

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution No.: 21-413

- Resolution of the Monterey County Board of Supervisors to:)
- a. Find that Open Space Contracts or Easements qualify as a)
Class 17 Categorical Exemption pursuant to the California)
Environmental Quality Act (CEQA), California Code of)
Regulations (CCR) CEQA Guidelines Section 15317 and)
there are no exceptions pursuant to CEQA Guidelines CCR)
Section 15300.2)
 - b. Approve five (5) applications to create five (5) Farmland)
Security Zones (“FSZ”) and FSZ Contracts, consisting of nine)
(9) parcels totaling approximately 1,925 acres as set forth)
below.)
 - 1. FSZ Application No. 2022-01 (304 acres) – Yellow)
Juliet II, LLC; Assessor’s Parcel Number (APN) 145-)
011-064)
 - 2. FSZ Application No. 2022-02 (331 acres) – KVL)
Holdings, Inc.; APNs 183-021-016 and 183-021-033)
(*Currently in escrow with Arroyo Seco Vineyards)
LLC, a Delaware limited liability company.))
 - 3. FSZ Application No. 2022-03 (297 acres) – Nixon)
Farms, LLC; APNs 107-031-007 and 107-031-008)
 - 4. FSZ Application No. 2022-04 (756 acres) - Fanoe-)
Johnson Ranch Trust U/D/T dated February 9, 2021,)
Jane Fanoe Limited Partnership dated December 29,)
1999, Trust B of James D. Fanoe, Jr. Family Trust)
U/A dated June 24, 1985, APNs 107-031-017 and)
107-031-024; rescind Land Conservation Contract)
Nos. 68-022 and 70-002 and simultaneously approve)
FSZ No. 2022-04 as applicable to the subject property)
 - 5. FSZ Application No. 2022-05 (59 acres) – 1992)
Beverly Silliman Revocable Trust U/D/T dated May 8,)
1992, Claudia M. Kelley Revocable Trust Executed)
October 15, 2012, Gary A. Marsh Living Trust, dated)
November 29, 2012; APNs 177-081-017 and 207-121-)
009; and)
 - c. Continue one (1) application to create an FSZ and Contract to)
the 2023 round of Williamson Act applications (to be)
considered in 2022): FSZ Application No. 2022-06 (178)
acres) - Linda S. De Santiago Living Trust dated December)
21, 1998; APNs 165-101-006 and 165-101-008 (Application)
No. 2020-09 in 2019); and)
 - d. Authorize the Chair to execute the recommended five (5) FSZ)
Contracts; and)
 - e. Direct the Clerk of the Board to record the Farmland Security)
Zone Contracts prior to the January 1, 2022 property tax lien)

date subject to the submittal of recording fees by the property)
owners of record.)
(REF210027 – Williamson Act Contract Applications 2022 – County-)
wide)

A public hearing before the Monterey County Board of Supervisors was conducted on December 7, 2021. During said hearing, the Board considered a total of six (6) Williamson Act Applications. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, the Board of Supervisors finds that Open Space Contracts or Easements qualify as a Class 17 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15317 and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2. CEQA Guidelines Section 15317 categorically exempts the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.

WHEREAS, the Board of Supervisors finds that FSZ Application No. 2022-05 (Silliman et al) of less than 100 acres, at 59 acres preserves the unique characteristics of the agricultural enterprise in the area and the establishment of an FSZ of less than 100 acres is consistent with the general plan of the County because the subject land has soils that are fundamentally rich and exceptionally agriculturally productive and the agricultural parcels in this area are typically smaller than 100 acres since these are located between the City of Salinas and the town of Spreckels.

WHEREAS, the Board of Supervisors finds that the following applications are consistent with the General Plan of the County of Monterey and are suitable for inclusion in Farmland Security Zone, it being the intention to create a Farmland Security Zone for these parcels, as expressly requested by the property owners of record; and, therefore said Board approves five (5) applications to create five (5) Farmland Security Zones (“FSZ”) and FSZ Contracts, consisting of nine (9) parcels totaling 1,925 acres, as set forth below:

1. FSZ Application No. 2022-01 (304 acres) – Yellow Juliet II, LLC; Assessor’s Parcel Number (APN) 145-011-064
2. FSZ Application No. 2022-02 (331 acres) – KVL Holdings, Inc.; APNs 183-021-016 and 183-021-033 (*Currently in escrow with Arroyo Seco Vineyards LLC, a Delaware limited liability company.)
3. FSZ Application No. 2022-03 (297 acres) – Nixon Farms, LLC; APNs 107-031-007 and 107-031-008
4. FSZ Application No. 2022-04 (756 acres) – Fanoie-Johnson Ranch Trust U/D/T dated February 9, 2021, Jane Fanoie Limited Partnership dated December 29, 1999, Trust B of James D. Fanoie, Jr. Family Trust U/A dated June 24, 1985, APNs 107-031-017 and 107-031-024; rescind Land Conservation Contract Nos. 68-022 and 70-002 and simultaneously approve FSZ No. 2022-04 as applicable to the subject property

5. FSZ Application No. 2022-05 (59 acres) – 1992 Beverly Silliman Revocable Trust U/D/T dated May 8, 1992, Claudia M. Kelley Revocable Trust Executed October 15, 2012, Gary A. Marsh Living Trust, dated November 29, 2012; APNs 177-081-017 and 207-121-009

WHEREAS, the Board of Supervisors is continuing FSZ Application No. 2022-06 (178 acres) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Application No. 2020-009 in 2019) one year (1) to the 2023 round of Williamson Act Applications to be considered in 2022, for the Owner-Applicant to satisfy the conditions of approval for the Minor Subdivision map (PLN030214-EXT-1), file the final map with the County Recorder, and submit revised application materials by the application deadline of September 15, 2022; subject to the following, if the Minor Subdivision conditions are not satisfied and the final map is not filed with the County Recorder; and if the revised FSZ application materials are not submitted by the application deadline of September 15, 2022, the FSZ application shall be considered denied without prejudice.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Find that Open Space Contracts or Easements qualify as a Class 17 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15317 and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2;
- b. Approve five (5) applications to create five (5) Farmland Security Zones (“FSZ”) and FSZ Contracts, consisting of nine (9) parcels totaling approximately 1,925 acres as set forth below.
 1. FSZ Application No. 2022-01 (304 acres) – Yellow Juliet II, LLC; Assessor’s Parcel Number (APN) 145-011-064
 2. FSZ Application No. 2022-02 (331 acres) – KVL Holdings, Inc.; APNs 183-021-016 and 183-021-033 (*Currently in escrow with Arroyo Seco Vineyards LLC, a Delaware limited liability company.)
 3. FSZ Application No. 2022-03 (297 acres) – Nixon Farms, LLC; APNs 107-031-007 and 107-031-008
 4. FSZ Application No. 2022-04 (756 acres) – Fanoie-Johnson Ranch Trust U/D/T dated February 9, 2021, Jane Fanoie Limited Partnership dated December 29, 1999, Trust B of James D. Fanoie, Jr. Family Trust U/A dated June 24, 1985, APNs 107-031-017 and 107-031-024; rescind Land Conservation Contract Nos. 68-022 and 70-002 and simultaneously approve FSZ No. 2022-04 as applicable to the subject property
 5. FSZ Application No. 2022-05 (59 acres) – 1992 Beverly Silliman Revocable Trust U/D/T dated May 8, 1992, Claudia M. Kelley Revocable Trust Executed October 15, 2012, Gary A. Marsh Living Trust, dated November 29, 2012; APNs 177-081-017 and 207-121-009; and
- c. Continue one (1) application to create an FSZ and Contract one (1) year to the 2023 round of Williamson Act applications (to be considered in 2022): FSZ Application No. 2022-06 (178 acres) – Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Application No. 2020-09 in 2019) for the Owner-

Applicant to satisfy the conditions of approval for the Minor Subdivision map (PLN030214-EXT-1), file the final map with the County Recorder, and submit revised application materials by the application deadline of September 15, 2022; subject to the following, if the Minor Subdivision conditions are not satisfied and the final map is not filed with the County Recorder; and if the revised FSZ application materials are not submitted by the application deadline of September 15, 2022, the FSZ application shall be considered denied without prejudice; and

- d. Authorize the Chair to execute the recommended five (5) FSZ Contracts; and
- e. Direct the Clerk of the Board to record the Farmland Security Zone Contracts prior to the January 1, 2022 property tax lien date subject to the submittal of recording fees by the property owners of record.

(REF210027 – Williamson Act Contract Applications 2022– County-wide)

PASSED AND ADOPTED on this 7th day of December 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)

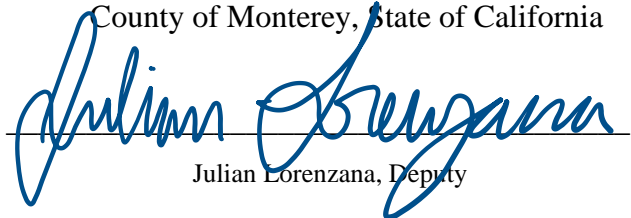
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting December 7, 2021.

Dated: December 13, 2021

File ID: RES 21-206

Agenda Item No.: 16

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Julian Lorenzana, Deputy