

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.34
(ID # 22158)**

MEETING DATE:

Tuesday, June 06, 2023

FROM : SHERIFF-CORONER-PA:

SUBJECT: SHERIFF-CORONER-PA: Approval of the Sheriff's Agriculture Pass Program, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the creation and implementation of the Riverside County Agricultural Pass Program;
2. Direct and permit the Riverside County Sheriff's Department to issue an Agricultural Pass (Pass) to approved Agricultural Owners, and their Agricultural Agents (Agent), who have successfully completed the application process. The Pass will allow Agricultural Owners and Agents to access property(ies) during disasters for the purpose of administering veterinary care to their livestock, or sheltering, moving, transporting, evacuating, feeding, or watering their agricultural products and/or their livestock;
3. Direct the Riverside County Agricultural Commissioner and/or the Riverside County Sheriff's Department to draft and provide to the Riverside County Board of Supervisors an annual report of the Program at the end of each calendar year in order to address the previous year's Program utilization and to make policy modifications if necessary;
4. Authorize the Riverside County Agricultural Commissioner's Office and the Riverside County Sheriff's Department to create and maintain a Pass registration database available to key agencies, including, but not limited to, UCCE, Riverside County Cal-Fire, County of Riverside Emergency Management Department, municipal police agencies, and the California Highway Patrol.

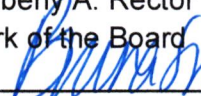
ACTION:Policy


Donald Sharp, Undersheriff 5/31/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Gutierrez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez, and Gutierrez
Nays: None
Absent: Spiegel
Date: June 6, 2023
xc: Sheriff, Agric. Comm.

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: \$0			Budget Adjustment:	No
			For Fiscal Year:	22/23-23/24

C.E.O. RECOMMENDATION: Approve

BR# 23-104

BACKGROUND:

Summary

Riverside County’s Agricultural Pass Program (Program) is based on Assembly Bill 1103, signed into law by Governor Newsom in 2021. The purpose of this Program is to issue an Agricultural Pass (Pass), issued by the Riverside County Sheriff’s Department, to permit Agricultural Owners, and their Agricultural Agents (Agent) access to their property(ies) during disasters for the purpose of administering veterinary care to their livestock, or sheltering, moving, transporting, evacuating, feeding, or watering their agricultural products and/or their livestock. For purposes of the Program, a “disaster” would include any menace to public health or public safety created by a calamity including a flood, storm, fire, earthquake, exposition, accident, or other naturally occurring or manmade event necessitating emergency personnel to restrict access to the public.

To become enrolled in the Program, each Agricultural Owner applicant is required to complete the Program application and submit a waiver to discharge the County of Riverside, and participating agencies, from all liability arising out of their participation in the Program. Additionally, Program participants must complete an initial 4-hour training provided by CalFire and/or the Riverside County Sheriff’s Department.

The Riverside County Sheriff’s Department recommends the adoption of Riverside County’s Agricultural Pass Program. The Program and all supporting documents have been reviewed and approved by County Counsel as to legal form.

Impact on Residents and Businesses

The proposed Agricultural Pass Program is expected to enhance the overall welfare of the community and provide for the protection of livestock and agriculture.

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

Attachments

ATTACHMENTS:

- ATTACHMENT A. 2023 RIVERSIDE COUNTY AGRICULTURAL PASS PROGRAM
PROCEDURE OVERVIEW
- ATTACHMENT B. 2023 RIVERSIDE COUNTY AGRICULTURAL PASS PROGRAM
PAMPHLET

Rebecca S Cortez

Rebecca S Cortez, Principal Management Analyst

5/31/2023

Kelly Moran

Kelly Moran, Deputy County Counsel

5/31/2023



RIVERSIDE COUNTY AGRICULTURAL PASS PROGRAM



UC University
CE of California
Cooperative
Extension

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AGRICULTURAL PASS PROGRAM OVERVIEW

Riverside County's Agricultural Pass Program (Program) is based on Assembly Bill 1103, signed into law by Governor Newsom in 2021. The purpose of this Program is to issue an Agricultural Pass (Pass), as defined, issued by the Riverside County Sheriff's Office, to permit Agricultural Owners, as defined, and their Agricultural Agents (Agent), as defined, access to their property(ies) during disasters, as defined, for the purpose of administering veterinary care to their livestock, or sheltering, moving, transporting, evacuating, feeding, or watering their agricultural products and/or their livestock.

Annual Report: The Riverside County Agricultural Commissioner and/or the Riverside County Sheriff's Office is required to draft an annual report of the Program at the end of each calendar year. The purpose of the report is to address the previous year's Program utilization and to make policy modifications if necessary. The report will be provided to Program Administrators, as defined, and to the Riverside County Board of Supervisors.

Modifications: To improve the Program, modifications may be made annually and during the year – in which case, any changes will be provided to the Passholder via email.

Pass Database: The Pass registration database will be maintained and updated by the Riverside County Agricultural Commissioner's Office and the Riverside County Sheriff's Office. Data will be available to key agencies, including, but not limited to, UCCE, Riverside County Cal-Fire, County of Riverside Emergency management Department, municipal police agencies, and the California Highway Patrol. The Pass database may also be used for other emergency issues, e.g., cattle out on the road.

DEFINITIONS

Disasters: A disaster is a menace to public health or public safety created by a calamity including a flood, storm, fire, earthquake, exposition, accident, or other naturally occurring or manmade event necessitating emergency personnel to restrict access to the public.

Emergency Personnel: For the purposes of this Program, Emergency Personnel may include any of the following:

- Fire personnel,
- Sheriff/Police/CHP/Park Ranger/Animal Control/Code Enforcement personnel,
- County of Riverside Emergency Management Department personnel,
- The Riverside County Agricultural Commissioner or a member of his staff,
- An employee of the University of California Cooperative Extension responsible for Program oversight, or
- Any person or persons given authority by the scene commander to exercise emergency police, fire and/or traffic control duties.

Agricultural Owner(s): For the purposes of this Program, Agricultural Owners are defined as:

- property owners who raise livestock as defined by California Food & Agriculture §18663, or
- property owners who perform agricultural activities as defined by California Civil Code §3482.5(e),
- for commercial purposes,
- that are located within unincorporated areas of Riverside County for at least a portion of the year.

Agricultural Owners for the purpose of this Program must be at least 18 years of age.

Agricultural Agent(s): For the purposes of this Program, Agricultural Agents are persons who, through an agreement with Agricultural Owners, have authority and are responsible to oversee the care and well-being of the Agricultural Owner's agricultural product and/or livestock. For the purposes of this Program and for safety and logistical concerns, Agricultural Owners are limited to four (4) Agents. Agents for the purposes of this Program must be at least 18 years of age.

Program Administrators: The County of Riverside, The Riverside County Sheriff's Office, The Riverside County Agricultural Commissioner's Office, The Riverside County Fire Department/Cal-Fire, County of Riverside Emergency Management Department, The California Highway Patrol, The University of California, and their collaborators, trainers, their officers, agents, employees, volunteers, or representatives.

Agricultural Pass: A Pass issued by the Riverside County Sheriff's Office to Agricultural Owners and Agents, upon submission and approval of an application for registration, which must be presented to law enforcement, fire personnel, or other emergency personnel at a point of entry in order to gain entrance to an evacuation zone, or other restricted area, caused by a natural or manmade disaster, for the purpose of administering veterinary care to their livestock, or sheltering, moving, transporting, evacuating, feeding, or watering their agricultural products and/or their livestock, subject to the discretion of emergency personnel.

The Pass will consist of a hard, plastic card that includes the following minimum information:

- The name of the Passholder.
- A picture of the Passholder.
- The address and name if applicable of the ranch or property to which the Passholder seeks access to in the event of an emergency.
- Expiration date.
- The Passholder's signature.
- The Riverside County Sheriff's Office logo and the Sheriff's signature.

Riverside County, California

**AGRICULTURE PASS
NON-PEACE OFFICER**

MAGEDK AWAD

EXP: 11/10/2024

ID#: 2023-0001



Chad Blanco

Chad Blanco, Sheriff-Coroner
P.O. Box #12 Riverside, CA 92502 (951) 730-9384

**RIVERSIDE COUNTY
AGRICULTURAL ACCESS
VERIFICATION CARD
For Emergency Use Only**

Additional Farm Ranch Addresses
12345 Baulista Canyon Rd, Hemet CA
12345 Baulista Canyon Rd, Hemet CA
12345 Baulista Canyon Rd, Hemet CA

THIS CARD DOES NOT
GRANT OR GUARANTEE ACCESS

This card verifies its holder is an
authorized representative of an
agricultural operation for essential
activities to restricted areas during
emergency road closures

Riverside County CA
(123)456-7690

APPLICATION PROCESS

Application for Registration: To become enrolled in the Program, each Agricultural Owner applicant is required to provide contact information for themselves, APN(s) of property(ies), general season of use, agricultural description and/or description of livestock, proof of commercial activity, and other information by completing the enclosed application.

The following documents will be accepted to show proof of commercial activity:

- Redated tax documentation, such as Schedule F tax form
- Restricted materials pesticide permit
- Certified producer certificate
- California state organic program registration
- Beewhere registration
- Land lease documentation
- Zoning or use permit, such as permitted agricultural zoning commercial horse stable
- California Department of Agriculture livestock identification number
- LLC/partnership documentation
- Incorporation documentation
- Letter from industry association proving membership, such as a letter from the California Cattlemen's Association
- USDA documentation for commercial livestock producer
- United States Department of Agriculture's farm service agency number
- Proof of veterinary documentation for livestock producers
- Brand number and/or brand certification documentation

Each Agent is also required to provide contact information for themselves by completing an Agent application signed by both the Agent and the associated Agricultural Owner.

If you cease to qualify as an Agricultural Owner or Agent before your expiration date due to the sale of your ranch or no longer employed by the Agricultural Owner, for example, it is your responsibility to notify the Riverside County Agricultural Commissioner's Office within thirty (30) days of such event, and you are required to relinquish your Pass to the nearest Riverside County Sheriff's Station.

Waiver and Release Agreement: In addition to completing the Agricultural Pass application, each Agricultural Owner, and their Agent(s), are required to read, sign, and submit a waiver to discharge the County of Riverside, and participating agencies and their respective employees or members, from and against any and all liability arising out of, or connected in any way, with their participation in the Program.

Submitting the Application and Waiver: Once your application and waiver are completed, Agricultural Owners and Agents are required to submit their forms and supporting documents, if any, in either of the following ways:

- In person, during normal business hours, at the *Southwest Sheriff's Station* located at: 30755 Auld Road, Murrieta, CA 92563, or
- In person, during normal business hours, at the *Thermal Sheriff's Station*, located at 86625 Airport Boulevard, Thermal, CA 92274, or
- Online through the Riverside County Sheriff Office's Agricultural Pass web portal (Web Portal).

Mandatory Training: To become enrolled in the Program, Agricultural Owners *and* their Agents *must* complete an initial 4-hour training provided by CalFire and/or the Riverside County Sheriff's Office. It is the responsibility of Agricultural Owners and Agents to check the schedule of classes by accessing the Web Portal.

If an Agricultural Owner or Agent has participated in equivalent training in another county (e.g., San Diego or San Bernardino), Riverside County will accept this training. A copy of the training certification SHALL be attached to the application for review. However, Agricultural Owners and Agents will still need to participate in all other Pass requirements as defined in this overview.

The training coordinator will submit your certificate to reviewing agencies within one (1) week of completing the course. There is no need to submit your training certificate to the Riverside County Sheriff's Office as described above. If you do not receive any notification within three (3) weeks of completing your training course, you may contact a representative of the Riverside County Sheriff Office's Agricultural Team at (951) 696-3000.

Receiving the Agricultural Pass: Once your application and supporting documents have been reviewed and approved by the Riverside County Agricultural Commissioner's Office and Sheriff's Office, and after you have satisfied the training requirements, a representative from the Riverside County Sheriff's Office will contact you to issue your Pass and associated materials. The Riverside County Sheriff's Office reserves the right to collect a nominal fee to cover the costs associated with printing the Pass and maintaining the Web Portal.

Renewal and Updates: Agricultural Owners and Agents are required to renew their applications and waiver agreements every two (2) years. Renewal forms can be completed online through the Web Portal.

If you need to remove or add an Agent to your existing Pass before your renewal period, you are required to complete an online amendment form found on the Web Portal. All new Agents will still need to participate in all other Pass requirements as defined in this overview.



Agricultural Pass Program Application

Agricultural Owner (Sample)



APPLICANT INFORMATION	
Name (Last, First M.I.):	Address:
Cell phone:	Alternative phone:
Email address:	Emergency contact (name and phone):

COMPANY/RANCH/FARM INFORMATION	
Company/Ranch/Farm Name:	Business Address of Company/Ranch/Farm:
Business phone:	Riverside County Assessor's Parcel Number (APN):
Limited Liability Company/Incorporation/Partnership: <input type="checkbox"/> California LLC/INC/Partnership <input type="checkbox"/> If company was formed outside CA, list State: Number: _____	
Description of livestock:	If not livestock, then what Agricultural Product is produced on your land?:
Brand or other identifiable markings: (Cattle Brand, Ear Tags, etc.)	Duration or season: (For Example – June through September or Year-Round)
Other information that would be helpful to emergency personnel to know about your livestock, agricultural product, or land:	

APPLICATION EXPIRES:



Agricultural Pass Program Application



Assessor's Parcel Number (APN)	Address or Site Description	Season of Use (i.e., Apr-Aug)	Estimated Acreage

CRITICAL NEEDS OR ESSENTIAL FUNCTIONS TO BE PERFORMED ONSITE

*I, the Applicant, certify that my answers are true and honest to the best of my knowledge. If this application leads to the issuance of a Pass, I understand that any false or misleading information in my application may result in my Pass being revoked. I have also read and understood all the Terms and Conditions and I agree to comply with them at all times while participating in this Program.

Signature of Applicant: _____ Date: _____



Agricultural Pass Program Application

Agricultural Agent (Sample)



APPLICANT INFORMATION	
Name (Last, First M.I.):	Address:
Cell phone:	Alternative phone:
Email address:	Emergency contact (name and phone):

COMPANY/RANCH/FARM INFORMATION	
Company/Ranch/Farm Name:	Business Address of Company/Ranch/Farm:
Business phone:	Riverside County Assessor's Parcel Number (APN):
Agricultural Owner's name:	Do you have permission to act as the agricultural owner's Agent: <input type="checkbox"/> Yes <input type="checkbox"/> No

CRITICAL NEEDS OR ESSENTIAL FUNCTIONS TO BE PERFORMED ONSITE

*I, the Applicant, certify that my answers are true and honest to the best of my knowledge. If this application leads to the issuance of a Pass, I understand that any false or misleading information in my application may result in my Pass being revoked. I have also read and understood all the Terms and Conditions and I agree to comply with them at all times while participating in this Program.

Signature of Applicant: _____ Date: _____

APPLICATION EXPIRES:



AGRICULTURAL PASS PROGRAM LIABILITY DISCLOSURE AND RELEASE OF LIABILITY



AGRICULTURAL OWNERS/AGENTS (Sample)

Agricultural Owners, as defined, and their Agents, as defined, applying for registration understand that he or she is requesting access to restricted areas subject to official road closure and not otherwise accessible to the public. In so requesting access, Agricultural Owners and their Agents acknowledge the inherent risks and hazards caused by recent catastrophic fires, including the existence of declared local health emergencies, which extend to the restricted areas.

Access to an area closed to the public during a disaster may affect the coverage of your property liability insurance, vehicle or equipment insurance, and workers' compensation coverage. As Agricultural Owners and their Agents re-enter their property(ies) during a disaster, they should be aware that hazardous conditions may still exist.

Agricultural Owners and their Agents shall hold harmless Program Administrators, as defined, from and against any and all liability (to include vicarious liability) claims, actions, proceedings, losses, injuries, damages, or expenses of every name, kind, and description, including litigation costs and reasonable attorney's fees incurred in connection therewith, brought for or on account of personal injury (including death) or damage (including destruction) to equipment or property, real or personal, arising from access under any issued Agricultural Pass (Pass).

Agricultural Owners and Agents shall be solely responsible and shall hold harmless Program Administrators from any and all acts or omissions of Agricultural Owners and Agents or its officers, agents, employees, volunteers, contractors, and subcontractors while participating in the Program.

Agricultural Owners and Agents agree that their participation in the Program will at all times be as an uncompensated volunteer or participant, not as an employee of a Program Administrator, and that they will not receive or claim entitlement to any compensation or benefit of employment.

I do now **release** and discharge Program Administrators from all claims, demands, actions, judgments, and executions which the undersigned ever had, or now has, or may have, or which the undersigned's heirs, executors, administrators, or assigns may have, or claim to have, against Program Administrators, its successors or assigns, for all personal injuries, known or unknown, and injuries to property, real or personal, caused by, or arising out of, participating in the Program.

I, the undersigned, have read this **release** and understand all its terms. I execute it voluntarily and with full knowledge of its significance.

Name: _____ Signature: _____ Date: _____



UC University
of California
CE Cooperative
Extension

2023 RIVERSIDE COUNTY **AGRICULTURAL PROGRAM PASS PROCEDURE OVERVIEW**

Congratulations on successfully completing the application process and for receiving your Agricultural Pass (Pass)!

Now that you are an Agricultural Passholder (Passholder), you are required to comply with the following procedures or risk relinquishing your Pass to the Riverside County Sheriff's Office.

AGRICULTURAL PASSHOLDER PROCEDURES

Prior Notification Preferred: If your livestock or agricultural products are in an evacuation zone, it is advised that you state your intent in using your Pass to gain entrance by contacting the Riverside County Sheriff Office's dispatch and asking to speak to a representative from the Riverside County Sheriff Office's Agricultural Team. There will be a coordinated effort to consolidate communications with the Sheriff's Office and/or other emergency personnel. Once access has been approved by law enforcement or other emergency personnel, the Passholder will be notified.

WE RECOMMEND YOU DO NOT GO TO A ROADBLOCK AND ATTEMPT TO USE YOUR PASS WITHOUT PRIOR NOTIFICATION. Not only will your request be delayed because emergency personnel will be occupied with the ongoing emergency, but you may also cause traffic hazards and slow emergency personnel from accessing the emergency.

Access: During initial evacuation phases, do not expect to gain access to restricted areas by presenting/using the Pass, as during such time all efforts involve the safe removal of people. Once the situation has stabilized, which may take over 24-hours or even days, then the Pass will be considered an option by law enforcement, fire personnel, or other emergency personnel.

Decisions for access can rapidly change during a fire or other natural disaster and will be dependent on safety conditions at the time and upon approval of emergency personnel. Livestock and agricultural care should only be made during daylight hours, and all persons must immediately depart the restricted area by the same route as entry if possible once their work has been completed.

An emergency personnel escort may be required in any instance and all restricted entry will be dependent on approval of onsite emergency personnel.

During an emergency, law enforcement or other emergency personnel at points of entry to evacuation zones will be provided a current list of valid Passholders, along with a sample valid Pass.

You are required to follow any and all lawful orders by any emergency personnel while participating in the Program, to include ceasing your work and evacuating.

Access Routes: Keep in mind that your normal ingress and egress routes to your property may have changed due to the ongoing emergency. If your routes have changed, you will be provided a new route by emergency personnel on scene. All routes are subject to change at any moment, and you are required to follow the orders of emergency personnel on scene.

Driving to Property: You are required to place an approved placard on your vehicle that is readily visible to emergency personnel while driving to and from your property. The purpose of this is to identify you and your vehicle as an authorized Passholder.

Parking/Blocking: Passholders should remain cognizant of where they park their equipment during an emergency. Passholders should park their vehicles and equipment clear of any ingress/egress access points to allow for the unencumbered travel of emergency personnel.

If you are asked to move your vehicle or equipment by emergency personnel, you are required to comply with those orders.

For Beekeepers: During an emergency, hive locations will be identified and added to the Pass by Riverside County Agricultural Commissioner staff prior to access approval by law enforcement, fire personnel or other emergency staff.

Removal of Livestock: If you intend to remove livestock from the evacuation zone (e.g., veterinary care, alternative location), please provide prior notification to UCCE or Riverside County Agricultural Department. The purpose of giving prior notification is to prevent theft of livestock during an emergency.

Signage: Passholders shall place an approved sign at the entrance to the property where livestock and/or agricultural products are located in an effort to provide notification to emergency personnel and animal control. The sign will state the livestock and/or agricultural products are under the care of a "Agricultural Passholder." Passholders will obtain an approved sign(s) from the Riverside County Sheriff's Office contemporaneously on receiving your Pass.

Passholders shall place an approved placard on your vehicle while driving to and from your property while participating in this Program. Passholders will obtain an approved placard(s) from the Riverside County Sheriff's Office contemporaneously on receiving your Pass.

Safety Vests: Safety reflective vests are recommended to be worn by all Passholders while participating in this Program.

The purpose of the vest is to notify emergency personnel of your presence within an evacuation zone.

Violations of Pass: The utilization of the Pass is for the purpose of providing feed, water, medical treatment, and other care to livestock and/or agricultural products within the evacuation zone or other restricted area. Thus, if you are found outside of the scope of this purpose, your Pass may be permanently revoked. Passholder further understands that any Pass issued covers access only to the location identified in the issued Pass and the direct access route to/from said location; stopping along access routes is strictly prohibited. Passholders shall not wander, loiter, or otherwise meander from the location listed in the issued Pass, and shall be subject to immediate arrest for trespassing into restricted areas and prosecuted to the fullest extent of the law.

You are strictly prohibited from sharing your Pass with any other person.

Insurance and Risk: Access to an area closed to the public during a disaster may affect the coverage of your property liability insurance, vehicle or equipment insurance, and workers' compensation coverage. As you re-enter your property be aware that hazardous conditions may still exist. Program administrators, collaborators, and trainers shall not be liable for injury or death of someone participating in activities resulting from the inherent risk of re-entering disaster areas to feed, water, medically treat, or otherwise care for livestock and/or agricultural products.

Agricultural Owners and Agents understand that any Pass issued covers access only to the location indicated on your application. Stopping along access routes or deviating from your suggested access route is strictly prohibited unless directed to do so by emergency personnel or to protect yourself or your property from imminent danger.

Agricultural Owners and Agents shall not wander, loiter, or otherwise meander while participating in the Program, and will be subject to immediate arrest for trespass into restricted areas and prosecuted to the fullest extent of the law if found wandering, loitering, or otherwise meandering while participating in the Program.

**LIVESTOCK/AGRICULTURAL
PRODUCTS ARE BEING
CARED FOR BY AN
AGRICULTURAL
PASSHOLDER**



**Riverside County Agricultural Pass Program
Issued by Riverside County Sheriff's Office (951) 955-2400**



AGRICULTURAL PASSHOLDER

**Riverside County Agricultural Pass Program
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