

AB 178 -- Redline

Introduced to Amended -- Public resources trailer bill.

Deletions ~~struck~~ · Insertions underlined

~~Bill 2025-08~~ ~~AB 017898~~ ~~AMD Text 98~~ ~~INTRODUCED AB-178~~ ~~2025-01-08 Budget~~ ~~AMENDED SENATE Act~~ ~~2026-08-28 of~~ ~~2025~~ ~~2025-0~~ ~~AB 178~~ ~~AMD~~ ~~Introduced by Assembly Member Gabriel LEAD AUTHOR ASSEMBLY Gabriel~~ ~~An act to amend~~ ~~Sections 10239 and 14581.1 of, and to add and repeal Division 10.1 (commencing with Section 10100) of,~~ ~~the Public Resources Code, relating to public resources, and making an appropriation therefor, to take~~ ~~effect immediately, bill related to the budget.~~

~~skip~~ ~~public resources, and making an appropriation therefor, to~~ ~~content~~ ~~take home~~ ~~effect~~ ~~accessibility~~ ~~immediately, FAQ~~ ~~bill feedback~~ ~~related~~ ~~sitemap~~ ~~to login~~ ~~the x~~ ~~budget Quick~~ ~~Public~~ ~~Search~~ ~~resources trailer bill.~~

~~Bill (1) Number~~ ~~Existing Bill~~ ~~law, Keyword~~ ~~the Home Bill Information~~ ~~California Law~~ ~~Farmland~~ ~~Publications~~ ~~Conservancy Other~~ ~~Program Resources~~ ~~Act, My~~ ~~establishes~~ ~~Subscriptions~~ ~~within My~~ ~~the~~ ~~Favorites~~ ~~Department Bill~~ ~~of Information~~ ~~Conservation >>~~ ~~the Bill~~ ~~California Search~~ ~~Farmland >>~~ ~~Conservancy~~ ~~Text~~ ~~Program.~~ ~~Bill Text PDF~~ ~~2 Bill PDF~~ ~~| Add To My Favorites~~ ~~| Track Bill~~ ~~| Version:~~

~~01/08/25~~ ~~Existing~~ ~~law~~ ~~Introduced~~ ~~authorizes~~ ~~AB-178~~ ~~the Budget~~ ~~program Act~~ ~~to offer~~ ~~2025-~~ ~~(2025-~~ ~~2026)~~ ~~financial Text~~ ~~assistance, >>~~ ~~including~~ ~~Votes~~ ~~grants >>~~ ~~or History~~ ~~contracts, >>~~ ~~for Bill~~ ~~projects~~ ~~Analysis~~ ~~and >>~~ ~~activities~~ ~~Today's~~ ~~on Law~~ ~~agricultural~~ ~~Aslands, Amended~~ ~~as >>~~ ~~defined, Compare~~ ~~that~~ ~~Versions~~ ~~support >>~~ ~~agricultural Status~~ ~~conservation >>~~ ~~and Comments~~ ~~sustainable~~ ~~To~~ ~~land~~ ~~Author~~ ~~management.~~ ~~>>~~ ~~Track Bill >>~~ ~~Add To My Favorites >>~~ ~~SHARE THIS:~~

~~Date~~ ~~The Published:~~ ~~Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act~~ ~~of 2024, approved by the voters as Proposition 4 at the November 5, 2024, statewide general election,~~ ~~authorized the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General~~ ~~Obligation Bond Law to finance projects for specified purposes.~~

~~01/08/2025~~ ~~of 09:00~~ ~~these PM~~ ~~funds, AB178-v09#DOCUMENT~~ ~~Bill~~ ~~the Start~~ ~~act~~ ~~CALIFORNIA~~ ~~makes~~ ~~LEGISLATURE--~~ ~~\$30,000,000~~ ~~2025-2026~~ ~~available, REGULAR~~ ~~upon~~ ~~SESSION~~ ~~appropriation~~ ~~Assembly~~ ~~by~~ ~~Bill~~ ~~the No-~~ ~~Legislature, to~~ ~~the Department of Conservation, in consultation with specified entities, to improve land access and~~ ~~tenure for socially disadvantaged farmers or ranchers, tribal producers, and beginning farmers and~~ ~~ranchers, as specified.~~

~~178~~ ~~Introduced~~ ~~This~~ ~~by~~ ~~bill~~ ~~Assembly~~ ~~would~~ ~~Member~~ ~~establish~~ ~~Gabriel~~ ~~January 08, 2025~~ ~~the An~~ ~~Farmland~~ ~~act~~ ~~Access~~ ~~relating~~ ~~and~~ ~~Conservation for Thriving Communities Program~~ ~~under the administration of the department,~~ ~~and would authorize the department to~~ ~~administer~~ ~~the~~ ~~Budget~~ ~~program~~ ~~Act~~ ~~through~~ ~~of~~ ~~the~~ ~~2025-~~ ~~California~~ ~~Farmland~~ ~~Conservancy~~ ~~Program.~~

~~LEGISLATIVE~~ ~~Under~~ ~~COUNSEL'S~~ ~~the~~ ~~DIGEST~~ ~~AB~~ ~~program, 178,~~ ~~the bill~~ ~~would~~ ~~require~~ ~~the~~ ~~department~~ ~~to~~ ~~provide~~ ~~grants and related technical assistance to qualified entities, as~~ ~~introduced,~~ ~~defined, Gabriel~~ ~~for~~ ~~the~~ ~~purpose~~ ~~of~~ ~~acquiring~~ ~~agricultural~~ ~~lands~~ ~~to~~ ~~transfer~~ ~~or~~ ~~provide~~ ~~long-term~~ ~~leases~~ ~~to~~ ~~qualified~~ ~~farmer~~ ~~participants, as defined, to support agricultural land acquisition and protection, as provided.~~

~~Budget~~ ~~The Act of 2025.~~ ~~This~~ ~~bill~~ ~~would~~ ~~express~~ ~~make~~ ~~the~~ ~~intent~~ ~~operation~~ ~~of~~ ~~the~~ ~~program~~ ~~contingent~~ ~~upon~~ ~~the~~ ~~Legislature~~ ~~to~~ ~~making~~ ~~enact~~ ~~an~~ ~~statutory~~ ~~appropriation~~ ~~changes~~ ~~from~~ ~~relating~~ ~~the~~ ~~to~~ ~~above-described~~ ~~funding~~ ~~from~~ ~~Proposition 4, and would make~~ ~~the~~ ~~Budget~~ ~~program~~ ~~Act~~ ~~in~~ ~~operative~~ ~~of~~ ~~on~~ ~~2025-Digest~~ ~~July Key~~ ~~1,~~ ~~Vote:~~ ~~2041, or when that funding has been fully spent and is no longer available to support or administer~~ ~~the~~ ~~program, whichever~~ ~~occurs~~ ~~sooner.~~

~~MAJORITY--(2) Appropriation:~~ ~~Existing law, the California Beverage Container Recycling and Litter~~ ~~Reduction Act, requires a distributor of specified beverage containers to pay a redemption payment to~~ ~~the Department of Resources Recycling and Recovery for each beverage container sold or transferred to a~~ ~~dealer, for deposit into the California Beverage Container Recycling Fund and, except as specified,~~ ~~continuously appropriates moneys in the fund to the department for specified purposes.~~

~~NO--Existing Fiscal~~ ~~law~~ ~~Committee:~~ ~~requires the department to expend specified amounts from the fund for~~ ~~grants for beverage container litter reduction programs and recycling programs, including education and~~ ~~outreach, issued to specified community conservation corps.~~

~~NO--This Local~~ ~~bill~~ ~~Program:~~ ~~would, for the 2026-27 fiscal year only, increase by \$60,000,000 the amount~~ ~~required to be expended from the fund for those purposes.~~

~~NO--Bill~~ ~~Because~~ ~~Text~~ ~~The people of the State~~ ~~bill~~ ~~of~~ ~~would~~ ~~California~~ ~~increase~~ ~~do~~ ~~enact~~ ~~as~~ ~~follows:~~ ~~SECTION~~ ~~1. It is~~ ~~the~~ ~~intent~~ ~~amount~~ ~~of~~ ~~the~~ ~~continuously~~ ~~Legislature~~ ~~appropriated~~ ~~to~~ ~~moneys~~ ~~enact~~ ~~available~~ ~~statutory~~ ~~for~~ ~~changes~~ ~~those~~ ~~relating~~ ~~purposes, to~~ ~~the~~ ~~Budget~~ ~~bill~~ ~~Act~~ ~~would~~ ~~of~~ ~~make~~ ~~2025-~~ ~~an~~ ~~appropriation.~~

~~(3) Existing law~~ ~~designates all parks, public campgrounds, monument sites, landmark sites, and sites of~~ ~~historical interest established or acquired by the state, or that are under its control, as the state~~ ~~park system, except as specified.~~

~~Under existing law, the Department of Parks and Recreation controls the state park system.~~

~~This bill would require the Department of Parks and Recreation, by April 1, 2027, and in consultation~~

with the California Coastal Commission, the Transportation Agency, and the Monterey County District 5 Supervisor, to prepare and submit a report to the Legislature summarizing findings and options to reduce traffic congestion and unsafe parking conditions and to maximize public access, resource protection, and the overall visitor experience for the Point Lobos State Natural Reserve, as specified.

To the extent the bill would impose additional responsibilities on a local agency, the bill would impose a state-mandated local program.

The bill would appropriate \$150,000 from the General Fund to the Department of Parks and Recreation for direct expenditure or to contract for services to assist with the report and would exempt any contract entered into for that purpose from the competitive bidding process, as provided.

(4) This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Monterey.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(6) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2025.
MAJORITY YES YES YES YES NO NO NO NO YES The people of the State of California do enact as follows:

SECTION 1.

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

10.1.

Farmland Access and Conservation for Thriving Communities Act (FACT CA) 10100.

This division shall be known, and may be cited, as the Farmland Access and Conservation for Thriving Communities Act (FACT CA).

10102.

For purposes of this division, all of the following definitions apply:

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

(b) "Farmer cooperative" means an entity that is either a worker cooperative, as defined in Section 12253.5 of the Corporations Code, whose articles of incorporation identify it as such, or a nonprofit cooperative association organized and existing under Chapter 1 (commencing with Section 54001) of Division 20 of the Food and Agricultural Code.

(c) "Program" means the Farmland Access and Conservation for Thriving Communities Program established pursuant to this division.

(d) "Qualified entity" means any of the following entities:

(1) A nonprofit organization with tax-exempt status pursuant to Section 501(c)(3) of Title 26 of the United States Code.

(2) A public agency.

(3) A farmer cooperative.

(4) A tribal government.

(5) A tribal entity.

(6) An agricultural land trust, the primary purpose of which is the preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, or open-space condition or use.

(e) "Qualified farmer participant" means a farm enterprise, whose beneficial owners are beginning farmers or ranchers, socially disadvantaged farmers or ranchers, or tribal producers, that commits to using practices, methodologies, and techniques that improve soil health, biodiversity, conservation, and long-term sustainability in the production of agricultural crops to be sold in commerce or distributed.

10104.

(a) The Farmland Access and Conservation for Thriving Communities Program is hereby established in the department.

The department shall administer the program consistent with Section 93550 and may administer the program through the California Farmland Conservancy Program established pursuant to Division 10.2 (commencing with Section 10200).

(b) Under the program, the department shall provide grants and related technical assistance to qualified entities for the purpose of acquiring agricultural lands to transfer or provide long-term leases to qualified farmer participants to support agricultural land acquisition and protection.

10106.

Activities eligible for funding through the program may include, but are not limited to, all of the following:

(a) Acquisition planning and development, including, but not limited to, all of the following:

(1) Providing support to assist with land identification.

(2) Determining zoning and land-use restrictions and verifying water rights and access to irrigation.

(3) Inspecting soil quality, performing environmental reviews, and assessing impacts.

(4) Retaining legal services with regard to acquiring agricultural land by qualified entities and the subsequent sale or leasing of that land to qualified farmer participants in accordance with program requirements.

(5) Ensuring compliance for permitting.

(6) Surveying cultural resources.

(7) Testing of water quality and assessing the condition of existing irrigation infrastructure, including well condition and output.

(b) Purchase of fee title to agricultural land.

(c) Purchase of easements, including, but not limited to, conservation easements, reserved interest conservation easements, or cultural access easements.

(d) Technical assistance, including, but not limited to, retaining the services of licensed attorneys, real estate brokers, business planning consultants, farmer cooperative management consultants, and property appraisers.

(e) Land improvements that will directly benefit the land and the individuals managing the land and their commitment to conservation and sustainable land use.

10108.

In providing funding pursuant to the program, the department shall do all of the following:

(a) Prioritize funding for activities that benefit socially disadvantaged farmers or ranchers.

(b) Prioritize funding to tribal governments and tribal entities to secure agricultural land, including reclaiming ancestral lands, for sustainable food production and stewardship of cultural resources.

(c) Require, and to the extent feasible ensure, that the proceeds of future resale of land continue to be used for purposes of the program.

(d) To the extent feasible, ensure that no more than 15 percent of funding provided under the program is used for those expenses described in subdivision (e) of Section 10106.

(e) To the extent feasible, allocate at least 33 percent of funding provided under the program during each grant cycle to tribal governments and tribal entities.

10110.

(a) Except as provided in subdivision (b), a qualified entity that receives funding under the program shall do either of the following within five years of acquiring agricultural land with funds provided under the program:

(1) Transfer the agricultural land to a qualified farmer participant in accordance with both of the following criteria:

(A) The agricultural land is subject to an easement that meets the requirements of Chapter 4 (commencing with Section 815) of Title 2 of Part 2 of Division 2 of the Civil Code and that is recorded before or simultaneously with the transfer to the qualified farmer participant.

(B) The agricultural land is subject to any additional appropriate resale restrictions required by the department, such as affordability provisions, preemptive purchase rights, or shared appreciation, consistent with the purposes of the program.

(2) Enter into a long-term lease of the agricultural land with a qualified farmer participant in accordance with all of the following criteria:

(A) (i) The term of the lease is at least 10 years and no more than the time period described in Section 717 of the Civil Code.

(ii) Notwithstanding clause (i), the duration of the lease may be fewer than 10 years if the initial term combined with options to renew the lease on the same or similar terms as the initial term collectively amount to at least 20 years.

(B) The lease authorizes, during the term of the lease, the qualified farmer participant to terminate the lease with advanced notice.

(C) The lease provides the qualified farmer participant with the opportunity to purchase the land at or before the end of the lease term through a purchase option or a right of first refusal in the lease agreement.

(D) The agricultural land is subject to an easement that meets the requirements of Chapter 4 (commencing with Section 815) of Title 2 of Part 2 of Division 2 of the Civil Code and that is recorded before or

simultaneously with the lease to the qualified farmer participant.

(E) The agricultural land is subject to any additional appropriate resale restrictions required by the department, such as affordability provisions, preemptive purchase rights, or shared appreciation consistent with the purposes of the program.

(b) If a farmer cooperative receives a grant pursuant to the program, the farmer cooperative may maintain ownership of the agricultural land if it records a conservation easement against the agricultural land that meets the requirements of Chapter 4 (commencing with Section 815) of Title 2 of Part 2 of Division 2 of the Civil Code and it records any additional appropriate resale restrictions required by the department, such as affordability provisions, preemptive purchase rights, or shared appreciation, consistent with the purposes of the program.

10112.

(a) This division shall become operative upon the Legislature making an appropriation to the department from the funding authorized in Section 93550.

(b) This division shall become inoperative on July 1, 2041, or when the funding authorized in Section 93550 has been fully spent and is no longer available to support or administer the program, whichever occurs sooner.

(c) This division shall remain in effect only until January 1, 2042, and as of that date is repealed.
SEC.

2.

Section 10239 of the Public Resources Code is amended to read:

10239.

The director shall disburse funds to an applicant for a grant for the acquisition of fee title to agricultural land only if the applicant agrees to all of the following conditions:

(a) Upon acquisition of the property, treat the property as encumbered by an agricultural conservation easement subject to this division and approved by the department.

(b) (1) Sell the fee title subject to an agricultural conservation easement approved by the department to a private landowner within three years of the acquisition of the fee title.

(2) This subdivision does not apply to land acquired and entered into a lease pursuant to Division 10.1 (commencing with Section 10100).

(c) Reimburse the fund directly from escrow within 30 days after the sale of the restricted fee title by an amount equal to the department's proportional share of the net proceeds of the sale.

(1) For purposes of this subdivision, "net proceeds of the sale" means the fair market value of the land less the value of the easement and associated transaction costs.

(2) The department's proportional share of the net proceeds of the sale shall be calculated using a factor reflecting the department's proportional share of the purchase price paid by the applicant in the original acquisition of fee title, taking into account contributions from all sources toward that original purchase price.

SEC.

3.

Section 14581.1 of the Public Resources Code is amended to read:

14581.1.

(a) The department shall expend in each fiscal year, from the moneys set aside in the fund pursuant to subdivision (c) of Section 14580, twenty million nine hundred seventy-four thousand dollars (\$20,974,000), plus the cost-of-living adjustment, as provided in subdivision (c), less fifteen million dollars (\$15,000,000), in the form of grants for beverage container litter reduction programs and recycling programs, including education and outreach, issued to either of the following:

(1) Certified community conservation corps that were in existence on September 30, 1999, or that are formed subsequent to that date, that are designated by a city or a city and county to perform litter abatement, recycling, and related activities, if the city or the city and county has a population, as determined by the most recent census, of more than 250,000 persons.

(2) Community conservation corps that are designated by a county to perform litter abatement, recycling, and related activities, and are certified by the California Conservation Corps as having operated for a minimum of two years and as meeting all other criteria of Section 14507.5.

(b) The grants provided pursuant to this section shall not comprise more than 75 percent of the annual budget of a community conservation corps, except for the 2026-27 fiscal year.

(c) The amount of twenty million nine hundred seventy-four thousand dollars (\$20,974,000) that is referenced in subdivision (a) is a base amount for the 2014-15 fiscal year, and the department shall adjust that amount annually to reflect any increases or decreases in the cost of living as measured by the Department of Labor or a successor agency of the federal government.

(d) For the 2014-15 fiscal year only, the amount to be expended from the fund for the purposes specified

in subdivision (a) shall be increased by seven million five hundred thousand dollars (\$7,500,000).

(e) For the 2026-27 fiscal year only, the amount to be expended from the fund for purposes specified in subdivision (a) shall be increased by sixty million dollars (\$60,000,000).

SEC.

4.

(a) For purposes of this section, "reserve" means the Point Lobos State Natural Reserve in the County of Monterey.

(b) To comprehensively address traffic congestion, public safety, and public access to the reserve in the County of Monterey, the Department of Parks and Recreation shall, in consultation with the California Coastal Commission, the Transportation Agency, and the Monterey County District 5 Supervisor, prepare and submit a report to the Legislature, in compliance with Section 9795 of the Government Code, by April 1, 2027, summarizing findings and options pursuant to subdivision (c) to reduce traffic congestion and unsafe parking conditions along Highway 1 and to maximize public access, resource protection, and the overall visitor experience for the reserve.

(c) The report submitted pursuant to subdivision (b) shall, to the extent possible, include, but is not limited to, all of the following:

(1) Ways to improve public safety and more evenly and safely disburse visitor day use throughout the reserve.

(2) Identification of existing parking areas within the Highway 1 right-of-way where parking patterns are unsafe for pedestrians walking to and from the reserve entrance, including, but not limited to, the approximately 90 parallel parking spaces along the highway south of the reserve between the main entrance and the highway pullout closest to Gibson Beach.

(3) Identification of potential traffic-calming measures, including assessment of signs and reflectors needed to warn drivers of pedestrian activity in the area.

(4) Identification of potential supplemental access points that can serve as additional pedestrian entrances.

(d) The sum of one hundred fifty thousand dollars (\$150,000) is hereby appropriated from the General Fund to the Department of Parks and Recreation for direct expenditure or to contract for services to assist with the report submitted pursuant to subdivision (b).

Any contract entered into for purposes of this section shall not be subject to the competitive bidding process outlined in Sections 10339 and 10340 of the Public Contract Code.

(e) Pursuant to Section 10231.5 of the Government Code, this section shall become inoperative on April 1, 2031, and, as of January 1, 2032, is repealed.

SEC.

5.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of the Point Lobos State Natural Reserve in the County of Monterey.

SEC.

6.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC.

7.

This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

<caml:Num>SECTION 1.</caml:Num><caml:Content><xhtml:p>It is the intent of the Legislature to enact statutory changes relating to the Budget Act of 2025.</xhtml:p></caml:Content></caml:BillSection>">