



San Joaquin County Livestock Pass Program

Introduction

California Food & Agricultural Code Section 2350(b)(1) authorizes the County Agricultural Commissioner, upon approval by the Board of Supervisors, to establish within the County a livestock pass program for the purpose of issuing identification documents to qualified commercial livestock producers and their managerial employees that may be used to request access to the qualifying commercial livestock producer's ranch property during or following a flood, storm, fire, earthquake, or other such disaster.

Purpose

The purpose of creating a county-based "Livestock Pass" program is to provide a uniform way of identifying vetted commercial livestock producer owner-operators and managers to firefighting personnel, California Highway Patrol officers, Sheriff's deputies, and other law enforcement officers and emergency personnel.

Possession of a Livestock Pass during a wildfire or a similar disaster may allow the qualifying commercial livestock producer or manager limited emergency access to restricted areas for the purposes of:

- 1) Sheltering, moving transporting, feeding, watering, or administering veterinary care to livestock;
or
- 2) Evacuating livestock; or
- 3) Providing local expertise, when requested, to peace officers and responding emergency personnel.

Access to restricted areas will be at the discretion of emergency personnel; possession of a Livestock Pass does not guarantee access to restricted areas. The Livestock Pass shall not be used to obtain emergency access to care for pets, collect household items, or for any purpose other than those specifically stated above.

The Livestock Pass Program is voluntary and intended to assist law enforcement and emergency personnel with identifying qualified commercial producers who may gain access to their ranch properties within restricted areas to tend to their qualified commercial livestock. This program is not mandatory. Qualified commercial livestock producers who do not possess a Livestock Pass may still be granted access by law enforcement and emergency personnel. Livestock Passes and Agriculture Passes issued from other counties in California may be granted access by law enforcement and emergency personnel. The Livestock Pass Program is intended to allow for qualifying commercial producers to obtain a Livestock Pass before a disaster.

Program Administration

The San Joaquin County Office of the Agricultural Commissioner/Sealer and other designated agencies will administer the Livestock Pass Program for San Joaquin County. Program administration will include processing applications, confirming eligibility, printing and distributing Livestock Passes, record keeping, and issuing renewal notification.

Initially, Livestock Passes are valid for up to two (2) years. Upon expiration of the two-year period, a card holder in good standing will need to reapply annually to determine if they still meet the eligibility criteria. Safety trainings or continuing education/recertification training must be taken annually, pending State Fire Marshall recommendations. A Livestock Pass may be revoked at the discretion of the San Joaquin County Agricultural Commissioner, in conjunction with the San Joaquin County Office of Emergency Services, and the San Joaquin County Sheriff's Office. A Livestock Pass holder may no longer be eligible to hold a Livestock Pass if they violate the conditions contained herein or if they refuse or fail to follow emergency personnel instructions.

Eligibility

Livestock Passes shall be issued to qualifying commercial livestock producers and the managerial employees of qualified commercial livestock producers.

A managerial employee is a person who:

- 1) Has management authority with responsibility to oversee the care and well-being of the qualifying commercial livestock producer's livestock.
- 2) Primarily engages in managerial job duties and customarily and regularly exercises discretion and independent judgement in these duties, which shall be specified in a written job description issued no later than 90 days before the date of the disaster; and
- 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 disaster. (Food & Agricultural Code Section 2350(a)(1)).

In San Joaquin County, a qualifying commercial livestock producer is a commercial livestock producer that owns at least 20 head of: 1) cattle, 2) sheep, 3) goats, 4) honeybee hives, or 5) other livestock permissible by the Department of Agriculture. In order to be a qualifying commercial livestock producer, the livestock must be located in San Joaquin County for at least part of the year on ranch property that is zoned agricultural and a minimum of twenty (20) acres in size.

A Livestock Pass shall not be issued to any individual who does not meet the requirements listed above.

Eligibility will be confirmed by San Joaquin County Office of the Agricultural Commissioner staff who may require documentation that includes, but is not limited to:

- 1) Operator identification number or restricted material permit issued by the San Joaquin County Agricultural Commissioner.
- 2) Assessor's Parcel Number confirming agricultural zoning for the property or properties upon which access is sought.
- 3) Agricultural land lease documentation.
- 4) Williamson Act enrollment documentation.
- 5) Documentation from the USDA Farm Services Agency attesting that the applicant is a commercial livestock producer.
- 6) Current registration of a livestock brand with the Bureau of Livestock Identification. The brand inspector may confirm eligibility based on the number of cattle owned.
- 7) Letter of Authorization from a ranch owner to a livestock producer or manager, authorizing the producer or manager to farm the ranch owner's land.

Application

Each individual interested in obtaining a Livestock Pass must complete an application and liability waiver. Applications must be submitted to the San Joaquin County Department of Agriculture.

Per ranch property or commercial livestock operation, no more than five (5) Livestock Passes will be issued to qualified commercial livestock producers and their managerial employees.

Mandatory Training

Participation in a San Joaquin County Department of Agriculture approved training is mandatory to obtain a Livestock Pass. It is the applicant/pass holder's responsibility to obtain the required training, including enrolling, paying, and attending such training. The training curriculum must be approved and conform to California State Fire Marshal requirements pursuant to California Health & Safety Code Section 13105.6. Continued education or a recertification training, of not less than one hour, is required annually to renew a Livestock Pass. Fire safety training is best performed in person; however, online trainings may be sufficient to fulfill the one-hour refresher requirement. Proof of attendance is required for renewal.

Conditional Access

Livestock Passes are only valid for the individual named on the Livestock Pass and proof of identification may be required when presenting the Livestock Pass.

Possession of a Livestock Pass does not grant any rights or privileges and does not guarantee the cardholder access behind road closures. Access is at the discretion of onsite (or off-site, if applicable) emergency personnel and is situation dependent. Conditions may be made to such access, including but not limited to:

- All persons must depart the restricted area by the same route as entry, unless approved by onsite (or off-site, if applicable) emergency personnel.
- An escort may be required in any instance.
- Emergency personnel may place a limit on time spent behind any road closure.
- Stopping along access routes is prohibited.
- Pass holders shall not wander, loiter, or otherwise meander from the location of the livestock, and shall be subject to immediate arrest for trespass beyond the livestock area or into other restricted areas and can be prosecuted to the fullest extent of the law.
- The Livestock Pass must be presented with proper government-issued photo ID, such as a state issued driver's license, identification card, or other military/Gov't issued ID.

Evacuating residents and preserving human life takes precedence over livestock evacuation and care.

Insurance and Risk

Access in an area closed to the public during a disaster is at the risk of the Livestock Pass holder and property owner and may affect the coverage of property, liability, vehicle and equipment insurance, and worker's compensation coverage. Hazardous conditions may exist at any location behind the road closure. The County of San Joaquin and its officers, agents, employees, volunteers, or representatives and all disaster response personnel are not liable for property damage, injury or death of any person participating in activities resulting from the inherent risk of entering a disaster area.

Modifications and Revisions

Modifications and revisions to the San Joaquin County Livestock Pass program may be made at the discretion of the San Joaquin County Agriculture Commissioner/Sealer.

Livestock Pass and Identifying Documents

Each Livestock Pass shall include, at minimum:

- 1) Passholder name
- 3) Ranch/Operation Name to which the Passholder seeks access in the event of a disaster
- 4) Expiration Date
- 5) Seal or Logo of authorizing agency and signature of issuing officer

Authorized by the San Joaquin County Board of Supervisors on July 9, 2024, with order B-24-40

