

D & D BRIGANTINO
COMPATIBLE USE

Notice of Withdrawal of Land Conservation Act

Application For Compatible Use

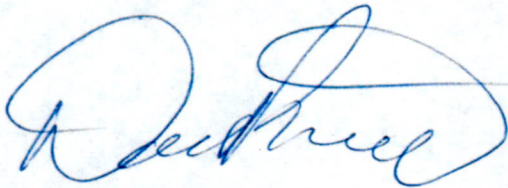
11/1/2018

Tom J. Slavich

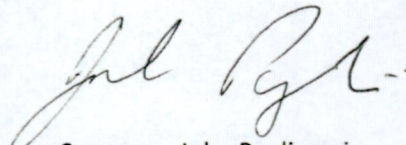
San Benito County Agricultural Preserve Advisory Committee

To All,

D & D Brigantino Limited Partnership and Synagro hereby withdraws our compatible use request to construct a compost facility on APN – 013-060-018.

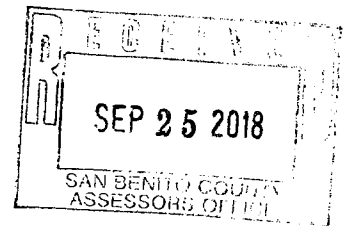


Dave Brigantino - General Partner



Synagro – John Pugliaresi

LAND CONSERVATION ACT
APPLICATION FOR COMPATIBLE USE



FILING FEE – SEE FILING FEE SCHEDULE

DATE 9/13/2018

THIS FORM MUST BE TYPEWRITTEN

1) APPLICANT

NAME D&D Brigantino Family Limited Partnership

ADDRESS PO Box 9
Hollister, CA 95024

PHONE 831-801-6142

2) DESCRIPTION OF PROPERTY FOR WHICH THIS COMPATIBLE USE IS REQUESTED.

A) L. C. A. CONTRACT NO. LCA 68-113

B) CONTRACT TOTAL ACREAGE 251.72

C) ASSESSOR PARCEL NO(S). IN THIS CONTRACT APN: 013-060-018

D) LOCATION Shore Road, Hollister, CA 95023

E) PRESENT USE OF PROPERTY (ROW CROP, ORCHARD, GRAZING, ETC.)
105 Acres Row Crop, 52 Acres Hay Ground, 94.72 Fallow ground/Unfarmable

F) ANNUAL GROSS INCOME FROM THE SALE OF AGRICULTURAL COMMODITIES FROM THIS LAND UNDER CONTRACT FOR THE LAST 5 YEARS -

Annual Gross Income				
Year	Crop	Acres Planted	Income Per Acre	Gross Income
2018	Carrots	105	\$3,750	\$393,750
2017	Carrots	105	\$3,550	\$372,750
2016	Carrots	105	\$3,400	\$357,000
2014	Tomatoes	105	\$2,400	\$252,000
2013	Tomatoes	105	\$2,400	\$252,000

3) COMPATIBLE USE REQUEST.

- A) DESCRIBE THE COMPATIBLE USE BEING REQUESTED Synagro, as lessee, proposes to construct and operate a co-compost facility on an area up to 30 acres. In addition, 20 acres will be used for buffer land and for application of compost as a potential research activity to determine the appropriate application rate for finished compost product in order to optimize the soil condition.

Please see the project description attached for more information regarding the proposed project and the Compatible Use Request.

(USE ATTACHMENT IF ADDITIONAL SPACE IS NEEDED)

B) IF COMPATIBLE USE REQUEST IS FOR AN ADDITIONAL DWELLING UNIT – IS IT FOR A –

TEMPORARY DWELLING UNIT

PERMANENT DWELLING UNIT

HOW MANY DWELLING UNITS PRESENTLY EXIST ON THE TOTAL ACREAGE UNDER THIS CONTRACT - _____ .

FOR EACH EXISTING DWELLING UNIT, SPECIFY THE USE OF THE UNIT AS IT RELATES TO THE OPERATION OF THE AGRICULTURAL PRESERVE-

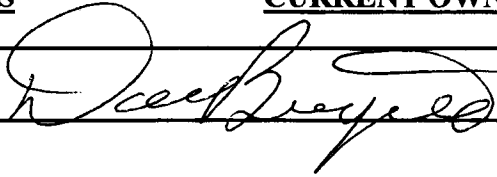
C) AMOUNT OF ACREAGE REQUIRED FOR THIS COMPATIBLE USE 50 .

D) ESTIMATED FUTURE ANNUAL GROSS INCOME FROM THE SALE OF AGRICULTURAL COMMODITIES FROM THE LAND NOT BEING USED FOR THIS COMPATIBLE USE \$ 393,750 .
potentially it can be much higher if the hay ground and fallow ground can be used for row crop production.

E) ATTACH A MAP (8 1/2" X 11") OUTLINING THE LAND UNDER CONTRACT AND SHOWING THE LOCATION OF THE LAND WHICH WILL BE USED FOR THIS COMPATIBLE USE.

See Attached. All of the acreage that is currently in row crop production will remain in row crop production. The compatible use will be located on a portion of the property that is currently not suitable for farming and a small portion of hay ground. In addition, the compost created here will be used on the property to increase production and make more of the hay ground and fallow ground suitable for row crop production.

I/WE CERTIFY THE ABOVE INFORMATION TO THE BEST OF MY/OUR KNOWLEDGE IS TRUE, CORRECT AND COMPLETE.

<u>NAME (TYPED)</u>	<u>MAILING ADDRESS</u>	<u>SIGNATURE(S) OF ALL CURRENT OWNER(S)</u>
D&D Brigantino Family Ltd Ptp	PO Box 9	
By: David Brigantino	Hollister, CA 95024	

**ALL OWNERS MUST SIGN THIS APPLICATION AND
ALL SIGNATURES MUST BE NOTARIZED**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)SS
COUNTY OF San Benito)

On 9/13/18 before me, Jeanie Matthews, Notary Public, personally appeared
DAVID V. BRIGANTINO

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 Jeanie Matthews



This area for official notarial seal.

**OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION - NOT PART OF NOTARY ACKNOWLEDGEMENT

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

PROJECT DESCRIPTION

Synagro, as lessee, intends to enter into a lease with D&D Brigantino Family Ltd Partnership for approximately 50 acres of the parcel identified herein. Synagro intends to permit, design, build and operate an open windrow compost facility to convert wood waste, green waste, biosolids and other organic materials into a marketable compost product to be sold into the local agricultural market.

The active compost area will be up to 30 acres and will be designed in accordance with California State Department of Water Resources requirements for facilities of this nature. The remaining acreage will be buffer area. The land in question is very alkaline and is not suitable for any meaningful farming activity.

A compost facility in this location would provide the following benefits:

1. Utilize otherwise marginal farmland to produce a product that can be sold into the local agricultural market that will replace commercial fertilizer. In addition to nitrogen, potassium and phosphorus, this material contains many micronutrients that contribute to healthy soils, such as magnesium, zinc and others.
2. The project would include the improvement of the County access road.
3. Synagro would negotiate a host fee to be charged for any material that is generated outside of San Benito County.
4. San Benito County (County) would realize increased real and business personal property tax revenues *(to be determined)*.
5. The project would add local employment opportunities (up to 20 people).
6. Biosolids based compost is hydroscopic and as such it reduces the need for irrigation.
7. The facility would provide an end use option at a reduced rate for local wastewater treatment facilities, such as the City of Hollister.
8. The project would provide a viable local end use outlet for wood waste and green waste that would be converted into a usable agricultural product instead of stockpiling and trying to move the material to out of county biomass plants, many of which have ceased operating.
9. The project would contribute to the local economy in the form of purchases of fuel, equipment, maintenance and operating supplies from local vendors.

The facility will have a receiving area for the biosolids, wood-waste and other organic feedstocks. The feedstocks will be blended and placed into windrows where the temperature will be monitored using remote RFID monitoring equipment. All of the time and temperature data is retained in order to document the material is properly composted. Upon completion of the active compost process, the material is cured for an additional period, usually 30 to 60 days. At this point it is screened to provide a uniform product size and it is ready for market. Synagro's initial plan is to sell the material in bulk to the local agricultural community but can also market it in other counties where existing demand is not being met (i.e. Merced County).

3E - Compatible Use Map

D&D Brigantino - Shore Road Property

Legend

- Entire Property (251.72 Acres)
- Fallow Ground (94.72 Acres)
- Hay Ground (52 Acres)
- Proposed Synagro Site (50 Acres)
- Row Crop Ground (105 Acres)
- Sections of Property

