ASSEMBLY BILL No. 761

Introduced by Assembly Member Levine

February 25, 2015

An act to add Division 10.1 (commencing with Section 10100) to the Public Resources Code, relating to resource conservation.

LEGISLATIVE COUNSEL'S DIGEST

AB 761, as introduced, Levine. Carbon farm planning.

Existing law creates the Department of Conservation and imposes powers and duties on the department with regard to resource conservation.

This bill would declare that $50,000,000 shall be available, upon appropriation, to the department to establish a grant program to fund projects that increase carbon sequestration in agricultural soils, improve soil water retention, and increase the resilience of working lands to climate change and drought. The bill would require the department, in coordination with the Department of Resources Recycling and Recovery and the Department of Water Resources, to develop and adopt project solicitation and evaluation guidelines for the program, as specified.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Robust, peer-reviewed, published data strongly support the hypothesis that soil and vegetation management can significantly

enhance soil carbon sequestration, resulting in a wide range of environmental and agricultural cobenefits, including increased water retention in soils; improved water quality, soil health, and forage quantity and quality; reductions in greenhouse gases; and climate adaptation and resilience.

(b) Numerous soil and vegetation management strategies exist and can be employed on farms, ranches, and working lands to sequester significant amounts of carbon in agricultural soils and vegetation, thus playing an important role in helping the state meet its 2020 goal in the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) and 2050 goal in Executive Order S-3-05 for climate change mitigation and greenhouse gas reduction. These management strategies include, but are not limited to, climate beneficial practices, such as riparian restoration, prescribed grazing, windbreaks, and compost application.

(c) California's agricultural and rangelands account for nearly 50 percent of the state's land area, and the 54,000,000 acres of rangelands alone hold the potential to sequester millions of metric tons of carbon, resulting in enhanced agricultural production and increased resilience to climate change and drought.

SEC. 2. Division 10.1 (commencing with Section 10100) is added to the Public Resources Code, to read:

DIVISION 10.1. CARBON FARM PLANNING

10100. For purposes of this division, the following terms have the following meanings:

(a) "Carbon farm planning" means a landscape-level conservation planning process designed to identify greenhouse gas capture and mitigation opportunities on working lands and to quantify those greenhouse gas benefits using the United States Department of Agriculture's COMET-Planner, COMET-Farm, and other quantification tools.

(b) "Department" means the Department of Conservation.

(c) "Working lands" means privately-owned agricultural lands, ranches, and rangelands.

10101. (a) The sum of fifty million dollars ($50,000,000) shall be available, upon appropriation by the Legislature, to the department to establish a grant program to fund projects that

increase carbon sequestration in agricultural soils, improve soil water retention, and increase the resilience of working lands to climate change and drought.

(b) The department, in coordination with the Department of Resources Recycling and Recovery and the Department of Water Resources, shall develop and adopt project solicitation and evaluation guidelines to implement this division. To be eligible for a grant under the program, a project shall do one or more of the following:

(1) Assist the state in meeting greenhouse gas emission goals.

(2) Improve soil water retention and reduce irrigation demand.

(3) Protect and enhance habitat, including the hydrological function of watersheds.

(4) Improve the economic and ecological viability of working lands.

(5) Improve rural community sustainability and health.

(6) Include local water agency participation.

(7) Comply with a regional climate action plan, if appropriate.

(8) Address the nutrient pollution of surface water and groundwater.

(9) Enhance the organic carbon content of the ecosystems of working lands generally and the soils of working lands particularly, as determined through a carbon farm planning or similar planning process.

(10) Repurpose organic material waste streams for soil quality enhancement or other beneficial reuse.

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