

**WILLIAMSON ACT CONTRACT
COMMERCIAL AGRICULTURE DETERMINATION**

Initiating a Williamson Act Contract

1. Checklist of Required Application Materials
2. Agricultural Preserve and Williamson Act Contract Application Form
3. Commercial Agriculture Determination Form
4. Guidelines for Commercial Agriculture
5. How to Use the NRCS Website to Determine Class I and II (Prime) Soils

Alameda County

**CHECKLIST of REQUIRED APPLICATION MATERIALS
for
An Agricultural Preserve and Williamson Act Contract**

The following checklist is for contracts based on commercial agriculture:

For Clerk of the Board

2 copies of the Application Form

8 copies of Assessor's Map Pages

Deed or Title Report

Filing Fee

For Planning Department

8 copies of Site Map

Commercial Agriculture Determination Form

Schedule F of Federal Income Tax Return (or similar documentation)

Joint Management Agreement, if applicable

Lease Agreement, if applicable

Verification of prime soils, if applicable

**AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT
APPLICATION FORM**

To the Board of Supervisors of the County of Alameda, California:

I (we) hereby request the Board to consider and take the necessary action to establish my (our) property as an agricultural preserve and to enter into a Williamson Act contract pursuant to the California Land Conservation Act (Williamson Act) of 1965 and the Alameda County Uniform Rules and Procedures.

Application:

- ☐ Establish or Annex to an Existing Preserve and enter into Williamson Act Contract
- ☐ Enter into Williamson Act Contract through a Joint Management Agreement (include names and contact information for all owners --- use additional sheets as necessary)

Contract Type:

- ☐ Agricultural
- ☐ Open Space
- ☐ Recreation

Date: _____

Name of Owner(s): _____

Mailing Address: _____
(Street) (City) (Zip Code)

Telephone: _____ Email Address: _____

Owner's Representative (if any): _____

Mailing Address: _____
(Street) (City) (Zip Code)

Telephone: _____ Email Address: _____

Assessor's Description of Property to be Included in the Contract:

Assessor Parcel No. (APN)	Acreage	Owner (last name)

Address and/or approximate location of property: (attach sheet for properties under Joint Management)

The farm or ranch is operated by:

☐ Owner ☐ Lessee Lessee name: _____

Filing Instructions on Reverse Side

ADD Office Use Only Box

FILING INSTRUCTIONS

Step I. Compile the following information that will be submitted with your application. If any information is missing, your application may be returned to you until such time as all required materials are included.

A. Forms: Two (2) completed copies of this application form.

B. Assessor's Map Pages

Eight (8) - 8 ½" x 11" copies of Assessor's Map Pages showing all properties to be included in the Williamson Act contract; the Assessor's Map Pages may be obtained from the Assessor's Public Records section or online at www.acgov.org/assessor/phone.htm (click on "Assessor's Maps").

Large properties or non-contiguous parcels may be shown on more than one map page. Before filing, please confirm the correctness of these map copies, and the parcel numbers shown on the application form. Even the most recent tax bills occasionally bear superseded designations. The County Assessor's Office, Appraisal Information Section, can provide assistance with this information.

For information about assessments, taxes and/or assessor parcel numbers, call or visit:

Alameda County Assessor
Administration Building
1221 Oak Street, Room 145
Oakland, CA 94612
Telephone: (510) 272-3787

C. Deed or Title Report

A current legal description of the property to be placed under contract.

Step II. Compile the following additional information for review by the Planning Department. Contact the Planning Department for any needed clarification and to arrange a meeting with a planner to review all the material requested. This review will ensure that all the required material has been assembled and that the applicant meets the qualifications for a contract.

Contact information:

Alameda County Community Development Agency
Planning Department
224 West Winton Avenue, Room 111
Hayward, CA 94544
Telephone: (510) 670-5400

A. Site Map

Please prepare an accurate drawing, approximately to scale, of the property to go under contract. The site map (8 copies) must be no smaller than 8 ½" x 11" and include the following information:

- north arrow and scale (e.g. 1" = 1,000 feet)
- exterior boundaries, the dimensions of the property, and the total acreage
- approximate location of all access and interior roads
- the 2-acre building envelope, if one has been designated
- all buildings (please identify their use and provide the approximate square footage of each building)
- use areas and the approximate acreage involved (e.g. 25 acres vineyard, 15 acres pasture)

FILING INSTRUCTIONS (continued)

B. Additional Information Required for an Agricultural Contract

Please complete the **Commercial Agriculture Determination Form**. This form will be used to determine the applicant's eligibility for an agricultural contract.

For information about agricultural practices, call or visit:

Alameda County Agricultural Commissioner
224 West Winton Avenue, Room 184
Hayward, CA 94544
Telephone: (510) 670-5232

Cooperative Extension
131 Harbor Bay Parkway, Rm 131
Alameda, CA 94502
Telephone: (510) 567-6812

C. Additional Information Required for an Open Space Contract

Please submit a description of the property that identifies it as one of the following: a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, or a submerged area. These categories are specifically defined under Uniform Rule 3 of Alameda County's Uniform Rules and Procedures Governing Agricultural Preserves and Williamson Act Contracts.

D. Additional Information Required for a Recreation Contract

Please submit 1) a report and a site plan detailing the types, locations, and acreage (if applicable) of intended recreational uses and natural features of the property, and 2) a management plan detailing the ongoing and routine maintenance activities expected on the property. Include in the management plan all future maintenance activity such as vegetative management, activities minimizing fire, flood and other hazards, and any changes to the flora or fauna.

Step III. File the Application and Pay Filing Fee. Once the Planning Department reviews the application for completeness and is prepared to make a recommendation to the Board of Supervisor's regarding the applicant's qualifications for a contract, the applicant should file the application (and other materials described in Step I. above) with the Clerk of the Alameda County Board of Supervisors.

The applicant shall file the required materials, including the filing fee, in person or by mail with:

Clerk of the Alameda County Board of Supervisors
Administration Building
1221 Oak Street, Room 536
Oakland, CA 94612
Telephone: (510) 272-3787

The FILING FEE: _____. Make the check made payable to the Alameda County Treasurer.

ABOUT THE COMMERCIAL AGRICULTURE DETERMINATION FORM

This form will be used to determine your qualification for a Williamson Act contract where the primary use is agriculture. It is recommended that the applicant read through the Eligibility Requirements for Williamson Act Contracts for Agricultural Uses: Guidelines for Commercial Agriculture before filling out the form.

As indicated on the Commercial Agriculture Determination form, applicants must meet a commercial agriculture threshold for the property they wish to place under contract as a demonstration of existing commercial viability. The threshold specifies a minimum gross annual revenue that must be met 3 out of the previous 5 years as indicated on Schedule F of the applicant's federal tax returns. There are, however, certain situations where an applicant does not have to have an existing agricultural operation for a minimum of 3 years before applying for a contract. Exceptions to this requirement are outlined in the Endnotes to the Guidelines for Commercial Agriculture.

Once it is determined that the property qualifies for and is placed under a Williamson Act contract, the applicant will be required to maintain eligibility until such time as the contract is non-renewed and the contract expires. The Planning Department will mail out an annual questionnaire (Annual Declaration of Commercial Agricultural Use) to the contract holder in order to make this determination on a yearly basis. If the contract holder fails to return the annual questionnaire in a timely fashion, a late penalty will be applied; if the annual questionnaire is still not received, the County will take the necessary steps to non-renew the contract.

Required Submittals

1. Schedule F's of your federal income tax return showing gross revenue for a minimum of 3 of the past 5 years. *Social security number and other sensitive information should be blacked out.* Schedule E or Form 4835-Farm Rental Income and Expense may be used for rental income from contracted land when the contracted land is leased out for agricultural production. Form 4797 may be appropriate for a horse breeding operation. Other documentation may be acceptable if the owner has recently acquired an existing agricultural operation. See Endnotes to the Guidelines for Commercial Agriculture for guidance.
2. Copy of the Joint Management Agreement if applicable.
3. Copy of the Lease Agreement if applicable.
4. Verification of Class I and/or Class II (prime) soils if applicable.

The applicant may go to the Natural Resource Conservation Service soil survey website at the following URL to identify the Land Classification of the subject property: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>. Press the big green button and you will be taken to the mapping interface. Alternatively, the applicant may ask the Planning Department for assistance.

COMMERCIAL AGRICULTURE DETERMINATION FORM

Name of Owner(s): _____

☐ Check box if this is a Joint Management operation. If a Joint Management operation, please identify the commercial agriculture threshold for which you jointly qualify (Question 1). For Questions 2 and 3, each property owner should provide the information requested.

1. Please check the commercial agriculture threshold, under the Prime Land or Non-Prime Land section, that applies to your agricultural operation.

See attached Commercial Agriculture Guidelines and Endnotes for additional information and definitions.

Thresholds for Prime Land

- ☐ Land that is at least 10 acres in size, has a Natural Resource Conservation Service (NRCS) land capability rating of Class I or Class II, and is planted in annual and/or perennial crops:
 - agricultural production must yield “some” gross annual revenue as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - at least 60% of the property under contract must be used for commercial agriculture
- ☐ Land that is at least 10 acres in size and is planted in annual and/or perennial crops:
 - agricultural production must yield an annual gross revenue equal to or exceeding \$200 per acre per year as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - at least 60% of the property under contract must be used for commercial agriculture
- ☐ Land that is less than 10 acres in size and is planted in annual and/or perennial crops:
 - agricultural production must yield an annual gross revenue equal to or exceeding at least \$3,500 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - at least 75% of the property under contract must be used for commercial agriculture
- ☐ Land that is less than 10 acres in size and is planted in annual and/or perennial crops:
 - agricultural production must yield an annual gross revenue equal to or exceeding \$10,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - no planting coverage is required unless compatible use development is proposed, in which case at least 50% of the parcel under contract must be used for commercial agriculture to ensure that any development is incidental to the agricultural use

Thresholds for Non-Prime Land

- ☐ Land that is at least 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, the breeding of horses, and/or other types of agricultural pursuits:
- agricultural production must yield "some" gross annual revenue as substantiated by Schedule F (and/or Form 4797 for a horse breeding operation) of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - at least 60% of the property must be used for commercial agriculture
- ☐ Land that is less than 40 acres in size and is being used for dryland farming, livestock production, and/or other types of agricultural pursuits:
- agricultural production must yield an annual gross revenue equal to or exceeding at least \$2,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - at least 75% of the property must be used for commercial agriculture
- ☐ Land that less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, and/or other types of agricultural pursuits:
- agricultural production must yield an annual gross revenue equal to or exceeding \$10,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County.
 - if compatible use is proposed, at least 50% of the parcel must be used for commercial agriculture to ensure than any development is incidental to the agricultural use

2. Please provide the following agricultural use information

For Orchards or Vineyards or Other High Value Crops

Orchard: Acreage _____ Year Planted: _____

Vineyard: Acreage _____ Year Planted _____

Rowcrops: Acreage _____ Planted every year? _____

Other: Type _____ Acreage _____

For Dry Farm Grain and Hay

Type of Crop: _____

Acreage: _____

Planted every year? ☐ Yes ☐ No OR Once every _____ years.

Grazing

Type of Livestock _____

Number of head normally grazed on property? _____

Is the property fenced? ☐ Yes ☐ No

Acreage utilized for livestock: _____

Is the property grazed yearlong? ☐ Yes ☐ No If no, what months is the land grazed?

Commercial Horse Breeding

Number of horses normally stabled? _____

Acreage utilized for breeding operation: _____

Other Agricultural Uses

Other animal, nursery or specialty uses? ☐ Yes ☐ No If yes, please describe.

Additional Comments:

I CERTIFY UNDER PENALTY OF PERJURY THAT I am:

- ☐ legal owner(s) of the subject property (all individual owners must sign as their names appear on the deed to the land); or
- ☐ corporate officer(s) empowered to sign for the corporation; or
- ☐ owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form),

AND THAT THE FOREGOING IS TRUE AND CORRECT.

1. Signature _____ Date _____

Print Name

2. Signature _____ Date _____

Print Name

3. Signature _____ Date _____

Print Name

Alameda County
Eligibility Requirements for Williamson Act Contracts
for Agricultural Uses

GUIDELINES FOR COMMERCIAL AGRICULTURE

Introduction

These Guidelines are intended to summarize the requirements found under Uniform Rule 1 of the Uniform Rules and Procedures governing Agricultural Preserves and Land Conservation (Williamson Act) Contracts in Alameda County. Additional and more detailed information as to how the requirements for commercial agriculture are to be interpreted may be found in the Endnotes at the back of these Guidelines.

Contract Requirements

In order to enter land into a Williamson Act contract, to amend an existing contract, and to maintain continued eligibility during the life of the contract, land must meet all of the following contract requirements:

- Be in an agricultural preserve (*see Uniform Rule 1*);
- Meet minimum parcel size requirements according to whether prime or non-prime agricultural land (*addressed here and in Uniform Rule 1*);
- Be devoted to a commercial agricultural use (*addressed here and in Uniform Rule 1*); and,
- Be restricted to additional uses that are incidental to and compatible with the primary agricultural use of the land (*see Uniform Rule 2*).

These Commercial Agriculture Guidelines outline definitions and thresholds for what constitutes:

- minimum parcel size
- prime and non-prime land
- agricultural use
- commercial agriculture as a viable primary use

Minimum Parcel Size

Establishing and sustaining commercial agricultural production on under-sized parcels is particularly challenging. Therefore, applications for new Williamson Act contracts are limited to properties that meet the statutory minimum size presumption of 10 acres for prime land and 40 acres for non-prime land (see California Government Code Act Section 51222). However, if commercial viability can be demonstrated (see Thresholds for Commercial Agriculture below), contracts on parcels smaller than the 10/40 acres will be allowed.

Definition of Prime Land

In Alameda County, prime agricultural land is land that meets any one of the following criteria:

1. Land that qualifies for rating as Class I or Class II in the Natural Resource Conservation Service land use capability classifications.
2. Irrigated land planted in annual or perennial crops that has produced an annual gross revenue of not less than \$200 per acre when averaged over at least 3 of the previous 5 years; or, in the case of recently planted perennial crops, would produce an annual gross revenue of not less than \$200 per acre when in full commercial bearing.
3. Non-irrigated land planted in perennial crops (such as olives and grapes) that has produced an annual gross revenue of not less than \$200 per acre when averaged over at least 3 or the previous 5 years; or, if recently planted, would produce an annual gross revenue of not less than \$200 per acre when in full commercial bearing.

See Endnotes for further explanation of Agricultural Production Requirements.

Definition of Non-Prime Land

Non-prime agricultural land means land that does not meet any of the criteria for classification as prime agricultural land.

Definition of Agricultural Use

Contracted land must be devoted to commercial agriculture as the primary use of the land (see Government Code Section 51242). Commercial agricultural use means the production and sale of agricultural commodities. Agricultural commodities mean unprocessed plant and animal products of farms, ranches, production nurseries and forests.

Agricultural commodities include, but are not limited to, the following: fruits, nuts, and vegetables; grains, such as wheat, barley, oats, and corn; legumes, such as field beans and peas; animal feed and forage crops, such as grain hay and alfalfa; seed crops; fiber and oilseed crops, such as safflower and sunflower; biofuels; production nursery stock; aquaculture; trees grown for lumber and wood products; turf grown for sod; poultry, such as chickens, ostriches, and emus;

livestock, such as cattle, sheep and swine; rangeland and pasture for livestock production; and commercially-bred horses (see definition in Uniform Rule 1, Section II. C. 2).

It is recognized that the list above is not comprehensive and that new agricultural commodities may be developed under future market conditions. Questions as to whether or not a specific plant or animal product is agricultural in nature will be decided by the County Planning Department in conference with the County's Agricultural Commissioner.

Any other use or development of contracted lands must be compatible with and incidental to the use of the land for the commercial production of agricultural commodities (see Uniform Rule 2).

Thresholds for Commercial Agriculture

For a landowner to qualify as engaged in commercial agriculture, the contracted land must meet minimum annual revenue requirements and in some cases land coverage requirements. Land coverage means the amount of land, as a percentage of the contracted parcel(s), required to be in commercial agricultural use.

Thresholds for Prime Land

For *prime* land to be considered as devoted to commercial production of agricultural commodities, the contracted parcel(s) must meet one of the following conditions:

- 1) Land that is at least 10 acres in size, has a Natural Resource Conservation Service (NRCS) land capability rating of Class I or Class II, and is planted in annual and/or perennial crops:
 - agricultural production must yield "some" gross annual revenue as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - at least 60% of the property under contract must be used for commercial agriculture

Discussion: The property under Option #1 meets the presumptive minimum parcel size for commercial viability (Government Code Section 51222) and has prime soils, which the County seeks to preserve by minimizing the contract requirements; therefore, a specific minimum revenue is not being required. The moderate land coverage requirement ensures that the parcel will be primarily used for agriculture.

- 2) Land that is at least 10 acres in size and is planted in annual and/or perennial crops:
 - agricultural production must yield an annual gross revenue equal to or exceeding \$200 per acre per year as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - at least 60% of the property under contract must be used for commercial agriculture

Discussion: The property under Option #2 does not have prime soils but meets the minimum parcel size requirement as well as the revenue and crop requirement by which it qualified as prime; it must continue to meet the revenue and crop requirement to

maintain the contract. Here the revenue requirement is relatively low, and the moderate land coverage requirement ensures that the parcel will be used primarily for agriculture

- 3) Land that is less than 10 acres in size and is planted in annual and/or perennial crops:
- agricultural production must yield an annual gross revenue equal to or exceeding at least \$3,500 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - at least 75% of the property under contract must be used for commercial agriculture

Discussion: The property under Option #3 is smaller than the minimum parcel size established for prime land; therefore, in order to establish commercial viability, higher thresholds are required: in this option, the revenue requirement per acre is higher than the previous options as is the land coverage requirement. This option allows for small intensive commercial agriculture niche operations.

- 4) Land that is less than 10 acres in size and is planted in annual and/or perennial crops:
- agricultural production must yield an annual gross revenue equal to or exceeding \$10,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - no planting coverage is required unless compatible use development is proposed, in which case at least 50% of the parcel under contract must be used for commercial agriculture to ensure that any development is incidental to the agricultural use

Discussion: The property under Option #4 is smaller than the minimum parcel size required for prime land; therefore, in order to establish commercial viability, higher thresholds are required: in this option, the revenue requirement is much higher than the previous option, but a land coverage requirement only goes into effect if compatible use is proposed. This option allows for small intensive commercial agriculture niche operations of higher revenue per acre on less acreage than Option #3.

Thresholds for Non-Prime Land

For *non-prime land* to be considered as devoted to commercial production of agricultural commodities, the contracted parcel(s) must meet one of the following conditions:

- 1) Land that is at least 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, the breeding of horses, and/or other types of agricultural pursuits:
- agricultural production must yield “some” gross annual revenue as substantiated by Schedule F (and/or Form 4797 for a horse breeding operation) of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - at least 60% of the property must be used for commercial agriculture

Discussion: The property under Option #1 meets the presumptive minimum parcel size for commercial viability (Government Code Section 51222), therefore, a specific

minimum revenue is not being required. While the revenue requirement is minimal, the moderate land coverage requirement ensures that the parcel will be used primarily for agriculture.

- 2) Land that is less than 40 acres in size and is being used for dryland farming, livestock production, and/or other types of agricultural pursuits:
- agricultural production must yield an annual gross revenue equal to or exceeding at least \$2,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - at least 75% of the property must be used for commercial agriculture

Discussion: The property under Option #2 is smaller than the minimum parcel size required for non-prime land; therefore, in order to establish commercial viability, higher thresholds are required: in this option, there is a moderate revenue requirement and a high land coverage requirement.

- 3) Land that less than 40 acres in size and is being used for dryland farming, grazing of livestock or livestock production, or other types of agricultural pursuits:
- agricultural production must yield an annual gross revenue equal to or exceeding \$10,000 as substantiated by Schedule F of the federal tax returns or other relevant tax form filed in 3 of the past 5 years, if requested by the County
 - if compatible use is proposed outside the building envelope, at least 50% of the parcel must be used for commercial agriculture to ensure that any development is incidental to the agricultural use

Discussion: The property under Option #3 is smaller than the minimum parcel size required for non-prime land; therefore, in order to establish commercial viability, higher thresholds are required: in this option, the revenue requirement per acre (or per operation) is much higher than the previous option, but a land coverage requirement only goes into effect if compatible use is proposed.

ENDNOTES

Agricultural Production and Revenue Requirements

Annual gross revenue refers to gross agricultural income from unprocessed agricultural commodities produced by the property under contract. If annual production for any one year falls below the required value, the annual income requirement may be averaged over up to 3 of the previous 5 years. In the case of dry land farming, for example, hay that is baled but held over for sale for the following year due to current low prices may show no income for one year but double the income the following year which would then be averaged over the two years.

Income from sales of unprocessed agricultural commodities or rent of land used for commercial production of agricultural commodities shall be the only sources of income used to calculate annual revenue.

In the case where the unprocessed commodity (e.g. grapes) is not sold but is processed (e.g. into wine) as part of the landowner's larger operation, annual gross revenue from the unprocessed commodity can be estimated based on current market price using information provided by the Agriculture Commissioner's office

If the property under contract is temporarily fallowed, or there is a change of crop or production method, the applicant must demonstrate that the practice is a typical and appropriate agricultural management strategy in the annual questionnaire sent to all landowners under contract.

Proof of production value will be required at the time of application submittal and when a permit is sought for a compatible use. At the time of application, landowners must show that their agricultural operation has met the annual gross revenue requirement under the threshold they are qualifying for a minimum of three years as substantiated by Schedule F (or other appropriate tax forms) of their federal tax returns. Exceptions to the requirement that the landowner has had an existing operation for a minimum of 3 years on the land to be contracted are as follows:

1. A landowner who has bought an existing agricultural operation that is not under the Williamson Act may qualify for a contract if he/she can demonstrate that the past operation under the past owner was able to meet one of the thresholds for 3 out of the 5 past years, and that the future operation will continue to meet the threshold for which he/she is applying. For example, in the case of non-prime land: if the acquired property was at least 40 acres in size, of which at least 60 % was fenced, and that a grazing lease had been in place for at least the past 3 years and would be in place for the next 3-5 years, the new owner would qualify for a contract. For example, in the case of prime land: if the acquired property was at least 10 acres in size and had records of high value crops yielding an annual gross revenue of at least \$200 per acre for the past 3 years over 60% of the property, and if the capital investment and future sale agreements indicated future success, the new owner would qualify for a contract. For either operation, if after 3 years, the operation fails to show the required revenue, the contract may be non-renewed. Parcels smaller than the presumptive size of 10 acres for prime land or 40 for non-prime land would not qualify for this exception.
2. A landowner with land that has recently been fully planted to commercial standards (as determined by the Agriculture Commissioner's Office) with trees, vines, bushes, or crops but that will not bear fruits or nuts for 2 or more years would qualify for a contract. In this case, the potential production value is to be substantiated by multiplying the average production per acre by the average value of the commodity for the previous five years as determined from the Annual Reports of the Alameda County Department of Agriculture, Weights and Measures. Parcels smaller than the presumptive size of 10 acres for prime land or 40 acres for non-prime land would not qualify for this exception.

As noted, proof of production value, when requested by the Planning Department, must be substantiated by landowners using Schedule F of their federal tax returns, or other relevant tax forms. Proof of production value may be required annually for all contracted land of less than 10 acres in the case of prime land, and for all contracted land of less than 40 acres in the case of non-prime land. The property owner must maintain records of annual productive acreage and its per acre gross revenue, or its gross annual and must provide this information to the County on request and on the annual questionnaires sent out to landowners under contract.

Failure to meet these contract requirements may result in non-renewal of the contract by the County.

Land Coverage Requirement

The Planning Department, in collaboration with the Agricultural Commissioner, shall consider exceptions to the land coverage standards when there are natural land features present, such as streams or rock outcroppings or specimen native trees, which the owner demonstrates are not conducive to the commercial agricultural uses appropriate for the property. If more than 50% of the property is not conducive to commercial agricultural uses which are appropriate for the property, the property may be denied a contract.

In general, the lower the per acre gross revenue, the higher the land coverage required; conversely, the higher the productive value per acre, the lower the land coverage required.

Grazing Land

For livestock production, land that is fenced and available for grazing will be considered as being in agricultural production, even though grazing may only occur on a seasonal basis or be temporarily discontinued due to drought conditions. An exception will be unfenced property that is included as part of a larger operation. Grazing lands temporarily unused may be considered as being in agricultural production if the applicant demonstrates that such practice is a typical and appropriate agricultural management strategy. For parcels 40 acres and larger in size, gross income generated through grazing activities may be limited to an estimate of the annual carrying capacity of the land.

Dryland Farming

As noted for all agricultural operations, if annual production for any one year falls below the required value, the annual income requirement may be averaged over 3 of the previous 5 years. In the case of dryland farming, if drought conditions prevail for an extended period of time such that no income is generated for 3 or more years out of 5, the Agricultural Commissioner shall review the situation. If the Agricultural Commissioner determines that the landowner has acted in good faith, the contract shall remain in force until which time either the income requirement can again be met or the Agricultural Commissioner determines that the situation calls for non-renewal of the contract.

HOW TO USE THE NRCS WEBSITE TO DETERMINE CLASS I AND II (PRIME) SOILS

Natural Resource Conservation soil web site:

<http://www.nrcs.usda.gov/index.asp>: basic NRCS site. Click on Quick Access>>Soils>>Web Soil Survey takes you to...

<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>

Here, press the big green button and you will be taken to the mapping interface (ArcIMS is the underlying technology).

Step 1: Define area of interest (AOI). You can do this by address, PLSS, etc, but it's best to use the map browser. Click on the magnifying glass with a "+" sign and drag a little box around the Bay Area and the map will redraw (takes 10 seconds at DSL speed). Drag another box in east Alameda Co and use the pan tool (little hand) and drag another box... etc. When you are at a good map scale, you need to define your project area. Click on one of the AOI tools: the rectangle one is easier to use, but the polygon one which is more exact. _First screenshot (nrcs_map1.jpg)_ shows an AOI defined as a polygon.

Step 2: Make interactive maps. If you click the "Soil Map" tab you will get a soils series table, acres, and % of AOI which is good and will help you interpret the table made in Step 3. But, what you really need to do is click on the "Soils Data Explorer" tab. This will change the interface and now you will see a "View Soil Information By Use" box. Select the "Cropland" entry. Also, you will see a second row of tabs. The "Suitabilities and Limitations for Use" will give you interactive maps and the "Soil Reports" will give you the best single summary table of Capability ratings (described in step 3). (Curiously, the land capability classes (LCCs) are shown as numbers rather than as Roman numerals which can confuse proper interpretation.) The sub-selection "Land Classifications>>Irrigated Capability Class>>View Rating" will render the AOI by Capability Class for irrigated uses in this example (_second screenshot_ (nrcs_map2.jpg)). You can also see LCC ratings for non-irrigated cropland. There are other useful selections too, e.g., you can select "Land Classifications>>Farmland Classification>>View Rating" to see the AOI rendered by Prime/Statewide Imp./Not... ratings. (no screenshot).

Step 3: Make a table of Capability Classifications. In the second row of tabs, click on the "Soil Reports" tab and pick "Land Classifications>>Land Capability Classifications>>View Soil Report". (Also, it will help to check the "Include Minor Soils" box, which will help make the subsequent table clearer.) This action will generate a table of map units and predominant Land Capability Classes (_third screenshot_ (nrcs_map3.jpg)). Note that minor soils are not rated, but their presence in the table makes it clear that even at large scales (zoomed-in scales) that the soil polygons are mixes of soil types and the LCC ratings are for the predominant soil type.

Web Soil Survey - Windows Internet Explorer

http://websoilsurvey.sc.egov.usda.gov/WebSoilSurvey.aspx

File Edit View Favorites Tools Help

Convert Select

Favorites Yahoo! Finance - Business F... Free Hotmail

Web Soil Survey

USDA Natural Resources Conservation Service

Contact Us Download Soils Data Archived Soil Surveys Soil Survey Status Glossary Preferences Logout Help

Area of Interest (AOI) Soil Map Soil Data Explorer Shopping Cart (Free)

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Area of Interest Properties

[Clear AOI](#)

AOI Information

Name

Map Unit Symbols ☒ Use Soil Survey Area Map Unit Symbols ☐ Use National Map Unit Symbols

Area (acres) 6,860.3

Soil Data Available from Web Soil Survey

Alameda Area, California (CA609)

Soil Maps Version 1, Feb 3, 2004

Soil Data Version 4, Dec 14, 2007

[Clear AOI](#)

Quick Navigation

Navigate By...

Address

State and County

Soil Survey Area

Latitude and Longitude

PLSS (Section, Township, Range)

Bureau of Land Management

Department of Defense

Forest Service

Area of Interest Interactive Map

View Extent: Contiguous U.S. Scale

Local Intranet 100%

nracs_map11.jpg

Web Soil Survey - Windows Internet Explorer

http://websoilsurvey.nrcs.usda.gov/egp/WebSoilSurvey.aspx

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Web Soil Survey

USDA Natural Resources Conservation Service

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Suitabilities and Limitations Ratings

Open All Close All

Building Site Development

Construction Materials

Disaster Recovery Planning

Land Classifications

California Revised Store Index (CA)

Conservation Tree and Shrub Group

Farmland Classification

Forage Suitability Group ID (Component Table)

Hydric Rating by Map Unit

Irrigated Capability Class

View Description View Rating

View Options

Map ☒

Table ☒

Description of Rating ☒

Rating Options ☒

☐ Detailed Description

Advanced Options

View Description View Rating

Irrigated Capability Subclass

Nonirrigated Capability Class

Nonirrigated Capability Subclass

Map - Irrigated Capability Class

Legend

Scale

Altamont Pass Rd

County Hwy 2053

67230

Tables - Irrigated Capability Class - Summary By Map Unit

Summary by Map Unit - Alameda Area, California

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AaC	Altamont clay, 3 to 15 percent slopes	3	23.4	0.3%
AaD	Altamont clay, 15 to 30 percent slopes	4	1,826.3	26.6%
AmE2	Altamont clay, moderately deep, 30 to		1,548.5	22.6%

Local intranet 100%

nrcs_map21.jpg

Web Soil Survey - National Resources Conservation Service

http://websoilsurvey.nrcs.usda.gov

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AOI Inventory

Land Classifications

California Revised Stone Index Rating (CA)

Conservation Tree and Shrub Suitability Groups

Hydric Soils

Hydric Soils (CA)

Land Capability Classification

View Description View Soil Report

Options

Include Minor Soils ☒

View Description View Soil Report

Prime and other Important Farmlands

Prime and other Important Farmlands (IA)

Taxonomic Classification of the Soils

Land Management

Basin, Border, and Furrow Irrigation (CA)

Sprinkler and Drip Irrigation (CA)

Soil Chemical Properties

Soil Erosion

Soil Physical Properties

Soil Qualities and Features

Vegetative Productivity

Waste Management

Water Features

Soil Map

Legend Scale

Report - Land Capability Classification

Alameda Area, California

Map unit symbol and name	Pct. of map unit	Component name	Land Capability Subclass	
			Nonirrigated	Irrigated
AaC—Altamont clay, 3 to 15 percent slopes				
	85	Altamont	4e	3e
	5	Diablo	—	—
	5	innu	—	—

Local Intranet 100%

nrcs_map31.jpg