RECOMMENDED ACTION AND JUSTIFICATION:
Adopt a Resolution and authorize the Chairman of the Board of Supervisors to sign a letter opposing any proposal in the Governor’s 2008-09 State Budget to eliminate or reduce the Open Space Subvention Program. The Open Space Subvention Program, commonly known as the Williamson Act, was enacted in 1965. This voluntary program is administered by local governments and involves a 20-year annually renewing contract with individual landowners that restrict the land to agricultural or open space use. Landowners who enroll their land in contracts receive preferential taxation based on the actual use value of the land for agricultural purposes. The State provides subvention payments to participating counties as partial compensation for foregone revenues resulting from reduced property taxes paid on contracted land. Currently Mariposa receives approximately $180,000 in Williamson Act subvention payments, which helps to fund the General Fund.

If reductions were made or if the program was eliminated, then the Board will ultimately have to decide whether or not to renew the Williamson Act contracts, which will have a direct impact on the property taxes being paid the affected landowners, but most importantly will have long range effects on future land development issues. Currently approximately 20-percent of Mariposa County is in Williamson Act contracts.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has adopted resolutions in the past that support its stand on critical issues.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not adopt the Resolution or authorize the Chairman of the Board of Supervisors to sign the letter. Individual Board members may write their own letters opposing this action.

<table>
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<tr>
<th>Financial Impact?</th>
<th>Yes</th>
<th>No</th>
<th>Current FY Cost: $</th>
<th>Annual Recurring Cost: $</th>
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<tr>
<td>Budgeted In Current FY?</td>
<td>Yes</td>
<td>No</td>
<td>( ) Partially Funded</td>
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<td>Amount in Budget:</td>
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<td>Additional Funding Needed:</td>
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<td>Source:</td>
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<td>Internal Transfer</td>
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<td>Unanticipated Revenue</td>
<td>4/5’s vote</td>
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<td>Transfer Between Funds</td>
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<td>4/5’s vote</td>
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<tr>
<td>( ) General</td>
<td>( ) Other</td>
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CLERK’S USE ONLY:
Res. No.: 431
Ord. No.: 
Vote – Ayes: 5
Noes: 
Absent: 
Approved

{ } Minute Order Attached { } No Action Necessary

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

Revised Dec. 2002
MARIPOSA COUNTY RESOLUTION NO. 08- 431

OPPOSING ANY PROPOSAL IN THE GOVERNOR’S 2008-2009 STATE BUDGET TO ELIMINATE OR REDUCE THE OPEN SPACE SUBVENTION PROGRAM

WHEREAS, the California Land Conservation Act of 1965, known as the Williamson Act, is a voluntary program which provides lower property taxes to agricultural landowners in exchange for their contractual commitments with participating cities or counties to keep their land in agricultural or open space use for at least 10-years; and

WHEREAS, the Williamson Act currently protects over 16.3 million acres of agricultural land, much of it having scenic open space and wildlife value, and over half of the States’ prime farmland in 52 counties is protected by the Act; and

WHEREAS, in 1998, the Act was amended to establish the Farmland Security Zones, commonly referred to as the Super Williamson Act, which allows landowners to receive an additional tax reduction if they keep the property in the conservation program for at least 20-years; and

WHEREAS, the 1971 Open Space Subvention Act provides a formula for allocating payments to local governments based on acreage enrolled in the program, to help replace the foregone property tax revenue to participating local governments; and

WHEREAS, this financial support from the State has provided a tangible incentive for local governments to stay in the program and initiate more contracts; and

WHEREAS, in 1993, the Legislature and then-Governor Wilson augmented the open space subventions as a means to help rural counties deal with the creation of the Education Revenue Augmentation Fund; and

WHEREAS, eliminating or reducing the open space subvention payments will remove the incentive for local governments to participate in the program, potentially leading to the non-renewal of Williamson Act contracts due to the lack of financial resources to support property tax incentives for landowners; and

WHEREAS, without the financial incentive for farmers and ranchers to participate in this important land conservation program, other more lucrative land uses may replace agriculture, threatening the overall viability of California’s agricultural economy; and

WHEREAS, the integrity of the Williamson Act as a planning tool used to support general plan and zoning objectives, prevent lepofrog development, and to promote orderly growth will be threatened; and family farms will be lost forever and California will no longer be a leader in marketing “California Grown.”
NOW, THEREFORE BE IT RESOLVED that the Mariposa County Board of Supervisors opposes any proposal to eliminate or reduce the Open Space Act Subventions Program and urges the Governor and members of the State Legislature to keep subvention funding in the 2008-2009 State Budget, thus preventing the potential decimation of California’s premier farmland/ranchland protection program.

PASSED AND ADOPTED unanimously by the Mariposa County Board of Supervisors, a political subdivision of the State of California, this 2nd day of September 2008.

[Signature]
PAUL TURPIN, Chairman

ATTEST:

[Signature]
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:

[Signature]
THOMAS P. GUARINO, County Counsel
September 2, 2008

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol
Sacramento, California 95814

RE: Williamson Act Subventions in the State Budget

Dear Governor Schwarzenegger:

The enclosed resolution was adopted by the Mariposa County Board of Supervisors and opposes any proposal to eliminate or reduce the Open Space Subvention Program from the 2008-2009 State Budget. Williamson Act funding effects $39 million from the general funds of counties that participate in this program to preserve California farmland and ranchland from development. Any reductions in this program could virtually halt the nation's most effective farmland/ranchland preservation program just as the Central Valley and surrounding foothill counties face unprecedented pressure for urban growth.

Counties cannot afford to lose property taxes that they desperately need for fixing roads, putting deputies on patrol, fighting fires, investigating and prosecuting crimes, guarding public health, maintaining parks, and countless other local services that have already suffered cuts under the Education Revenue Augmentation Fund (ERAF) shift. Without subventions, fewer local governments will offer reduced property taxes to farmers and ranchers, and California’s agriculture will suffer another damaging blow.

Mariposa County stands to lose $180,000 in discretionary funds and in a small rural county with limited discretionary funding resources this will have far reaching impacts. The Mariposa County Board of Supervisors therefore asks you keep the full funding in the 2008-2009 State Budget for Williamson Act Subventions.

Sincerely,

LYLE TURPIN
Chairman

LT/mbh
Enclosure

CC: Senator Dave Cogdill
Assembly Member Tom Berryhill
Regional Council of Rural Counties
California State Association of Counties
Mariposa County Farm Bureau
Advocation