



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756 FAX

eldcaq@co.el-dorado.ca.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
Gary Ward – Livestock Industry

MINUTES

September 9, 2009

6:30 P.M.

Board of Supervisors Meeting Room
330 Fair Lane – Building A, Placerville

Members Present: Bacchi, Boeger, Draper, Smith, Walker

Members Absent: Mansfield, Ward

Ex-Officio Members Present: William J. Stephans, Ag Commissioner/Sealer

Staff Members Present: Chris Flores, Agricultural Biologist
Nancy Applegarth, Clerk to the Agricultural Commission

Others Present: Bill Bacchi, Ronda Brooks, Charles Cornell, Kyleen Cornell, Mark Cribbs, Edward Dante, Jr., Mary Dante, Sherry Graf, Mark Kochan, Connie Lagerstrom, Lloyd Lagerstrom, Art Marinaccio, Ron Pizer, Dave Price, Mike Ranalli, Mary Reade, William Roser, Mike Rossi, Michael Tanner

I. CALL TO ORDER

II. APPROVAL OF AGENDA

Bill Stephans requested that two items be included to Item XII. Other Business: update the Commission on a one-year follow-up on Keith Pettus (WAC) and information regarding guardian dogs

It was moved by Mr. Bacchi and seconded by Mr. Smith to recommend Approval of the agenda with the additions.

Motion passed

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

III. APPROVAL OF MINUTES

- Minutes of August 12, 2009

Bill Draper requested a correction – to change Mr. Mansfield as seconding the motion on Item III as he was not in attendance until Item V.

It was moved by Mr. Draper and seconded by Mr. Smith to Approve the Minutes of August 12, 2009 with the requested correction to Item III.

Motion passed

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

IV. PUBLIC FORUM

Ronda Brooks, landowner in Williamson Act Contract, expressed concerns regarding the manner in which county employees checked on compliance with terms of her contract. She said she would have appreciated a phone call prior to an impromptu visit to her ranch. She also mentioned that she should have been the person notified of a visit and not her tenant. Ms. Brooks also stated that, in her opinion, the Williamson Act Contract survey that was sent out earlier this year requested too much private information.

V. Ranch Marketing

Bill Stephans stated that a meeting with members of the Christmas Tree Growers Association and members of the Ranch Marketing Ordinance subcommittee is pending regarding their concerns with the current draft of the Ranch Marketing Ordinance. The draft, with the Commission's comments, was forwarded to the subcommittee members for their review. A meeting will occur after their current busy season ends.

- VI.** Michael & Danielle Tanner – requesting administrative relief from Natural Resource and Exclusive Agriculture setbacks for the conversion of a permitted barn to a 2nd dwelling to be located 117 feet from the northwest property line corner and 86 feet from the north property line. The subject parcel is adjacent to Natural Resource designated land with Exclusive Agriculture zoning and therefore subject to special agricultural setbacks in accordance with the Interim Interpretive Guidelines adopted June 22, 2006.

The proposed conversion to a single-family residence does not meet the requirements for the Development Services Director to allow up to 50 and/or 75 percent setback reduction and therefore requires Agricultural Commission review for administrative relief. (District 2)

Staff reported on the site visit of August 20, 2009. The application is for administrative relief from 200 foot agricultural setbacks for the conversion of an existing barn to a residential dwelling. The barn is located on APN 046-830-04 and is within the 200 foot agricultural setback approximately 86 feet south of an AE zoned parcel and 117 feet southeast of a second AE zoned parcel. The parcel directly to the west (APN 046-052-20) is

owned by the applicant and is an administrative parcel for tax purposes only. The two APNs actually comprise one legal parcel consisting of 84.39 acres. Finding 3.a) of the Criteria and Procedures for Administrative Relief from Agricultural Setbacks cannot be made as there may be other suitable building sites, on the 84.39 acre parcel, outside of the required setback. The applicant's have cattle and the neighboring parcel to the north showed evidence of cattle grazing. Finding 3.d) of the Criteria and Procedures for Administrative Relief from Agricultural Setbacks cannot be made, as there is currently agricultural activity on the agriculturally zoned parcel to the north of the subject parcel. The subject parcel is located west of Sandridge Road. It has Exclusive Agriculture (AE) zoning and land use designations of Rural Residential (RR) and Natural Resource (NR). According to Sections 17.36.060, 17.36.070, 17.36.080 and 17.36.100 of the El Dorado County Zoning Ordinance, only one single family detached dwelling is allowed on AE zoned property. Although the applicant's parcel and the surrounding AE zoned parcels are no longer in Williamson Act Contracts, Section 17.36.100 of the El Dorado County Zoning Ordinance states that regulations regarding applicability, uses permitted by right, uses requiring a special use permit, and development standards for Exclusive Agricultural Districts "...shall also apply to lands zoned AE but which are not encumbered by Agricultural Preserve Contracts." The surrounding parcels have the following zonings; AE and RA-40 (Residential Agriculture Forty Acre). Other surrounding parcels have Natural Resource and Rural Residential land use designations. The subject parcel and surrounding parcels have "Non-Choice Soils."

Bill Stephans referred to a site map to explain that there is a house currently being built approximately 160 feet (including the Sandridge roadway and easement) from the AE zoned parcel to the east. A building permit was issued in 2007 although administrative relief from the agricultural setback was never sought or granted to reduce the setback. The Commission or Ag department was not part of the process.

Michael Tanner gave further explanation of the project. He stated that the barn was already built when he purchased the property. He stated that it was permitted as a one story barn, but was constructed as a 50 ft by 50 ft two-story building with power, water and a septic system. He requested that the Commission allow an 83 foot variance in the setback to use this unit as a second dwelling. He thought that the barn was reasonably placed to allow the agricultural uses to continue.

Commission Member Bacchi asked if it was staff's opinion that a second residential dwelling is not allowed on AE zoned parcels or if it is stated in the ordinance. Bill Stephans answered that according to the Applicability section (17.36.060) of the El Dorado County Code, AE lands are subject to the provisions of Chapter 17.14, 17.16 and 17.18. Chapter 17.15 which addresses second residential units appears to have been intentionally omitted.

It was discussed that the current zoning of this property does not allow two residences. If the second dwelling is used for Ag Housing, Planning would require a Special Use Permit application as required in Section 17.36.080, and the Ag Commission would require certain criteria/information to insure the dwelling was being inhabited by agricultural employees. Staff is not aware of an application for a special use permit. Also, it appears that the converted barn could result in a larger than 1,200 square foot residential structure based on

the current dimensions of 50' X 50' (two-story building).

Staff suggested that the property could be rezoned to allow for two residential dwellings on the property, although the findings for agricultural setback relief would still be required to be met. Additionally, it is staff's contention that the required findings for the reduced setback cannot be made by the Ag Commission and that any reduction in the setback would have to be granted by the Board of Supervisors on appeal.

It was moved by Mr. Walker and seconded by Mr. Smith to recommend DENIAL of Michael and Danielle Tanner's request for administrative relief from the 200 foot agricultural setbacks, for the conversion of an existing barn (compatible use) to a residential dwelling (non-compatible use), as it would be the second residential dwelling on the AE zoned parcel. The Agricultural Commission's recommendation for denial is based on:

- 1) Section 17.36.060 of Title 17 of the El Dorado County Code which states, "The regulations set forth in Sections 17.36.070 through 17.36.100 shall apply to those lands subject to the Land Conservation Act of 1965. Such lands known as AE districts shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18." Chapter 17.15 – Second Residential Units on Single-Family Lots was specifically omitted from the applicability section of the AE District.*
- 2) The current zoning of Exclusive Agriculture (AE) only allows one single-family detached dwelling within each AE preserve (Section 17.36.070 of the El Dorado County Zoning Ordinance). Building Permit 176282 was issued in 2007 for a single family dwelling which is currently being built on the parcel.*
- 3) Section 17.36.080(H) requires a Special Use Permit for the construction of single-family and multifamily dwellings, including dormitories, for agricultural labor housing only and not second single-family dwellings such as a "Granny Flat".*
- 4) Section 17.36.100 states "The regulations contained in Sections 17.36.060 through 17.36.090 shall also apply to lands zoned AE but which are not encumbered by Agricultural Preserve Contracts..."*

Additionally, the Commission DENIES the request for a reduction in the 200 foot agricultural setback because findings (a) and (d) cannot be made pursuant to Resolution 079-2007 Exhibit A - The Criteria and Procedures For Administrative Relief From Agricultural Setbacks adopted by the Board of Supervisors April 17, 2007. Section B(3) of Exhibit A requires the Commission to find three of four of the following:

- a) No suitable building site exists on the subject parcel except within the required setback.*
- b) The proposed non-compatible use/structure is located on the property to reasonably minimize the potential impact on the adjacent agricultural land*
- c) Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land including, but not limited to, topography and location of agricultural improvements, etc, the Commission determines that the*

location of the proposed non-compatible use/structure would reasonably minimize potential impacts on agricultural use.

d) There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel.

Motion passed.

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

VII. Z 09-0007 – Cornell Rezone (Charles and Kyleen Cornell): A request to rezone from Estate Residential Five-Acre Zone District (RE-5) to Select Agricultural District (SA-10). The property, identified by Assessor’s Parcel Number 060-190-41, consists of 13.53 acres, and is located on the west side of Greenwood Road approximately 7/10 mile north of the intersection with Marshall Road, in the Garden Valley area. (District 4)

Staff reported on the site visit conducted on August 21, 2009. According to the El Dorado County Zoning Ordinance Section 17.36.210, the purpose of the SA district is, “. . .to provide for the protection of orderly agricultural development of lands having sufficient area and conditions compatible to horticulture, husbandry and other agricultural uses and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability.” The subject parcel is 13 ½ acres and is being used primarily to raise milk goats. The applicants have 24 goats (the majority are used for milking, with others being raised for meat and breeding).

Section 17.36.250 of the Zoning Ordinance lists criteria for establishing an SA-10 zone. The applicant’s parcel meets the soil criteria, as the subject parcel is over 30% Boomer Loam 9 to 15% Slopes (BpC) which is a Class III Choice agricultural soil and considered a “Unique Soil of Local Importance.” The parcel also meets some of the Williamson Act Contract Criteria for a parcel between 10 and 20 acres.

1. The property has a potential to contribute to the agricultural welfare of the County;
2. The property scores higher than 90 (97 points) on the County Procedure for Evaluating the Suitability of Land for Agricultural Use;
3. The property is, at the time of application, engaged in agricultural use;
4. Some of the parcels adjacent to the subject parcel are over ten acres in size with General Plan land use designations (RR and AL) which require over a ten-acre minimum parcel size.

Section 17.36.260 of the Zoning Ordinance requires a minimum parcel size of ten acres for the SA-10 zoning district. The subject parcel, as stated above, is 13 ½ acres.

Section 17.36.260 (G) of the Zoning Ordinance states, “The success and stability of agricultural enterprises can be influenced by the zoning and use of immediately adjacent

lands...” The parcel adjacent to the subject parcel’s southwest property line has an Agricultural Land (AL) land use designation and is owned by the Bureau of Land Management.

Additionally, Bill Stephans stated that the rezone is appropriate since the parcel is located in the Garden Valley Agricultural District.

Charles & Kyleen Cornell were available for questions and review of the project. They thanked staff for their recommendation and stated that their dream is to build a cheese factory in this area.

Chair Boeger stated that several letters from neighboring parcel owners were submitted supporting the rezone. No one in the audience spoke against the project.

It was moved by Mr. Bacchi and seconded by Mr. Draper to recommend APPROVAL of Charles and Kyleen Cornell’s request to rezone their property (APN 060-190-41) from Estate Residential Five-Acre (RE-5) to Select Agricultural Ten-Acre (SA-10), as the criteria for establishing an SA-10 zone has been met and the following findings for General Plan Policy 8.1.4.1 can be made, “...the proposed use:

- A) Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities;*
- B) Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and*
- C) Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.*

Motion passed.

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

- VIII.** P 09-0011 – Jones Parcel Map (Wayne Jones/Lois Jones/Carlton Engineering, Inc.): A request to create two parcels 10.005 and 10.006 acres. Access to each lot is via a 20-foot driveway off Fernwood Drive which connects to South Shingle Road to the south. Each lot would be served by domestic well and septic systems. The property, identified by Assessor’s parcel Number 087-270-38, consists of 20.01 acres, and is located on the northeast side of Fernwood Drive approximately 700 feet north of the intersection with Bullard Drive in the Shingle Springs area. (District 2)

Staff reported on the site visit of August 21, 2009. The subject parcel has a Low Density Residential (LDR)* land use designation, is zoned Estate Residential Ten Acre (RE-10), has non-choice soils and is located within the Royal Estates Subdivision. The subject parcel is not in a Community Region or Rural Center. A parcel split to two, ten acre parcels is consistent with the parcel’s land use and zoning. The AE zoned parcel to the southwest is 10

acres and is primarily a residential parcel. The AE zoned parcel adjacent to the southwest corner of the subject parcel is 12 acres and is used as a residential parcel. The AE zoned parcel to the southeast is a 20 acre parcel and has horses and a zebra. The three AE zoned parcels, listed above and adjacent to the subject parcel, are not in active Williamson Act Contracts.

*Note: The 2004 General Plan describes Low-Density Residential (LDR) in pertinent part as:

“This land use designation establishes areas for single-family residential development in a rural setting. In Rural Regions, this designation shall provide a transition from Community Regions and Rural Centers into agricultural, timber, and more rural areas of the county and shall be applied to those areas where infrastructure such as arterial roadways, public water, and public sewer are generally not available.”

The applicant was not in attendance. No one spoke in favor of, or opposition of, the parcel split.

It was moved by Mr. Bacchi and seconded by Mr. Walker to recommend APPROVAL of the request to create two parcels (10.005 and 10.006 acres) from APN 087-270-38, as the request is consistent with the parcel’s current zoning and land use designation. The Commission also recommends that a 200 foot setback be recorded on the tentative and final parcel maps adjacent to the AE zoned parcel to the south (APN 087-270-39).

Motion passed.

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

IX. Ag District Review

Bill Stephans gave a brief overview of the General Plan Policies which require staff to analyze the Ag Districts. As requested by the Commission at the August 12th meeting due to the owner’s requests at that meeting to be omitted from being incorporated into the Camino-Fruitridge Ag District, staff further analyzed the three contested parcels (APNs: 043-011-25, 043-011-35 and 043-011-34). The more detailed analysis verified staff’s original scoring of 97 points for each of the parcels using the *Procedure for Evaluating the Suitability of Land for Agriculture*. Each parcel has in excess of 30% Class II and/or Class III soils (Pizer = 79%, Cribbs = 37%, Reade = 59%)

Camino-Fruitridge

Recommendation: *The Agricultural Commission is considering recommending the following Assessor's Parcel Numbers (25) be **added** to the Camino-Fruitridge Ag District:*

043-011-25, 043-011-32, 043-011-33, 043-011-34, 043-011-35, 043-011-36, 043-011-37, 043-480-22, 043-480-23, 043-480-30, 043-480-33, 043-480-39, 043-480-40, 043-480-41, 043-480-46, 043-480-47, 084-200-12, 084-200-17, 084-200-57, 085-570-25, 100-060-37, 100-060-40, 100-060-41, 100-140-01, 100-140-22

Contested Parcels:

APN 043-011-25 (Owner – Ron Pizer): Mr. Pizer requested that his parcel be omitted from consideration as he has commercial zoning to the north of his parcel, north of Highway 50, and he felt that commercial zoning is not compatible with an Agricultural District. He stated that inclusion of his parcel, into an Agricultural District, would create an “island” of commercial property. Mr. Pizer also questioned the applicability of *The Procedure for Evaluating the Suitability of Land for Agriculture*; the General Plan required analytical process being used, in part, to evaluate land for Ag District inclusion.

APN 043-011-35 (Owner – Mark Cribbs): Mr. Cribbs requested that his parcel be omitted from consideration. He also questioned the scoring system being used to evaluate land for inclusion into the Agricultural Districts stating that all parcels in the County would qualify for inclusion into an Ag District based on the procedure. Commission Member Smith stated that parcels with residential land use designations were not being considered for inclusion and only parcels adjacent to current districts with agricultural land use designations were being considered. Although Mr. Cribbs' parcel has a land use designation of Agricultural Land (AL) and agricultural zoning of Select Agriculture Ten Acre (SA-10) he feels there is a “...land grab going on here.”

APN 043-011-34 (Owner – Joseph and Mary Reade): Mrs. Reade asked that her parcel be removed from consideration. She stated that inclusion into an Ag District would “...cause an economic hardship our family doesn't want” and “down size our zoning”. The Reade's parcel has an Agricultural Land (AL) land use designation and SA-10 zoning.

For clarification, Bill Stephans stated that staff is not recommending a change in zoning so therefore no “down zoning” is part of this analysis. In fact, all of the contested parcels currently have a General Plan Land Use of “Agricultural Lands (AL)” with a minimum 20 acre parcel size. This parcel size is the same as the minimum parcel size in an Agricultural District. Additionally, each of these parcels are currently zoned Select Agriculture (SA-10).

Sherry Graf supported the omission of the three parcels from the Ag District proposals.

APN 043-011-37 (Owner – Dave Price): Mr. Price told the Agricultural Commission that his parcel is adjacent to the Camino Heights Subdivision and has split zoning (RE-10 PD and SA-10). He stated that the RE-10 portion of his parcel is directly adjacent to the subdivision and has very shallow soils over lava cap, and in his opinion, is not suitable for agricultural production. Mr. Price stated that he does not want the RE-10 portion of his property

included into an Agricultural District, but did state that he would be open to discussion regarding the SA-10 zoned portion of the parcel.

During discussions, a question was asked regarding the process to change the land use designation or the addition/removal of a property from an Agricultural District. Bill Stephans stated that both the addition/removal of a parcel from an Ag District and a land use change would require a General Plan Amendment. In his opinion, if a property was included in an Ag District with an AL land use designation, both could be included in one GP amendment.

Gold Hill

*Recommendation: The Agricultural Commission is considering recommending the following Assessor's Parcel Numbers (7) be **added** to the Gold Hill Ag District:*

089-010-43, 089-010-27, 089-010-45, 089-010-47, 089-010-44, 089-120-31, 317-030-09

Contested Parcels:

None

*Recommendation: The Agricultural Commission is considering recommending the following Assessor's Parcel Numbers (27) be **omitted** from the Gold Hill Ag District:*

006-301-12, 006-480-30, 006-301-11, 006-480-33, 006-301-09, 006-311-04, 006-301-05, 006-480-32, 006-480-31, 006-301-07, 006-480-11, 006-480-12, 006-470-37, 006-470-38, 089-110-02, 089-110-03, 089-110-04, 089-110-37, 089-110-36, 089-110-35, 089-110-34, 089-110-32, 089-110-28, 089-260-05, 089-110-20, 089-110-54, 089-110-55

Contested Parcels:

APN 006-301-11 (Owner – William Roser): Mr. Roser stated that he does not want his parcel removed from the Gold Hill Ag District. He is growing Christmas trees and purchased his property because it was in an Agricultural District.

APN 006-480-32 (Owner – Mark Kochan): Mr. Kochan submitted a letter to the Agricultural Commission, dated September 9, 2009, stating that he does not want to be removed from the Agricultural District. He stated in his letter that, "...the removal of my land from the agricultural district would limit my rights and restrict the "by right" usage of my parcel".

APN 006-480-30 (Owner – Mike Rossi): Mr. Rossi submitted a letter to the Agricultural Commission requesting that he remain in the Gold Hill Agricultural District.

Oak Hill

Recommendation: The Agricultural Commission is considering recommending the following

*Assessor's Parcel Numbers (9) be **added** to the Oak Hill Ag District:*

046-820-21, 046-032-51, 046-820-23, 046-820-22, 046-820-06, 046-032-01, 046-032-02,
046-032-14, 046-032-13

Contested Parcels:

APN 046-032-02 (Owner – Lloyd and Connie Lagerstrom): Mr. and Mrs. Lagerstrom asked that their property not be included in the Oak Hill Ag District. They stated that their property is steep and would not be conducive to an agricultural operation. They also mentioned that their neighbors, the Cardwells, do not wish to be included in the Ag District. The Agricultural Commission suggested that the Lagerstrom's and Cardwell's submit their requests in writing.

After some discussion, it was moved by Mr. Smith and seconded by Mr. Walker to recommend incorporation of all the uncontested parcels in the Camino-Fruitridge, Gold Hill and Oak Hill regions and that a recommendation be deferred on all contested parcels until a later date.

Motion passed

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

Bill Stephans suggested that the Commission consider another motion regarding the parcels slated to be removed from the current Ag Districts.

It was moved by Mr. Smith and seconded by Mr. Bacchi to recommend that those parcels which have been proposed for removal from an Ag District without contention, be recommended for removal and that those parcels that were proposed to be removed but the owners have requested to remain in the Ag District, remain in the Ag District.

Motion passed

AYES: Bacchi, Draper, Smith, Walker, Boeger

NOES: None

ABSENT: Mansfield, Ward

Pleasant Valley

Bill Stephans gave an overview of the Pleasant Valley parcels.

Staff Recommendation: *Staff recommends the following Assessor's Parcel Numbers (27) be **added** to the Pleasant Valley Ag District:*

046-022-11, 046-270-17, 078-230-32, 078-240-16, 078-240-17, 078-240-23, 078-240-24, 078-240-30, 078-240-31, 078-240-37, 093-050-03, 093-050-06, 093-050-12, 093-050-21, 093-050-22, 093-050-30, 093-050-36, 093-050-43, 093-050-46, 093-050-48, 093-050-50, 093-050-51, 093-050-53, 093-050-54, 093-050-56, 093-050-62, 093-050-63

Contested Parcels:

None

Staff Recommendation: Staff recommends the following Assessor's Parcel Number (1) be **omitted** from the Pleasant Valley Ag District:

046-250-20

Contested Parcels:

None

Ed Dante, the owner of the three Williamson Act Contracted parcels, questioned whether or not being included into an Ag District would have any effect on his tax basis. The Commission replied that it would not affect his tax base. With that clarification and his understanding of the benefits of being in an Ag District, Mr. Dante stated that he has no intentions of splitting his parcels and that he would support including his parcels into an Ag District

Art Marinaccio spoke about a commercially zoned parcel at the intersection of Bucks Bar and Pleasant Valley Road. He questioned whether commercially zoned parcels are appropriate in Agricultural Districts and suggested that the Board of Supervisors make the determination as to whether the commercially zoned land be retained in the district or be removed. Bill Stephans recommended that staff create a map for the October meeting that shows where the parcel is located within the Pleasant Valley Ag District so that the Commission can understand how the district would look with/without the commercial parcel.

Bill Bacchi asked if a property owner could get into an Agricultural District at a later date. Bill Stephans replied that it can be done with a General Plan Amendment, if the land meets the criteria and is adjacent to an existing Ag District boundary. He reminded the Commission of a recent project regarding a parcel adjacent to the Garden Valley Ag District. The owner had applied for a General Plan Amendment to be incorporated into the district. The application was approved by the Board.

It was agreed upon, by the Agricultural Commission, that Pleasant Valley Ag District parcels should be reviewed at the October Ag Commission meeting. Staff will prepare a map of the commercially zoned parcel, discussed by Art Marinaccio, for Ag Commission review.

X. LEGISLATIVE ISSUES

- AB 443 (Gagliani) – Apple Pests: Pest & disease prevention – Enrolled to the Governor.
- AB 905 (Assembly Ag Committee) – 200# exemption for produce – Enrolled to the Governor.
- SB 715 (Wolk) – Agricultural Lands: Williamson Act – Did not pass out of committee.

The Governor has until October 11, 2009 to either veto or sign the legislation. If the Governor does not act by the deadline, the legislation becomes law.

XI. CORRESPONDENCE

- Local Agency Formation Commission (LAFCO) Summer Brook Annexation to the El Dorado Irrigation District – copy of letter addressed to Olga Sciorelli

XII. OTHER BUSINESS

- Bill Draper – Sustainable Forest Action Coalition update
- Marc & Heide Pietrolungo – Agricultural Commissioner Concurrence of Ag Setback Relief – APN 038-400-30
- Suzanne Malm Tolari – request for Agricultural Commissioner Concurrence of Ag Setback Relief – APN 102-020-74-100
- Randy Rossi – Request for Agricultural Commissioner Concurrence of Ag Setback Relief -- APN 093-040-46-100
- Kathryn Barba – Boundary Line Adjustment 09-0029 – Agricultural Commissioner Approval – APN 094-130-11 and APN 094-050-32
- Anna E. Leigh – Boundary Line Adjustment 09-0027 – Agricultural Commissioner recommendation to Deny – APN 085-510-02
- Titus and Jennie Hartwick – Ag operation (one year follow-up as stated in the Ag Commission Minutes of July 9, 2008). A five-year plan was submitted by the Hartwicks.
- Keith Pettus – a one-year follow-up and site visit to the property was recently conducted. As no ag improvements have been made to the property a letter recommending non-renewal of the Williamson Act Contract was submitted to the Board of Supervisors and will be considered at the September 22, 2009 meeting.
- Guardian dogs – Recently Animal Services issued a Notice to Comply to Goat Central requiring them to begin the process of getting a Special Use Permit for a kennel. Currently there are approximately 7 dogs which guard the goats from predators. In discussions with Animal Services and Goat Central, it appears that a solution can be reached where a Special Use Permit would not be required. The ultimate goal is to amend the ordinance by adding guardian dogs to the working dog definition along with other clarifying language so that working dogs on agricultural lands are exempt from the “kennel” license requirement. Bill Stephans is working with Animal Services and the CAO’s office to reach an agreeable solution.
- John Mosbacher (Pleasant Valley Harvest) update

XIII. ADJOURNMENT

- The meeting adjourned at 9:09 p.m.

APPROVED: Greg Boeger, Chair

Date: October 14, 2009