



SOLANO COUNTY

Ag Pass Program

PURPOSE

The Solano County Ag Pass Program facilitates the safety and continuity of commercial livestock and agricultural businesses, including agricultural processors and horse stables, before and during natural disaster events. The program verifies the commercial status of livestock producers, agriculturalists, agricultural processors and horse stable operators and provides disaster preparedness and response training. Once verified and trained, commercial operators are preemptively issued Ag Passes so agricultural properties and businesses within evacuation areas may be accessed during natural disasters for performance of essential livestock care, crop management and processing activities.

Possession of an Ag Pass conditionally permits qualifying commercial livestock producers, agriculturalists, processors and horse stable operators, and/or their managerial employees, to enter evacuation areas to:

- Shelter, transport, evacuate, feed/water and administer livestock veterinary care;
- Perform essential crop management and agricultural activities; and,
- Provide, upon request, support to emergency personnel (such as identifying access roads and water points).

Possession of an Ag Pass does not guarantee access to evacuation areas during emergency events. The incident commander will determine when conditions are suitable to allow access to evacuation areas.

PROGRAM ADMINISTRATION

The Solano County Agriculture Department and Sheriff's Office cooperatively administer the Ag Pass program. The Agriculture Department processes applications, confirms applicant eligibility and manages Ag Pass validations. The Solano County Sheriff's Office coordinates trainings and issues Ag Pass identification cards.

ELIGIBILITY

Ag Passes must be acquired by qualifying commercial livestock producers, agriculturalists, agricultural processors and horse stable operators prior to disaster events. Each person interested in obtaining an Ag Pass must file an application with the Solano County Agriculture Department. Upon verification of program eligibility, qualifying applicants will be admitted to an initial mandatory Ag Pass training class.

Commercial livestock producers, agriculturalists, agricultural processors, horse stable operators and their managerial employees are eligible to apply for and obtain Ag Passes.

Commercial Livestock Producer

For purposes of this program, a commercial livestock producer is defined as a business owner of livestock consisting of 10 head of livestock, or 50 poultry or rabbits, or 10 beehives or more that reside in Solano County.

Livestock Species Covered by Program: This program applies to commercially raised species of livestock, including cattle, sheep, goats, hogs, poultry, rabbits, llamas, alpacas, and bees.

Commercial Agriculturalists

For the purposes of this program, a commercial agriculturalist is defined as an operator of a farming business producing fruit, nut, vegetable, seed, nursery and/or other field crops in Solano County.

Commercial Agricultural Processors

For the purposes of this program, a commercial agricultural processor is defined as an agricultural processing facility, including wineries, with a valid county issued business license and use permit.

Commercial Horse Stable Operators

For the purposes of this program, a commercial horse stable operator is a business with a valid county issued business license and use permit.

Employees

Commercial livestock producers, agriculturalists, processors and horse stable operators may have a maximum of 10 total staff in an evacuation area at one time under escort and supervision of a business owner or managerial employee with a valid Ag Pass. Prior to escorting employees into an evacuation area, a business owner or managerial employee must provide a roster of all employees entering an evacuation area under their supervision to a peace officer or emergency personnel at a designated checkpoint. The incident commander may restrict the number of employees accessing an evacuation area as conditions warrant.

Managerial employee program applicants must provide verification of employment. Upon separation from employment an Ag Pass issued to a managerial employee is invalid.

A **Managerial Employee** means a person who meets all the following criteria:

1. Has management authority with responsibility to oversee the care and well-being of commercially raised livestock and crops, processing facilities and horses.
2. Primarily engages in managerial job duties and customarily and regularly exercises discretion and independent judgment in these duties. These duties shall be specified in a written job description issued no later than 90 days before the date of the flood, storm, fire, earthquake, or other disaster.
3. Earns a monthly salary equivalent to no less than two times the state minimum wage for full-time employment at the time of the flood, storm, fire, earthquake, or other disaster.

Required Verification Documentation

Ag Pass program applicants shall provide documentation sufficient to demonstrate the applicant is a qualified commercial livestock operator or agriculturalist. Documentation may include, but is not limited to, at minimum one of the following:

- 1) A valid operator identification number or restricted materials permit
- 2) An Internal Revenue Service Schedule F (Form 1040)
- 3) Assessor's parcel numbers confirming agricultural zoning for the properties upon which access is sought
- 4) Agricultural land lease documentation
- 5) Documentation attesting to enrollment in a Williamson Act contract
- 6) Documentation from the U.S. Department of Agriculture Farm Service Agency
- 7) Current registration of a livestock brand with the California Department of Food & Agriculture Bureau of Livestock Identification
- 8) Certified Producer's Certificate
- 9) California State Organic Program registration
- 10) Apiary registration
- 11) Nursery license
- 12) Confirmation of commercial livestock production from U.C. Cooperative Extension
- 13) Horse Stables – valid use permit and business license issued by Solano County Resource Management
- 14) Wineries – valid use permit and business license issued by Solano County Resource Management

Liability Waiver

Prior to issuance of an Ag Pass, each applicant must sign a waiver acknowledging liability for risks associated with entry into evacuation areas.

Livestock and Agricultural Property Location Information

Ag Pass applicants must furnish a list of locations (Assessor Parcel Number/physical address) for all properties where livestock, crops, processing facilities and horse stables are located.

Alert Solano

Ag Pass holders must register to receive emergency notifications through Alert Solano.

MANDATORY TRAINING, AG PASS EXPIRATION/RENEWAL

Applicants must complete State Fire Marshall approved *Incident Safety for Agricultural and Livestock Producers* training. Additional continuing education training is required to recertify commercial producers every two years.

Ag Passes are valid for two years with a uniform expiration date of May 31st. Each year, changes in managerial employee status and to site information listed on passes must be reported to the Agriculture Department.

CONDITIONAL ACCESS

Possession of an Ag Pass does not grant any rights or privileges nor guarantee access into evacuation areas through road blocks or other pathways during emergency events. Ag Pass access will be permitted at the discretion of the incident commander.

Access will not be granted outside of daylight hours. Ag Pass holders must enter and exit restricted areas at the same access point and check-in/check-out with emergency personnel.

Ag Pass holders are not permitted to perform structural fire protection or other fire suppression activities. Permitted activities are limited to commercial livestock care and agricultural tasks only and, if requested to do so, support emergency personnel.

REVOCATION

An Ag Pass may be revoked at the discretion of the Solano County Sheriff or Agricultural Commissioner if the Ag Pass holder fails to comply with the terms and conditions of the Solano County Ag Pass Program.

EMPLOYEE SAFETY AND ACCESS

Commercial livestock producers, agriculturalists, processors or horse stable operators shall not require employees to obtain or use Ag Passes or be present on the producer's property during or following a flood, fire, storm, fire, earthquake, or other disaster. Further, a person shall not in any manner discriminate, retaliate, or take any adverse action against an employee for refusing to obtain or use an Ag Pass or to enter or be present on the producer's property during a disaster. Any person who believes that they have been discriminated or retaliated against in violation of this section may, in addition to any other available remedy, file a complaint pursuant to Section 98.7 of the Labor Code for remedies available under Section 98.6 of the Labor Code.