

RANGE MANAGEMENT ADVISORY COMMITTEE

P.O. Box 944246
 SACRAMENTO, CA 94244-2460
 Website: www.bof.fire.ca.gov
 (916) 653-8007

**REPORT ON PENDING LEGISLATION**

As of May 3, 2017

[SB 473, as amended, Hertzberg. California Endangered Species Act.](#)

(4) The California Endangered Species Act permits the Fish and Game Commission to authorize, subject to terms and conditions it prescribes, the taking of any candidate species, or the taking of any fish by hook and line for sport that is listed as an endangered, threatened, or candidate species.

The act requires the Department of Fish and Wildlife, in cooperation with the Department of Food and Agriculture and other specified entities, to adopt regulations that authorize locally designed voluntary programs for routine and ongoing agricultural activities on farms or ranches that encourage habitat for candidate, threatened, and endangered species, and wildlife generally. The act requires the programs to include, among other things, management practices that will, to the maximum extent practicable, avoid and minimize take of listed species, while encouraging the enhancement of habitat. The act authorizes the take of species listed as candidate, threatened, or endangered incidental to routine, ongoing agricultural activities, while the management practices are followed.

Status	Appropriations Suspense File
--------	------------------------------

[AB 1608, as amended, Kalra. Vibrant Landscapes for California](#)

Existing law authorizes the Wildlife Conservation Board to expend moneys for the acquisition of conservation easements to protect rangeland, grazing lands, and grasslands.

This bill would require the department to develop the Vibrant Landscape Program to assist eligible applicants in the development and implementation of county and regional plans to, among other things, integrate the conservation and management of natural and working lands with other sectors to reduce the emissions of greenhouse gases and achieve other public and environmental benefits. The bill would require the department, in collaboration with the Strategic Growth Council and the State Air Resources Board, to develop guidelines and criteria for the program. The bill would establish the Vibrant Landscape Program Fund in the State Treasury and would, upon appropriation by the Legislature, authorize the department to expend moneys in the fund to implement the program.

Status	Appropriations Committee
--------	--------------------------

[AB 1712, as introduced, Committee on Natural Resources. Private burning of lands.](#)

Existing law provides that cooperation by the Department of Forestry and Fire Protection with a person desiring to use prescribed burning as a means of converting brush-covered lands into forage lands, which has as its objective, among other things, the prevention of high intensity wildland fires, is a public purpose.

This bill would instead provide that cooperation by the department with a person desiring to use prescribed burning as a means of converting brush-covered lands into forage lands or to help meet wildland management goals, which has as its objective, among other things, restoring ecological integrity and resilience, community wildfire protection, carbon resilience, and enhancement of culturally important resources, is a public purpose.

Existing law authorizes a person, firm, or corporation, as provided, that owns or controls brush-covered land within a state responsibility area to apply to the department for permission to burn the brush from the lands.

This bill would instead authorize a person, firm, or corporation, as provided, that owns or controls forest land, woodland, grassland, or shrubland within a state responsibility area to apply to the department for permission to use prescribed burning for the public purposes described above.

Status	Consent Calendar
--------	------------------

SB 732, as amended, Stern. General plan: open-space element: agricultural land.

The Planning and Zoning Law requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a land use element and an open-space element. Existing law requires the land use element to, among other things, designate the proposed general distribution and general location and extent of the uses of the land for agricultural use. Existing law requires the open-space element to include a plan for the comprehensive and long-range preservation and conservation of open-space land within the city or county that prepares it.

This bill would authorize a city and county to develop an agricultural land component of the open-space element. The bill would require a city or county to comply with specified requirements when preparing that component, including identifying and mapping, where applicable, using specified data, agricultural lands that are within the city's or county's jurisdiction; establishing a comprehensive set of goals, policies, and objectives to support the long-term protection of agricultural land; and identifying and establishing a set of feasible implementation measures designed to promote those goals, policies, and objectives.

Status	Appropriations Committee
--------	--------------------------

AB 925, as amended, Frazier. Williamson Act: farmland security and conservation zones.

The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law authorizes a landowner or group of landowners to petition the board of supervisors to rescind a contract or contracts in order to simultaneously place the land subject to that contract or those contracts under a new contract designating the property as a farmland security zone, as specified. Under existing law, land under a farmland security contract is valued at 65% of the value of the land, as specified.

This bill would additionally authorize a landowner or group of landowners to petition the board of supervisors to rescind a contract or contracts in order to simultaneously place the land subject to that contract or those contracts under a new contract designating the property as a farmland security and conservation zone for a period of at least 30, 40, or 50 years, as specified. This bill would require land subject to a farmland security and conservation zone contract to be valued between 61% and 65% of the value of the land based on the length of the contract, as specified.

Status	Committee on Local Government
--------	-------------------------------

SB 435, as amended, Dodd. Williamson Act: payments to local governments.

The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. Existing law requires the Secretary of the Natural Resources Agency to direct the Controller to make annual payments out of these moneys to an eligible city, county, or city and county for each acre of land that is within its regulatory jurisdiction and assessed under specified provisions of the Revenue and Taxation Code. The amount of payment is \$5 per acre of prime agricultural land and \$1 per acre of all other land devoted to open-space uses of statewide

significance, as defined, or, in counties which have adopted farmland security zones, as provided, \$8 per acre of land that is within, or within 3 miles of the sphere of influence of, each incorporated city. This bill would reduce the amount per acre paid to a city, county, or city and county under these provisions to \$2.50 for prime agricultural land, \$0.50 for all other land devoted to open-space uses of statewide significance, and, for counties that have adopted farmland security zones, \$4 for land that is within, or within 3 miles of the sphere of influence of, each incorporated city. This bill, commencing July 1, 2017, would require the Secretary of the Natural Resources Agency to direct the Controller to pay an additional subvention of funds to a county, city, or city and county that meets specified criteria upon determination by the Strategic Growth Council that the county, city, or city and county has adopted measures to protect and conserve resource lands and farmland that further the implementation of the applicable regional sustainable communities strategy, as provided. The bill would provide that the amount of the additional subventions would be \$2.50 for prime agricultural land, \$0.50 for all other land devoted to open-space uses of statewide significance, and \$4 for land enrolled in a farmland security zone that is within, or within 3 miles of the sphere of influence of, each incorporated city. Existing law, for the 2008–09 fiscal year and each fiscal year thereafter, requires the Controller to reduce the amount paid to a city, county, or city and county by 10%. This bill would delete that requirement. The bill would also require a county, city, or city and county, in order to be eligible to receive subvention payments from the Controller, to adopt procedures to accept new contract applications and to consider proposed rescission of contracts for parcels eligible for a solar-use easement pursuant to specified law. Existing law prohibits an increase or reduction in the amount paid to a city or county which was paid in the prior fiscal year, beginning with the 1977–78 fiscal year, as provided, in excess of an amount which is equal to the property tax derived from a levy at the rate of \$0.03 per hundred dollars of assessed value for the fiscal year, except as affected by an increase or a reduction in the acreage assessed under specified provisions of the Revenue and Taxation Code. This bill would repeal this prohibition.

Status	Appropriations Committee
--------	--------------------------