

Sept 14, 2012

Planning Commission
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

Subject: Establishment of an Agricultural Preserve

Gentlemen:

I (we) hereby request the Planning Commission consider and recommend to the Board of Supervisors that my (our) property be established as an agricultural preserve pursuant to Section 51200(d) of the California Government Code, being part of the California Land Conservation Act of 1965. It is my (our) intent to provide the necessary subsequent restrictions on land use within this preserve by means of an agreement pursuant to Chapter 7, Division 1, of Title 5 of the California Government Code.

In summary of the attached application:

Property offered consists of 101.238 acres;

Identified as County Assessor's Parcel Number(s) 070-131-56, 070-210-55, 070-131-59

(indicate if this is a portion of the parcel, with more detailed information to be shown on the accompanying map)

Located generally in the vicinity of land located between
Carlson Dr. & Ponderosa Rd., as shown on the attached map.
Shingle Springs, CA. 2.4 N on Ponderosa Rd.

The nature of the property is such that it is (can be) devoted to agricultural and compatible uses.

I (we) understand generally the provisions of the California Land Conservation Act of 1965 and the obligations imposed upon application of said Act.

Sincerely yours,

George V. [Signature] 10/23/2012

Wendell Smith 9-20-13
GENERAL MANAGER
CIELO VINEYARD & WINERY

SEE ATTACHED
NOTARY CERTIFICATE

ACKNOWLEDGMENT

State of California
County of El Dorado

On 10/23/12 before me, Arianna Genetin, Notary Public
(insert name and title of the officer)

personally appeared George Popescu
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Arianna Genetin (Seal)



ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

El Dorado

} SS.

On

9/20/2013

DATE

, before me,

Melissa Billups, a Notary Public

personally appeared

Wendell Smith

, who proved to me on the

basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Melissa Billups

NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL
☒ CORPORATE OFFICER General Manager
☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

TITLE(S)

DESCRIPTION OF ATTACHED DOCUMENT

Establishment of an Agricultural Preserve

TITLE OR TYPE OF DOCUMENT

1
NUMBER OF PAGES

9/14/12
DATE OF DOCUMENT

SIGNER (PRINCIPAL) IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OTHER

RIGHT
THUMBPRINT
OF
SIGNER

Top of thumbprint here

Sept. 14, 2012

PART I

(To be completed by applicant)

LAND CONSERVATION CONTRACT APPLICATION

NAME George Popescu PHONE (916) 247-4700
Cielo Vineyard Winery PHONE (530) 672-8575
PHONE ()

MAILING ADDRESS 3900 Spin Acres Ln. Shingle Springs. CA
3040 Vondrosa Rd. Shingle Springs. CA

ASSESSOR'S PARCEL NUMBER(S): (Attach legal description if portion of parcel)

070-131-56, 070-210-55, 070-131-59

TYPE OF AGRICULTURAL PRESERVE (Check one):

Williamson Act Contract (10-year roll-out)

Farmland Security Zone (20-year roll-out)

X

NUMBER OF ACRES TO BE CONSIDERED UNDER THIS CONTRACT 66.238

WATER SOURCE Yes PRESENT ZONING AE-Agriculture
exclusive

YEAR PROPERTY PURCHASED _____

WHAT IS YOUR AGRICULTURAL CAPITAL OUTLAY (excluding land value)?

List specific items or improvements with value for each.

Improvement

Value

Vineyard, Grapes, Trellising, Irrigation
well

\$ 240 K
10 K

Deer Fence

10K

Irrigated Pasture

7 K

267 K Total

PART I
(Continued, page 3)
(To be completed by applicant)

CURRENT LAND UTILIZATION

Pear trees _____ acres *All parcels combined* Date planted _____
 Apple trees _____ acres Date planted _____
 Walnut trees _____ acres Date planted _____
 _____ trees _____ acres Date planted _____
 Irrigated pasture 5.5 acres 10 Date planted _____
 Crop land _____ acres Comments _____
 Dry grazing 7.5 13 acres 13 Comments _____
 Brush 24 acres 21 Comments _____
 Timber _____ acres Comments _____
 Christmas trees _____ acres Comments _____
 Grapes 6.8 15 plus 28 acres Comments _____
 _____ acres Comments _____

TOTAL ACRES 106 acres (This figure should equal acreage under Contract)

PLANNED FUTURE DEVELOPMENTS

Briefly describe what future plans you have for the development of this agricultural unit.
 Please list acreage, crops and time schedule for your planned projects.

I hereby certify that the information contained within this application is true and correct to the best of my knowledge.

10/23/2012
 Date

George
 Signature of Applicant
George 1000 FIELD V+M CC

PART II
(To be completed by Assessor)

Comments: _____

Assessor's recommendation(s): None _____

Date 11/1/13 _____


El Dorado County Assessor

PART III

(To be completed by Agricultural Commission)

Comments: See attached.

Commission's recommendation(s):

Date

Chairman, Agricultural Commission

COUNTY OF EL DORADO



AGRICULTURAL COMMISSION

311 Fair Lane
 Placerville, CA 95667
 (530) 621-5520
 (530) 626-4756 FAX
eldcaq@edcgov.us

Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry / Related Industries
Ron Mansfield – Fruit and Nut Farming Industry
John Smith – Fruit and Nut Farming Industry
Tim Neilsen – Livestock Industry

MEMORANDUM

DATE: November 13, 2013

TO: Aaron Mount, Development Services/Planning

FROM: Greg Boeger, Chair

SUBJECT: Request for Agricultural Commission Review for a partial roll-out of Ag Preserve #285 of WAC 13-0006 (Neher, Alesha) APN 070-210-32.

During the Agricultural Commission's regularly scheduled meeting held on November 13, 2013, the following discussion and motion occurred regarding review of **WAC 13-0006 (Neher, Alesha) APN 070-210-32** – A request for a partial roll-out to Ag Preserve #285, removing parcel number 070-210-32, and application to amend existing contract for remaining three parcels; APNs 070-131-56, 070-131-59, and 070-210-55. The parcels are located on the west side of Ponderosa Road, approximately 2.5 miles north of the intersection with US Highway 50, in the Shingle Springs area. (District 4)

Parcel Descriptions:

- APN 070-210-32 (applying for non-renewal/partial roll-out); Acreage = 33.5 acres; Zoning = Exclusive Agricultural (AE); Land Use Designation = Low Density Residential (LDR); Soil Types = Placer Diggins, Loamy Alluvial Land, Rescue Very Stony Sandy Loam and Rescue Sandy Loam.
- APN 070-210-55 (location of Cielo tasting room, wine grapes); Acreage = 11 acres; Zoning = AE; Land Use Designation = LDR; Soil Types = Rescue Very Stony Sandy Loam, Argonaut Clay Loam, and Rescue Sandy Loam
- APN 070-131-56 (winery building, wine grapes); Acreage = 30 acres; Zoning = AE; Land Use Designation = LDR; Soil Types = Placer Diggins, Rescue Very Stony Sandy Loam, Rescue Sandy Loam, Rescue Clay Clayey Variant
- APN 070-131-59 (wine grapes, grazing land); Acreage = 25 acres; Zoning = AE; Land Use Designation = LDR; Soil Types = Rescue Sandy Loam, Rescue Very Stony Sandy Loam, and Placer Diggins.

Williamson Act Contract Criteria for a High Intensive Farming Operation per the County of El Dorado:

1. Minimum Acreage – twenty (20) contiguous acres. – *Remaining parcels would consist of*

66 acres, with approximately 30 acres of wine grapes and approximately 37 acres of grazing land.

2. Capital Outlay - \$45,000 – *Capital outlay improvements to the property are reported at over \$45,000 for vineyard installation costs, fencing, etc.*
3. Minimum Annual Gross Income - \$13,500 – *Annual gross income reported is \$60,000+ for wine grape production.*

Government Code Section 51222 states, "The Legislature further declares that it is in the public interest for local officials and landowners to retain agricultural lands which are subject to contracts entered into pursuant to this act in parcels large enough to sustain agricultural uses permitted under the contracts. For purposes of this section, agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land.

Staff Recommendation: Staff recommends APPROVAL of the applicant's request for a partial roll-out/non-renewal of parcel number 070-210-32, removing it from WAC # 285, as the parcel does not contribute to the agricultural production of the contract and APPROVAL of WAC 13-0006, amending WAC # 285 for the three remaining parcels (APN's 070-210-55, 070-131-56, and 070-131-59) as the minimum Williamson Act Contract criteria for a high intensive agricultural operation is being met.

The applicants were not present and a few concerned neighbors voiced comments regarding future use of the property being rolled out of the Williamson Act Contract.

Aaron Mount, from Development Services, was present and agreed with staff's recommendations.

It was moved by Mr. Smith and seconded by Mr. Bacchi to recommend APPROVAL of Alesha Neher's request for a partial roll-out/non-renewal of parcel number 070-210-32, removing it from WAC # 285, as the parcel does not contribute to the agricultural production of the contract and APPROVAL of WAC 13-0006, amending WAC # 285 for the three remaining parcels (APN's 070-210-55, 070-131-56, and 070-131-59) as the minimum Williamson Act Contract criteria for a high intensive agricultural operation is being met.

Motion passed

AYES: Smith, Walker, Draper, Neilsen, Bacchi, Boeger

NOES: None

ABSENT: Mansfield

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

Cc: Alesha Neher

Ron Briggs, Board of Supervisor (District 4)

PART IV

(To be completed by Planning Commission)

Date of public hearing: Not applicable.

Action: _____

Comments: _____

Executive Secretary, Planning Commission

PART V

(To be completed by Board of Supervisors)

Date of public hearing: _____

Action: _____

Comments: _____

James S. Mitrisin

~~Suzanne Allen de Sanchez~~, Clerk to the Board

By: _____

Deputy Clerk to the Board