



DEPARTMENT OF CONSERVATION

DIRECTOR'S OFFICE

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October 26, 2009

Ms. Dianne Black
Director of Development Services
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

Dear Ms. Black:

SANTA BARBARA RANCH / DOS PUEBLOS RANCH; RESCISSION OF WILLIAMSON ACT CONTRACT IN EXCHANGE FOR SIMULTANEOUS CONSERVATION EASEMENTS; SCHULTE AGRICULTURAL PRESERVE NO. 77-AP-14

This letter is to express final approval, pursuant to Government Code section 51256.1, of the rescission of Santa Barbara County Williamson Act contract number 77AP14, in exchange for placement of agricultural conservation easements over land subject to the contract, and other land within the County, as described in the Rescission Agreement dated October 21, 2008. This "easement exchange" pertains to properties known as the Santa Barbara and the Dos Pueblos Ranches. I provide this final approval in my capacity as Director of the Department of Conservation, through a delegation of authority from the Secretary of the California Natural Resources Agency. Below, I have addressed the issues stemming from the statutory obligations pertinent to easement exchanges, and certain issues raised in the County's October 5, 2009, letter to Assistant Director Brian Leahy.

The Department has reviewed the findings of the Santa Barbara County Board of Supervisors for this easement exchange required by Government Code sections 51256 and 51282, as set forth in County Resolution 08-365 and attachments thereto. The Department finds that the findings of the Board required by these statutes are supported by substantial evidence as referenced in the Resolution and attachments.

Ms. Dianne Black
October 26, 2009
Page 2

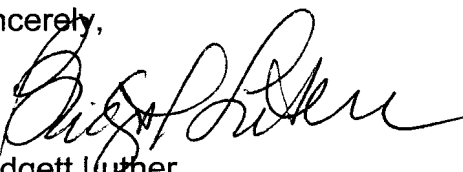
With respect to subdivisions (c) and (d) of Government Code section 51256, which pertain to requirements for the land to be placed under easement to be of a certain size, suitability, and value, the Department finds that the County's findings are supported by substantial evidence as referenced in the Resolution and attachments. The Department acknowledges and informs the County that the State's Department of General Services (DGS) is currently reviewing an appraisal of the agricultural conservation easements prepared by the landowners. The Department believes that once the DGS review is complete, the valuations made by the County Assessor and set forth in the County's Resolution will be confirmed. The appraisal review currently being undertaken by DGS is a separate and distinct process from the Department's final approval of the easement exchange as provided in this letter and required by law.

The Department has also reviewed the proposed agricultural conservation easements for the lands to be preserved for consistency with the eligibility provisions of the California Farmland Conservancy Program Act (Public Resources Code section 10200, et seq). Generally, the Department finds that the proposed easements are consistent with the eligibility requirements of the Act. Specifically, the Department acknowledges the landowners' waiver of the early termination provisions provided for in Public Resources Code section 10270. The Department also acknowledges that the County will have enforcement rights under the proposed easement. Viewing the easements collectively, the Department believes that the easements will make a beneficial contribution to the conservation of agricultural land in the County.

In providing final approval, the Department also acknowledges the actions by the County to facilitate the changes in land use and zoning that are necessitated by the proposed new use of the exchanged-for contracted land, and for the other land now slated for agricultural conservation easement protection.

In closing, the Department believes that any and all approvals required pursuant to Government Code section 51256.1 for the proposed easement exchange have now been provided. If you have any questions or need additional information, please contact Mr. Brian Leahy, Assistant Director of the Department's Division of Land Resource Protection, at (916) 324-0850.

Sincerely,



Bridgett Luther
Director

Ms. Dianne Black
October 26, 2009
Page 3

cc: Mike Chrisman, Natural Resources Agency
Brian Leahy, Department of Conservation
Santa Barbara County Bd. of Supervisors
Michael Ghizzoni, Esq., Santa Barbara Deputy County Counsel