



## Legislation Details (With Text)

**File #:** 2020-1347  
**Type:** Regular Calendar Item **Status:** Agenda Ready  
**File created:** 12/23/2020 **In control:** Agricultural Preservation And Open Space District  
**On agenda:** 1/5/2021 **Final action:**  
**Title:** EARTHseed Grant Agreement and Graton Mitigation Funding Request  
**Sponsors:** Agricultural Preservation And Open Space District, County Administrator  
**Indexes:**  
**Attachments:** 1. Summary Report, 2. General Plan 2020 Location Map, 3. EARTHseed Farm Site Map, 4. EARTHseed Farm Location Map, 5. Resolution

Date	Ver.	Action By	Action	Result
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**To:** Sonoma County Board of Supervisors; Board of Directors, Sonoma County Agricultural Preservation and Open Space District  
**Department or Agency Name(s):** Sonoma County Administrator's Office; Sonoma County Agricultural Preservation and Open Space District  
**Staff Name and Phone Number:** Marissa Montenegro, 565-2431; Steph Tavares-Buhler, 565-7362 (Ag + Open Space)  
**Vote Requirement:** 4/5th  
**Supervisory District(s):** Fifth District

**Title:**  
EARTHseed Grant Agreement and Graton Mitigation Funding Request

### Recommended Action:

- A) Authorize the County Administrator to negotiate and enter into a \$50,000 grant agreement with EARTHseed LLC to purchase working farmland for Afro-Indigenous farming and to provide public agricultural education programs.
- B) Adopt a budget resolution appropriating \$50,000 from the Graton Intergovernmental Mitigation Agreement to fund the grant.

(4/5<sup>th</sup> Vote Required)(Fifth District)

### Executive Summary:

This is a request to delegate authority to the County Administrator to negotiate and execute on behalf of the County a grant agreement for \$50,000 from the Graton Mitigation Fund to assist EARTHseed LLC in the purchase of a 14-acre organic farm near Graton. EARTHseed is working with the County of Sonoma (County Administrator's Office) and the Sonoma County Agricultural Preservation and Open Space District ("Ag + Open Space"), with the support of the Federated Indians of Graton Rancheria, to enter into a contract to purchase a working organic farm near Graton to serve as an Afro-Indigenous farm that will be accessible to the public and will provide agricultural education programs. EARTHseed has made an offer on the property, raised \$50,000 towards the down payment, and is requesting additional funding from the County to assist in making the initial down payment. The down payment is critical to executing a purchase contract for the property. The

purchase contract will allow the buyer and Ag + Open Space the time needed to develop a collaborative agricultural land protection and public benefit project and pursue funding to complete the simultaneous purchase of the property and recordation of land conservation agreements (such as a conservation easement and/or mandatory agricultural use agreement).

#### **Discussion:**

EARTHseed is a Northern California-based farming community being formed to bring Afro-Indigenous permaculture practices to local communities. EARTHseed is the brainchild of Pandora Thomas, the child of African-American and Native American farmers, who has several years of experience with Afro-Indigenous farming with non-profits and other organizations across the world. The EARTHseed Permaculture Center (“EPC”) would be an organic farm and educational center, rooted in Sankofa principles of reverence for the ancestors of the land and its local community, as well as stewardship principles of its African ancestors. It will aim to heal and inspire by reconnecting all visitors, especially African American and other communities of color, to practices that restore their relationships with each other, the earth and her systems, and their nonhuman counterparts. This 14-acre farm would be the first farm and educational center owned and operated by EARTHseed.

EARTHseed is requesting a \$50,000 grant from the County to assist with the purchase of an approximately 14-acre organic farm near Graton, known locally as Gabriel Farm, for the future site of the EPC. EARTHseed will use these funds along with another \$50,000 that they are contributing to make a down payment towards the purchase of the farm. EARTHseed is working with various entities, including Ag + Open Space, to raise or borrow the remainder of the funds in time for an April closing. The County would enter into a grant agreement with EARTHseed outlining the conditions for receiving the funding. The grant would be funded with Graton Mitigation Funding.

Gabriel Farm is a thriving organic family farm and orchard, running a successful you-pick community-supported agriculture program. The farm’s longtime owners, Lucy and Torrey Olson, are retiring and wish to sell the property within the next few months to a buyer who will continue the property’s legacy of community farming. The property was recently put on the open market for \$2.5 Million. EARTHseed has submitted an offer, contingent on being able to raise the funds for the down payment and purchase price. The down payment is critical to executing a purchase contract for the property. The purchase contract will allow the partners the time needed to develop a collaborative agricultural land protection and public benefit project. Ag + Open Space will return to the Board with a proposal for the purchase of a conservation easement and mandatory agricultural use agreement to contribute funds into escrow for the purchase of the property. The acquisition of the conservation easement would happen simultaneous to the transfer of ownership to EARTHseed. Ag + Open Space must conduct an appraisal of the interests being acquired prior to depositing any money into escrow. Therefore, Ag + Open Space sales tax dollars cannot be made available for the down payment in a timeframe that works to compete with the competitive market for purchase of the property.

The contribution towards the purchase of the farm presents an opportunity to make agricultural land ownership in Sonoma County more diverse and equitable. The USDA 2017 Agriculture Census found that the vast majority of farmers in Sonoma County are white (96%) and male (61%). However, it also found that about 40 percent of farmers here are over the age of 65, and we are reaching a point when some of our most innovative small organic farmers wish to retire and sell their lands. This provides an opportunity to support equity and diversity in agricultural land ownership in the County.

While there are many farmers and ranchers interested in acquiring these agricultural properties, land in Sonoma County is prohibitively expensive. The cost of land is the single greatest challenge for young and diverse farmers and ranchers in America. (See National Young Farmer’s Coalition policy paper “Toward a More Equitable Farming Future”). Access to land is even more difficult in the Bay Area than nationally, as the agricultural markets here are generally good (pre-pandemic), but competition with estate buyers and “super-commuters” raises the price of farmland and makes ownership nearly impossible for new farmers.

African Americans and people of color are at a further disadvantage, due to centuries of institutional racism and bias. It is far harder for people of color to get loans to buy farmland, and the loans they do receive generally are smaller and with less advantageous terms. (See Young Farmer’s Coalition policy paper “Toward a More Equitable Farming Future”). Local under-represented farmers and ranchers have consistently reported that access to good quality agricultural land at an affordable price is the single most significant contribution needed to making local farming more resilient, equitable, and diverse.

Using the Graton Tribal funding to assist an Afro-Indigenous organization in the purchase of a local organic farm would support diversity and equity in farming in Sonoma County as well as community-supported farming, in keeping with the County’s agreement with the Tribe.

The Intergovernmental Mitigation Agreement between the County of Sonoma and the Federated Indians of Graton Rancheria (the “Tribe”) dated October 23, 2012 (the “Mitigation Agreement”) was entered into to mitigate certain impacts of the Graton Rancheria Resort and Casino Project in Rohnert Park. Pursuant to that agreement, up to \$700,000 per year is to be provided to the County in lieu of Transit Occupancy Tax (“TOT Funding”), and deposited along with other mitigation money into a state-controlled fund (the “Graton Mitigation Fund”) (Intergovernmental Mitigation Agreement, Section 3(f).) This item seeks Board approval for the use of Graton Mitigation Fund balance from FY 19-20 Transit Occupancy Tax in lieu payments paid under the Tribal Agreement, towards a down payment by EARTHseed for Gabriel Farm near Graton.

#### Prior Board Actions:

The Board of Supervisors voted to approve the Intergovernmental Mitigation Agreement between the County of Sonoma and the Federated Indians of Graton Rancheria on October 23, 2012.

#### FISCAL SUMMARY

<b>Expenditures</b>	<b>FY 20-21 Adopted</b>	<b>FY 21-22 Projected</b>	<b>FY 22-23 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested	\$50,000.00		
<b>Total Expenditures</b>	\$50,000.00		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			

Use of Fund Balance	\$50,000.00		
Contingencies			
<b>Total Sources</b>	\$50,000.00		

**Narrative Explanation of Fiscal Impacts:**

Ag + Open Space staff and Sonoma County Administrator's Office are requesting Board approval for the CAO's office to negotiate and enter into a grant agreement with EARTHseed for \$50,000 from Graton Mitigation Fund balance from FY 19-20 Transit Occupancy Tax in lieu payments paid under the Tribal Agreement, towards a down payment by EARTHseed for Gabriel Farm near Graton. These funds would be used towards the purchase of an organic small farm to be used for Afro-Indigenous farming and education and community-supported farming.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

1. General Plan 2020 Location Map
2. EARTHseed Farm Site Map
3. EARTHseed Farm Location Map
4. Budget Resolution

**Related Items "On File" with the Clerk of the Board:**