

ASSEMBLY BILL

No. 57

Introduced by Assembly Member Yamada

January 7, 2013

An act to amend Section 10262 of the Public Resources Code, relating to agricultural conservation easements.

LEGISLATIVE COUNSEL'S DIGEST

AB 57, as introduced, Yamada. Agricultural conservation easements.

Existing law, the California Farmland Conservancy Program Act, prescribes procedures for the establishment of agricultural conservation easements intended to preserve and protect certain agricultural lands in the state. Existing law specifies that an agricultural conservation easement shall not prevent, among other things, the granting of leases, assignments, or other conveyances, or the issuing of permits, licenses, or other authorization, for the exploration, development, storage, or removal of oil and gas by the owner of the subject land, or for the development of related facilities or for the conduct of incidental activities, as long as the agricultural productivity of the subject land and any multiple uses that made the acquisition a priority for selection under the agricultural conservation easement program, are not thereby significantly impaired.

This bill would make a technical, nonsubstantive change to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10262 of the Public Resources Code is
2 amended to read:

3 10262. An agricultural conservation easement shall not prevent
4 any of the following:

5 (a) The granting of leases, assignments, or other conveyances,
6 or the issuing of permits, licenses, or other authorization, for the
7 exploration, development, storage, or removal of oil and gas by
8 the owner of the subject land, or for the development of related
9 facilities or for the conduct of incidental activities, ~~as long as~~
10 *provided that* the agricultural productivity of the subject land and
11 any multiple uses that made the acquisition a priority for selection
12 under the program, are not thereby significantly impaired.

13 (b) The granting of rights-of-way by the owner of the subject
14 land in and through the land for the installation, transportation, or
15 use of water, sewage, electric, telephone, gas, oil, or oil products
16 lines, stock water development and storage, energy generation,
17 and fencing, provided that the agricultural productivity of the land
18 and any multiple uses that made the acquisition a priority for
19 selection under the program, are not significantly impaired by
20 those activities.

21 (c) The construction and use of structures on the subject land
22 that are necessary for agricultural production and marketing,
23 including, but not limited to, barns, shops, packing sheds, cooling
24 facilities, greenhouses, roadside marketing stands, stock water
25 development and storage, energy generation, and fencing, provided
26 that the agricultural productivity of the land and any multiple uses
27 that made the acquisition a priority for selection under the program,
28 are not significantly impaired by those activities.

29 (d) Customary part time or off season rural enterprises or
30 activities, including, but not limited to, hunting and fishing, wildlife
31 habitat improvement, predator control, timber harvesting, and
32 firewood production, provided that the agricultural productivity
33 of the land and any multiple uses that made the acquisition a
34 priority for selection under the program, are not significantly
35 impaired by those activities.

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