



## Agricultural Preserve Land Conservation (Williamson Act) Contract Application Guide

Siskiyou County Planning Division  
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[Siskiyou County Planning Division](#)

### Williamson Act Agricultural Preserve And Conservation Contract Application Requirements

**We would request, prior to completing the application, that you contact our office so we may do a preliminary evaluation of your property to ensure compliance with the requirements of the Act.**

#### **Important Notice To All Applicants, Modifications And Non-Renewals For A Williamson Act**

**New Applications:** If you decide to submit an application, you must submit all eight (8) items listed on page 2 of the attached instructions under the title “**What Must I File?**”

Please note that your application must be submitted to the Planning Division no later than 5:00 p.m., July 1<sup>st</sup> of the year prior to when you wish the contract to become effective.

If you have any further questions, please do not hesitate to contact our office.

**Modifications:** The application form shall be properly filled out and signed by the applicants and all property owners and contract holders. All property owners and contract holders shall sign or a power-of-attorney shall be submitted specifically authorizing a designated person to sign the application. If the property owner is a corporation, a Resolution from the corporation authorizing this application shall be submitted. The Resolution shall indicate an individual or individuals who are authorized to sign the application on behalf of the corporation. In order to be processed, your application must be complete.

All information required in the attached application form must be **typed** or **printed neatly** in black ink.

**Non-Renewal:** The landowner must request non-renewal of the Agricultural Preserve Land Conservation Contract (“Contract”) in writing. (See Government Code Section 51245 and Section 3 of the Land Conservation Contract.)

## Frequently Asked Questions:

### What is Required to Create an Agricultural Preserve and Execute a Williamson Act Land Conservation Contract:

In general, a property owner must agree to place a minimum of 100 acres into an Agricultural Preserve upon approval of the Board of Supervisors. The property owner must also enter into a Williamson Act Land Conservation Contract with the County of Siskiyou to encumber land within the Agricultural Preserve. The land under contract is subject to the requirements of the Williamson Act (Gov. Code § 51200 et seq.) and the County's Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts. The property owner receives property tax reductions for encumbering his land.

The property proposed to be placed into a Williamson Act Land Conservation Contract must have agricultural zoning and have certain required soil classifications. The Siskiyou County Planning Division will provide you with zoning and soil classification information. Please provide your Assessor's Parcel Number to help facilitate the identification of the parcel.

### The Contract Encumbers Your Property:

During the term of the contract the property cannot be used for any purpose other than the production of agricultural commodities and uses compatible thereto as defined in the County's Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts. These restrictions apply to any person to whom you may sell or transfer property during the term of the contract.

### What are the Fees to Process this Application?

**Planning Division:** The Siskiyou County Planning fees can be obtained from page 5 of the Department's Application for Development Review. Also, Section 10-6.1601 of the County Code also provides additional information on development fees. Checks to pay Planning Division fees should be made payable to Siskiyou County.

**Siskiyou County Counsel's Office:** In order to defray the cost of reviewing applications that will go before the Planning Commission or Board of Supervisors, the Planning Division will collect a fee to defray the cost of the County Counsel's review of a typical application. This fee can be obtained from the first page of the Department's Application for Development Review. Certain applications will require additional review and an additional deposit will be required against which the costs of the additional review will be billed. Section 10-6.1601 of the County Code provides additional information on how this is calculated. The initial fee can be included in your check to pay for the Planning Division's fee (check made payable to the Siskiyou County).

### When Must I File?

**New Applications:** Applications must be received by the Planning Division no later than 5:00 P.M., July 1 of the current year. It is suggested that due to the detail and preparation necessary prior to submitting an application, any interested persons should make arrangements to receive application forms by May 15.

### What Must I File?

1. One complete, signed application form must be submitted.
2. One copy of the signed Agricultural Production Questionnaire must be part of the application.
3. One copy of Assessor's maps appropriately marked to indicate the boundaries of the property to be included in the Agricultural Preserve. Outline the property in black.

4. One **unsigned** completed copy of the Land Conservation Contract. Please be sure to include a complete and accurate list of all of the Assessor's Parcel numbers to be included in the contract. The list of Assessor's Parcel numbers will be part of Exhibit A to the contract.
5. Provide a copy of the Grant Deed for each legal parcel contained in the application.
6. Provide an accurate legal description of the land proposed to be included in the contract. The legal description will become part of the contract as Exhibit A.
7. Provide a copy of any and all Deeds of Trust for all of the legal parcels that will be included in the contract.
8. Provide a current Preliminary Title Report no more than 6 months old.

#### **After You File Your Application:**

1. A Planner will review your application for completeness.
2. A draft Land Conservation Contract will be prepared using the standard contract form and the information we receive from you. It will include the list of Assessor's Parcel Numbers, the legal descriptions you have provided to us and a map of the land that will be put into the Preserve and into the Contract. A Lienholder's Consent Form will be included in the contract for any and all lienholders.
3. An Indemnification Agreement will also be prepared using the standard Agreement and the information you have provided to us. The Agreement for Indemnification will be sent to you for signature via *DocuSign*. Once all County agencies have executed the Indemnification Agreement, you will receive a copy.
4. As part of the application approval process, a Right to Farm Statement of Acknowledgment will be required. Once you have submitted an application, the Right to Farm will be prepared and sent to you for your signature which must be notarized. A check payable to the Siskiyou County Recorder will be required (generally the recording fee is \$92.00 for a one-page notary acknowledgment). Your application will not be considered complete and ready for formal processing until such time as the signed and notarized Right to Farm has been completed, recorded at the County Recorder's Office, and a copy of the recordation has been submitted to the Planning Division. Prior to receiving the fill-in statement, you may ask for a draft to familiarize yourself with this notice.
5. The application and the draft contract will be circulated to other County Divisions.

#### **After Contract Review:**

1. The final Land Conservation Contract will be returned to you for the signatures of the owners of the property and the 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 which must include the **notarized signatures of any and all lienholders** must be returned to the Planning Division by August 15 of the current year.

### **When Will My Hearing Be Conducted?**

Your application will be reviewed first in September by the Agricultural Preserve Administrator and their recommendation is submitted to the Board of Supervisors for consideration. You will be notified of the Board of Supervisors' hearing.

### **What is the Term of the Contract?**

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

### **When Will I Receive My Copy of the Contract?**

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

### **May I Cancel?**

It has not been the policy of the Board of Supervisors to approve cancellation except in cases meeting stringent requirements of the Williamson Act regarding cancellation. The mere existence of an opportunity for another use of the land, or the uneconomic character of an existing agricultural use, is not sufficient justification for cancellation.

### **May I Sell or Otherwise Divide the Property?**

Yes. Your property may be sold although the obligation imposed by the Contract will continue to apply to the use of the land. Your property may also be divided subject to existing land division requirements and compliance with Agricultural Preserve rules. However, a new Land Conservation Contract will have to be executed by the Owner of each parcel created by the division at the time of the division pursuant to Section 12 of the Contract.

### **How Will My Property Be Assessed?**

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

### ***Parcels Within One (1) 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 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.

Filing Deadline:  
July 1, 5:00 p.m. of Current Year

Board of Supervisors  
County of Siskiyou

### Application for Agricultural Preserve Contract

**Filing Fee:** Contact the Planning Division for the current processing fees. Your application will not be accepted by the Planning Division unless accompanied by the appropriate fees.

Separate applications are required if different parcels have different lienholders.

Owner(s) Name As Recorded: \_\_\_\_\_

Include trust deed or other encumbrance holders. Use separate sheet if necessary. If none, write "None". \_\_\_\_\_

Applicant's Name (If other than above): \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

Applicant's Phone Number: \_\_\_\_\_ Applicant's Email Address: \_\_\_\_\_

**Agent for Notice:** *The following person is hereby designated as the person to receive any and all notices and communications from Siskiyou County during the life of this contract. I will notify the County in writing of any change of designated person or change of address for him:*

Designated Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Property (use separate sheet if necessary):

Present Agricultural Use	Assessor's Parcel No.	Acreage

Total Acreage \_\_\_\_\_

I declare under penalty of perjury that the information contained in this application is true and correct. If any information is not true and correct, I agree to pay to the County of Siskiyou all costs incurred to correct the records concerning the land conservation contract and any and all cost of collecting or correcting taxes, along with a reasonable attorney fee which may be incurred in this matter.

By signing this application, I (We) hereby authorize County, State and Federal agencies requested to review this application to enter my property for the purpose of reviewing and commenting on this application. The authorization is valid from the date of filing this application until the County finally acts to approve or disapprove this project.

**Owner(s) Signature(s):** \_\_\_\_\_  
 \_\_\_\_\_

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**For Planning Division Use Only:**

Type of Preserve: \_\_\_\_\_

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

Present Zoning: \_\_\_\_\_

Present General Plan Designation: \_\_\_\_\_  
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**Guidelines**

U.S. Soil Conservation Service

Land Classification	Class Equivalent	
	<u>Irrigated</u>	<u>Dry</u>
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

## Method of Rental

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*Per animal unit month (AUM)* charges provide flexibility in allowing for different types of livestock and seasons of use without being specific in the lease. A field rated at 100 AUMs could support 10 cows for 10 months, 50 cows for two months or 125 sheep for four months. This method uses the AUM as a common denominator defined as the amount of forage required by a mature cow (and calf) for one month and has a set of equivalents for other types of animals. The AUM is frequently used when describing stocking rates in soil surveys and other rangeland analysis. This method is used by governmental agencies and organizations with professional range managers.

For conservative estimates and ease of calculations, an AUM = 1,000 pounds of range forage and animal unit equivalents as follows:

<b><i>Animal</i></b>	<b><i>Weight</i></b>	<b><i>AUM Equivalent</i></b>
Mature cow	1,000	1.0
Bred heifer	750	0.75
Yearling steer or heifer	500	0.50
Horse	1,200	1.2
Sheep	200	0.2

### **Please Read the Following Important Notice**

#### **Open Range Notice**

Siskiyou County is an Open Range county. You must fence livestock out! Copies of the laws affecting your property are available in the offices of the Planning Division and the Building Inspector. These laws do affect your property and you should be aware of their provisions.

## Agricultural Production Questionnaire

Owner's Name: \_\_\_\_\_ Address: \_\_\_\_\_

Parcel numbers: \_\_\_\_\_

How long have you owned this land? \_\_\_\_\_

### Type of Agricultural Use:

Dry pasture acreage \_\_\_\_\_ Carrying capacity \_\_\_\_\_

Irrigated pasture acreage \_\_\_\_\_ Carrying capacity \_\_\_\_\_

Dry farming acreage \_\_\_\_\_ Crops Grown \_\_\_\_\_ Production per acre \_\_\_\_\_

Field crop acreage \_\_\_\_\_ Crops Grown \_\_\_\_\_ Production per acre \_\_\_\_\_

Type of Irrigation (pivot line, ditch, etc.) \_\_\_\_\_

Row crop acreage \_\_\_\_\_ Crops Grown \_\_\_\_\_ Production per acre \_\_\_\_\_

Grazing AUM \_\_\_\_\_ Term \_\_\_\_\_ Fees paid \_\_\_\_\_

Other acreage \_\_\_\_\_ Type \_\_\_\_\_ Production per acre \_\_\_\_\_

### Other Income and Compatible Uses:

Hunting rights \$ \_\_\_\_\_ per year \_\_\_\_\_ acres \_\_\_\_\_ Fishing Rights \$ \_\_\_\_\_ per year \_\_\_\_\_

Other recreation rights \$ \_\_\_\_\_ per year \_\_\_\_\_ type \_\_\_\_\_

Mining and exploration \$ \_\_\_\_\_ per year \_\_\_\_\_ type \_\_\_\_\_

Quarrying \$ \_\_\_\_\_ per year \_\_\_\_\_ type \_\_\_\_\_

Other \_\_\_\_\_ \$ \_\_\_\_\_ per year \_\_\_\_\_ type \_\_\_\_\_

Other \_\_\_\_\_ \$ \_\_\_\_\_ per year \_\_\_\_\_ type \_\_\_\_\_

Other \_\_\_\_\_ \$ \_\_\_\_\_ per year \_\_\_\_\_ type \_\_\_\_\_

Additional description of use(s) listed above and other compatible uses that do not result in income.

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**Land Leased to Others:**

Name of Owner \_\_\_\_\_ Number of acres \_\_\_\_\_  
Rental fee per acre \_\_\_\_\_ Use of land \_\_\_\_\_  
Terms of lease \_\_\_\_\_ Lease termination date \_\_\_\_\_  
Share cropped with others: Crop \_\_\_\_\_ Percent to owner \_\_\_\_\_ Acres \_\_\_\_\_  
List expenses paid by landowner \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Remarks on Income, etc.:**

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: \_\_\_\_\_

Please return this form to the Siskiyou County Planning Division along with your Agricultural Preserve application. It is a prerequisite to your property being placed in the Open Space Agricultural Preserve Land Act, as adopted by the Siskiyou County Board of Supervisors. **Adopted November 28, 1972.**