

KEY Concerns of the AAC regarding the current language in AB 1548:

- **Limited agricultural representation in bill development**--Although AB 1548 explicitly includes “working lands” (agriculture and ranching lands) as a core focus, the documented supporters and drafting participants notably exclude major farm organizations and agricultural conservation organizations such as the Monterey County Agricultural Land Trust. This organization holds conservation easements on over 51,000 acres of productive farmland in Monterey County alone. This gap raises legitimate questions about whether agricultural perspectives on working-lands stewardship are adequately reflected.

(Proposed language) Safeguards Against Forced or Imposed Assessments, Special Taxes, or Property-Related Fees on Unwilling Private Agricultural/Ranching Lands

“Notwithstanding any other provision of this title, the authority shall not levy, impose, or collect any benefit assessment, special tax, property-related fee, or other charge on any parcel that is (i) actively devoted to agricultural use or ranching, (ii) under a Williamson Act contract, or (iii) subject to a conservation easement held by an agricultural land trust, **unless the fee title owner has provided express written consent** to the levy for a specific project or program. Participation by private landowners in any authority-funded program on working lands shall be entirely voluntary and initiated by the landowner.”

- **Potential for new assessments, taxes, or fees on already-productive AND protected working lands**-- The Authority would have statutory authority to levy benefit assessments, new fees, special taxes, or property-related fees on properties within Monterey, San Benito, and Santa Cruz counties. While subject to Proposition 218/26/13 procedural safeguards, such measures could fund ongoing operations, staff salaries, and grants to private partner organizations. For private farmland and ranchland owners—many already operating under Williamson Act contracts or agricultural conservation easements—this could create perpetual financial obligations with unclear direct benefits to the fee-paying landowner.

- **Structural risk that agricultural interests could be outvoted in the funding approval process**--Under AB 1548, the Authority may pursue either (a) a benefit assessment (subject to a mailed-ballot protest process under Proposition 218, where protests by affected property owners can defeat the measure) or (b) a special tax requiring two-thirds voter approval by all registered voters in the three-county region. In a special-tax scenario, the one-person, one-vote rule means agricultural landowners and rural communities could

realistically be outvoted by the far larger number of urban and suburban voters in Salinas, Watsonville, Santa Cruz, and Hollister. Agricultural parcels, while large in acreage, represent a small fraction of total registered voters. **This creates a structural unfairness:** productive working lands could be assessed to fund regional programs from which they receive limited, if any, direct benefit, while the decision-making power rests disproportionately with non-agricultural voters.

• **Shift in funding model from broader public sources to localized burdens**--The bill reduces reliance on state or federal grants and instead enables local revenue tools to support conservation activities. Since the desired environmental and climate benefits are regional, statewide, national, and global in scope, a stronger case exists for primary reliance on broader taxpayer funding rather than assessing local working lands and residents. Centralizing grant distribution may have merit, but new taxing authority over lands that are already "working" deserves scrutiny.

The narrowly tailored changes below are consistent with the bill's own emphasis on voluntary participation by private landowners and would significantly enhance fairness and equity.

At a minimum, we respectfully recommend the following targeted amendments to address these issues while preserving the bill's objectives:

- **Default exclusion of agricultural/working lands from any assessment districts, with opt-in only for willing owners.**
- **Formal inclusion of the Monterey County Agricultural Land Trust on the advisory committee.**

The following are proposed amendments to substantially improve the existing bill while advancing its intended purposes:

The make-up of the nine (9) member Authority Board should be:

1. One (1) Supervisor member each of the respective three county Boards of Supervisors;

2. One (1) appointee by each of the Boards of Supervisors (3 members) representing agricultural conservation organizations within their respective counties (one who has been nominated by Growers-Shippers for Monterey County, one nominated by the Santa Cruz County Farm Bureau, and one nominated by the San Benito County Farm Bureau);

3. One (1) appointee by each of the Boards of Supervisors (3 members) representing conservation organizations within their respective counties, including environmental resources conservation organizations or farmland conservation organizations.

4. Appointees to the Authority Board shall serve for a term of four (4) years each and shall be subject to re-appointment by their respective Boards of Supervisors which are authorized to make such appointments by this title.

***** ALSO , specific language NEEDS TO BE ADDED to the bill that states "No assessments, fees, grants, gifts, or tax funds of any kind collected by the Authority or received by or distributed by the Authority shall be used for or credited to offset farmland mitigation obligations/requirements or California Environmental Quality Act mitigation requirements/obligations of any proposed municipal land use developments or any municipal annexations of agricultural lands for future urban or land use developments. The Authority shall not use any funds to re-finance loans or debts of private entities that pre-date the adoption of this title."**

***** ALSO, the language providing for "public access" to "working lands" is a major adverse impact on farming operations. (See PAGE 7, PARAGRAPH "n"). How will a private farmer ever get accident or general liability insurance for their ranches if this Authority has the ability to compel a "right of public access" for the benefit of unknown third parties who decide that they want to have a pic-nic on a private farm, or worse, an activist group who decides that there are alleged "pesticide violations" taking place on the property and this bill potentially gives ANYBODY access to go on the private property at any time to "investigate" their beliefs.**

***** ALSO, the language (Page 4, lines 21-24) providing for the "reintroduction of traditional beneficial fire practices" is just unworkable AND NEEDS TO BE DELETED FROM THE BILL. In California, where ag land landowners can't purchase fire insurance now, the proponents and author of the bill appear to be trying to codify protections/defenses for themselves from future lawsuits by innocent third-party neighbors that may result from the damages and consequences of**

their "reintroduction of traditional beneficial fire practices" on adjacent private properties .

***** ALSO, language needs to be added (TO REPLACE SEC. 66717) that " The Authority Board and staff shall follow and adhere to the adopted open space lands and agricultural lands conservation requirements, preservation criteria, and application guidelines promulgated by the California Department of Conservation and the California Office of General Services in making financial decisions and awards of grants or financial awards in furthering the intent and purposes of this title."**

AAC remains committed to working collaboratively with the author and the committees to refine AB 1548 in a manner that achieves its stewardship goals while protecting the economic vitality of our region's agricultural producers and the working families they employ.