



*County of Lassen*  
Department of Planning and Building Services


• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

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March 31, 2017

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

TO: Lassen County Board of Supervisors  
Agenda Date: April 11, 2017

FROM: Maurice L. Anderson, Director 

SUBJECT: Consider offering support to the Lassen Land and Trails Trust for an application to the California Department of Conservation and also to the Natural Resources Conservation Service for a conservation easement on lands owned by Vicki and Robert Pyle. Assessor Parcel Numbers 116-510-23, 116-510-24, 116-510-33, 116-070-31, and 116-070-32. The project site is located west of Highway 36, approximately one mile south of the City of Susanville.

**Recommendation:**

1. Receive report; and
2. Consider adopting a resolution.

**Summary:**

In the attached letter, the Lassen Land and Trails Trust requests the Board of Supervisors support for funding from the California Department of Conservation and the United States Department of Agriculture, Natural Resources Conservation Service for the purchase of a conservation easement on the above referenced property. The attached letter of request from Lassen Land and Trails Trust and draft resolution provide further detail on the proposed easement. A graphic is also attached showing the location of the proposed easement.

It is important to note that the subject land is a portion of a 10 year and 20 year Williamson Act Contract (AA-37 and AA-107). Said contracts restrict the use of the property to the production of food and fiber. The following policy (2g) from the Williamson Act Policy and Procedures (Board Resolution 12-050) will dictate that the Williamson Act contract be nonrenewed if this conservation easement is approved for funding by the above agencies:

“A notice on nonrenewal shall be filed on any contract that enters or has entered into a conservation easement. By August 31 of each year the County Assessor shall provide information to the Planning and Building Services Department necessary to allow

recordation of said notice of nonrenewal. The Planning and Building Services Department shall record a notice of nonrenewal for all the parcels so identified by October 31 of that year. If for any reason said notice is not recorded in the year it was discovered that there is a conservation easement on all or a portion of the restricted land, said notice shall be recorded the following year.”

The Lassen Land and Trails Trust has informed staff that the property owner has been made aware of the above policy. Additionally, if the contract is nonrenewed because of the entry into a conservation easement, the landowner will have the opportunity to “protest” the nonrenewal. The Board of Supervisors may then cancel the notice of nonrenewal for all or a portion of the contracted lands.

Except for lands restricted by a Williamson Act Contract, County policies generally support the use of conservation easements to protect agriculture lands from conversion to non-agriculture uses. The following are some (but not necessarily all) of the Goals, Policies, and Implementation Measures found in the *Lassen County General Plan 2000* concerning conservation easements (the page that said excerpt is taken from is noted in parenthesis at the end of the policy):

“**AG15 POLICY:** The County supports the consideration of innovative ways to maintain the economic viability of productive agricultural lands, subject to the unique circumstances of each area. Measures may include use of land conservation contracts (e.g., Williamson Act contracts), land banks, transfer of development rights, voluntary conservation easements, and use of buffer areas between agricultural lands and developing areas.” (4-9)

“**AG-I** The County will consult with representatives of the agricultural industry in the consideration and implementation, when warranted, of innovative mechanisms for the protection of agricultural lands and for the support of the agriculture industry. Measures may include, but are not limited to, land banks, transfer of development rights, voluntary conservation easements, and the use of buffer areas between agricultural lands and developing areas.” (4-9)

“**WE-F** The County shall, in consultation with land owners, sports groups, and other concerned groups, agencies and organizations, consider the use of specific resource protection and management tools for wildlife habitat when warranted, including but not limited to the use of: clustered development and conservation subdivisions; conservation easements; building restrictions such as special setbacks; natural vegetation retention requirements; mechanisms to facilitate transfers of development rights; developer credits and density bonuses; wildlife mitigation funds, with funds to be used for acquisition and/or improvement of wildlife habitat; land dedication to public agencies or land trusts; and



habitat banking. When used as mitigation measures, such actions shall be proportional to the magnitude of impacts caused by the project in question.” (5-6)

Additionally, the following information regarding conservation easements is found in the *Lassen County General Plan, 2000* (the page that said excerpt is taken from is noted in parenthesis to the left of the excerpt):

(4-27) “Conservation easements are another method of protecting agricultural land. A conservation easement is a voluntary agreement between a landowner and a qualified conservation organization in which the property owner sells or otherwise conveys certain property rights (e.g., the "right" to subdivide the land) to a third party while retaining other rights, such as the right to live upon and farm the land. The landowner and the easement holder, which is typically a land trust or a public agency, mutually agree on which rights and restrictions on use are necessary for the protection of the property. Such an agreement can legally restrict development of the land which would destroy its potential for agricultural production, and yet grant the owner some additional compensation for protecting the land including, in some cases, tax deductions and incentives.”

(5-37) “Open space and conservation easements provide methods to acquire specific property rights needed to conserve wildlife and other biological values and prevent development which may destroy physical or scenic values while offering the landowner certain economic incentives such as reduced property taxes. The open space easement relinquishes the right to develop improvements on private property either in perpetuity or for a specified period of time. Easements may permit uses compatible with its objectives, including grazing and agriculture.

The easement may be accepted by a public agency or non-profit organization such as a land trust. Acquiring easements is usually much less expensive than purchase of fee title.”

As requested by the Lassen Land and Trails Trust, a resolution is attached for consideration by the Board, supporting the proposed Pyle conservation easement.

MLA:gfn  
Enclosures



RECEIVED

MAR 30 2017

Lassen County Department of  
Planning and Building Services

Received by  
email - MJM

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PHONE: (530) 257-3252

[www.lassenlandandtrailstrust.org](http://www.lassenlandandtrailstrust.org)

March 29, 2017

Aaron Albaugh  
Chairman, Lassen County Board of Supervisors  
221 S. Roop Street, Suite 4  
Susanville, CA 96130

Dear Mr. Albaugh:

On behalf of the Board of Directors of Lassen Land & Trails Trust, I am writing to request your support of the proposed Conservation Easement on a critical 582 acres of working landscape in Lassen County, the B&V Pyle Ranch.

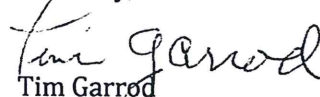
Lassen Land & Trails Trust has been working with the Pyle family, the California Department of Conservation, and the USDA-Natural Resources Conservation Service to purchase a conservation easement which will protect the agricultural and open-space values of the B&V Pyle Ranch. The proposed Conservation Easement, to be held in perpetuity by Lassen Land & Trails Trust, would protect 22 acres of riparian corridor along Gold Run Creek, a tributary to the Susan River and Honey Lake, 400 acres of hayland, and 155 acres of irrigated meadow and pasture, while limiting all future building to a 5-acre building envelope.

Working ranches in the State Route 36 corridor are under increased pressure for changes in land use, in particular as proposed expansion of the highway and a by-pass are developed. The B&V Pyle Ranch lies within this corridor with its north eastern boundary along the highway. It also lies in close proximity to the incorporated city of Susanville, where future industrial and residential development pressures may have adversarial impacts on the ranch, Gold Run Creek and wildlife habitat.

We believe that this project fits well within Lassen County's long-term commitment to agricultural land conservation through goals and objectives as demonstrated in the Lassen County General Plan, especially the Agricultural Element, Land Use Element, Natural Resource Element, as well as other sections of the plan. Current zoning for Pyle Ranch is EA-AP, Exclusive Agriculture District-Agricultural Preserve Combining District, which is a restrictive zoning designation designed to inhibit conversion from agricultural use. This demonstrates a commitment on the part of the county to this property's agricultural land conservation, and a Conservation Easement held by Lassen Land & Trails Trust would help protect these values in perpetuity.

Thank you for your consideration of a Resolution to demonstrate your support of the proposed Conservation Easement on Pyle Ranch and to ensuring the long-term stewardship of this land for the benefit of Lassen County residents and their quality of life today and tomorrow.

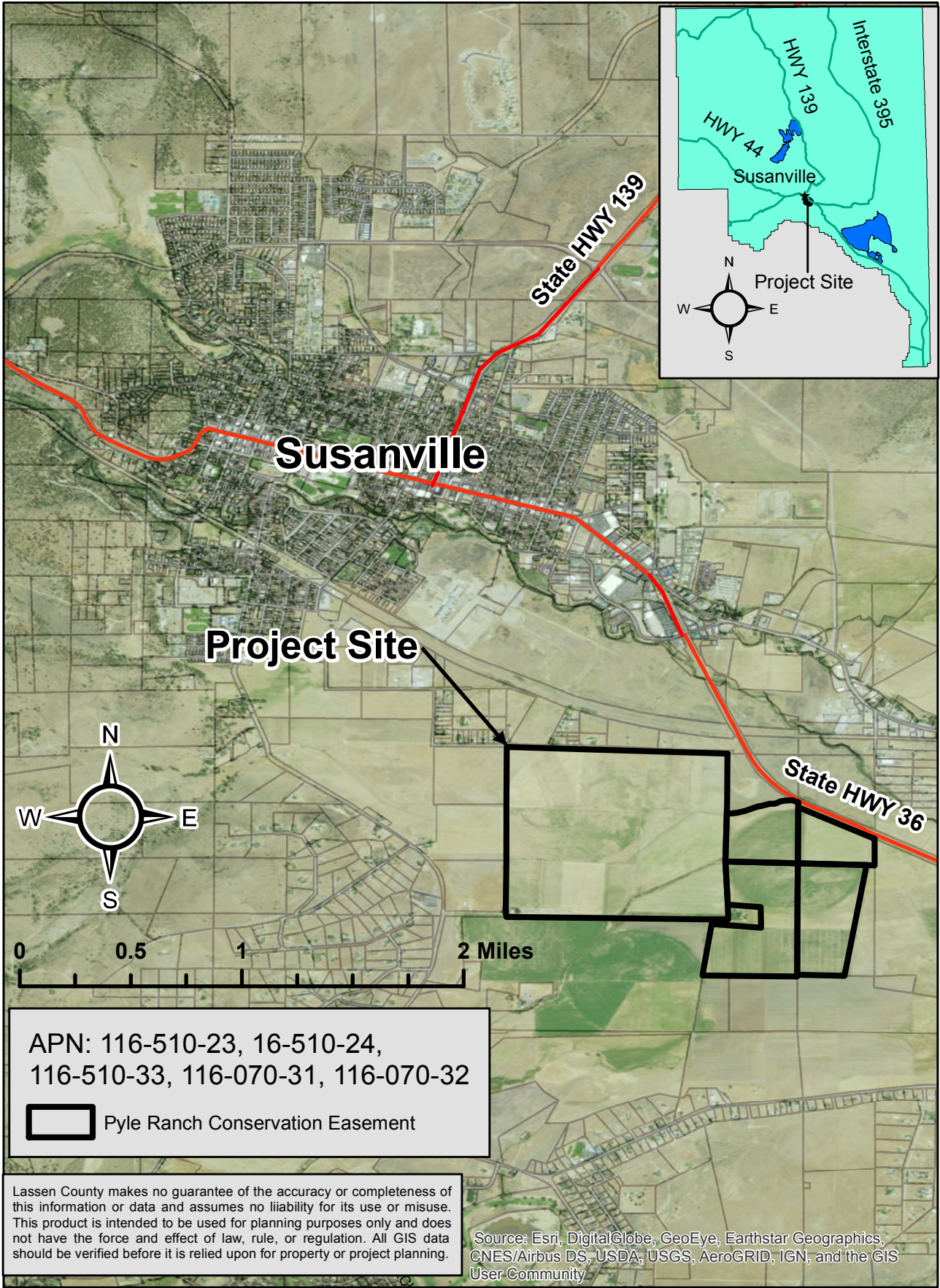
Sincerely,



Tim Garrod  
President, Board of Directors



**Pyle Ranch Conservation Easement, APN: 116-510-23,  
116-510-24, 116-510-33, 116-070-31, 116-070-32**





RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF SUPERVISORS OF LASSEN COUNTY  
PROVIDING SUPPORT FOR EASEMENT FUNDING THROUGH THE  
CALIFORNIA DEPARTMENT OF CONSERVATION'S CALIFORNIA FARMLAND  
CONSERVANCY PROGRAM and SUSTAINABLE AGRICULTURAL LANDS  
CONSERVATION PROGRAM FOR THE PYLE CONSERVATION EASEMENT

**WHEREAS**, the Legislature has established the California Farmland Conservancy Program and Sustainable Agricultural Lands Conservation Program within the Department of Conservation, and through a grant program is providing assistance to conserve important agricultural land resources that are subject to conversion pressures; and

**WHEREAS**, the LASSEN LAND & TRAILS TRUST intends to purchase a conservation easement on the Pyle Ranch, identified by assessor's parcel number(s) 116-510-23, 116-510-24, and 116-510-33, 116-070-31, 116-070-32, located in central Lassen County outside the city of Susanville for the purpose of conserving priority agricultural land resources; and

**WHEREAS**, the Lassen County Board of Supervisors certifies that the easement proposal meets the eligibility criteria set forth in Public Resources Code Section 10251, specifically:

- (a) The parcel proposed for conservation is expected to continue to be used for, and is large enough to sustain, commercial agricultural production. The land is also in an area that possesses the necessary market, infrastructure, and agricultural support services, and the surrounding parcel sizes and land uses will support long-term commercial agricultural production.
- (b) Lassen County has a general plan which demonstrates a long-term commitment to agricultural land conservation. This commitment is reflected in the goals, objectives, policies, and implementation measures of the plan, as they relate to the area of Lassen County where the easement acquisition is proposed.
- (c) Without conservation, the land proposed for protection is likely to be converted to nonagricultural use in the foreseeable future.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. The foregoing recitals are true and correct.
- 2. The Board of Supervisors further finds that, as detailed in the April 11, 2017, staff report to the Board of Supervisors, the proposed conservation easement is consistent with the Lassen County General Plan, 2000.

Resolution Number: \_\_\_\_\_

- 3. Entry of the subject property into a conservation easement will result in the recordation of a notice of nonrenewal of the Williamson Act contract in accordance with policy 2g of the Lassen County Williamson Act Policies and Procedures (Board Resolution 12-050).
  
- 4. The Board of Supervisors hereby supports approval of the funding of a conservation easement on the Pyle Ranch, with partial funding through the California Farmland Conservancy Program and the Sustainable Agricultural Lands Conservation Program.

The foregoing resolution was adopted at a regular meeting of the Lassen County Board of Supervisors of the County of Lassen, State of California, held on the \_\_\_\_th day of \_\_\_\_\_ 20\_\_ by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman of the Board of Supervisors  
County of Lassen, State of California

ATTEST:  
JULIE BUSTAMANTE, Clerk of the Board

BY \_\_\_\_\_  
MICHELE J. YDERRAGA, Deputy Clerk of the Board

I, MICHELE J. YDERRAGA, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen  
Board of Supervisors