Resolution No. \_\_\_\_-\_\_\_\_

Resolution of the Siskiyou County Board of Supervisors Approving

an Amendment to Two Existing Agricultural Preserves

Under Application APA-23-06

**Whereas,** the California Land Conservation Act (the “Williamson Act”) was enacted on July 14, 1965, to implement a variety of state farmland preservation policies directed at discouraging the unnecessary and premature conversion of farmland to other uses; and

**Whereas,** E.C. Fiock and Sons owns property that was placed in an Agricultural Preserve through Board Resolution No. 39, Book 8 on February 14, 1978; and

**Whereas,** a Boundary Line Adjustment application (BLA-22-23) was submitted to the County on November 18, 2022 that proposes to transfer approximately 1.5 acres of land owned by E.C. Fiock and Sons. located in the agricultural preserve established through Board Resolution No. 39, Book 8, to unincumbered property owned by the Hector Lopez and Erica Portela Living Trust dated December 2, 2021, in exchange for approximately 1.5 acres of unincumbered land; and

**Whereas,** property involved in BLA-22-23 is within an existing established Agricultural Preserve and the subject owners have applied to transfer a portion of said property between the established Agricultural Preserve and neighboring unincumbered property; and

**Whereas,** in order for the Planning Director to approve BLA-22-23, the Board of Supervisors would need to first approve the proposed modifications to said preserves; and

**Whereas,** pursuant to the *Rules for the Establishment and Administration of Agricultural Preserves and* *Williamson Act Contracts*, as adopted by the Siskiyou County Board of Supervisors on February 7, 2012, and amended on December 13, 2022, it is in the best interest of the County and subject property owners to amend the existing Agricultural Preserve, removing the subject property and establish a new approximately 732.96-acre agricultural preserve, to reflect the proposed property transfer (BLA-22-23); and

**Whereas,** pursuant to Government Code Section 51237, a map of the altered agricultural preserves is attached as Exhibit A to be recorded with this resolution; and

**Whereas,** Staff Report APA-23-06 prepared for the Board of Supervisors contains a detailed analysis of how said application complies with Government Code Section 51257(a), and the *Rules for the Establishment* *and Administration of Agricultural Preserves and Williamson Act Contracts*, as adopted by the Siskiyou County Board of Supervisors on February 7, 2012 and amended on December 13, 2022; and

**Whereas,** the proposed Agricultural Preserves comply with the minimum agricultural preserve size pursuant to Government Code Section 51230, and the Rules for the *Establishment and Administration of Agricultural Preserves and Williamson Act Contracts,* as adopted by the Siskiyou County Board of Supervisors on February 7, 2012 and amended on December 13, 2022; and

**Whereas**, the Board of Supervisors has reviewed the analysis contained in the Staff Report prepared for APA-23-06 and concurs with the draft findings contained therein; and

**Whereas,** the new contract(s) would initially restrict land within adjusted boundaries of legal lots for at least ten (10) years for Williamson Act contracts; and

**Whereas,** there would be no net decrease in the amount of the aggregate acreage subject to the existing and proposed contracts; and

**Whereas,** at least ninety (90%) percent of the land under the existing contracts would remain under the proposed contracts; and

**Whereas,** the resulting legal lot areas subject to contract would be large enough to sustain qualifying agricultural uses; and

**Whereas,** boundary line adjustment BLA-22-23 would not compromise the long-term agricultural production of land within the proposed legal lots or other agricultural lands subject to contract(s); and

**Whereas,** the proposed boundary line adjustment is not likely to result in the removal of adjacent land from agricultural uses; and

**Whereas,** the proposed boundary line adjustment would not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; and

**Whereas,** approval of the proposed project would not result in any significant adverse environmental effect and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15317, *Open Space Contracts or Easements*.

**Now, Therefore, Be It Resolved** that the Board of Supervisors finds that the above statements are true and correct.

**Be It Further Resolved** that the Board of Supervisors approves the amendments to the Agricultural Preserve under application APA-23-06 subject to the following conditions:

1. The property owners must mutually agree to rescind their existing Williamson Act contract and simultaneously re-enter into a new Williamson Act contract; and
2. In the event that the property in question is not transferred and the approval of BLA-22-23 lapses, this amendment to the existing Agricultural Preserves shall automatically lapse and said boundaries shall be restored to the same configurations which existed prior to the adoption of this resolution without further action by the County.

**Be** that County Counsel is hereby authorized to make amendments to the legal descriptions in order to fully implement the intent of the Board of Supervisors in amending these Agricultural Preserves.

**It Is Hereby Certified** that the foregoing Resolution No. \_\_\_\_\_\_\_\_\_ was duly adopted on a motion by Supervisor \_\_\_\_\_\_\_\_\_\_\_\_\_ and seconded by Supervisor \_\_\_\_\_\_\_\_\_\_\_\_\_\_, at a regular meeting of the Board of Supervisors of the County of Siskiyou, State of California, held on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ed Valenzuela, Chair

Board of Supervisors

ATTEST:

Laura Bynum, Clerk

Board of Supervisors

By

Deputy

Exhibit A

