



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry/Related Industries
Ron Mansfield – Fruit and Nut Farming Industry
John Smith – Fruit and Nut Farming Industry
Gary Ward – Livestock Industry

MINUTES

February 10, 2010

6:30 P.M.

Board of Supervisors Meeting Room
330 Fair Lane – Building A, Placerville

Members Present: Boeger, Draper, Mansfield, Smith, Walker
Members Absent: Bacchi, Ward
Ex-Officio Members Present: William J. Stephans, Ag Commissioner/Sealer
Staff Members Present: Charlene Carveth, Deputy Ag Commissioner/Sealer
Chris Flores, Senior Agricultural Biologist
Nancy Applegarth, Clerk to the Agricultural Commission
Others Present: Mark Annis, Bill Bacchi, Sue Taylor

I. CALL TO ORDER

Chair Boeger called the meeting to order at 6: 30 P.M.

II. RE-APPOINTMENT OF AGRICULTURAL COMMISSION MEMBER, GARY WARD BY THE EL DORADO COUNTY BOARD OF SUPERVISORS (Continued from January 13, 2010)

The re-appointment of Gary Ward to a four year term as a representative for the Livestock Industry was made by the Board of Supervisors on February 2, 2010.

III. APPROVAL OF AGENDA

Bill Stephans requested an addition to Item VIII. Legislation, regarding AB 1721 (Swanson). He also mentioned that Peter Maurer, Development Services/Planning, has been assigned to oversee the Ranch Marketing Ordinance. Bill Stephans, Peter Maurer and several committee members met this week to discuss the draft of the ordinance. At the meeting, Mr. Maurer stated that the draft ordinance is a very good start. Additional clarifications will be discussed and updated for the Ag Commission's review and comment so that a final recommendation can be submitted back to Development Services with final submission to the Board of Supervisors.

Chair Boeger called for a voice vote for Approval of the Agenda with the additional information.

AYES: Draper, Mansfield, Smith, Walker, Boeger

NOES: None

ABSENT: Bacchi, Ward

IV. APPROVAL OF MINUTES

- Minutes of January 13, 2010

It was moved by Mr. Walker and seconded by Mr. Draper to Approve the Minutes as submitted.

AYES: Draper, Mansfield, Smith, Walker, Boeger

NOES: None

ABSENT: Bacchi, Ward

V. PUBLIC FORUM

- No comments were received

- VI.** S 09-0024 – Petra Winery (Mark A. Annis): a request for a special use permit for a micro winery consistent with 17.14.200.D.10 of the zoning ordinance. Production is based on the acres of wine grapes grown with a maximum production of 1,250 cases (2,972 gallons). Micro wineries are not allowed to have onsite tasting or sales. If it is determined that the project parcel contains a minimum of five acres of commercial vineyard, the project would be processed as a winery under 17.14.200.B.2.H of the zoning ordinance. No onsite sales or tasting room are proposed at this time. The property, identified by Assessor's Parcel Number 102-210-16, consists of 10.001 acres, and is located on the east side of Deer Valley Road approximately ½ mile northeast of the intersection with Green Valley Road, in the Rescue area. (District 4)

Staff reported on the site visit. The total acreage of this property is slightly over ten acres. It is not in an Ag District and not in a Community Region or Rural Center. The Land Use Designation of this parcel and surrounding parcels is Rural Residential (RR). The current zoning is Estate Residential Ten-Acre (RE-10). The adjacent parcel zoning is the same. The property is at an approximate elevation of 1,200 feet. The Soil Type is RfC: Rescue Very Stony Sandy Loam, 3 to 15% Slopes (Capability Class VI).

The applicants have requested a Special Use Permit for a winery, to be located at 2402 Deer Valley Road. The applicant has over 5 acres of grapes planted (varieties include Merlot, Zinfandel and Primitivo) with plans to plant 500 more vines. The vineyard is protected by deer fencing, is irrigated and trellised. The applicant proposes to crush and ferment the grapes on site, store the wine in tanks under the house, bottle the wine and store the case goods on site. A tasting room and on site sales are not proposed. There would be a maximum production of 1,250 cases of wine allowed by the SUP.

Relevant General Plan Policies: Policy 8.1.3.5 states that on any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.

Relevant Zoning Ordinance: Section 17.14.200 El Dorado Winery Ordinance (application is consistent with 17.14.200 B.2.H – Lots zoned RE with a minimum lot size of 10 acres, a minimum of five acres of commercial vineyard, and not located within a General Plan Ag District require a Special Use Permit.)

Mark A. Annis was present for questions and review of the project.

John Smith mentioned a letter of opposition that was submitted to the Commission. A neighbor of the applicant wrote of their concern regarding an Administrative Relief from an Agricultural Setback on this project, however, relief from an Agricultural Setback is not being requested, a winery building is not being proposed, and all winery functions will take place near or in the existing single-family dwelling.

It was moved by Mr. Smith and seconded by Mr. Walker to recommend APPROVAL of S 09-0024, a Special Use Permit request for a winery to be located at 2402 Deer Valley Road (a ten acre parcel) in the Rescue area. The property has over 5 acres of grapes, has been producing grapes for the past two years, and the proposed use will not detract from or diminish the existing agricultural use.

Motion passed

AYES: Draper, Mansfield, Smith, Walker, Boeger

NOES: None

ABSENT: Bacchi, Ward

VII. VINEYARD SOILS REPORT

A handout and PowerPoint presentation was given to show the results of a GIS soil analysis of 54 El Dorado County vineyards. This report reveals that Capability Unit II and III soils or current classified El Dorado County “Choice Soils” are not a necessary requirement for producing quality grapes. Some of the oldest and best quality vineyards, in the county, are growing on Capability Class IV, Class VI, and Class VII soils. *The Procedure for Evaluating the Suitability of Land for Agriculture* assigns points to soils based on their Capability Class, with Class II and III soils scoring 40 points and Class VII and VIII soils scoring 0 points. General Plan Policy 8.1.1.4 states that “...*The Procedure for Evaluating the Suitability of Land for Agriculture* shall be used for evaluating the suitability of agricultural lands in Agricultural Districts and Williamson Act Contract lands (agricultural preserves).” After conducting the vineyard soil analysis, it appears that vineyard operations can be successful on a varying degree of soil types independent of Capability Class. Giving parcels a higher point value based on “Choice Soils” may not be an accurate representation of agricultural capability in lieu of this new information.

General Plan Policy 8.1.1.4 also states that *The Procedure for Evaluating the Suitability of Land for Agriculture* shall be developed, reviewed, and revised, as appropriate, by the Agricultural Commission, and approved by the Board of Supervisors. As requested at the January Agricultural Commission meeting, staff provided a draft version of Category I, (Soil Capability and Characteristics):

| Points | Criteria |
|--------|---|
| 40 | Capability Unit II & III Soils |
| 35 | If over 50% of parcel contains Capability Unit IV, VI & VII "Choice" Soils |
| 30 | If 50% of parcel contains Capability Unit IV, VI & VII "Choice" Soils |
| 20 | If 40% of parcel contains Capability Unit IV, VI & VII "Choice" Soils |
| 10 | If 30% of parcel contains Capability Unit IV, VI & VII "Choice" Soils |
| 5 | Capability Unit IV, VI & VII "Non-Choice" Soils |
| 0 | Capability Unit VIII Soils |
| Notes: | <p>There are no Class I or Class V soils located in El Dorado County</p> <p>Soil "Capability Classes" are defined on page 38 of the <i>Soil Survey of El Dorado Area, California, Issued April 1974</i></p> <p>El Dorado County "Choice Soils" are defined as soil types that exhibit "choice" agricultural characteristics as delineated by the USDA-SCS and a local ad-hoc committee.</p> |

John Smith stated that the idea that vineyards only grow in rich soils is a complete misunderstanding of what it takes to grow quality grapes. He feels it would be a mistake to restrict the understanding of that which allows for the absolute maximum quantity of grapes as opposed to the quality of grapes that can be produced in El Dorado County.

Bill Stephans gave a brief summary of this project. When staff began working on the analysis of parcels that could be included into the existing Ag Districts, as required by the General Plan, it was noted that there were some calculations that did not seem quite right. It was decided to do an analysis of the County's existing vineyards and their soil types. The analysis has shown that some of the best quality grapes in the County are being grown on "non-choice" Capability Class VI and VII soils. Staff has suggested that some of these "non-choice" soils be listed as "Soils of Local Importance for El Dorado County Vineyards". At the last Ag Commission meeting staff was directed to create a draft version of Category I (Soil Capability and Characteristics). Staff has created a draft that has removed soil depth and replaced it with percentages of choice soils.

Discussion took place regarding the soil types of several area vineyards and the draft version of Category I.

Bill Bacchi stated that this analysis will be a very useful tool when evaluating a parcel that is being considered for inclusion into an Ag District but expressed concern about the possible need to "re-analyze" the whole county based on this new criteria.

Discussion took place regarding Bill Bacchi's concern. Mr. Stephans reminded the Commission members that the vast majority of parcels recognized as possible additions to the Ag Districts, had scored over 60 points, using the current Category I soil analysis. The parcels that had scored lower could be re-analyzed based on a revised version.

Bill Stephans mentioned that this would not only be a tool to analyze parcels under consideration for inclusion into an Ag District. It would also be used when considering parcels going into Williamson Act Contracts. Staff has identified certain parcels that *could be* included into the current Ag Districts. Those who have objections for inclusion have been noted and the ultimate decision will be made by the Board of Supervisors. Mr. Stephans added that knowing which soils are important to vineyard development will help the Ag Department when people come in looking for advice regarding parcels they are considering for vineyard production.

Sue Taylor expressed a concern that only properties located within Ag Districts will be protected for agricultural use; that all other lands, in the County, will be available for subdivision or commercial development.

Chair Boeger asked staff to bring back the draft version of Category I, with revisions to the format.

It was moved by Mr Boeger and seconded by Mr. Smith that the following soil types be considered "Soils of Local Importance for El Dorado County Vineyards" and included in El Dorado County's list of "Choice Agricultural Soils"; AdD, AkC, AtD, AwD, AxD, AzE, BrE, CcE, HkE, HtE, JsE, JuE, MbE, RfC, and SdE.

Motion passed.

AYES: Draper, Mansfield, Smith, Walker, Boeger

NOES: None

ABSENT: Bacchi, Ward

VIII. LEGISLATIVE ISSUES

- Bill Stephans provided the Agricultural Commission with a copy of Assembly Bill 1721 (Swanson) Pesticides: school zones. Existing law generally regulates the application of pesticides. This bill would provide, subject to exceptions, that restricted-use pesticides used for purposes of production agriculture or a state pest eradication or control program may not be applied within ½ mile of a school safety zone, as defined, and that other pesticides, as specified, may not be applied within ¼ mile of a school safety zone, as defined, within 24 hours of when children are or will be present. In his opinion, the general nature of this bill would make any pest control activities using pesticides problematic for any residence located within a quarter mile of a school.

This bill, along with approximately 60 others pertaining to Agriculture, will be tracked this legislative session.

IX. CORRESPONDENCE

- None received

X. OTHER BUSINESS

- Bill Draper – Sustainable Forest Action Coalition update regarding the Camino Mill closure (nothing new to report)

XI. ADJOURNMENT

- The meeting adjourned at 8:54 p.m.

APPROVED: Greg Boeger, Chair

Date: March 10, 2010