

T H E  
WILLIAMSON ACT



1991-93 STATUS REPORT

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Dear Reader:

California's economic recovery continues to be the focus of public and business leaders. As the leading agricultural state in the nation, California employs 285,000 persons or 2.07 percent of the State's total employment in direct farm production. An additional 252,996 Californians are employed in farm related jobs. The Williamson Act, California's only statewide agricultural and open space land protection program conserves 15,952,365 acres or half of the State's farmlands impacting the economic welfare of this state.

Counties with the most acreage enrolled in the Williamson Act such as Kern, Fresno and Tulare show significant agriculture-related employment. The data in this report presents the status of the 47 counties enrolled in the program. Lands under contract have remained relatively unchanged since the 1992 report was published. While farmers adopt conservation measures and mechanize the agricultural process to produce greater yields and maintain profits, agriculture continues to strengthen local economies by creating one in ten jobs in California.

In support of the Department of Conservation's commitment to the Williamson Act and its effect on rural employment, Governor Pete Wilson signed SB 683 (Green) to increase subvention payments to counties from \$14 million to \$35 million in 1994. Cities and counties implementing cost cutting measures in response to revenue loss will find an added incentive for conserving agricultural lands and open space.

As we progress through the 1990s, our goal of maintaining agricultural lands and open space to protect one of California's leading industries will remain.

Sincerely,



Michael F. Byrne  
Director

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## Acknowledgements

The *Williamson Act Status Report* was produced by the California Department of Conservation's Office of Land Conservation under the direction of Jane Irwin, Assistant Director for Administration. Kathleen McPherson and Patricia Gatz, of the Land Conservation Unit's Open Space Administration Program, researched and compiled data for the analysis presented. The Report was written by Unit Manager, Ken Trott. Marta Kravech was responsible for graphic design, layout and production.

The Department thanks the planners and assessors of the 47 counties and 16 cities participating in the Williamson Act Program. Without the expertise and cooperation of these professionals this report would not be possible.

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# EXECUTIVE SUMMARY

The California Land Conservation Act of 1965, also known as the Williamson Act, was created for the "preservation of a maximum amount of the limited supply of agricultural land" in California. Under the Williamson Act Program, landowners may enter into ten year rolling contracts with participating cities and counties to restrict their lands to agricultural or open space uses. In exchange, landowners are taxed preferentially, based on the actual, rather than speculative, use of their land.

The Williamson Act Status Report is mandated by the California Legislature. The purpose of the report is to provide information to the Legislature and general public on the implementation of the Williamson Act by the 47 counties and 16 cities currently participating in the Program. While mandated as an annual report, in 1993 this, and other statutorily required reports, were temporarily suspended. Therefore, the 1994 report covers the reporting years of 1991 to 1993. The highlights of the 1991-93 Status Report are as follows:

## **Program Status**

- In 1992-93 more than 15.9 million acres of agricultural land and open space -- half the State's total agricultural land -- were enrolled in Williamson Act contracts in 47 counties and 16 cities.
- A third (5.7 million acres) of these acres were prime agricultural land, the remainder were open space, or non-prime, lands. More than 70% of the State's estimated acreage of prime farmland is under contract.
- A few key agricultural counties, primarily in the San Joaquin Valley, account for a majority of land under Williamson Act contract.
- The State's highest quality farmland is under the Williamson Act. The counties most active in the Williamson Act Program are also those with the State's highest agricultural production values in 1992.

## **Changes Since the 1990-91 Status Report**

- Data collected from 1991-93 shows minimal change in overall Williamson Act enrollment since 1990-91. Total Williamson Act contract acreage increased by 5,404 acres. This represents a relatively insignificant change, but nevertheless reverses the small decline in acreage that occurred in 1990-91.
- Likewise, there was very little change in Williamson Act acreage enrollment within individual agricultural regions of the State. An exception was the Sacramento Valley Region which had a small net decline in enrolled acreage.
- A total of 130,414 new acres were added to the Program. Withdrawn from the Program were 125,010 acres, primarily through the completion of the nine-year contract nonrenewal process (53%), and public acquisition of contracted land by eminent domain (42%).
- During the 1992-93 reporting period most acreage leaving or entering the Williamson Act Program was non-prime agricultural land. However, in terms of net change, total prime agricultural land in the Program has declined slightly while total enrolled non-prime agricultural land has increased.
- Individual county gains or losses were relatively insignificant. As in the past, 1992-93 urban and urbanizing counties accounted for the largest net losses in acreage from the

Williamson Act Program. Two important agricultural counties, Fresno and Monterey, led all other Williamson Act counties in net acreage gained.

- Only 491 acres were removed from the Williamson Act by contract cancellation in 1992-93. This is a substantial decline from the 1,928 acres canceled in 1990-91 and the 1,794 acres canceled in 1991-92.
- Land removed from Williamson Act contract by eminent domain remained substantial. During the past two years approximately 25,000 to 27,000 acres per year were removed. Much of the land removed from contract by this process has been the result of many small public acquisitions for the expansion of existing public utilities, such as roads and sewerage treatment plants. A few large acquisitions were for public open space and wildlife habitat.
- Since 1991-92 most nonrenewal activity (contracts entering the nine-year contract phase-out process) occurred in the San Joaquin and Sacramento Valley Regions. Under 73,000 acres entered the nonrenewal process in those regions. Kern and Yolo Counties had the largest number of acres entering nonrenewal.

### **Program Trends**

- Enrollment stabilized in the 1980s after increasing rapidly through the 1970s and more moderately in the 1980s.
- In the 1991-93 period new contracted acres declined from the higher rates of the period from 1988-91.
- Reflecting the lower number of acres beginning the nine-year nonrenewal process, the growth in the cumulative total of land in nonrenewal has slowed during the 1991-93 reporting period.

- The San Joaquin and Sacramento Valley Regions lead all other regions in cumulative acreage in the nine-year nonrenewal process of contract termination.
- Among counties, the largest number of acres at some stage of the contract nonrenewal process is in Kern, Stanislaus, Sacramento and Yolo counties.
- Regionally, the highest percent of total of contracted acres which are undergoing nonrenewal is in two rapidly urbanizing regions, the South Coast/Desert (11%) and Foothill/Central Sierra Regions (9%).
- Orange (70%), Nevada (40%), Placer (37%) and Riverside (33%) Counties have the largest percentages of their contracted land undergoing nonrenewal.

### **Open Space Subventions**

- In 1992-93 Governor Wilson signed legislation increasing Open space Subvention payments to cities and counties by 150%. The State's share of the local cost of participating in the Williamson Act Program has grown from approximately 30% to 75%.
- Legislation in effect January 1, 1994 amended the Open Space Subvention allocation formula to increase the incentive for the protection of prime agricultural land, a change recommended by Governor Wilson's Interagency Growth Management Council.
- As a result of the Subvention formula change, State Open Space Subventions paid to participating local governments in 1993-94 are projected to be \$35 million, compared to \$14.1 million in 1992-93.

## ***Program Research: Motivations for Contract Nonrenewal***

- University of California research funded by the Department of Conservation in 1992 surveyed the location of, and landowner motivations for contract nonrenewal. Yolo County was used as a case study. Results of the study showed most landowners nonrenewing their Williamson Act contracts in anticipation of future development opportunities. However, most contract nonrenewals were not located in close proximity to urban boundaries where those opportunities would seem to exist. Some nonrenewal acreage may have been spurred by County discussions which identified potential sites for new County population growth.

## ***Legislation and Program Administration***

- Legislative reform in 1992 altered the way Williamson Act land is valued for property taxation. Formerly, appraised Williamson Act land values varied considerable from year to year. Recent legislation stabilizes these yearly changes in land values (and property taxes), easing previous financial planning hardships for farmers and ranchers.
- Defining compatible uses allowed on Williamson Act contracted land is a topic of considerable legislative and administrative activity. At the direction of Governor Wilson, the Resources Agency and the Department of Conservation are working to build consensus with agricultural and land development interest groups on a definition.

# INTRODUCTION: THE WILLIAMSON ACT

The California Land Conservation Act of 1965, also known as the Williamson Act, has protected agricultural and open space land in the State of California for nearly three decades. The Williamson Act is a voluntary, locally administered program. Landowners enroll their lands in the Program by signing ten to twenty-year contracts with participating cities and counties. Under these contracts, landowners agree to restrict their lands to agricultural or open space uses. In return, cities or counties agree to tax the contracted land at its agricultural use value. The public benefits by having protected open space and productive agricultural land. The landowner is more assured of continuing agricultural use of contracted land and receives lower property taxes.

The Act was first proposed as a remedy for the high, speculation-driven, agricultural land taxes which were spurred by California's rapid population growth after the second World War. However, it was not until advocates of open space land preservation joined the effort in 1965 that the Act was passed.

Although, in 1978 the voters enacted property tax relief in the form of Proposition 13, the Williamson Act remains a powerful land use influence in California. In a 1989 study of the Act surveys revealed that 84% of participating agricultural landowners polled were "satisfied, or extremely satisfied" with the Williamson Act. Nearly a third of the Williamson Act landowners surveyed believed that without the Act they would no longer own their land. In addition to the benefit of protecting agricultural and open space lands from urbanization, and from inflated land values and taxes, the Williamson Act has been effective as a local land use planning tool. The Act promotes compact growth and reduces leapfrog development and land fragmentation. As part of the same 1989 study, 90% of the surveyed local officials, community leaders and planners favored continued support for the Act based on the belief that the Program's benefits outweigh its costs.

## **Multiple Purposes of the Williamson Act**

### **Agricultural Land Preservation**

*...the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.*

### **Open Space Preservation**

*...in a rapidly urbanizing society agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands...constitutes an important physical, social, aesthetic and economic asset to existing or pending urban or metropolitan developments.*

### **Efficient Urban Growth Patterns**

*... the discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest and will be of benefit to urban dwellers themselves in that it will discourage discontinuous urban development patterns which unnecessarily increase the costs of community services to community residents.*

(Government Code §51200)

When cities and counties sign Williamson Act contracts with landowners a tax savings generally accrues to the landowner. This savings corresponds to a local government tax revenue loss. Through the 1971 Open Space Subvention Act the State partially offsets this local cost of participation. Local governments submit their subvention entitlement applications annually to the Department of Conservation for reimbursement. State subvention payments are based on a formula which takes into account the number, and the agricultural and open space value, of acres under Williamson Act contract in each jurisdiction.

## **State Responsibility**

Under the Williamson and Open Space Subvention Acts the Department of Conservation through its Office of Land Conservation has been given the responsibility for: (1) providing advice and interpretation of the Act to local governments, landowners, organizations and the general public; (2) conducting policy and programmatic research on the effectiveness of the Act; and, (3) recommending measures for improvement. In addition the Department disseminates information on the Act through publications and workshops.

The Secretary for Resources delegates to the Department the responsibility to administer the Open Space Subvention Act. The Department certifies and maintains records on Open Space Subvention entitlement payments and initiates enforcement action for violations of the Act pursuant to authority granted in the Open Space Subvention Act.

## **Report Purpose and Contents**

This annual report meets the statutory requirement under Government Code Section 51207 to provide information to the Legislature on the status of the Williamson Act Program. This is the fifth report provided in the past six

years. In the 1992 Legislative Session, due to budget constraints, the Legislature suspended the mandate for most state reports, including the Williamson Act Status Report. As result, this 1994 report covers data for both 1991-92 and 1992-93. It should also be noted that the reporting year for Williamson Act Status Reports is from March 1 to March 1, in accordance with the property tax lien year. Provided in this report is:

- Information on acreage currently under the protection of Williamson Act Program, as well as acreage removed from, and added to, the Program since the 1990-91 Status Report;
- Analyses of key Williamson Act acreage trends;
- A summary of recent study of landowner motivations and geographical patterns of Williamson Act contract terminations;
- A discussion of recent legislative changes;
- Highlights of Departmental activities in the statewide administration of the Program; and,
- Appendices which include data summary tables, an overview of the Williamson and Open Space Subvention Acts, and a listing of Department of Conservation publications.

## **How Data was Gathered**

The data for this report was compiled from the annual Open Space Subvention applications submitted by October 30 to the Department of Conservation by each participating county and city. Once reviewed for accuracy and certified by the Department the data is used for this Report and for the payment by the State Controller of local subvention entitlements.

Last year subvention application forms were improved in response to county and city recommendations. Future changes will be made to meet the demand for new interpretations. While the basic information gathered by the

applications remains the same, new and better data aids in the analyses done for this Report.

### ***Contract Acreage versus Subvention Acreage***

Not all acreage under Williamson Act contract qualifies for Open Space Subventions (see Section V). However, until the 1990-91 Status Report the acreage reported by the Department was acreage qualifying for subventions, not total acreage under contract. Beginning with the 1990-91 Status Report, total contracted acreage is reported and analyzed. Therefore caution should be exercised in making comparisons between years prior to 1990-91, and years including and subsequent to 1990-91. In most if not all years, total acreage under contract will be higher than acreage qualifying for subvention payments. In 1992-93 the total contracted acreage was approximately one million acres higher than "subvented" acreage.

# WILLIAMSON ACT PROGRAM ENROLLMENT STATUS: WHAT IS PROTECTED

## A MAJOR INFLUENCE ON CALIFORNIA LAND USE

As of 1993, 15.9 million acres were enrolled in the Williamson Act Program statewide. Thirty million acres of California's land are in agricultural production<sup>1</sup>. Thus, the Williamson Act is responsible for protecting over half of the State's farm and ranch land. This represents nearly a third of all private land in California (Figure 1).

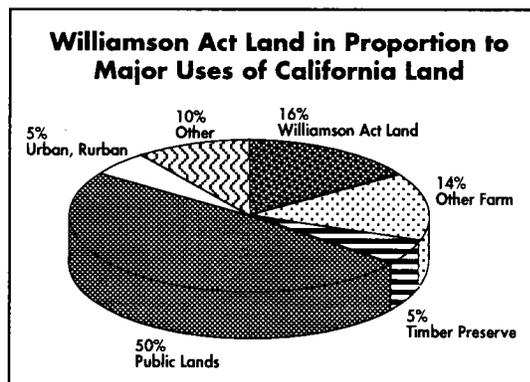


Figure 1.

## Agricultural Production and the Williamson Act

Williamson Act lands also account for close to half of the State's agricultural production dollar value. According to the most recent California Department of Food and Agriculture economic statistics, the total value of California's agricultural production is \$22 billion. As indicated by individual county agricultural production values, and the percent of each county's agricultural land under Williamson Act contract, the production value of Williamson Act protected land is about \$11 billion, or about half of the State's total agricultural commodity production value.

<sup>1</sup> California Department of Food and Agriculture. California Agriculture Statistical Review, 1992.

Table 1. Williamson Act & Agricultural Land Use Statewide, 1992

Williamson Act Land*		Agricultural Land Use**	
Category	Acres	Category	Acres
Prime	5,600,000	Irrigated	7,700,000
%	35	%	26
Non Prime	10,300,000	Non Irrigated	22,100,000
%	65	%	74
<b>Total</b>	<b>15,900,000</b>	<b>Total</b>	<b>29,800,000</b>

\* California Department of Conservation

\*\* California Department of Food and Agriculture

## Prime Versus Non Prime Agricultural Land Protection

Land under Williamson Act contract is classified into three categories: *Urban prime* (located within three miles of cities of specified size); *Other prime*, and, *non prime*, or open space lands of statewide significance. About 35% of all Williamson Act land is prime agricultural land as defined by the Act (see Appendix B for the Act's definition of prime agricultural land). Over 5.6 million acres in the Act are either urban or other prime, and 10.3 million acres are non prime. The 1992-93 statewide acreage for these categories is shown in Table 1 and Figure 2.

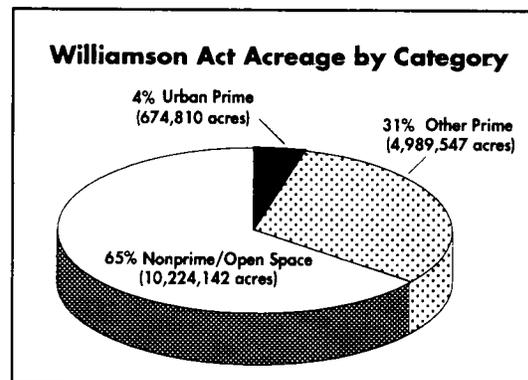


Figure 2.

Critics of the Act often argue that the Program protects largely lower quality soils, primarily range and grazing lands, and is not an important contributor to the conservation of the State's high value prime agricultural lands. They support their argument by correctly noting that non prime land comprises nearly two-thirds of the land enrolled in the Williamson Act. However, using irrigated farmland as a measure of total prime agricultural land (an actual tally of prime land is unavailable), the Act protects a larger portion of California's prime lands than the State's non prime lands (Table 1).

Furthermore, in protecting non prime as well as a prime agricultural land, the Act protects an important component of California's agricultural economy. According to the Department of Food and Agriculture's 1992 statistical reports, California's rangelands produce the State's third leading farm commodity in gross farm income -- cattle and calf products. In terms of protecting the profit margins and maintaining the minimum parcel sizes necessary for livestock production in California, the Williamson Act serves a critical role in supporting the State's agricultural economy.

Finally, the protection of non prime agricultural lands encompasses other, less tangible, land values. These lands, which include such landscapes as California's oak savannah, offer immeasurable scenic open space values. Perhaps just as important, these non prime lands are part of upland watersheds whose protection from subdivision and development is important to water quality, fisheries and downstream flood management.

## **County Patterns**

As of 1993, 47 of California's 58 counties participate in the Williamson Act Program (Figure 3). In addition, at least 16 cities report acreage under Williamson Act contract<sup>2</sup>. Eleven counties do not participate in the Program. Of the top 25 agricultural counties, only Imperial, Merced and

<sup>2</sup> Because all but 24,000 acres of Williamson Act contracted land is administered by counties, further analysis in this report will focus on county participation in the program.

Sutter Counties do not participate in the Williamson Act. Imperial County's decision not to participate in the Williamson Act is understandable; the County has not previously experienced dramatic urban growth which would warrant protection from high, speculation-driven taxes or land use conversion pressures. Merced and Sutter Counties have opted not to participate based on early wariness over the potential loss of property tax revenue and local land use control.

As Figure 4 shows, a few counties dominate the total acres under contract. The top ten Williamson Act counties account for nearly 60% of the total Program acreage (Table 2). Six San Joaquin Valley counties lead the acreage list, three of which protect more than one million acres each. In 1992 these six San Joaquin Valley counties along with Monterey County, accounted for half of the State's total agricultural commodity production value and over 40% of the State's total land in agricultural production.

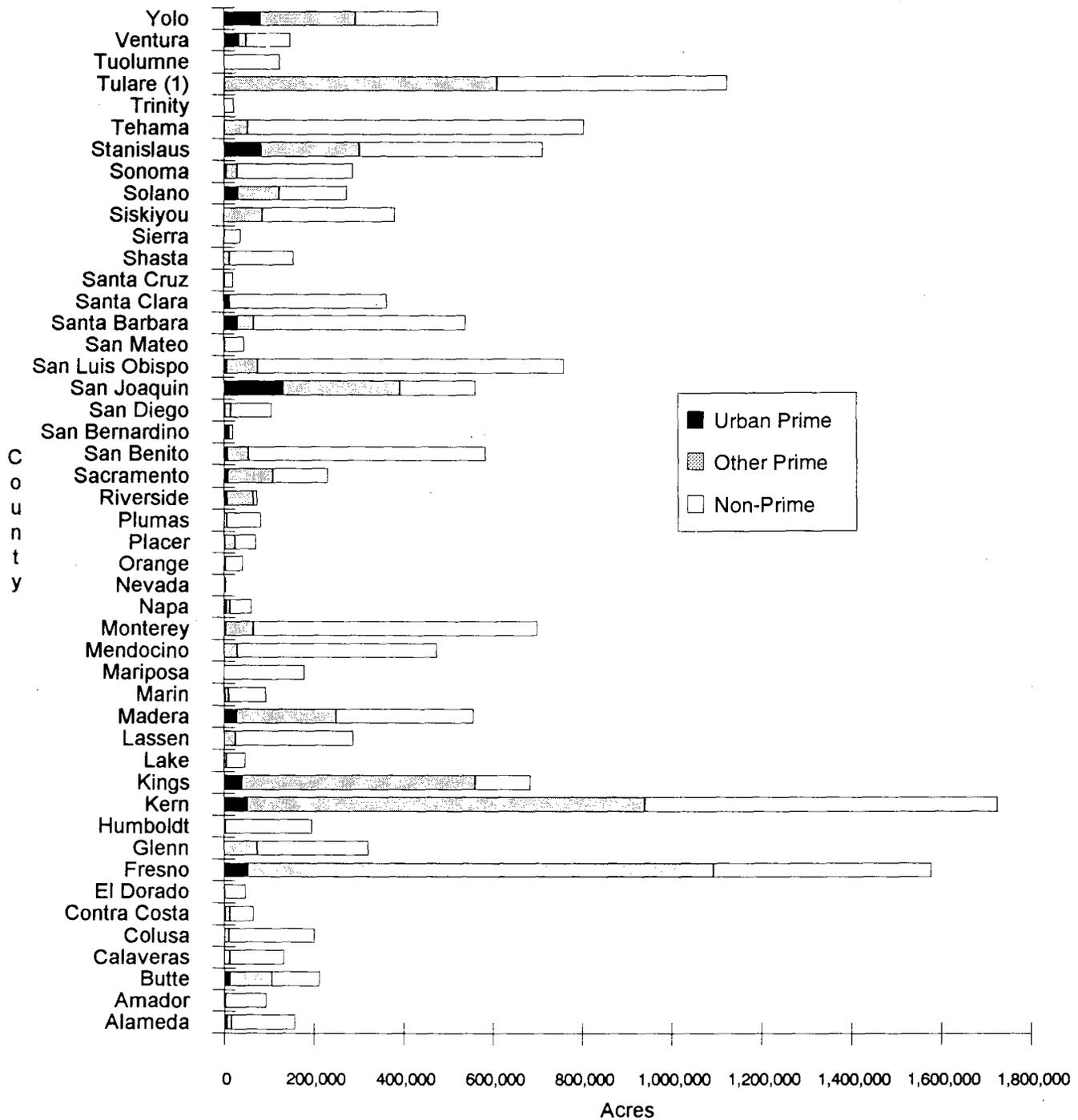
## **Regional Patterns**

The counties of two of the State's major agricultural regions (in terms of acreage in agricultural production) -- San Joaquin and Central Coast Regions -- are also counties that are most active in the Williamson Act. Together, these two regions account for nearly two-thirds of all acreage under Williamson Act contract.

The South Coast/Desert Region of the State ranks as the second most productive agricultural region of the State, in terms of gross farm value, following the San Joaquin Valley. However, the South Coast/Desert Region ranks next to last among the State's agricultural regions in Williamson Act acreage. Without Santa Barbara County, which accounts for over 50% of the Region's Williamson Act acreage, this Region would rank last in contracted acreage. One reason for the apparent anomaly of high agricultural production and low Williamson Act participation is the non participation of Imperial County in the Williamson Act Program. Also, the agricultural lands of this Region tend to be geographically



# Williamson Act Enrolled Acreage, 1992-93 (Counties)



<sup>1</sup> Tulare County did not break down Prime acreage data. This chart assumes that the County's prime acreage is Other Prime.

Department of Conservation, 1994

Figure 4

**Table 2. Top 10 Counties- Total Williamson Act Acreage  
Percent in Williamson Act, Total Agricultural Acreage, Total Production Value 1992**

County	WA Acres*	% of Total Ag. Ac.**	Total Ag. Land Acres**	Land Rank	Production Value \$1,000***	Rank
Kern	1,726,565	58	2,980,000	1	1,546,334	4
Fresno	1,578,806	81	1,940,000	2	2,635,193	1
Tulare	1,124,519	81	1,380,000	5	2,217,616	2
Tehama	803,506	74	1,080,000	7	95,818	34
San Luis Obispo	759,862	54	1,420,000	4	276,762	18
Stanislaus	711,646	100	710,000	14	1,073,930	5
Monterey	698,861	51	1,360,000	6	1,755,919	3
Kings	684,104	99	690,000	15	775,857	11
San Benito	584,043	94	620,000	17	132,714	31
San Joaquin	<u>561,108</u>	<u>69</u>	<u>810,000</u>	<u>10</u>	<u>902,514</u>	<u>9</u>
<b>Total</b>	<b>9,233,020</b>	<b>71</b>	<b>12,990,000</b>	<b>-</b>	<b>11,412,657</b>	<b>-</b>
<b>% of Statewide</b>	<b>58</b>	<b>-</b>	<b>43</b>	<b>-</b>	<b>52</b>	<b>-</b>

\* California Department of Conservation

\*\* Estimated from the US Census of Agriculture, 1987

\*\*\* California Department of Food and Agriculture

concentrated, but of high value. For example, San Bernardino, while ranking 14th in terms of agricultural production value, ranks 29th in irrigated acreage. Most of San Bernardino's agricultural production value comes out of a concentration of dairy production in the Chino agricultural preserve.

### ***The Protection of Prime Agricultural Land***

The enrollment under Williamson Act contract of prime agricultural land is dominated by even fewer counties than total acreage enrollment. The top ten counties in prime agricultural land enrollment protect 82% of all prime land under contract (Table 3). All but three of these ten counties are from the San Joaquin Valley Region. All but two of the counties also rank among the top ten counties in terms of total irrigated land in agricultural production, further confirming the relevance of the Williamson Act to the protection of the State's best farmland.

The agricultural counties listed in Table 3 not only lead the State in the protection of prime agricultural land, but are also the top counties in terms of the proportion of each county's total Williamson Act land enrollment that is prime. Kings, San Joaquin and Fresno counties lead the list with 82%, 70% and 69% of their Williamson Act enrollment comprised of prime agricultural land, respectively. As an indicator of the success that these counties have had in protecting prime agricultural land, Table 3 shows that enrolled prime acreage in each county approaches or exceeds the corresponding acreage of total irrigated agricultural land.

The passage of Senate Bill 683 during the 1993 Legislative Session eliminated the Open Space Subvention Act's land category, "urban prime". This category described prime agricultural land located within three miles of urban boundaries (see Appendix B for full definition). While the category no longer exists for the sake of subvention entitlement payments, the Department continues to collect information on this category for use in this status report.

**Table 3. Top 10 Counties - Prime Williamson Act Acreage**  
**% Total Williamson Act Land, % Irrigated Agricultural Land 1992**

County	WA Prime Acres*	Total WA Acres*	Prime as % Total WA	Irrigated Ag. Acres**	Prime as % Total Irr. Ag.
Fresno	1,093,343	1,578,806	69	1,060,000	103
Kern	940,507	1,726,565	54	790,000	119
Tulare	608,503	1,124,519	54	630,000	97
Kings	559,443	684,104	82	500,000	112
San Joaquin	392,771	561,108	70	470,000	84
Stanislaus	301,023	711,646	42	330,000	91
Yolo	293,495	477,623	61	240,000	122
Madera	250,517	556,717	45	250,000	100
Solano	123,359	274,559	45	100,000	123
Sacramento	109,857	231,396	47	120,000	92
<b>Total</b>	<b>4,672,818</b>	<b>7,927,043</b>	<b>59</b>	<b>4,490,000</b>	<b>104</b>
<b>% of Statewide</b>	<b>82</b>	<b>50</b>	<b>36</b>	<b>58</b>	<b>73</b>

\* California Department of Conservation

\*\* Estimated from the US Census of Agriculture, 1987

The San Joaquin Valley Region leads the State in the number of acres in the urban prime agricultural land category. San Joaquin, Stanislaus, and Yolo counties are the county leaders. These three counties also lead the state in the percentage of the total contracted land that is urban prime. The high numbers and percentages of urban prime lands in these counties could be due to a number of factors, including an aggressive farmland protection policy along the urban fringe or conversely, a rapidly expanding urban area. Yolo County and its cities, for example, have a long tradition of farmland protection, including urban expansion policies that direct growth away from prime farmlands. Also, the City of Modesto in Stanislaus County has adopted policies to restrict the gradual development of farmland by encouraging urban in-fill and higher development densities. Of course, an abundance of urban prime land may simply be a result of the historic location of California towns and cities along the rail lines which traverse most of California's agricultural valleys.

# CHANGES SINCE THE 1990-91 STATUS REPORT

## STATEWIDE CHANGES

### Net Changes

Land protected by Williamson Act contracts increased by 8,725 acres statewide since 1990-91 (Table 4). In 1991-92 Williamson Act acreage declined by 4,690 acres. In 1992-93, this loss was reversed by a net increase (acreage added to, minus acreage removed from, Williamson Act contracts) of 12,633 acres. Statistically, this net increase in acreage is an insignificant change in lands protected by the Act.

### Acreage Entering the Program

A total of 130,063 acres were brought into the Program under new contracts since 1990-91 (69,870 acres in 1991-92, and 60,193 acres in 1992-93) (Table 4). The average for the two years represents a 35% decline in acres that were added to the Program in 1990-91.

### Acreage Removed

On the minus side of the equation, 122,120 acres were removed from the protection of the

Williamson Act over the past two years, either by nonrenewals, cancellations, annexations or eminent domain (Table 4). In 1991-92, 73,560 acres were removed and in 1992-93, 47,560 acres were terminated from the Program. The rate of termination of Williamson Act contracts during the past two years was about half of that of the 1990-91 reporting year, which was 123,062 acres.

Most of the terminations during the past two years were through the contract nonrenewal process. Termination by public exercise of eminent domain follows contract nonrenewal in terms of the number of acres removed (Table 4). Contract cancellation and termination by city annexation accounted for only a small amount of total contract terminations.

### Prime Versus Non Prime Enrollment

In 1992-93 new lands added to the Program were predominantly non-prime lands (Table 5). Over 45,000 acres of non-prime land were added compared to 15,000 acres of prime. Acreage removed from the Williamson Act was also mostly non-prime land. The proportion of prime land removed, however, was much higher than that added (30,215 acres non prime to 17,345 acres prime). Consequently, there was a net

**Table 4. Statewide Summary - Contract Acreage Terminations and Additions 1991-92 & 1992-93 (Counties Only)**

Termination Type	1991-92	% of Total	1992-93	% of Total	2 year
Cancellation	1,794	2.4%	491	1.0%	2,285
Eminent Domain	24,345	34.0%	27,246	57.3%	52,591
Annexation	863	1.2%	2,310	4.9%	3,173
Expired Nonrenewal	<u>46,558</u>	62.4%	<u>17,513</u>	36.8%	<u>64,071</u>
<b>Total Terminations</b>	<b>73,560</b>		<b>47,560</b>		<b>122,120</b>
Additions	<u>69,870</u>		<u>60,193</u>		<u>130,063</u>
<b>Net Gain or Loss</b>	<b>(3,690)</b>		<b>12,633</b>		<b>7,943</b>

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**Table 5. Additions and Terminations By Land Category**  
Acres (% of Total), 1992

Agricultural Land Category	Nonrenewals		Terminations		Additions		Gains/ Losses
	Initiated	(%)	Total	(%)	Total	(%)	
Urban Prime	5,940	19	4,952	10	3,453	6	-1,499
Prime	7,365	25	12,393	26	11,305	19	-1,088
Non Prime	<u>17,235</u>	<u>56</u>	<u>30,215</u>	<u>64</u>	<u>45,435</u>	<u>75</u>	<u>15,220</u>
<b>Total</b>	<b>30,540</b>	<b>100</b>	<b>47,560</b>	<b>100</b>	<b>60,193</b>	<b>100</b>	<b>12,633</b>

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2,587-acre decrease in 1992-93 of prime agricultural land and a net increase of 15,220 acres of non-prime land.

Central Coast and Mountain/North Coast regions gained 9,000 and 6,000 new contract acreage, respectively. These were insignificant changes amounting to less than 1%.

## COUNTY CHANGES

### Net Changes

During 1992-93 21 counties had net losses in acreage under contract and 18 counties experienced net increases in acreage. Only 12 counties showed net changes greater than 1%.

Table 6 shows the ten counties with the largest net increases and decreases. The counties with the largest 1992-93 increases were Monterey, Fresno, Mariposa, Shasta and Sonoma. Non-prime agricultural land added to the Williamson Act in these five counties exceeded the addition of prime agricultural land by seven to one.

Sacramento, Kern, Alameda, Tehama and Contra Costa Counties had the largest net acreage losses in 1992-93. Most of the land removed from contract in these counties was prime agricultural land.

### Regional Changes

All regions with the exception of the Sacramento Valley Region had net increases in land under contract during 1992-93. The Sacramento Valley Region declined in Williamson Act acreage by 7,000 acres, a 0.3% loss. The

### Los Angeles County

The preceding discussion of Williamson Act acreage changes did not include the removal of Los Angeles County's reported acreage from the list of participating Williamson Act counties. In 1993 the Department found that Los Angeles County never participated in the Program. The 40,052 acres of reported non-prime land on Santa Catalina Island is restricted by an Open Space Easement pursuant to the Open Space Easement Act of 1969. Los Angeles County will no longer be part of the statistical analysis of the Program's status.

**Table 6. Top Ten Williamson Act Acreage Gainers and Losers, 1992**

Gainers	Acres	Losers	Acres
Monterey	5,651	Sacramento	2,831
Fresno	4,885	Kern	2,580
Mariposa	4,037	Alameda	2,523
Shasta	3,686	Tehama	2,302
Sonoma	3,414	Contra Costa	1,794
Ventura	2,443	Stanislaus	1,692
San Benito	1,981	Solano	1,527
San Luis Obispo	1,908	Placer	1,361
San Joaquin	1,111	Orange	1,060
Sierra	1,100	Santa Clara	394

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# WILLIAMSON ACT CONTRACT NONRENEWAL

## Background

Filing an application of contract nonrenewal by a landowner or local government ends the automatic annual extension of Williamson Act contracts and starts a nine-year contract phase-out. During the phase-out period the land remains restricted to agricultural and open space uses but property taxes gradually return to those assessed under Proposition 13. At the end of the nine-year nonrenewal process the contract expires. The land is then assessed at its factored base-year value and its use is restricted only by applicable local zoning. In this report initiation of contract nonrenewal and completion of contract nonrenewal are both analyzed. The former is referred to as "nonrenewal initiated", and the latter as "nonrenewal expiration."

## Expiration of Contract Nonrenewal

In 1991-92, 46,558 acres were removed from contract as contracts expired via nonrenewal. This number decreased to 17,513 acres in 1992-93. These levels of nonrenewal expiration are much less than in 1990-91 when 90,261 acres left the Williamson Act as contract terms expired. In 1990-91, 75% of all land removed from contract

was by contract expiration through the nonrenewal process. In 1991-92 nonrenewal expiration amounted to 62% of all contract terminations. In 1992-93 this dropped to 36%.

In 1990-91 nine counties exceeded 2,000 acres in land leaving contract by nonrenewal, led by Kern County with 42,603 acres. In 1991-92 five counties exceeded 2,000 acres as contracts expired by nonrenewal, again led by Kern County with 12,016 acres. In 1992-93 no counties exceeded 2,000 acres leaving by nonrenewal; Alameda County had the largest number of contract expirations at 1,093 acres (Table 7).

The South Coast/Desert Region led other regions in nonrenewal terminations in 1990-91. Five of the seven counties in the region were among the top counties in terms of acreage leaving the Program through contract nonrenewal. However, in both 1991-92 and 1992-93 nonrenewals were evenly distributed among all regions, with no single region dominating total acres nonrenewed.

## Initiation of Contract Nonrenewal

In 1992-93, 30,540 acres began the nine-year process of contract nonrenewal. This was almost twice the amount of land leaving the Program by nonrenewal expiration in that year but it was less than half of the 78,465 acres to begin nonrenewal in 1991-92. Further, nonrenewals in 1991-92

**Table 7. Top 5 Counties - Contract Nonrenewals Expired 1990-1993 (Acres)**

County	1990-91 Nonrenewals Expired	County	1991-92 Nonrenewals Expired	County	1992-93 Nonrenewals Expired
Kern	42,603	Kern	12,016	Alameda	1,867
Ventura	7,826	Contra Costa	6,575	Sonoma	1,722
Santa Barbara	6,080	Solano	5,413	Placer	1,361
Contra Costa	3,764	Ventura	3,883	Humboldt	1,288
Riverside	3,436	Riverside	3,482	Madera	1,180
<b>Total</b>	<b>63,709</b>	-	<b>31,369</b>	-	<b>7,418</b>
<b>% of Statewide</b>	<b>71</b>	-	<b>67</b>	-	<b>44</b>

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**Table 8. Top 5 Counties - Contract Nonrenewals Initiated 1990-1993 (Acres)**

County	1990-91 Nonrenewals Initiated	County	1991-92 Nonrenewals Initiated	County	1992-93 Nonrenewals Initiated
Stanislaus	34,702	Kern	10,832	Yolo	4,903
Yolo	16,920	Mendocino	9,381	Kern	3,560
Sacramento	14,034	Madera	9,367	Solano	3,204
Santa Clara	11,049	Yolo	8,442	San Joaquin	2,661
Madera	<u>10,272</u>	Tehama	<u>7,183</u>	Calaveras	<u>2,045</u>
<b>Total</b>	<b>86,977</b>	-	<b>45,205</b>	-	<b>16,373</b>
<b>% of Statewide</b>	<b>60</b>	-	<b>58</b>	-	<b>54</b>

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were 54% of the 144,995 acres that began nonrenewal in 1990-91. Thus, like expiration of nonrenewals, nonrenewals initiated have dropped significantly since the last reporting period.

The statewide decline in contract nonrenewals initiated was reflected by a similar decline of nonrenewal activity in almost every county in 1992-93. In 1990-91 fifteen counties initiated nonrenewals on more than 2,000 acres. Stanislaus County led all counties with 34,702 acres entering nonrenewal, followed by Yolo County with 16,920 acres. In 1991-92, nine counties had more than 2,000 acres beginning nonrenewal. In 1992-93 only six counties received nonrenewal applications affecting more than 2,000 acres. Yolo County was highest with only 4,903 acres.

As Table 8 shows, in 1992-93, Yolo, Kern, Solano, San Joaquin and Calaveras counties led all other counties in acreage beginning nonrenewal. Whereas in 1991-92, Kern, Mendocino, Madera, Yolo and Tehama led in this category. In 1990-91, Stanislaus, Yolo, Sacramento, Santa Clara and Madera were the top five counties. Besides Yolo County, no other county has been consistent in maintaining a relatively high level of contract nonrenewal during the past three years. Discounting Stanislaus County, which had an unusually high level of nonrenewal in 1990-91 (34,702 acres versus 1,075 acres in 1991-92 and 18 acres in 1992-93), Yolo County has led all

counties with a cumulative total of 30,265 acres entering nonrenewal, mostly prime agricultural land.

In 1990-91, San Joaquin Valley counties dominated the top ten counties in the nonrenewal process. The San Joaquin Valley Region counties initiated nonrenewal on nearly 60,000 acres in 1990-91. The Sacramento Valley Region had the second highest total with 37,000 acres. In 1991-92 these same two regions again led all regions in nonrenewal initiated, with about 25,000 acres each. Likewise in 1992-93, the San Joaquin and Sacramento Valley Regions led the other regions with about 10,000 acres each. Together, these two Regions, as in 1990-91, contributed two-thirds of all nonrenewals initiated in the past two years (Table 13., Section IV, pp. 21). As a percentage of their total Williamson Act acreage the level of nonrenewal is still rather small.

## CONTRACT NONRENEWAL AS A PREDICTOR OF FUTURE URBANIZATION

In 1992 the Department commissioned a study to determine the motivations and patterns of landowner initiated nonrenewals in Yolo County. The study covered the period of 1987-88 to 1990-91. A summary of this study, conducted by Dr. Alvin Sokolow and Ryan Bezerra, of the

University of California, Davis, is reproduced in Section VI of this Report.

Sokolow and Bezerra found that landowners in Yolo County have nonrenewed their Williamson Act contracts for a variety of reasons, the most common reason being anticipated development prospects.

Although landowner intention to develop was the most frequently given reason for nonrenewal, only one out of five cases had definite plans for development upon contract expiration. Additionally, acreage was located in remote parts of the County and three-quarters of the nonrenewals were located no closer than two miles from city spheres of influence.

A hypothesis tested by the University of California study was that contract nonrenewals can be used to predict urban development patterns. The University's Yolo County study results were inconclusive in testing the hypothesis. Another way to test this hypothesis is to explore the distribution of nonrenewal activity between urban and rural counties. Generally speaking, if nonrenewal is an indicator of future development, then nonrenewal should be occurring at a higher rate in urban rather than in rural counties. Table 10 shows that urban counties, as defined by the California Rural Counties Association, account for a disproportionate number of nonrenewals supporting a link between urbanization and Williamson Act contract nonrenewal.

Another way of analyzing the relationship between contract nonrenewal and urbanization is to examine nonrenewal initiated on urban prime versus other prime agricultural land. If contract nonrenewal is related to opportunities for urban development, contract nonrenewal should occur at a higher rate on urban prime land where development pressures are greatest, than on other prime land. This is indeed the case. Table 9 shows that in 1992-93 12% of all prime land was urban prime. However, 44% of all prime land that was nonrenewed in 1992-93 was urban prime. Nonrenewal of urban prime agricultural land was

proportionately four times as high as nonrenewal of other prime agricultural land, indicating a link between development opportunities and contract nonrenewal.

While the University's study shows that landowners choose to nonrenew their contracts for a variety of reasons, their analysis, along with the above comparisons, also reveal a strong linkage between at least perceived opportunities for land development and contract nonrenewal.

On the other hand, close proximity to urban development is not necessary for landowner development expectations to occur. Expectations may be raised by nothing more than discussions for development. This has been demonstrated by the nonrenewals that seemed to be spawned by general exploratory discussions of a new town development in a rural part of Yolo County (see Section VI).

## CANCELLATIONS

Contract cancellation is a second avenue for terminating participation in the Williamson Act. County or city approval of a cancellation results in the immediate removal of the contract property from Williamson Act restrictions as compared to the nine-year wait for contract nonrenewal. To obtain approval for a cancellation the governing board of the affected county or city is required to make certain substantive findings about the merits of the landowner's request for immediate contract termination. One of the major findings (supported by several sub findings) is that the

**Table 9. Total Terminations by Prime Agricultural Land Category (acres), 1992**

Agricultural Land Category	Total WA Acres	Prime (%)	Nonrenwal Initiated	(%)
Urban Prime	674,810	12	5,940	44
Prime	4,989,547	88	1,602	56
<b>Total</b>	<b>5,664,357</b>	<b>100</b>	<b>13,542</b>	<b>100</b>

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**Table 10. Williamson Act Cumulative Nonrenewal by Rural and Urban Counties <sup>1</sup>, 1992**

Rural Counties	Enrolled Acreage	Acreage in Nonrenewal	% <sup>2</sup>	Urban Counties	Enrolled Acreage	Acreage in Nonrenewal	%
Amador	94,344	4,808	(1%)	Alameda	158,170	18,565	(3%)
Calaveras	133,962	8,834	(1%)	Butte	213,004	5,474	(1%)
Colusa	200,792	14,965	(2%)	Contra Costa	65,525	15,597	(2%)
El Dorado	48,043	8,314	(1%)	Fresno	1,578,806	8,235	(1%)
Glenn	322,343	1,048	(0%)	Kern	1,726,565	96,026	(14%)
Humboldt	197,069	2,135	(0%)	Los Angeles	40,052	0	(0%)
Kings	684,104	2,574	(0%)	Marin	93,777	1,061	(0%)
Lake	49,052	405	(0%)	Monterey	698,861	9,957	(1%)
Lassen	288,093	0	(0%)	Orange	43,086	30,047	(4%)
Madera	556,717	25,231	(4%)	Riverside	74,115	24,384	(4%)
Mariposa	179,868	329	(0%)	Sacramento	231,396	45,499	(7%)
Mendocino	474,112	21,952	(3%)	San Bernardino	21,015	6,735	(1%)
Napa	62,017	601	(0%)	San Diego	107,183	10,793	(2%)
Nevada	5,296	1,956	(0%)	San Joaquin	561,108	26,563	(4%)
Placer	71,073	28,141	(4%)	San Luis Obispo	759,862	22,316	(3%)
Plumas	82,203	5,764	(1%)	San Mateo	46,705	181	(0%)
San Benito	584,043	18,957	(3%)	Santa Barbara	539,750	7,115	(1%)
Shasta	156,432	2,333	(0%)	Santa Clara	363,536	24,447	(4%)
Sierra	37,855	1,071	(0%)	Santa Cruz	22,036	187	(0%)
Siskiyou	382,539	800	(0%)	Solano	274,559	21,681	(3%)
Tehama	803,506	10,191	(1%)	Sonoma	287,811	11,151	(2%)
Trinity	22,268	0	(0%)	Stanislaus	711,646	50,159	(7%)
Tuolumne	124,430	12,020	(2%)	Tulare	1,124,519	9,927	(1%)
Yolo	<u>477,623</u>	<u>44,205</u>	<u>(6%)</u>	Ventura	<u>147,680</u>	<u>28,896</u>	<u>(4%)</u>
<b>Totals</b>	<b>6,037,784</b>	<b>216,634</b>	<b>(31%)</b>	<b>Totals</b>	<b>9,890,767</b>	<b>474,996</b>	<b>(69%)</b>

<sup>1</sup> Determination of rural and urban was made using criteria suggested by the Rural Counties Association of California (200,000 population or less) to define rural counties. Population statistics were obtained from the Department of Finance, 1990 census data.

<sup>2</sup> Percent represents a County's portion of the total land in cumulative nonrenewal, which is 691,630 acres.

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contract termination is consistent with the purposes of the Act.

In addition to making the required findings, the applicant must pay a cancellation penalty to the State for each approved cancellation based on the unrestricted market value of the property. For a full description of the cancellation process and cancellation findings see Appendix B.

### **Statewide Cancellation Changes**

Twenty-two cancellations for 491 acres were approved in 1992-93. This is compared to twenty-five cancellations in 1990-91 affecting 2,271 acres, and eighteen cancellations for 1,794 acres in 1991-92. Like nonrenewals, cancellations have decreased.

Contract cessation by cancellation is an insignificant amount of land leaving the Program each year relative to nonrenewal or total land under contract. The small number of cancellations of Williamson Act contracts reflect the stringent Government Code requirements placed on this method of removing land from the Program.

### **County Cancellation Patterns**

In 1991-92 only one county approved contract cancellations totalling more than a few acres. Contra Costa County approved two cancellations for 1,557 acres. Only five other counties approved cancellations, which includes six by Fresno and seven by Kern. In both of these counties, cancellations have generally been partial cancellations for farm or ranch financing purposes, or boundary adjustments.

In 1992-93 the county pattern for cancellation remained unchanged. Only seven counties approved cancellations, the largest being a 281-acre cancellation in Monterey County. Again, Kern (8) and Fresno (5) counties approved the largest number of cancellations.

### **Reasons for Contract Cancellations**

On January 1, 1992 legislation was enacted that required cities and counties to send notices of cancellation and proposed findings to the Department. From these notices the Department is able to ascertain the proposed alternative uses for the land being removed from contract and to provide comments to the cancelling jurisdiction on the merits of the proposed findings.

As previously mentioned most cancellations during the past two years have been for agricultural purposes. However, in a few cases the Department of Conservation has cautioned counties about weak or poorly documented cancellation findings. In 1992-93 the Department commented on two cancellations that it concluded were beyond the intent of the Legislature when it adopted the cancellation findings. One, in San Joaquin County, was for a cancellation of 336 acres to accommodate the development of a private 18-hole golf course, a private equestrian center, and 26 single-family residences as part of a "gated" community. The County approved the cancellation as consistent with the purposes of the Williamson Act. Local public interest groups have filed a lawsuit to stop the development based on violations of the cancellation provisions of the Act.

In the second case, Fresno County approved a contract cancellation of approximately 30 acres for the development of a motorized racetrack facility. This occurred even after the Department and local opponents pointed out that the cancellation did not meet the required findings. The project, like the previous example, has been impeded by pending legal action.

## **EMINENT DOMAIN**

A third kind of contract termination results from public acquisition of Williamson Act land for public improvements. Public acquisition of Williamson Act land automatically voids the Williamson Act contract. Unlike cancellation, such contract termination occurs without the need for findings, or the payment of a penalty. Neither does termination by eminent domain require a nine-year wait as in contract nonrenewal.

However, the acquiring public agency must preferentially seek non-contracted lands, or if none exist that are suitable, **non prime** contracted lands, for the public improvement. Also, public acquisition of contracted land is not allowed solely based upon the lower cost of contracted lands. Finally, prior to acquisition of the contracted land, the purchasing agency must submit the proposed acquisition to the Department of Conservation for review and comment.

### ***Statewide Changes***

Eminent domain acquisitions of Williamson Act land during the past three years has been relatively high compared to previous years. During 1991-92 and 1992-93, 71 and 106 individual acquisitions were made in 17 and 20 counties, respectively. The acreage of eminent domain acquisitions for each of the past two years has nearly matched the 27,000 acres removed from contract through eminent domain acquisition in 1990-91.

### ***County Patterns***

Butte, Fresno, Sacramento, Kern and Solano counties account for most of the contracts terminated by eminent domain in 1991-93 with a combined 30,000 acres, or 60% of the 1991-93 total. The most individual public acquisitions occurred in Sacramento, Solano, Alameda, Tehama and Fresno counties averaging eight acquisitions per county per year.

The Central Valley counties (San Joaquin and Sacramento Valley Regions) tallied nearly two-thirds of all eminent domain acquisitions of Williamson Act contracted land over the past two years accounting for 87% of the land acquired.

### ***Uses of Eminent Domain***

An inventory of eminent domain acquisitions over the past two years shows that typical acquisitions are for public purposes such as road widening and extension, school expansion, wastewater treatment facility expansion, flood control channels or basins, cemetery expansion, water storage reservoirs, parks, and public open space. Most acquisitions reviewed were for the expansion or extension of existing facilities. Several large acquisitions were for open space, primarily wildlife habitat areas.

### ***Annexation***

Prior to 1991 a city could protest county Williamson Act contracts signed within one mile of the city boundary. If the Local Agency Formation Commission approved the protest, upon annexation the city could terminate the contract without the landowner paying a termination fee. The intent of the provision was to accommodate local planning needs while still allowing landowners to enter into contracts near cities. The city protest provision was eliminated from statute in 1991 due to reported abuses including indiscriminate protests of contracts not related to long range planning needs.

Only 3,000 acres were removed from the Williamson Act through the city protest/annexation process between 1991 and 1993. This was down from the one year total of 2,700 acres in 1990-91. Counties in the San Joaquin Valley Region accounted for 80% of the acreage terminated by this process over the past two years. Kern and Stanislaus Counties accounted for 55% of the acreage terminated.

# TRENDS

## PROGRAM ENROLLMENT

### Historical Acreage Enrollment

In 1965, the Williamson Act established a program of voluntary contracts between agricultural landowners and local governments to limit the use of agricultural lands to agricultural and open space uses. After ten years of seeking statutory relief from speculation-driven land values and taxes, proponents of the Act believed that a method had been created to convince assessors to value agricultural lands based on current, not potential developed, uses. However, assessors lacked procedures for assessing agricultural lands apart from market (or speculative) value. Landowners and local governments realized the assessor's dilemma and remained skeptical that the restrictive Williamson Act contract would result in tax relief. Consequently, in the initial year of the Program only six counties participated, collectively enrolling only 200,000 acres (Figure 5).

In 1966 Proposition 3 was passed by the voters (now Article XIII of the Constitution) to allow property valuation based on current use. Proposition 3 also expanded the Williamson Act's purpose to include open space land protection. New legislation in 1967 provided for the recognition of a Williamson Act contract as an enforceable restriction. The Revenue and Tax Code now sets a procedure for the valuation of farm lands based on the income generated from the land's current agricultural or open space use. Following these legislative changes, the Program experienced a rapid increase in participation and by 1968 enrollment jumped from 200,000 acres to 2 million acres in 23 counties. By 1971 there were 4.2 million acres under contract.

The Open Space Subvention Act, passed in 1971, authorized partial state reimbursement to participating Williamson Act counties and cities for their loss of property tax revenues as landowners enrolled land in contracts. Local governments became more willing to participate in

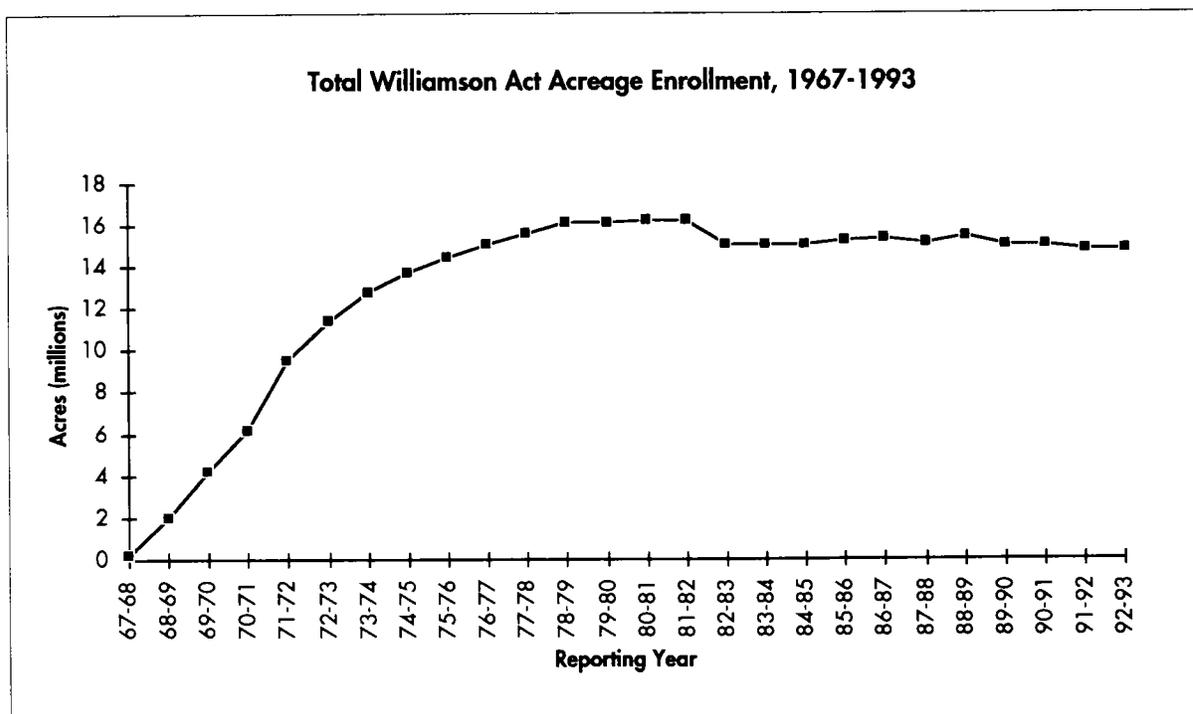


Figure 5.

the Williamson Act Program. From 1971 to 1972 participation increased to almost 10 million acres in 38 counties. By 1975 47 counties had enrolled 14 million acres in the Program. Enrollment reached its peak in 1978-79 with 16.1 million acres.

### ***Acresage Enrollment and Proposition 13***

With the passage of Proposition 13 in 1978 it was expected that Williamson Act Program enrollments would decline. In 1982 the Department of Conservation conducted a study of the effects of Proposition 13 on the Williamson Act's tax benefits to landowners. It was found that the Act's tax savings dropped by an average of 20%. However, average tax savings still amounted to as much as 83% depending on how recently the property had changed ownership. Even with a 1975 Proposition 13 base year, tax reductions were as high as 62%. Proposition 13 decreased the tax relief benefits of the Williamson Act, but not enough to discourage landowner participation.

### ***Recent Acresage Enrollment Trends***

In 1982, one million acres of timber lands were transferred from the Williamson Act to the Timber Production Zone Program, a similar program administered by the state Department of Forestry. However, from 1982 to 1986 enrollment in the Williamson Act continued to rise, although more slowly than the previous decade. By 1986 total enrollment was back to just under 16 million acres. Over the past seven years net acresage increases have occurred only three times, including 1992-93 when a net gain of 12,633 acres was reported. Since leveling off in 1979 the Program has maintained enrollment at 15.9 million acres.

## **ANNUAL ADDITIONS TO THE ACT**

### ***Acresage Trends***

Between 1986-87 and 1992-93 the number of acres added to the Program declined from 147,655 acres in 1988-89, to 60,193 acres in 1992-93 (Table 11 and Figure 6). In the first three years of this seven-year period additions nearly matched or exceeded the number of acres removed from active contract by initiation of nonrenewal and cancellation. During the next three years additions were exceeded by terminations. In 1992-93 both acresage removed from and added to the Act dropped with new acresage slightly surpassing acresage removed from the Program.

### ***Factors in Declining Annual Acresage Additions to the Act***

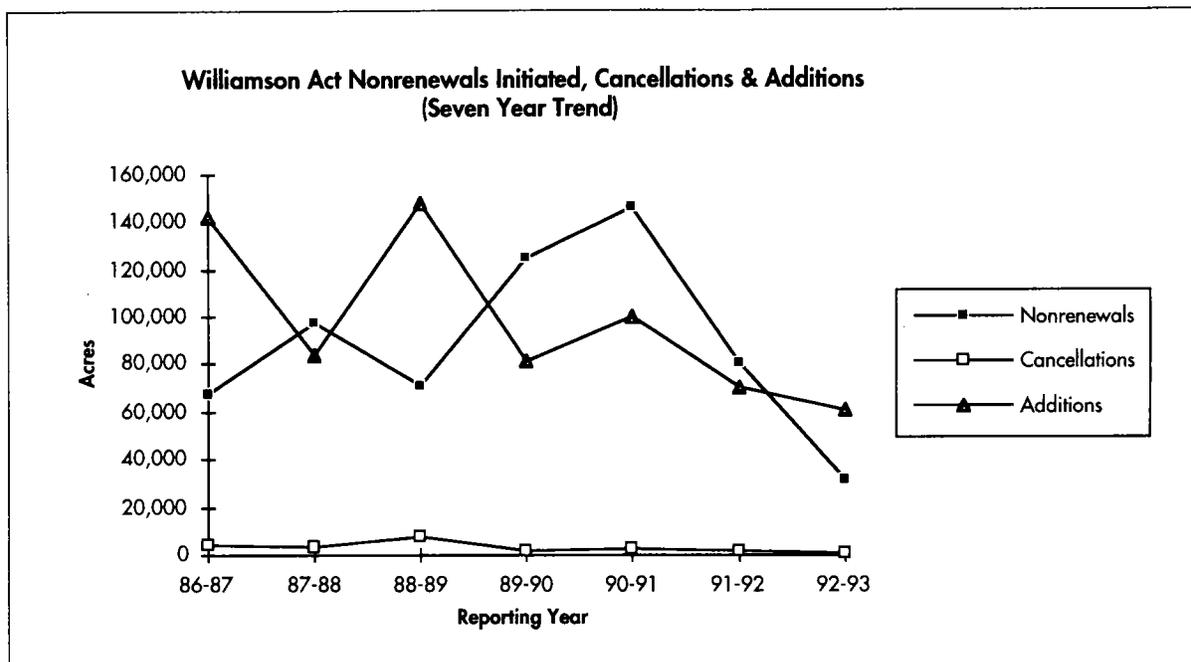
Some counties recently revised their Williamson Act rules to restrict Program participation. Several of these revisions include tighter Williamson Act Program entry and participation requirements, particularly with regard to qualifying parcel size. For example, Yolo County adopted stringent requirements for smaller parcels to remain in the Program.

**Table 11. Nonrenewals, Cancellations and Additions (Seven Year Trend)**

<b>Year</b>	<b>Nonrenewals<sup>1</sup></b>	<b>Cancellations</b>	<b>Additions</b>
1986-87	67,186	4,060	142,147
1987-88	97,330	3,371	84,112
1988-89	70,794	8,121	147,655
1989-90	124,811	2,073	80,912
1990-91	145,755	2,271	99,602
1991-92	80,646	1,920	69,870
1992-93	31,388	517	60,544

<sup>1</sup> Contract nonrenewals initiated. Includes city and county data.

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**Figure 6**

Landowners in Yolo County with prime agricultural land parcels between 20 to 40 acres must annually submit economic reports verifying the commercial agricultural use of the property. Recent declines of new enrollments in the Williamson Act may also be attributed to the uncertainty of the state's economy.

nonrenewals increased dramatically. The figures doubled to 145,755 acres by 1990-91 (Table 1 and Figure 6). Then, during the two most recent reporting periods nonrenewal activity had again reversed dropping to 78,465 and 30,305 acres, respectively. As with the drop in acreage additions, this decline is likely due to a sluggish real estate market in California.

## NONRENEWAL

As intended by the Legislature when the Act was passed, an intention later reaffirmed by the Supreme Court, nonrenewal has been the primary form of contract termination. The only other form of landowner initiated contract termination, contract cancellation, has been and continues to be, a minor contributor of terminations compared to nonrenewal. In 1992-93 more acreage began the process of leaving the Program through nonrenewal than cancellation by a factor of seven to one (30,540 acres versus 491 acres).

### **Contract Nonrenewal Initiated**

Throughout most of the 1980's nonrenewals were initiated on an average of 66,000 acres per year statewide. However, in the late 1980's

### **Cumulative Contract Nonrenewal**

Cumulative totals of nonrenewed land -- the total acreage undergoing the nine-year phase-out of contract status at any one time -- has also increased in the past seven years, from 540,000 in 1987-88 and 650,000 in 1990-91, to 691,000 acres in 1992-93, a 33% increase.

Urban counties, as defined by the Rural Counties Association of California (counties with greater than 200,000 population), account for 62% of all land under Williamson Act contract. However, as late as 1987-88 rural counties led urban counties in total acreage in the nonrenewal process. In 1992-93 the distribution of nonrenewal reversed with 69% of all acreage in the process of nonrenewal located in urban

counties. (see Table 9). This redistribution is consistent with the previously cited University of California study which found that at least recently anticipated urban development is a primary reason for landowner initiated contract nonrenewal.

The 692,000 acres currently undergoing contract phase-out through nonrenewal is a record amount of cumulative nonrenewal for any one time, representing more than 4% of total Program acreage. Table 12 and figure 7 show the acreage of cumulative nonrenewal and the percentage of acreage enrollment in cumulative nonrenewal for each county and region .

Acreage currently in the nonrenewal phase-out comprises more than 10% of the total contracted land in eleven counties (Table 14). In 1990-91 nine counties exceeded 10%. Eight of these counties are metropolitan/suburban counties. The remaining three are rapidly urbanizing foothill counties. Five of the eleven are urban Southern California counties which have been undergoing extensive urban expansion and retain relatively small acreage levels under contract. ( It is interesting to note that all five of these counties remain among the state's top twenty agricultural counties.)

Following the county nonrenewal trends the South Coast/Desert and Foothill/Central Sierra Regions lead the other regions by a margin of almost two to one in the percentage of total contracted land undergoing nonrenewal (Table 12 and Figure 7).

Several other counties, primarily San Joaquin and Sacramento Valley counties have sizable absolute numbers of acres undergoing nonrenewal. However, because of their large total acreage enrollment, these nonrenewals are not a large proportion of contracted acreage. For example, the largest amount of contracted acreage in the State, over 1.7 million acres, Kern County also leads in cumulative acreage undergoing nonrenewal, 96,000 acres (14,000 were nonrenewed over the past two years). Other counties in the two Central Valley regions with large acreage in the nonrenewal phase-out include Stanislaus (50,000),

Sacramento (45,000) and Yolo (44,000). On a regional basis the San Joaquin (219,000) and Sacramento Valley (143,000) Regions lead all others in total acreage undergoing nonrenewal.

In the three years between 1987-88 and 1990-91 seventeen counties more than doubled the amount of their total acres placed under nonrenewal. Highest among them in terms of acreage increase and percent increase were:

<b>Stanislaus</b>	<b>43,734 (860%)</b>
<b>Sacramento</b>	<b>39,844 (0 in 1987)</b>
<b>Yolo</b>	<b>28,582 (1,269%)</b>
<b>Santa Clara</b>	<b>17,620 (319%)</b>
<b>Alameda</b>	<b>14,710 (335%)</b>

Between 1990-91 and 1992-93 the counties with the largest increases in cumulative nonrenewal.

<b>Colusa</b>	<b>14,965 (0 in 1990-91)</b>
<b>Yolo</b>	<b>13,178 (42%)</b>
<b>Madera</b>	<b>10,854 (75%)</b>
<b>Mendocino</b>	<b>9,416 (75%)</b>
<b>Tehama</b>	<b>6,037 (145%)</b>

The Central Valley counties maintain relatively high contract nonrenewal rates, although in all of these counties, total acreage undergoing nonrenewal is still less than 10% of their contracted lands.

Conversely, counties whose cumulative nonrenewal totals dropped dramatically in the past two years, in terms of acreage and percent decrease, were:

<b>Contra Costa</b>	<b>5,022 (-24%)</b>
<b>Ventura</b>	<b>4,647 (-14%)</b>
<b>Placer</b>	<b>2,729 (-9%)</b>
<b>Alameda</b>	<b>2,407 (-11%)</b>
<b>Shasta</b>	<b>1,529 (-40%)</b>

In conclusion, the numbers indicate that over the past two years a slow-down has occurred in land entering nonrenewal. This slow-down is occurring after a three-year period of unprecedented expansion in contract nonrenewal.

**Table 12. Williamson Act Nonrenewal by Region  
Cumulative Nonrenewal and Nonrenewal Initiated since 1991<sup>1</sup>**

	Cumulative Nonrenewals	% of Total Land Under Contract <sup>2</sup>	Nonrenewals 91-93
<b>San Joaquin Valley</b>			
Fresno	8,235	0.52%	2,087
Kern	96,026	5.56%	14,392
Kings	2,574	0.38%	2,145
Madera	25,231	4.53%	11,332
San Joaquin	26,563	4.73%	4,112
Stanislaus	50,159	7.05%	1,093
Tulare	<u>9,927</u>	<u>0.88%</u>	<u>880</u>
<b>Total</b>	<b>218,715</b>	<b>3.15%</b>	<b>36,041</b>
<b>South Coast / Desert</b>			
Los Angeles	0	0.00%	0
Orange	30,047	69.74%	0
Riverside	24,384	32.90%	1,552
Santa Barbara	7,115	1.32%	108
San Bernardino	6,735	32.05%	1,467
San Diego	10,793	10.07%	1,104
Ventura	<u>28,896</u>	<u>19.57%</u>	<u>0</u>
<b>Total</b>	<b>107,970</b>	<b>11.10%</b>	<b>4,231</b>
<b>Foothill / Central Sierra</b>			
Amador	4,808	5.10%	2,067
Calaveras	8,834	6.59%	2,952
El Dorado	8,314	17.31%	428
Mariposa	329	0.18%	0
Nevada	1,956	36.93%	1,399
Placer	28,141	39.59%	3,090
Plumas	5,764	7.01%	0
Sierra	1,071	2.83%	0
Tuolumne	<u>12,020</u>	<u>9.66%</u>	<u>1,306</u>
<b>Total</b>	<b>71,237</b>	<b>9.17%</b>	<b>11,242</b>
<b>Central Coast</b>			
Alameda	18,565	11.74%	457
Contra Costa	15,597	23.80%	1,550
Marin	1,061	1.13%	0
Monterey	9,957	1.42%	680
Napa	601	0.97%	0
San Benito	18,957	3.25%	5,212
Santa Clara	24,447	6.72%	1,408
Santa Cruz	187	0.85%	36
San Luis Obispo	22,316	2.94%	650
San Mateo	181	0.39%	0
Sonoma	<u>11,151</u>	<u>3.87%</u>	<u>3,529</u>
<b>Total</b>	<b>123,020</b>	<b>3.91%</b>	<b>13,522</b>

**Table 12. Williamson Act Nonrenewal by Region**  
**Cumulative Nonrenewal and Nonrenewal Initiated since 1991<sup>1</sup>** (continued)

	Cumulative Nonrenewals	% of Total Land Under Contract <sup>2</sup>	Nonrenewals 91-93
<b>Sacramento Valley</b>			
Butte	5,474	2.57%	2,094
Colusa	14,965	7.45%	0
Glenn	1,048	0.53%	0
Sacramento	45,499	19.66%	7,935
Solano	21,681	7.90%	5,790
Tehama	10,191	1.27%	7,498
Yolo	<u>44,205</u>	<u>9.26%</u>	<u>13,345</u>
<b>Total</b>	<b>143,063</b>	<b>5.97%</b>	<b>36,662</b>
<b>Mountain / North Coast</b>			
Humboldt	2,135	1.08%	1,716
Lake	405	0.83%	63
Lassen	0	0.00%	0
Mendocino	21,952	4.63%	9,416
Shasta	2,333	1.49%	1,812
Siskiyou	800	0.21%	161
Trinity	<u>0</u>	<u>0.00%</u>	<u>0</u>
<b>Total</b>	<b>27,625</b>	<b>1.76%</b>	<b>13,168</b>

<sup>1</sup> The 1992 Status Report is a biennial report. Data collected for nonrenewals initiated represents two year totals.

<sup>2</sup> Figures represent that County's cumulative nonrenewal as a percentage of total land under contract.

Department of Conservation, 1994

**Nonrenewal Acreage by Region, 1992-93**

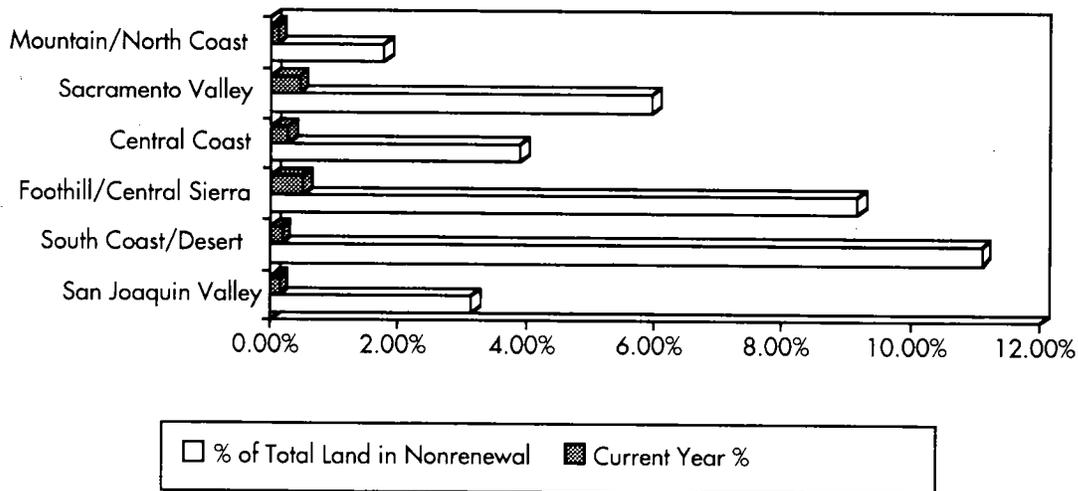


Figure 7.

**Table 13. Counties With More Than Ten Percent Total Acreage in Nonrenewal 1992-93**

County	Total Land Under Contract (acres)	Total Cumulative Nonrenewals (acres)	%
Orange	43,086	30,047	70%
Placer	71,073	28,141	40%
Nevada	5,296	1,956	37%
Riverside	74,115	24,384	33%
San Bernardino	21,015	6,735	32%
Contra Costa	65,525	15,597	24%
Sacramento	231,396	45,499	20%
Ventura	147,680	28,896	20%
El Dorado	48,043	8,314	17%
Alameda	158,170	18,565	12%
San Diego	107,183	10,793	10%

Department of Conservation, 1994

## CANCELLATIONS

### *Acreage Trends*

Contract cancellation has been a relatively minor form of contract termination, averaging 3,200 acres each year. Table 11 and Figure 6 show the acreage levels of contract cancellation from 1986-87, when acreage data on cancellations was first collected, to 1992-93. Cancelled acres peaked in 1988-89 at 8,121 acres. Cancelled acres have dropped since 1988-89 with the 1992-93 level representing a seven-year low. At least part of the cause for the recent decline was an increase in cancellation penalties that occurred as a result of 1987 legislation. A depressed state economy in recent years has also been a contributing factor.

### *Cancellation Penalty Fees*

Cancellation penalties are based on the unrestricted, current fair market value of land removed from contract. The penalty is derived by multiplying this value by 12.5%. Counties assess and collect the penalty as part of the cancellation process. The collected penalty is transferred to the State and deposited in the General Fund.

In the past 10 years, cancellation penalty payments collected by the State ranged from \$2.0 million in 1985-86 to \$7.8 million in 1989-90. Over \$36 million was collected in cancellation penalty fees in the last 10 years (Table 14).

**Table 14. Cancellation Penalties, 1983-93**

Fiscal Year	Cancellation Penalty (\$)
1983-84	4,384,503
1984-85	2,027,703
1985-86	2,026,982
1986-87	2,215,683
1987-88	6,016,588
1988-89	3,305,010
1989-90	7,778,433
1990-91	4,514,385
1991-92	4,701,514
<u>1992-93</u>	<u>3,568,323</u>
<b>Total</b>	<b>36,154,621</b>

# STATE SUBVENTIONS

## PURPOSE

The Open Space Subvention Act was passed in 1971 to offset the local cost of administering the Williamson Act and to replace a portion of the property tax revenue loss experienced by local governments participating in the Williamson Act Program. (See Appendix B for a full description of the Subvention Act).

## LAND QUALIFYING FOR SUBVENTIONS

In 1990-91, 15,046,983 acres qualified for Open Space Subventions. In 1992-93 this total dropped by 1% to 14,813,842 acres.

The 1992-93 figure represents 93% of all land enrolled in Williamson Act contracts (Table A-3, Appendix A). The remaining 1,088,864 acres under contract in 1992-93 are lands not qualified for subvention payments. The law prevents state subvention payments for contracted lands that are: (1) in the process of contract nonrenewal; or, (2) valued less under Proposition 13 than under the Williamson Act (i.e., land which received no tax break under the Williamson Act during the year). The percentage of contracted land not qualifying for subventions has increased from 5% in 1990-91 to 7% in 1992-93. Most of this increase in ineligible acreage can be attributed to an increase in acreage valued lower under Proposition 13 than under the Act, a reflection of the depressed real estate market. Land valued less under Proposition 13 accounted for 37% of the total land which did not qualify for subvention entitlement payments this year (up from 28% in 1990-91); land in nonrenewal accounted for the balance.

Because land under the Williamson Act may occasionally be valued higher than equivalent non-contracted land the state Revenue and Taxation Code contains provisions to ensure that

Williamson Act landowners are not penalized with higher taxes. The Code requires that land with an assessed value lower under Proposition 13 than under the Williamson Act be taxed based on the lower of the two values. (Williamson Act lands that qualify for this method of valuation do not result in tax revenue losses to counties, as is normally the case. Because of this these lands are not used in calculating state Subvention payments to counties and cities.) Generally parcels of land growing high income crops, and which have not changed ownership in many years, are more likely to have appraised Williamson Act land values that approach or exceed the unrestricted, factored base-year value. This is particularly true in areas of the State where there is no pressure for urban growth to drive up non contracted land values. Because of changes in the real estate market, crop values, productivity and interest rates, land eligibility for subvention payments may fluctuate from year to year.

## STATE SUBVENTION PAYMENTS

It is estimated that local subvention payments will total approximately \$35.0 million in Fiscal Year 1993-94. Of the total allocations, 73%, or \$25.2 million, will reimburse counties and cities for the protection of prime agricultural land. The 154% increase in Subvention payments over the \$13.8 million paid in 1992-93 is due to a statutory change in the payment formula. (See Section VII for further details on this legislative change.)

Open Space Subvention payments have steadily increased since the Subvention Act's inception in 1971, climbing with the number of acres enrolled. In 1972-73 the State paid \$8.8 million in Open Space subventions compared with \$13.8 million paid last year and \$35.0 million in the current fiscal year. Acres under the Program receiving subventions in 1972-73 was 11.4 million acres.

# SPECIAL STUDY

## WILLIAMSON ACT NONRENEWALS IN YOLO COUNTY: GEOGRAPHICAL PATTERNS AND LANDOWNER MOTIVATIONS

*This excerpt was written by Alvin D. Sokolow, Public Policy Specialist, University of California -- Cooperative Extension, Davis and Ryan Bezerra, Student, Boalt Hall School of Law, University of California, Berkeley. It is part of a larger report prepared for the Department of Conservation. Copies of the full report may be obtained from the Department of Conservation or the University of California at (916) 752-0979.*

What can we make of the striking increase in Williamson Act nonrenewals in the past few years? Some clues come from a just-completed study of nonrenewal filings in Yolo County. Covering a recent five-year period, 1986/87-1990/91, this report is based largely on phone interviews with a majority (54) of the 77 Yolo County landowners who filed nonrenewals during this period. It draws also from the records of the Yolo County Assessor's Office and the County's annual Williamson Act reports submitted to the Department of Conservation.

### SUMMARY

Among the findings from the Yolo research, are the following generalizations which may apply to nonrenewal patterns elsewhere in California:

- Landowners remove properties from the Williamson Act for varied reasons. While development intentions may be most common, other motivations are also involved--notably dissatisfaction with the program's restrictions and estate and home building needs.

- Development intentions on the part of nonrenewing landowners are often uncertain and unlikely to be realized, even at the conclusion of the nine-year phase-out period. For Yolo, this was indicated by landowners' indefinite plans, remote location from cities or other growth areas, and the likely continuation of county government policies that limit development in unincorporated areas.
- Although nonrenewal filings statewide and in Yolo dipped somewhat in the last reporting year (1991-92), after two years of record highs, the long term trend seems to involve a steady decline in Williamson Act acreage as nonrenewals and other contract terminations continue to exceed new enrollments.
- This research hints at a significant future threat to the Williamson Act and to California agriculture generally--increasing intergenerational differences among farmland owners in the desire to continue in the program and in farming. Newer landowners, many acquiring their farms through inheritance or by purchase for investment purposes, seem less supportive of the Williamson Act than members of the earlier generation who first enrolled the land. They are also less directly involved in managing the agricultural resource.

### THE RECENT TREND

Recent nonrenewal filings in Yolo County parallel the statewide trend. Table 15 shows that annual filings for both the county and the state more than doubled after the mid 1980s, reaching record levels in FY 1990 and 1991. As proportions of total enrolled land (2.0% and 3.5%), Yolo's nonrenewals in fact exceeded in both years the proportions (less than 1%) for the entire state. Counting the 26,000 acres represented by filings in the two years, Yolo had

**Table 15. Nonrenewal Trends, Yolo County and the State**

Year	Yolo County		California	
	Acres Nonrenewed	% of Enrolled	Acres Nonrenewed	% of Enrolled
1981-82	1,912	.4%	57,468	.4%
1982-83	20	*	93,537	.5%
1983-84	154	*	52,451	.4%
1984-85	0	0	36,585	.2%
1985-86	1,000	.2%	43,632	.3%
1986-87	600	.1%	67,293	.4%
1987-88	2,445	.5%	97,330	.6%
1988-89	814	.2%	70,794	.5%
1989-90	9,263	2.0%	124,811	.8%
1990-91	16,921	3.5%	145,755	.9%
1991-92	8,442	1.7%	78,286**	.5%

\*less than .1%

\*\*does not include acreage within cities

Department of Conservation reports and records

**Table 16. Nonrenewals, FY 1987-91, By Proximity to City Spheres of Influence**

Proximity	Landowners	Acres <sup>1</sup>	% of Total	Avg. Acres/Landowner
Inside or within 1 Mile	25	5,569	18.8%	228
Within 1-2 Miles of Sphere	5	2,076	7.0%	415
Outside 2 Miles	45	21,984	74.2%	489
Totals	75	29,629	100.0%	395

<sup>1</sup>Does not include 349 nonrenewed acres for which proximity information is not available.

about 31,000 acres--6.4% of all land enrolled in the Williamson Act--undergoing the nine-year phase-out in 1990-91.

For the five-year period of this study, FY 87-91, nonrenewals were filed in the county for 30,000 acres. This represents more than three-quarters of all Williamson Act land nonrenewed in Yolo since the start of the program 25 years ago. The recent filings are characterized by:

-- *Relatively large properties.* While enrolled land averages about 255 acres for each participating landowner in the county, the 77 nonrenewing landowners filed for an average of slightly less than 400 acres apiece.

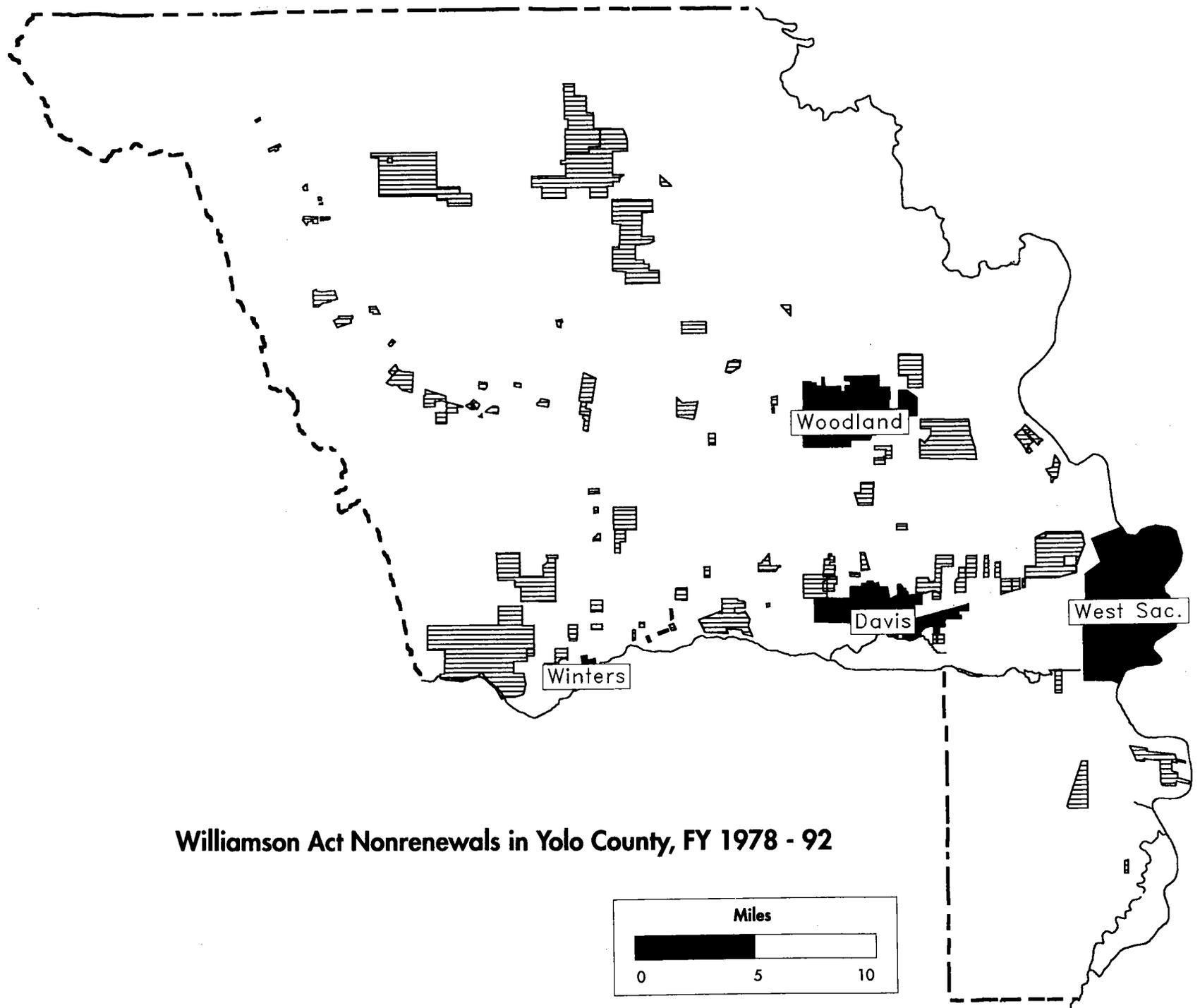
-- *A few very large parcels.* Five landowners,

with nonrenewed holdings of more than 1,000 acres apiece (the largest 6,516 acres), accounted for a little more than half of all the acreage.

-- *Mostly prime land.* 55% of the nonrenewed acreage is classified as prime farmland, and 45% is grazing or non-prime. Most of the prime is in the "urban" (within three miles of certain cities) prime category.

## LOCATION

The map (figure 8) identifies (hatch lines) all land nonrenewed since FY 1978; about 90% of the identified acreage is included in the nonrenewals filed in the last six years, including



**Williamson Act Nonrenewals in Yolo County, FY 1978 - 92**

Figure 8.

the study period (FY 87-91) and the most recent reporting year (1991-92).

Recent nonrenewals are scattered throughout the county, including substantial acreage located some distance from Yolo's four cities (dark shading). A more precise measure of location, presented in Table 16, indicates that almost three-quarters of the acreage for which nonrenewals were filed in FY 1987-91 was located more than two miles away from existing city spheres of influence (the city boundary for West Sacramento, which does not yet have a separate sphere), and thus is not in the direct path of most of the county's urban development. The spheres are the LAFCO-designated boundaries of the cities' likely expansion areas.

Most of the remote acreage is located in the Dunnigan and West Yolo areas of the County. Largely on non-prime grazing land, the nonrenewals here are dominated by a few very large holdings--especially a 6,516-acre ownership in the Dunnigan region and a 3,356-acre holding in West Yolo. The unincorporated community of Dunnigan lies at the junction of Interstate 5 and 505 and is considered by County officials to be an appropriate location for future highway-oriented development.

## LANDOWNER MOTIVATIONS

Why do individual landowners take their property out of the Williamson Act? Based on information for 64 landowners (mostly provided by landowners themselves in phone interviews, but also including some information supplied by

others), we classified the reasons into the four categories listed in Table 17.

*Development Intentions--Definite and Indefinite.* Landowners representing just over half of all nonrenewed acres cited this as their principal reason for pulling out of the program. But "development" had varying degrees of certainty for different landowners. For only a fifth of the acres in this category, was it reasonably definite that conversion to nonagricultural uses would occur in the predictable future. The certitude expressed about the future development of some properties was supported by their proximity to city boundaries and ownership in some cases by development companies.

The distinction between "definite" and "indefinite" is partly a matter of judgement on our part, but the prospects for development at the conclusion of the phase-out period for a number of landowners who cited this reason seemed unlikely because of the remote locations of their properties. Still, most of the landowners whom we classified as "indefinite" clearly saw nonrenewal as a necessary step to making their properties more attractive to prospective purchasers in the development industry.

*Limited Benefit.* For landowners holding a little less than a quarter of the nonrenewed acreage, perceived contract restrictions were the major motivation. Possible development lurked in the background, but was not the reason emphasized. Contract restrictions outweighed whatever property tax benefits received. Intertwined with this perception were critical views of the value and administration of the

**Table 17. Landowner Motivations for Nonrenewals, FY 1987-91**

Motivations	Landowners	Acres	% of Total
Development Intentions--Definite	6	2,927	10.1%
Development Intentions--Indefinite	26	12,569	43.3%
Limited Benefit	14	6,960	24.0%
Estate Planning/Lot Splits	9	3,156	10.9%
Other	9	3,409	11.7%
<b>Totals</b>	<b>64</b>	<b>29,021</b>	<b>100.0%</b>

Williamson Act and a dislike of governmental regulations in general.

*Estate Planning.* A smaller number of landowners were motivated to non-renew by recent or anticipated changes in the ownership of contracted land. Either the settlement of an estate or a desire to divide property among family members was the central factor. Most of the landowners in this category expressed a strong interest in continuing their farm operations.

*Other Motivations.* This category included nonrenewal filings to permit nonagricultural land uses other than development and to correct past contract errors.

## LANDOWNER CHARACTERISTICS

Slightly more than half of the landowners (28 of 53) for whom we have this information were not directly involved in the farming of their parcels, but leased the land to the actual operators. Similarly, a little more than half of the landowners (29 of 55) had residential or business addresses outside of Yolo County, primarily in Sacramento County and the Bay Area but also including addresses in other parts of the State. In fact, the two categories overlapped considerably; most of the out-of-county owners were also lessors.

Both lessors and out-of-county landowners were more likely than others to cite development intentions as the major reason for dropping their Williamson Act contracts. Reflected here were differences in the desire to remain in farming over the long term. The phone interviews revealed that owner-lessors and out-of-county owners generally had little interest in personally managing farm operations on their Yolo County parcels. On the other hand, landowners who cited estate and lot split reasons for nonrenewal were much more disposed to continuing their farm operations.

# ADMINISTERING THE WILLIAMSON ACT: DEPARTMENT OF CONSERVATION ACTIVITIES AND SIGNIFICANT LEGISLATION DURING 1991 TO 1993

This section of the Status Report summarizes the activities of the Department of Conservation during the past two years in administering the Williamson and Open Space Subvention Acts. In addition, information is presented on the involvement of the Department in other issues related to the purpose of the Williamson Act to protect the State's agricultural land resource. Finally, this section reports on significant legislation related to the Act or agricultural land conservation that was debated by the Legislature during the 1992 and 1993 Legislative Sessions.

## THE WILLIAMSON ACT AND AGRICULTURAL LAND CONSERVATION

### *Departmental Roles and Responsibilities*

The Williamson Act and its companion Open Space Subvention Act place a number of responsibilities on the Department of Conservation. First and foremost, the Government Code gives the Department the primary responsibility for the statewide administration of the combined Program (Government Code Section 51206). The Department is empowered to "research, publish, and disseminate information regarding the policies, purposes, procedures, administration, and implementation" of the Act. Also the Department is authorized to "meet with and assist...agencies, organizations, landowners, or any other person or entity in the interpretation" of the Act.

The Department is directed to compile and report on statistics pertinent to the Williamson Act's status, particularly with regard to enrollment of new acres and termination of contracts. (This report represents the culmination of these annual activities.) The Department is also responsible for receiving required local notifications of changes in Williamson Act contract status (e.g., contract nonrenewal, cancellation or termination through eminent domain).

Under the Open Space Subvention Act the Department is given responsibility via the Secretary for Resources for administering local subvention application verification and payment authorization. Working in conjunction with the Resources Agency the Department may also raise Open Space Subvention Act enforcement issues for the Secretary's resolution or referral to the Attorney General.

### *The Agricultural Lands Task Force*

The Department and the Resources Agency co-chair the Agricultural Lands Task Force. Representing a cross-section of groups from the agricultural, local government, environmental and development communities, the Task Force was formed initially to provide Governor Wilson with input on the agricultural land components of his growth management strategy.

Among the topics addressed by the Task Force in its 1993 report to the Governor on growth management was Williamson Act contract cancellations, a Williamson Act compatible use definition, and state agricultural land definitions.

The Task Force was split over the issue of greater state oversight of Williamson Act contract

cancellations. One contingent of the Task Force felt that the Secretary for Resources should have veto authority over local contract cancellations. Another favored maintaining local control of this aspect of the Williamson Act.

With regard to compatible uses of Williamson Act land the Task Force recommended that the Department of Conservation develop a handbook on compatible use that participating local jurisdictions could use in determining compatibility of particular uses with the Williamson Act's purposes. The Task Force delayed legislative change with regard to a compatible use definition, instead calling for the Department to gather additional information on local administration of compatible use under the Act. (See below for Departmental follow-up on these two recommendations.)

Finally, with regard to uniform state agricultural land definitions, the Task Force supported an objective, scientific basis for these definitions. The United States Department of Agriculture's Land Evaluation and Site Assessment model gained support from the Task Force as a potential tool to use in defining categories of farmland.

### ***Compatible Use Of Williamson Act Land***

In response to the Agricultural Task Force's request for more information on the local administration of Williamson Act compatible uses the Department conducted a statewide survey of counties, including the collection and analysis of local compatible use ordinances. The county survey found that 43% of the 47 Williamson Act counties had experienced difficulty in administering compatible use. One of the more frequently encountered problems was the treatment of intensive recreational uses of contracted lands, such as golf courses.

When asked if the administration of compatible use under the Williamson Act should be improved, 85% of the counties responded

affirmatively. The most frequently cited improvements were (1) an improved definition of compatible use in the Act itself, and (2) a state handbook on compatible use.

The compilation of county compatible use ordinances found that, collectively, counties recognize 73 different kinds of compatible uses of Williamson Act contracted lands. The most outstanding attribute of this compilation is its diversity of uses listed, from agriculturally related uses, such as fruit dehydrating plants, slaughterhouses and produce processing plants, to potentially problematic uses, including commercial lodging, dude ranches, golf courses and off-highway vehicle and motor race facilities. The other interesting aspect of the list is how differently counties treat many of the same compatible uses. For example, ten counties allow veterinary hospitals without special permit, another sixteen allow them as a conditional use, and three strictly prohibit them.

This information is currently being used to develop consensus for a solution to the compatible use problem, as requested by Governor Wilson in his veto of Assembly Bill 724 in 1993. (For more information on AB 724 see the following subsection on legislation.)

### ***Minimum Parcel Size and Subdivision of Williamson Act Land***

Legislation added to the Act in 1985 specifies 10 and 40-acre minimum parcel sizes for prime and non-prime contracts. However, the subdivision of contracted lands into parcels above the minimum, but nevertheless of insufficient size for commercial agricultural use, continues as a point of concern. The issue was raised as a problem by the Department in the 1990-91 Status Report. During the past year further examples of the problem were brought to the attention of the Department, including the subdivision of prime contract land into 10-acre lots for rural residential uses, known commonly as ranchettes. Also, at least two counties allow parcel splits that create sub-minimum homesite parcels for immediate

members of the landowner's family. The land at issue would not be capable of supporting commercial agriculture on less than minimum size parcels.

The Department's recent compatible use survey of counties validated concern over the minimum parcel size issue. One question included on the compatible use survey asked respondents to list any other concerns that they had about administering the Williamson Act. The most frequently mentioned issues dealt with minimum parcel size and subdivision of contracted land. Many local administrators feel that the statutory 10 and 40-acre minimum parcel size standards are not large enough. The parceling of contracted land into smaller units that may not be capable of supporting agriculture was also listed by respondents as an issue that the State needs to address.

In the coming year, the Department will be gathering information on these issues with the goal of presenting policy options for their resolution in 1994.

### ***Open Space Easements and Open Space Subventions***

The Open Space Subvention Act authorizes the Secretary to pay subventions to local governments for land enforceably restricted by Williamson Act contracts. The qualification of other forms of enforceable restrictions has never been an issue. During the past year, however, the Department discovered that Los Angeles County was receiving Open Space Subventions for land restricted by Open Space Easements of the Open Space Easement Act of 1969. In dealing with the question of the eligibility of these lands for subventions the Department concluded that the Open Space Subvention Act's restriction against subvention payments to Open Space Easement lands leaves some room for the exercise of discretionary authority on the part of the Secretary for Resources. The Department is currently conducting research on the local use of other types of enforceable restrictions as well as the legislative

history and intent with regard to the application of the Open Space Subvention Act to restricted use open space lands besides those of the Williamson Act. Recommendations will be provided to the Resources Agency in 1994.

### ***Williamson Act Handbook***

Soon after the Williamson Act became law an instructional handbook was prepared by the State for local administrators. This handbook is in need of updating. With the Agricultural Lands Task Force recommending that the Department prepare a handbook on compatible uses, the Department has begun to prepare a Williamson Act Handbook including thorough treatment of compatible use. The Handbook will include the Williamson Act's Government Code sections, as well as pertinent sections from state planning law, the Revenue and Tax Code, and the Subdivision Map Act.

### ***Open Space Subvention Act Regulations***

Like the Handbook the basic administrative regulations for the Open Space Subvention Act have not been updated in several years. During the coming year the Department will be updating and clarifying these regulations for approval by the State Office of Administrative Law.

### ***Local Williamson Act Workshops***

In early 1992 the Department conducted an all day workshop on the Williamson Act for local administrators and interest groups in the greater Sacramento area. The workshop presented an opportunity for information exchange between the Department and local administrators, as well as between county and city administrators. Two additional workshops have been conducted since then, one in Stockton, and another in Red Bluff. Given the continuing change in staff administering the Williamson Act locally the Department recognizes the need to continue to offer similar workshops statewide.

## **Enforcement of the Williamson Act**

Over the years there have been a number of legal actions to enforce the provisions of the Williamson Act. To date the California Supreme Court case of *Sierra vs. Hayward* (23 Cal.3d 840 [1981]), which among other things addressed the misuse of Williamson Act contract cancellations, has been the most important court decision affecting the Act.

In the past two years, a number of other legal actions have been initiated over alleged violations of the Williamson Act. In two actions the compatible use of Williamson Act contracted lands is the primary issue. In three others improper termination of Williamson Act contracts was the cause for legal action. The Department of Conservation is involved in four of these cases.

The Attorney General has also rendered a small number of opinions over the years that have applied to the Williamson Act. In 1992, Senator Mike Thompson (St. Helena) requested the Attorney General's opinion about the subdivision of Williamson Act contracted land (Opinion Number 92-709). The questions were:

- When approving the subdivision of land subject to a Williamson Act contract, may a county require new contracts for each parcel of the subdivision; and
- May a county unilaterally impose new contract terms for the resulting parcels, including the waiver of a previous notice of nonrenewal filed for all of the property to be subdivided.

Attorney General Daniel Lundgren replied affirmatively to both questions by saying that:

- When approving the subdivision of land subject to a Williamson Act, a county may require, either pursuant to a term of the original contract or pursuant to a duly enacted subdivision ordinance, new contracts for each parcel of subdivision.
- A county may unilaterally impose new

contract terms for the resulting parcels, including the waiver of a previous notice of nonrenewal filed for all of the property to be subdivided, either pursuant to a term of the original contract or pursuant to a duly enacted subdivision ordinance.

Copies of this and other Attorney General opinions, as well as pertinent court decisions on Williamson Act matters, are available from the Department of Conservation.

## **LEGISLATION**

Two significant legislated changes to the Williamson Act occurred in past two years: (1) reform in the way Williamson Act is valued for taxation; and, (2) revision of the Open Space Subvention Act's entitlement formula.

### **Increasing State Financial Support of The Williamson Act**

In the 1993 Legislative Session Senate Bill 683 (Chapter 65) was signed by Governor Wilson. For the first time since 1976 the formula for calculating state payments to cities and counties participating in the Williamson Act was changed. The net effect was a 150% increase in the State's share of the local financial burden of implementing the Williamson Act.

In 1971 when the Open Space Subvention Act passed, subventions were paid to cities and counties based on the number of acres enrolled in Williamson Act contracts and on the agricultural capability of those acres (see Appendix B for a description of the payment categories). Three dollars (\$3) per acre were paid for "urban prime" land, \$1.50/acre for "other prime" land, and \$0.50/acre for "non prime" land. In 1976 the first legislative amendment to this formula took effect. Until this year subventions were paid using \$8.00 and \$5.00/acre for two categories of urban prime (based on the size of the city), \$1.00/acre for other prime, and \$0.40/acre for non prime.

Since 1985 participating counties have requested an update to the subvention formula to cover increasing costs of administering the Program, and for rising lost property tax revenue as a result of the Act's preferential tax treatment. Senate Bill 683 was passed in response to this long-standing county request. SB 683 was also justified as needed compensation to counties for the large property tax shift to schools that occurred in 1993.

Senate Bill 683 accomplishes two reforms. First, the urban prime category was eliminated from the formula. In recent years it has been recognized that while the urban prime category accounted for more than 40% of all Open Space Subventions paid to cities and counties it included only 5% of the lands under contract. In addition, it has been recognized that this categorical subvention differential was doing little to provide an effective incentive for the protection of prime agricultural lands along the urban fringe. A few dollars per acre more in subventions was not enough to compel cities and counties to take extra policy steps to keep these lands under contract in the face of huge local tax and landowner profit gains to be made upon development. It has also been argued that an incentive not to develop these urban lands was incongruous with one of the stated purposes of the Act, to "discourage discontinuous urban development patterns".

The second change accomplished by SB 683 was to increase the remaining subvention formula categories -- prime and non prime -- to \$5.00/acre and \$1.00/acre, respectively, dramatically increasing the fiscal incentive for prime agricultural land enrollment.

As a result of the formula change all but one county experienced dramatic increases in their Open Space Subvention payments, the magnitude depending on the amount of urban prime and prime land under contract in each county. San Bernardino County saw its subvention payment drop due to the high proportion of its contracted land that previously qualified as urban prime, over 40%.

## ***A Less Volatile Formula for Calculating Contracted Land Value***

In the 1992 Legislative Session, Assembly Bill 2927 (Assemblyman Harvey; Chapter 247) was enacted. Like SB 683, AB 2927 also implemented long sought reform to the Williamson Act Program. Prior to 1993 lands under Williamson Act contracts were valued based on the application by assessors of a capitalization rate to the estimated income generated by the restricted land (see Appendix B). One factor in the denominator of the capitalization rate formula was the current interest rate for long term United States Government Bonds. This interest rate is highly volatile from year to year and can dramatically affect the assessed value of contracted property. Landowners complained that they were unable to plan for the upcoming year's taxes because of the volatility of the capitalization rate formula's interest component.

AB 2927 incorporates a five-year rolling average of the U.S. Government Bond interest rate. With this change the year-to-year fluctuation in calculated land values will lessen, reducing the burden of the unpredictability of future property tax bills on landowners.

## ***Early Notification to the State of Contract Cancellations***

Several minor bills were enacted in the past two years that affect the administration of the Williamson Act.

Assembly Bill 582 (Assemblyman Goldsmith; Chapter 89) was enacted in 1993 to require cities and counties to notify the Department of Conservation ten working days in advance of any hearing to consider the tentative cancellation of a Williamson Act contract.

Prior to AB 582 the Department often received notification of contract cancellations only a few days in advance of the local public hearings. Because the Department routinely reviews and

comments on proposed cancellation findings, it is critical that the Department has enough time to review the cancellation information and provide constructive comment for cities and counties to consider prior to the public hearings. The enactment of AB 582 ensures that adequate time for Departmental review and comment will be allowed.

### **Recording Contract Nonrenewals**

Cities and counties are required to record on the title of affected properties when land comes under a Williamson Act contract. They are also required to record the cancellation of a contract. However, prior to 1992, no such requirement was made for the initiation of contract nonrenewal. AB 3445 (Assemblyman Bentley; Chapter 273) was enacted in the 1992 Legislative Session to require that cities and counties also record Williamson Act contract nonrenewals. This avoids the purchase of land under the assumption that the recorded Williamson Act contract is active only to find that the contract nonrenewal process had been completed and property tax savings lost.

### **A Change in the Williamson Act Annual Status Report Deadline**

Prior to 1994 the Williamson Act Program's annual Status Report to the Legislature was due on March 1. With the enactment of Assembly Bill 371 (Assemblyman Haynes; Chapter 84), this reporting date was moved to May 1.

Currently, the Department is considering legislation which would also change the Status Report from an annual to a biennial report. Change in the acreage status of the Williamson Act from year-to-year has not been large. The Department believes that a biennial report will be sufficient to capture the significant changes to the Act's acreage status. The change will also coordinate the production of this report with the production of a related Departmental report, the biennial *Farmland Conversion Report*.

## **Related Agricultural Land Protection Legislation**

During the 1993 Legislative Session the California Farm Bureau Federation successfully sponsored Senate Bill 850 (Senator McCorquodale; Chapter 812). This legislation requires the Department of Conservation to develop a California version of the US Department of Agriculture's Land Evaluation and Site Assessment (LESA) model for use in the California Environmental Quality Act (CEQA). Once developed the Resources Agency is required to amend the CEQA Guidelines to include the LESA model, or another optional methodology, for the determination of the significance of project environmental impacts on agricultural land.

Currently, CEQA Guidelines contain only one statement regarding the significance of a project's impact on farmland: "A project will normally have a significant effect on the environment if it will convert prime agricultural land to non-agricultural use...". Such an ill-defined threshold of significance leaves the issue largely to subjective and emotional arguments. LESA will offer a quantitative and objective decision-making tool that takes into consideration factors that physically and economically determine the value of agricultural land to society. The Department is currently working with the U.S. Department of Agriculture's Soil Conservation Service to implement the requirements of SB 850. Once the LESA model is adopted California will join over 200 other states and local governments across the nation who currently use a form of LESA for land use planning, environmental analysis and targeting conservation policies and funding.

**APPENDIX A**

**TABLES: COUNTY AND CITY TOTALS**

**Table A1a. Status of Williamson Act Lands**  
**March 1991 - March 1992**

COUNTY	Urban Prime	Other Prime	NonPrime/ Open Space	Total 1991-92
Alameda	6,820	11,184	142,690	160,694
Amador	0	4,438	89,972	94,410
Butte	13,308	93,390	106,545	213,243
Calaveras	0	13,541	120,436	133,977
Colusa	0	10,345	190,455	200,800
Contra Costa	2,780	10,633	53,886	67,299
El Dorado	0	2,141	45,686	47,827
Fresno	55,166	1,037,387	481,340	1,573,893
Glenn	0	72,571	249,510	322,081
Humboldt	76	3,777	193,216	197,069
Kern	52,788	890,378	785,979	1,729,145
Kings	40,066	519,195	124,565	683,826
Lake	0	5,916	43,185	49,101
Lassen	0	25,878	261,347	287,225
Madera	28,895	222,476	305,396	556,767
Marin	2,730	8,983	81,639	93,352
Mariposa	0	0	175,831	175,831
Mendocino	0	29,605	443,603	473,208
Monterey	3,850	60,051	629,309	693,210
Napa	5,723	8,778	47,353	61,854
Nevada	0	5,296	0	5,296
Orange	2,717	929	40,500	44,146
Placer	1,527	22,711	48,196	72,434
Plumas	0	7,119	75,084	82,203
Riverside	6,959	58,443	9,140	74,542
Sacramento	10,137	101,092	123,002	234,231
San Benito	8,948	46,700	526,431	582,079
San Bernardino	9,476	2,652	9,132	21,260
San Diego	2,505	13,995	90,929	107,429
San Joaquin	133,514	258,045	168,337	559,896
San Luis Obispo	7,614	69,803	680,537	757,954
San Mateo	209	2,742	43,754	46,705
Santa Barbara	31,736	36,246	471,772	539,754
Santa Clara	12,401	2,698	348,704	363,803
Santa Cruz	1,191	1,948	8,553	11,692
Shasta	403	14,267	139,503	154,173
Sierra	0	1,953	35,090	37,043
Siskiyou	0	87,273	294,361	381,634
Solano	31,193	92,115	152,786	276,094
Sonoma	5,288	25,114	253,995	284,397
Stanislaus	83,570	218,278	411,519	713,367
Tehama	0	53,225	752,373	805,598
Trinity	0	0	22,268	22,268
Tulare	130,885	478,247	523,281	1,132,413
Tuolumne	0	0	124,544	124,544
Ventura	32,177	17,455	98,250	147,882
Yolo	<u>83,122</u>	<u>210,543</u>	<u>184,330</u>	<u>477,995</u>
<b>County Totals</b>	<b>807,774</b>	<b>4,859,556</b>	<b>10,208,314</b>	<b>15,875,644</b>

**Table A1a. Status of Williamson Act Lands**  
**March 1991 - March 1992**

<b>CITY</b>	<b>Urban Prime</b>	<b>Other Prime</b>	<b>NonPrime/ Open Space</b>	<b>Total 1991-92</b>
Camarillo	607	0	15	622
Carlsbad	323	0	20	343
Coachella	529	52	0	581
Corona	105	0	0	105
Fremont	496	0	6,732	7,228
Hayward	0	0	2,358	2,358
Indio	200	0	0	200
Menlo Park	0	0	1,992	1,992
Newark	275	0	3,105	3,380
Oceanside	693	0	72	765
Oxnard	191	0	2	193
Palo Alto	149	0	318	467
Perris	840	0	0	840
Redlands	290	0	0	290
Roseville	0	0	475	475
Sacramento	1,249	0	62	1,311
San Jose	179	318	4,901	5,398
Saratoga	30	0	186	216
Thousand Oaks	0	0	298	298
<b>City Totals</b>	<b>6,156</b>	<b>370</b>	<b>20,536</b>	<b>27,062</b>
<b>County Totals</b>	<b>807,774</b>	<b>4,859,556</b>	<b>10,208,314</b>	<b>15,875,644</b>
<b>Grand Totals</b>	<b>813,930</b>	<b>4,859,926</b>	<b>10,228,850</b>	<b>15,902,706</b>

Note: Los Angeles County no longer reports acreage under Williamson Act contract .

Department of Conservation, 1993

**Table A 1b. Status of Williamson Act Lands**  
**March 1992 - March 1993**

COUNTY	Urban Prime	Other Prime	NonPrime/ Open Space	Total 1992-93
Alameda	6,042	10,675	141,453	158,170
Amador	0	4,478	89,866	94,344
Butte	13,351	93,360	106,293	213,004
Calaveras	0	13,541	120,421	133,962
Colusa	0	10,345	190,447	200,792
Contra Costa	2,780	10,435	52,310	65,525
El Dorado	0	2,159	45,884	48,043
Fresno	53,930	1,039,413	485,463	1,578,806
Glenn	0	75,033	247,310	322,343
Humboldt	76	3,777	193,216	197,069
Kern	52,677	887,830	786,058	1,726,565
Kings	40,071	519,372	124,661	684,104
Lake	0	5,885	43,167	49,052
Lassen	0	25,968	262,125	288,093
Madera	29,206	221,311	306,200	556,717
Marin	2,638	8,683	82,456	93,777
Mariposa	0	0	179,868	179,868
Mendocino	0	29,679	444,433	474,112
Monterey	3,850	62,350	632,661	698,861
Napa	5,723	8,799	47,495	62,017
Nevada	0	5,296	0	5,296
Orange	2,669	929	39,488	43,086
Placer	1,527	22,610	46,936	71,073
Plumas	0	7,119	75,084	82,203
Riverside	6,954	58,081	9,080	74,115
Sacramento	9,820	100,037	121,539	231,396
San Benito	8,907	46,777	528,359	584,043
San Bernardino	9,231	2,652	9,132	21,015
San Diego	2,445	13,990	90,748	107,183
San Joaquin	133,362	259,409	168,337	561,108
San Luis Obispo	7,614	69,853	682,395	759,862
San Mateo	209	2,742	43,754	46,705
Santa Barbara	31,767	36,246	471,737	539,750
Santa Clara	11,854	2,660	349,022	363,536
Santa Cruz	1,293	1,646	19,097	22,036
Shasta	403	14,199	141,830	156,432
Sierra	0	1,953	35,902	37,855
Siskiyou	0	87,481	295,058	382,539
Solano	31,076	92,283	151,200	274,559
Sonoma	5,259	25,268	257,284	287,811
Stanislaus	82,987	218,036	410,623	711,646
Tehama	0	52,725	750,781	803,506
Trinity	0	0	22,268	22,268
Tulare <sup>1</sup>	0	608,503	516,016	1,124,519
Tuolumne	0	0	124,430	124,430
Ventura	33,971	15,582	98,127	147,680
<u>Yolo</u>	<u>83,118</u>	<u>210,377</u>	<u>184,128</u>	<u>477,623</u>
<b>County Totals</b>	<b>674,810</b>	<b>4,989,547</b>	<b>10,224,142</b>	<b>15,888,499</b>

**Table A 1b. Status of Williamson Act Lands**  
**March 1992 - March 1993**

<b>CITY</b>	<b>Urban Prime</b>	<b>Other Prime</b>	<b>NonPrime/ Open Space</b>	<b>Total 1992-93</b>
Camarillo	607	0	15	622
Carlsbad <sup>2</sup>	323	0	20	343
Coachella <sup>3</sup>	529	52	0	581
Corona	106	0	0	106
Fremont	496	0	4,977	5,473
Hayward	0	0	2,358	2,358
Menlo Park	0	0	1,992	1,992
Newark	211	0	3,059	3,270
Oceanside	693	0	72	765
Oxnard	0	0	0	0
Palo Alto	149	0	317	466
Perris	810	0	0	810
Redlands	290	0	0	290
Roseville <sup>4</sup>	0	0	475	475
San Jose	308	318	5,123	5,749
Saratoga	30	0	186	216
Thousand Oaks	0	0	298	298
<b>City Totals</b>	<b><u>4,552</u></b>	<b><u>370</u></b>	<b><u>18,892</u></b>	<b><u>23,814</u></b>
<b>County Totals</b>	<b>674,810</b>	<b>4,989,547</b>	<b>10,224,142</b>	<b>15,888,499</b>
<b>Grand Totals</b>	<b>679,362</b>	<b>4,989,917</b>	<b>10,243,034</b>	<b>15,912,313</b>

<sup>1</sup> Tulare County converted to a new computer system this year and input urban prime data and other prime data together. The County will attempt to break down the data for the next reporting period.

<sup>2</sup> The City of Carlsbad is no longer submitting a subvention application; all of their contracted land entered nonrenewal in 1991. Total cited was last year's cumulative nonrenewal total.

<sup>3</sup> The City of Coachella did not submit a subvention application. Figures cited were reported last year.

<sup>4</sup> The City of Roseville is no longer submitting a subvention application; all of their contracted land entered nonrenewal in 1990. Total cited was last year's cumulative nonrenewal total.

Note: Los Angeles County no longer reports acreage under Williamson Act contracts.

Department of Conservation, 1994

**Table A 2a. Williamson Act Acreage Changes**  
**March 1991- March 1992**

COUNTY	Acres Added	Nonrenewals				Cancellations		Eminent Domain		Annexations		Net Change
		#	Initiated (ac)	#	Expired (ac)	#	Acres	#	Acres	#	Acres	
Alameda	0	1	172	5	671	0	0	0	0	0	0	-671
Amador	280	4	1,415	4	1,326	0	0	0	0	0	0	-1,046
Butte	1,099	7	1,095	1	166	0	0	9	13,740	0	0	-12,807
Calaveras	0	4	907	1	126	0	0	0	0	0	0	-126
Colusa	0	0	0	0	0	0	0	0	0	0	0	0
Contra Costa	0	5	902	10	6,575	2	1,557	3	292	0	0	-8,424
El Dorado	39	1	395	2	27	0	0	0	0	0	0	12
Fresno	15,960	19	1,609	1	10	6	81	7	866	3	139	14,864
Glenn	0	0	0	1	20	0	0	0	0	0	0	-20
Humboldt	936	1	248	0	0	0	0	0	0	0	0	936
Kern	4,262	34	10,832	5	12,016	7	48	3	725	2	151	-8,678
Kings	884	23	1,202	1	120	0	0	2	157	0	0	607
Lake	20	0	0	0	0	1	27	2	476	0	0	-483
Lassen	0	0	0	0	0	0	0	0	0	0	0	0
Madera	833	28	9,367	0	0	0	0	0	0	0	0	833
Marin	0	0	0	1	15	0	0	1	3	0	0	-18
Mariposa	7,638	0	0	0	0	0	0	0	0	0	0	7,638
Mendocino	275	45	9,381	0	0	0	0	0	0	0	0	275
Monterey	6,744	1	340	0	0	0	0	0	0	0	0	6,744
Napa	729	0	0	0	0	0	0	0	0	0	0	729
Nevada	0	1	1,141	1	505	0	0	0	0	0	0	-505
Orange	0	0	0	2	772	0	0	0	0	0	0	-772
Placer	0	10	2,825	4	550	0	0	0	0	0	0	-550
Plumas	0	0	0	0	0	0	0	0	0	0	0	0
Riverside	200	19	1,165	26	3,482	0	0	6	581	0	0	-3,863
Sacramento	0	18	6,512	4	1,183	0	0	6	2,120	0	0	-3,303
San Benito	1,712	12	2,606	1	30	0	0	0	0	0	0	1,682
San Bernardino	0	26	992	11	581	0	0	0	0	1	43	-624
San Diego	0	3	179	6	82	0	0	0	0	0	0	-82
San Joaquin	797	16	1,451	4	483	0	0	2	26	3	179	109
San Luis Obispo	5,676	2	277	0	0	0	0	0	0	0	0	5,676
San Mateo	43	0	0	0	0	0	0	0	0	0	0	43
Santa Barbara	0	2	108	1	34	0	0	0	0	0	0	-34
Santa Clara	3,400	12	366	17	1,996	0	0	9	379	0	0	1,025
Santa Cruz	17	1	36	1	134	0	0	0	0	0	0	-117
Shasta	4,590	1	1,812	2	1,914	0	0	0	0	0	0	2,676
Sierra	1,462	0	0	1	1,454	0	0	0	0	0	0	8
Siskiyou	807	4	161	0	0	0	0	0	0	0	0	807
Solano	1,253	11	2,586	18	5,413	1	19	1	144	1	277	-4,600
Sonoma	2,224	7	325	7	1,167	0	0	3	153	0	0	904
Stanislaus	1,036	17	1,075	2	4	1	62	0	0	6	74	896
Tehama	3,380	11	7,183	12	643	0	0	1	427	0	0	2,310
Trinity	0	0	0	0	0	0	0	0	0	0	0	0
Tulare	1,614	17	732	6	686	0	0	14	1,803	0	0	-875
Tuolumne	0	4	626	7	472	0	0	0	0	0	0	-472
Ventura	327	0	0	18	3,883	0	0	1	600	0	0	-4,156
Yolo	1,633	17	8,442	1	18	0	0	1	2,853	0	0	-1,238
<b>County Totals</b>	<b>69,870</b>	<b>384</b>	<b>78,465</b>	<b>184</b>	<b>46,558</b>	<b>18</b>	<b>1,794</b>	<b>71</b>	<b>25,345</b>	<b>16</b>	<b>863</b>	<b>-4,690</b>

**Table A 2a. Williamson Act Acreage Changes**  
**March 1991- March 1992**

CITY	Acres Added	Nonrenewals				Cancellations		Eminent Domain		Annexations		Net Change
		#	Initiated (ac)	#	Expired (ac)	#	Acres	#	Acres	#	Acres	
Camarillo	0	0	0	1	38	0	0	0	0	0	0	-38
Carlsbad	0	1	343	0	0	0	0	0	0	0	0	0
Coachella	0	0	0	0	0	0	0	0	0	0	0	0
Corona	0	0	0	2	56	0	0	0	0	0	0	-56
Fremont	0	2	1,771	1	20	1	4	0	0	0	0	-24
Hayward	0	0	0	0	0	0	0	0	0	0	0	0
Menlo Park	0	0	0	0	0	0	0	0	0	0	0	0
Newark	0	0	0	0	0	0	0	0	0	0	0	0
Oceanside	0	0	0	0	0	0	0	1	247	0	0	-247
Oxnard	0	0	0	0	0	0	0	0	0	0	0	0
Palo Alto	0	0	0	0	0	0	0	0	0	0	0	0
Perris	0	0	0	0	0	0	0	0	0	0	0	0
Redlands	0	2	67	5	70	0	0	0	0	0	0	-70
Roseville	0	0	0	1	15	0	0	0	0	0	0	-15
San Jose	0	0	0	5	330	1	122	1	13	0	0	-465
Saratoga	0	0	0	0	0	0	0	0	0	0	0	0
Thousand Oaks	0	0	0	0	0	0	0	0	0	0	0	0
<b>City Totals</b>	<b>0</b>	<b>5</b>	<b>2,181</b>	<b>15</b>	<b>529</b>	<b>2</b>	<b>126</b>	<b>2</b>	<b>260</b>	<b>0</b>	<b>0</b>	<b>-915</b>
<b>County Totals</b>	<b>69,870</b>	<b>384</b>	<b>78,465</b>	<b>184</b>	<b>46,558</b>	<b>18</b>	<b>1,794</b>	<b>71</b>	<b>25,345</b>	<b>16</b>	<b>863</b>	<b>-4,690</b>
<b>Grand Totals</b>	<b>69,870</b>	<b>389</b>	<b>80,646</b>	<b>199</b>	<b>47,087</b>	<b>20</b>	<b>1,920</b>	<b>73</b>	<b>25,605</b>	<b>16</b>	<b>863</b>	<b>-5,605</b>

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Note: Los Angeles County no longer reports acreage under Williamson Act contract. Subvented acreage is reported as subject to Open Space Easements pursuant pursuant to the Open Space Easement Act of 1969.

Department of Conservation

**Table A 2b. Williamson Act Acreage Changes**  
**March 1992- March 1993**

P = Prime, NP = Nonprime

# = Number of occurrences

COUNTY	Acres Added		Nonrenewals (acres) (1)				Cancellations			Eminent Domain			Annexation			Net Increase + Decrease -
	P	NP	Initiated		Expired		#	Acres		#	Acres		#	Acres		
			P	NP	P	NP		P	NP		P	NP				
Alameda	26	661	264	21	774	1,093	0	0	0	15	535	740	3	4	64	-2,523
Amador	40	174	10	642	0	280	0	0	0	0	0	0	0	0	0	-66
Butte	53	0	0	999	10	0	1	24	0	1	0	252	0	0	0	-233
Calaveras	0	0	0	2,045	0	0	0	0	0	0	0	0	0	0	0	0
Colusa	0	0	0	0	0	0	0	0	0	1	0	8	0	0	0	-8
Contra Costa	0	0	209	439	0	0	0	0	0	3	198	1,596	0	0	0	-1,794
El Dorado	18	42	0	33	0	42	0	0	0	0	0	0	0	0	0	18
Fresno	1,519	11,028	382	96	58	578	8	25	0	6	20	6,978	1	3	0	4,885
Glenn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Humboldt	0	0	0	1,468	0	0	0	0	0	0	0	0	0	0	0	0
Kern	1,488	880	3,395	165	1,207	81	5	7	0	2	2,195	640	7	738	80	-2,580
Kings	228	96	295	648	46	0	0	0	0	0	0	0	0	0	0	278
Lake	0	30	0	63	28	44	0	0	0	0	0	0	0	0	0	-42
Lassen	90	778	0	0	0	0	0	0	0	0	0	0	0	0	0	868
Madera	1,619	804	770	1,195	1,180	0	0	0	0	1	1,293	0	0	0	0	-50
Marin	0	359	0	0	0	2	0	0	0	0	0	0	0	0	0	357
Mariposa	0	4,037	0	0	0	0	0	0	0	0	0	0	0	0	0	4,037
Mendocino	93	895	0	35	0	0	2	19	0	2	0	65	0	0	0	904
Monterey	2,379	4,056	0	0	0	503	1	80	201	0	0	0	0	0	0	5,651
Napa	75	202	0	0	0	0	3	54	60	0	0	0	0	0	0	163
Nevada	0	0	258	0	0	0	0	0	0	0	0	0	0	0	0	0
Orange	0	0	0	0	0	927	0	0	0	3	48	85	0	0	0	-1,060
Placer	0	0	28	237	101	1,260	0	0	0	0	0	0	0	0	0	-1,361
Plumas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Riverside	0	0	382	5	460	66	0	0	0	3	37	1	0	0	0	-564
Sacramento	90	202	156	1,267	110	987	0	0	0	14	1,350	676	0	0	0	-2,831
San Benito	59	2,184	0	0	39	223	0	0	0	0	0	0	0	0	0	1,981
San Bernardino	13	0	475	0	258	0	0	0	0	0	0	0	0	0	0	-245
San Diego	0	0	700	225	65	15	0	0	0	1	0	166	0	0	0	-246
San Joaquin	1,452	0	1,968	693	201	0	2	21	0	0	0	0	6	119	0	1,111
San Luis Obispo	246	3,040	43	330	195	727	0	0	0	2	1	455	0	0	0	1,908
San Mateo	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Santa Barbara	38	0	0	0	7	1	0	0	0	0	0	0	0	0	0	30
Santa Clara	8	497	294	748	553	75	0	0	0	2	24	0	5	15	232	-394
Santa Cruz	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Shasta	0	3,686	0	0	0	0	0	0	0	0	0	0	0	0	0	3,686
Sierra	0	1,100	0	0	0	0	0	0	0	0	0	0	0	0	0	1,100
Siskiyou	489	1,168	0	0	281	471	0	0	0	0	0	0	0	0	0	905
Solano	319	2,467	63	3,141	290	371	0	0	0	14	0	3,652	0	0	0	-1,527
Sonoma	179	5,550	83	206	42	1,680	0	0	0	6	12	581	0	0	0	3,414
Stanislaus	810	997	18	0	331	1	0	0	0	7	566	1,892	10	709	0	-1,692
Tehama	407	10	26	289	86	732	0	0	0	13	1,160	741	0	0	0	-2,302
Trinity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tulare	673	212	137	11	12	5	0	0	0	9	358	514	15	345	1	-350
Tuolumne	0	0	0	680	0	114	0	0	0	0	0	0	0	0	0	-114
Ventura	2,163	280	0	0	697	55	0	0	0	0	0	0	0	0	0	1,691
Yolo	184	0	3,349	1,554	30	119	0	0	0	1	324	83	0	0	0	-372
<b>County Totals</b>	<b>14,758</b>	<b>45,435</b>	<b>13,305</b>	<b>17,235</b>	<b>7,061</b>	<b>10,452</b>	<b>22</b>	<b>230</b>	<b>261</b>	<b>106</b>	<b>8,121</b>	<b>19,125</b>	<b>47</b>	<b>1,933</b>	<b>377</b>	<b>12,633</b>
<b>Prime + Nonprime</b>	<b>60,193</b>		<b>30,540</b>		<b>17,513</b>			<b>491</b>			<b>27,246</b>			<b>2,310</b>		

**Table A 2b. Williamson Act Acreage Changes**  
**March 1992- March 1993**

CITY	Acres Added		Nonrenewals (acres) (1)				Cancellations			Eminent Domain			Annexation			Net Increase + Decrease -
	P	NP	Initiated		Expired		#	Acres		#	Acres		#	Acres		
			P	NP	P	NP		P	NP		P	NP				
Camarillo	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Carlsbad (2)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Coachella (3)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Corona	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fremont	0	0	136	0	0	1,729	4	0	26	0	0	0	0	0	0	-1,755
Hayward	0	0	0	331	0	0	0	0	0	0	0	0	0	0	0	0
Menlo Park	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Newark	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oceanside	0	0	259	46	0	0	0	0	0	0	0	0	0	0	0	0
Oxnard	0	0	0	0	0	0	0	0	0	0	0	3	191	2		-193
Palo Alto	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Perris	0	0	0	0	0	0	0	0	0	1	27	0	0	0	0	-27
Redlands	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0
Roseville (4)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
San Jose	129	222	66	0	0	0	0	0	0	0	0	0	0	0	0	351
Saratoga	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thousand Oaks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>City Totals</b>	<b>129</b>	<b>222</b>	<b>471</b>	<b>377</b>	<b>0</b>	<b>1,729</b>	<b>4</b>	<b>0</b>	<b>26</b>	<b>1</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>191</b>	<b>2</b>	<b>-1,624</b>
<b>County Totals</b>	<b>14,758</b>	<b>45,435</b>	<b>13,305</b>	<b>17,235</b>	<b>7,061</b>	<b>10,452</b>	<b>22</b>	<b>230</b>	<b>261</b>	<b>106</b>	<b>8,121</b>	<b>19,125</b>	<b>47</b>	<b>1,933</b>	<b>377</b>	<b>12,633</b>
<b>Grand Totals</b>	<b>14,887</b>	<b>45,657</b>	<b>13,776</b>	<b>17,612</b>	<b>7,061</b>	<b>12,181</b>	<b>26</b>	<b>230</b>	<b>287</b>	<b>107</b>	<b>8,148</b>	<b>19,125</b>	<b>47</b>	<b>2,124</b>	<b>379</b>	<b>11,009</b>
<b>Prime + Nonprime</b>	<b>60,544</b>		<b>31,388</b>		<b>19,242</b>		<b>517</b>			<b>27,273</b>			<b>2,503</b>			

(1) In the past, the number of nonrenewals initiated and expired was determined by counting each entry on each application. Because of the various reporting methods utilized by the counties and cities in the program, the reliability of this data was in question. Next year, the application forms will be updated to include a request for this information. For the purpose of determining Net Increase/Decrease, only nonrenewals expired were used in the equation because nonrenewals initiated are still considered to be under contract.

(2) The City of Carlsbad reported all of their remaining contracted land entering nonrenewal in 1991.

(3) The City of Coachella did not submit a subvention application this year.

(4) The City of Roseville reported all of their remaining contracted land entering nonrenewal in 1990.

Note: Los Angeles no longer reports acreage under Williamson Act contract.

**Table A 3. Terminations, Additions and Nonrenewals Initiated by Land Category**  
**March 1992 - March 1993**

COUNTY	Terminations (1)				Additions				Nonrenewals Initiated			
	Urban Prime	Other Prime	Nonprime	Total	Urban Prime	Other Prime	Nonprime	Total	Urban Prime	Other Prime	Nonprime	Total
Alameda	778	535	1,897	3,210	0	26	661	687	0	264	21	285
Amador	0	0	280	280	0	40	174	214	0	10	642	652
Butte	10	24	252	286	53	0	0	53	0	0	999	999
Calaveras	0	0	0	0	0	0	0	0	0	0	2,045	2,045
Colusa	0	0	8	8	0	0	0	0	0	0	0	0
Contra Costa	0	198	1,596	1,794	0	0	0	0	132	77	439	648
El Dorado	0	0	42	42	0	18	42	60	0	0	33	33
Fresno	43	63	7,556	7,662	64	1,455	11,028	12,547	42	340	96	478
Glenn	0	0	0	0	0	0	0	0	0	0	0	0
Humboldt	0	0	0	0	0	0	0	0	0	0	1,468	1,468
Kern	391	3,756	801	4,948	280	1,208	880	2,368	1,703	1,692	165	3,560
Kings	46	0	0	46	51	177	96	324	211	84	648	943
Lake	0	28	44	72	0	0	30	30	0	0	63	63
Lassen	0	0	0	0	0	90	778	868	0	0	0	0
Madera	0	2,473	0	2,473	311	1,308	804	2,423	0	770	1,195	1,965
Marin	0	0	2	2	0	0	359	359	0	0	0	0
Mariposa	0	0	0	0	0	0	4,037	4,037	0	0	0	0
Mendocino	0	19	65	84	0	93	895	988	0	0	35	35
Monterey	0	80	704	784	0	2,379	4,056	6,435	0	0	0	0
Napa	0	54	60	114	0	75	202	277	0	0	0	0
Nevada	0	0	0	0	0	0	0	0	0	258	0	258
Orange	48	0	1,012	1,060	0	0	0	0	0	0	0	0
Placer	0	101	1,260	1,361	0	0	0	0	28	237	0	265
Plumas	0	0	0	0	0	0	0	0	0	0	0	0
Riverside	136	361	67	564	0	0	0	0	150	232	5	387
Sacramento	317	1,143	1,663	3,123	0	90	202	292	0	156	1,267	1,423
San Benito	39	0	223	262	0	59	2,184	2,243	0	0	0	0
San Bernardino	258	0	0	258	13	0	0	13	475	0	0	475
San Diego	60	5	181	246	0	0	0	0	385	315	225	925
San Joaquin	320	21	0	341	67	1,385	0	1,452	1,226	742	693	2,661
San Luis Obispo	0	196	1,182	1,378	0	246	3,040	3,286	0	43	330	373
San Mateo	0	0	0	0	0	0	0	0	0	0	0	0
Santa Barbara	7	0	1	8	38	0	0	38	0	0	0	0
Santa Clara	537	55	307	899	0	8	497	505	294	0	748	1,042
Santa Cruz	0	0	0	0	0	0	0	0	0	0	0	0
Shasta	0	0	0	0	0	0	3,686	3,686	0	0	0	0
Sierra	0	0	0	0	0	0	1,100	1,100	0	0	0	0
Siskiyou	0	281	471	752	0	489	1,168	1,657	0	0	0	0
Solano	159	131	4,023	4,313	18	301	2,467	2,786	41	22	3,141	3,204
Sonoma	29	25	2,261	2,315	0	179	5,550	5,729	0	83	206	289
Stanislaus	974	632	1,893	3,499	391	419	997	1,807	7	11	0	18
Tehama	0	1,246	1,473	2,719	0	407	10	417	0	26	289	315
Trinity	0	0	0	0	0	0	0	0	0	0	0	0
Tulare	0	715	520	1,235	0	673	212	885	0	137	11	148
Tuolumne	0	0	114	114	0	0	0	0	0	0	680	680
Ventura	612	85	55	752	1,983	180	280	2,443	0	0	0	0
Yolo	188	166	202	556	184	0	0	184	1,246	2,103	1,554	4,903
<b>County Totals</b>	<b>4,952</b>	<b>12,393</b>	<b>30,215</b>	<b>47,560</b>	<b>3,453</b>	<b>11,305</b>	<b>45,435</b>	<b>60,193</b>	<b>6,940</b>	<b>7,602</b>	<b>16,998</b>	<b>30,540</b>

**Table A 3. Terminations, Additions and Nonrenewals Initiated by Land Category**  
**March 1992 - March 1993**

CITY	Terminations (1)				Additions				Nonrenewals Initiated			
	Urban Prime	Other Prime	Nonprime	Total	Urban Prime	Other Prime	Nonprime	Total	Urban Prime	Other Prime	Nonprime	Total
Camarillo	0	0	0	0	0	0	0	0	0	0	0	0
Carlsbad (2)	0	0	0	0	0	0	0	0	0	0	0	0
Coachella (3)	0	0	0	0	0	0	0	0	0	0	0	0
Corona	0	0	0	0	0	0	0	0	0	0	0	0
Fremont	0	0	1,755	1,755	0	0	0	0	136	0	0	136
Hayward	0	0	0	0	0	0	0	0	0	0	331	331
Menlo Park	0	0	0	0	0	0	0	0	0	0	0	0
Newark	0	0	0	0	0	0	0	0	0	0	0	0
Oceanside	0	0	0	0	0	0	0	0	259	0	46	305
Oxnard	191	0	2	193	0	0	0	0	0	0	0	0
Palo Alto	0	0	0	0	0	0	0	0	0	0	0	0
Perris	27	0	0	27	0	0	0	0	0	0	0	0
Redlands	0	0	0	0	0	0	0	0	10	0	0	10
Roseville (4)	0	0	0	0	0	0	0	0	0	0	0	0
San Jose	0	0	0	0	129	0	222	351	66	0	0	66
Saratoga	0	0	0	0	0	0	0	0	0	0	0	0
Thousand Oaks	0	0	0	0	0	0	0	0	0	0	0	0
<b>City Totals</b>	<b>218</b>	<b>0</b>	<b>1,757</b>	<b>1,975</b>	<b>129</b>	<b>0</b>	<b>222</b>	<b>351</b>	<b>471</b>	<b>0</b>	<b>377</b>	<b>848</b>
<b>County Totals</b>	<b>4,952</b>	<b>12,393</b>	<b>30,215</b>	<b>47,560</b>	<b>3,453</b>	<b>11,305</b>	<b>45,435</b>	<b>60,193</b>	<b>5,940</b>	<b>7,602</b>	<b>16,998</b>	<b>30,540</b>
<b>Grand Total</b>	<b>5,170</b>	<b>12,393</b>	<b>31,972</b>	<b>49,535</b>	<b>3,582</b>	<b>11,305</b>	<b>45,657</b>	<b>60,544</b>	<b>6,411</b>	<b>7,602</b>	<b>17,375</b>	<b>31,388</b>

- (1) Includes cancellations, expired nonrenewals, eminent domain actions and annexations.  
(2) The City of Carlsbad reported all of their remaining contracted land entering nonrenewal in 1991.  
(3) The City of Coachella did not submit a subvention application this year.  
(4) The City of Roseville reported all of their remaining contracted land entering nonrenewal in 1990.  
Note: Los Angeles County no longer reports acreage under Williamson Act contract.

**Table A 4a. Williamson Act Acreage Eligible for Subvention Entitlement in FY 1992-93 and Paid Entitlement Amount**

COUNTY	Urban Prime \$5/acre or \$8/acre	Other Prime \$1/acre	Open Space \$.40/acre	Total number of eligible acres	Paid Entitlement
Alameda	3,562	7,393	113,776	124,731	\$81,399
Amador	0	4,358	85,616	89,974	\$38,604
Butte	12,413	77,936	97,158	187,507	\$216,103
Calaveras	0	13,541	113,649	127,190	\$59,001
Colusa	0	10,345	190,455	200,800	\$86,527
Contra Costa	2,167	5,685	39,049	46,901	\$38,641
El Dorado	0	1,627	37,877	39,504	\$16,778
Fresno	50,822	1,031,478	478,043	1,560,343	\$1,629,271
Glenn	0	70,582	247,578	318,160	\$169,613
Humboldt	76	3,702	192,624	196,402	\$81,132
Kern	37,599	798,845	739,945	1,576,389	\$1,395,615
Kings	38,297	375,152	118,956	532,405	42,816
Lake	0	5,555	42,816	48,371	\$22,681
Lassen	0	25,878	261,347	287,225	\$130,417
Los Angeles <sup>1</sup>	0	0	0	0	\$16,021
Madera	22,344	197,928	290,165	510,437	\$492,746
Marin	2,720	8,973	80,600	92,293	\$62,973
Mariposa	0	0	175,255	175,255	\$70,102
Mendocino	0	28,734	422,557	451,291	\$197,757
Monterey	3,028	49,393	618,844	671,265	\$321,155
Napa <sup>2</sup>	3,584	4,132	44,317	52,033	\$41,640
Nevada	0	3,598	0	3,598	\$3,598
Orange	10	630	12,399	13,039	\$5,670
Placer	466	13,107	29,624	43,197	\$28,685
Plumas	0	7,113	69,326	76,439	\$34,843
Riverside	2,888	40,667	5,752	49,307	\$66,072
Sacramento	6,063	89,362	93,633	189,058	\$175,319
San Benito	4,579	43,565	513,395	561,539	\$271,818
San Bernardino	6,241	2,446	6,054	14,741	\$54,796
San Diego	1,769	7,474	88,273	97,516	\$56,935
San Joaquin <sup>3</sup>	119,837	246,641	151,902	518,380	\$1,261,461
San Luis Obispo	5,439	66,654	662,996	735,089	\$375,364
San Mateo	209	2,742	43,573	46,524	\$21,843
Santa Barbara	25,242	33,653	466,330	525,225	\$422,121
Santa Clara	9,344	2,359	328,067	339,770	\$208,338
Santa Cruz	1,768	1,433	7,129	10,330	\$18,429
Shasta	305	14,047	136,061	150,413	\$70,911
Sierra	0	1,953	33,731	35,684	\$15,445
Siskiyou	0	86,859	293,223	380,082	\$204,148
Solano	24,896	88,590	141,965	255,451	\$344,544
Sonoma	4,778	24,174	242,653	271,605	\$159,459
Stanislaus	79,448	200,110	380,852	660,410	\$988,035
Tehama	0	48,821	741,389	790,210	\$345,377
Trinity	0	0	22,268	22,268	\$8,907
Tulare	128,658	459,746	513,338	1,101,742	\$1,694,345
Tuolumne <sup>4</sup>	0	0	113,090	113,090	\$39,602
Ventura	25,286	15,785	77,149	118,220	\$248,933
Yolo	<u>69,229</u>	<u>196,432</u>	<u>163,021</u>	<u>428,682</u>	<u>\$815,472</u>
<b>County Totals</b>	<b>693,067</b>	<b>4,419,198</b>	<b>9,727,820</b>	<b>14,840,085</b>	<b>13,837,757</b>

**Table A 4a. Williamson Act Acreage Eligible for Subvention Entitlement in FY 1992-93 and Paid Entitlement Amount**

COUNTY	Urban Prime \$5/acre or \$8/acre	Other Prime \$1/acre	Open Space \$.40/acre	Total number of eligible acres	Paid Entitlement
Camarillo	122	0	15	137	\$982
Carlsbad	0	0	0	0	\$0
Coachella	163	52	0	215	\$867
Corona	11	0	0	11	\$88
Fremont	473	0	3,776	4,249	\$5,294
Hayward	0	0	700	700	\$280
Menlo Park	0	0	1,992	1,992	\$797
Newark	211	0	3,105	3,316	\$2,930
Oceanside	693	0	72	765	\$5,573
Oxnard	191	0	2	193	\$1,529
Palo Alto	149	0	318	467	\$1,319
Perris	840	0	0	840	\$6,720
Redlands	221	0	0	221	\$1,768
Sacramento	0	0	0	0	\$0
San Jose	103	318	4,256	4,677	\$2,844
Saratoga	30	0	75	105	\$270
Thousand Oaks	0	0	110	110	\$44
<b>City Totals</b>	<b>3,207</b>	<b>370</b>	<b>14,421</b>	<b>17,998</b>	<b>\$31,305</b>
<b>County Totals</b>	<b>693,067</b>	<b>4,419,198</b>	<b>9,727,820</b>	<b>14,840,085</b>	<b>13,837,757</b>
<b>Grand Total</b>	<b>696,274</b>	<b>4,419,568</b>	<b>9,742,241</b>	<b>14,858,083</b>	<b>13,869,062</b>

<sup>1</sup> Los Angeles County does not participate in the Williamson Act Program, but does receive subventions for 40,052 acres of open space which are under Open Space Easements pursuant to the Open Space Easement Act of 1969.

<sup>2</sup> Napa County's entitlement payment was reduced by \$8,891 to complete reimbursement to State for previous years' overpayment.

<sup>3</sup> San Joaquin County's entitlement payment was reduced by \$4,636.80 to reimburse State for previous years' overpayment.

<sup>4</sup> Tuolumne County's entitlement payment was reduced by \$5,633.55 to partially reimburse State for previous years' overpayment.

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**Table A 4b. Williamson Act Acreage Eligible for Subvention Entitlement in FY 1993-94 and Paid Entitlement Amount**

COUNTY	Urban Prime \$5/acre <sup>5</sup>	Other Prime \$5/acre <sup>5</sup>	Open Space \$1/acre <sup>5</sup>	Total number of eligible acres	Paid Entitlement
Alameda	3,558	6,559	113,316	123,433	\$163,901
Amador	0	4,388	85,148	89,536	\$107,088
Butte	11,925	69,745	101,837	183,507	\$510,187
Calaveras	0	13,541	111,587	125,128	\$179,292
Colusa	0	10,345	175,482	185,827	\$227,207
Contra Costa	1,958	5,417	38,123	45,498	\$74,998
El Dorado	0	1,645	37,885	39,530	\$46,110
Fresno	49,652	1,027,887	482,792	1,560,331	\$5,870,487
Glenn	0	73,814	244,808	318,622	\$613,878
Humboldt	76	3,702	191,156	194,934	\$210,046
Kern	37,780	822,474	764,235	1,624,489	\$5,065,505
Kings	38,180	369,517	118,700	526,397	\$2,157,185
Lake	0	5,552	42,780	48,332	\$70,540
Lassen	0	25,968	262,125	288,093	\$391,965
Los Angeles <sup>1</sup>	0	0	0	0	\$40,052
Madera	19,933	187,659	290,029	497,621	\$1,327,989
Marin	2,628	8,683	81,405	92,716	\$137,960
Mariposa	0	0	179,292	179,292	\$179,292
Mendocino	0	28,808	423,352	452,160	\$567,392
Monterey	2,807	49,974	622,540	675,321	\$886,445
Napa	3,106	4,006	44,132	51,244	\$79,692
Nevada	0	3,340	0	3,340	\$16,700
Orange	10	630	12,399	13,039	\$15,599
Placer	437	13,353	29,395	43,185	\$98,345
Plumas	0	7,113	69,326	76,439	\$104,891
Riverside	2,743	39,763	5,728	48,234	\$218,258
Sacramento	5,856	88,151	91,890	185,897	\$561,925
San Benito	4,062	43,418	515,490	562,970	\$752,890
San Bernardino	5,780	2,446	6,054	14,280	\$47,184
San Diego	1,686	4,174	87,681	93,541	\$116,981
San Joaquin	118,678	247,284	151,209	517,171	\$1,981,019
San Luis Obispo	5,439	66,422	665,621	737,482	\$1,024,926
San Mateo	209	2,742	43,573	46,524	\$58,328
Santa Barbara	23,120	33,516	465,964	522,600	\$749,144
Santa Clara	9,026	2,352	327,661	339,039	\$384,551
Santa Cruz	1,150	1,148	17,773	20,071	\$29,263
Shasta	305	14,047	139,747	154,099	\$211,507
Sierra	0	1,953	34,831	36,784	\$44,596
Siskiyou	0	87,348	294,391	381,739	\$731,131
Solano	24,739	88,307	136,911	249,957	\$702,141
Sonoma	4,759	24,293	247,241	276,293	\$392,501
Stanislaus	79,170	200,071	379,857	659,098	\$1,776,062
Tehama	0	47,307	740,079	787,386	\$976,614
Trinity	0	0	22,268	22,268	\$22,268
Tulare <sup>2</sup>	0	550,277	504,057	1,054,334	\$3,252,072
Tuolumne <sup>3</sup>	0	0	112,410	112,410	\$106,776
Ventura	27,253	14,393	77,138	118,784	\$285,368
Yolo	<u>66,366</u>	<u>192,025</u>	<u>159,459</u>	<u>417,850</u>	<u>\$1,451,414</u>
<b>County Totals</b>	<b>552,391</b>	<b>4,495,557</b>	<b>9,748,877</b>	<b>14,796,825</b>	<b>35,019,665</b>

**Table A 4b. Williamson Act Acreage Eligible for Subvention Entitlement in FY 1993-94 and Paid Entitlement Amount**

COUNTY	Urban Prime \$/acre <sup>5</sup>	Other Prime \$/acre <sup>5</sup>	Open Space \$/acre <sup>5</sup>	Total number of eligible acres	Paid Entitlement
Camarillo	122	0	15	137	\$625
Carlsbad	0	0	0	0	\$0
Coachella <sup>4</sup>	0	0	0	0	\$0
Corona	11	0	0	11	\$55
Fremont	100	0	3,987	4,087	\$4,487
Hayward	0	0	369	369	\$369
Menlo Park	0	0	1,992	1,992	\$1,992
Newark	211	0	3,059	3,270	\$4,114
Oceanside	307	0	25	332	\$1,560
Oxnard	0	0	0	0	\$0
Palo Alto	149	0	317	466	\$1,062
Perris	810	0	0	810	\$4,050
Redlands	211	0	0	211	\$1,055
Sacramento	0	0	0	0	\$0
San Jose	161	318	4,604	5,083	\$6,999
Saratoga	30	0	75	105	\$225
Thousand Oaks	0	0	110	110	\$110
<b>City Totals</b>	<b>2,112</b>	<b>318</b>	<b>14,553</b>	<b>16,983</b>	<b>\$26,703</b>
<b>County Totals</b>	<b>552,391</b>	<b>4,495,557</b>	<b>9,748,877</b>	<b>14,796,825</b>	<b>35,019,665</b>
<b>Grand Total</b>	<b>554,503</b>	<b>4,495,875</b>	<b>9,763,430</b>	<b>14,813,808</b>	<b>35,046,368</b>

<sup>1</sup> Los Angeles County does not participate in the Williamson Act Program, but does receive subvention payments for 40,052 acres of open space which are under Open Space easements pursuant to the Open Space Easement Act of 1969.

<sup>2</sup> Tulare County's entitlement was reduced by \$3,370.00 to reimburse the State for previous years' overpayment.

<sup>3</sup> Tuolumne County's entitlement was reduced by \$5,633.55 to partially reimburse the State for previous years' overpayment.

<sup>4</sup> The City of Coachella did not submit a subvention application prior to the deadline for this report.

<sup>5</sup> Per acre subvention payment rates were revised by the Legislature beginning with the 1993-94 entitlement. Previous rates were: \$8.00 and \$5.00 per acre for the two former categories of "urban prime", \$1.00 per acre for "other prime", and \$0.40 per acre for "open space".

**Table A 5. Williamson Act Acres Not Eligible for Subvention Payment**  
 March 1992 - March 1993

COUNTY	Cumulative Nonrenewals				Proposition 13 Lower Values (1)			
	Urban Prime	Other Prime	Open Space	Total	Urban Prime	Other Prime	Open Space	Total
Alameda	2,449	2,028	14,088	18,565	34	2,088	14,050	16,172
Amador	0	90	4,718	4,808	0	0	0	0
Butte	206	939	4,329	5,474	1,220	22,679	127	24,026
Calaveras	0	0	8,834	8,834	0	0	0	0
Colusa	0	0	14,965	14,965	0	0	0	0
Contra Costa	745	2,369	12,483	15,597	0	2,726	1,704	4,430
El Dorado	0	514	7,800	8,314	0	0	0	0
Fresno	4,047	1,784	2,404	8,235	231	9,742	267	10,240
Glenn	0	367	681	1,048	0	852	2,121	2,973
Humboldt	0	75	2,060	2,135	0	0	0	0
Kern	14,112	61,845	20,069	96,026	491	6,574	4,863	11,928
Kings	274	792	1,508	2,574	1,617	149,063	4,453	155,133
Lake	0	21	384	405	0	312	3	315
Lassen	0	0	0	0	0	0	0	0
Los Angeles	0	0	0	0	0	0	0	0
Madera	3,489	11,880	9,862	25,231	5,782	21,908	5,720	33,410
Marin	10	0	1,051	1,061	0	0	0	0
Mariposa	0	0	329	329	0	0	247	247
Mendocino	0	871	21,081	21,952	0	0	0	0
Monterey	576	1,066	8,315	9,957	467	11,310	1,806	13,583
Napa	115	132	354	601	2,499	4,677	2,988	10,164
Nevada	0	1,956	0	1,956	0	0	0	0
Orange	2,659	299	27,089	30,047	0	0	0	0
Placer	1,061	9,531	17,549	28,141	0	0	0	0
Plumas	0	6	5,758	5,764	0	0	0	0
Riverside	4,111	16,946	3,327	24,384	0	1,386	11	1,397
Sacramento	3,964	11,886	29,649	45,499	0	0	0	0
San Benito	3,436	2,721	12,800	18,957	1,409	638	69	2,116
San Bernardino	3,451	206	3,078	6,735	0	0	0	0
San Diego	1,078	6,813	2,902	10,793	0	0	0	0
San Joaquin	13,394	8,253	4,916	26,563	1,290	3,872	12,212	17,374
San Luis Obispo	2,175	2,997	17,144	22,316	0	0	0	0
San Mateo	0	0	181	181	0	0	0	0
Santa Barbara	896	1,376	4,843	7,115	7,751	1,354	933	10,038
Santa Clara	2,829	308	21,310	24,447	0	0	0	0
Santa Cruz	0	65	122	187	143	433	1,202	1,778
Shasta	98	152	2,083	2,333	0	0	0	0
Sierra	0	0	1,071	1,071	0	0	0	0
Siskiyou	0	133	667	800	0	0	0	0
Solano	5,854	2,902	12,925	21,681	483	1,074	1,364	2,921
Sonoma	481	975	9,695	11,151	19	0	348	367
Stanislaus	3,701	16,016	30,442	50,159	116	1,949	324	2,389
Tehama	0	920	9,271	10,191	0	4,498	1,431	5,929
Trinity	0	0	0	0	0	0	0	0
Tulare	0	3,235	6,692	9,927	0	54,991	5,267	60,258
Tuolumne	0	0	12,020	12,020	0	0	0	0
Ventura	6,718	1,189	20,989	28,896	0	0	0	0
Yolo	11,694	11,369	21,142	44,205	5,058	6,983	3,527	15,568
<b>County Totals</b>	<b>93,623</b>	<b>185,027</b>	<b>412,980</b>	<b>691,630</b>	<b>28,610</b>	<b>309,109</b>	<b>65,037</b>	<b>402,756</b>

**Table A 5. Williamson Act Acres Not Eligible for Subvention Payment**  
**March 1992 - March 1993**

CITY	Cumulative Nonrenewals				Proposition 13 Lower Values (1)			
	Urban Prime	Other Prime	Open Space	Total	Urban Prime	Other Prime	Open Space	Total
Camarillo	485	0	0	485	0	0	0	0
Carlsbad	323	0	20	343	0	0	0	0
Coachella	366	0	0	366	0	0	0	0
Corona	58	0	0	58	36	0	0	36
Fremont	396	0	990	1,386	0	0	0	0
Hayward	0	0	1,989	1,989	0	0	0	0
Menlo Park	0	0	0	0	0	0	0	0
Newark	64	0	0	64	0	0	0	0
Oceanside	349	0	47	396	0	0	0	0
Oxnard	0	0	0	0	0	0	0	0
Palo Alto	0	0	0	0	0	0	0	0
Perris	0	0	0	0	0	0	0	0
Redlands	78	0	0	78	0	0	0	0
Roseville	0	0	475	475	0	0	0	0
Sacramento	1,249	0	62	1,311	0	0	0	0
San Jose	142	0	490	632	0	0	0	0
Saratoga	0	0	111	111	0	0	0	0
Thousand Oaks	0	0	188	188	0	0	0	0
<b>City Totals</b>	<b>3,510</b>	<b>0</b>	<b>4,372</b>	<b>7,882</b>	<b>36</b>	<b>0</b>	<b>0</b>	<b>36</b>
<b>County Totals</b>	<b>93,623</b>	<b>185,027</b>	<b>412,980</b>	<b>691,630</b>	<b>28,610</b>	<b>309,109</b>	<b>65,037</b>	<b>402,756</b>
<b>Grand Totals</b>	<b>97,133</b>	<b>185,027</b>	<b>417,352</b>	<b>699,512</b>	<b>28,646</b>	<b>309,109</b>	<b>65,037</b>	<b>402,792</b>

(1) Proposition 13 Lower Values : acreage valued less under Proposition 13 (unrestricted base-year valuation) than under the Williamson Act.  
 The amount varies from year to year.

Note: Los Angeles County no longer reports acreage under Williamson Act. Subvented acreage is under Open Space Easements pursuant to the Open Space Easement Act of 1969.

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**Table A-6 Prime Williamson Act Acres By Region**  
**March 1992 - March 1993**

	Prime Acres	% of Total County WA Acreage	% of Total Prime Statewide
<b>San Joaquin Valley Region</b>			
Fresno	1,093,343	69.25%	19.30%
Kern	940,507	54.47%	16.60%
Kings	559,443	81.78%	9.88%
Madera	250,517	45.00%	4.42%
San Joaquin	392,771	70.00%	6.93%
Stanislaus	301,023	42.30%	5.31%
Tulare	<u>608,503</u>	<u>54.11%</u>	<u>10.74%</u>
<b>Total</b>	<b>4,146,107</b>	<b>59.71%</b>	<b>73.20%</b>
<b>South Coast / Desert Region</b>			
Los Angeles	0	0.00%	0.00%
Orange	3,598	8.35%	0.06%
Riverside	65,035	87.75%	1.15%
Santa Barbara	68,013	12.60%	1.20%
San Bernardino	11,883	56.55%	0.21%
San Diego	16,435	15.33%	0.29%
Ventura	<u>49,553</u>	<u>33.55%</u>	<u>0.87%</u>
<b>Total</b>	<b>214,517</b>	<b>22.05%</b>	<b>3.79%</b>
<b>Foothill / Central Sierra Region</b>			
Amador	4,478	4.75%	0.08%
Calaveras	13,541	10.11%	0.24%
El Dorado	2,159	4.49%	0.04%
Mariposa	0	0.00%	0.00%
Nevada	5,296	100.00%	0.09%
Placer	24,137	33.96%	0.43%
Plumas	7,119	8.66%	0.13%
Sierra	1,953	5.16%	0.03%
Tuolumne	<u>0</u>	<u>0.00%</u>	<u>0.00%</u>
<b>Total</b>	<b>58,683</b>	<b>7.55%</b>	<b>1.04%</b>
<b>Central Coast Region</b>			
Alameda	16,717	10.57%	0.30%
Contra Costa	13,215	20.17%	0.23%
Marin	11,321	12.07%	0.20%
Monterey	66,200	9.47%	1.17%
Napa	14,522	23.42%	0.26%
San Benito	55,684	9.53%	0.98%
Santa Clara	14,514	3.99%	0.26%
Santa Cruz	2,939	13.34%	0.05%
San Luis Obispo	77,467	10.19%	1.37%
San Mateo	2,951	6.32%	0.05%
Sonoma	<u>30,527</u>	<u>10.61%</u>	<u>0.54%</u>
<b>Total</b>	<b>306,057</b>	<b>9.77%</b>	<b>5.40%</b>

**Table A-6 Prime Williamson Act Acres By Region**  
**March 1992 - March 1993**

	<b>Prime Acres</b>	<b>% of Total County WA Acreage</b>	<b>% of Total Prime Statewide</b>
<b>Sacramento Valley Region</b>			
Butte	106,711	50.10%	1.88%
Colusa	10,345	5.15%	0.18%
Glenn	75,033	23.28%	1.32%
Sacramento	109,857	47.48%	1.94%
Solano	123,359	44.93%	2.18%
Tehama	52,725	6.56%	0.93%
Yolo	<u>293,495</u>	<u>61.45%</u>	<u>5.18%</u>
<b>Total</b>	<b>771,525</b>	<b>30.58%</b>	<b>13.62%</b>
<b>Mountain / North Coast Region</b>			
Humboldt	3,853	1.96%	0.07%
Lake	5,885	12.00%	0.10%
Lassen	25,968	9.01%	0.46%
Mendocino	29,679	6.26%	0.52%
Shasta	14,602	9.33%	0.26%
Siskiyou	87,481	22.87%	1.54%
Trinity	<u>0</u>	<u>0.00%</u>	<u>0.00%</u>
<b>Total</b>	<b>167,468</b>	<b>10.67%</b>	<b>2.96%</b>

Note: Los Angeles County no longer reports acreage under Williamson Act

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## APPENDIX B

# HOW THE WILLIAMSON ACT PROGRAM WORKS

At the heart of the Program is the relationship between the landowner and the county or city government. They are joined together in a contract in which each agrees to give up specific benefits in return for mutual gain. The landowner forgoes the possibility of development, or conversion of property into non-agriculture or non-open space uses during the term of the contract, in return for lower property taxes. The local government forgoes a portion of its property tax revenues in return for the planning and land use advantages implicit in retaining rural land in agricultural or other open space use.

Both the local government and the landowner are voluntary participants. Whether or not to have a Williamson Act Program in the first place is a decision for the county board of supervisors or the city council. Once a Program is in place in a given community, agriculture landowners have the option to enroll or not to enroll.

Generally it is easier to enroll land into the Williamson Act than to withdraw it from contractual agreement. State law (Government Code Chapter 7, Revenue and Taxation Code Sections 421 through 530.5) specifies the requirements and procedures for these and other aspects of the Program. Following is an expanded description of the major features of the Program.

## GETTING INTO THE PROGRAM

An interested landowner files an application for a Williamson Act contract with a county or city government, usually with the planning department. Assuming the parcel is eligible (see below) the application is routinely processed and approved. The contract signed by the landowner and the local government has an initial term of 10 years with renewal occurring automatically each year. (County governments can establish initial contract terms for longer periods of time; at least two use 20-year terms.) Since a contract is

attached to the land it is not affected by the transfer of parcel ownership.

## ELIGIBILITY

All agricultural acreage in California -- whether devoted to crops or grazing animals -- is eligible for Williamson Act coverage. Contracts can also be extended to non-agriculture "open space" lands a category which includes scenic highway corridors, wildlife habitats, wetlands, salt ponds, and recreational lands.

The other major statewide eligibility requirements concern location within an agriculture preserve (see below) and minimum parcel size. With the intention of keeping Williamson Act parcels large enough to maintain agriculture operations state policy now calls for a 10-acre minimum for prime land and 40 acres for non-prime acreage. Local governments can and do impose additional requirements on the acceptance and retention of contracts including larger minimum parcel sizes and other standards for the agriculture use of properties.

## LAND CLASSIFICATIONS

Participating acreage is classified into three land use categories: urban prime, other prime, and non-prime. While these classifications have no bearing on contract eligibility, until Fiscal Year 1993-94 they were the basis for the allocation of state subventions to local governments with Williamson Act parcels. (In 1993, legislation was enacted to eliminate the urban prime categories. Beginning with the 1993-94 Fiscal Year only the prime and non-prime categories remain with urban prime now included in the prime category (see section VII). More generally the classifications provide a means for tracking trends in the Program's acreage. The prime/non-prime

difference is a standard distinction based on the relative capability of a parcel for growing crops and supporting grazing animals. The urban prime category (still used by the Department of Conservation for Program data analysis) includes parcels located within three miles of certain size cities. Specifically, the statutory definitions of these land use categories are:

Prime Agricultural Land means any of the following:

- All land which qualifies for rating as class I or class II in the United States Department of Agriculture's Soil Conservation Service Land Capability Classification system;
- Land which qualifies for rating 80 through 100 in the Store Index Rating;
- Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture;
- Land planted with fruit-or nut-bearing trees, vines, bushes or crops which have a non bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre; and,
- Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars (\$200) per acre for three of the previous five years.

Urban Prime Agricultural Land (as formerly defined in the Open Space Subvention Act) is Prime Agricultural Land as defined above which is either:

1. Within, or within three miles of the boundaries of, each incorporated city with a population of 25,000 or more as annually

determined by the Department of Finance; or,

2. either (a) within each incorporated city with a population of 15,000 or more and less than 25,000 as annually determined by the Department of Finance, or (b) within three miles of the boundaries of an incorporated city with a population of 15,000 or more, as annually determined by the Department of Finance, in any county not qualifying for a payment as provided for in (1), above. If more than one city with a population of 15,000 or more and less than 25,000 lies within a county, the county shall determine the city which is to be used in calculating the payment.

Open Space of Statewide Significance (normally referred to as non prime agricultural land) is either:

- Land which could be developed as prime agricultural land (e.g., land, if irrigated, which would qualify as prime by the above definition); or
- Land which is open-space as defined by an approved local general plan open space element, and which constitutes a resource whose preservation is of more than local importance for ecological, economic, educational, or other purposes. The Secretary of the Resources Agency is the final judge of whether the land is in fact devoted to open-space of statewide significance.

## **AGRICULTURAL PRESERVES**

Location within an agriculture preserve is a major requirement for the enrollment and retention of Williamson Act parcels. Either the preserve already exists or is created anew by the local government at the time the contract is approved. With a minimum size of 100 acres (or more according to local government standards), a single preserve may contain more than one contracted parcel as well as non-contracted land. The preserve requirement is intended to serve a planning and land use purpose -- to concentrate

participating parcels in areas reserved for agriculture and thus protect them from other uses. Many counties have supported this objective by making exclusive or other agriculture zoning which is at least as restrictive as the Act, coincide with the preserves.

## PREFERENTIAL ASSESSMENT

For property tax purposes, Williamson Act parcels are assessed according to the income produced by the land, not according to the market value approach (adjusted since 1979 according to Proposition 13 restrictions) employed for most other types of property in California. Specifically, county assessors use an income capitalization method to determine the value of contracted land. This method takes into account a standard interest rate, a risk factor, and the property tax rate, as well as net income. Preferential assessment in this manner requires the assessors to ignore comparable sales data (now adjusted according to a base year) as the basis for valuing Williamson Act property.

In nearly all cases, the income capitalization approach produces a lower assessed valuation for a parcel -- and hence a smaller property tax payment -- than an assessment that takes account of market value. For some contracted parcels, however, the Williamson Act value is higher than the updated base year value required under Proposition 13. Since 1979 assessors have been required to apply the lower of the two assessments.

## GETTING OUT OF THE PROGRAM

Terminating a contract is more complex than enrolling in one. The 10-year contracts are automatically renewed every year. To stop this process and get out of the Program requires deliberate action on the part of either or both parties to the contract -- the landowner or the local government.

The four methods for removing a parcel from Williamson Act coverage are: (1) nonrenewal; (2) cancellation; (3) city annexation under certain conditions; and (4) eminent domain. Most terminations are accomplished through nonrenewal although eminent domain has increased in recent years.

### *Nonrenewal*

Either party to the contract -- the landowner or the local government -- can initiate such an action by filing a notice of nonrenewal. The notice puts into effect a 9-year phase-out of the contract over its remaining life. Conversion of the land to a non-agriculture use is delayed until the end of the phase-out, while the assessment is gradually increased from the Williamson Act use value level to full market value. The state subvention entitlement for the acreage represented by a nonrenewed parcel ceases at the time notice is given.

### *Cancellation*

State law limits the use of the cancellation method. It is to be used only for "extraordinary" circumstances according to the California Supreme Court. As compared to the phase-out of a nonrenewal, a cancellation results in immediate termination of a contract. Only the landowner can apply for a cancellation, and only the governing board of a local government -- county board of supervisors or city council -- can approve such a request. To do so the board has to conduct a hearing on the request and make certain findings. The board has to find that a specific cancellation would either be (1) consistent with the intent of the Williamson Act or would be (2) in the public interest. To make the "consistency" finding the county or city must find that:

- contract nonrenewal has been initiated;
- an alternative use is specified which is consistent with local general plan;

- the removal of adjacent lands from agriculture is not likely to result;
- discontinuous urban development will not result; and,
- there is no nearby non-contracted land available or suitable for the proposed alternative use.

To make the public interest finding, the city or county must further find that:

- other public concerns substantially outweigh the objectives of the Act; and,
- there is no proximate non contracted land which is available and suitable for the use proposed. An exception to this sub finding, as well as sub finding 5, above, would be if the development of the contracted land would provide more contiguous patterns of urban development than the development of the proximate non contracted land.

A landowner with an approved cancellation pays a penalty equal to 12.5% of the current market value of the land. Penalty payments go into the State's General Fund. Cancellations undergo a two-step process in which a tentative approval by a governing board is followed within a year by a final approval. The one-year interval allows for obtaining the necessary permits for the alternative use. Without such permits and the payment of the penalty the final approval is denied. (State review and approval is not required for processing a cancellation, as is required for removal of parcels from the Timber Production Zone Program, a forest land program similar to the Williamson Act.)

### ***City Protest and Annexation***

Under certain circumstances annexation of a Williamson Act parcel by a city automatically results in a termination of the contract without penalty. This applies to a parcel which, at the time of enrollment in the Program, was located

within one mile of the city's boundary and which had been protested by the city prior to the contract's consummation. Contracts on other parcels continue in force at the time of annexation. Since January 1, 1991 new city protests of contracts have not been possible because of an amendment to the Williamson Act.

### ***Eminent Domain***

Contracts are also terminated when parcels are acquired by state or local government agencies for public improvements. Removal from Williamson Act and agriculture preserve status is immediate, either for all or part of a parcel, depending on how much of the land is taken for the public purpose. State law attempts to limit such removals by denying the location of public improvements in agriculture preserves based primarily on lower land costs and if other non-contracted lands provide feasible locations.

### **STATE SUBVENTIONS**

In partial compensation for the foregone property tax revenues resulting from reduced assessments on contracted lands the state annually pays a subvention to all participating counties and cities. Funds are allocated according to the acreage in prime and non-prime classifications. The payments are based on annual reports of enrolled acreage filed with the state Department of Conservation by local governments.

Since 1976, and up until the 1993-94 state fiscal year, Open Space Subvention entitlement rates have been fixed at:

- five dollars (\$5) to eight dollars (\$8) per acre for prime agriculture land within three miles of incorporated cities of specified sizes ("urban prime");
- one dollar (\$1) per acre for all other prime agriculture land; and,

- forty cents (\$0.40) per acre for all other agriculture land, or land which is devoted to open-space uses of statewide significance ("non prime").

Beginning with the 1993-94 fiscal year Open Space Subvention entitlement rates have been fixed at:

- five dollars (\$5) for prime agricultural land; and,
- one dollar (\$1) for open-space lands of statewide significance ("non prime").

See Section VII of this Report for information on the recent legislated change in the subvention formula. Counties and cities do not receive subventions for land under contract which is undergoing nonrenewal, or whose value is as high, or higher, under the Williamson Act than it would be if it were unrestricted by contract.

**APPENDIX C**

**DEPARTMENT OF CONSERVATION  
PUBLICATIONS**

# PUBLICATIONS FROM THE DEPARTMENT OF CONSERVATION

## THE WILLIAMSON ACT

**The Williamson Act After Proposition 13: Still a Bargain.** August 1983, 9 pp.  
(Publication No. WA 83-01)

**Williamson Act Task Force. Consensus for Action: An Interim Report to the Secretary for Resources.** 1986. 28 pp. (Publication No. WA 86-01)

**The Williamson Act: A Short Review.** 1988. 15 pp (Publication No. WA 88-01A)

**Land In the Balance: Williamson Act Costs, Benefits and Options. Executive Summary.** Prepared by the University of California. December 1989. 19 pp.

**Land In the Balance: Williamson Act Costs, Benefits and Options. Part I - An Analysis of Foregone Revenues, Subvention Options, Landowner Benefits, Perceptions and Local Administration.** Prepared by the University of California. December 1989. 198 pp.

**Land In the Balance: Williamson Act Costs, Benefits and Options. Part II - Preserving Agricultural Land in California: A Short History of the Williamson Act.** Prepared by the University of California. December 1989. 54 pp.

**The Williamson Act: 25 Years of Land Conservation.** Commemorative Document. December 1990. 44 pp.

**The Williamson Act: Protecting Our Land Resources.** A three-fold informational brochure. 1991.

**Steps in the Williamson Act Contract Cancellation Process.** 3 pp.

**Open Space Subvention Entitlement Reports to the Controller.** Fiscal Years 1972-73 to present. 3 pp.

**Annual Williamson Act Status Reports.** 1988-89 to present.

**California Code of Regulations (Subvention Entitlements), Sections 14100 to 14118. Provisions Relating to the California Land Conservation Act of 1965 (Williamson Act). Sections 51200-51295 of the California Government Code.**

**Open Space Subvention Act.** Sections 16140-16154 of the California Government Code.

**Valuation of Open-Space Land Subject to an Enforceable Restriction.** Sections 421 to 430.5 of the California Revenue and Taxation Code.

**Williamson Act Nonrenewals in Yolo County: Geographical Patterns and Landowner Motivations: A Report Prepared for the California Department of Conservation.** April, 1993. Sokolow, Alvin D. and Bezerra, Ryan, Department of Applied Behavioral Sciences, Cooperative Extension, University of California, Davis.

## RELATED PUBLICATIONS

**Conserving the Wealth of the Land: A Plan for Soil Conservation.** Soil Conservation Advisory Committee. September 1987. 83 pp. (Publication No. S-87-01).

**Taking Action: Recommendations for Implementing the Soil Conservation Plan.** Soil Conservation Committee. October 1990. 50 pp. (Publication No. S-90-01).

**Resource Conservation District Sourcebook.**  
November, 1993. California Department of  
Conservation.

**The Impacts of Farmland Conversion in  
California.** Department of Conservation by Jones  
& Stokes Associates, Inc. August 1990. 111 pp.

**Farmland Conversion Report: 1984 to 1986**  
**Farmland Conversion Report: 1986 to 1988**  
**Farmland Conversion Report: 1988 to 1990**  
**Farmland Conversion Report: 1990 to 1992**

Biennial Statistical Reports and maps of Important Farmland changes for 45 counties are available at cost. Produced by the Farmland Mapping and Monitoring Program, Office of Land Conservation, Department of Conservation.

**A Guide to the Farmland Mapping and Monitoring Program.** 23 pp. (Publication Number FM92-02)

**Publications are available at cost from:**

**The Department of Conservation**  
**Office of Land Conservation**  
801 K Street, MS 13-71  
Sacramento, CA 95814  
Phone: 916-324-0859