



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: November 3, 2015

Subject: Williamson Act Contract AP15-0002 / Coelho Machado Family Limited Partnership

RECOMMENDATION(S):

1. FIND the proposed actions are consistent with the Williamson Act and the County's Williamson Act Program.
2. FIND the proposed actions are categorically exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15317, Class 17 and Section 15061 (b) (3).
3. ADOPT Resolution No. 2015/327 to APPROVE Land Conservation Contract AP15-0002 on APNs 003-150-004, 003-160-006 and 003-160-007.
4. AUTHORIZE the Chair to execute Land Conservation Contract AP15-0002.
5. DIRECT the Department of Conservation and Development to record the Land Conservation Contract with the County Clerk Recorder and forward a copy to the California Department of Conservation, and the County Assessor's Office.
6. DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption for this project.

FISCAL IMPACT:

None. The costs to review and process this application are borne by the Applicant.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/03/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 3, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Chris Heck, Deputy

Contact: John Osborne /
674-7793

cc:

BACKGROUND:

Coelho and Machado Family Limited Partnership (Owners) own approximately 596 acres of land comprised of three parcels on Vasco Road in the Byron area, Assessor's Parcel Numbers 003-150-004, 003-160-006 and 003-160-007 (Property). They have applied to encumber the Property by a Land Conservation Contract. The Property was previously contracted under Land Conservation Contract 9-74 but the Owner took it out of the Williamson Act Program. The Owners now wish to place the Property back under a Williamson Act Contract (AP15-0002).

The Williamson Act Program (Government Code Sections 51200 et. seq.) through Land Conservation Contracts, restricts land uses and structures on property under the contract. Under the Williamson Act, property that was subject to a Williamson Act Contract, but is no longer, may again be encumbered by a new Land Conservation Contract by mutual agreement between the County and the land owner, provided that the land complies with the current requirements of the Williamson Act and the County's Williamson Act Program. The Property, which comprises three parcels (average parcel size 193 acres) complies with the current requirements of the Williamson Act and the County's Williamson Act Program.

The Property is currently being used for grazing and the Owners intend to continue using the land for grazing. There are no structures on the Property and the Owner does not propose any structures. This contract would reflect the agricultural uses that are consistent with the County's Williamson Act Program and the County General Plan. The Property is zoned A-4, Agricultural Preserve District and the uses thereon are consistent with this zoning designation.

The actions associated with the establishment of a Land Conservation Contract under the Williamson are categorically exempt from environmental review under the California Environmental Quality Act (CEQA Regs, Section 15317, Class 17). Further, encumbering the Property under this new Land Conservation Contract would not cause a significant effect on the environment because it restricts uses on the Property and it can be seen with certainty that these restrictions will not have a significant effect on the environment (see CEQA Regs. 15061 (b) (3). 15317 (Class 17).

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the Williamson Act for these parcels the land would come out of the Williamson Act in February of 2016.

ATTACHMENTS

Resolution No. 2015/327

Exhibit A- Legal Description

Attachment B-Williamson Act Contract No. AP15-0002