

Date of Hearing: June 16, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE  
Robert Rivas, Chair  
SB 574 (Laird) – As Amended March 4, 2021

**SENATE VOTE:** 38-0

**SUBJECT:** Agricultural preserves: Williamson Act

**SUMMARY:** This bill narrows the role of the Department of Conservation (DOC) in administering the Williamson Act (Act). Specifically, **this bill:**

- 1) Repeals the ability of DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor.
- 2) Repeals the requirement that DOC approve cancellation of a farmland security contract.
- 3) Revises the requirement for local agencies that participate in the Act to provide maps of agricultural preserves to DOC to instead require them to provide GIS data files and extends the date by which local agencies must provide this information to DOC.
- 4) Revises and repeals various minor noticing and reporting requirements.
- 5) Requires DOC to provide information on all participating jurisdictions on its website annually, instead of annually compiling a report on one-third of the participating jurisdictions.
- 6) Narrows the types of information that DOC must report annually by repealing the requirement to list the number of nonrenewals and withdrawals and the number of acres covered by nonrenewals that were not withdrawn.
- 7) Makes other technical and conforming changes.

**EXISTING LAW:**

- 1) Creates the Williamson Act, also known as the California Land Conservation Act of 1965, which authorizes cities and counties to enter into agricultural land preservation contracts with landowners who agree to restrict the use of their land for a minimum of 10 years in exchange for lower assessed valuations for property tax purposes.
- 2) Creates Farmland Security Zones which authorizes cities and counties to allow agricultural land preservation contracts with landowners who agree to restrict the use of their land for a minimum of 20 years in exchange for lower-assessed valuations for property tax purposes. The lowered assessed value, under Farmland Security Zones, is greater than under the Williamson Act.
- 3) Provides three options for ending a Williamson Act contract:

- a) Either the landowner or local officials give "notice of nonrenewal," which stops the automatic annual renewals and allows the contract to run down over the next 10 years.
- b) Local officials can cancel a contract at the request of the landowner. To do so, local officials must make findings that cancellation is in the public interest and that cancellation is consistent with the purposes of the Williamson Act. The owner must pay a cancellation fee based on the "cancellation value" of the land. If the land under contract is covered by a Farmland Security Zone, DOC must approve the cancellation.
- c) Local officials cancel a Williamson Act contract, but the landowner simultaneously puts an agricultural conservation easement or open space easement on other land of equal or greater value.

**FISCAL EFFECT:** Unknown.

**COMMENTS:** The Act conserves agricultural and open space land by allowing private property owners to sign voluntary contracts with counties and cities, restricting their land to agriculture, open space, and other compatible uses. In return, county assessors must lower the assessed value of the contracted lands to reflect their use as agricultural or open space instead of the market value. Making sure that private property owners use their Act land appropriately is essential to maintaining the statute's constitutional integrity.

Approximately 16.6 million acres are under Act contracts. When the proposed 2003-04 budget wanted to save approximately \$39 million by ending the state subventions, the Legislative Analyst's Office recommended a 10-year phase-out. The Legislature's 2009-10 budget reduced the subventions to \$27.8 million. The subventions were essentially eliminated in the 2009-10 budget by cutting the appropriation to \$1,000. There were several attempts to restore this funding by the Legislature in the past decade, which were unsuccessful.

According to the author, this bill will eliminate some currently mandated administrative tasks and consultation requirements for both DOC and local jurisdictions, as it relates to the Act. This bill will strengthen local control of the Act implementation, reduce workload for counties, cities, and the state and improve the DOC's ability to support local planning departments and monitor statewide participation in the Act. Furthermore, this bill is consistent with the Cutting Green Tape initiative launched by Governor Newsom and Agency Secretary Crowfoot as it will improve efficiencies, cost-effectiveness, and streamlining, as well as eliminate State activities that are not impactful.

Supporters point out the State ended subvention payments to counties in 2010, and although it was expected that participating jurisdictions would reduce or eliminate the Act program without state financial support, this proved to be largely unfounded. The State's role has now shifted from an audit and oversight function to one that supports strong local implementation of the Act. This bill will eliminate some currently mandated DOC administrative tasks and consultation requirements that are nonessential in the operation of this locally implemented program. With consistent and accurate data reporting, a database of enrolled lands could be better used by statewide agencies in their land use planning to meet conservation, biodiversity, and climate goals.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

County of Kern  
Land Conservancy of San Luis Obispo; the  
Madera County  
Stanislaus; County of  
Tulare; County of

**Opposition**

None on file.

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