

TOWN OF WINDSOR AGENDA REPORT

Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date: September 18, 2024

To: Mayor and Town Council
From: Irene Camacho-Werby, Town Clerk / Public Information Officer
Jon Davis, Town Manager
Subject: Resolution Opposing the Proposed County Prohibition on Concentrated Animal Feeding Operations (CAFOs), also known as Measure J, at the November 5, 2024, General Election

Recommendation to Council:

Adopt a resolution opposing the proposed County Prohibition on Concentrated Animal Feeding Operations (CAFOs), also known as Measure J on the November 5, 2024, General Election.

Strategic Plan Element:

The recommended action supports the goal of Livability. Goal Statement: Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all.

Background:

The Sonoma County Prohibition on Concentrated Animal Feeding Operations Initiative, designated as Measure J, is a voter-initiated campaign to phase out existing and prohibit future Concentrated Animal Feeding Operations (CAFOs) in most unincorporated areas of Sonoma County. The U.S. Environmental Protection Agency (EPA) defines a CAFO as a “point source” for water discharge and as an agricultural operation where animals are kept and raised in confined situations.

Per the EPA, CAFOs are also defined by size, animal concentration, and animal species in order to determine the category of CAFO as one of “large, medium, and small” operations, all of which trigger differing environmental mitigation requirements based on the operation’s size. As currently construed, CAFOs are regulated and permitted under the National Pollutant Discharge Elimination System (NPDES), which regulates the discharge of pollutants from point sources to waters of the United States. The EPA’s stated purpose for this regulation is to mitigate water contamination that would negatively impact water quality and fish populations ultimately for the purpose of protecting public health.

A coalition of animal rights activists and others, including a Berkeley-based group, called Direct Action Everywhere, filed with the Sonoma County Registrar of Voters Office, a notice of intent to circulate an initiative petition to phase out existing and prohibit future Concentrated Animal Feeding Operations (CAFOs) in most unincorporated areas of Sonoma County. The Registrar verified that petition, and then certified by the Sonoma County Board of Supervisors on April 16, 2024, and later modified on May 14, 2024, to appear on the ballot as Measure J of the November 5, 2024, Presidential General Election.

At the August 21, 2024, Town Council meeting, following a presentation by Supervisor David Rabbitt, there was Council support to place an item on a future Council agenda opposing the proposed ballot measure.

Discussion:

According to the title and summary prepared by the County of Sonoma's County Counsel, (Attachment 2) this measure, Measure J, if adopted by the voters, would amend the Sonoma County Code to phase out existing and prohibit future Concentrated Animal Feeding Operations (CAFOs) 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.

The draft text of Measure J takes the EPA's definition of a CAFO and uses it to ban these types of operations in Sonoma County for the dual-stated purpose of environmental protection and—in line with the beliefs of the proponents of the measure—animal welfare. As written, Measure J would prohibit, outside of the county Coastal Zone, farms and other animal production operations that meet the definition of a CAFO as defined by federal regulations; would require phasing out existing CAFOs over three years; would authorize daily financial penalties for violations; and would require, among other things, the Agricultural Commissioner to create a job retraining program for CAFO workers.

The Sonoma County Agricultural Preservation and Open Space District (Ag + Open Space) has stated that seven of the eight active dairy operations in Sonoma County could be impacted by this proposed ordinance and that conservation purposes will not be fully realized if agricultural production is no longer viable on these properties. In short, conservation efforts—which is considered another form of environmental protection—of these properties would be placed in an unknowable future and these lands could be rezoned for the purpose of commercial projects in areas long intended to preserve the county's farming legacy.

The Sonoma County Board of Economic Development, and the University of California Agriculture and Natural Resources Executive Summary on the subject, analyzed impacts of Measure J and showed that if passed it could result in a significant impact to the Sonoma County economy, referencing losses in agricultural products (\$259 million), reductions in spending through the region (\$38 million) in addition to a significant loss of labor income and employment. The findings of the report conclude that for every job lost from the livestock and poultry production sector in the county would also result in an additional job lost from the Sonoma County economy as a whole.

That type of job loss would result in, as stated by the County of Sonoma Human Services Department, an estimated additional \$1.5 million necessary for their department for costs needed for job retraining of individuals who lost their job from such a measure, as well as an increased demand for CalFresh and Medi-Cal benefits to those impacted. In addition, the Sonoma County Department of Agriculture/Weights and Measures estimates an additional \$1.6 million needed in county general fund support to run the program outlined in the language Measure J; as the measure, as written, provides no information or a funding source to accommodate these new regulations.

Opposition to the Measure spans far and wide and includes municipalities, environmental associations, agricultural and farming associations, and even press, as well as associations outside the county. At this time, those groups include but are not limited to the Sonoma County Board of Supervisors, the City of Cloverdale, City of Healdsburg, City of Petaluma, City of Rohnert Park, City of Santa Rosa, City of Sonoma, Sonoma County Conservation Action, Sonoma County Farm Bureaus, the Press Democrat's Editorial Board, among many others.

The Town Council, acting as a legislative body, is permitted to consider and take action to express the opinion of the Council's supporting or opposing a measure so long as it does so at an open public meeting.

Fiscal Impact:

There is no fiscal impact to the Town of Windsor as a result of this item.

Environmental Review:

The recommended action is not subject to review under the California Environmental Quality Act (CEQA).

Attachment(s):

1. [Resolution](#)
2. [Measure J Title and Summary](#)
3. [Measure J Text](#)
4. [Economic Development Board Analysis](#)

Prepared by:

Irene Camacho-Werby
Town Clerk / Public Information Officer

Recommended by:

Jon Davis
Town Manager