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County of El Dorado

Legislation Details (With Text)

File #:	21-1514 **Version:** 1		
Type:	Agenda Item	**Status:**	Approved
File created:	9/13/2021	**In control:**	Board of Supervisors
On agenda:	9/28/2021	**Final action:**	9/28/2021
Title:	Department of Agriculture, Weights and Measures, recommending the Board approve and authorize the Agricultural Commissioner to sign the El Dorado Community Foundation agreement for management of Conservation Easement Program donations. FUNDING: Donations.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. A 21-1514 Follow Up Res 104-2020 Blue Route (1), 2. B - History Resolution Approval, 3. C - Resolution No. 104-2020, 4. D - New Fund Agreement		

Date	Ver.	Action By	Action	Result
9/28/2021	1	Board of Supervisors	Approved	Pass
9/13/2021	1	Board of Supervisors	Adopted	Pass

Department of Agriculture, Weights and Measures, recommending the Board approve and authorize the Agricultural Commissioner to sign the El Dorado Community Foundation agreement for management of Conservation Easement Program donations.

FUNDING: Donations.

DISCUSSION / BACKGROUND

On June 23, 2020 The Board of Supervisors adopted Resolution No. 104-2020 adopting Voluntary Agricultural Conservation Easement Program with El Dorado Community Foundations draft proposal attached with intent of returning to the Board with a finalized agreement.

The County's agricultural lands are currently facing two key development pressures. One is the pending retirements of many of the existing farmers and how the farm land will be handed down to family members and secondly, the subdivision of former grazing lands next to existing ranches. El Dorado County has established various protections for agricultural lands such as: the General Plan Agricultural District overlay with minimum parcel sizes, the Agricultural Zones, Right to Farm, Ranch Marketing, Wineries, and Agricultural Preserves (Williamson Act) sections of the Zoning Ordinance. Even with these protections the California Department of Conservation's Farmland Mapping and Monitoring Program continues to show conversions of farm and grazing lands to urban uses in the county. Urban development next to agricultural lands indirectly reduces the agricultural potential of remaining farms by increasing the potential for urban and agricultural conflicts. These conflicts can also reduce the current and future uses of the surrounding land for agricultural purposes.

An Agricultural Conservation Easement program is another tool that can protect farm and grazing lands. The program involves the voluntary purchase or donation of development rights from willing landowners to public agencies such as the California Department of Fish and Wildlife or nonprofit

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land trust such as the Rangeland Trust or American River Conservancy. The easement can be tailored to meet conservation objectives and allows farming/ranching to continue. It is a deed restriction that runs with the land in perpetuity. Agricultural Conservation Easement benefits include:

1) Keeping families on their farms by easing the intergenerational transfer of property
2) Keeping land in farming or ranching uses
3) Increased access to capital for agricultural uses by property owners
4) Undeveloped grazing lands cost less in public services
5) Can contribute to watershed or oak woodland protections

Easement costs are established by an appraiser with the expertise to segregate the value of the development rights from the value of the agricultural land.

The Agriculture and Forestry Element of the General Plan includes a Policy (8.2.4.1) that programs be developed to ensure long-term conservation of agricultural lands, including voluntarily restriction of land to agricultural uses. In order to facilitate the establishment of conservation easements, the Board directed staff to establish a program and to utilize an outside, private organization to hold funds (Legistar Item #18-1916). The program establishes guidelines for lands eligible to qualify as mitigation lands and minimum conservation requirements.

Charitable funds collected from individuals or businesses interested in preserving agricultural land can be donated and transferred to the El Dorado Community Foundation. Through the Community Foundation, the funds will be held until a willing seller with property that meets the County's conservation objectives (number of acres, adequate water supply, soils, etc.) is available. The El Dorado County Agricultural Commission are to review lands for consistency. Funds would be used establish the easement and to purchase the development rights ownership so the land cannot be subdivided or taken out of agricultural uses. Ownership can be retained by the farm/ranch owner and can be passed down to heirs *or* ownership could be passed on to the agency or land trust, according to the needs and desires of the owner. The public agency or land trust would monitor and enforce the restrictions set forth in the easement agreement.

ALTERNATIVES

The Board could choose to not approve the agreement, and no fund would be established through the El Dorado Community Foundation.

PRIOR BOARD ACTION

Resolution No. 104-2020 6/23/2020 Adopted Resolution with "Draft Language" from El Dorado Community Foundation for a Fund Agreement.
Resolution No. 245-99 and 188-2002 which established agricultural preserve (Williamson Act) criteria.
Board Item 18-1425 11/20/18 requesting department to proceed with establishing the Conservation Easement Plan.
Board Item 18-1916 4/10/19 requesting department to return to Board with a Resolution/Conservation Easement Plan.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Planning and Building, El Dorado Community Foundation

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT
The Community Foundation will charge $300 or 3% of the balance of the fund each quarter to administer the fund. All funds are donations. There is no County financial impact.

CLERK OF THE BOARD FOLLOW UP ACTIONS
Obtain a fully-executed copy of the Agreement, file, and attach to the item.

STRATEGIC PLAN COMPONENT
This recommendation is in alignment with the County' Strategic Plan, the Economic Development Component to enable a prosperous and vibrant economy - Objective 1; Attract, develop and retain businesses that provide economic sustainability and quality job creation.

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