



Siskiyou County Planning Division

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<https://www.co.siskiyou.ca.us/planning>

Williamson Act Contract Amendment Application Guide

This guide is to assist existing Williamson Act Contract holders to complete the application to amend their existing Williamson Act Contract. County staff is available should any questions arise during the completion of the application package.

What is Required for a Williamson Act Contract Amendment Submittal?

The following are required for the submittal:

Forms

- A completed Application for Development Review form (short form)
 - Hold Harmless Policy
 - Right to Farm form (unless one has been recorded on the subject property)
- Williamson Act Contract Amendment Questionnaire (attached). One per resultant contract.
- Declaration Regarding Agricultural Income on Williamson Act Property (attached)
 - With supporting documentation
- Applicable fees

Permit Processing	\$825.00
CEQA Processing	\$300.00
County Counsel Review	\$50.00
Total	\$1175.00

Checks should be made payable to Siskiyou County.

Other Documents

- The Grant Deed(s) with legal descriptions for each legal parcel contained in the application. If the description is not acceptable by the County Surveyor, the applicant must provide a legal description prepared by and stamped by a California licensed land surveyor.
- If part of a Boundary Line Adjustment project - An accurate legal description of the land included in the application and proposed change(s). This legal description should match the one provided for the boundary line adjustment and will become part of the Contract.
- Provide a copy of any and all Deeds of Trust for all of the legal parcels that are included in the application.
- A copy of the property's existing Williamson Act Contract. The County can provide the contract if necessary.
- Provide a Preliminary Title Report (dated less than 5 years from the application submittal and current to the present owner).

All required information should be typed or printed neatly in black ink. Forms are available on the Planning Division website or by request to the Planning Division staff.

When Must I File?

Applications must be received by the Planning Division no later than 5:00 p.m. of June 30th of any given year. Should June 30th fall on a weekend, the application deadline reverts to the previous Friday at 5:00 p.m. It is suggested that prior to submitting an application, any interested persons should make arrangements to receive application forms by May 15th of any given year and discuss any questions with the Planning Division prior to June 1st of any given year.

Parcels within One Mile of City Limits:

Parcels which are located within one (1) mile of a city may be approved only if the application is not protested by the city or, if protested, the protest is not upheld by the Local Agency Formation Commission (LAFCo) following a hearing pursuant to Government Code Section 51243.5. In reviewing applications on parcels within one (1) mile of a city, the Board will consider whether the land in question has been designated as open space on the General Plan of either the County or the city.

How Will My Property be Assessed?

You should contact the County Assessor at (530) 842-8036 to determine how the Contract will affect your taxes.

What are the Qualifications for a Contract?

Section III of the County's Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts details the eligibility requirements. In general, agricultural land must contain at least 40 acres of Class I or Class II equivalent soils as mapped by USDA, Natural Resources Conservation Services and shown in the table below.

	<u>Land Classification</u>	<u>Class Equivalent</u>
	Irrigated	Dry
I	1 Acre = 1 Acre	1 Acre = 1 Acre
II	1 Acre = 1 Acre	1 Acre = 1 Acre
III	1 Acre = 1 Acre	2 Acres = 1 Acre
IV	2 Acres = 1 Acre	4 Acres = 1 Acre
V	3 Acres = 1 Acre	6 Acres = 1 Acre
VI	3 Acres = 1 Acre	6 Acres = 1 Acre
VII	10 Acres = 1 Acre	10 Acres = 1 Acre

In addition, as detailed in Section IV of the County's Rules and Policies, land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. Please refer to Section IV, Item A for specific examples.

In processing an amendment to an existing Williamson Act Contract, any change in use that would occur as a result of the amendment needs to be clearly identified so that this change can be evaluated against the County's Rules and Policies.

Who Reviews and Approves this Application?

The Planning Division reviews the application for completeness and mails it to various interested federal, state, and county agencies for review. If additional information is required, applications will be deemed “incomplete” until received. This can create delays in the timelines to process the application. The application will be reviewed by the Agricultural Preserve Administrator whose recommendation will be forwarded to the Board of Supervisors who will make a final decision on the proposed contract changes. The application will be set for public hearing before the Board of Supervisors. Notice to all property owners within 300' is provided. The Board approves or denies the application at the public hearing.

Once the Board has approved the contract amendments, staff will process the final contract which will be forwarded to you to obtain the final signatures of all property owners and any applicable lien holders. The goal is to have all required paperwork completed in November to ensure the new contracts are recorded in time to become effective January 1st of the following year.

If your application is approved

1. The final Land Conservation Contract will be returned to you for the signatures of the owners of the property and all signatures of any and all lienholders to the property included in the Contract. **All signatures must be notarized.**
2. On the Consent of Lienholder page(s), the lienholder’s signature **must be notarized.** Also, if no lienholders exist, it must be acknowledged on that form.
3. On the first page of the Land Conservation Contract, please leave the date in Section 2 blank. This will be filled in by the Clerk at the time of approval of the Contract.
4. The signed **and notarized** Land Conservation Contract must be returned to the Planning Division by the date that will be specified.

What is the Term of the Contract?

The Contract is effective on the first day of January following approval by the Board of Supervisors and recording of the contract. The initial term of the contract is ten years and will automatically be extended for one additional year on each January 1st thereafter, unless the landowner gives the County notice of his desire not to renew the contract at least 90 days prior to the January 1st anniversary date, or the County gives notice of non-renewal at least 60 days prior to the January 1st anniversary date.

When Will I Receive My Copy of the Contract?

The property owner will receive their copy of the Contract after recordation.

Williamson Act Contract Amendment Questionnaire

Owner Name(s): _____

Parcel Numbers: _____

_____ How long have you owned this land? _____

Lienholders Deed of Trust included in packet No lienholders for this property

Company Name: _____ Contact Name: _____

Phone: _____ Email: _____

Type of Agricultural Use:

- Grazing
- Dry pasture acreage _____ Species: _____ # head _____ # days per yr.
- Irrigated pasture acreage _____ Species: _____ # head _____ # days per yr.
- Dry farming acreage _____ Crops grown _____ Production per acre _____
- Field crop acreage _____ Crops grown _____ Production per acre _____
- Row crop acreage _____ Crops grown _____ Production per acre _____
- Other acreage _____ Type _____ Production per acre _____

Type of irrigation (pivot line, ditch, etc.) _____

Total Acres in Agricultural Production: _____

- Timber Production acreage _____

Other Uses:

Indicate if this is concurrent with the Ag Uses above or the sole use of the acreage noted

- Timber Production _____ acres with _____ ag use only use
- Residential _____ acres
- Offices, packing facilities, vending facilities, etc. _____ acres
- Surface mining _____ acres with _____ ag use only use
- Equine pasture and facilities _____ acres with _____ ag use only use
- Agricultural Enterprises _____ acres with _____ ag use only use
- Open Space _____ acres where no ag use is occurring
- Other _____ acres. Description: _____
 - With _____ ag use No ag uses
- Conservation Program _____ acres. (attach Conservation Easement/Agreement)
 - With _____ ag use No ag uses

Land Leased to Others

Name of owner _____ Number of acres _____

Use of land _____

Terms of lease _____ Lease termination date _____

Certification

The above statements are certified by the undersigned to be true and correct, and this land is used for the intensive production of food or fiber, or the land is used to support the agricultural economy and has public value.

Signed _____ Date _____

Planning Staff Comments Below

The above property is within one mile of a city: Yes No

Name of City: _____

Present Zoning _____

**DECLARATION REGARDING AGRICULTURAL INCOME
ON WILLIAMSON ACT PROPERTY SUBJECT TO THIS APPLICATION**

I, _____ [insert owner name], declare as follows:

1. I have personal knowledge of all of the matters stated herein and could testify truthfully thereto if called to testify.
2. I am the owner of Assessor Parcel Numbers _____ (the "Property").¹
The Property is subject to a Land Conservation (Williamson Act) Contract with the County of Siskiyou. The primary use of the property is _____
3. I am submitting this declaration for the purpose of substantiating the annual revenue for calendar year(s) _____ that was generated by the commercial agricultural use of the Property (as defined in the County's adopted *Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts*).
4. Attached hereto are true and correct copies of the following documents (select one or more):
 - Schedule F (Form 1040) Profit or Loss from Farming
 - For land where the use is timber production, a timber harvest plan, timber management plan or Registered Professional Forester (RPF) assessment which determines the property to be legitimately used for timberland.
 - For land where the indicated use is undertaken by someone other than the landowner, a statement from the active user outlining the use (including, but not limited to - acreage, number of head and species, year-round or seasonal use and anticipated revenue due to the use of the land)
 - A statement from the Agricultural Commissioner that a site visit has occurred and verifies that the property is devoted to commercial agricultural uses.
 - Or other reasonable evidence such as receipts from sales of agricultural commodities.
Description of document: _____
5. The documents described in paragraph 4 and attached to this declaration accurately reflect the annual revenue generated by commercial agricultural use of the Property for calendar year _____.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Dated: _____

[Signature]

[Title]

If for any reason you are unable to provide the required information, please contact our office to discuss available options.

¹ A declaration must be submitted for each Contract.