

DEPARTMENT: Planning

BY: Alvaro Arias, Assoc. Planner  
PHONE: 742-1218

**RECOMMENDED ACTION AND JUSTIFICATION:**

Resolution approving Land Conservation Act Application No. 2011-079 with findings and conditions, approving the execution of four new Land Conservation (Williamson) Act contracts with Philomene Schultz for 761.07 acres Located at 5256 & 5437 Indian Gulch Road in Catheys Valley; APNs 016-090-021, 016-090-024, 016-090-043, 016-090-049, and 016-090-089.

Justification is provided in the Staff Report, Attachment A.

Action is based upon the recommendations of the Planning Commission and the Agricultural Advisory Committee.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

All of the parcels were previously under Land Conservation Act Contract Nos. 88-4 and 84-2. Notices of Non-Renewal were filed in 2006 for these contracts.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Deny creation of the Agricultural Preserve; modify conditions of the Agricultural Preserve.

Contract must be executed and recorded prior to 5:00 p.m. on Friday, December 30, 2011 in order for tax advantages to be effective for the 2012 tax year.

Financial Impact? ( ) Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____	Attachments: _____	
Additional Funding Needed: \$ _____	A. Staff Report to Board of Supervisors	
Source: _____	(see page 6 of Staff Report for additional	
	attachements) _____	
Internal Transfer _____	_____	
Unanticipated Revenue _____ 4/5's vote	_____	
Transfer Between Funds _____ 4/5's vote	_____	
Contingency _____ 4/5's vote	_____	
( ) General ( ) Other _____	_____	

**CLERK'S USE ONLY:**

Res. No.: 11-571 Ord. No. \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Approved  
Minute Order Attached ( ) No Action Necessary

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

CAO: 



# COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JIM ALLEN, CHAIR  
JANET BIBBY, VICE-CHAIR  
LEE STETSON  
LYLE TURPIN  
KEVIN CANN

DISTRICT V  
DISTRICT III  
DISTRICT I  
DISTRICT II  
DISTRICT IV



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: KRIS SCHENK, Planning Director

FROM: MARGIE WILLIAMS, Clerk of the Board *mm*

SUBJECT: PUBLIC HEARING to Consider Land Conservation Act Application No. 2011-079. Action Includes Adopting a Resolution Approving Land Conservation Act Application No. 2011-079 with Findings and Conditions, Approving Execution of Four New Land Conservation (Williamson) Act Contracts with Philomene Schultz for 761.07 Acres Located at 5256 and 5437 Indian Gulch Road in Catheys Valley; APNs 016-090-021, 016-090-024, 016-090-043, 016-090-049, and 016-090-089

RES. 11-571

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on November 22, 2011

#### ACTION AND VOTE:

- 10 **Planning**  
PUBLIC HEARING to Consider Land Conservation Act Application No. 2011-079. Action Includes Adopting a Resolution Approving Land Conservation Act Application No. 2011-079 with Findings and Conditions, Approving Execution of Four New Land Conservation (Williamson) Act Contracts with Philomene Schultz for 761.07 Acres Located at 5256 and 5437 Indian Gulch Road in Catheys Valley; APNs 016-090-021, 016-090-024, 016-090-043, 016-090-049, and 016-090-089
- BOARD ACTION:** Kris Schenk and Sarah Williams were present for the hearing to respond to questions. Alvaro Arias presented the staff report and he advised that the parcels were previously under Land Conservation Act Contract, Notices of Non-Renewal were filed in 2006, and this request is to place the parcels back under contract. He advised that one of the parcels does not meet the minimum parcel size and the recommended action will require that it be managed with a contiguous parcel for the life of the Contract. Staff responded to questions from the Board relative to managing the smaller parcel with another parcel; current agricultural operation of the land; as to whether the Agricultural Advisory Committee made a recommendation of recovering the loss of the property tax revenue; relative to the cost for this application and the applicant's fee; timeframes and process for determining which parcel will be managed with the smaller parcel; and relative to reporting requirements when a Notice of Non-Renewal is filed. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Turpin, (S)Bibby, Res. 11- 571 was adopted

approving Land Conservation Act Application No. 2011-079 with the recommended findings and conditions, and approving the execution of four new Land Conservation Act contracts as recommended. Supervisor Cann initiated discussion relative to the County not being able to recover the loss of property tax revenue when the Land Conservation Act Contracts are approved; and he stated he feels that the Board needs to have a discussion of whether to place a moratorium on additional applications. Ayes: Unanimous. The hearing was closed.

Cc: File