

FROM THE MINUTES OF JULY 26, 2007

CONSENT CALENDAR/APPLICATIONS

7. WILLIAMSON ACT CONTRACTS (Public Hearing)

WAC06-0015/WAC06-0016/WAC06-0017 submitted by ROY and MARILYN RUTZ (Agent: Bill Snodgrass) to divide existing Agricultural Preserve #142 into three separate agricultural preserves. The properties proposed for each preserve are as follows: WAC06-0015 - Assessor's Parcel Numbers 088-020-72, -79, -81, and -82, consisting of 307.5 acres; WAC06-0016 - Assessor's Parcel Number 088-020-71, consisting of 50.6 acres; and WAC06-0017 - Assessor's Parcel Number 088-020-80 (portion of Boundary Line Adjustment BLA06-0076), consisting of 62.8 acres. The existing preserve is located on the east side of Hackomiller Road, north of the intersection with Garden Valley Road, in the **Garden Valley area**, Supervisorial District IV. (Categorically exempt pursuant to Section 15317 of the CEQA Guidelines)

Commissioner Machado pulled this item from the Consent Calendar. Staff: Michael Baron recommended approval to the Board of Supervisors. The Assessor's Parcel Numbers for WAC06-0016 and 06-0017 have changed due to the boundary line adjustment. There have been no concerns received from the public. Commissioner Mathews asked if these are existing parcels. Mr. Baron replied in the affirmative. The parcel numbers have changed due to the boundary line adjustment.

Commissioner Machado said the Williamson Act Contract is to be used for viable agricultural uses. He asked the acreage needed for one head of cattle. Steve Burton, Agricultural Commission, explained it depends on soil, location, etc. Mr. Burton said the Agricultural Commission was concerned about the ability to maintain the agricultural viability. Once the contracts are approved, they will be reviewed to assure they are maintaining the appropriate use. This is viable grazing land. It is important this land stay under Williamson Act Contracts. The Agricultural Commission does intent to make sure the contracts maintain the necessary conditions. Commissioner Machado asked how many head of cattle are owned by Mr. Rutz. Bill Snodgrass replied 60. Commissioner Machado is looking for justification for approval of this request. He does not believe they should get a tax break for having three head of cattle on each new preserve.

Commissioner Mathews has some of the same concerns as Commissioner Machado. Mr. Burton said when the Agricultural Commission reviews the contracts it will initiate roll-out of the contracts if they do not meet the minimum requirements.

Bill Snodgrass said there are currently six parcels. Mr. Rutz would like to retire and wants to sell off two parcels. The applicant did file a Notice of Non-Renewal several years ago but withdrew that request. There will be three head of cattle on two of the parcels which will be increased to 12. Each of these proposed contracts already has a residence on it. Mr. Snodgrass explained timber harvesting and how the income from such is calculated.

Both Commissioners Mathews and Machado said their concerns have been addressed.

There was no further input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER KNIGHT AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, MACHADO, MATHEWS, AND KNIGHT; ABSENT – COMMISSIONER TOLHURST, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS CERTIFY THAT THE DIVISION OF EXISTING AGRICULTURAL PRESERVE NO. 142 INTO THREE SEPARATE PRESERVES IS CATEGORICALLY EXEMPT PURSUANT TO SECTION 15317 OF THE CEQA GUIDELINES, AND APPROVE WAC06-0015, WAC06-0016, AND WAC06-0017 CONTAINING THE NEWLY ASSIGNED PARCEL NUMBERS: WAC06-0015 – 088-020-72, -79, -81, and -82; WAC06-0016 – 088-020-85; and WAC06-0017 – 088-020-84), BASED ON THE FINDINGS PROPOSED BY STAFF.