

AMENDED IN ASSEMBLY APRIL 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

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 amended, Levine. Carbon ~~farm planning~~. *sequestration: working lands.*

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

Existing law, the Cannella Environmental Farming Act of 1995, requires the Department of Food and Agriculture to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

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~~ *and greenhouse gas emissions reductions on working lands to climate change and drought. lands, as defined.* The bill would require the department, ~~in coordination~~ *consultation with the Department of Conservation, the Department of Resources Recycling and Recovery Recovery, the State Air Resources Board,* 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:

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

3 (a) Robust, peer-reviewed, published data strongly support the
4 hypothesis that soil and vegetation management can significantly
5 enhance soil carbon sequestration, resulting in a wide range of
6 environmental and agricultural cobenefits, including increased
7 water retention in soils; improved water quality, soil health, and
8 forage quantity and quality; reductions in greenhouse gases; and
9 climate adaptation and resilience.

10 (b) Numerous soil and vegetation management strategies exist
11 and can be employed on farms, ranches, and working lands to
12 sequester significant amounts of carbon in agricultural soils and
13 vegetation, thus playing an important role in helping the state meet
14 its 2020 goal in the California Global Warming Solutions Act of
15 2006 (Division 25.5 (commencing with Section 38500) of the
16 Health and Safety Code) and 2050 goal in Executive Order S-3-05
17 for climate change mitigation and greenhouse gas reduction. These
18 management strategies include, but are not limited to, climate
19 beneficial practices, such as riparian restoration, prescribed grazing,
20 windbreaks, and compost application.

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

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

28

29 DIVISION 10.1. CARBON FARM PLANNING
30 SEQUESTRATION ON WORKING LANDS

31

32 10100. For purposes of this division, the following terms have
33 the following meanings:

1 (a) “Carbon farm planning” means a landscape-level
2 conservation planning process designed to identify greenhouse
3 gas ~~capture~~ *emissions reduction and sequestration* and mitigation
4 opportunities on working lands and to quantify those greenhouse
5 gas benefits using the United States Department of Agriculture’s
6 COMET-Planner, COMET-Farm, and other quantification tools.

7 (b) “Department” means the Department of ~~Conservation~~. *Food*
8 *and Agriculture*.

9 (c) “Working lands” means privately-owned agricultural lands,
10 ranches, and rangelands.

11 10101. (a) The sum of fifty million dollars (\$50,000,000) shall
12 be available, upon appropriation by the Legislature, to the
13 department to establish a grant program to fund projects that
14 increase carbon sequestration ~~in agricultural soils, improve soil~~
15 ~~water retention, and increase the resilience of working lands to~~
16 ~~climate change and drought.~~ *and greenhouse gas emissions*
17 *reductions on working lands consistent with subdivision (b).*

18 (b) (1) *A project shall be eligible for funding pursuant to this*
19 *division if both of the following criteria are met:*

20 (A) *Is located on working lands.*

21 (B) *Assists the state in meeting its greenhouse gas emissions*
22 *reduction goals.*

23 (2) *The department shall prioritize funding for projects pursuant*
24 *to this division that provide the greatest level of the following*
25 *benefits:*

26 (A) *Demonstrate carbon farm planning.*

27 (B) *Sequester carbon in agricultural soils.*

28 (C) *Reduce irrigation demand.*

29 (D) *Increase yield and productivity on working lands.*

30 (E) *Enhance habitat.*

31 (F) *Reduce water quality impacts from agricultural lands.*

32 ~~(b)~~

33 (c) The department, in ~~coordination~~ *consultation* with the
34 *Department of Conservation*, the Department of Resources
35 ~~Recycling and Recovery~~ *Recovery*, the *State Air Resources Board*,
36 and the Department of Water Resources, shall develop and adopt
37 project solicitation and evaluation guidelines to implement this
38 division. ~~To be eligible for a grant under the program, a project~~
39 ~~shall do one or more of the following:~~

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

- 1 ~~(2) Improve soil water retention and reduce irrigation demand.~~
- 2 ~~(3) Protect and enhance habitat, including the hydrological~~
- 3 ~~function of watersheds.~~
- 4 ~~(4) Improve the economic and ecological viability of working~~
- 5 ~~lands.~~
- 6 ~~(5) Improve rural community sustainability and health.~~
- 7 ~~(6) Include local water agency participation.~~
- 8 ~~(7) Comply with a regional climate action plan, if appropriate.~~
- 9 ~~(8) Address the nutrient pollution of surface water and~~
- 10 ~~groundwater.~~
- 11 ~~(9) Enhance the organic carbon content of the ecosystems of~~
- 12 ~~working lands generally and the soils of working lands particularly,~~
- 13 ~~as determined through a carbon farm planning or similar planning~~
- 14 ~~process.~~
- 15 ~~(10) Repurpose organic material waste streams for soil quality~~
- 16 ~~enhancement or other beneficial reuse.~~
- 17 ~~(d) The department shall quantify the benefits of each project~~
- 18 ~~funded pursuant to this division and shall post that information~~
- 19 ~~on the department's Internet Web site.~~