



DATE: July 15, 2024

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Patrick Carter, Assistant to the City Manager
Eric Danly, City Attorney
Peggy Flynn, City Manager

SUBJECT: Resolution Affirming Support of Farms, Ranches, and Agricultural Operations and Businesses in Petaluma and Sonoma County and Opposing Measure J

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution Affirming Support of Farms, Ranches, and Agricultural Operations and Businesses in Petaluma and Sonoma County and Opposing Measure J.

BACKGROUND

A coalition of animal rights activists and others, including a Berkeley-based group called Direct Action Everywhere, some of whose supporters have been arrested and prosecuted for unlawfully trespassing on Petaluma area-poultry farms and entering production facilities, have qualified an initiative measure entitled Sonoma County Prohibition on Concentrated Animal Feeding Operations, designated as Measure J. Measure J (2024) is a ballot measure that will be put before Sonoma County voters on the November 5, 2024 General Election. According to the County of Sonoma's title and summary (Attachment 2) performed by County Counsel, Measure J, if adopted by the voters, "would amend the Sonoma County Code to phase-out existing and prohibit future Concentrated Animal Feeding Operations (CAFO) in all zoning districts in the unincorporated areas of the County outside of the coastal zone. Existing operations would have three years to phase out operations in violation. It would not apply to a registered non-profit animal shelter, sanctuary, or rescue organization which does not sell animals or animal products. It would not apply to a temporary stable of animals during a natural disaster or a declared state of emergency." Accordingly, Measure J only applies to CAFOs within unincorporated California and not CAFOs within Petaluma's jurisdiction. Financial penalties of up to \$10,000 per day of violation are possible.

According to the summary, the animals covered under the CAFO regulations include “cattle or cow/calf pairs, mature dairy cattle, veal calves, swine, horses, sheep or lambs, turkeys, chickens, laying hens or broilers, and ducks. CAFOs would be categorized as large, medium, or small, depending on the number and type of confined animals and other factors such as waste disposal systems. A small CAFO is one that is smaller than a medium CAFO and designated by the permitting agency as a significant contributor of pollutants. The proposed ordinance would consider animals confined if stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and when crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more operations could together be considered a CAFO if certain criteria are met.”

Measure J would “require registration for existing CAFOs, which would have three years to cease operations. The ordinance would also require the Agricultural Commissioner to establish Best Management Practices to phase-out CAFO operations, developed in collaboration with a California-based humane society and/or a California-based society for the prevention of cruelty to animals. It would require the Agricultural Commissioner to present an annual report on ordinance compliance to the Board of Supervisors at a noticed public meeting. The ordinance would require the Agricultural Commissioner to create a job-retraining program for CAFO workers.”

The website¹ of Measure J’s proponents lists 21 Sonoma County farms that would be outlawed under Measure J, including 15 poultry farms and 6 dairies, with most of the targeted farms in south Sonoma County in the vicinity of Petaluma. Some Sonoma County families have been operating farms targeted for closure under Measure J for three and four generations, some for more than a century, and the three-year period for farms to close under Measure J would be inadequate for such long term farm operators to recover the value of generations and decades of investment in land management, livestock and animal husbandry, buildings, equipment, vehicles, financing, and other investments, including generations and decades of farming expertise.

A number of County of Sonoma departments and agencies have provided analysis of the effects of Measure J including the following:

- Sonoma County Department of Agriculture/Weights & Measures – “It represents a completely new program that is anticipated to have ongoing expenses reaching or exceeding \$1.6 million in county general fund support. It is not eligible for current state funding mechanisms that support the programs and services administered by Agricultural Commissioners in the state.”²
- Sonoma County Agricultural Preservation and Open Space District – “There is potential that seven of the eight active dairy operations that we have protected could be impacted by this proposed ordinance... Our conservation purpose will not be fully realized if agricultural production is no longer viable on these properties. In addition, Ag+ Open Space has conserved less than 15% of grasslands in Sonoma County. The remaining grasslands are more threatened by subdivision and development when agriculture is no longer possible. Therefore, the proposed ordinance has the potential to increase the threat

¹ <https://www.endfactoryfarming.vote/cafos#cafo-map>

² <https://sonoma-county.legistar.com/View.ashx?M=F&ID=12929388&GUID=83E9C007-9605-4EE3-8270-43D7DB2EBCD8>

to the remaining grasslands throughout the county.³” The Sonoma County Agricultural Preservation and Open Space District has worked with owners of working farms and ranches throughout Sonoma County, especially those most at risk for conversion to non-agricultural uses, through purchase of conservation easements to preserve the scenic and natural resources of agricultural lands, and has invested approximately \$126 million in local sales tax proceeds to conserve more than 90 farms and ranches totaling nearly 60,000 acres, and 16 of the District’s agricultural easements are on dairy land or land that supports dairy operations, and seven of the eight active dairy farms protected by the District could be impacted by Measure J.

- Sonoma County Assessor’s Office – “The Assessor does not track the data necessary to identify large or medium CAFOs and, since each property’s base year value is determined individually, the Assessor cannot make a generalized estimate of the impact of value.⁴” The Assessor’s office also notes that agricultural properties under a Williamson Act contract typically see reduced assessed values of a minimum of 25% for the agricultural component. Removing property from a Williamson Act contract takes 10 years, whether it is the request of the property owner or for non-compliance.
- Economic Development Board – “The results of this analysis presented a significant impact to the Sonoma County economy referencing losses in agricultural products (\$259 million), reductions in spending through the region (\$38 million) in addition to a significant loss of labor income and employment. The findings of the report conclude that for every job lost from the livestock and poultry production sector, we can expect to lose one additional job from the Sonoma County economy.” Attachment 3 contains the Economic Development Board’s analysis which details the number of Medium and Large CAFOs by Supervisor District. The Petaluma is wholly within District 2, which has 30 medium CAFOs and 5 large CAFOs. The analysis contains detail about the economic value of the agricultural operations.
- County of Sonoma, Human Services Department – “The primary and most predictable impact would be to our Employment and Training Division, which provides services to employers and employees in the community. A secondary and more difficult to predict impact could be to our Economic Assistance Division, where there may be an increased demand for CalFresh and Medi-Cal benefits... In order to provide intensive services to impacted individuals who are likely to seek assistance, Job Link estimates needing additional funding in the amount of \$1,496,000. This is based on an assumption of 25% uptake of the total number of affected employees, which would equate to 110 individuals, using our known per person training cost and the cost of employment counselors... If additional funding was not available, it would take 24-30 months for Job Link to serve all affected individuals and would cause displacement of other job seekers in the community in need of Job Link services.⁵”

³ <https://sonoma-county.legistar.com/View.ashx?M=F&ID=12929388&GUID=83E9C007-9605-4EE3-8270-43D7DB2EBCD8>

⁴ <https://sonoma-county.legistar.com/View.ashx?M=F&ID=12929448&GUID=4E82021E-FE2C-4A8C-AA69-1B1A10EE55D1>

⁵ <https://sonoma-county.legistar.com/View.ashx?M=F&ID=12929416&GUID=63DA4D06-692F-4E28-BB9C-DF367E235B75>

- County of Sonoma, Permit Sonoma – “The proposed ordinance could support County initiatives for improved biodiversity in agricultural and a reduction of some negative environmental impacts such as green house gas emissions however as proposed the definitions would conflict with existing code and stated County objectives. If passed, the proposed ballot initiative to prohibit CAFOs in the unincorporated County could impact County organizational resources, both staffing and fiscal; the local economy and businesses; and agricultural workers and the general public through job loss and food system changes... Business closures and job losses are likely to have disproportionate impacts on low income, immigrant farmworker families. Potential reductions to the supply of locally sourced food products could affect the local food system, including food prices.⁶”

The City of Petaluma has a history steeped in agriculture. Evidence of this can be seen widely throughout the city, from the tall grain elevators visible from downtown, to popular events like the Butter and Eggs Day Parade, to the City Seal. Sonoma County and Petaluma have a rich farming history dating back more than a century, including invention of the artificial incubator in the 1880s, and thriving poultry and dairy farms, with 30,000 cows in the Petaluma area and production of 3.5 million pounds of butter and 379,776 pounds of cheese annually in 1910, and production of millions of eggs annually in the 1920s, making Petaluma famous as the “Egg Basket of the World,” with the Petaluma area hosting in the 1920s the three largest creameries on the west coast, producing over 4 million pounds of butter annually. the agricultural sector in Sonoma County and Petaluma proved resilient during the depression while shifting toward larger farms after World War II.

In more recent years, agriculture in Sonoma County and Petaluma has embraced organic farming and specialty produce, supporting farm to table restaurants and numerous farmers’ markets, and hosting storied food producers like Clover Sonoma, Strauss Family Creamery, and Petaluma Poultry, with their Rosie and Rocky Free-range chickens. Additionally, Sonoma County dairy and poultry farms follow animal care standards of the National Organic Program or third-party welfare certification programs, and comply with Proposition 12 specifying space minimums for egg-laying hens, veal and breeding hog farms. Furthermore, Sonoma County Dairies are not considered point source polluters and are regulated by the North Coast and San Francisco Bay Regional Water Quality Control Boards subject to regulations prohibiting pollution and specifying water quality standards dairies must meet.

Again, while Measure J won’t apply directly to CAFOs within Petaluma, it may have indirect effects on Petaluma’s CAFO.

DISCUSSION

Given the importance of agriculture in Petaluma past and present, a Resolution (Attachment 1) of the City Council in opposition to Measure J is recommended to protect the future of agriculture in Petaluma and Sonoma County, and to support Petalumas and the County’s farms, ranches,

⁶ <https://sonoma-county.legistar.com/View.ashx?M=F&ID=12929420&GUID=E2D1054C-D725-46F9-A92F-676F062AAE44>

agricultural operations and support businesses which contribute to our community's history, culture, economy, job market, self-sufficiency, and resiliency.

PUBLIC OUTREACH

This agenda item appeared on the City's tentative agenda document on July 1, 2024 which was a publicly-noticed meeting.

COUNCIL GOAL ALIGNMENT

Measure J would cause significant economic impacts to agricultural operations near the City of Petaluma, as well as businesses which support those operations. A letter of opposition to Measure J aligns with the Council goal of "An Economy that Prospers."

CLIMATE ACTION/SUSTAINABILITY EFFORTS

While a prohibition of CAFOs caused by Measure J would result in greenhouse gas emission reductions as well as water quality impacts related to those operations, there are a number of studies which demonstrate that managed grazing results in significant carbon sequestration. Conversion of agricultural lands to other uses as a consequence of Measure J, may result in reduced capacity for future greenhouse gas sequestration. Further, Measure J does not affect CAFOs outside of Sonoma County nor does it reduce demand for animal products. The closure of CAFOs would result in the importation of animal products from more distance sources, resulting in increased transportation costs and resulting greenhouse gas emissions.

ENVIRONMENTAL REVIEW

Adoption of this Resolution is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3), which establishes the general rule for projects concerning which it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

FINANCIAL IMPACTS

Adoption of a letter of opposition to Measure J would have no financial impact. If Measure J is approved by Sonoma County voters, there is expected to be a significant negative financial impact to Sonoma County's agricultural and support industries, which would reduce sales tax receipts for businesses within Petaluma, which could negatively impact the General Fund.

ATTACHMENTS

1. Resolution
 - a. References
2. Measure J Title and Summary
3. Economic Development Board Analysis
4. Measure J Text

