

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent

Routine

AGENDA DATE March 25, 2008

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Adopt a Resolution Approving the Easement Proposal to the California Department of Conservation California Farmland Conservancy Program for the Menghetti Ranch Conservation Easement and Certification of Easement Proposal Meets the Eligibility Criteria Set Forth In California Public Resources Code 10251

STAFF RECOMMENDATIONS:

1. Adopt a Resolution approving the easement proposal to the California Department of Conservation California Farmland Conservancy Program for the Menghetti Ranch Conservation Easement; and,
2. Certify the easement proposal meets the eligibility criteria set forth in California Public Resources Code 10251

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-215

On motion of Supervisor Grover, Seconded by Supervisor DeMartini

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

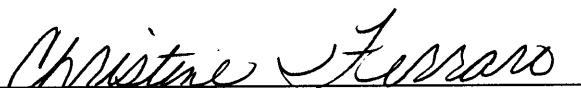
1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

The Central Valley Farmland trust (CVFT) intends to purchase an agricultural conservation easement on the Menghetti Farm located in Stanislaus County. The farm is approximately 155.8 acres in area. This easement would protect the agricultural production on this property in perpetuity. The land will still be owned by the private landowner while the land conservation organization will hold and manage the easement for the purpose of conserving agricultural land and resources. The placement of these lands in the easement is voluntary on the part of this landowner, and portions of the funding for the purchase have come from agricultural land mitigation programs in the area.

The farm is located north of State Route 132, west of the City of Modesto and is currently in production with almonds and walnuts. The soils are classified as Prime farmland and include Modesto and Oakdale sandy loam soils series. The subject parcel is located in the Modesto Irrigation District and has rights to irrigation water from the District.

Provisions contained in the easement will maintain the farm agricultural land and protect the productivity of the soils. The farm is comprised of a single Tax Assessor's parcel (012-037-004) and has been enrolled in the Williamson Act Program since 1972.

The purchase of the conservation easement would, in part, be funded by the California Farmland Conservancy Program administered by the State Department of Conservation. In order for the State to act on the proposal, the Board must approve the easement proposal and certify the proposed easement meets the eligibility criteria set forth in Public Resources Code Section 10251:

(a) The parcel proposed for conservation is expected to continue to be used for, and is large enough to sustain, commercial agricultural production. The land is also in an area that possesses the necessary market, infrastructure, and agricultural support services, and the surrounding parcel sizes and land uses will support long-term commercial agricultural production.

This parcel is located in a long standing, very productive agricultural area of the county which is designated as "Agriculture" on the Land Use Element of the General Plan. The parcel is some of the most productive farmland in the area and consistently has exceeded average almond production in the County, and has rights to M.I.D. irrigation water.

(b) The applicable city or county has a general plan that demonstrates a long-term commitment to agricultural land conservation. This commitment shall be reflected in the goals, objectives, policies, and implementation measures of the plan, as they relate to the area of the county or city where the easement acquisition is proposed.

Approval to Adopt a Resolution Approving the Easement Proposal to the California Department of Conservation California Farmland Conservancy Program for the Menghetti Ranch Conservation Easement and Certification of Easement Proposal Meets the Eligibility Criteria Set Forth In California Public Resource Code 10251

Page 3

Stanislaus County is committed to the long-term conservation agricultural lands throughout the County. This commitment is reflected in the Goals, Policies and Implementation Measures in the Land Use Conservation/Open Space and the newly adopted Agricultural Element of the General Plan. In addition, the subject parcel and several of the surrounding parcels have been enrolled in the Williamson Act since the early 1970's.

(c) Without conservation, the land proposed for protection is likely to be converted to nonagricultural use in the foreseeable future.

This area has been experiencing tremendous pressure to convert large farms into smaller parcels consistent with the zoning, but, inconsistent with the long-term utilization of the land for farming purposes. The parcel is located 2 miles to the west of the City of Modesto's LAFCO approved Sphere of Influence. The CVFT has identified pressure from development from the east and north. The easement specifically prohibits subdivision of the land into parcels smaller than 78 acres. Without conservation easement programs such as the one proposed, these important agricultural and watershed areas will be ultimately converted to uses not compatible with commercial agriculture.

Based on the preceding discussion, it is recommended the Board certify the easement proposal meets the eligibility criteria.

POLICY ISSUES:

The voluntary sale and acquisition of an agricultural lands easement as discussed in this report is consistent with the goals and policies contained in the General Plan, specifically the Agricultural Element. This project is consistent with the Board's priority of a strong agricultural economy and heritage.

STAFFING IMPACT:

There will be no staff impact as the easement will be maintained by the Central Valley Farmland Trust or its assignee.

ATTACHMENT:

1. Proposed Resolution
2. Map
3. Letter dated February 20, 2008 from Central Valley Farmland Trust requesting a Resolution of Support

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: March 25, 2008

No. 2008-215

On motion of Supervisor Grover Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # *D-1

RESOLUTION OF THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY
APPROVING THE EASEMENT PROPOSAL TO THE CALIFORNIA DEPARTMENT OF
CONSERVATION'S CALIFORNIA FARMLAND CONSERVANCY PROGRAM FOR THE
MENGHETTI FARM CONSERVATION EASEMENT

WHEREAS, the California Legislature has established the California Farmland Conservancy Program within the Department of Conservation, and through a grant program is providing assistance to conserve important agricultural land resources that are subject to conversion pressures; and,

WHEREAS, the Central Valley Farmland Trust, a nonprofit organization, intends to purchase an agricultural conservation easement on the 155.8 acre Menghetti Farm property, which lies in Stanislaus County along State Highway 132. This easement will protect the agricultural production on this property in perpetuity. Private landowners will retain ownership of the land, while a nonprofit land conservation organization will hold and manage the easement on the property for the purpose of conserving priority agricultural land resources; and,

WHEREAS, the Stanislaus County Board of Supervisors approves the easement proposal and certifies that the easement proposal meets the eligibility criteria set forth in Public Resources Code Section 10251, to wit:

(a) The parcel proposed for conservation is expected to continue to be used for, and is large enough to sustain, commercial agricultural production. The land is also in an area that possesses the necessary market, infrastructure, and agricultural support services, and the surrounding parcel sizes and land uses will support long-term commercial agricultural production.

(b) The applicable city or county has a general plan that demonstrates a long-term commitment to agricultural land conservation. This commitment shall be reflected in the goals, objectives, policies, and implementation measures of the plan, as they relate to the area of the county or city where the easement acquisition is proposed.

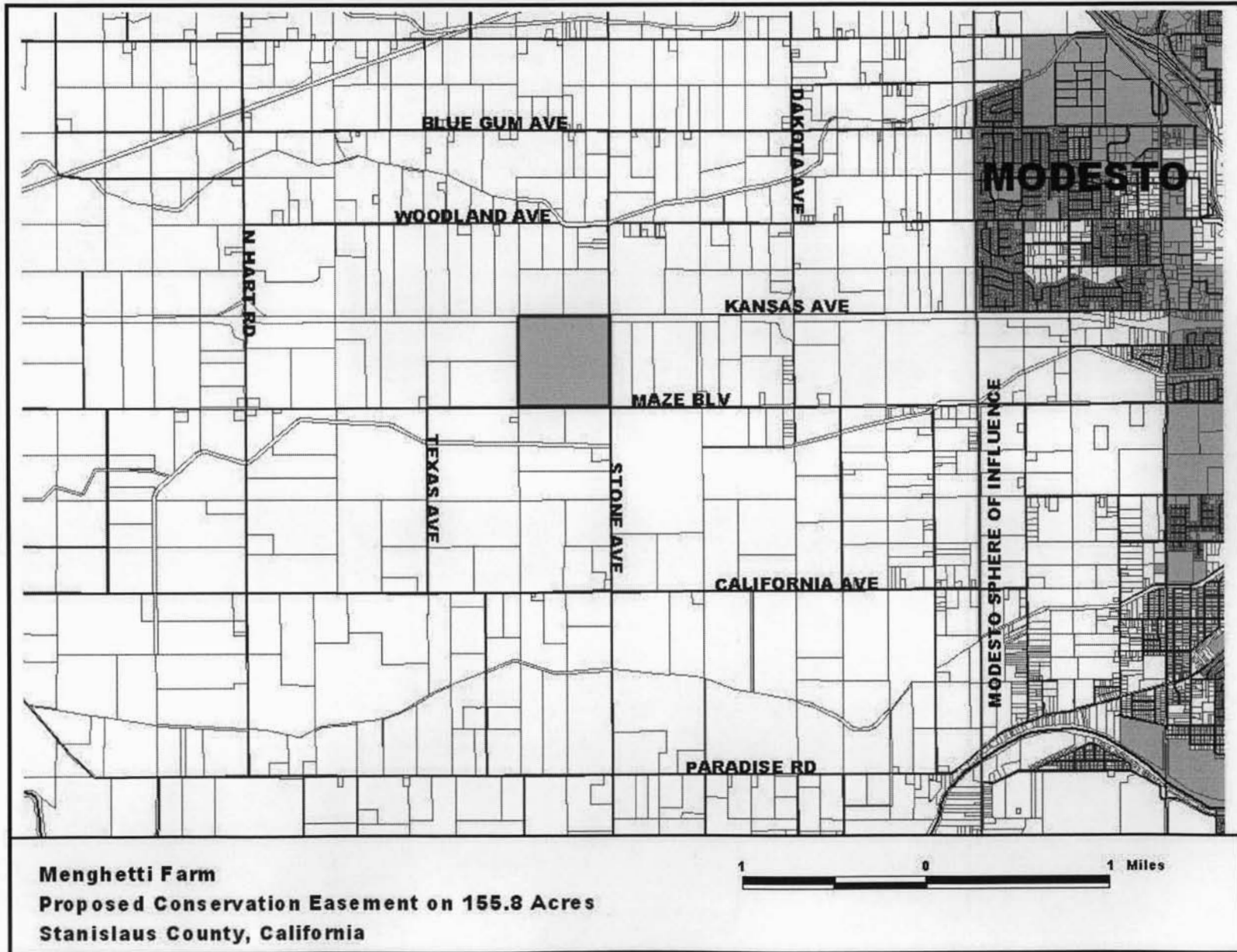
(c) Without conservation, the land proposed for protection is likely to be converted to nonagricultural use in the foreseeable future.

NOW, THEREFORE, BE IT RESOLVED THE STANISLAUS COUNTY BOARD OF SUPERVISORS HEREBY approves the filing of an application for funding from the California Farmland Conservancy Program.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



ATTACHMENT 2 - LOCATION MAP - MENGHETTI FARM





Central Valley Farmland Trust

8788 Elk Grove Blvd, Bldg 1, Ste I
Elk Grove, CA 95624
916-687-3178 phone
916-685-1041 fax
www.valleyfarmland.org



February 20, 2008

Jeff Grover
Stanislaus County Supervisor
1010 10th Street, Suite 6500
Modesto, CA 95354

Board Officers

Tim Byrd, Modesto
President

Maxwell Norton,
Merced
First Vice President

Ken Oneto, Elk Grove
*Second Vice President
and Secretary*

Denny Jackman,
Modesto
Treasurer

Re: Acquisition of an Agricultural Conservation Easement on the Menghetti Farm located in Stanislaus County, California.

Dear Supervisor Grover:

The Central Valley Farmland Trust (CVFT) is working with landowners in Stanislaus County to permanently protect their land with an agricultural conservation easement (ACE). As part of the acquisition grant application process through the California Department of Conservation we are requesting a resolution of support be passed by Stanislaus County.

The following summarizes the property and inherent features of the Menghetti Farm:

Directors

Monica Bianchi
Don Bo
Markus Bokisch
Jani Ferrari
Janie Gatzman
Linda Macedo
Mike Van Horn

1. Ownership: Peter and Kathleen Menghetti
2. Acres: 155.8
3. Location: 5019 Maze Blvd, Modesto; northwest corner of Highway 132 (Maze Blvd.) and Stone Avenue.
4. APN(s): 012-037-004
5. Current use: Almond and walnut orchards
6. Agricultural Viability: Menghetti Farm is some of the most productive farmland in Stanislaus County. Walnut and almond orchard yields consistently exceeded the county average production figures. Almonds are a major commodity in Stanislaus County.
7. Threat of Conversion: The farm is located 2 miles east of Modesto's sphere of influence boundary. Pressure for development is coming from the north and the east. An additional threat is the potential the property is split into small parcels and sold as ranchettes. The owners are retaining the right to sell two 78 acre parcels, which they intend to pass down to their children. The easement will prohibit any further subdivision beyond this.
8. Surrounding area description: Immediate neighborhood is primarily agricultural and rural residential in nature. Area is prime agricultural land with productive orchards and vineyards, farmed by long time farm families.

*Protecting farmland today, securing the future . . . acre by acre . . . day by day . . . year by year
Preserving the rural landscape of the Central Valley and the land that feeds us*

Fiscal Impact

Stanislaus County is not expected to contribute to the easement acquisition and therefore should not realize a direct fiscal impact from the project.

A number of studies have shown that agricultural lands demand less in public service costs than the property tax revenues they generate, while urban development often costs more than it demands in services. To the extent this property remains in agricultural production there may be a long-term savings to the county.

Requested Action

In order for the California Department of Conservation under its Farmland Conservancy Program to consider a grant request for easement acquisition, a resolution of the County Board of Supervisors supporting the easement and finding that the project is consistent with long-term land use plans is required. The requested action does not appear to be in conflict with current County policies.

We respectfully request the Board of Supervisors review and approve the above listed agricultural conservation easement during the March 25th Board of Supervisors' meeting. I would be happy to answer any questions you or the board may have.

Thank you in advance.

Sincerely,



Bill Martin
Executive Director

cc. Kirk Ford, Deputy Director, Stanislaus County Planning Department ✓