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

Resolution of the Siskiyou County Board of Supervisors Approving

the Rescission and Re-Entry of Existing Williamson Act Contracts

Under Application APA-23-05

**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,** Thomas Nielsen owns approximately 609 acres that was originally placed in Williamson Act contract on February 25, 1975; and

**WHEREAS,** Thomas Nielsen owns approximately 1060.39 acres that was originally placed in Williamson Act contract on February 17, 1976; and

**WHEREAS,** Thomas Nielsen owns approximately 2753.77 acres that was originally placed in Williamson Act contract on January 18, 1980; and

**WHEREAS,** Thomas Nielsen owns approximately 600 acres that was originally placed in Williamson Act contract on December 22, 1987; and

**WHEREAS,** Thomas Nielsen owns approximately 265.2 acres that was originally placed in Williamson Act contract on December 22, 1987; and

**WHEREAS,** Thomas Nielsen owns a 117.1 acre parcel which approximately 37.1 acres is not encumbered by Williamson Act contract; 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, upon sale or purchase of Williamson Act contracted land that constitutes only a portion of an Agricultural Preserve, the owner shall apply for a separate contract; and

**WHEREAS,** one 21-acre parcel is substandard in size and does not meet the minimum 40-acre parcel size requirement; and

**WHEREAS,** a Boundary Line Adjustment application (BLA-24-03) was submitted to the County on January 30, 2024, that proposes to merge one 21-acre parcel with an adjacent 236-acre parcel, both owned by Thomas M. Nielsen Sr.; and

**WHEREAS,** property involved in BLA-24-03 is within an existing established Williamson Act contract and the subject ownership transfer would exchange said property to a property that is not subject to a Williamson Act contract; and

**WHEREAS,** in order for the Planning Director to approve BLA-24-03, the Board of Supervisors would need to first make certain findings and approve the rescission of the subject contracts and re-entry into new Williamson Act contracts; 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, in order to allow the transfer of property, the area subject to Williamson Act contract must be changed to reflect the property transfer subject to approval in BLA-24-03; and

**WHEREAS,** the Staff Report for APA-23-05 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 Board of Supervisors has reviewed the analysis contained in the Staff Report prepared for APA-23-05 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-24-03 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 boundary line adjustment is not likely to result in the removal of adjacent land from agricultural uses; and

**WHEREAS,** the 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 the above recitals true and correct.

**BE IT FURTHER RESOLVED** that the Board of Supervisors approves the rescission and re-entry of existing Williamson Act contracts under application APA-23-05 subject to the following conditions:

1. The property owner must agree to rescind their existing Williamson Act contracts and simultaneously re-enter into new contracts; and
2. In the event that the property in question is not transferred and the approval of BLA-24-03 lapses this approval 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 IT FURTHER RESOLVED** that the Board of Supervisors instructs staff to take the necessary steps to rescind from the existing contracts the land in question and take the necessary actions to prepare for the re-entry of that same land into new Williamson Act contracts.

**BE IT FURTHER RESOLVED** that County Counsel is hereby authorized to make any necessary technical amendments to the legal descriptions in order to fully implement the intent of the Board of Supervisors in amending these Williamson Act contracts.

**BE IT FURTHER RESOLVED** the Chair of the Board of Supervisors is hereby authorized to sign said contracts on behalf of the County of Siskiyou.

**BE IT FURTHER RESOLVED** that County staff is directed to record said Williamson Act contracts at the earliest opportunity once completed and concurrently with the recordation of BLA-24-03.

**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 18th day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michael N. Kobseff, Chair

Board of Supervisors

ATTEST:

Laura Bynum, Clerk

Board of Supervisors

By

Deputy