

AMENDED IN ASSEMBLY APRIL 21, 2015

AMENDED IN ASSEMBLY APRIL 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 761

Introduced by Assembly Member Levine
(Coauthor: Assembly Member Chiu)

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 sequestration: working lands.

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 *voluntary* projects that increase carbon sequestration and greenhouse gas emissions reductions on working lands, as defined. The bill would require the department, in consultation with the Department of Conservation, the Department of Resources Recycling and 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 hold the potential
23 to sequester millions of metric tons of carbon, resulting in enhanced
24 agricultural production and increased resilience to climate change
25 and drought.

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

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DIVISION 10.1. CARBON SEQUESTRATION ON
WORKING LANDS

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

34 (a) “Carbon farm planning” means a landscape-level
35 conservation planning process designed to identify greenhouse
36 gas emissions reduction and sequestration and mitigation
37 opportunities on working lands and to quantify those greenhouse

1 gas benefits using the United States Department of Agriculture’s
2 COMET-Planner, COMET-Farm, and other quantification tools.

3 (b) “Department” means the Department of Food and
4 Agriculture.

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

7 10101. (a) The sum of fifty million dollars (\$50,000,000) shall
8 be available, upon appropriation by the Legislature, to the
9 department to establish a grant program to fund *voluntary* projects
10 that increase carbon sequestration and greenhouse gas emissions
11 reductions on working lands consistent with subdivision (b).

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

14 (A) Is located on working lands.

15 (B) Assists the state in meeting its greenhouse gas emissions
16 reduction goals.

17 (2) The department shall prioritize funding for projects pursuant
18 to this division that provide the greatest level of the following
19 benefits:

20 (A) Demonstrate carbon farm planning.

21 (B) Sequester carbon in agricultural soils.

22 (C) Reduce irrigation demand.

23 (D) Increase yield and productivity on working lands.

24 (E) Enhance habitat.

25 (F) Reduce water quality impacts from agricultural lands.

26 (c) The department, in consultation with the Department of
27 Conservation, the Department of Resources Recycling and
28 Recovery, the State Air Resources Board, and the Department of
29 Water Resources, shall develop and adopt project solicitation and
30 evaluation guidelines to implement this division.

31 (d) The department shall quantify the benefits of each project
32 funded pursuant to this division and shall post that information on
33 the department’s Internet Web site.