

Exhibit D

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**Before the Housing and Community Development Chief of Planning
in and for the County of Monterey, State of California**

In the matter of the application of:

ECHENIQUE RANCH (PLN180517-EXT1)

RESOLUTION NO. 24-047

Resolution by the County of Monterey HCD Chief of Planning:

- 1) Finding that the project is an Extension of a permit which was granted with a Class 5 Categorical Exemption of the CEQA Guidelines; circumstances and conditions of the project have not changed and therefore, subsequent environmental review is not required; and
- 2) Approving a 2-year Permit Extension to a previously-approved Lot Line Adjustment (Board of Supervisors Resolution No. 19-342, HCD-Planning Permit File No. PLN180517) allowing a Lot Line Adjustment between four legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract.
[PLN180517-EXT1, Echenique Ranch, the properties are located west of Lockwood San Lucas Road, San Lucas, South County Area Plan (Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000)]

The ECHENIQUE RANCH application (PLN180517-EXT1) came on for a public hearing before the County of Monterey HCD Chief of Planning on December 4, 2024. Having considered all the written and documentary evidence, the Chief of Planning finds and decides as follows:

RECITALS

WHEREAS, on October 15, 2019, a PLN180517, Lot Line Adjustment was approved by the County of Monterey Board of Supervisors through Resolution No. 19-342 and is incorporated by reference. As approved, the project consists of a Lot Line Adjustment among four legal lots of

record under Williamson Act Contract (AGP No. 69-012): Parcel 1, 160 acres (a portion of Assessor's Parcel Number 421-121-053-000); Parcel 2, 40 acres (Assessor's Parcel Number 421-121-056-000); Parcel 3, 160 acres (portion of Assessor's Parcel Number 421-121-053-000 and portion of Assessor's Parcel Number 421-121-027-000); Parcel 4, 320 acres (Assessor's Parcel Number 421-121-058-000), into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D), respectively. In accordance with the resolution, this entitlement was set to expire on October 15, 2021;

WHEREAS, pursuant to Monterey County Code section 19.09.035, the applicant submitted a written request from the permittee and provided such request be made at least thirty (30) days prior to the expiration of the Lot Line Adjustment. The written request was filed by the agent, Lynn Kovach, with the Appropriate Authority, HCD Director, and set forth reasons supporting the request because various title issues needed to be resolved;

WHEREAS, pursuant to Government Code Section 51257 involving Lot Line Adjustments among land under Williamson Act Contract, seven findings shall be made. The granting of this extension does not change the seven findings previously made under Board of Supervisors Resolution No. 19-342: 1) the new contracts are for no less than 20 years, 2) there is no net decrease in contracted acreage, 3) 90 percent of the original contracted acreage remains under the new contract, 4) the newly created parcels are large enough to sustain their agricultural use, 5) the Lot Line Adjustment would not compromise agricultural productivity of parcel or neighboring parcels, 6) the Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use, and 7) the Lot Line Adjustment does not create a greater number of developable parcels than previously existed;

WHEREAS, the subject properties were found to be legal lots pursuant to existing patents and include the entirety of Assessor's Parcel Numbers 421-121-056-000 and 421-121-058-000 and portions of 421-121-053-000 and 421-121-027-000 for a total of 680 acres;

WHEREAS, this extension does not include any change to the approved project scope; therefore, there is no change to the findings of site suitability and health life and safety;

WHEREAS, Monterey County HCD-Planning and HCD-Building Services records were reviewed, and the County is not aware of any violations existing on the subject property;

WHEREAS, the original planning permit (PLN180517) is and will continue to be the operating permit for condition compliance;

WHEREAS, the project was deemed categorically exempt from environmental review per California Environmental Quality Act (CEQA) Guidelines Section 15305(a) and there were no exceptions under CEQA Guidelines Section 15300.2. Section 15305(a) categorically exempts minor alterations in land use limitations such as Lot Line Adjustments. Therefore, the Board of Supervisors found the project consistent with CEQA Guidelines Section 15305 and that none of the exceptions under CEQA Guidelines Section 15300.2 applied to this project. No new adverse environmental effects were identified during staff review of the application for permit extension, therefore no new environmental review is required; and

WHEREAS, pursuant to MCC Section 19.16.020.A, the Board of Supervisors shall consider appeals from the discretionary decisions of the HCD Chief of Planning. The decision of the Board of Supervisors would be final and may not be appealed.

NOW, THEREFORE BE IT RESOLVED, based on the above recitals, the County of Monterey HCD-Chief of Planning does hereby:

- 1) Find that the project is an Extension of a permit which was granted with a Class 5 Categorical Exemption of the CEQA Guidelines; circumstances and conditions of the project have not changed and therefore, subsequent environmental review is not required; and
- 2) Approve 2-year Permit Extension to a previously-approved Lot Line Adjustment (Board of Supervisors Resolution No. 19-342) allowing a Lot Line Adjustment between four legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract.

PASSED AND ADOPTED this 4th day of December 2024.

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Melanie Beretti
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Melanie Beretti, AICP
HCD, Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON **DECEMBER 4, 2024.**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **DECEMBER 16, 2024.**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You must comply with the Monterey County Building Ordinance in every respect.

2. Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.
3. Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

County of Monterey HCD Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN180517-EXT1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Extension Permit (PLN180517-EXT1) to a previously-approved Lot Line Adjustment (Board of Supervisors Resolution No. 19-342, HCD-Planning File No. PLN180517) allows a Lot Line Adjustment between four legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract. The properties are located west of Lockwood San Lucas Road and the intersection of Highway 101, San Lucas (Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000), South County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "An Extension to a previously approved Lot Line Adjustment (Resolution Number 24-047) was approved by the HCD Chief of Planning for Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000 on December 4, 2024. The permit was granted subject to 2 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Prior to the issuance of grading and building permits, certificates of compliance, or
Action to be commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Performed: shall provide proof of recordation of this notice to the HCD - Planning.