# Staff Report

Meeting Date: June 14, 2022

To: Siskiyou County Board of Supervisors

From: Bernadette Cizin, Planner

Subject: Menne Agricultural Preserve Amendment, Williamson Act Contract Rescission and Reentry (APA-21-02) and CEQA Determination

## Background

As discussed at the Board of Supervisor’s meeting on April 19, 2022, the applicant proposed the transfer, through a boundary line adjustment, of approximately 288 acres between two parcels. Further, during staff’s initial project review, a mapping error was found which required a rezone of approximately 2 acres of property within the project site from a prime agricultural district (AG-1) to a Rural Residential District (R-R).

The Zone Change and Boundary Line Adjustment were initially considered by the Planning Commission at a public hearing on March 16, 2022. The Planning Commission conditionally approved the Boundary Line Adjustment and recommending that the Board of Supervisors adopt the CEQA Exemption for the project and approve the proposed rezone. On May 3, 2022 the Board of Supervisors enacted an ordinance approving of the necessary re-zone.

The zoning ordinance is now effective and the final stage of this project is the accomplishment of the boundary line adjustment. Pursuant to the Siskiyou County Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts Section IV, Item B. in order for the BLA to be recorded, the Board would need to first amend the existing agricultural preserves consistent with the BLA and rescind the existing Williamson Act contracts end enter into new contracts. The ultimate configuration of the resulting preserves and necessary contracts is shown on Attachments E and F of this staff report.

Notice of the project was published and posted as required prior to the Board of Supervisors meeting and no public comments were received as of the preparation of this staff report.

## Environmental Review

Staff evaluated the project’s potential for environmental impacts by reviewing the project relative to Appendix G of the CEQA Guidelines. Based on this review, it was determined that the agricultural preserve amendment and contract rescission and re-entry, as proposed, would not adversely impact the environment.

Staff recommends the proposed agricultural preserve and Williamson Act contract amendments be determined categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15317, Open Space Contracts or Easements. The class 17 exemption applies as this project proposes to establish Agricultural Preserves and Williamson Act contracts.

The proposed CEQA exemptions must be considered together with any comments received during the public review process. Further, the exemptions can only be approved if the finding is made, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities) which might reasonably result in the project having a significant effect on the environment.

## Recommended Action

Should the Board of Supervisors concur with staff’s analysis, staff recommends that the Board of Supervisors find that the proposed modifications to the agricultural preserves and Williamson Act contracts are exempt from CEQA and approve said modifications.

A draft motion to this effect is provided below.

## Recommended Motions

I move to take the following actions:

1. Determine the project exempt from CEQA in accordance with Section 15317, Open Space Easements or Contracts; and
2. Adopt the attached resolution approving the rescission and reentry of the applicable Williamson Act contracts; and
3. Adopt the attached resolution approving the amendment to the existing Agricultural Preserves.

## Attachments

1. Draft Resolution Amending the Existing Agricultural Preserves
2. Draft Resolution Approving the Rescission of the Existing Contracts and Reentry into new Williamson Act Contracts
3. Amended Williamson Act Contracts
4. Williamson Act Contract Questionnaires
5. Map – Resultant Agricultural Preserves
6. Map – Resultant Williamson Act Contracts