

August 10, 2006

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

SUBJECT: Williamson Act Contract #1 Fee Waiver

Dear Supervisors:

This is to request a wavier of the Planning Departments \$800 fee to establish a new agricultural preserve from my current Agricultural Preserve, Williamson Act Contract #1.

Background

I entered into an Agricultural Preserve, Williamson Act Contract #1, in April 8, 1968 and paid the appropriate fee to establish the agricultural preserve and rezone the parcels to AE. The agriculture preserve consists of six parcels. Since April 8, 1968 I have been actively farming my 323.79 acres raising wine grapes, oats and livestock. I have demonstrated that the parcels are suitable for agricultural use and that it produces a desirable crop that benefits the El Dorado County economy and the rural life style we enjoy.

The Planning Department has determined that I need to apply two (2) agricultural preserves and pay two (2) fees of \$800 each to create another agricultural preserve within the existing one.

The following justification is submitted support my request to waive the \$800 fee.

- I paid the appropriate fee in April 8, 1968 to establish the **first agricultural preserve in El Dorado County** and rezone the parcels to AE;
- I have sufficient agricultural operations on the original agricultural preserve contract to stand alone (meeting all three current criteria), therefore I do not need a new contract;
- Williamson Act Contract #1 is a contract with myself and the county and I have lived up to my portion of the contract, **and will in the future**. The county has an obligation, as signature to the contract, to live up to it's share. It is the county's obligation to verify that I have continued to comply with the terms and conditions of the contract. If I have not lived up to my obligations the county has the authority to file a notice of non-renewal thereby cancelling the contract. I should not be required to pay for the county's obligations to evaluate my compliance with the existing contract. By the restrictions placed on my property by Williamson Act Contract #1 the county has received substantial benefits.
- In addition, I should not be required to pay for county's obligation evaluate compliance with contract #1.
- I have paid a separate fee of \$800 to establish their own agricultural preserve;
- All six parcels are zoned AE, therefore the county will **not** incur any costs to rezone. The Planning Department fee schedule states that the \$800 fee is for the Williamson Act Contract approval and rezoning;

- All six parcels are zoned AE, therefore the county will not incur any costs to rezone. The Planning Department fee schedule states that the \$800 fee is for the Williamson Act Contract approval and rezoning;
- The county will not be required to do and EIR or incur the cost of producing an EIR as the process is exempt;
- Both agricultural preserve contracts will be processed concurrently, thus reducing the costs to the county;
- My parcels produce a desirable crop that benefits the El Dorado County economy;
- My Williamson Act Contract #1 has benefitted El Dorado County for the past 38 years as well at the rural life style we enjoy and the El Dorado County Board of Supervisors promotes and encourages;

Charging an \$1,600 in fees for me to establish a new Agricultural Preserve on top my original fee in April 8, 1968 , makes it more difficult for a small grower to make a small business enterprise viable and make ends meet.

I request you assist me in keeping my small farm economically viable and waive the \$800 fee.

If you have any questions on this matter please feel free to contact Mr. Bill Snodgrass (647-2541) who can speak on my behalf.
previous fee

Sincerely,

X 
Edward P. Akin


Lindalee Mary Akin

cc: Jack Sweeney, Supervisor, District 3

85. 06-1189 Hearing to consider adoption of Resolutions **248-2006** and **249-2006** dividing existing Agricultural Preserve 246 into two new Agricultural Preserves (No. 304/Williamson Act Contract WAC05-0003 and No. 305/Williamson Act Contract WAC05-0004) consisting of APN 041-910-12 (20.04 acres - Carpenter) and the other consisting of APNs 041-910-13 and -14 (40.01 acres - Stromberg) in the Somerset area requested by Carolyn Stromberg and Malcom and Gloria Carpenter. (District II) (Continued 7/18/06, Item 71)
- Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Santiago to approve the request to divide existing Agricultural Preserve 246 into two new agricultural preserves, based on the findings of the Planning Commission; certify Williamson Act Contracts 304 and 305 are categorically exempt pursuant to Section 15317 of the California Environmental Quality Act (CEQA) Guidelines; adopt Resolution Nos. 248-2006 and 249-2006 establishing said Preserves; and the original fee for the determination of Agricultural Preserve 246 be credited toward this project.**
- Yes:** 3 - Baumann, Sweeney and Santiago
- Absent:** 1 - Dupray
86. 06-1247 Hearing to consider rezone (Z05-0013) of 0.87 acre (APN 319-370-24) from Planned Commercial (CP) to General Commercial (CG) in the Diamond Springs/El Dorado area; and adoption of Ordinance for same. Applicant: James R. Kidder (District III)
- Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt the negative declaration as prepared, waive reading, read by title only and adopt Ordinance No. 4694 approving the rezone, based on the findings of the Planning Commission.**
- Yes:** 3 - Baumann, Sweeney and Santiago
- Absent:** 1 - Dupray
87. 06-1250 Hearing to consider rezone (Z05-0011) of the northern 23.90 acre portion of APN 094-070-13 from Estate Residential Five-acre (RE-5) to Planned Agricultural (PA) and the southern 1.79 acre portion of the same parcel from Estate Residential Five-acre (RE-5) to Commercial (C) zone, and the middle 5.79 acres of said parcel in the Fairplay area to remain unchanged; Applicant: Michael and Melodie Iverson. (District II)
- A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to adopt the negative declaration as prepared; waive reading, read by title only and adopt Ordinance 4695 approving the rezone as requested with the addition of a Design Control Overlay on the 1.79 acre portion of the property proposed for Commercial, based on findings of the Planning Commission.**
- Yes:** 3 - Baumann, Sweeney and Santiago
- Absent:** 1 - Dupray