



## DEPARTMENT OF PLANNING AND BUILDING

DATE: JULY 18, 2011

TO: AGRICULTURAL PRESERVE REVIEW COMMITTEE

FROM: WARREN HOAG, DIVISION MANAGER, CURRENT PLANNING *WH*

SUBJECT: UPDATE ON BOARD OF SUPERVISORS DISCUSSION OF WILLIAMSON ACT LEGISLATION AND FUNDING AND POSSIBLE OPTIONS IN RESPONSE

**SUMMARY:**

At today's meeting, staff will update the Agricultural Preserve Review Committee (APRC) on the Board of Supervisors' discussion on June 7, 2011 of the current status of the Williamson Act subvention funding and pending legislation for alternative means of funding the Williamson Act program. The Board's direction on the options for how the county should respond to these circumstances and the APRC's recommendations will also be discussed.

**RECOMMENDATION:**

Receive and discuss the staff update.

**DISCUSSION:****Background**

At your meeting on May 23, 2011, the APRC discussed the Williamson Act funding issues and options for responding to them. The APRC expressed strong support for County's continued participation in the Williamson Act program but also recognized the fiscal implications of continuing to backfill the lost subvention funding on a long-term basis. The APRC also discussed possible amendments to the County's Rules of Procedure to Implement the Land Conservation Act of 1965 to provide more focused eligibility criteria for new Williamson Act contracts. The APRC made the following recommendations on the identified options for the Board of Supervisors to consider:

1. The APRC supports **Option 1, Keep the Program As Is** (Status Quo) but recognizes the budgetary issues involved with continuing to backfill the lost subvention funding. While Option 1 is their preference, the APRC understands that the Board may wish to also pursue Options 2 and/or 3 in view of those issues.
2. The APRC supports **Option 2, Freeze the Program at the Current Level** (stop accepting new applications except for additions of property to existing contracts and contract amendments for minor lot line adjustments), but only as an interim measure to be rescinded when economic conditions improve in the future.

3. The APRC supports **Option 3, Modify Program to Make Eligibility More Focused**, by raising the minimum parcel sizes for new contracts involving non-prime land as a preferred alternative to Option 2.
4. The APRC unanimously opposed **Option 4, Withdraw From State Program** (non-renew contracts).
5. The APRC took no position on **Option 5, Implement Pending State Legislation for Alternative Funding (If Passed)**, because the passage of AB 1265 is uncertain and would have a negative fiscal impact on existing contract holders.

The APRC also discussed revisions to Table 1, "Minimum Ownership Sizes for Qualification and Minimum Parcel Sizes for Conveyance of Land & New Land Divisions," to raise the eligibility requirements for new contract applications. The APRC recommended increasing the acreages that non-prime property would need to have to qualify for an agricultural preserve and land conservation contract from 100 to 160 acres for class 3 and 4 soils (dry farm land) and from 100 to 320 acres for class 6 and 7 soils (grazing land).

The recommendations made by the APRC on May 23, 2011 are discussed in detail in the attached Board of Supervisors staff report dated June 7, 2011 (see attachment 1).

#### **Board of Supervisors' Williamson Act Discussion**

At their meeting of June 7, 2011, the Board of Supervisors received a staff report on the current status of the Williamson Act subvention funding and pending legislation for alternative means of funding the Williamson Act program. The Board also considered the recommendations of the APRC and the Agricultural Liaison Advisory Board (ALAB) and gave the following direction (see attachment 2):

1. Pursue Option One (Keep program as is) by continuing to backfill the subvention funding loss with General Fund dollars in fiscal year (FY) 2011-12. *(The FY 2011-12 budget adopted by the Board on June 21, 2011 reflects this direction.)*
2. Implement Option 3 (Modify program to make eligibility more focused) by beginning to look into modifying the County's Williamson Act program to make the eligibility standards in the Rules of Procedure more focused.
3. Authorize processing of the amendments to the County Rules of Procedure to Implement the Land Conservation Act of 1965 recommended by the APRC. *(These amendments are described and discussed in the following item on today's APRC agenda.)*
4. Continue to accept new agricultural preserve and contract applications based on the current Rules of Procedure until the amendments are adopted and become effective.
5. Engage in discussions on the amendments and the status of the Williamson Act with the agricultural community and other outside agencies.
6. Return to the Board with the proposed language changes of the amendments before starting the formal public hearing and adoption process.

The Board did not wish to pursue Option 2 (Freeze the program at the current level and stop accepting new applications) or Option 4 (Withdraw from State program and issue county-initiated

non-renewals of contracts). The Board gave no direction on Option 5 (Implement Pending State Legislation for Alternative Funding).

### **Current Status of Pending State Legislation**

1. Assembly Bill (AB) 1265 (Nielsen) would reinstate the provisions of repealed Senate Bill 863 to provide alternative means of off-setting the loss of subvention funding. This legislation would allow counties to recoup a significant portion of their actual foregone property tax revenue through shortening contracts by one or two years (depending on whether they are 10 or 20 years) and recapturing 10% of the property tax savings from January 1, 2011 to January 1, 2016. Participation in this program is voluntary and, for our County, would only cover the four years between January 1, 2012 and January 1, 2016 since we did not implement SB 863 prior to its repeal. AB 1265 has been passed by the Assembly and the Senate on unanimous votes and was sent to the Governor on July 5, 2011. At the time of this report's preparation, the bill has not yet been signed into law by the Governor. If the bill is signed by the Governor, it will become effective immediately as it was passed as an urgency statute and staff will return to the APRC and ALAB as soon as possible for their recommendations to the Board as to whether it should be implemented by our County.
2. AB 218 (Wieckowski) was introduced in February 2011 and proposes an amendment to Proposition 6, an initiative measure enacted by the voters in 1982, to impose a California estate tax and use the revenue to fully fund the Williamson Act subventions. AB 218 is still in the Assembly committee process and, if passed, would require voter approval in a special election consolidated with the next statewide general election.

### **ATTACHMENTS:**

1. Staff report to the Board of Supervisors of June 7, 2011
2. Board of Supervisors' order of June 7, 2011 for Item D-1

**ATTACHMENT 1**

**STAFF REPORT TO THE BOARD OF SUPERVISORS OF JUNE 7, 2011**

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT County Administrative Office and Department of Planning & Building		(2) MEETING DATE June 7, 2011		(3) CONTACT/PHONE Leslie Brown - 781-5011 Warren Hoag - 781-5982	
(4) SUBJECT Update on Williamson Act legislation and funding and possible options in response. All Supervisorial Districts.					
(5) SUMMARY OF REQUEST At today's meeting, staff will discuss the current status of Williamson Act funding issues and pending legislation for alternative means of funding the Williamson Act program. Recommendations from the county Agricultural Preserve Review Committee and Agricultural Liaison Advisory Board on options for how the county should respond to these circumstances will also be discussed so that the Board of Supervisors can give direction on which options should be implemented.					
(6) RECOMMENDED ACTION <ol style="list-style-type: none"> <li>1. Receive a staff update on recent and pending legislation regarding changes in Williamson Act subvention funding</li> <li>2. Consider recommendations from the county Agricultural Preserve Review Committee and Agricultural Liaison Advisory Board on options for responding those changes</li> <li>3. Provide direction for implementation of the options selected by your Board, including authorizing processing of the amendments to the County Rules of Procedure to Implement the Land Conservation Act of 1965 recommended by the County Agricultural Preserve Review Committee.</li> </ol>					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Agricultural Preserve Review Committee, Agricultural Liaison Advisory Board					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input checked="" type="checkbox"/> All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board N/A
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Board Business (Time Est. 60 min.)			(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input checked="" type="checkbox"/> N/A    Date: _____
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: center; font-family: cursive; font-size: 1.2em; margin-top: 10px;"> <i>Jim Grant</i> </div>					

# County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM D430 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



**JIM GRANT**  
COUNTY ADMINISTRATOR

**TO:** BOARD OF SUPERVISORS

**FROM:** LESLIE BROWN, COUNTY ADMINISTRATIVE OFFICE *LB*  
WARREN HOAG, DEPARTMENT OF PLANNING AND BUILDING *WH*

**DATE:** JUNE 7, 2011

**SUBJECT:** UPDATE ON WILLIAMSON ACT LEGISLATION AND FUNDING AND POSSIBLE OPTIONS IN RESPONSE. ALL SUPERVISORIAL DISTRICTS.

## RECOMMENDATION

1. Receive a staff update on recent and pending legislation regarding changes in Williamson Act subvention funding,
2. Consider recommendations from the County Agricultural Preserve Review Committee and Agricultural Liaison Advisory Board on options for responding those changes and,
3. Provide direction for implementation of the options selected by your Board, including authorizing processing of the amendments to the County Rules of Procedure to Implement the Land Conservation Act of 1965 recommended by the County Agricultural Preserve Review Committee.

## DISCUSSION

### Summary

At today's meeting, staff will discuss the current status of Williamson Act funding issues and pending legislation for alternative means of funding the Williamson Act program. Recommendations from the County Agricultural Preserve Review Committee and Agricultural Liaison Advisory Board on options for how the county should respond to these circumstances will also be discussed so that the Board of Supervisors can give direction on which options should be implemented.

### Background

The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act creates an arrangement whereby private landowners contract with counties and cities to voluntarily restrict land to agricultural and open-space uses. The vehicle for these agreements is a rolling term 10 or 20 year contract (i.e. unless either party files a "notice of nonrenewal", the contract is automatically renewed annually for an additional year). In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value. From 1972-73 to 2008-09, the State general fund had paid direct

subventions to participating counties and cities to partially compensate for the resulting loss in property tax revenue.

Agriculture is a significant economic driver in San Luis Obispo County. Total crop values for 2010 were estimated at \$712,808,000, an increase of 14% over 2009. The Williamson Act is the county's most important program for protecting agricultural land. Fifty seven percent (57%) of the County's Agriculture-zoned land, or 37% of all county land (793,414 acres of the 2,126,247 total acres), is subject to land conservation contracts under the Williamson Act. This shows the significance of this program in preserving and supporting agriculture in the County.

The Williamson Act is an important growth management tool for local government and agriculture because it provides certainty to landowners that they will be able to farm without encroachment of incompatible non-farm uses. Increasing conservation efforts by private and public groups point to the importance of a variety of efforts to protect the county's resources for the future of agriculture and open space. The Williamson Act's assessment of low income - high valued agricultural lands is especially important to this county. The Williamson Act has always been a partnership between the State, the County, and private landowners. Subvention payments represent the state's good faith incentive for counties and cities that offer the program to landowners.

The total property taxes not collected for all governmental agencies in San Luis Obispo County because of participation in the Williamson Act program are approximately \$10 million annually. The direct property tax loss to our county itself is about \$3 million annually and 33% (\$1 million) has historically been reimbursed in prior years through the subventions. Since the subventions were reduced by 10% in 2008-09 and entirely eliminated in 2009-10 and 2010-11, our county has lost at least \$2.1 million in direct subvention payments. Our county has demonstrated its commitment to preserving and protecting agricultural land by absorbing both the prior annual difference of \$1.4 million and the loss of full subvention payments over the last three years.

#### Current Status

Recent events regarding the status of funding for the Williamson Act program are as follows:

1. While the Governor's proposed FY 10-11 budget contained no subvention funding, a trailer bill was subsequently passed which restored \$10 million of statewide subvention funding to the adopted FY 10-11 budget. San Luis Obispo County's share of the FY 10-11 subvention funding would have been \$289,615, or about \$710,000 less than the \$1 million subvention funding we historically received in the past.
2. Legislation to provide alternative means of off-setting the loss of subvention funding was initially passed in September, 2010 as Assembly Bill (AB) 2530, with clean-up amendments in a budget trailer bill passed in October, 2010 as Senate Bill (SB) 863. This legislation allowed counties to recoup a significant portion of their actual foregone property tax revenue through shortening contracts by one or two years (depending on whether they are 10 or 20 years) and recapturing 10% of the property tax savings. A preliminary estimate is that our County could have received about \$1 million per year in revenue from this program, which is equivalent to the historic subvention amounts

received up through FY 08-09. This program would have been in effect for five years, from January 1, 2011 to January 1, 2015, and county participation was voluntary. Before the County could implement the program, it must have provided notice to the contract holders of a public hearing to do so and give them an opportunity to voluntarily non-renew their contracts to avoid the reduction in term and resulting reassessment. In order for SB 863 to have been implemented by January 1, 2011, the required noticing and hearing would have had to be provided and held immediately after the bill's passage. Because of the substantial effort required to send notices to approximately 2,000 contract holders in a highly limited time frame and uncertainties over the legal implications of SB 863, staff determined it would be appropriate to take a "wait and see" approach for 2011 and then possibly ask the Board of Supervisors to implement the bill in 2012. Most California counties took the same approach.

3. Legislation to both eliminate the \$10 million subvention funding from the former FY 10 – 11 state budget and repeal the provisions of SB 863 was passed as SB 80 and became effective on March 24, 2011. Although San Luis Obispo County had not implemented the SB 863 program before then, it could consider doing so beginning in 2012 if pending new legislation (AB 1265) to re-instate the provisions of SB 863 is passed. While there is no proposal to directly restore the \$10 million statewide subvention funding for FY 10-11, new legislation (AB 218) was introduced in February 2011 which would propose an amendment to Proposition 6, an initiative measure enacted by the voters in 1982, to impose a California estate tax and use the revenue to fully fund the Williamson Act subventions. AB 218 is still in the Assembly committee process and, if passed, would require voter approval in a special election consolidated with the next statewide general election.
4. Both the FY 09-10 and the current FY 10-11 County budgets adopted by the Board absorbed the loss to the General Fund of the subvention funding and the proposed FY 11-12 budget recommends continuing to "backfill" the funding loss.
5. When considering the County's 2011 Legislative Platform on April 5, 2011, the Board of Supervisors asked that "more focused criteria for accepting new Williamson Act contract applications" be explored, stakeholder input be sought and then have the matter brought back to them either shortly before or during the hearings on the proposed county budget for FY 11-12 in June.

#### Possible Options for Responding to the Williamson Act Funding Issues

In response to the Board of Supervisors' request, staff developed possible approaches for how the county could respond to the issues raised by the elimination of the Williamson Act subvention funding and brought them to both the county Agricultural Preserve Review Committee (APRC) and Agricultural Liaison Advisory Board (ALAB) for their review and comment. These options for dealing with the continuing loss of subvention funding have been identified:

1. **Keep the program as is:** make no changes to the status quo, maintain business as usual and continue to backfill the subvention loss from other funding sources – this is what the County has been doing for the last two years and is what is recommended in the proposed FY 11-12 budget.
2. **Freeze the program at current level:** stop accepting new applications to reduce the revenue impacts of accepting new or expanded contracts into the program.
3. **Modify program to make eligibility more focused:** modify the eligibility criteria to be more focused for lands proposed for contract as an alternative to not accepting any new applications
4. **Withdraw from State program:** issue county-initiated notices of nonrenewal to land owners currently under contract.
5. **Implement Pending State Legislation for alternative funding:** implement the provisions of SB 863, if re-instated by AB 1265, to at least partially restore lost revenue, beginning in 2012 and lasting through 2015.

#### Stakeholder input

**ALAB comments:** At their meeting on May 2, 2011, the Agricultural Liaison Advisory Board (ALAB) discussed the issues related to the Williamson Act funding changes and possible responses to them. In general, ALAB indicated that they are strongly supportive of the County's continued participation in the Williamson Act program but they are aware of the longer term fiscal implications of the County continuing to backfill the subvention money from the general fund. In terms of how the County should respond to the funding changes, ALAB's first choice is **Option 1, Keep the Program As Is (Status Quo)**. Their second choice is **Option 2, Freeze the Program at the Current Level** (stop accepting new applications except for additions of contiguous property to existing contracts and contract amendments for minor lot line adjustments). ALAB considers Option 2 as an interim measure that should be rescinded in the future when economic conditions improve. Their third choice is **Option 3, Modify Program to Make Eligibility More Focused** (primarily by raising the minimum acreage required for eligibility of grazing land). ALAB suggested that the unadopted 2007 amendments to the County Rules of Procedure to Implement the Land Conservation Act of 1965 proposing similar increases in minimum eligibility acreages be revisited as a starting point for implementing option 3. ALAB does not support **Option 4, Withdraw From State Program** (non-renew contracts), in any form. ALAB did not take a position on **Option 5, Implement Pending State Legislation for Alternative Funding (If Passed)**, because its prospects for passage are uncertain. However, they were uncertain as to the overall benefits of this legislation (SB 863 / AB 1265) because of the fiscal impact to the contract holders.

**APRC comments:** At their meeting on May 23, 2011, the County Agricultural Preserve Review Committee (APRC) discussed the Williamson Act funding issues and options for responding to them. Like ALAB, the APCR is strongly supportive of the County's continued participation in the Williamson Act program but also recognizes the fiscal implications of continuing to backfill the

lost subvention funding on a long-term basis. The APRC also discussed possible amendments to the County's Rules of Procedure to Implement the Land Conservation Act of 1965 to provide more focused eligibility criteria for new Williamson Act contracts. On an overall vote of 12 – 0, with the soil science member being absent, the APRC made the following recommendations on the identified options for your Board to consider (the vote on the individual options is indicated for each item):

1. The APRC supports **Option 1, Keep the Program As Is (Status Quo)** but recognizes the budgetary issues involved with continuing to backfill the lost subvention funding. While Option 1 is their preference, the APRC understands that your Board may wish to also pursue Options 2 and/or 3 in view of those issues. *This item was passed on a 10- 2 vote, with the public-at-large (Robert Sparling) and environmental organization (Irv McMillan) members opposed and the soil science member being absent.*
2. The APRC supports **Option 2, Freeze the Program at the Current Level** (stop accepting new applications except for additions of property to existing contracts and contract amendments for minor lot line adjustments), but only as an interim measure to be rescinded when economic conditions improve in the future. *This item was passed on a 10- 2 vote, with the public-at-large (Robert Sparling) and Farm Service Agency (Jennifer Anderson) members opposed and the soil science member being absent.*
3. The APRC supports **Option 3, Modify Program to Make Eligibility More Focused**, by raising the minimum parcel sizes for new contracts involving non-prime land as a preferred alternative to Option 2. (The APRC's proposals for amending the Rules of Procedure to accomplish this are discussed below.) *This item was passed on an 11- 1 vote, with the Farm Bureau member (Hugh Pitts) opposed and the soil science member being absent.*
4. The APRC unanimously opposed **Option 4, Withdraw From State Program** (non-renew contracts). The APRC is concerned about this option's impact on the ability of contract holders to sustain their agricultural operations without the property tax reductions provided by the Williamson Act. The APRC is also concerned that implementation of the noticing and hearings involved in processing county-initiated notices of non-renewal on a widespread basis would require a significant commitment of County staff time and funds not anticipated in the current and proposed budgets. *This item was passed on a 12 - 0 vote, with the soil science member being absent.*
5. The APRC took no position on **Option 5, Implement Pending State Legislation for Alternative Funding (If Passed)**, because the passage of AB 1265 is uncertain. However, the APRC is concerned that this legislation would have a negative fiscal impact on existing contract holders. If AB 1265 is passed, the APRC would like to have the opportunity to provide further recommendations to your Board on whether the County should implement it or not. *The decision to take no position on Option 5 at this time was passed on a 12 – 0 vote, with the soil science member being absent.*

**Proposed amendments to the Rules of Procedure:** The APRC also discussed revisions to Table 1, "Minimum Ownership Sizes for Qualification and Minimum Parcel Sizes for Conveyance of Land & New Land Divisions," to raise the eligibility requirements for new contract applications. The APRC recommends increasing the minimum parcel sizes that non-prime property would need to have to qualify for an agricultural preserve and land conservation contract from 100 to 160 acres for dry farm land (class 3 and 4 soils) and from 100 to 320 acres for grazing land (class 6 and 7 soils). The APRC felt that these revisions would better reflect the amount of acreage needed for sustainable dry farming and grazing operations on non-irrigated land and help focus program eligibility and the resulting tax benefits on land with higher agricultural production potential. The APRC also emphasized that that the new criteria should only be applied prospectively to new applications and not retroactively to land under existing contracts. *The APRC recommended that your Board authorize these amendments to the Rules of Procedure for processing on a 9 – 2 vote, with the Farm Bureau (Hugh Pitts) and ALAB (Don Warden) members opposed and the soil science and Land Conservancy members being absent.*

It should be noted that, if your Board does authorize these amendments for processing, specific wording changes to Table 1 and other affected sections of the Rules of Procedure will be prepared and brought back to the APRC and your Board for review and comment before the formal adoption and hearing process is started.

#### **OTHER AGENCY INVOLVEMENT/IMPACTS**

The San Luis Obispo County Agricultural Preserve Review Committee and Agricultural Liaison Advisory Board have reviewed and commented on the Williamson Act funding changes and options for dealing with them. The Agriculture Department and County Counsel have assisted in the review of these issues. The County Assessor and Tax Collector will be involved in the implementation of AB 1265 if it is adopted and the Board of Supervisors chooses to implement it.

#### **FINANCIAL CONSIDERATIONS**

The State subvention payment to the County in the 2008-09 fiscal year would have been \$1,088,978. However, with the 10% reduction approved in the adopted 2008-09 State budget, the amount the county actually received that year was \$980,088. The entire subvention amount was eliminated in the amended FY 2009-10 State budget and the subventions are not funded in the adopted FY 2010-11 State budget. In the years prior to FY 2008-09, the subvention paid to the County has historically been about \$1 million annually. This represents about 33% of the \$3 million in annual property tax revenue not received by our county because of our participation in the Williamson Act program. The revenue loss to our County of not receiving full subvention payments in the last three years is at least \$2.1 million and we will continue to lose \$1 million

dollars annually in future years if the subvention funding is not restored or replaced by other funding sources. If AB 1265 is passed to restore the funding mechanism provided by SB 863, and the Board chooses to implement that program, the county could receive approximately \$1 million in annual revenues from 2012 to 2015

## **RESULTS**

Reviewing the status of Williamson Act funding and selecting options for dealing with these issues will demonstrate the Board of Supervisor's support for continuing County participation in the Williamson Act as an essential and critical agricultural land preservation program. This action supports the desired communitywide results of a healthy, liveable, prosperous and well-governed community.

## **ATTACHMENTS**

Staff is also including for the Board's information a bullet list of the options for responding to the Williamson Act funding changes and the results of a survey conducted by the California State Association of Counties (CSAC) last January on what the various California counties were doing in response to the loss of subvention funding and the implementation of the alternative funding mechanism provided by SB 863.

1. Bullet List of Possible Options for Responding to Williamson Act Changes – 6/7/2011
2. CSAC – RCRC SB 863 Implementation Survey Results – January 2011

**ATTACHMENT 2**

**BOARD OF SUPERVISORS' ORDER OF JUNE 7, 2011 FOR ITEM D-1**

**BOARD OF SUPERVISORS**  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, June 7, 2011

**PRESENT:** Supervisors: Frank Mecham, Bruce S. Gibson, Paul A. Teixeira, James R. Patterson, and Chairperson Adam Hill

**ABSENT:** None

In the matter of an update on the Williamson Act legislation:

This is the time set for an update on the Williamson Act legislation and funding and possible options in response; All Districts.

**SUPERVISOR GIBSON RECUSES HIMSELF DUE TO A CONFLICT OF INTEREST AND IS NOW ABSENT.**

**Chairperson Hill:** opens the floor to public comment.

**Mr. Kevin Kester - California Cattleman's Association, Mr. Chuck Pritchard (handout), Ms. Joy Fitzhugh - Farm Bureau, Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB), Mr. Eric Greening, Ms. Gwynn Taylor and Mr. Daniel Sinton (handout):** speak.

the Board receives the update on recent and pending legislation regarding changes in Williamson Act subvention funding; considers the recommendations from the County Agricultural Preserve Review Committee and Agricultural Liaison Advisory Board on options for responding to those changes; directs staff to: pursue Option 1 by continuing to fund and operate the County's Williamson Act program at the current level; implement Option 3 by beginning to look into modifying the program to make eligibility more focused; authorizes the processing of the amendments to the County Rules of Procedure to Implement the Land Conservation Act of 1965 recommended by the County Agricultural Preserve Review Committee and continue to accept and process new applications based on the current rules until the amendments are adopted; engage in discussions with the agricultural community and other outside agencies; and return to the Board off-calendar with the proposed language changes prior to starting the public hearing and adoption process.

Filed 06/13/11 ar  
cc: Planning (1)

STATE OF CALIFORNIA    )  
                                  )    ss.  
County of San Luis Obispo )

I, JULIE L. RODEWALD, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS, my hand and the seal of said Board of Supervisors, affixed this 13<sup>th</sup> day of June, 2011.

JULIE L. RODEWALD  
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By:   
Deputy Clerk