County of Siskiyou
Community Development Department
Staff Report

Meeting Date:	August 11, 2026
To:	Siskiyou County Board of Supervisors
From:	Hailey Lang, Community Development Director
Subject:	Proposed Amendments to the Williamson Act Rules

ATTACHMENTS / EXHIBITS

Exhibit A	Proposed Resolution
Exhibit B	Proposed Williamson Act Rules
Exhibit C	Redlined Comparison of Current and Proposed Williamson Act Rules
Exhibit D	Current Williamson Act Rules, amended December 3, 2024

BACKGROUND

The Proposed Rules retain the basic structure of the County's Williamson Act program. The amendments clarify how the County determines whether contracted land remains principally devoted to commercial agriculture; revise the threshold for significant contract expansions; address qualifying agricultural activities, commercial viability, grazing, compatible and conservation uses, monitoring, joint management, and breach and enforcement; and retain the principal application, acreage, zoning, contract-term, and termination provisions. The principal changes are summarized below.

COMPARISON OF CURRENT AND PROPOSED RULES

1. Primary Agricultural Use

Current Rules:
Contracted land must be used principally for commercial agricultural production. Secondary uses must be incidental to or supportive of agriculture. The Current Rules do not provide a detailed standard for determining whether agriculture remains the property's primary functional use. (Exhibit D, Sections I and IV.A.)

Proposed Rules:
Commercial agriculture must be the primary, principal, dominant, and functional use of the property. Incidental, minimal, token, or recreational agricultural activity, or activity maintained solely to preserve contract eligibility, would not satisfy this standard.

The Administrator would consider the scale and intensity of production, the economic role of agriculture, active agricultural management, property capability, historical use, and the effect of non-agricultural uses. (Exhibit B, Section IV.A.)

2. Administrator Authority

Current Rules:
The Administrator reviews applications and makes recommendations concerning agricultural preserves, contracts, amendments, and terminations. The Administrator also reviews County permits and entitlements for consistency with the Williamson Act Rules. (Exhibit D, Section II.)

Proposed Rules:
The Administrator would be expressly responsible for administering the program and making determinations. When commercial viability or a grazing operation is in question, the Administrator could require additional documentation, site verification, or professional review and consider information, reports, or professional opinions from the County Agricultural Commissioner. (Exhibit B, Sections II and IV.B–C.)

3. New Contracts and Contract Expansions

Current Rules:
In the absence of State subvention funding, the County must deny new contracts and significant increases in contracted acreage. A significant increase is defined as 2.5 percent of the existing contracted property, not to exceed 25 acres, subject to case-by-case consideration. (Exhibit D, Section III.)

Proposed Rules:
The policy would remain, but the threshold for a significant increase would change from 2.5 percent to 25 percent of the contracted property. The 25-acre cap and case-by-case review would remain. This change could allow some contract modifications to proceed without being classified as significant expansions. (Exhibit B, Section III.)

4. Qualifying Agricultural Activities

Current Rules:
Qualifying activities include field crops, orchards, vineyards, nursery crops, livestock, poultry, apiaries, biofuel crops, commercial equine breeding and training, and similar agricultural activities. (Exhibit D, Section IV.A.)

Proposed Rules:
The listed activities would be clarified and expanded to include timber seedlings, native and restoration seed, Christmas trees, greenhouse products, and plant materials produced for silviculture, reforestation, habitat restoration, erosion control, revegetation, or conservation purposes.

Commercial equine operations would include breeding, raising, boarding, training, sale, or lease. The operation would need to demonstrate commercial activity and revenue that distinguish it from hobby, recreational, rescue, sanctuary, retirement, or other noncommercial horse keeping. (Exhibit B, Section IV.A.)

5. Agricultural Production Thresholds

Current Rules:
Commercial agricultural use generally must occur on at least 80 percent of a property containing 10 acres of agricultural land or 60 percent of a property containing 40 acres of agricultural land during three of the preceding five years. Exceptions may be considered for natural land features and certain habitat-restoration or regulatory conditions. (Exhibit D, Section IV.A.)

Proposed Rules:
The production thresholds would remain. Potential exceptions would be expanded to include drought, wildfire recovery, water limitations, regulatory restrictions, conservation requirements, habitat-

protection measures, and similar conditions beyond the landowner’s reasonable control. (Exhibit B, Section IV.A.)

6. Commercial Viability

Current Rules:
The Current Rules identify qualifying agricultural uses, acreage thresholds, and income-verification requirements. They do not contain a separate standard for evaluating the commercial viability of an agricultural operation. (Exhibit D, Sections IV.A and V.B.)

Proposed Rules:
A commercially viable agricultural operation must be conducted primarily to produce agricultural commodities for sale and must demonstrate ongoing production, management, and/or income sufficient to support the operation’s reasonable continuation under regional conditions.

Relevant evidence may include agricultural income, stocking rates, active production, fencing, irrigation, weed control, planting, harvesting, range improvements, leases, contracts, or commodity sales. The Proposed Rules do not prescribe a single countywide income or stocking threshold. (Exhibit B, Section IV.B.)

7. Grazing and Range Management

Current Rules:
Rangeland and pasture used for livestock production and forage qualify as commercial agricultural uses. The Current Rules do not contain separate standards for evaluating grazing and range management. (Exhibit D, Section IV.A.)

Proposed Rules:
Grazing operations would be evaluated based on livestock production or forage utilization, agricultural management, protection of soil, vegetation and water resources, long-term agricultural productivity, and adaptive management.

The following would generally not constitute commercial agricultural use:

- Absence of livestock, forage production, or other agricultural activity without documented management intent;
- Grazing practices that cause long-term degradation of agricultural resources;
- Conversion to non-agricultural vegetation management without an agricultural purpose; and
- Hobby, recreational, or incidental agricultural activity.

The Administrator could require additional documentation, site verification, or professional review when the commercial viability of a grazing operation is uncertain. (Exhibit B, Section IV.C.)

8. Compatible Uses

Current Rules:
Commercial agriculture must be established before compatible use may be developed. For an otherwise unlisted compatible use proposed by a landowner, the use is limited to 5 percent of the property or five acres, whichever is less. (Exhibit D, Section IV.B.)

Proposed Rules:
The listed compatible uses and the acreage limitation for other landowner-proposed uses would remain. The Proposed Rules would expressly require compatible uses to remain subordinate to and not displace the property’s primary commercial agricultural use.

This standard would apply specifically to power-generation and communication facilities and to other compatible uses proposed by the landowner. (Exhibit B, Section IV.D.)

9. Conservation and Habitat Uses

Current Rules:
Conservation programs may be allowed when they do not change or stop agricultural use. Programs that temporarily or permanently change agriculture require review and approval. An incompatible conservation easement will result in a Notice of Nonrenewal. (Exhibit D, Section IV.B.16.)

Proposed Rules:
A conservation program that reduces production below commercially viable levels or causes conservation or habitat management to become the property's primary use would be treated as a change in use.

Limited grazing or other agricultural activity conducted solely for vegetation management or regulatory compliance would not independently establish commercial agricultural production.

The response to an incompatible conservation easement would also change. Rather than requiring issuance of nonrenewal, the Administrator may recommend nonrenewal. (Exhibit B, Section IV.D.16.)

10. Changes in Agricultural Use

Current Rules:
A significant change in the general nature of the primary agricultural commodity requires a minor contract amendment. Crop rotation and temporary seasonal fallowing are not considered changes in use.

If an unapproved change is not reversed, the Administrator must proceed with County-initiated nonrenewal. (Exhibit D, Sections IV.C–D.)

Proposed Rules:
A change would be evaluated based on whether it materially alters the nature, intensity, or operational characteristics of the primary agricultural use. Crop rotation, fallowing, seasonal variations, temporary operational adjustments, and temporary reductions caused by drought, wildfire, market conditions, or regulatory requirements would not constitute changes in use.

If an unapproved change is not reversed, the Administrator may initiate nonrenewal. The Proposed Rules also clarify the process for obtaining a written determination concerning a proposed use, development, activity, or conservation program. The existing right to appeal the Administrator's determination to the Board would remain. (Exhibit B, Sections IV.E–F.)

11. Monitoring and Verification

Current Rules:
Agricultural income must be demonstrated during three of five years. Verification may include Schedule F, a statement from the person conducting the agricultural operation, verification from the Agricultural Commissioner following a site visit, or other reasonable evidence such as agricultural sales receipts.

The landowner receives 30 days to submit requested information, followed by a second 30-day notice to comply. The County provides up to 60 days to correct a potential violation before beginning enforcement proceedings. (Exhibit C, Section V.B.)

Proposed Rules:
The standard would be broadened to require evidence of commercial agricultural production or income during three of the preceding five years. The verification documents and notice procedures would remain substantially unchanged. (Exhibit B, Section V.B.)

12. Agricultural Commissioner Review

Current Rules:
The Current Rules allow verification by the Agricultural Commissioner following a site visit and authorize the Agricultural Department to conduct compliance inspections. They do not contain a separate provision for Agricultural Commissioner input when the Administrator evaluates commercial viability or grazing practices. (Exhibit D, Section V.B.)

Proposed Rules:
When commercial viability or a grazing operation is in question, the Administrator could consider information, reports, or professional opinions from the County Agricultural Commissioner.

The Administrator could also require additional documentation, site verification, or professional review. (Exhibit B, Sections IV.B–C.)

13. Sale, Transfer, and Joint Management

Current Rules:
The Current Rules address land divisions, boundary-line adjustments, rescission and reentry, and transfers of contracted property.

When part of a contract is transferred to separate ownership, the transferee must apply for a separate contract, and the County must review the remaining property for continued eligibility. (Exhibit D, Section VI.)

Proposed Rules:
The existing procedures would remain. The Administrator could also require a recorded Joint Management Agreement when separately owned parcels depend on a shared agricultural operation, lease, grazing agreement, or management structure to remain eligible.

The agreement may address management responsibilities, grazing rights, leases, maintenance obligations, operational coordination, and other provisions needed to demonstrate that the properties continue to function as a single commercial agricultural operation. (Exhibit B, Section VI.C.)

14. Material Breach and Enforcement

Current Rules:
The County provides notice and an opportunity to cure a violation. If the violation continues, the matter may be presented to the Board for nonrenewal.

The County may also file an action to declare a breach, compel compliance, or restrain a breach under Government Code sections 51250 and 51251. The current Rules do not contain a consolidated definition of material breach. (Exhibit D, Section V.)

Proposed Rules:
A consolidated material-breach section would be added covering:

- Conversion to an unapproved nonagricultural use;
- Cessation of commercial agriculture without approved nonrenewal or a lawful exemption;
- Establishment of an unapproved incompatible use;
- Intentional misrepresentation of agricultural use or income;
- Sustained failure to meet minimum commercial-use thresholds;

- Failure to comply following notice and an opportunity to cure; and
- When commercial agriculture is not the primary use of property.

The Proposed Rules would also treat a change in functional agricultural use as a material breach when agriculture becomes incidental or subordinate. Temporary reductions caused by drought, wildfire recovery, water curtailments, mandatory fallowing, conservation requirements, or other regulatory restrictions beyond the landowner's reasonable control would not, by themselves, constitute a material breach.

The landowner would generally receive written notice and 60 days to correct the violation, subject to an extension for good cause.

The County's existing judicial remedies would remain. The Proposed Rules would expressly add or clarify injunctive relief or specific performance, corrective-action plans, County Code enforcement, cumulative and nonexclusive remedies, and recovery of improper tax benefits or program advantages where legally permissible. (Exhibit B, Section VII.F.)

FISCAL IMPACTS

Implementation would use the existing Planning and Agricultural Commissioner staff resources. The Proposed Rules may increase workload associated with document review, site verification, Agricultural Commissioner consultation, written determinations, appeals, and enforcement. Increasing the significant-expansion threshold from 2.5 percent to 25 percent, subject to the 25-acre cap, could allow additional contracted acreage despite the continued absence of State subvention funding. Any property-tax effect would depend on future applications, acreage, assessed values, and eligibility determinations and cannot be quantified at this time.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Staff recommends that the Board find adoption of the Proposed Rules exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061(b)(3), the common-sense exemption.

The Proposed Rules establish program standards and administrative procedures. They do not authorize a particular development or physical change in land use. Property-specific projects would remain subject to all applicable land-use approvals and environmental review. It can therefore be seen with certainty that adoption of the Proposed Rules would not, by itself, have a significant effect on the environment.

RECOMMENDED MOTION

Staff recommends that the Board:

1. Conduct the public hearing and receive public testimony;

2. Find that adoption of the Proposed Rules is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061(b)(3);

3. Adopt the Proposed Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts, effective August 11, 2026; and

4. Authorize the Community Development Director to make non-substantive clerical, formatting, date, and cross-reference corrections consistent with the Board's action before publication of the final Rules.