

**ATTACHMENT B**

**Williamson Act Committee staff reports for May 27, 2015, October 1, 2015,  
December 1, 2015 and December 16, 2015**



**PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION**

3015 H Street Eureka CA 95501  
Phone: (707) 445-7541 Fax: (707) 268-3792

**AGENDA  
WILLIAMSON ACT COMMITTEE  
Agricultural Center  
5630 South Broadway, Eureka**

**May 27, 2015  
4:00 p.m.**

**I. Call to Order**

**II. Roll Call**

**III. Approval of Minutes**

October 28, 2013 minutes (WAC Members present: John LaBoyteaux, John Rice, John Vevoda, Jon Brooks, and Peggy Satterlee).

June 18, 2014 minutes (WAC Members present: John Laboyteaux, John Rice, John Vevoda, Jon Brooks, and Peggy Satterlee).

August 27, 2014 minutes (WAC Membes present: John LaBoyteaux, Peggy Satterlee, Dean Hunt)

October 22, 2014 minutes (WAC Members present: John LaBoyteaux, John Vevoda, Dean Hunt)

**IV. Scheduled Matters: None**

**V. Old Business** Update on compliance and monitoring

**VI. New Business**

Item 1: Committee discussion of changes to Williamson Act Guideline language. The Board of Supervisors has directed the Committee to work on specific draft amendments to the Williamson Act Guidelines. This item is to discuss standards for entry into the program. Provided for the committee is the action minutes of the January 14, 2014 Board of Supervisors meeting, the staff report to the Board of Supervisors addressing possible amendments, applicable California Government Code sections, and copies of Williamson Act Guidelines from two other California Counties.

Attachment: Williamson Act Guidelines Revisions

**VII. Correspondence** None

**VIII. Public Comments**

At this time persons may appear before this Committee and speak on any matter having to do with matters within the Committee's jurisdiction. The Williamson Act Advisory Committee has jurisdiction to make recommendations to either the Board of Supervisors or the Planning Commission on application-related matters referred to the Committee by the Planning Division.

Persons recognized by the Chair will please address the Committee, and please do not use the public comment period to ask questions of the Committee or staff. Neither the Committee nor staff will answer questions presented during public comment.

The Chair will establish time limits depending on the number of people wishing to speak and the length of the agenda. All speakers are invited to state their names, but are not required to do so.

**IX. Adjournment**



## PLANNING AND BUILDING DEPARTMENT CURRENT PLANNING DIVISION

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<http://www.co.humboldt.ca.us/planning/>

**TO:** Williamson Act Committee (WAC) Members  
**FROM:** Cliff Johnson, Senior Planner  
**DATE:** September 23, 2015  
**RE:** October 1, 2015 WAC Meeting

**Old Business: Item 1** Williamson Act Guideline Revisions:

Recommended WAC Action:

Review the materials, discuss potential amendments and direct staff to prepare draft revisions for consideration.

### Summary

On January 14, 2014 the Board of Supervisors directed staff to initiate amendments to the County's Williamson Act guidelines for the specific purposes of amending the requirements for County initiated non-renewal of Land Conservation Contracts, and amending the entry requirements for approving new agricultural preserves and contracts.

A) County initiated non-renewal of Land Conservation Contracts.

State law provides minimal requirements for County initiated non-renewal of contracts. Section 51245 of the California Government Code (CGC) provides requirements relative to the processing of non-renewal but no requirements or findings that are necessary for the County to initiate non-renewal. The CGC allows for both parties to the contract to decide to non-renew, with no limitations on reasons or justification for non-renewal.

Section 16.C of the Current County Guidelines state that "The Board of Supervisors shall use Non-Renewal of a land conservation contract as the enforcement mechanism of last resort, when in the judgment of the Board, other efforts undertaken by the County to secure compliance with contract provisions, including legal means, have proven ineffective."

The Board has supported removing the provision that non-renewal shall be an enforcement mechanism of last resort.

**Staff Recommendation:** Staff recommends that Section 16.C of the Guidelines be changed to read as follows:

The Board of Supervisors shall use Non-Renewal of a land conservation contract as an enforcement mechanism, when in the judgement of the Board, other efforts undertaken by the County to secure compliance with contract provisions have proven ineffective.

- B) Requirements for approval of new agricultural preserves.  
There are no specific economic requirements under State law for establishing an agricultural preserve or entering into a land conservation contract. Section 51242 of the CGC states that:

No city or county may contract with respect to any land pursuant to this chapter unless the land:  
(a) Is devoted to agricultural use.  
(b) Is located within an area designated by a city or county as an agricultural preserve.

Pursuant to Section 51202 of the CGC agricultural use is defined as "use of land, including but not limited to greenhouses, for the purpose of producing an agricultural commodity for commercial purposes."

The current guidelines do not establish any specific economic standard for entry into Class A and Class B preserves. For Class C and Class D preserves applicants are required to submit evidence that the property proposed for entry into the program have provided a gross annual income of at least \$2,500.00 from agricultural production for three of the last five years. This amount reflects the minimum "commercial farm income" from the 1974 Agricultural Census, and the Williamson Act Committee has previously indicated that this amount is too low to be currently relevant. The Humboldt County Cattlemen's Association has previously commented (Ad Hoc Committee report) that a standard of \$50,000 to \$100,000 would be appropriate.

The most current U.S. Agricultural Census (2012) definition of a "farm" is the same as used in 1974 and is "any place from which \$1,000 or more of agricultural products were produced and sold." The 2012 Census of Agriculture contains a number of tables describing the present state of agriculture nationally, including data on the number of farms, total market value of agricultural products, and net income from farming. A copy of this report is attached. The census table most comparable to the prior 1974 income figure used in our Guidelines is "average farm income" depicted below.

Market value of agricultural products sold	Farms (1,000)	Acreage		Value of sales		Percent distribution		
		Total (mil.)	Average per farm	Total (mil. dol.)	Average per farm (dol.)	Farms	Acreage	Value of sales
<b>2002</b>								
<b>Total</b> .....	<b>2,129</b>	<b>938.3</b>	<b>441</b>	<b>200,646</b>	<b>94,244</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Less than \$2,500.....	827	107.0	129	485	586	38.8	11.4	0.2
\$2,500 to \$4,999.....	213	23.1	108	763	3,582	10.0	2.5	0.4
\$5,000 to \$9,999.....	223	34.8	156	1,577	7,072	10.5	3.7	0.8
\$10,000 to \$24,999.....	256	69.5	271	4,068	15,891	12.0	7.4	2.0
\$25,000 to \$49,999.....	158	77.9	494	5,594	35,405	7.4	8.3	2.8
\$50,000 to \$99,999.....	140	110.1	784	10,024	71,600	6.6	11.7	5.0
\$100,000 to \$249,999.....	159	189.4	1,191	25,401	159,755	7.5	20.2	12.7
\$250,000 to \$499,999.....	82	140.8	1,723	28,530	347,927	3.9	15.0	14.2
\$500,000 to \$999,999.....	42	94.0	2,241	28,944	689,143	2.0	10.0	14.4
\$1,000,000 or more.....	29	91.7	3,198	95,259	3,284,793	1.4	9.8	47.5
<b>2007</b>								
<b>Total</b> .....	<b>2,205</b>	<b>922.1</b>	<b>418</b>	<b>297,220</b>	<b>134,807</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Less than \$2,500.....	900	121.5	135	435	483	40.8	13.2	0.1
\$2,500 to \$4,999.....	200	17.5	87	718	3,585	9.1	1.9	0.2
\$5,000 to \$9,999.....	219	27.6	128	1,553	7,104	9.9	3.0	0.5
\$10,000 to \$24,999.....	248	65.8	265	3,960	15,949	11.3	7.1	1.3
\$25,000 to \$49,999.....	155	59.8	386	5,480	35,419	7.0	6.5	1.8
\$50,000 to \$99,999.....	125	78.2	623	8,961	71,429	5.7	8.5	3.0
\$100,000 to \$249,999.....	148	147.6	1,000	24,213	164,156	6.7	16.0	8.1
\$250,000 to \$499,999.....	93	140.7	1,507	33,410	357,811	4.2	15.3	11.2
\$500,000 to \$999,999.....	61	119.4	1,965	42,691	702,417	2.8	13.0	14.4
\$1,000,000 or more.....	56	144.0	2,593	175,800	3,167,050	2.5	15.6	59.1

Source: U.S. Department of Agriculture, National Agricultural Statistics Service, *2007 Census of Agriculture*, Vol. 1. See also <[http://www.agcensus.usda.gov/Publications/2007/Full\\_Report/index.asp](http://www.agcensus.usda.gov/Publications/2007/Full_Report/index.asp)>.

This table shows that 50% of all farms reported in the census in 2007 had an income less than \$5,000 (i.e., \$4,168). This figure is just slightly lower than the average farm income in 2002.

This information shows that the 1974 census income figure of \$2,500 is lower than the current average farm income but remarkably the present income average of \$4,168 has increased only 66% over the last 50 years equating to a 3.3% per year increase.

**Staff Recommendation:** Staff has considered several possible treatments to better reflect the standard to be applied when considering new enrollments into the Williamson Act program in Class C (Cropland) and D (Unique Farmland and Dairy) agricultural preserves. While an "income only" threshold is easy to understand and apply, by itself it fails to validate that the property is being used for commercial agricultural production consistent with its land capabilities. The use of an "income equal to tax obligation" standard was evaluated but found to be administratively awkward as it would vary in each case and as such would not provide clear guidance to applicants. For these reasons, staff is recommending as a starting point for discussion a hybrid approach using a combination of the 2012 Census of Agriculture to set an updated minimum farm income figure and a qualitative assessment of the farm operation. Both criteria would be considered by the Committee when deciding whether to recommend that the land be enrolled into the Williamson Act program. The wording of the current income provision would be altered to read as follows:

"(b) Substantial evidence has been presented to show that: (1) the parcels in question have provided a gross annual income from agricultural pursuits for three of the past five years of \$4,200 per

ownership unit (or average farm income from the latest agricultural census, where higher). Applicants will be responsible to submit proof of gross income meeting the standard. Acceptable proof can consist of a letter by a Certified Public Accountant, the Cooperative Extension (Farm Advisor), the Humboldt County Agricultural Commissioner of the County Assessor stating that the land in question meets the income requirements; and (2) that the parcels in question are used for, and devoted to, agricultural pursuits and are capable of producing agricultural commodities for commercial purposes in accordance with these Guidelines, taking into consideration the following evaluative criteria, as applicable:

- i. Prior, long-term use of the property for commercial agricultural production under the same or different ownership;
- ii. Agricultural use of the land in relation to land capabilities (e.g., animal unit carrying capacity or soil capability rating);
- iii. Investments made by the past or present operator in farm/ranch infrastructure resulting in substantial increase in productivity;
- iv. Site evaluation by the Agricultural Commissioner's Office; and
- v. Other relevant information as submitted by the applicant (e.g., acres under irrigation)."



**PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION**

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**TO:** Williamson Act Committee (WAC) Members  
**FROM:** Cliff Johnson, Senior Planner  
**DATE:** November 20, 2015  
**RE:** December 1, 2015 WAC Meeting

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**Old Business: Item 1** Williamson Act Guideline Revisions:

Recommended WAC Action:

Review the materials, discuss potential amendments and direct staff to prepare draft revisions.

**Summary**

On January 14, 2014 the Board of Supervisors directed staff to initiate amendments to the County's Williamson Act guidelines for the specific purposes of amending the requirements for County initiated non-renewal of Land Conservation Contracts, and amending the entry requirements for approving new agricultural preserves and contracts. At the last Williamson Act Committee meeting of October 1, 2015, the Committee voted to amend the requirements for non-renewal of land conservation contracts. Entry requirements were discussed, but not voted on.

Requirements for approval of new agricultural preserves.

There are no specific economic requirements under State law for establishing an agricultural preserve or entering into a land conservation contract. Section 51242 of the CGC states that:

No city or county may contract with respect to any land pursuant to this chapter unless the land:

- (a) Is devoted to agricultural use.
- (b) Is located within an area designated by a city or county as an agricultural preserve.

Pursuant to Section 51202 of the CGC agricultural use is defined as "use of land, including but not limited to greenhouses, for the purpose of producing an agricultural commodity for commercial purposes."

The current guidelines do not establish any specific economic standard for entry into Class A and Class B preserves. For Class C and Class D preserves applicants are required to submit evidence that the property proposed for entry into the program have provided a gross annual income of at least \$2,500.00 from agricultural production for three of the last five years. This amount reflects the minimum "commercial farm income" from the 1974 Agricultural Census, and the Williamson Act Committee has previously indicated that this amount is too low to be currently relevant. The Humboldt County Cattlemen's Association has previously commented (Ad Hoc Committee report) that a standard of \$50,000 to \$100,000 would be appropriate.

At the Williamson Act Committee meeting of October 1, 2015, the committee members asked for additional information; more specifically on the average farm income for Humboldt County, and for a calculation of the inflation adjusted dollar amount of the 1974 income requirement of \$2,500. This information is provided below.

### Census Data

Attached to this staff report is County specific data showing the average farm income for Humboldt County in 2012. This table shows that the average gross farm income (before taxes and expenses) for farms in Humboldt County in 2012 was \$59,445.

### Adjusted for Inflation

The current income requirement for entry into Class C and D preserves is \$2,500 in gross annual income for three of the last five years. This amount reflects the minimum "commercial farm income" from the 1974 Agricultural Census. According to the US Bureau of Labor Statistics, \$2,500 in 1974 adjusted for inflation is the equivalent of \$12,066.18 in 2015.

At the Committee meeting of October 1, 2015, committee members expressed general support for a combination of an income requirement and a qualitative assessment of the farm operation, to be applicable across all preserve classes.

Using a combination of both income and qualitative data would give the Williamson Act Committee more discretion and guidance when deciding whether to recommend that the land be enrolled into the Williamson Act program.

### **Staff Recommendation:**

Based on the discussion of the October 1, 2015 meeting and subsequent research, staff recommends that the wording of the current income provisions be removed from the provisions of the Class C and D preserves, and that a new section added to the General Provisions of the Guidelines, as Section 1F(7) as follows:

"(7) In order to qualify for a Williamson Act preserve and contract, substantial evidence shall be presented to show that: (1) the parcels in question have provided a gross annual income from agricultural pursuits for three of the past five years of \$12,000 per ownership unit. Applicants will be responsible to submit proof of gross income



meeting the standard. Acceptable proof can consist of a letter by a Certified Public Accountant, the Cooperative Extension (Farm Advisor), or the Humboldt County Agricultural Commissioner stating that the land in question meets the income requirements; and (2) that the parcels in question are used for, and devoted to, agricultural pursuits and are capable of producing agricultural commodities for commercial purposes in accordance with these Guidelines, taking into consideration the following evaluative criteria, as applicable:

- i. Prior, long-term use of the property for commercial agricultural production under the same or different ownership;
- ii. Agricultural use of the land in relation to land capabilities (e.g., animal unit carrying capacity or soil capability rating);
- iii. Investments made by the past or present operator in farm/ranch infrastructure resulting in substantial increase in productivity;
- iv. Site evaluation by the Agricultural Commissioner's Office; and
- v. Other relevant information as submitted by the applicant (e.g., acres under irrigation)."

Attachments: Humboldt County Farm Income Data



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**TO:** Williamson Act Committee (WAC) Members  
**FROM:** Cliff Johnson, Senior Planner  
**DATE:** December 9, 2015  
**RE:** December 16, 2015 WAC Meeting

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**Old Business: Item 2** Williamson Act Guideline Revisions:

Recommended WAC Action:

Review the materials, discuss potential amendments and direct staff to prepare draft revisions.

**Summary**

On January 14, 2014 the Board of Supervisors directed staff to initiate amendments to the County's Williamson Act guidelines for the specific purposes of amending the requirements for County initiated non-renewal of Land Conservation Contracts, and amending the entry requirements for approving new agricultural preserves and contracts. At the Williamson Act Committee meeting of October 1, 2015, the Committee voted to amend the requirements for non-renewal of land conservation contracts but did not vote on the entry requirements. At the Committee meeting of December 1, 2015, entry requirements were discussed again, but not voted on.

Requirements for approval of new agricultural preserves.

There are no specific economic requirements under State law for establishing an agricultural preserve or entering into a land conservation contract. Section 51242 of the CGC states that:

No city or county may contract with respect to any land pursuant to this chapter unless the land:

- (a) Is devoted to agricultural use.
- (b) Is located within an area designated by a city or county as an agricultural preserve.

Pursuant to Section 51202 of the CGC agricultural use is defined as "use of land, including but not limited to greenhouses, for the purpose of producing an agricultural commodity for commercial purposes."

The current guidelines do not establish any specific economic standard for entry into Class A and Class B preserves. For Class C and Class D preserves applicants are required to submit evidence that the property proposed for entry into the program have provided a gross annual income of at least \$2,500.00 from agricultural production for three of the last five years. This amount reflects the minimum "commercial farm income" from the 1974 Agricultural Census, and the Williamson Act Committee has previously indicated that this amount is too low to be currently relevant. The Humboldt County Cattlemen's Association has previously commented (Ad Hoc Committee report) that a standard of \$50,000 to \$100,000 would be appropriate.

At the Williamson Act Committee meeting of October 1, 2015, the committee members asked for additional information; more specifically on the average farm income for Humboldt County, and for a calculation of the inflation adjusted dollar amount of the 1974 income requirement of \$2,500. This information is provided below.

#### Census Data

Attached to this staff report is County specific data showing the average farm income for Humboldt County in 2012. This table shows that the average gross farm income (before taxes and expenses) for farms in Humboldt County in 2012 was \$59,445.

#### Adjusted for Inflation

The current income requirement for entry into Class C and D preserves is \$2,500 in gross annual income for three of the last five years. This amount reflects the minimum "commercial farm income" from the 1974 Agricultural Census. According to the US Bureau of Labor Statistics, \$2,500 in 1974 adjusted for inflation is the equivalent of \$12,066.18 in 2015.

At the Committee meeting of October 1, 2015, committee members expressed general support for a combination of an income requirement and a qualitative assessment of the farm operation, to be applicable across all preserve classes.

Using a combination of both income and qualitative data would give the Williamson Act Committee more discretion and guidance when deciding whether to recommend that the land be enrolled into the Williamson Act program.

#### **Staff Recommendation:**

Based on the discussion of the October 1, 2015 and the December 1, 2015 meetings and subsequent research, staff recommends that the wording of the current income provisions be removed from the provisions of the Class C and D preserves, and that a new section added to the General Provisions of the Guidelines, as Section 1F(7) as follows:

"(7) In order to qualify for a Williamson Act preserve and contract, substantial evidence shall be presented to show that: (1) the parcels in question have provided a gross annual income from agricultural pursuits for three of the past five years of \$12,000

per ownership unit. Applicants will be responsible to submit proof of gross income meeting the standard. Acceptable proof can consist of a letter by a Certified Public Accountant, the Cooperative Extension (Farm Advisor), or the Humboldt County Agricultural Commissioner stating that the land in question meets the income requirements; and (2) that the parcels in question are used for, and devoted to, agricultural pursuits and are capable of producing agricultural commodities for commercial purposes in accordance with these Guidelines, taking into consideration the following evaluative criteria, as applicable:

- i. Prior, long-term use of the property for commercial agricultural production under the same or different ownership;
- ii. Agricultural use of the land in relation to land capabilities (e.g., animal unit carrying capacity or soil capability rating);
- iii. Investments made by the past or present operator in farm/ranch infrastructure resulting in substantial increase in productivity;
- iv. Site evaluation by the Agricultural Commissioner's Office; and
- v. Other relevant information as submitted by the applicant (e.g., acres under irrigation)."

Based upon the discussion of the December 1, 2015 meeting, staff also recommends changing Section 1F(4) of the Guidelines to read as follows (underlined sections proposed for addition):

"(4) Lands under contract within an agricultural preserve shall be used for the producing of agricultural commodities for commercial purposes and uses compatible with agriculture. The majority of the land area of any property under contract must be devoted to agricultural pursuits consistent with the purpose of the preserve in which the property is located. For the purposes of meeting the requirements of Section 1F(7), only income from the agricultural use that occupies the majority of the land area within the preserve shall be acceptable. "

#### **Alternative Staff Recommendation:**

Alternative to the above recommendation, the changes could all be encompassed within one subsection of the General Provisions by amending Section 1F(7) as follows:

"(7) In order to qualify for a Williamson Act preserve and contract, substantial evidence shall be presented to show that: (1) the parcels in question have provided a gross annual income from the agricultural use that occupies the majority of the land area within the preserve, for three of the past five years of \$12,000 per ownership unit. Applicants will be responsible to submit proof of gross income meeting the standard. Income from agricultural operations that are not the primary agricultural operation of the majority of the land area shall not be used for the purposes of meeting this income threshold. Acceptable proof can consist of a letter by a Certified Public Accountant, the Cooperative Extension (Farm Advisor), or the Humboldt County Agricultural Commissioner stating that the land in question meets the income requirements; and (2) that the parcels in question are used for, and devoted to, agricultural pursuits and are capable of producing agricultural commodities for commercial purposes in

accordance with these Guidelines, taking into consideration the following evaluative criteria, as applicable:

- i. Prior, long-term use of the property for commercial agricultural production under the same or different ownership;
- ii. Agricultural use of the land in relation to land capabilities (e.g., animal unit carrying capacity or soil capability rating);
- iii. Investments made by the past or present operator in farm/ranch infrastructure resulting in substantial increase in productivity;
- iv. Site evaluation by the Agricultural Commissioner's Office; and
- v. Other relevant information as submitted by the applicant (e.g., acres under irrigation)."

Attachments: Humboldt County Farm Income Data

**ATTACHMENT C**

**Williamson Act Committee Minutes for May 27, 2015, October 1, 2015,  
December 1, 2015 and December 16, 2015**



PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501  
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**WILLIAMSON ACT COMMITTEE**  
Agricultural Center  
5630 South Broadway, Eureka

**May 27, 2015 Approved Meeting Minutes**  
**Approved at the October 1, 2015 meeting**

**I. Call to Order**

The meeting was called to order at 4:00 p.m. by Chair John LaBoyteaux.

**II. Roll Call**

WAC Members Present: John LaBoyteaux, John Vevoda, Dean Hunt

**III. Approval of Minutes**

Motion to approve the October 22, 2014 minutes made by John Vevoda and seconded by Dean Hunt. Motion carries 3/0.

**IV. Scheduled Matters** None

**V. Old Business** Update on compliance and monitoring provided by Cliff Johnson, Senior Planner and Jeff Dolf, Agricultural Commissioner. Cliff Johnson provided updates on two ranches that may be moving toward non-renewal.

**VI. New Business**

Item 1: Committee discussion of changes to Williamson Act Guideline language. The Board of Supervisors has directed the Committee to work on specific draft amendments to the Williamson Act Guidelines. This item is to discuss standards for entry into the program. Provided for the committee is the action minutes of the January 14, 2014 Board of Supervisors meeting, the staff report to the Board of Supervisors addressing possible amendments, applicable California Government Code sections, and copies of Williamson Act Guidelines from two other California Counties.

Attachment: Williamson Act Guidelines Revisions

The Committee discussed guideline language with some sense that the language under discussion would apply to new entry only. Discussion with Agricultural Commissioner and Assessor led to Committee directing staff to research collaboratively with the Assessor and using potential applicants as a starting place for discussion next time.

**VII. Correspondence** None

**VIII. Public Comments** None

**IX. Adjournment** Meeting was adjourned by Chair LaBoyteaux at 5:06 p.m.



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**WILLIAMSON ACT COMMITTEE  
Agricultural Center  
5630 South Broadway, Eureka**

**October 1, 2015 Meeting Minutes  
Approved at the meeting of December 1, 2015**

**I. Call to Order**

The meeting was called to order at 3:00 p.m. by Chair John LaBoyteaux.

**II. Roll Call**

WAC Members Present: John Vevoda, John LaBoyteaux, Dean Hunt, John Rice

**III. Approval of Minutes**

Motion to approve the May 27, 2015 minutes made by John Vevoda and seconded by Dean Hunt. Motion carries 3/0. Rice abstaining.

**IV. Scheduled Matters**

**Item 1. Fort Baker Ranch Agricultural Preserve**

The Planning Division is seeking a Committee recommendation regarding the proposed addition of approximately 240 acres of land into an existing 22,540 Acre Class B agricultural preserve. (Hunt/Vevoda, Approved 3-0, Rice abstaining).

**V. Old Business**

**Item 1. Proposed revisions to the Williamson Act Guidelines**

- A) Discussion of County-initiated Non-renewal of Land Conservation Contracts as an enforcement mechanism for preserves not in compliance with the contract.

The Committee discussed the existing and staff proposed changes regarding County initiated non-renewal. Chairman LaBoyteaux wondered if it would make sense to make it as easy as possible for the County to initiate non-renewal. The Committee members discussed that the County should initiate non-renewal for preserves at the earliest sign of non-compliance with the contract requirements and county guideline requirements. Member John Rice wondered if the 9 year non-renewal process could be retroactive to when the preserve first became non-compliant. Staff Steve Werner stated that the 9 year non-renewal was required by statute to begin on the first anniversary date of the contract after a notice of non-renewal was recorded. Member Vevoda made a motion to recommend that the Board revise Section 16.C of the Guidelines to read "The Board of Supervisors shall use Non-Renewal of a land conservation contract as an enforcement mechanism, when in the judgement of the Board, other efforts undertaken by the County to secure compliance with contract provisions have proven ineffective." This motion was seconded by John Rice. Approved 4-0.



- B) The Committee discussed the requirements for entry of new preserves into the Williamson Act. Staff Cliff Johnson gave a discussion of the existing requirements and previous committee discussions on the topic, and staff's recommended language. Staff Steve Werner discussed the census data on commercial farms. Chairman Laboyteaux stated that he believes staff suggested income threshold of \$4,200 is far too low, and that he was hoping for less complicated language. Committee member Vevoda suggested that the current income threshold of \$2,500, which was in place in 1974, should be adjusted for inflation. Chairman Laboyteaux suggests that language be added in Section F, General Provisions, that land under contract must produce 10,000 annually or an amount equal to the unrestricted land value, whichever is greater, but that the Board could consider exceptions when property has been in commercial agricultural use for at least 5 years. County Assessor Mari Wilson stated that the unrestricted land value will be wildly different for properties depending on circumstances such as when the property was purchased. Chairman Laboyteaux and member Vevoda indicated that they believed the income requirements should apply to all preserve classes, not just Class C and D, and that the income test should remain at least 3 of the last 5 years meeting the income. Member Vevoda stated that the census data on commercial farm income was for the entire nation and not particularly useful to California or Humboldt farms. Member Vevoda suggested that staff look at the California Department of Food and Agriculture (CDFA) data to see if they have farm income data. Staff Johnson stated that they will look at the 1974 income requirement of \$2500 and see what it is adjusted for inflation, and also see if California specific farm income can be provided. The committee discussed the proposed evaluative criteria that would be in addition to an income requirement. The committee members appeared to agree that these criteria made sense. Member Hunt wondered if new preserves could be subject to annual monitoring for the first few years after creation. Staff agreed that they could. A motion was made to continue the discussion to the next committee meeting in order to have staff bring back additional information. The motion was seconded by dean hunt. Motion passed 4-0.

**VI. New Business**

Committee Member John Rice mentioned his concern about wolves migrating to Humboldt County and that they are already in Siskiyou County. Wolves would be a very large threat to the County's cattle industry. John Rice also discussed his concern about cannabis growers and whether they would be allowed under the Williamson Act and wanted to know how they would be taxed. Staff stated that this was all still uncertain at this point.

**VII. Correspondence**                      None

**VIII. Public Comments**                      None

**IX. Adjournment**                              Meeting was adjourned by Chair LaBoyteaux at 4:35 p.m.



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**WILLIAMSON ACT COMMITTEE  
Planning and Building Department  
3015 H Street, Eureka**

**December 1, 2015 Meeting Minutes**

**I. Call to Order**

The meeting was called to order at 3:03 p.m. by Chair John LaBoyteaux.

**II. Roll Call**

WAC Members Present: John Vevoda, John LaBoyteaux, Dean Hunt, John Rice, Peggy Satterlee  
Staff Members Present: Jeff Dolf, Mari Wilson, Steve Werner, Cliff Johnson, Steve Lazar  
Public: Alex Moore

**III. Approval of Minutes**

Motion to approve the June 18, 2014 minutes made by John Vevoda and seconded by John Rice. Motion carries 5/0.

The Chair moved to the new business item in order to accommodate staff's schedule.

**IV. New Business**

Cliff Johnson handed out copies of a letter that was submitted to the Williamson Act Committee from the Harrison, Temblador, Hungerford & Johnson law firm, dated December 1, 2015. The letter provides comments on the draft Medical Marijuana Land Use Ordinance and the use of Williamson Act properties for the cultivation of medical marijuana.

Steve Lazar gave a summary of the background for the ordinance, and the draft ordinance as reviewed by the County Planning Commission.

Jeff Dolf described the outreach by the state to County Agricultural Commissioner's regarding medical marijuana and the efforts that his office is undertaking to be prepared for regulation and licensing of medical marijuana operations. Staff members answered questions from the committee about preparations for the implementation of the new state law and possible county ordinance.

Chairman John Laboyteaux asked the committee members how they felt medical marijuana should fit into the Williamson Act guidelines. John Rice stated that he was unclear if it should be allowed on Williamson Act properties since we don't yet know how impacts will be addressed by regulation. Peggy Satterlee was concerned that anything the County does is subservient to Federal law and federal enforcement. John Vevoda was concerned about impacts such as the odor from marijuana operations. John Laboyteaux stated that the Williamson Act doesn't differentiate between types of crops and that the County should not either, but that income from medical marijuana should not be utilized for compliance with the income requirement for new preserves. John Laboyteaux also expressed concern about medical marijuana on class B preserves because class B preserves typical have poor soils, topography, and water for intensive plant production. John Laboyteaux also expressed concern about new structures built for cultivation on Williamson Act lands.

The chairman opened up the discussion for public comment. Alex Moore was present and commented that he has a 600 acre class B preserve in the Honeydew area. Alex Moore stated that he understands the negative association with cannabis and that he believes the new state law will enable more effective enforcement through civil penalties. Alex Moore stated that the state has designated cannabis as an agricultural product and he believes that agricultural land is the best place for cultivation to be allowed and encouraged.

After public comment dean Hunt made a motion to table the discussion for a few weeks so that the members could consider the new draft ordinance and additional information presented at the meeting. The motion was seconded by John Vevoda. Motion carries 5/0. There was discussion about possible dates, with Wednesday December 16<sup>th</sup> as the likely best date for the next meeting.

**V. Approval of Minutes**

Motion to approve the August 27, 2014 minutes made by dean hunt and seconded by John Rice. Motion carries 5/0.

Motion to approve the July 15<sup>th</sup>, 2015 minutes made by Peggy Satterlee and seconded by John Rice. Motion carries 5/0.

Motion to approve the October 1, 2015 minutes made by Dean Hunt and seconded by John Vevoda. Motion carries 5/0.

**VI. Old Business**

The committee discussed the proposed revisions to the Williamson act Guidelines regarding the approval criteria for new preserves. The committee was supportive of the income threshold being raised to 12,000, which is roughly the inflation adjusted equivalent value to the original amount established in the guidelines. The committee was also generally supportive of the qualitative criteria. Discussion centered around the idea that the income criteria should be required to be met by the primary agricultural use of the preserve. The guidelines require the majority of the land area in a preserve to be devoted to agriculture, and certain high value crops or uses could generate sufficient income to meet the requirement without occupying the majority of the land area. The committee was concerned that this would defeat the goals of the program, and wants to see language added that would prevent such uses from being considered in the income requirements for new preserves. The committee asked that staff bring back language to clarify the type of income that would satisfy the income threshold.

**VII. Correspondence**           None

**VIII. Public Comments**       None

**IX. Adjournment**           Meeting was adjourned by Chair LaBoyteaux at 5:04 p.m.



PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501  
Phone: (707) 445-7541 Fax: (707) 268-3792

**WILLIAMSON ACT COMMITTEE**  
*Agricultural Center*  
**5630 South Broadway, Eureka**

**December 16, 2015 Meeting Minutes**  
**Approved at the Meeting of May 18, 2016**

**I. Call to Order**

The meeting was called to order at 3:00 p.m. by Chair John LaBoyteaux.

**II. Roll Call**

WAC Members Present: John Vevoda, John LaBoyteaux, Dean Hunt, John Rice, Peggy Satterlee  
Staff Members Present: Cliff Johnson, Steve Lazar, Jeff Dolf, Weylan Shaw, Brian Atkinson

**III. Approval of Minutes**

Motion to approve the December 1, 2015 minutes made by Dean Hunt and seconded by Peggy Satterlee. Motion carries 5/0.

**IV. Old Business**

The Chair moved to the old business item #2 to be discussed first.

**Proposed revisions to the Williamson Act Guidelines**

Cliff Johnson discussed the work the committee has done on proposed revisions to this point and presented the staff's recommended language, developed based on the previous committee discussions. John LaBoyteaux said he was concerned about the income requirements and if the proposed language in Section 1F(4) could be discriminatory against certain crops. John LaBoyteaux suggested revised language that would state that the income necessary to meet the income requirements should come from dairy, grazing, or a balanced mix of agricultural operations. Staff discussed the intent of the proposed language in Section 1F(4) and that it would not discriminate against any crops if the preserve was a cropland preserve and the majority of the land was used for crops it would not matter what the different crops are. John Rice said he was concerned about how staff would enforcement the income requirement. The chairman opened the discussion up to the public. Charles Ciancio asked who would be the judge of the income requirement and what crops would be acceptable. Agricultural Commissioner Jeff Dolf discussed how his office monitors agricultural preserves for compliance. Public comment was closed, and John Vevoda made a motion, Hunt Seconded, to recommend to the Board of Supervisors that they adopt the staff recommendation #1 in the staff report. The committee had a brief discussion about how medical marijuana could be used towards meeting the income requirements and staff clarified that on grazing and dairy preserves it would not be used for the income requirement for entry into the program, but could potentially be used on cropland preserves. The motion passed 4-1, Rice opposed.

**Review of Draft Medical Marijuana Commercial Cannabis Cultivation Ordinance**

Steve Lazar discussed the reason for the County's effort on this ordinance, the actions taken by the planning Commission, and the assistance that the Williamson Act Committee could provide to the Board of Supervisors. The chairman opened the discussion up to public comment. Sherriff Downey

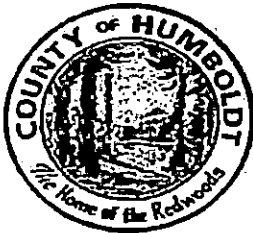
mentioned that the County Sherriff's office has no involvement in the ordinance and would have no involvement in enforcement of the ordinance. The Sherriff will continue to enforce marijuana regulation outside of the scope of the ordinance. One member of the public asked why the County should be treating marijuana any different from other agricultural crops and that this may impact private property rights. Public comment was closed and the committee discussed their concerns about the ordinance and the fact that marijuana is still illegal under Federal law. A motion was made to recommend to the Board that medical marijuana is compatible with the use of Williamson Act lands provided that it is compliant with all state laws and County requirements Hunt/Satterlee. Motion passed 3-2, Satterlee and Rice opposed.

The committee then discussed concerns about the locational requirements. John Vevoda said the current draft's allowance of cultivation on up to 15% slopes should be revised. Cultivation on steep slopes should not be allowed. Peggy Satterlee wanted to know if the size limitation in the cultivation ordinance counted just the area used for cultivation or all related activities such as drying and trimming. Steve Lazar stated that the size limitation would only apply to the area utilized for actual cultivation of marijuana. A motion was made to provide comments to the Board of Supervisors that 1) the most suitable sites for medical marijuana cultivation would be lands with an average slope of less than 9%, consistent with the definition of fillable soils in Section 1F(6) of the Williamson Act Guidelines, and that this should apply to cultivation regardless of whether it is located in a Williamson Act preserve or not.; and 2) the Board of Supervisors should be made aware of SB 1492 which limits the combined size of all structures on Williamson Act lands to 3,500 square feet. Motion Hunt/Satterlee. Passed 4-1, Rice opposed.

- V. **Correspondence**           None
- VI. **Public Comments**       None
- VII. **Adjournment**           Meeting was adjourned by Chair LaBoyteaux at 5:09 p.m.

**ATTACHMENT D**

**Board of Supervisors Action Minutes and Agenda for January 14, 2014**



COUNTY OF HUMBOLDT

For the meeting of: January 21, 2014

Date: January 14, 2014

To: The Honorable Board of Supervisors

From: Ana Hartwell, Deputy Clerk of the Board of Supervisors

Subject: APPROVAL OF THE BOARD ORDERS—MEETING OF JANUARY 14, 2014

**RECOMMENDATION:** Approve Board Orders from January 14, 2014; authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Government Code Section 25103.

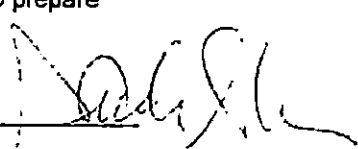
**SOURCE OF FUNDING:** General Fund

**DISCUSSION:** Board Orders Nos. I-1, I-2, and M-1 from the meeting of January 14, 2014 are attached. The Board Orders from the meeting of January 14, 2014 that are not attached are those agenda items that were approved as submitted by staff with no changes.

**FINANCIAL IMPACT:** None

**OTHER AGENCY INVOLVEMENT:** None

**ALTERNATIVES TO STAFF RECOMMENDATIONS:** Direct the Clerk of the Board to prepare corrected Board Order(s) (if necessary).

Prepared by Ana Hartwell, Deputy Clerk of the Board of Supervisors CAO Approval 

**REVIEW:**

Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

**TYPE OF ITEM:**

Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Sundberg Seconded by Supervisor Bass

Ayes Sundberg, Lovelace, Bohn, Fennell, Bass  
 Nays \_\_\_\_\_  
 Abstain \_\_\_\_\_  
 Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: Jan 21, 2014

By: Ana Hartwell  
 Ana Hartwell, Deputy Clerk of the Board

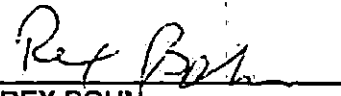


**MINUTES**  
**TUESDAY, January 14, 2014**  
**Regular Session**

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, January 21, 2014, with the vote as shown below.

**AYES: Supervisors: Sundberg, Lovelace, Bohn, Fennell, Bass**  
**NAYS: Supervisors: n/a**  
**ABSENT: Supervisors: n/a**

  
\_\_\_\_\_  
**ANA HARTWELL**  
Deputy Clerk of the Board

  
\_\_\_\_\_  
**REX BOHN**  
Chair of the Board



**BOARD OF SUPERVISORS**

REX BOHN  
Chair - First District  
ESTELLE FENNEL  
Vice Chair - Second District  
MARK LOVELACE  
Third District  
VIRGINIA BASS  
Fourth District  
RYAN SUNDBERG  
Fifth District



**COUNTY STAFF**

PHILLIP SMITH-HANES  
County Administrative Officer  
WENDY B. CHAITIN  
County Counsel  
KATHY HAYES  
Clerk of the Board

**COUNTY OF HUMBOLDT  
BOARD OF SUPERVISORS  
825 FIFTH STREET  
EUREKA, CA 95501  
SUPERVISORS' CHAMBER, FIRST FLOOR**

**AGENDA**

Tuesday, January 14, 2014

9:00 AM

Regular Meeting

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***NOTICE REGARDING PUBLIC COMMENT: For Items appearing on the agenda, the public is invited to make comments at the time the item comes up for Board consideration. The Board Chair will call for public comment as each item is heard by the Board. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for Non-Agenda Items at 1:30 p.m.***

**A. SALUTE TO THE FLAG**

**B. MODIFICATIONS TO THE AGENDA**

**1. Agreement with Granicus, Inc. for Support Services**

***Recommendation:*** That the Board of Supervisors approve the attached agreement with Granicus, Inc. to provide support services for the County's public meeting software through the County Administrative Office Information Technology division; and authorize the Board Chair to execute the proposed agreement with Granicus, Inc. and any future amendments thereto.

***Attachments:*** Agreement with Granicus, Inc.

**C. CONSENT CALENDAR**

*These matters are routine in nature and are usually approved by a single vote. Prior to the meeting, any member of the public may request any member of the Board to pull a particular item for further discussion*

**Auditor/Controller****1. Extension of Extra-Help Hours for Caitlyn LaHaie**

**Recommendation:** That the Board of Supervisors extend Caitlyn LaHaie's extra-help employment hours to a maximum 1,900 hours for the fiscal year 2013-14 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

**Attachments:** Extension of Extra-Help Hours

**Board of Supervisors****2. Resolution Authorizing Road Closures for the 43rd Avenue of the Giants Marathon, Half Marathon and 10K Race on Sunday, May 4, 2014 (Supervisor Estelle Fennell)**

**Recommendation:** That the Board of Supervisors adopt the Resolution.

**Attachments:** 43rd Avenue of the Giants Marathon, Half Marathon and 10K Race

**3. Termination of Emergency - Weott Water Delivery System Emergency Repairs (Supervisor Estelle Fennell)**

**Recommendation:** That the Board of Supervisors terminate the local state of emergency, per Resolution # \_\_\_\_\_, related to the Weott Water Delivery System Emergency Repairs.

**Attachments:** Termination of Emergency

**4. Proclaim Monday, January 20, 2014 as Martin Luther King Jr. Day in Humboldt County (Supervisor Virginia Bass)**

**Recommendation:** That the Board of Supervisors adopts the Proclamation for Martin Luther King, Jr. Day.

**Attachments:** Martin Luther King, Jr. Day

**5. Consider Making Appointment to Fill At-Large Vacancy on the Forestry Review Committee (Supervisor Mark Lovelace and Supervisor Rex Bohn)**

**Recommendation:** That the Board of Supervisors appoint William E. Kleiner to the vacant At-Large seat on the Forestry Review Committee.

**Attachments:** Forestry Review Committee

**Clerk of the Board****6. Approval of the Board Orders - Meeting of January 7, 2014**

**Recommendation:** That the Board of Supervisors approve Board Orders from January 7, 2014; authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Government Code Section 25103.

**Attachments:** Approval of the Board Orders

**7. Rescind Board Order L-1 Approved by the Board of Supervisors at their December 17, 2013, Meeting Related to the Halvorsen Quarry Reclamation Plan Appeal RP-09-04A and Approve New Board Order**

**Recommendation:** That the Board of Supervisors rescind approval of Board Order L-1 from the December 17, 2013 Board of Supervisors Meeting related to the Halvorsen Quarry Reclamation Plan Appeal, and approve the following new Board Order as the official action taken by the Board at their December 10, 2013 meeting. A motion was made to continue the item. Planning and Building staff was directed to return the item to the Board with revised Findings and a Resolution denying the appeal in total and upholding the original Planning Commission's decision, and updated information regarding the indemnification.

**Attachments:** Halvorsen Quarry Reclamation Plan Appeal

**Department of Health and Human Services: Administration****8. Reappoint Susan Buckley, Department of Health and Human Services, Public Health Director to the Humboldt County Children and Families Commission**

**Recommendation:** That the Board of Supervisors reappoint Susan Buckley, Department of Health and Human Services, Public Health Director to the Humboldt County Children and Families Commission as a representative of the Department of Health and Human Services with a term to expire in January, 2017.

**Attachments:** Humboldt County Children and Families Commission

**Department of Health and Human Services: Public Health**

9. Professional Services Agreement with Humboldt County Office of Education for Nutrition Education and Obesity Prevention Program Work Over the Term of October 17, 2013 through September 30, 2014

**Recommendation:** That the Board of Supervisors approve Professional Services Agreement between County of Humboldt and Humboldt County Office of Education (HCOE) in the amount of \$123,349 over the term of October 17, 2013 through September 30, 2014; authorize the Chair of the Board to sign four (4) originals of the signature page of the Agreement; authorize the Director of Public Health to approve all future amendments and documents directly related to the Agreement; and direct the Clerk of the Board to return three (3) signed originals to Public Health.

**Attachments:** Nutrition Education and Obesity Prevention Program Work

**Department of Health and Human Services: Social Services**

10. Issuance of a Request for Proposal (RFP) for the Child Abuse Prevention, Intervention and Treatment Grant

**Recommendation:** That the Board of Supervisors authorizes the issuance of an RFP for an outside contractor to provide child abuse prevention and early intervention services in a community setting for the Child Abuse Prevention, Intervention, and Treatment (CAPIT) program; and authorizes the Department of Health and Human Services to negotiate a contract with the selected contractor.

**Attachments:** Child Abuse Prevention, Intervention and Treatment Grant

11. Amendment No. 1 to the University of California (UC) Davis Training Agreement for Child Welfare Services Training

**Recommendation:** That the Board of Supervisors approve Amendment No. 1 to the Child Welfare Services Training Agreement with UC Davis; authorize the Chair to execute Amendment No. 1 to the Child Welfare Services Training Agreement with UC Davis; and direct the Clerk of the Board to return two (2) signed originals of Amendment No. 1 to the DHHS Assistant Director of Programs.

**Attachments:** Amendment #1

12. Request for Proposal (RFP) for a Child Welfare Services System Review Agreement

**Recommendation:** That the Board of Supervisors authorizes the issuance of the Request for Proposal (RFP) for an outside contractor to design, conduct and create a review of Child Welfare Services systems; and authorizes the Department of Health and Human Services to negotiate a contract with the selected contractor.

**Attachments:** Child Welfare Services System Review Agreement

**Planning and Building Department**

13. Adopt New Classification for Housing and Community Programs Specialist (Class Number 0647, Salary Range 352, Position 01) and Allocate New Position in Budget Unit 282

**Recommendation:** That the Board of Supervisors adopt the new classification of Housing and Community Programs Specialist (class number 0647, salary range 352, employer unit 01) into the classification plan; and allocate one full-time Housing and Community Specialist (class number 0647, salary range 352) position into budget unit 282.

**Attachments:** Housing and Community Programs Specialist

**Probation**

14. Extension of Extra Help Hours to 1530 for Juvenile Corrections Officers Tara Chown, Jonathon Faraimo, Ryan Riddle, and Scott Ward

**Recommendation:** That the Board of Supervisors approve the extension of extra help hours for Juvenile Corrections Officers Tara Chown, Jonathon Faraimo, Ryan Riddle, and Scott Ward to 1530 hours through June 30, 2014, per Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

**Attachments:** Extension of Extra Help Hours

**Public Works**

15. Union Street and Sea Avenue Reconstruction, Project No.: RPL-5904(057), Contract No.: 202701

**Recommendation:** That the Board of Supervisors approve the plans and specifications; and direct the Clerk to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code with Bids to be opened on Tuesday, February 18, 2014 at 2:00 p.m.

**Attachments:** Union Street and Sea Avenue Reconstruction  
Proof of Publication

- 16. Adoption of Ordinance: Amending Section 422-7, 422-9, 422-10, 422-11, 422-12 Relating to Speed Limits on Elk River Road, Herrick Avenue, Blue Slide Road, Eel River Drive, Grizzly Bluff Road, Tompkins Hill Road, Amending Section 431-97 Regarding Parking on School Road, and Amending Section 435-3 Regarding Establishment of Class II Bicycle Lanes in McKinleyville, Blue Lake, and Eureka to Title IV of the Humboldt County Code

**Recommendation:** That the Board of Supervisors adopt Ordinance No.\_\_\_\_, Amending Section 422-7, 422-10, 422-11 & 422-12 relating to speed limits on Elk River Road, Herrick Avenue, Blue Slide Road, Eel River Drive, Grizzly Bluff Road and Tompkins Hill Road, Amending Section 431-97 regarding parking on School Road and Amending Section 435-3 regarding establishment of Class II Bicycle Lanes in McKinleyville, Blue Lake, and Eureka to Title IV of the Humboldt County Code.

**Attachments:** Adoption of Ordinance  
Proof of Publication

**D. SPECIAL PRESENTATIONS**

- 1. Proclaim January 25-February 8, 2014 as the First Annual Mad River Steelhead Days (Supervisor Mark Lovelace)

**Recommendation:** That the Board of Supervisors adopts the Proclamation for the First Annual Mad River Steelhead Days in the Mad River Valley.

**Attachments:** First Annual Mad River Steelhead Days

**E. MATTERS SET FOR TIME CERTAIN**

Economic Development

- 1. 1:40 p.m. - Presentation on the Forest Products Initiative Redwood Marketing Campaign (Supervisor Ryan Sundberg)

**Recommendation:** That the Board of Supervisors hears the presentation and takes appropriate action, if required.

**Attachments:** Forest Products Initiative Redwood Marketing Campaign

**F. ITEMS PULLED FROM CONSENT**

**G. MATTERS INITIATED BY BOARD MEMBERS**

1. Resolution Encouraging the Humboldt County Board of Supervisors to Designate Humboldt Bay Fire and Arcata Fire Protection District Fire Stations as "Safe Surrender" Sites (Supervisor Rex Bohn and Supervisor Virginia Bass)

**Recommendation:** That the Board of Supervisors adopt Resolution #\_\_\_\_\_ designating Humboldt Bay Fire and Arcata Fire Protection District as "Safe Surrender" sites.

**Attachments:** Safe Surrender Sites

**H. DEPARTMENT REPORTS****Planning and Building Department**

1. Williamson Act Program Evaluation Ad Hoc Committee Report

**Recommendation:** That the Board of Supervisors receive the staff report; review the Williamson Act Ad Hoc Committee Report; and direct staff to continue accepting applications for formations of new Williamson Act preserves, and to initiate amendments to the Williamson Act Guidelines as recommended by the Williamson Act Advisory Committee.

**Attachments:** Ad Hoc Committee Report

**I. CLOSED SESSION**

1. Conference with Legal Counsel - Existing Litigation pursuant to Government Code section 54956.9 subd.(d)(1); Humboldt Coalition for property Rights vs. County of Humboldt et.al; Humboldt County Superior Court Case No. CV120232
2. Conference with Labor Negotiator - Pursuant to Government Code section 54957.6 it is the intention of the Board of Supervisors to meet in closed session to review the County's position and instruct its designated labor negotiator with respect to the various forms of compensation provided to the County's represented and unrepresented personnel. Negotiator: Dan Fulks. Employee Organizations: American Federation of Attorneys Association, Humboldt Deputy Sheriffs' Organizations (Law Enforcement Management Unit), Humboldt Deputy Sheriffs' Organization (Law Enforcement Management Unit), Elected & Elected & Appointed County Officials, and Management & Confidential Employees.

**J. PUBLIC COMMENT ON NON-AGENDA ITEMS – 1:30 P.M.**

*This portion of the meeting is reserved for persons desiring to address the Board on any matter not on this agenda that is under the jurisdiction of the Board. It is requested that speakers sign the sheet at the front doors of the Chamber by 1:25 p.m. Although the Board may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Board at this time.*

**1. Public Comment Sign In Sheet and Handouts**

*Attachments:*        Public Comment Sign In Sheet and Handouts

**K. ADMINISTRATIVE ABATEMENT HEARINGS****L. PUBLIC HEARINGS****Public Works****1. Unmet Transportation Needs Public Hearing for FY 2014-15**

*Recommendation:* That the Board of Supervisors open a public hearing and receive the staff report and allow the public to comment on transit needs in the unincorporated areas of the County; and close the public hearing and direct that the Clerk of the Board to forward: (a) meeting minutes and any recommendations to the Humboldt County Association of Governments (HCAOG) for inclusion in their hearing, and (b) suggestions and comments raised during the public hearing.

*Attachments:*        Unmet Transportation Needs  
                              Proof of Publication

**County Administrative Office****2. Grant Application to the United States Environmental Protection Agency for a \$200,000 Community-Wide Brownfield Assessment Grant**

*Recommendation:* That the Board of Supervisors open the public hearing; receive the staff report and public comments; close public hearing; authorize the County Administrative Officer to submit a grant application to the United States Environmental Protection Agency (EPA) for a \$200,000 Community-wide Brownfield Assessment Grant; and if the grant application is funded, authorize the County Administrative Officer to execute the Cooperative Agreement with the EPA, submit fund requests, sign contracts to carry out grant activities.

*Attachments:*        Community-Wide Brownfield Assessment Grant  
                              Proof of Publication



**M. AFTERNOON DISCUSSION ITEMS**

1. County Administrative Officer Report: Plastic Bag Ban, Governor's Proposed Budget and Various Other Topics

**Recommendation:** That the Board of Supervisors receive an oral report from the County Administrative Officer on efforts to prohibit single-use plastic bags, the Governor's proposed State budget for Fiscal Year 2014-15, and various other topics, and take action as may be required.

**Attachments:** County Administrative Officer Report  
Board Order

2. Reports on Board Member Travel at County Cost, Meeting Attendance, and Supervisorial District Matters

**N. ADJOURNMENT**

*Any written materials related to an item on this agenda submitted to the Board of Supervisors less than 72 hours prior to the Board meeting, and that are public records subject to the Public Records Act, are available for public inspection in the Office of the Clerk of the Board at 825 5th Street, Suite 111, Eureka (476-2384), during normal business hours.*

*Persons wishing to file documentation on any agenda item for the official record must submit an original and nine (9) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka (476-2384). Documentation includes, but is not limited to, written correspondence, audio and video tapes, maps, photographs, and petitions. Failure to submit the required number of copies will result in the document/s not being placed in the official record. (Per Board of Supervisors' policy adopted on March 21, 1995.)*

*The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting.*

**BARRING ANY UNFORESEEN TECHNICAL DIFFICULTIES OR SCHEDULING CHANGES, REGULAR MEETINGS OF THE BOARD OF SUPERVISORS ARE BROADCAST LIVE ON SUDDEN LINK, CHANNEL 10, AND ARE REBROADCAST ON FRIDAY AT 6:30 P.M.**

**County of Humboldt Web Site: <http://humboldt.gov/>**

**ATTACHMENT E**

**Planning Commission Resolution No. 16-42**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 16-42**

**Recommending adoption by the Board of Supervisors 2016 Minor Revisions to the County's Agricultural Preserve Guidelines**

**WHEREAS**, the County has actively participated in the California Land Conservation Act of 1965, known as the Williamson Act, since June, 1969; and

**WHEREAS**, on January 14, 2014, the Board of Supervisors directed staff to work with the Williamson Act Committee to bring back amendments to the guidelines that were targeted to provide more flexibility in initiation of contract non-renewals by removal of the "of last resort" provision for County-initiated nonrenewal and to establish a more general economic standard for eligibility to apply to all classes of preserves; and

**WHEREAS**, the Williamson Act Committee discussed the proposed revisions over four meetings in May 27, 2015, October 1, 2015, December 1, 2015 and December 16, 2015, and adopted a recommendation to advance the revision to the Board of Supervisors on October 1, 2015 and December 15, 2016, for the "last resort" and economic standard provisions, respectively; and

**WHEREAS**, the January 14, 2015 Board Order directed that the specific language for the economic standard be developed in coordination with the Williamson Act Advisory Committee and the County Planning Commission.

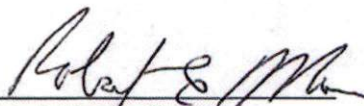
**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The Planning Commission has considered the Williamson Act Committee's recommended minor revisions to the County's Williamson Act Guidelines that remove the "last resort" clause and establish revised economic standard for eligibility for participation under the program in all preserve classes; and
2. The Planning Commission recommends that the Board of Supervisors of the County of Humboldt:
  - a. Hold public hearings in the manner prescribed by law.
  - b. Consider the revisions as prepared and recommended by the Williamson Act Committee.
  - c. Certify compliance with the requirements of CEQA as required by state law.
  - d. Adopt the resolution modifying the County's Williamson Act Guidelines as set forth in the Planning Commission staff report for OR-16-005.


Adopted after review and consideration of all the evidence on November 3, 2016.

The motion was made by Commissioner Shepherd and seconded by Commissioner Levy.

AYES: Commissioners Levy, McKenny, Morris, Edmonds, Shepherd, Bongio  
NOES: Commissioners: None  
ABSTAIN: Commissioners: None  
ABSENT: Commissioner Ulansey  
DECISION: Motion carries 6/0.

  
Robert Morris, Chair

I, Suzanne Lippre, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

  
Suzanne Lippre, Clerk

**ATTACHMENT F**  
**Notice of Exemption**

**NOTICE OF EXEMPTION**

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: Planning Division of the  
Humboldt County Planning  
and Building Department  
3015 H Street  
Eureka, CA 95501  
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County Clerk, County of Humboldt

**Subject: Filing of Notice of Exemption in compliance with Section 15062 of the California Administrative Code.**

**Project Title:** Revised County Guidelines for Implementing the California Land Conservation Act of 1965 (Williamson Act)

**State Clearinghouse Number:** n/a

**Lead Agency Contact Person:** Cliff Johnson, Senior Planner

**Area Code/Telephone/Extension:** (707) 268-3704

**Project Location:** Unincorporated areas of Humboldt County.

**Project Description:** Adoption of revised guidelines for implementing the California Land Conservation Act of 1965 (also known as the Williamson Act). The proposed minor changes will revise the County's Guidelines originally adopted in 1969 and most recently revised in 2005 in order to clarify procedures for establishing and administering the Williamson Act.

**If adopted, the revisions to the Guidelines will:**

- Remove the requirement that County-initiated non-renewal of land Conservation Contracts be the enforcement method of last resort.
- Remove the requirement for proposed new Class C and Class D preserves to demonstrate an agricultural income of at least \$2,500 for three of the last five years.
- Add a new provision to the General Provisions of the Guidelines as Section 1 (F) (7) of the to require that all new preserves must demonstrate an agricultural income of at least \$12,000 for three of the past five years, in addition to compliance with specific evaluative criteria.
- Revise Section 1(F)(4) of the Guidelines to require that only income from the agricultural use that occupies the majority of the land area be used for the purposes of compliance with Section 1(F)(7) of the Guidelines.

**Exempt Status:** (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 17, Section 15317
- Statutory Exemptions. State code number:

**Reason why project is exempt:** The Guidelines establish the rules used to implement and administer the County's Williamson Act Program. The Program implements provisions of the

County General Plan and is intended to ensure the protection of agricultural and open space lands from incompatible development.

**If filed by applicant:**

1. **Attach certified document of exemption finding.**
2. **Has a notice of exemption been filed by the public agency approving the project?      Yes \_\_\_\_      No \_\_**

**Date Received for Filing** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Title**