowner's improvements to the property (such as new or improved infrastructure), so that the landowner can benefit fully from these investments if/when they choose to sell the property.
- **Required agricultural production on the property creates unintended negative consequences for nearby communities.** While agricultural production on a property provides many benefits to those nearby, there can be downsides as well including road traffic, smells (from compost application, etc.), dust, or insects.
 - Intended mitigation:
 - We plan to target agriculturally zoned properties for this pilot and for future ag land access programming.
- **Certain types of activities and development will be prohibited on land protected through the program pilot,** which creates a risk of unintentionally limiting open space access, housing, and other developments that may otherwise have benefited BIPOC communities.
 - Intended mitigation:
 - Evaluation of potential sites to ensure they do not conflict with community supported affordable housing or other community-based uses that benefit BIPOC communities.

3. Are there complementary strategies that you can implement? What are ways in which existing partnerships could be strengthened to maximize impact in the community? How will you partner with stakeholders for long-term positive change?

As discussed above in Step 4, Question 2, we plan to connect applicants to support and resources via partnerships, with a focus on organizations that are led by and/or serving marginalized communities. This will include strengthening existing partnerships, for example with Los Cien, as well as developing new partnerships, for example with the Red LatinX Business Hub. In the long term, we hope that working with partner organizations on a buy-protect-sell program and/or other land access tools that we develop will be a focal point for the development of long-term relationships with a range of communities.

We also hope that by designing programming that addresses the barriers that BIPOC community members face and is designed – ideally in collaboration with these communities – with their needs and preferences in mind, we can demonstrate our commitment to diversity, equity, and inclusion, strengthening the foundations of our relationships with communities who have experienced marginalization.

4. Are the impacts aligned with your community outcomes defined in Step #1?

We feel that they are aligned.

Step #5 What is your plan for implementation?

1. Describe your plan for implementation.

Please see Step 1, Question 1 for a brief description of the proposal. For further detail, please see the other attachments to this Board item.

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2. Is your plan: Realistic? Adequately funded? Adequately resourced with personnel? Adequately resources with mechanisms to ensure successful implementation and enforcement? Adequately resourced to ensure on-going data collection, public reporting, and community engagement?

A. Realistic?

- Based on extensive discussion with stakeholders, we believe that our plan is realistic.
- One potential risk is that interest from agricultural producers in the property we purchase will be lower than anticipated. In order to mitigate this, we are aiming to set a high bar for the features of the property we will buy, and include examination of the property by experts and anonymous input from qualified applicants prior to purchasing.
- We anticipate that the pilot will provide significant further learnings about the feasibility of this approach to land protection and land access.

B. Adequately funded?

- Funding for the purchase of the property to be protected through this pilot, as well as for the staff time to implement the pilot and for any payments to partners or contractors necessary to implement the pilot, will come from Ag + Open Space Measure F funding. No challenges with funding are anticipated.

C. Adequately resourced with personnel?

- Ag + Open Space personnel have the majority of the expertise needed to implement this pilot. In areas where our expertise is insufficient, we will partner and/or contract with additional experts such as our local Resource Conservation Districts or business resource organizations such as the Red LatinX Business Hub.
- One possible challenge is that, despite high levels of expertise, staff may find it challenging to prioritize the time required to learn and implement this new approach to land protection along with their other workload. One way to mitigate this might be to request clear direction from the Board of Directors and from management about how this project is to be prioritized compared to other items.

D. Adequately resourced with mechanisms to ensure successful implementation and enforcement?

- Since implementation of this pilot primarily depends on the work of our staff, we do not anticipate challenges with enforcement. Other potential risks to successful implementation are discussed in the other items in this list.

E. Adequately resourced to ensure on-going data collection, public reporting, and community engagement?

- The primary anticipated challenge for appropriate data collection, public reporting, and community engagement is less the amount of resources available and more about identifying appropriate data to collect that will provide us with a meaningful perspective on equity impacts, what learnings will be the most meaningful for the public and in particular marginalized communities, and similar considerations. We have been and will continue to work with the Office of Equity to develop our approach to data collection and reporting.

3. If the answer to any of these questions is no, what resources or actions are needed?

See above for discussion of mitigation of challenges.

Step #6 How will you ensure accountability, communicate, and evaluate results?

1. How will impacts be documented and evaluated? Are you achieving the anticipated outcomes? Are you having an impact in the community?

- For this pilot of the buy-protect-sell approach, we are considering a few approaches to assess equity impacts:
 - To the extent allowed by applicable regulations, tracking the demographics of participants in each stage of the process, from informational workshops to the final stage of applicant selection, to

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understand who our outreach is reaching and how different aspects of the process might be advantaging or disadvantaging certain groups (for example, if a high number of BIPOC individuals drop out or are eliminated at a particular point in the process, that will indicate that that stage needs to be reconsidered).

- Assessing the demographics of the populations in proximity to the property that will be protected through this pilot to learn about who might be benefiting most, other than the new landowner.
- In the long term, we will continue to track these or other relevant metrics for our land access work.
- See Step 5, Question 2, Item E for a discussion of potential challenges in this area.

2. What are your messages and communication strategies that are/will help advance racial equity?

- We plan to strategically use outreach during each stage of the pilot to increase its potential to enhance equity, including carrying out outreach in English, Spanish, and other languages as possible and needed; and partnering with organizations led by and/or serving HE communities to share information about this opportunity.

3. How will you continue to partner and deepen relationships with communities to make sure your work to advance racial equity is working and sustainable for the long haul?

- As we learn from the pilot and apply these learnings to developing ongoing land access programming, we plan to:
 - Continue to reach out to relevant organizations, including those serving HE communities, to get feedback on the process and input for future refinement of our land access work.
 - Continue to build relationships with additional partners who can provide support to a diverse range of applicants (loans, business training in multiple languages, etc.).
- Additionally, see Step 4, Question 3 for discussion of how we hope this work will contribute to our long-term relationships with communities.