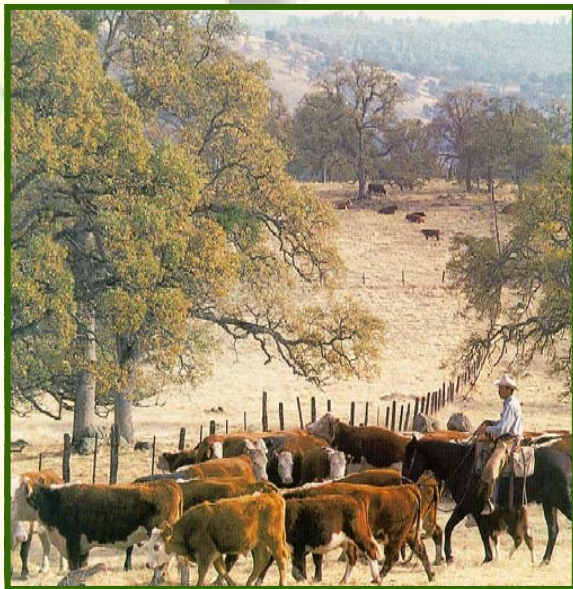


As a landowner, how am I affected by agricultural activities?

Ranch Marketing

Ranchers and farmers have the right to sell agricultural products directly to consumers at on-site locations and at Certified Farmer's Markets. Product marketing activities include packaging, processing, and on-site sale of agricultural products produced in the County. Other ranch marketing activities include tours, riding and biking access, fishing, and picnicking. Even with the impacts caused by normal farming practices and on-site marketing (traffic congestion, evening activity/noise, etc.), area residents continue to strongly support agriculture in El Dorado County. This support acknowledges the value of the rural qualities of life and economic vitality that agriculture brings to the community.



Ag/Urban Interface

Conflicts can arise when urban/residential parcels encroach upon or abut agricultural lands. Examples of routine agricultural activities that can be perceived as annoyances by residential neighbors include timber harvesting and transport, early morning or evening farming activities, and the associated noise and activities related to raising livestock. El Dorado County has implemented many sound land use planning strategies to help prevent these ag/urban conflicts. In addition, farmers and ranchers are also protected by the Right to Farm Ordinance that ensures continuation of normal operations without the threat of being declared a nuisance.

One of the land use planning mechanisms is the designation of Agricultural Districts which are intended to maintain viable agricultural-based communities and encourage the expansion of agricultural activities and production.

Other land use/zoning elements have been designed to protect agricultural lands including setbacks and buffers. Good land use planning is always the best approach to avoiding land use conflicts. When problems do arise, the Agricultural Commission reviews issues concerning agricultural lands and makes recommendations to the Planning Commission and/or the Board of Supervisors.

Right to Farm Ordinance

In 1988, El Dorado County approved an ordinance to protect ranchers and farmers from nuisance complaints by adjoining property owners. The Right to Farm Ordinance protects producers when conducting normal agricultural operations including cultivation, burning, spraying, fertilizing, irrigation, harvesting, processing, and activities associated with raising livestock (e.g. noise, flies, manure). Prior to the implementation of the Ordinance, producers were sometimes forced to curtail or cease operations, or were discouraged from making investments in farm improvements because of nuisance complaints. The Ordinance helps to protect the economic viability of individual farms and of the County's agricultural industry as a whole. For more information on the Right to Farm Ordinance, contact the Agricultural Commission office: (530) 621-5520.



Water Quality

Water quality issues related to agriculture are regulated by the Central Valley Regional Water Quality Control Board (Board). As a result of the Board's adoption of the Conditional Waivers of Waste Discharge Requirements for Discharges from Irrigated Lands, agricultural landowners and operators are required to obtain regulatory coverage for their waste discharges.



By joining the El Dorado County Agricultural Watershed Group, landowners and operators will receive the benefit of being covered under the Conditional Waiver without having to obtain an individual discharge permit. The Group also provides Conservation Planning Technical Assistance such as erosion control, integrated pest management, and irrigation management to ensure continued protection of water quality in El Dorado County watersheds.

For questions or additional information:
- Dept. of Agriculture 530-621-5520.
- Resource Conservation District 530-295-5630, www.eldoradorcd.org.
- Irrigated Lands Program 916-464-4611, IrrLands@waterboards.ca.gov.

El Dorado County Rural Quality of Life

Many residents of El Dorado County moved to the area because of the rural lifestyle. These rural features provide a haven from the hectic pace of urban life. The wildlife habitat, open space and rural qualities provided by privately-owned agricultural lands add to the quality of life that we treasure in El Dorado County. In addition, over one-half of our lands are publicly owned forest and wilderness areas. These lands provide us with recreational opportunities and timber products, which are vital to the local economy and quality of life.



All photos courtesy El Dorado County photo library.

With the increase in County population, agricultural lands have been lost. From 1960 to 2005, agricultural production acreage has decreased by 58%. To protect the remaining agricultural lands and support their economic viability, land use planning and ordinances have been employed to recognize and enhance the quality of life that agriculture brings to El Dorado County.

Top Agricultural Crops

- Timber
- Apples
- Winegrapes
- Rangeland / Pasture
- Nursery Products
- Christmas Trees
- Cattle / Calves
- Other Tree Fruit

El Dorado Alpine Counties 2005 Agricultural Crop & Livestock Report

Links:

El Dorado County Department of Agriculture website : www.co.el-dorado.ca.us/ag/links.html

El Dorado County Resource Conservation District website: www.eldoradorcd.org

Agricultural Information

Agricultural Products

- Apple Hill Growers.....(530) 644-7692
El Dorado County Christmas Tree Growers
P.O. Box 423, Placerville, CA 95667
EDC Farm Trails.....www.edc-farmtrails.org
Certified Farmer's Markets.....(530) 622-1900
CA Certified Organic Farmers.....(831) 423-2263
CA Cattleman's Association.....(916) 444-0845
El Dorado Wine Grape Growers.....www.edwgga.org
El Dorado Winery Association.....(800) 306-3956

General Information

- EDC Agricultural Watershed Group..(530) 295-5630
Agriculture Department.....(530) 621-5520
UC Cooperative Extension:
Farm Advisor.....(530) 621-5502
Master Gardeners.....(530) 621-5512
4-H Youth Program.....(530) 621-5503
Farm Bureau El Dorado County.....(530) 622-7773
Natural Resources
Conservation Service.....(530) 295-5630
EDC & Georgetown Resource Conservation Districts
Voice.....(530) 295-5630

AGRICULTURAL LAND USE IN EL DORADO COUNTY



A Guide for Landowners Living in a Rural Community

Brochure Developed By:

El Dorado County Water Agency

El Dorado County Board of Supervisors

El Dorado County & Georgetown Divide

Resource Conservation Districts

El Dorado County Agriculture Department

University of California Cooperative Extension

El Dorado County Farm Bureau

- m. The facility will use containers that will be of a sufficient capacity to accommodate the daily collection of materials. The containers will be constructed and maintained with durable waterproof and rust resistant material that will remain covered when the site is unattended, and secured from unauthorized entry and removal of material;
- n. The facility will accept only glass, metals, plastic containers, and paper material. Containers are to be clearly marked to identify the type of material which may be deposited in each;
- o. No advertisement, posters, or flyers will be attached temporarily or otherwise to the containers; and
- p. The facility will be maintained free of litter and will be swept at the end of each collection day. All other undesirable materials are to be removed at the end of each collection day.



130.40.290 Right To Farm

A. It is the policy of the County to conserve and protect agricultural land and to encourage agricultural operations within the County. Where nonagricultural land uses, including but not limited to residential development, extend into or are adjacent to areas of agricultural land, agricultural operations have become the subject of nuisance complaints. As a result, agricultural operations are sometimes forced to curtail or cease operations, and operators are discouraged from making investments in farm improvements to the detriment of the economic viability of the County's agricultural industry as a whole. It is the purpose and intent of this Section to reduce the loss to the County of its agricultural resources by limiting circumstances under which agricultural operations may be considered a nuisance. This Section is not to be construed in any way as modifying or abridging state law relative to nuisances, but is to be utilized in the interpretation and enforcement of the provisions of this Code and other applicable County regulations.

B: **Definitions.** As used in this Section, the following terms shall have the meanings set forth below:

“**Agricultural Land**” is lands which are zoned PA (Planned Agricultural), LA (Limited Agriculture), AG (Agricultural Grazing), FR (Forest Resource), and TPZ (Timberland Production Zone) or lands within a General Plan designated Agricultural District or lots with a General Plan land use designation of Agricultural Land (AL).

“**Agricultural Operations**” are activities relating to agricultural use including, but not limited to, the cultivation and tillage of the soil; the burning of agricultural waste products or other agricultural burning; the protection of crops and livestock from insects, pests, diseases, birds, predators, or other pests that damage or could potentially

damage crops; the proper and lawful use of agricultural chemicals, including but not limited to the application of pesticides and fertilizers; or the raising, production, irrigation, pruning, harvesting, or processing of an agricultural commodity, including any type of crop or livestock, and any forestry improvements and timber harvesting and processing.

- C. **Nuisance.** No present or future agricultural operation or any of its appurtenances conducted or maintained for commercial purposes and in a manner consistent with proper and accepted customs and standards of the agricultural industry on agricultural land shall become or be a nuisance, private or public, due to any changed condition of the use of adjacent land in or about the locality thereof. However, the provisions of this Subsection shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation and its appurtenances or if the agricultural activity or appurtenances obstruct the free passage or use in the customary manner of any navigable lake, stream, river, canal, or basin, or any public park, square, street or highway.
- D. **Role of Ag Commission.** An interested party may submit a written request to the Ag Commission for an opinion as to whether a particular agricultural operation constitutes a nuisance. In the event a dispute arises between an owner of an agricultural operation and a resident (or residents) in or about the locality thereof as to whether a particular agricultural operation constitutes a nuisance, an interested party may submit a written request to issue an advisory opinion or mediate a dispute. The Agricultural Commissioner may promulgate such regulations as are necessary for the implementation of this Section. The County Farm Advisor from the University of California Cooperative Extension Service may serve as technical advisor to the Ag Commission.
- * E. **Disclosure Notice.** Every seller of any real property in the unincorporated areas of the County, either directly or through his/her authorized agent, shall provide to any prospective buyer a written disclosure statement advising the buyer of the existence of a Right to Farm Ordinance enacted by the County. Such disclosure statement shall contain or be accompanied by a copy of the Right to Farm Ordinance, Section 130.40.290 (Right to Farm) or successor, and the brochure provided by the County entitled "Agricultural Land Use in El Dorado County". The disclosure statement shall be substantially in the form promulgated by the Agricultural Commissioner, or his/her designee. The written disclosure statement shall include any agricultural setback requirements applicable to the property. The written disclosure statement also shall include a statement that intensive agricultural activities may be conducted on agricultural land within the County. The buyer shall sign a copy of the written disclosure statement acknowledging receipt of the disclosure and accompanying documents and deliver the signed copy to the seller or his/her authorized agent. The seller or his/her authorized agent shall retain the copy of the disclosure statement executed by the buyer in the escrow process.

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

AGRICULTURAL PROTECTIONS

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, DESCRIBED AS _____

THIS STATEMENT IS A DISCLOSURE PROVIDED IN COMPLIANCE WITH CHAPTER 17.13 OF THE EL DORADO COUNTY ORDINANCE CODE, KNOWN AS THE RIGHT TO FARM ORDINANCE. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I

SELLERS INFORMATION

The seller discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE DISCLOSURES MADE BY THE SELLER(S) AS REQUIRED BY THE COUNTY OF EL DORADO, AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S) IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

The County of El Dorado recognizes the statewide policy to protect and encourage Agriculture. Section 17.13.030 of Chapter 17.13 of the El Dorado County Code (*Nuisance*) states in substance that no present or future agricultural operation or any of its appurtenances conducted or maintained for commercial purposes and in a manner consistent with proper and accepted customs and standards of the agricultural industry on agricultural land shall become or be a nuisance, private or public, due to any changed condition of the use of adjacent land in or about the locality thereof; provided, that the provisions of this section shall not apply whenever a nuisance results from negligent or improper operation of any such agricultural operation and its appurtenances or if the agricultural activity or appurtenances obstruct the free passage or use in the customary manner of a navigable lake, stream, river, canal or basin or any public park, square, street or highway.

Intensive agricultural activity may take place on agricultural land. Therefore, if the property you are purchasing is in the vicinity of agricultural land, you may at times be subject to one or more inconveniences and/or discomfort arising from operations on the agricultural land. Such inconveniences may include (depending upon the type of agricultural operation) but are not necessarily limited to the following: noise, odors, fumes, dust, legal pesticide use, fertilizers, smoke, insects, farm personnel and truck traffic, visual impacts, night time lighting, operation of machinery, and the storage, warehousing and processing of agricultural products or other inconveniences or discomforts associated with the protected agricultural operations. For additional information pertaining to this disclosure and the Right to Farm Ordinance, or concerns with an agricultural operation, please contact the El Dorado County Agricultural Commissioner's Office.

AGRICULTURAL SETBACKS

Pursuant to Section 17.06.150 of Chapter 17.06 of the El Dorado County Code, your property may be subject to special setbacks for agricultural protection from the adjoining agricultural properties, as measured from the property line. Non-compatible uses such as residential structures, nursing homes, public schools, playgrounds, swimming pools, ponds and churches may not be built or placed within the agricultural setbacks, if applicable. For further information regarding applicable setbacks or other zoning regulations, please contact the El Dorado County Developmental Services Department- Planning Services Division.

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller: _____ Date: _____

Seller: _____ Date: _____

BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT

Seller: _____ Date: _____ Buyer: _____ Date: _____

Seller: _____ Date: _____ Buyer: _____ Date: _____

Agent (Broker Representing Seller): _____ By: _____ Date: _____

(Associate Licensee or Broker-Signature)

Agent (Broker Obtaining the Offer): _____ By: _____ Date: _____

(Associate Licensee or Broker-Signature)

A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.