

RESOLUTION NO. 23-165

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE WILDLANDS CONSERVANCY, APNs 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35 (A_2022-0005)

WHEREAS, the applicant, The Wildlands Conservancy, filed an application with the Mendocino County Department of Planning and Building Services to establish 3,864± acres of land as an Agricultural Preserve and incorporate such land into a Williamson Act contract, in the western Round Valley area adjacent to the Trinity County line, 13± miles northwest of Covelo, east of the Eel River, north of the North Fork Eel River, and west of Wilson Creek (no listed address), and which areas are described in Exhibit "A" (the "Project"); APN: 011-530-10, 031-010-01, -09, -13, -17, 031-020-06, -07, -08, 031-030-01, -02, -05, -06, 031-150-28, -29, -34, and -35; General Plan Rangeland (RL); Zoning Rangeland (R-L); Supervisorial District 3 & 4; and

WHEREAS, the Project has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a noticed public hearing on, August 3, 2023, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project; and

WHEREAS, at the Planning Commission hearing on August 3, 2023, all interested persons were given an opportunity to be heard regarding the Project, and the Planning Commission did hear and make its recommendation to the Board of Supervisors on the Project; and

WHEREAS, the Board of Supervisors upon receipt of the Planning Commission's report did schedule a noticed public hearing to consider the applicant's request for said agricultural preserve and contract; and

WHEREAS, said public hearing was duly held on the 26th day of September 2023, pursuant to proper notice and all evidence was received and the same fully considered; and

WHEREAS, Mendocino County has adopted Policies and Procedures for Agricultural Preserves and Williamson Act Contracts pursuant to Mendocino County Code section 22.08.010, which provide that no property shall be incorporated into an agricultural preserve and no application for a new Williamson Act contract shall be approved by the Board of Supervisors unless certain requirements are met; and

WHEREAS, the Board of Supervisors has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board of Supervisors regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors, based on the evidence in the record before it, makes the following findings:

1. General Plan and Zoning Consistency Findings

- a. The Project is consistent with the property's General Plan land use designation of Rangeland (RL) and with applicable goals and policies of the General Plan.

- b. The Project is consistent with the property's zoning district of Rangeland (R-L) and is in conformance with Mendocino County Code Chapter 20.060.

2. Environmental Finding

The Project is categorically exempt from CEQA review per 14 CCR Section 15317 (Class 17 *Open Space Contracts or Easements*).

3. Williamson Act and Agricultural Preserve Finding

The Project satisfies the eligibility requirement criteria set forth in Section 5.3 of the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts.

BE IT FURTHER RESOLVED that the lands described in Exhibit "A", attached hereto and incorporated herein by this reference, be entered into a new preserve and contract, in a form approved by the Mendocino County Counsel, and that the owner shall cause to be recorded with the County Recorder's Office a map, written legal description and contract for the preserve in accordance with the established procedures of the County Recorder's Office; and

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 501 Low Gap Road, Ukiah, CA 95482; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors shall transmit a certified copy of this resolution to the County Recorder of the County of Mendocino.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 26th day of September, 2023, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

GLENN MCGOURTY, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy

EXHIBIT A

(as described in Document No. 2021-17023, Mendocino County Records)

All that certain real property situated in the County of Mendocino, State of California, more particularly described as follows:

All that portion of the following described real property lying South of the Mendocino-Trinity County Line.

Lots 3, 4, 5, 8, 9, 11 and 12; the South half of the Southeast quarter and the Southwest and the Southwest quarter of Section 2; all of Section 3 comprising of Lots 1 to 12 inclusive and the South half of said Section 3; Lots 1, 2, 3, 4, 5, 6, 7, 10, 11 and 13; the East half of Lot 8; the East half of Lot 9; the East half of Lot 12, Lots 14 and 15; the Northeast quarter of the Southeast quarter of Section 4; all that portion of Lots 1 and 6 of Section 5, lying North and East of the center of the channel of the Eel River; Lot 1 of Section 9; Lot 1, 2, 3 and 4 of Section 10; Lots 1, 2, 3 and 4; the Northeast quarter and the North half of the Northwest quarter of Section 11; Lot 1, the North half of the Northwest quarter, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 12; Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Also the South half of the South half of the Southeast quarter of Section 36, Township 5 South, Range 6 East, Humboldt Meridian.

Also the South half of the South half of the South Half of Section 31; the South half of the South half of the South half of Section 32; the South half of the South half of the Southwest quarter of the Southeast quarter of Section 33, Township 5 South, Range 7 East, Humboldt Meridian.

Saving and excepting that portion thereof conveyed by George N. Merritt et ux to Northwestern Pacific Rail Road Company by deed recorded in Book 118 of Deeds, Page 119, Mendocino County Records.

Also the West half of Lot 8, Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian.

Excepting therefrom a piece or parcel of land situate, lying and being in Lot 8 of Section 4, Township 24 North, Range 14 West, Mount Diablo Base and Meridian, in an unincorporated area of Mendocino County, California, described as follows:

Beginning at a point in the Westerly line of said Section 4, said point of beginning also being the Southwest corner of said Lot 8; thence North along said Westerly line a distance of 825.00 feet; thence South 70° 00' 20" East, 280 feet; thence South 40° 00' East, 115 feet; thence South 7° 19' 20" East, 150.51 feet, thence South 35° 00' West, 360.00 feet; thence South 10° 00' West, 200.00 feet to a point on the Southerly line of said Lot 8, thence West along said Southerly line a distance of 115.00 feet to the point of beginning.

Excepting from the hereinabove described parcel of land, any portion thereof lying with the land described in the deed from Ramsey Land and Live Stock Company to Northwestern Pacific Railroad Company, recorded February 14, 1911 in Book 118 of deeds, Page 115, Mendocino County Records.

APN: 011-530-10
031-010-01, 09, 13, 17
031-020-06, 07, 08
031-030-01, 02, 05, 06
031-150-28, 29, 34, 35