



Local Ballot Measure: J

Measure J

County of Sonoma

Measure Question

Simple Majority Needed to Pass

SONOMA COUNTY PROHIBITION ON CONCENTRATED ANIMAL FEEDING OPERATIONS
Should the County Code be amended to prohibit, outside of the Coastal Zone, farms and other animal production operations that meet the definition of “Concentrated Animal Feeding Operations” (CAFOs), as defined by federal regulations, require phase out of existing CAFOs over three years, authorize daily financial penalties for violations, and require, among other things, the Agricultural Commissioner to create a job retraining program for CAFO workers?

What Your Vote Means

YES	NO
A “yes” vote on Measure J will add and amend the code provisions governing CAFOs in all districts in the unincorporated areas of the County outside of the coastal zone.	A “no” vote on Measure J will keep the existing code provisions.

For and Against Measure J

FOR	AGAINST
<p>Samantha Eachus Sebastopol Farm Worker</p> <p>Christopher Green Executive Director, Animal Legal Defense Fund</p> <p>Brenda Forsythe, Ph.D., D.V.M. Veterinarian</p> <p>CALIFORNIANS FOR ALTERNATIVES TO TOXICS Patricia M Clary, Executive Director</p> <p>Jerry Bernhaut Environmental Attorney, California River Watch</p>	<p>SONOMA COUNTY FARM BUREAU Doug Beretta, Organic Farmer/Board President</p> <p>CLOVER SONOMA Michael Benedetti, Senior Director of Sustainability</p> <p>SONOMA COUNTY CONSERVATION ACTION Neal Fishman, President</p> <p>SONOMA COUNTY BOARD OF SUPERVISORS David Rabbitt, Chair of the Board</p> <p>SANTA ROSA METRO CHAMBER Peter Rumble, CEO</p>



Local Ballot Measure: J

County Counsel's Impartial Analysis of Measure J

Measure J asks voters to add new sections to and amend other sections of Chapter 26 of the Sonoma County Code to phase-out existing and prohibit future Concentrated Animal Feeding Operations (CAFO) in all zone districts in the unincorporated areas of the County outside of the coastal zone. Existing operations would become legal nonconforming and have three years to phase out or modify operations to come into compliance. Measure J exempts certain animal shelters and temporary stables used during emergencies. Measure J was placed on the ballot by a petition signed by the requisite number of voters in Sonoma County. The full text of Measure J is published in this County Voter Information Guide.

Measure J would define CAFO in accordance with federal water quality regulations. The animals covered would be cattle or cow/calf pairs, mature dairy cattle, veal calves, swine, horses, sheep or lambs, turkeys, chickens, laying hens or broilers, and ducks. CAFOs would be categorized as large, medium, or small, depending on the number and type of confined animals and potential to impact water quality. Measure J would consider animals confined if stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and when crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more operations could together be considered a single CAFO if certain criteria are met.

Measure J would require registration for existing CAFOs, which would have three years to modify or cease operations. It would also require the Agricultural Commissioner to establish Best Management Practices to phase-out CAFOs, developed in collaboration with a California-based animal cruelty prevention organizations. It would require the Agricultural Commissioner to present an annual report on ordinance compliance to the Board of Supervisors and create a job-retraining program for CAFO workers.

The Agricultural Commissioner would be required to establish a system for receiving, investigating, and retaining complaints. If a farm meets the definition of a CAFO and does not comply with the terms of Measure J by the end of the phase-out period, then the farm would face daily penalties of \$1,000 for the first day, \$5,000 for the second day, and \$10,000 for the third and subsequent days in violation. The Agricultural Commissioner may additionally pursue any other enforcement available at law. The measure also provides a private right of action for injunctive relief and attorneys' fees and costs to the prevailing party. It would make it a misdemeanor to retaliate against another person for making a good-faith complaint.

Measure J will become effective only if approved by a majority of those voting on the measure.

A "yes" vote on Measure J will add and amend the code provisions governing CAFOs in all districts in the unincorporated areas of the County outside of the coastal zone.

A "no" vote on Measure J will keep the existing code provisions.

ROBERT PITTMAN
County Counsel

By: s/ Joshua A. Myers
Chief Deputy County Counsel

County Auditor's Fiscal Impact Statement — Measure J

Potential Reduction in Sales Tax Revenues. This measure would likely result in a countywide decrease in poultry and livestock production including dairy products. A decrease in poultry and livestock production would have broader impacts on related sectors of the local economy, including farm employment, farm supply and equipment sales, feed sales, veterinary services, and household consumption. These broader impacts would result in a reduction in County sales tax revenues that cannot be quantified or estimated at this time.

Potential Increase in Property Tax Revenues. County property tax revenues would increase if restricted, agricultural use properties are converted to unrestricted land use because of this measure. Under the Williamson Act, a property in contract to remain in agricultural operation for a minimum of 10 years typically qualifies for a reduction in the taxable assessed value. Property tax revenue impacts cannot be quantified or estimated at this time due a lack of information about potentially affected properties.

Potential Increase in Civil Penalties. This measure establishes daily civil penalties of \$1,000 for the first day, \$5,000 for the second day, and \$10,000 for the third and subsequent days in violation, to be deposited to the County General Fund. County civil penalties revenue would be collected on a case-by-case basis and cannot be quantified or estimated at this time.

Increase in County Oversight, Enforcement and Support Service Costs. During the three-year phase-out period, the measure requires the Sonoma County Agricultural Commissioner's office to identify pre-existing Concentrated Animal Feeding Operations (CAFO's), create a public-facing database of CAFO's, and conduct inspections. After CAFO's terminate operations, the measure requires the Agricultural Commissioner to conduct inspections to document compliance. Other requirements include developing a Best Management Practices Document in collaboration with the Society for the Prevention of Cruelty to Animals (SPCA) or animal welfare organization; establishing a system for processing and responding to complaints; and providing retraining and employment assistance for former and current CAFO workers. The Agricultural Commissioner estimates it would incur \$1.6 million in additional costs annually.

The Sonoma County Human Services Department estimates it would incur \$1.5 million in additional costs for employment-related services due to jobs lost in the agricultural industry.

In accordance with the Elections Code 9160(c), the scope of this fiscal impact statement is limited to the effect on revenues and expenditures of the County of Sonoma. It does not address broader fiscal impacts that Measure J may have on the local economy.

s/ Erick Roeser
Auditor-Controller-Treasurer-Tax Collector



Local Ballot Measure: J

Arguments and rebuttals are the opinions of the authors. They are printed exactly as submitted, including errors.

Argument in Favor of Measure J	Rebuttal to Argument in Favor of Measure J
<p>Vote yes on J to protect animals, local water, public health, and small farms.</p> <p>Measure J is a simple, moderate measure that limits the number of animals that can be confined in one facility by prohibiting Concentrated Animal Feeding Operations (CAFOs). CAFOs are the largest, most destructive animal factory farms, as defined by the Environmental Protection Agency.</p> <p>Trusted organizations including the Sierra Club, American Society for the Prevention of Cruelty to Animals, and American Public Health Association support policies to stop CAFOs, and polling shows overwhelming support for prohibiting new CAFOs.</p> <p>While Sonoma County is known for its hundreds of small farms, there are around twenty CAFOs in the county, including one confining over 500,000 birds and some that are operated by Perdue.</p> <p>Sonoma County's Animal Services Department and others have documented criminal animal cruelty at Sonoma County CAFOs. Footage shows sick and injured chickens and ducks unable to walk to food and water and dead cows left by the garbage. View at www.YesOnJ.vote. Measure J will protect animals.</p> <p>CAFOs are major polluters. Waste from CAFOs is often stored in open pits, leading to water pollution and threatening wildlife. Nearly every stream and river in Sonoma County is impaired by nitrogen or phosphorus, of which animal waste from CAFOs is a primary source. Measure J will protect vital watersheds like the Petaluma River and Sonoma Creek.</p> <p>CAFOs pose a serious risk to public health because they provide a perfect breeding ground for diseases to develop and spread. We are seeing this with the Highly Pathogenic Avian Influenza which has jumped from birds to mammals including cows and humans. Testing at Sonoma County CAFOs has found dangerous pathogens including antibiotic-resistant bacteria. Measure J will protect our health.</p> <p>The increasing dominance of CAFOs has undermined small farms in Sonoma County. Measure J will level the playing field, revitalize the local agricultural economy, and promote sustainable farming practices.</p> <p>Vote yes to protect our community and all its inhabitants.</p> <p>s/ Samantha Eachus Sebastopol Farm Worker</p> <p>s/ Christopher Green Executive Director, Animal Legal Defense Fund</p> <p>s/ Brenda Forsythe, Ph.D., D.V.M. Veterinarian</p> <p>CALIFORNIANS FOR ALTERNATIVES TO TOXICS s/ Patricia M Clary, Executive Director</p> <p>s/ Jerry Bernhaut Environmental Attorney, California River Watch</p>	<p>Vote No on Measure J to protect Sonoma County's farms, economy, environment and our local food from this dangerous and misguided initiative.</p> <p>Measure J is a deeply flawed and confusing initiative that threatens our local agricultural community. Contrary to what proponents claim, Measure J is not simple or moderate—it's a poorly written policy with far-reaching, unintended consequences. By targeting our multi-generational farm families, Measure J jeopardizes both small and large farms that use state-of-the-art practices to protect water quality and reduce greenhouse gas emissions.</p> <p>The backers of Measure J have a history of extreme actions that put our local farms at risk. According to a report by the California Department of Food and Agriculture, the "egregious nature" of the illegal break-ins on Sonoma County poultry farms led by one of Measure J's sponsors may have introduced the deadly avian influenza, causing the loss of more than 750,000 birds. This kind of reckless behavior endangers animals, farm workers, and farmers.</p> <p>Sonoma County's farms are among the most progressive in the nation, setting high standards in sustainability and animal welfare. Our farmers are leaders in animal care, carbon sequestration and environmental stewardship, practices that will be undermined by Measure J.</p> <p>The claim that CAFOs are major polluters and the breeding ground for diseases misrepresents the facts. Strict federal and state regulations ensure responsible waste management, protecting Sonoma County's water quality and environment.</p> <p>Measure J is misleading. That is why every State and Federal Representative in Sonoma County, as well as the Sonoma County Board of Supervisors, numerous City Council Members, Clover Sonoma, and Straus Family Creamery oppose Measure J.</p> <p>Vote No on J. Learn More: www.NoOnMeasureJ.com</p> <p>s/ Don McEnhill Executive Director, Russian Riverkeeper</p> <p>s/ Lynda Hopkins Sonoma County Supervisor /Family Farmer</p> <p>s/ Kathy Tresch Organic Dairy farmer</p> <p>s/ Sergio de Jesus Batres Farm Worker</p> <p>s/ Dr. Gene Harlan Veterinarian - Cotati Veterinary Hospital</p>



Local Ballot Measure: J

Arguments and rebuttals are the opinions of the authors. They are printed exactly as submitted, including errors.

Argument Against Measure J	Rebuttal to Argument Against Measure J
<p>Measure J poses the single biggest threat to Sonoma County today, targeting multi-generational farm families and jeopardizing the local food on your table. This measure, pushed by a group from Berkeley, aims to dismantle Sonoma County's diverse animal agriculture, threatening the livelihood of our family farmers, our local economy, and our environment.</p> <p>Sonoma County's family farmers are the backbone of our community, providing fresh dairy and poultry products. If Measure J passes, many of these farms will be forced to close, leading to significant job losses and economic devastation. Local food prices would increase. We would become reliant on imported eggs, milk, cheese, and meat, increasing greenhouse gas emissions.</p> <p>Our farmers are already leaders in animal welfare and sustainability, prioritizing pasture-fed dairy cows and cage-free chickens. 42% of California's organic milk comes from Sonoma County – with Measure J, brands like Clover Sonoma and Straus Family Creamery would be severely impacted. An independent study predicts more than a quarter-billion-dollar hit to our economy, with job losses rippling across the county.</p> <p>Animal agriculture in Sonoma County also contributes to environmental stewardship. Grazing cows reduce wildfire risk and help sequester carbon through sustainable practices. However, Measure J would force many farms to close entirely, putting animals at risk of being sold to out-of-state farms with fewer protections.</p> <p>Measure J also disproportionately harms consumers already struggling with high food prices and farmworkers who care for animals. The measure is widely opposed across the county, including the entire Sonoma County Board of Supervisors, Sheriff Eddie Engram, Sonoma County Deputy Sheriff's Association, Professional Fire Fighters of Sonoma County Local 1401, North Bay Labor Council, Sonoma County Farm Bureau, Generation Housing, the Sonoma County Hospitality Association, environmental groups, and both the Democratic and Republican Parties, as well as Congressman Mike Thompson, Senator Mike McGuire and Senator Bill Dodd, along with Assemblymember Damon Connolly, Assemblymember Jim Wood, and Assemblymember Cecilia Aguiar-Curry.</p> <p>In short, Measure J threatens our way of life, our economy, and the well-being of our community.</p> <p>Vote No on Measure J. Thank you. www.NoOnMeasureJ.com</p> <p>SONOMA COUNTY FARM BUREAU s/ Doug Beretta, Organic Farmer/Board President</p> <p>CLOVER SONOMA s/ Michael Benedetti, Senior Director of Sustainability</p> <p>SONOMA COUNTY CONSERVATION ACTION s/ Neal Fishman, President</p> <p>SONOMA COUNTY BOARD OF SUPERVISORS s/ David Rabbitt, Chair of the Board</p> <p>SANTA ROSA METRO CHAMBER s/ Peter Rumble, CEO</p>	<p>Lobbying groups opposed to Measure J have resorted to fear tactics and deception. They use stock photos from the internet on their materials. The Yes on J campaign uses real photos of animals suffering in Sonoma County CAFOs. We published a map of the CAFOs and a research report citing credible, scientific studies. See www.YesOnJ.vote/cafos.</p> <p>The opposition makes extreme claims without citing sources. They have wildly exaggerated the impact on the dairy industry and local food. Clover sells milk from 27 farms. Only 3 are CAFOs that would need to downsize.</p> <p>CAFOs outcompete small farms and threaten sustainable, local farming.</p> <p>"The first step in making family farms viable again is to level the playing field." - Roy Smith, Green Goose Farm, Penngrove</p> <p>The economic report they cited is not based on the impact of Measure J and is not mentioned in the county's impartial analysis.</p> <p>The reality is Measure J requires the downsizing of around 20 factory farms, which all meet the federal definition of a large CAFO, for example confining over 125,000 chickens. These operations represent only 3% of Sonoma County animal farms, but they disproportionately pollute our water, harm animals, and spread diseases like avian flu.</p> <p>Follow the money. The opposition is funded by factory farms and industry lobbying groups including the National Pork Producers Council in Iowa. These groups and the Sonoma County Farm Bureau have consistently lobbied against animal welfare improvements. Do you trust them to decide acceptable animal welfare?</p> <p>Our community cares about protecting animals and our environment for generations to come.</p> <p>Vote yes on Measure J.</p> <p>s/ Jon Haveman Principal Economist, Ph.D.</p> <p>s/ Brenda Forsythe, Ph.D., D.V.M. Veterinarian</p> <p>s/ Christopher Green Executive Director, Animal Legal Defense Fund</p> <p>s/ Donald L. Lipmanson Environmental Lawyer</p> <p>s/ Jerry Bernhaut Environmental Attorney, California River Watch</p>



Local Ballot Measure: J

Full Text of Measure J

WHEREAS, the people of Sonoma County value healthy communities and a healthy environment; and

WHEREAS, the people of Sonoma County value the humane treatment of animals; and

WHEREAS, the U.S. Supreme Court upheld California's Proposition 12 (the Farm Animal Confinement Initiative), the nation's strongest farm animal welfare law, which was supported by 61.6% of Sonoma County voters; and

WHEREAS, hundreds of Concentrated Animal Feeding Operations (CAFOs) presently operate in California, including over a dozen in Sonoma County; and

WHEREAS, millions of animals are confined in CAFOs across California; and

WHEREAS, it is a well-established scientific fact, as supported by thousands of studies exploring animal cognition, that animals have emotions, personalities, and the ability to feel pain, fear, and stress; and

WHEREAS, every day, animals are treated inhumanely at CAFOs; and

WHEREAS, the treatment of animals in CAFOs routinely violates California animal cruelty laws, with little to no accountability; and

WHEREAS, CAFOs have severe negative public health and environmental impacts due to the large amounts of concentrated, potentially toxic waste they produce and the infectious diseases they facilitate and harbor; and

WHEREAS, investigators have found antibiotic-resistant bacteria and infectious diseases in CAFOs in California and across the U.S.; and

WHEREAS, given that three out of four emerging infectious diseases are zoonotic, CAFOs pose a serious risk to public health; and

WHEREAS, emissions from industrial animal agricultural operations are a significant cause of climate change, with livestock contributing 14.5 percent of all greenhouse gas emissions; and

WHEREAS, by worsening climate change via the release of greenhouse gasses such as methane, CAFOs are a major contributor to the drought and wildfires in California; and

WHEREAS, it is projected that the global industrial agricultural sector will nearly double in greenhouse gas emissions by 2050; and

WHEREAS, globally, CAFOs and other intensive farming practices are the primary driver of biodiversity loss through dependence on inputs such as fertilizer, pesticides, energy, land, and water, and on practices such as monocropping and heavy tilling, which in turn reduces the variety of landscapes and habitats; and

WHEREAS, biogasifiers (which can convert animal waste into energy) have been shown to be ineffective at mitigating the public health and environmental impacts of CAFOs, as they can produce other harmful chemicals without fully removing toxins from the environment; and

WHEREAS, workers at CAFOs face health risks due to exposure to harmful substances and antibiotic-resistant bacteria, as well as high rates of respiratory injuries, musculoskeletal injuries, and anxiety and depression; and

WHEREAS, CAFOs disproportionately affect low-income and disadvantaged communities, raising social and environmental justice concerns; and

WHEREAS, proximity to CAFOs significantly decreases property values, with a 2015 study showing that properties within 3 miles of a CAFO lost up to 26% of their value and properties within ¼ mile of a CAFO lost up to 88% of their value; and

WHEREAS, legislation (the Farm System Reform Act) has been proposed in U.S. Congress which would place a moratorium on the construction of large CAFOs and enact other restrictions on resource-intensive factory farming; and

WHEREAS, the American Public Health Association has called for federal, state, and local governments to impose a moratorium on new and expanding CAFOs; and

WHEREAS, several other jurisdictions across the U.S. have placed restrictions on CAFOs; and

WHEREAS, the County of Sonoma has a legitimate and substantial interest in promoting public health and encouraging responsible environmental practices; and

WHEREAS, it is the intent of Sonoma County to prohibit CAFOs in order to protect the environment, animals, and the health and well-being of its residents and communities; and

WHEREAS, it is also the intent of Sonoma County to provide a retraining and employment assistance program for workers at CAFOs to facilitate the transition to safer forms of work; and

WHEREAS, the present Ordinance is in line with Sonoma County's values as an agricultural community that respects the environment and responsible agricultural practices;

NOW, THEREFORE, the People of the County of Sonoma ordain as follows:

SECTION 1: ADDITION OF §26-18-075.

Section 26-18-075 is hereby added to read as follows:

Sec. 26-18-075 Animal Keeping: Concentrated Animal Feeding Operations

A. Purpose.

The Purpose of this Section is to protect the environment, animals, and the health and well-being of Sonoma County residents and communities by prohibiting the operation of CAFOs, as defined herein, within the unincorporated areas of the County.

B. Definitions.

The following words and phrases as used in this Chapter shall be defined as follows:

"Animal feeding operation" or "AFO" means a lot or facility that meets the regulatory definition of an AFO as set out by the Environmental Protection Agency in 40 CFR 122.23 as of August 2023. Specifically, a lot or facility (other than an aquatic animal production facility) is deemed an AFO where the following conditions are met:

- (i) Animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and
- (ii) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

"Concentrated Animal Feeding Operation" or "CAFO" means an AFO which meets the definition of a Medium CAFO or Large CAFO,



Local Ballot Measure: J

Full Text of Measure J (Continued)

as defined herein, and set out by the Environmental Protection Agency in 40 CFR 122.23 as of August 2023, or which is designated as a CAFO of any size by the permitting authority.

“Large CAFO” means an AFO which confines at least the number of animals described in Table 18-0.

“Medium CAFO” means an AFO which falls within the size range in Table 18-0 and either:

- (i) has a man-made ditch or pipe that carries manure or wastewater to surface water; or
- (ii) the animals come into contact with surface water that passes through the area where they’re confined; or
- (iii) is designated as a Medium CAFO by the permitting authority due to being a significant contributor of pollutants.

“Pre-Existing CAFO” means a CAFO currently in existence in Sonoma County at the time this Ordinance becomes effective.

“Small CAFO” means an AFO which confines fewer than the number of animals listed in Table 18-0 and which has been designated as a CAFO by the permitting authority as a significant contributor of pollutants.

Table 18-0: Size Thresholds for CAFOs

Animal Sector	Size Threshold: Large CAFOs	Size Threshold: Medium CAFOs
Cattle or cow/calf pairs	1,000 or more	300 - 999
Mature dairy cattle	700 or more	200 - 699
Veal calves	1,000 or more	300 - 999
Swine (weighing over 55 pounds)	2,500 or more	750 - 2,499
Swine (weighing less than pounds)	10,000 or more	3,000 - 9,999
Horses	500 or more	150 - 499
Sheep or lambs	10,000 or more	3,000 - 9,999
Turkeys	55,000 or more	16,500 - 54,999
Laying hens or broilers (liquid manure handling systems)	30,000 or more	9,000 - 29,999
Chickens other than laying hens (other than a liquid manure handling systems)	125,000 or more	37,500 - 124,999
Laying hens (other than a liquid manure handling systems)	82,000 or more	25,000 - 81,999
Ducks (other than a liquid manure handling systems)	30,000 or more	10,000 - 29,999
Ducks (liquid manure handling systems)	5,000 or more	1,500 - 4,999

C. Aggregation.

Two or more lots or facilities that collectively meet the definition of a CAFO shall together be deemed a CAFO if they are under common ownership and are either on adjoining parcels or share a waste disposal system.

D. Prohibition of CAFOs; Exceptions.

1. No person shall establish, operate, expand, or maintain a CAFO in unincorporated Sonoma County on or after the date of the enactment of this Section.
2. This Section does not limit or impact the availability of remedies under other applicable local, state and federal laws, regulations, and ordinances, including but not limited to laws, regulations, and ordinances regarding environmental protection and animal cruelty.
3. The prohibitions in this Section shall not apply to an evacuation area set up to temporarily stable animals in the case of a natural disaster or a declared state of emergency, or to a registered non-profit animal shelter, sanctuary, or rescue organization which does not sell animals or animal products.

E. Existing CAFOs; Phase-Out Period.

1. Notwithstanding anything in this Section, Pre-Existing CAFOs shall be deemed a nonconforming use and shall be required to register on a public database maintained by the Sonoma County Department of Agriculture, Weights and Measures.
2. Pre-Existing CAFOs shall be given a phase-out period of no more than three (3) years from the effective date of this Section to modify or terminate their operations such that they are no longer classified as a CAFO. Proof of this shall be provided to the Agricultural Commissioner prior to the end of the phase-out period. During the phase-out period, Pre-Existing CAFOs shall not increase the number of animals in confinement.
3. The Agricultural Commissioner or his/her designee shall inspect closed CAFOs within one month of receiving such proof of termination from a Pre-Existing CAFO to ensure that all relevant operations have ceased or been appropriately modified.
4. Any Pre-Existing CAFO taking advantage of the phase-out period mentioned in Subsection (E)(1) shall comply with Best Management Practices set forth by the Agricultural Commissioner, which shall be developed in collaboration with a California-based humane society and/or a California-based society for the prevention of cruelty to animals. The foregoing shall be in addition to any requirements imposed on CAFOs by County, State and Federal environmental protection agencies.
5. The Agricultural Commissioner shall establish a system to receive, investigate, and retain complaints related to this Section.

F. Violations.

1. Any person who continues to operate a Pre-Existing CAFO after the three (3) year phase-out period elapses, or who establishes or maintains a CAFO following the enactment of this Section, or who violates any other provision of this Section, shall be subject to a civil penalty of one thousand dollars (\$1,000) for the first offense, five thousand dollars (\$5,000) for the second offense, and ten thousand dollars (\$10,000) for the third and any subsequent offenses, payable to the Sonoma County General Fund.
2. Notwithstanding the foregoing, the Agricultural Commissioner or his/her designee may also pursue on behalf of the county any other civil or administrative penalty or remedy otherwise available for failure to comply with the requirements of this Section.
3. Each day, or portion thereof, during which the violation occurs shall be treated as a separate offense.
4. Nothing herein shall impact the standing of other interested parties, or the availability of remedies under other applicable federal, state and local laws, regulations and ordinances, including the remedies



Local Ballot Measure: J

Full Text of Measure J (Continued)

afforded any person set forth in Subsection I of this Ordinance.

5. The availability of funds under this Section shall not restrict any obligation by the County to provide retraining and employment assistance opportunities to CAFO workers.

6. For the purposes of this Subsection (F), "person" includes any owner, officer, or director of a CAFO. No penalties shall be issued to individuals solely for working at a CAFO operation unless they also meet one of the foregoing criteria.

G. Retraining for CAFO Workers

The County shall provide a retraining and employment assistance program for current and former CAFO workers during the phase-out period in Subsection (E)(1) and for an additional one year thereafter. The purpose of this program is to provide individuals who worked at a CAFO at the time of this Ordinance's enactment or who worked at a CAFO at any point during the phase-out period with the training needed to work at a legally acceptable agricultural operation or in a different job sector. This program shall be administered by the Agricultural Commissioner or his/her designee, along with qualified experts in employment law, animal rights, farm labor, and best agricultural practices. Such experts shall provide proof of their qualifications, which shall be subject to public disclosure. The County's obligation under this Subsection (G) to provide retraining and employment assistance to CAFO workers shall not depend on the fines and penalties collected pursuant to Subsection (F).

H. Annual Report.

The Agricultural Commissioner or his/her designee shall prepare an annual report containing the following information: the number of CAFOs currently operating in unincorporated Sonoma County; the number of CAFO termination notices received in the previous year; the number of CAFO termination inspections conducted in the previous year; the number of CAFO workers in the retraining program; and the amount of penalties assessed and collected in the previous year. Such report shall be presented to the Board of Supervisors at a duly-noticed public hearing and posted on the Agricultural Commissioner's webpage, beginning one year after the effective date of this Section and continuing until all CAFOs, as defined herein, have been phased out of the County.

I. Right of Action.

Any interested party may institute a civil proceeding for injunctive relief against a violation of this Section, and for whatever other additional relief the court deems appropriate. In any action brought pursuant to this Section, the prevailing party shall be entitled to reasonable attorney's fees and costs. The remedies available under this Section shall be in addition to, and shall not in any way restrict, any other rights or remedies under law. Nothing in this Section is intended to, or shall be interpreted to, conflict with the Constitution of the United States, the Constitution of the State of California, or with any state or federal law. For the purposes of this Section, "interested party" shall include but not be limited to any association, organization, society, or corporation organized for the purpose of protecting animals or the environment.

J. Retaliation Prohibited.

Any person who retaliates against another person for making a good-faith complaint that there has been a failure to comply with this Section is guilty of a misdemeanor.

K. Severability.

The provisions of this Section are declared to be separate and severable. The invalidity of any clause, phrase, sentence, paragraph, subdivision, section or portion of this Section, or the

invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this Section, or the validity of its application to other persons or circumstances. In the event that any provision is severed, the remaining provisions of this Section shall be interpreted in light of its stated purpose and intent.

SECTION 2. AMENDMENT OF OTHER COUNTY CODE SECTIONS.

Section 26-04-020(C) is hereby amended by inserting the following between "Composting" and "Condominium" as Section 26-04-020(C)(31.5):

Concentrated Animal Feeding Operations (CAFOs). Concentrated animal feeding operation, or CAFO, shall have the meaning set forth in Section 26-18-075.

Section 26-18-070(A) is hereby amended to read as follows:

Definition. The raising, feeding, maintaining and breeding of farm animals where animals are continuously confined in enclosed pens or similar structures, the majority of animal feed is provided by facility management rather than grazing, and animal wastes are concentrated on site. In the event that an operation falls under this definition and is also defined as a CAFO pursuant to Section 26-18-075, then Section 26-18-075 shall control.

1. Includes: Dairies, hog farms, veal production, and chicken and turkey ranches, and similar livestock where animals are continuously confined.
2. Excludes: Horses, goats, sheep, and similar farm animals; Concentrated Animal Feeding Operations (CAFOs).

Section 26-18-080(A)(1) is hereby amended to read as follows:

Excludes: Confined farm animal facilities, Concentrated Animal Feeding Operations (CAFOs), the keeping of household pets and wild or exotic animals.

Section 26-18-090(A)(2) is hereby amended to read as follows:

Excludes: Slaughterhouses, rendering plants, Concentrated Animal Feeding Operations (CAFOs).

SECTION 3. FUTURE AMENDMENTS.

In addition to the foregoing, the Board of Supervisors shall amend the County Code as needed within a reasonable time following the adoption of the Ordinance to effectuate this Ordinance, and from time-to-time as the necessity of any other amendments becomes clear.

SECTION 4. CONSTRUCTION & INTERPRETATION.

This Ordinance and its provisions shall be broadly construed and interpreted to accomplish its purpose and intent.

SECTION 5. CEQA.

This Ordinance is exempt from the California Environmental Quality Act (CEQA) as a citizen-sponsored initiative.

SECTION 6. SEVERABILITY.

If any provision of this Ordinance, or part thereof, or the application of any provision or part to any person or circumstance is held for any reason to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, and the Ordinance as a whole shall be interpreted in light of its stated Purpose and Intent. The People of the County of Sonoma hereby declare that they would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be



Local Ballot Measure: J

Full Text of Measure J (Continued)

declared unconstitutional or invalid.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon approval by the voters, or as soon as otherwise allowable under applicable law.

SECTION 8. CERTIFICATION; PUBLICATION.

Upon approval by the voters, the County Clerk shall certify to the passage and adoption of this Ordinance and shall cause it to be published according to law.