



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 26-693

August 11, 2026

Introduced: 7/27/2026

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Matter Type: General Agenda Item

REF260019 - County Initiated Notices of Nonrenewal of Williamson Act Contracts 2027

a. Find that the proposed County Initiated Notices of Nonrenewal of Williamson Act Contracts are not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Sections 15378(b)(2) and 15378(b)(5), as the item consists of informational and policy discussions that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

b. Set a public hearing for August 25, 2026 at 10:30 AM to consider County Initiated Notices of Nonrenewal for five (5) Williamson Act Agricultural Preserve (AGP) Land Conservation Contracts (LCC) or portions thereof due to not meeting County Williamson Act Program and Contract requirements.

c. Direct the Clerk of the Board of Supervisors to publish Notice of Hearing for the Public Hearing to take place on August 25, 2026, at 10:30AM, for County Initiated Notices of Nonrenewal five (5) Williamson Act AGP LCC Contracts or portions thereof, record the County Initiated Notices of Nonrenewal, and to provide a copy of the Board approved and recorded County Initiated Notices of Nonrenewal to the California Department of Conservation Williamson Act Program.

(REF260019 County Initiated Notices of Nonrenewal of Williamson Act Contracts 2027)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Find that the proposed County Initiated Notices of Nonrenewal of Williamson Act Contracts are not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Sections 15378(b)(2) and 15378(b)(5), as the item consists of informational and policy discussions that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

b. Set a public hearing for August 25, 2026 at 10:30 AM to consider County Initiated Notices of Nonrenewal for five (5) Williamson Act Agricultural Preserve (AGP) Land Conservation Contracts (LCC) or portions thereof due to not meeting County Williamson Act Program and Contract requirements.

c. Direct the Clerk of the Board of Supervisors to publish Notice of Hearing for the Public Hearing to take place on August 25, 2026 at 10:30 AM, for County Initiated Notices of Nonrenewal for portions of five (5) Williamson Act AGP LCC Contracts, record the County Initiated Notices of Nonrenewal, and provide a copy of the Board approved and recorded County Initiated Notices of Nonrenewal to the California Department of Conservation Williamson Act Program.

SUMMARY:

A Williamson Act contract is an agreement between a property owner and the County of Monterey (County) whereby the landowner may receive a reduced property tax assessment by agreeing that their property is to be utilized solely for commercial agricultural production and, potentially, a limited number of Board approved “Compatible Uses” as set forth in the Board approved lists of Compatible Uses for Agricultural Preserves and Farmland Security Zones. The County is required and authorized, pursuant to the State Williamson Act, the State Revenue and Taxation Code, and the County’s Board approved Williamson Act Program, to monitor the County Williamson Act Program by periodically reviewing the continued eligibility and compliance of Williamson Act lands. Accordingly, property owners must demonstrate to the County, upon request, continued eligibility.

County staff completed its periodic review of Contracts and initially found that the parcels related to eight (8) Williamson Act Contracts were potentially not meeting County Williamson Act Program and AGP LCC and FSZ Contract requirements. The eight contracts were brought to the Agricultural Advisory Committee (AAC) for review and recommendation. The AAC recommended postponing action on two of the contracts and recommended that one contract remain. Consistent with the AAC recommendation, staff recommends that the Board of Supervisors set a noticed public hearing for August 25, 2026 at 10:30 AM, to consider proposed County Initiated Notices of Nonrenewal for five (5) Williamson Act AGP LCC Contracts or portions thereof, not including the two postponed items and the one that will remain under contract.

DISCUSSION:

The County’s annual Williamson Act Questionnaires were mailed to all Williamson Act Property Owners on January 23, 2026. The purpose of these Questionnaires is to evaluate tax assessments, as well as to provide the County with information to confirm ongoing compliance with Williamson Act Program requirements. Staff has received six (6) completed Questionnaires where Property Owners have clearly stated that their property is not in commercial agricultural production. One (1) property owner did not return the annual Questionnaire and, one (1) 3.8-acre parcel (APN 419-121-035) was originally included in the Williamson Act program with a group of several other contiguous parcels but is now separately owned and is utilized as a “homesite only”. The six properties without an agricultural use, the one property where no responsive was provided, and the one homesite property were initially considered for County Initiated Notice of Nonrenewal of the Williamson Act contracts.

While staff’s initial recommendations concerned eight (8) potential County Initiated Notices of Nonrenewal, the receipt of subsequent information from property owners has resulted in a revised recommendation to process five (5) County Initiated Notices of Nonrenewal as indicated in Attachment A and supported by the AAC during the July 23, 2026, AAC meeting. In accordance with the County’s Williamson Act Program and corresponding Contract requirements, the parcels related to these five (5) contracts will be considered for County Initiated Notices of Nonrenewal.

On August 25, 2026 at 10:30 AM, the County will hold a noticed public hearing and staff will be recommending that the Board of Supervisors approve five (5) County Initiated Notices of Nonrenewal for the subject AGP LCC Contracts or portions thereof. The list of parcels with reasons for recommending nonrenewal is provided in an attached matrix titled, “List of potential County Initiated Notices of Nonrenewal” (Attachment A). These five (5) AGP LCC Contracts or portions thereof

proposed for County Initiated Notices of Nonrenewal consist of 24 parcels and approximately 4,534 acres.

On June 11, 2026, staff mailed each of the Property Owners a registered letter to inform them of the County's intent to initiate Notice of Nonrenewal of the subject AGP and LCC and FSZ Contracts or portions thereof, as applicable. This letter also informed the Property Owners of the June 25, 2026 AAC meeting and the August 25, 2026 hearing date for consideration of this matter, as well as their right to request reconsideration of the County's intent to initiate a Notice of Nonrenewal pursuant to Government Code Section 51245. The June 25, 2026 AAC meeting was held and this item was presented by staff. During the June 25, 2026 AAC meeting, in response to the AAC's request for further information regarding some of the proposed Notices of Nonrenewal, this item was continued to a date and time certain of July 23, 2026, at 2:30 PM. In addition to the June 25, 2026 AAC meeting being continued to a date and time certain, notice of the July 23, 2026 AAC meeting was provided to all Property Owners via overnight delivery service sent on July 20, 2026.

The July 23, 2026 AAC meeting was held. Only one Property Owner Mrs. Janet Louie was present during the July 23, 2026 AAC meeting. Following receipt of further written communications from Property Owners and further information provided and presented by staff and Mrs. Janet Louie during the July 23 AAC meeting, the AAC made the following recommendations which are also reflected in Attachment A:

1. Recommend non-renewal of the following Williamson Act contracts because the properties no longer meet the program's commercial agricultural use requirements:
 - Hagle - AGP 99-007
 - Hernandez - AGP 96-004
 - Silveria - AGP 90-001
 - Ramirez - AGP 70-011
 - Canales - AGP 71-020
2. Recommend a one-year extension for the following contracts to allow the property owners additional time to reinstate commercial agricultural use:
 - Stewart - AGP 68-094
 - Daggett - AGP 68-095
3. Recommend retaining the following contract in the Williamson Act program, as the contract holder has demonstrated continued commercial agricultural use:
 - Louie - FSZ 05-009

Of the six contracts that had no commercial agricultural production, one 68-acre parcel (APN 141-011-009/Ramierz) had limited production including one-tenth (1/10) of one (1) acre out of 68 acres which are subject to an existing AGP and LCC used for egg production and sales at Farmers' Markets which provide for a nominal income amount, as reported by the Property Owner. The Agricultural Advisory Committee (AAC) was asked to make a recommendation on the scale of use and agricultural production for commercial purposes as it relates to the Williamson Act requirements for this property. While the State Williamson Act provides for Open Space within an Agricultural Preserve, the County's Williamson Act Program, Policies, Procedures and Contracts call for the production of food or fiber for commercial purposes. The issues concern the scale of the one-tenth of one acre used for egg production, in comparison to the 68-acre parcel, which receives a tax benefit

for the entire 68 acres, as well as whether or not this use and the nominal range of annual income reported by the Property Owner constitutes production of food or fiber for commercial purposes. During the July 23, 2026 AAC meeting, the AAC recommended County Initiated Notice of Nonrenewal for this 68-acre property due to the scale of use (1/10 of one [1] acre out of 68 acres) and the nominal range of annual income reported by the Property Owner.

The current list of potential County Initiated Notices of Nonrenewal is subject to further reduction prior to the August 25, 2026 hearing date in the event that relevant evidence is submitted to County staff by the Property Owners or their representatives regarding the production of food or fiber for commercial purposes or the intent to re-establish said activity.

Methods for identifying and reviewing the continued eligibility of properties include the annual Williamson Act Questionnaire, review of proposed development and activity, and parcel audits. To ensure compliance with the requirements that Williamson Act properties are restricted to agricultural production of food or fiber for commercial purposes, and a limited number of compatible uses, staff distributes an annual Williamson Act Questionnaire to all Williamson Act Property Owners. Landowners are required to complete and return this annual Williamson Act Questionnaire as well as maintain records of annual productive acreage and production value.

Reporting requirements are set forth in *California Revenue and Taxation Code Section 441(d)* which states:

...At any time, as required by the Assessor for assessment purposes, every person shall make available for examination information or records regarding his or her property or any other personal property located on premises he or she owns or controls. In this connection, details of property acquisition transactions, construction and development costs, rental income, and other data relevant to the determination of an estimate of value... are to be considered as information essential to the proper discharge of the assessor's duties.

Williamson Act Program regulations require the Clerk of the Board of Supervisors to record County Initiated Notices of Nonrenewal on or before November 1, 2026, and to provide a copy of the recorded Notices of Nonrenewal to the Department of Conservation - Williamson Act Program. The Nonrenewal periods will commence on January 1, 2027. The hearing has been scheduled for August 25, 2026, which provides sufficient time to comply with these noticing and recording requirements.

ENVIRONMENTAL REVIEW - California Environmental Quality Act (CEQA) Action:

The proposed County Initiated Notices of Nonrenewal of Williamson Act Contracts are not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Sections 15378(b)(2) and 15378(b)(5), as the item consists of informational and policy discussions that will not result in a direct or reasonably foreseeable indirect physical change in the environment.

OTHER AGENCY INVOLVEMENT/COMMITTEE ACTIONS:

The Agricultural Preservation Review Committee (APRC) of the County of Monterey, consisting of staff from the Department of Housing and Community Development, Agricultural Commissioner's

Office, Assessor-Recorder's Office, and the Office of the County Counsel is tasked to oversee implementation and compliance of the Williamson Act Program. The APRC has collectively reviewed the proposed County Initiated Notices of Nonrenewal. The APRC supports the processing of the proposed County Initiated Notices of Nonrenewal for the Board's consideration at the noticed public hearing to be set for August 25, 2026 at 10:30 AM.

The AAC considered the proposed County Initiated Notices of Nonrenewal at their June 25, 2026 and July 23, 2026 meetings. The AAC's recommendations are set forth above in the DISCUSSION section and summarized in Attachment A.

FINANCING:

If approved by the Board, the proposed County Initiated Notices of Nonrenewal will begin a process that may result in an increase of the appraised value of the property equating to a property tax increase in the first year following the effective date of the Notice of Nonrenewal, with further annual property tax increases throughout the remaining term of the Contract (nine [9] years for Contracts initiated in 1968, nineteen [19] years for all other Contracts). The parcels that are being reviewed for potential County Initiated Notice of Nonrenewal have been preliminarily identified as non-producing agricultural lands which do not currently produce food or fiber for commercial purposes. If the Board is interested in the financial implications of the proposed County Initiated Notices of Nonrenewal, staff from the Assessor's office will be present at the August 25, 2026 noticed public hearing to answer any questions.

The cost to coordinate and facilitate County Initiated Notices of Nonrenewal, notify property owners and interested parties, prepare staff reports and compile background information for consideration by the AAC and Board of Supervisors is part of the Williamson Act Program cost, which is included in the FY2026-27 adopted budget for 1001-HCD000-310002.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

The proposed action supports the Board of Supervisors' Strategic Plan Goals indicated below:

- ☐ Well-Being and Quality of Life
- ☐ Sustainable Infrastructure for the Present and Future
- ☐ Safe and Resilient Communities
- ☐ Diverse and Thriving Economy

The project does not fall under any of the above Board of Supervisors Strategic Plan Goals (Other):

☒ Administrative [The item consists of informational and policy discussions that will not result in a direct or reasonably foreseeable indirect physical change in the environment.]

Prepared by: Steve Mason, Planner (831) 759-7375

Reviewed by: Melanie Beretti, AICP, Chief of Planning

Approved by: Craig Spencer, Director of Housing and Community Development

cc: Front Counter Copy; Board of Supervisors; Juan Hidalgo, Agricultural Commissioner/Sealer of Weights and Measures, Agricultural Commissioner's Office; Craig Spencer, Director of Housing and Community Development (HCD); Melanie Beretti, AICP, Chief of HCD-Planning; Nadia Ochoa, Agricultural Resource and Policy Manager, Agricultural Commissioner's Office; Mary Grace Perry, Deputy County Counsel, Office of the County Counsel; Gregg Macfarlane, Assistant Assessor-Valuation, Assessor-Recorder's Office; Property Owners and/or Property Owner's respective legal representatives; The Open Monterey Project; LandWatch; Lozeau Drury LLP; Project File REF260019

The following attachments are on file with the Clerk of the Board:

Attachment A - List of 2027 Potential County Initiated Notices of Nonrenewal

Attachment B - Notice of Public Hearing