



County of San Mateo

Inter-Departmental Correspondence

Department: AGRICULTURE\WEIGHTS & MEASURES

File #: 23-657

Board Meeting Date: 8/1/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Koren Widdel, County Agricultural Commissioner/Sealer
Subject: Agricultural Identification (Ag ID) Program

RECOMMENDATION:

Adopt a resolution approving establishment by the Agricultural Commissioner of an agricultural identification (Ag ID) program pursuant to Section 2350 of the California Food and Agricultural Code, to facilitate access by commercial producers to ranches and other commercial agricultural properties during wildfires or other disaster-related evacuations.

BACKGROUND:

During the 2020 CZU Complex fires, the County saw an urgent need for agricultural producers to access their properties in the coastal evacuation zone to avoid heavy crop and livestock losses. At that time, the County Department of Agriculture/Weights and Measures (AWM) compiled a list of verified growers requesting access, which was submitted and reviewed by CalFire before being sent to law enforcement personnel operating the evacuation checkpoints. This enabled producers and their employees to gain entry through these checkpoints in the short term, but there is a need to create a more formal countywide program that addresses the many limitations of this ad-hoc solution.

In October of 2021, the State Legislature passed Assembly Bill 1103, now codified in Section 2350 of the California Food and Agricultural Code, which created a legal framework for establishment of agricultural access programs for livestock producers. In the most recent 2023-2024 legislative session a new bill, Assembly Bill 1141 has been introduced. If enacted in its current form, this bill would expand the existing livestock access framework to all commercial producers, including those of row crops, nursery stock and other “planted” agriculture. The County proposes the creation of an Ag ID program using this framework that will initially allow safe entry to producers of livestock, with flexibility to expand Ag ID issuance to “planted” agriculture upon the passage of Assembly Bill 1141.

DISCUSSION:

The purpose of creating a San Mateo County Ag ID program is to provide a verification process to allow commercial agricultural operators and/or their managerial employees access to their

agricultural production sites in mandatory evacuation zones. Using Ag IDs, firefighting personnel, California Highway Patrol officers, Sheriff's deputies, other law enforcement officers, and emergency personnel may allow the agricultural producer limited emergency access to areas that may otherwise be restricted to the public, to undertake critical and essential agricultural work, such as evacuation or feeding and watering of livestock, or crop irrigation.

This recommendation and proposal does not provide for other agricultural business operation, such as general crop and livestock management, harvest, or processing activities. This program is designed to support sustainability of life and livelihoods while not endangering the health and safety of business owners, operators, employees, and livestock during an active wildfire emergency.

During the program's development, AWM consulted with agricultural producers, the County Farmworker Advisory Commission, the Farmworker Affairs Coalition, the County Sheriff's Office, the County Department of Emergency Management, CalFire, and the San Mateo County Large Animal Evacuation Group. Feedback from these stakeholders has been incorporated into the policy presented.

The County Attorney's Office has reviewed and approved the resolution as to form.

EQUITY IMPACT:

Wildfires and other disasters may pose significant threats to the health and safety, and livelihoods of people living and/or working in an evacuation zone, including agricultural workers. Given the structural vulnerabilities faced by farmworkers, exposure to hazards in evacuated areas and loss of income could have lasting community impacts.

In a 2022 survey of County agricultural producers, 39 percent of respondents (17 producers) indicated that they would require five or more employees during future disasters to prevent economic losses. Issuance of Ag IDs is presently limited by statute to agricultural producers and their managerial employees, as defined in Section 2350 of the California Food and Agricultural Code. While this limitation will reduce the number of agricultural workers exposed to hazards in an evacuation zone, it may also result in lost wages for farmworkers who are unable to access their workplaces, further impacting the County's contracting agricultural industry.

AWM acknowledges the inherent trade-offs in the development of the Ag ID program. Balancing these safety, equity, and economic considerations is crucial. As the legal landscape evolves, AWM will adapt the Ag ID program to align with statute while continually applying racial and social equity principles to the program. Ongoing engagement with the agricultural community will inform any future iterations of the Ag ID program.

FISCAL IMPACT:

Funding for the Ag ID program is included in the FY 2023-25 Recommended Budget. There is no Net County Cost impact.