



The Battle Over Agricultural Grading in Ventura County

By Lynn Gray Jensen

At the most recent meeting to discuss Draft 8 of the new “Agricultural Grading” standards, Phil Nelson, spokesman for the Public Works Agency (PWA) used the term “arbitrary” when describing numbers for thresholds that were changed in the newly released draft document. He was speaking to the Agricultural Policy Advisory Committee (APAC) at their monthly public meeting held on October 12th, chaired by Bob Pinkerton and comprised of five advisors to the Board of Supervisor’s (see APAC: AG’s OMBUDSMAN by Rita Graham in this issue).

The meeting room was packed with over 50 public participants including members of many agricultural organizations. Several speakers voiced their concerns about the new Draft 8 including county changes to thresholds, formatting and omission of the intent of the standards which were carefully worded in the original document.

From experience, it seems that arbitrary standards are common in regulatory agency codes and explanations can be unsatisfactory when staff is pushed to explain a basis

for the numbers. This is a serious problem in that thresholds persist over time, becoming institutionalized because after adoption they become the “existing condition” and changes are subject to environmental review. The reason why this “battle” over grading standards is so important is that in the end the numbers will matter!

The agricultural grading issue has united and mobilized the agricultural community as has no other single issue.

The “AG Grading” process began in February of 2010 when the Board of Supervisors, advised by County Council, recommended that PWA take over regulation of agricultural grading previously managed by the Resource Conservation District (RCD). This decision was truly the motivating force behind forming VC COLAB. Local organizers initiated discussions with Andy Caldwell, Executive Director of COLAB Santa Barbara, who attended the first grading stakeholder meeting on July 14, 2010. Andy spoke about SOAR being a two-edged sword explaining that protecting farmland from development

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APAC AG’s OMBUDSMAN

By Rita Graham

Often I hear individual farmers as well as AG groups calling for a county-paid ombudsman to represent agricultural interests, particularly since the voters passed a S.O.A.R. ordinance to “save” your agriculture.

For several decades the County of Ventura has provided a forum for agricultural property owners and operators to communicate their concerns. This committee is known as APAC, which stands for the Agricultural Policy Advisory Committee. It is made up of five members of the local agricultural community, each of whom is an unpaid appointee of a member of the Board of Supervisors. APAC meets most months on the second Wednesday of the month at 1:00 p.m. The location is 669 County Square Drive in Ventura.

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should also include protecting the farming industry and their way of life. Referring to SOAR in a subsequent Ventura County Star article Andy wrote *“The means by which the proponents of this ideology have sought to accomplish their goal was by use of the Endangered Species Act, critical habitat designations, the California Environmental Quality Act, regional water quality regulations, and a host of local and regional land use planning tools that could serve to eliminate and obliterate the ability of landowners to use their lands for much of anything — including the right to grow food and raise livestock.”*

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We estimate that 200 angry farmers and ranchers attended this first stakeholder meeting, spilling into the hallway of the County meeting room and fundamentally opposing the PWA takeover. A vote was taken with nearly unanimous agreement of the crowd to oppose the new regulation (in anticipation of another layer of new fees and red tape) and asked PWA to take our viewpoint back to the Board of Supervisors. Truly, VC COLAB was the engine behind this movement that motivated our filing for incorporation on July 8th, 2010.

On the very same day, PWA presented the proposal to APAC, looking for support. Discussions among the APAC members included the recommendation for a Technical Advisory Committee (TAC) to be comprised of selected members of agricultural organizations who had expertise in agricultural practices and engineering to advise PWA on new grading standards.



In addition, PWA proposed a separate TAC to be formed at a later date to advise on revisions to oil grading regulations as part of the “non-development” grading standards. VC COLAB is currently advocating for oil industry representation, organizing local companies and adding an oil industry member to our board, expanding and diversifying our coalition.

The agricultural TAC was eventually formed including founding members of VC COLAB and members of VC Cattlemen’s Assoc., Farm Bureau, VCAA and the RCD, who met weekly, volunteering their time to work in good faith with PWA staff to find common ground on a set of reasonable grading standards that would not unnecessarily burden the agricultural industry while adequately protecting the public. Standards were hammered out over six months concluding in January of 2011.

EIGHT MONTHS later, in September of 2011, the standards came back as Draft 8 – essentially turned upside down by the County bureaucratic process. The resulting draft was confusing, had significantly different standards with no justification, entire new sections added and organized in a manner that an applicant could not determine whether their project would need a permit and/or whether it would be discretionary. We believe that the draft

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This is the same building as the UC Ag Extension and AG Commissioner’s office. Currently, the members of APAC are: Scott Deardorff, Sanger Hedrick, Bob Pinkerton, Charles Schwabauer, and Will Doyle. The Agricultural Commissioner’s Office provides staff services to the committee and creates the agenda. The meeting schedule can be confirmed in advance and agendas viewed at:

www.ventura.org/agcommissioner click the Land Use & APAC section.

What is APAC’s charge? The resolution creating the committee states that it will review Land Conservation Act program applications, zoning and building regulations affecting agriculture, and all matters having direct, indirect and cumulative effects on the county’s agricultural economy. That’s a pretty broad charge and yet often only a few people actually attend APAC or use the public comment portion of its agenda to raise issues. That’s an ineffective use of this valuable forum. VC COLAB members who have AG interests should use APAC meetings as a regular way to “talk” to the county. APAC members have the ear of their elected district supervisor.

At a recent VC COLAB meeting, I said that it may be hard for a property owner to get away from work for a weekday meeting that starts at 1:00 p.m., but they should consider sending a spouse, parent or grown child and signal the importance of APAC as your ombudsmen. The idea seemed to catch on and someone said, “I’ll send my wife . . . my kid . . . and even my dog!”
Alright!

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did not meet the original goals intended by PWA.

In fact, in a comment letter dated 10-5-11, Farm Bureau member, David Borchard, who serves on the TAC, voiced some frustration: "I would hope that staff would make a serious attempt to rectify the discrepancies discovered by myself and others from the stakeholder group, lest this entire process be perceived as a sham by the ag community."

Draft 8 was discussed at the APAC Meeting on October 12th where Bob Pinkerton and the other APAC members recommended that the draft be sent back through the TAC process for additional work.

Further, **PWA is proposing to update the Board of Supervisors on the progress of the ordinance on November 22nd over the Thanksgiving holiday week.** Choosing this date is ill-advised as it could severely limit the public's ability to comment on such an important issue that has the potential to negatively impact the agricultural industry. **In any case, we will plan to "PACK THE ROOM" again.**



**THE
CARD
GAME
OF
MAO**

Have you heard of or played the game called "Mao"? It is a relatively new card game that has become quite popular with high-school and college students in the US, including my teenagers. After watching a few games, it was all too familiar, reminding me of working a project through a public agency. It starts similar to crazy eights or Uno except that there are four rules that a new player has to figure out by observation, trial and error. It is against the rules to explain the rules (sound familiar). The dealer is called the "chairman" and as the game progresses, increasingly elaborate rules are added. Success depends on the ability to figure out, remember the rules and act on them correctly within a limited time (really familiar now right?) Great preparation for kids looking to be successful in our increasingly regulated world!

The Pine Mountain Inn

Tammy Wolf Slack has written a bold story about 25 years of wrestling with the County of Ventura after her parents purchased the Pine Mountain Inn property, on a remote section of Highway 33, in 1976. That year, their Planned Development Permit to operate was issued with no expiration date. However, in 1986, a General Plan Amendment and Scenic Highway Protection overlay zone was approved for the entire North County without notification to the Wolfs. Subsequently, like many private owners in the Highway 33 corridor, the Wolf family has spent significant time, energy and dollars without resolution. Her full story is posted on our website at www.colabvc.org.

Hawaii in Somis

Hawaii in Somis turned out to be a lovely evening with 60 members enjoying appetizers, drinks and music while discussing pertinent issues related to our mission. A special thank you to Board Member Jack Poe for hosting the successful and energizing event!

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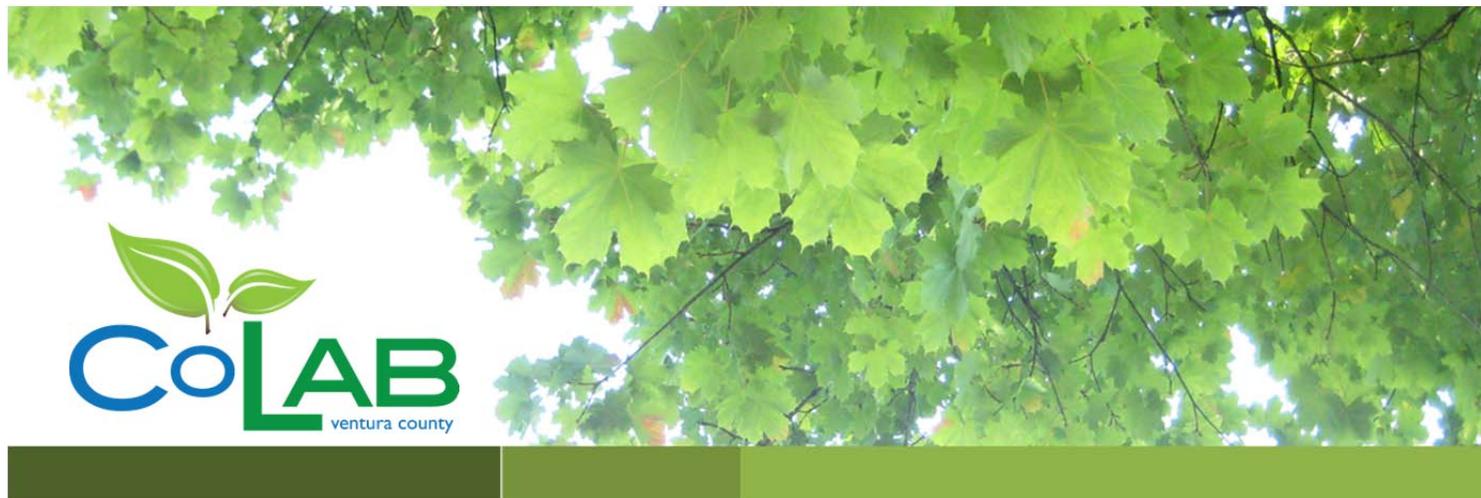
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**Ventura County Coalition of
Labor, Agriculture and Business**

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I would like to apply for an Active Membership at the following level:

- \$100 Individual - Promote economic vitality and individual rights in Ventura County
- \$500 Business - Promote the common business interests of **VC COLAB** Members
- \$1,000 Gold - Further our efforts to monitor, educate and represent our common business interests
- \$1,500 Platinum - Support ongoing research to challenge harmful and unreasonable regulation
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Please accept my membership fee of: \$ _____

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