

County Counsel's Title & Summary

Sonoma County Prohibition on Concentrated Animal Feeding Operations

This measure, 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.

The proposed ordinance would provide for a daily penalty of \$1,000 for the first day, \$5,000 for the second day, and \$10,000 for the third and subsequent days in violation. It authorizes enforcement by any interested party or the Sonoma County Department of Agriculture, Weights and Measures ("Agricultural Commissioner"). The Agricultural Commissioner would be required to establish a system for receiving, investigating, and retaining complaints. The proposed ordinance would provide for attorneys' fees and costs to the prevailing party. It would make it a misdemeanor to retaliate against another person for making a good-faith complaint.

The proposed ordinance would define CAFO in accordance with federal regulations. The animals covered would be 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.

The proposed ordinance 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.

s/Robert Pittman

County Counsel

FILED

SEP · 7 2023

SONOMA COUNTY CLERK

By  Deputy Clerk