

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, MARCH 15, 2022**

MINUTE ORDER NO. 16

SUBJECT: EXPLORING THE FEASIBILITY OF ESTABLISHING AN AG PASS PROGRAM IN THE COUNTY OF SAN DIEGO (DISTRICTS: ALL)

OVERVIEW

Last fall, AB-1103, legislation creating a standardized training and framework for obtaining an Ag Pass was signed into law by Governor Newsom. The author(s) of this bill recognized the need for ranchers to have timely access to their ranch during a wildfire or other emergency incidents that could be devastating to livestock. An Ag Pass program could prevent occurrences similar to the 2020 incident involving a rancher who lost hundreds of cattle during the Bear Fire (part of the North Complex Fire) as he struggled to gain access to his rangelands.

Many ranchers and farmers have ignored evacuation orders, knowing that once they leave, they may not be able to return to their property to care for their animals and crops. Others have been evacuated only to eventually make the difficult choice to bypass roadblocks to access their farm or ranch, risking their safety and a misdemeanor charge to ensure the welfare of their animals.

Several California counties have created a county-based “Ag Pass” program. Ag Pass cards are an opportunity to identify vetted commercial farm and ranch owner-operators and their employees to firefighting personnel, California Highway Patrol officers, Sheriff deputies, other law enforcement officers, and emergency personnel during an emergency.

The Ag Pass can provide cardholders limited access during a wildfire or emergency, or similar disaster to restricted areas, allowing them to protect or care for agricultural assets, such as irrigating crops, feeding, watering, and transporting livestock. It also enables them to provide support information to emergency personnel, such as identifying access roads and water points.

Ag Pass cards are obtained through an application process prior to an emergency. This process is designed to confirm that the cardholder is a bona fide agricultural owner-operator or employee whose services are essential to providing protection or care to agricultural assets. Ag Pass cardholders must also participate in trainings to educate them on emergency procedures and their role in providing limited protection and or care to the agricultural operation, not to fight fire or act as first responders during emergencies.

If there is imminent danger, front-line emergency personnel are empowered to use discretion when it comes to protecting emergency crews and the public from unnecessary exposure to risk. However, in cases when the boundaries of the closure area include agricultural land not deemed to be at imminent risk, cardholders may be allowed access to agricultural property, at the discretion of the emergency personnel. Additionally, all Ag Pass cardholders are required to indemnify the County of San Diego from any potential liability.

In other counties, stakeholders were consulted to develop the program and establish sound policy. In San Diego County, the departments, agencies and stakeholders who should provide input include following:

Agriculture, Weights and Measures / Agricultural Commissioner
Sheriff's Department
San Diego County Fire Protection District
Animal Services
Office of Emergency Services
San Diego County Farm Bureau
San Diego County Fire Chiefs Association
CAL FIRE
California Highway Patrol
Cattlemen's Association
U.S. Forest Service
San Diego County Flower and Plant Association
University of California Cooperative Extension

Today's action would begin the process necessary to establish a San Diego Ag Pass program in the County of San Diego.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND AND SUPERVISOR JOEL ANDERSON

Direct the Chief Administrative Officer to explore the feasibility of developing an Ag Pass program, receive input from the departments, agencies and stakeholders identified in this action and others as appropriate, and report back in 180 days with a plan to implement this program if feasible.

EQUITY IMPACT STATEMENT

California is known for its volatile Fire Season, a time when wildfires tend to rage across the state. Since the beginning of 2021, over 2 million acres have burned in California. Establishing an Ag Pass program will allow ranchers and farmers in our most vulnerable communities to protect animals and crops while preserving their livelihoods and 12,000 agriculture jobs in San Diego County. The requested action supports the safety of our County as a whole, as when evacuations are ordered, more ranchers and farmers will be more likely to follow safety orders, knowing they may be allowed to return when imminent danger has subsided. The recommendation will help ensure an added measure of protection and provide a sense of security to our communities during an unpredictable time.

FISCAL IMPACT

There is no fiscal impact on exploring the feasibility of establishing an Ag Pass program. Staff will return to the Board for any related future recommendations with fiscal impacts.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter