



AGRICULTURAL COMMISSION

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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
Tim Neilsen, Livestock Industry
John Smith – Fruit and Nut Farming Industry

MINUTES

February 9, 2011

6:30 P.M.

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

Members Present: Bacchi, Draper, Neilsen, Smith, Walker
Members Absent: Boeger, Mansfield
Ex-Officio Members Present: Juli Jensen, Ag Commissioner/Sealer
Staff Members Present: Chris Flores, Senior Agricultural Biologist
Nancy Applegarth, Clerk to the Agricultural Commission
Peter Maurer, Development Services/Planning Department
Others Present: Christine Rorden, Rich Rorden, Valerie Zentner

I. CALL TO ORDER

- Vice-Chair, Lloyd Walker, called the meeting to order at 6:30 p.m.

II. ELECTION OF 2011 CHAIR AND VICE-CHAIR

It was moved by Mr. Draper and seconded by Mr. Neilsen to elect Greg Boeger as Chair of the Ag Commission and Lloyd Walker as Vice-Chair.

Mr. Walker called for a voice vote to elect Greg Boeger and himself for Chair and Vice-Chair for 2011. (Mr. Boeger had been consulted earlier in the day and had agreed to his re-election by the Commission if so moved.)

AYES: Draper, Smith, Walker, Neilsen
NOES: None
ABSENT: Bacchi, Boeger, Mansfield

** Clerk's note: Mr. Bacchi arrived after Items II.-IV. had been heard. The motion was moved once again by Mr. Draper and seconded by Mr. Neilson to elect Greg Boeger as Chair and Lloyd Walker as Vice-Chair for 2011 as the Commission negated the previous motion in order to include Mr. Bacchi's vote.*

AYES: Bacchi, Draper, Smith, Walker, Neilsen

NOES: None

ABSENT: Boeger, Mansfield

III. APPROVAL OF AGENDA

It was moved by Mr. Smith and seconded by Mr. Neilsen to approve the Agenda as submitted.

Motion passed

AYES: Draper, Smith, Walker, Neilsen

NOES: None

ABSENT: Bacchi, Boeger, Mansfield

IV. APPROVAL OF MINUTES

- Minutes of December 8, 2010

It was moved by Mr. Smith and seconded by Mr. Draper to Approve the Minutes of December 8, 2010 as submitted.

V. PUBLIC FORUM

- No comments were received

VI. TMA 03-09 – RICH AND CHRISTINE RORDEN: A request for a temporary mobile home to allow agricultural employee housing. This application requires Agricultural Commission review pursuant to Section 17.52.030 (D). The property identified by Assessor's Parcel Number 093-210-12, consists of 20 acres, and is located on the west side of Meyers Lane, approximately 450 feet south of Grizzly Flat Road, within the Somerset / Fair Play / Mt.Aukum area. (District 2)

- Chris Flores reported on the site visit. Cantiga Wineworks, LLC is located at 5980 Meyers Lane, in Somerset. Rich and Christine Rorden are minority owners of Cantiga Wineworks, LLC and currently reside at the business location in a temporary mobile home, originally approved by the Agricultural Commission on April 9, 2003. The subject parcel is 20 acres in size, has Planned Agricultural (PA-20) zoning, a Rural Residential (RR) land use designation and is located in the Fair Play/Somerset AG District.

The Rordens have applied for a renewal of their temporary ag employee housing. Section 17.52.030 of the El Dorado County Zoning Ordinance allows mobile homes for housing agricultural employees and their immediate families; provided that the Agricultural Commission advises, in writing, that the site and the activity satisfies three of the four criteria established by the County for an Ag Preserve (Williamson Act Contract). The Zoning Ordinance defines Agricultural Employees as those persons hired to carry on agricultural pursuits on the premises.

Williamson Act Contract Criteria:

1. Minimum capital outlay shall equal \$45,000 – According to information submitted by the Rordens, they have spent over \$150,000 in capital improvements. (the parcel has over 5 acres of wine grapes in production and a 2,000 + square foot winery building)
2. Parcel size shall be a minimum of 20 acres – APN 093-210-12 is 20 acres in size.
3. For high intensive farming operations, such as vineyards, the annual gross income shall be \$13,500 – According to information submitted by the Rordens, the gross annual value of the grapes grown on the property is approximately \$21,000.

Rich and Christine Rorden were present for questions and review of the request and explained that they had previously renewed this application in 2006. They had also submitted a letter to the Commission detailing their request for temporary ag housing.

It was moved by Mr. Smith and seconded by Mr. Bacchi to recommend that Rich and Christine Rorden's request for a renewal of their temporary ag employee housing (TMA 03-09) be APPROVED for another two years as their parcel and agricultural operation meets the minimum criteria established by the county for a high intensive ag operation in a Williamson Act Contract and Rich and Christine Rorden act as caretakers, managers and employees of Cantiga Wineworks, LLC.

Motion passed

AYES: Bacchi, Draper, Smith, Walker, Neilsen

NOES: None

ABSENT: Boeger, Mansfield

VII. Integrated Natural Resource Management Plan (INRMP) Discussion – Peter Maurer, Development Services/Planning Department

- General Plan Policy 7.4.2.8 states, “Develop within five years and implement an Integrated Natural Resources Management Plan (INRMP) that identifies important habitat in the County and establishes a program for effective habitat preservation and management.” The INRMP shall include the following components:
 - A. Habitat Inventory
 - B. Habitat Protection Strategy
 - C. Mitigation Assistance
 - D. Habitat Acquisition
 - E. Habitat Management
 - F. Monitoring
 - G. Public Participation
 - H. Funding

Peter Maurer explained that the INRMP is a mitigation measure identified in the General Plan EIR. The purpose of the program is to mitigate the effect of the loss and fragmentation of wildlife habitat due to development allowed under the General Plan (primarily the urban development along the Highway 50 corridor in the Community Regions). Phase 1 of the

program, the information gathering process, has been completed. The first of four primary steps in Phase 1 was to facilitate discussion with the Plant and Wildlife Technical Advisory Committee (PAWTAC) and the INRMP Stakeholders Advisory Committee (ISAC) to define certain terms used in the General Plan. Step 2, was to update the inventory map. In April of 2008, the Board adopted an initial inventory which identified some of the resources in the county. This inventory map has been successfully updated with the most recent available data. For Step 3, staff developed a list of indicator species that were to be used to monitor the program and finally, Step 4 was to evaluate the wildlife movement corridors. These steps have all occurred and have been processed through the Board of Supervisors. The final step, in this phase is to look at options of what should be done next and to develop a Request for Proposal (RFP) for the development of Phase 2 which is the actual program.

INRMP Phase 1

Facilitate discussion with PAWTAC, ISAC and the Board and define terms;
Update the initial inventory map;
Develop a list of indicator species; and
Evaluate wildlife movement corridors

Maps with the following information are attached (Attachment A)

Initial Inventory of Important Habitat:

- Habitats that support special status species;
- Aquatic environments including streams, rivers, and lakes;
- Wetland and riparian habitat;
- Important habitat for migratory deer herds; and
- Large expanses of native vegetation

Habitats that support special status species:

- California Department of Fish and Game
- US Fish and Wildlife Service
- CA Natural Diversity Database
- US Forest Service
- Natural Resources Conservation Service

Aquatic Environments Streams, Rivers, and Lakes:

- US Geological Survey
National Hydrography Dataset
- US Army Corps of Engineers
Aquatic resource inventory (not complete)

Wetland and Riparian Habitat:

- USFWS National Wetlands Inventory

- USGS topographic quadrangle data
- Aerial photo interpretation
- Many seasonal wetlands not mapped
- CDF (CalFire) CalVeg
 - Incomplete data
- CDFG VegCamp
 - Sierra Foothill region incomplete

Peter Maurer explained that one of the problems staff has had with the riparian areas is that they are not all mapped. Staff is utilizing resources that are currently available.

Important Habitat for Migratory Deer Herds:

- California Department of Fish and Game
 - 1990 digitization of earlier maps (1970's)
 - Most recent data available
 - Differentiates between migratory herds and resident deer populations

Large Expanses of Native Vegetation:

- Identified areas already developed
 - Assessors data – Use Codes
 - Commercial/Industrial
 - Residential 2.5 acre lots or smaller
- Roaded areas
 - County GIS road layer
 - 3 KM road per square kilometer
 - Roads Weighted by type
- Added vegetation type

Develop a list of indicator species:

Indicator species tell us something about the biological conditions in an area and how those conditions change.

General: For analyzing habitat quality, extent of usable habitat, and connectivity.

Specific:

- To indicate biological condition of habitats and landscape
- To represent other species
- To measure ecological impacts of land use and transportation
- Concerns about their well-being
- Narrow habitat needs
- Loss of specific habitat types
- Important to ecosystem structure and function

Next Steps:

- Complete Phase 1
 - Range of Options
 - Draft RFP for Phase 2
- Phase 2 – Develop final INRMP
 - Draft plan and mitigation program
 - CEQA

At the request of the Ag Commission, Mr. Maurer will be updating them regarding the INRMP as it progresses.

VIII. FUTURE BUSINESS

- None brought to the attention of the Commission at this time

IX. LEGISLATIVE AND REGULATORY ISSUES

- Enforcement Response Regulations – Ag Commissioner, Juli Jensen, provided a copy of Title 3. Department of Pesticide Regulation Enforcement Response – DPR Regulation No. 11-001

Notice of Proposed Regulatory Action

The Department of Pesticide Regulation (DPR) proposes to amend sections 6128 and 6130, and amend and renumber section 6130(b) to section 6131 of Title 3, California Code of Regulations. The proposed regulatory action would revise appropriate enforcement responses to be taken by the County Agricultural Commissioner (CAC) each time a violation(s) occurs to improve effectiveness and clarity of the regulations.

Proposed section 6128 would:

- Allow the CAC to comply with provisions of this section as a related group of violations. All documents relating to a single incident can be aggregated to support a stronger enforcement action.
- Add the definition of “incident” and clarify the definition of “decision report.”
- Require CACs to respond with an enforcement action for each incident instead of each violation and amend the enforcement response structure designed to be used based on class violations specified in section 6130.
- Extend the time for CACs to submit a decision report to the director from 30 to 60 days.
- Exclude “cases of intentional ingestion” from the requirement of CACs providing the opportunity to the District Attorney, City Attorney, or circuit Prosecutor to participate in a priority investigation.

Proposed section 6130 would:

- Revise and provide clear criteria for violations that are in Class A, B, or C, and clarify that CACs are responsible for designating the violation class.
- Provide fine setting criteria to include broad respondent compliance history and severity of effects.
- Require CACs to send a copy of the proposed action, as well as the final action, to the Director
- Further clarify the requirements for CACs to use when taking an enforcement action against a licensed or certificated employee who failed to use personal protective equipment or other safety equipment required by section 6702(c).

Proposed section 6131 would:

- Further clarify the requirements for CACs to use when taking an enforcement action against a licensed or certificated employee who failed to use personal protective equipment or other safety equipment required by section 6702(c).
- Juli Jensen also mentioned an email she received regarding a bill introduced regarding the removal of the 10 million subvention fund for Williamson Act Contracts and to remove the aspects of SB 863. It is currently in the legislature and she will be keeping the Commission apprised of the status of the bill as it moves along.

X. CORRESPONDENCE

- None received

XI. OTHER BUSINESS

- Sundance Subdivision status – has come before the Ag Commission twice and the Commission has recommended denial of the application both times. The Planning Commission has supported a rezone and tentative parcel map. The Sundance Subdivision will be heard by the BOS on April 5, 2011.
- Wainscott TPZ Rezone status – the Ag Commission recommended that the parcel be rezoned to RE-10. This has been approved by the BOS
- Resolution of Intent for Ag District expansion – passed by the BOS on January 25, 2011. Chris Flores is updating maps to reflect the Ag Commission's recommendations and these maps will be sent to the Planning Department.
- Economic Development Advisory Committee Reg Reform Update – on April 15, 2011, along with the Planning Department, EDAC will be requesting a Resolution of Intent from the BOS regarding the General Plan 5 year review; Planning will be discussing the Land Development Manual on April 14, 2011 at the BOS.
- Fish Friendly Farming Update – the first set of applications have been completed. Six farms were inspected and all were certified. Another workshop will be held on February 25, 2011 at the Resource Conservation District (RCD) for anyone interested in participating.
- Vineyard Soils Update – All soil data has been sent to RCD and it is being reviewed

there.

- Water Agency – The Ag Commission’s recommendation for the Irrigated Management System, one acre of cultivation on a minimum of parcel size of 5 acres, was put into a motion by the Water Agency Board with full development of the motion by next month.

XII. ADJOURNMENT

- Vice-chair, Lloyd Walker, adjourned the meeting at 8:53 p.m.

*Attachment A: [INRMP.pdf](#)

APPROVED: Greg Boeger, Chair

Date: March 9, 2011