

Date of Hearing: April 19, 2023

ASSEMBLY COMMITTEE ON AGRICULTURE

Robert Rivas, Chair

AB 1197 (Hart) – As Amended March 13, 2023

**SUBJECT:** Agricultural Protection Planning Grant Program: local food producers: grant limits

**SUMMARY:** This bill expands the Department of Conservation's (DOC) Agricultural Protection Planning Grant Program (APAGP) to include local food producers (LFP).

Specifically, *this bill*:

- 1) Defines LFPs to mean a food producer or an agricultural producer that self-certifies that it satisfies either of the following conditions:
  - a) Is an agricultural producer that does all of the following:
    - i) Farms on 500 acres or less across all properties.
    - ii) Sells more than 75 percent of its products within the state.
    - iii) Does at least one of the following:
      - (1) Operates a farm stand that meets the requirements of current law.
      - (2) Has a certified producer certificate and regularly sells in a California certified farmers' market that meets the requirements of current law.
      - (3) Operates a subscription-based community-supported agriculture program that meets the requirements of current law.
      - (4) Operates an agritourism business, including, but not limited to, providing educational opportunities for schoolchildren on its property to learn about how food is grown and farm conservation practices.
      - (5) Sells agricultural products directly to a restaurant or retail food establishment that is purchasing the food for sale directly to consumers at the restaurant or retail food establishment and the restaurant or retail food establishment meets the requirements of current law.
      - (6) Provides food products to a farm-to-community food hub that meets the requirements of current law.
  - b) Processes, aggregates, distributes, or otherwise facilitates the sale of agricultural products from an agricultural producer that meets the requirements of being a LFP and 75 percent of those sales occur within the state.
- 2) Allows a nonprofit organization to apply to DOC for a planning grant to assist in identifying and mapping local food producers.
- 3) Increases maximum APAGP grant amount from \$500,000 to \$1,000,000 to any applicant, or from \$750,000 to \$1,500,000 if DOC that a grant application is for collaborative planning

activities, as specified.

4) Makes conforming changes.

**EXISTING LAW:**

1. Establishes APAGP, within DOC, to provide planning grants to improve the protection of agricultural lands and grazing lands, including oak woodlands and grasslands. *Public Resources Code (PRC) 10280*
2. Provides APAGP grants to, among other things, maintain local food supplies and agricultural economies through the protection of agricultural lands. *PRC 10280*
3. Provides certain purposes for which these grants may be made for agricultural protection, including, among others, to develop public-private partnerships for the long-term protection and stewardship of agricultural lands. *PRC 10282*
4. Prohibits DOC from awarding APAGP grants in excess of \$500,000 to any applicant and \$750,000 if the department determines that the grant application is for collaborative planning activities, as specified. *PRC 10282*

**FISCAL EFFECT:** Unknown

**COMMENTS:** There are 69,000 farms operated in California. Almost 29 percent of California farms generated commodity sales over \$100,000, exceeding the national average of 18.5 percent. The amount of land devoted to farming and ranching in California was 24.2 million acres in 2021. The average farm size, in 2021, was 351 acres in 2021 and is smaller than the 2021 national average farm size of 445 acres. Nearly three-quarters (74.2 percent) of our farms are under 100 acres, and another 15.9 percent are between 100 and 500 acres. Only 3.1 percent are more than 2,000 acres.

In the past two decades there has been growing interests in buying food locally for numerous reasons. Locally bought food reduced energy consumption. Local food doesn't have to travel far. Food, on average, travels 1500-2500 miles from farm to table. Buying local helps to lower energy consumption by reducing transportation and storage, both of which are very energy-intensive and pollute our air and water. Local produce is picked and eaten at the height of ripeness and makes it to market faster. A purchase of local food means money spent on food goes directly to the farmer. Local farmers spend their money with local merchants and the money stays in your community.

According to the author, the legislature has made efforts to recognize the importance of supporting and uplifting small farms that grow and sell their produce locally, support local communities, and diversify the types of farms that feed Californians. Climate change, drought, pests, and other challenges disproportionately impact small-scale farming operations, yet much of the efforts to support farmers don't directly help small-scale farms owned and operated by communities of color. While existing law helps define SDFR or LRF, existing law does not provide a definition for local food producers who provide essential produce for local communities nor does it provide a means of identifying these farms.

Supporters state this bill provides support to the mapping of local food producers so that organizations that support farmers can assist in their protection and success, which will help ensure their viability and benefits to Californians in the future. The definition of local food producer would complement, and not replace, the SDFR or LRF definitions currently in the food and agriculture code. The definition also aligns with many existing programs by limiting the farm size to 500 or fewer acres, which captures medium- and small-scale farms that are experiencing the greatest economic pressures and are most in need of support. California has been actively developing a local direct marketing food system since certified farmers' markets legislation was passed under Governor Brown in 1977. There has been subsequent legislation on such things as CSAs, farm and field stands, and urban gardens. This bill will help to continue developing this local food system.

The California Cattlemen's Association (CCA) are opposed unless amended due to the bill's limiting definition of a LFP is not applicable to livestock producers. This bill defines a "local food producer" in part as one who "farms on 500 acres or less across all properties." While this definition may be applicable to row crops, the bill is not so limited – it applies this definition across all "agricultural producer[s]." A limitation of 500 acres is extremely problematic as applied to livestock producers. For instance, the University of California Division of Agriculture and Natural Resources writes that one would need "15-18 acres of unirrigated annual rangelands in the Sierra Foothills to support one average sized cow (1,200 lbs) for a year," One meaning that 500 acres would support a herd of 27-33 cattle. Given that grazing operations with fewer than 200 head of cattle "are not profitable as an individual enterprise" according to a study from the University of California, Davis Department of Agricultural and Resources Economics, Second, AB 1197 would require cattle producers to operate at a significant economic loss to qualify as "local food producer[s]." CCA is opposed unless amended to clarify that the limited definition of "local food producer" is not applicable to livestock producers.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Community Alliance with Family Farmers  
(Sponsor)

Against the Wind Ranch & Ojai Hops

Agricultural Institute of Marin

Alchemist CDC

Asyr's Bridge

Ban Sup (single Use Plastic)

Bantle Avocado Farm

Black Mountain Farm

Burns Blossom Farm

Butte County Local Food Network

California Farmers Union

California Farmlink

California Food and Farming Network

Carbon Cycle Institute

Center for Land-based Learning

Ceres Community Project

Chávez Lamb

Community/urban/rural/homestead Farmers  
of Stockton

Crop Swap LA

Dare 2 Dream Farms

Diane's Eggs

Digital Green

Double a Walnuts

Eggman Family Farms

Fogs Breath Farm

Foodwise

Fresh Approach

Fresh Start Organic Farm

G & J's Little Farm, LLC

Greenbelt Alliance

Greyeagle Farms

Gt Florists & Herbs

Gullyrumpus Farm

Hen and Harvest Farm

Kathy's Kitchen  
Kitchen Table Advisors  
Los Angeles Community Garden Council  
Los Angeles Food Policy Council  
Mason's Fine Farm  
Mcgrath Family Farm  
Mills Community Farm  
Naylor Organics  
Old Grove Orange  
Papa Joe Farm  
Pesticide Action Network  
Rusty Top Farm LLC  
Santa Barbara County Food Action  
Network  
Sea to Sky Farm

Seven Moons Farm  
  
Sierra Harvest  
Slow Food Sonoma County North  
Spring Hill Farmstead Goat Cheese LLC  
Sun Tracker Farm LLC  
Sustaina  
The Mullins Family Farm  
The Queen of Vegetables Organic Farm  
The ReFARMery (FARM)  
The Urban Edge Farm  
UC Berkeley Direct Action for Farm  
Workers At Berkeley  
Yagi Sisters Farm  
33 individuals

**Oppose Unless Amended**

California Cattlemen's Association

**Analysis Prepared by:** Victor Francovich / AGRI. / (916) 319-2084