

February 6, 2020

San Mateo County Agricultural Ombudsman Agricultural Advisory Committee Evaluation and Recommendations

Formation, Purpose and Structure

The Agricultural Advisory Committee (AAC) was established in 1979, with the creation of the Planned Agricultural District. The AAC was formed to “actively assist in the preservation of agriculture of the Coastside by advice and recommendation to the Planning Commission and the Board of Supervisors to achieve the objectives of [the Planned Agricultural District]”.¹

As originally structured, the AAC was to be “composed of farmers familiar with coastside crops, agricultural experts, and representatives of the general public interest (SMC Ordinance 02614).” The original ordinance did not mention an intended size. In 1985, the San Mateo County Board of Supervisors received a memo from Supervisor John M. Ward requesting to expand the AAC from 17 to 18 members², adding a position for “Agricultural Marketing” and that the “Farmer” category be changed to “Farmer/Grower” and that a “future attempt will be made to balance the committee to include representation from the cross-section of agricultural activity such as greenhouses, grazing, row crops, etc. (Memo to the Board of Supervisors: Agricultural Advisory Committee, 1985).”³

In 1995, the Board of Supervisors received a memo from Supervisor Ruben Barrales regarding the composition of the AAC, recommending four year terms that are staggered subject to a 12-year term limit, and that one public member position be converted to “Conservationist,” to make the AAC more “in line with other County committees (Memo to the Board of Supervisors: Agricultural Advisory Committee, 1995).”²

In 2003 the Board of Supervisors approved Resolution 066228 “Resolution Specifying the Responsibilities and Membership of the Agricultural Advisory Committee.” Included in this resolution was a broader interpretation of the role of the AAC; “The purpose of the AAC is to actively assist in the preservation of agriculture on the coastside by providing advice and recommendations to the Planning Commission and Board of Supervisors;” the founding code created the AAC to provide “advise and recommendations... to achieve the objectives of the ordinance (the PAD).”

This resolution also determined the following:

¹ Section 6368. Establishment of an agricultural advisory committee. To assist in the achievement of the objectives of this ordinance, the Board has established an Agricultural Advisory Committee composed of farmers familiar with Coastside crops, agricultural experts, and representatives of the general public interest. Said Committee shall actively assist in the preservation of agriculture of the Coastside by advice and recommendation to the Planning Commission and the Board of Supervisors to achieve the objectives of this ordinance (Ordinance 02614, Adopted by the Board of Supervisors October 16th, 1979 (the section in the Zoning Regulations is currently Section 6365).

² The size of the Committee was not specified prior to this.

- The Board of Supervisors appoints the AAC voting members.
- The 12-year term limit does not include partial terms that members may be appointed at the beginning of their term or holdover service caused by delay in filling a position.
- "Non-voting members serve by virtue of their public office, other specifically designated office, or representation of a specific agency. Non-voting members' terms shall be for the term of their office, or for the term of their designation by the agency they represent.
- The number of members was decreased to 15, to include:
 - 11 voting members:
 - Seven farmers/growers
 - One agricultural business representative
 - One conservationist
 - Two public members
 - Four non-voting members:
 - Agricultural Commissioner
 - UC Cooperative Extension County Director
 - San Mateo County Farm Bureau Executive Director
 - San Mateo County Resource Conservation District Executive Director
- The AAC will comply with standing rules of County boards, commissions and advisory committees established by the Board of Supervisors.
- The Environmental Services Agency will staff the AAC.⁴

In 2004, Resolution 066502 changed the Non-Voting representation from San Mateo County Resource Conservation District Executive Director to the San Mateo County District Conservationist of the USDA Natural Resources Conservation Service.

Also adopted in 2004 were the Procedural Rules of the San Mateo County Agricultural Advisory Committee. These rules build upon the purpose listed in the founding code to include assisting in the achievement of the San Mateo County Local Coastal Program (all PAD lands are within the Coastal Zone). In addition to the previously mentioned determinations for the structure of the AAC, the rules established how the committee operates.

Program Evaluation

In 2019, the Planning Department and AAC members noted inconsistent Planning Department staffing for AAC meetings to the Agricultural Ombudsman. The Planning Department subsequently asked if the Agricultural Ombudsman might provide consistent staffing to the committee. After discussing the staffing, effectiveness, and participation on the AAC, as well as some confusion about the role of the AAC, the Agricultural Ombudsman offered to conduct a program evaluation to see what the experiences and opinions of the AAC members were,

⁴ In 2003, the Environmental Services Agency included the Planning and Building Division.

and what, if any, recommendations could be made to help the County and committee members support the AAC to best fulfill the purpose for which it was created.

The Agricultural Ombudsman reached out to a total of 28 individuals and spoke with 18. She contacted all current members (voting and non-voting) and past voting members since 2010, interviewing all but two current members, who declined an interview (one voting and one non-voting and four past voting-members (four did not respond to the interview request, and two declined). All members interviewed were asked the following questions, and were informed at the start of the interview that all responses would be kept anonymous:

1. How long have you participated in the AAC?
2. What do you feel is the role of the AAC?
3. Do you feel the AAC is effective as its role?
4. Why do you participate in the AAC?
5. How often do you participate?
6. Is there anything you feel the AAC doesn't do that it should?
7. Is there anything you feel the AAC does that it shouldn't do?
8. How is the AAC different from the Farm Bureau, CRAFT, or other groups?
Is there anything else you would like to share to share?

The Agricultural Ombudsman also spoke with two of the three county staff to the committee since 2010. Staff were asked similar questions about purpose, role and effectiveness.

Role of AAC

The perceived role of the committee varied among people interviewed. While most (11) members specifically mentioned providing feedback on permits/projects/development on agricultural lands or within the PAD/CZ, many members (9) saw the role as more broad (some also mentioned permitting and projects):

- To “protect,” “preserve,” “support,” “promote” agriculture
- “See whatever is going on in PAD and Coastal Zone as a check to the Planning process”
- “Make county aware of ag”
- “Opportunity to discuss big or sensitive issues and air thoughts and grievances to the county”
- “Advise county on decisions”
- “Give advice and input on issues in PAD”
- “An advocacy role”

The members that saw the role as broad included those that were long-standing as well as more recent additions to the committee. The Planning staff more narrowly described the role of the AAC as reviewing PAD permits for the impact to agriculture. Planning staff also commented on the necessity of the review by agricultural professionals because the County does not often have that expertise; six members also made this comment.

Nearly everyone mentioned that AAC is unique in its role to provide feedback to the County on issues, regulations, and permits that might impact agriculture. Some mentioned that, compared with other agricultural groups in the county, they have “more pull,” and “the ear of the Planning Department.” Several people noted the similar membership between AAC and Farm Bureau Board of Directors. Of those who made this observation, some noted that the roles of the two groups are different.

Effectiveness of AAC

There were also equally divided perceptions of the effectiveness of the committee, perhaps in part because of varying expectations about the committee's role. A variety of insights were offered regarding the committee's effectiveness:

- A majority of members (11) felt that the AAC was effective in terms of providing feedback to the Planning Department about permits it was considering, however, two people questioned whether the County took their recommendations into consideration, another person thought that the County had decisions made about projects before putting them before the AAC, and another said they feel like the County is moving projects forward without their input.
- One long-standing committee member thought the work that subcommittees had done on the Williamson Act and developing agricultural tourism guidelines was very effective and illustrative of the role of the committee.
- Two members questioned if the AAC had the power to reject or approve a proposed project; one felt certain they were unable to, which made the committee ineffective. Interestingly, two County staff felt that AAC feedback on permits lacked the specificity needed to incorporate into permit review. While there was often discussion on a permit, it was often not focused in a way that offered usable feedback. During their time working with the committee, one Planning staff didn't recall ever getting a discrete "yes" or "no" action to a proposed project.
- In the last year there have been a number of meeting cancellations, which seven current members commented on. One person "wondered if the County has given up" on them, and another feels they "are actively being pushed aside." Four members feel underutilized, think that they should still be meeting when there are not permits to review, and suggested using those meetings to "discuss" programs and policies related to agriculture, that [are] still within [their] purview," have time for discussion, or improve understanding of the regulations, so that members have a higher level of understanding when items do come before them for review.
- Some members pointed to differing perspectives about the purpose of the Committee that may compromise its effectiveness. Five felt that it is sometimes used as a forum to discuss agricultural issues that are not within what they believe is the scope of the AAC, and that these conversations had sometimes resulted in inappropriate forms of communication, a strong division, and deviation from the agenda, also causing meetings to go longer. These people mentioned that for many issues discussed, there are often no next steps or associated actions proposed, which makes the conversations seem repetitive and ineffective. Planning staff also mentioned that there are frequently discussions that are not within the power of the Planning Department to act on.
- Four people commented that review of projects was sometimes personal, and that when these projects came before the committee the conversations were not respectful.
- Six of those interviewed was that there seems to be a distrust between the agricultural representatives and County, which, by some people's observation, has contributed to ineffective, and sometimes inappropriate forms of communication by members of the committee.

- Three people mentioned a lack of an onboarding process, without which it is difficult for members to participate effectively. This may be especially necessary for AAC members who do not come from an agricultural background. These people specifically mentioned that the County should have provided more support as they were starting their positions.
- Eight members commented on the challenges that have arisen with no County staff support at the meetings. Everyone felt that someone with knowledge about Planning regulations needed to be at the meeting to answer their questions. Three people specifically said that they needed someone from the County present at the meetings. Staffing for the committee is needed also to do follow up and take record of decisions and discussions. Two people mentioned that the current system with the recorder is not working well; “It would be helpful to both the County and the AAC if the County wrote up a follow up to each AAC meeting stating what AAC recommendations they have agreed to follow and what corrections they have fixed when mistakes are corrected on the minutes.” Three people said that having no staff makes them feel disrespected; “The members are there and ready to do the work, and the County should be too. The County should commit resources if they value the work of the committee,” and “County needs to meet them halfway as much as possible.”

Terms and Participation of AAC Members

Between 2010 and 2018, the AAC frequently had member vacancies:

- 2010- one Farmer position, NRCS
- 2011- two Farmer positions, NRCS
- 2012- two Farmer positions, one Public position, NRCS
- 2013- one Farmer position, two Public positions
- 2014- one Farmer position, one Public position, one Ag Business position
- 2015- one Farmer position, one Public position, one Ag Business position
- 2016- two Farmer positions, one Public position, one Ag Business position
- 2017- one Ag Business position, one Conservationist position
- 2018- two Farmer positions, one Public position
- 2019- no positions

For several of the above years NRCS has not actively participated.

In looking at the members of the last ten years, there are only two people that appear to have served a partial term, which they did after finishing a full term. These two individuals’ spots were replaced the following year. This implies that the vacant positions were due to a difficulty in recruiting participants, which was confirmed in interviews.

The maximum term that can be served is three four-year terms, for a total of 12 years, plus the time remaining if filling in an unfinished term or serving after a term has ended until a replacement can be found. Due in part to their willingness to serve when there are vacancies on the committee, three current members reported serving more than 12 years, sometimes consecutively, and sometimes with a break in service.

Six members commented that the AAC members are not always representative of San Mateo County agriculture, and that efforts should be taken to have a committee that is more reflective of the diversity of agriculture in our area, in commodity, scale, and farm location. Two former members suggested opening

members seats up to people who are employed by agricultural operations, and another suggested having a seat specifically for next generation farmers/ranchers.

There was shared agreement among the current and former members that the AAC plays an important role, and most everyone commented that they voluntarily participate because they care about local agriculture and feel the County needs input from the agricultural community. It was clear that the many of the commissioners that have sat on the AAC for long periods of time prioritize their participation and were proud to report rarely having missed meetings over their term of service. Few other members reported missing meetings, but if they had, they had at least made all but two or three meetings per year. Even though there were reportedly few missed meetings, members did comment on the impact that missed meetings, either by current members or the addition of new members, had had on conversations, and often required revisiting already discussed decisions, projects, and regulations.

Recommendations:

For County:

1. Clarify role of the Committee
2. Explain feedback sought on proposed project (consider utilizing a form for project review)
3. Facilitate and staff meetings
4. Regular training for members on agriculture specific topics, regulations, Brown Act, etc.
5. On-board new members
6. Make sure members are caught up on discussions and decisions before meetings if previous meetings are missed
7. Increase participation: Understand why people are not volunteering to participate, explore incentivizing participation, etc.
8. Explain most effective and appropriate form of communication regarding questions, issues, and ideas beyond proposed project review

For Members:

1. Get caught up on discussions and decisions before the next meeting if you have missed a meeting
2. Recruit future committee members
3. Assist the county with on boarding of new members
4. Provide the county with actionable feedback
5. Maintain respectful dialogue and ensure that conversations are not personal in nature