

IMPARTIAL ANALYSIS BY CITY COUNSEL
CITY OF MCFARLAND
MEASURE O

Measure O asks voters to modify sections 17.200.060, 17.200.070, and 17.200.080 of Chapter 17 of the McFarland Municipal Code to remove the prohibition of existing Concentrated Animal Feeding Operations (CAFO) operations, and eliminate the phase out period of such operations, while continuing to prohibit future CAFOs in all zone districts within the City limits of the City of McFarland. Existing CAFO operations would be required to annually certify compliance with all state and federal requirements imposed on such operators. Measure O was placed on the ballot by a petition signed by the requisite number of voters in the City of McFarland. The full text of Measure O is published in the Voter Information Guide.

Measure O would continue to define CAFO in accordance with the National Pollutant Discharge Elimination System. The animals covered would be cattle or cow/calf pairs, mature dairy cattle, veal calves, swine, horses, sheep or lambs, turkeys, chickens, laying hens or broilers, and ducks. CAFOs would be categorized as large, medium, or small, depending on the number and type of confined animals and potential to impact water quality. Measure O would consider animals confined if stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and when crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more operations could together be considered a single CAFO if certain criteria are met.

Measure O would require registration for existing CAFOs, would allow existing CAFOs to continue to operate pursuant to state and federal requirements, would eliminate the phase out period of existing CAFOs, and would require existing CAFOs to certify compliance with all state and federal requirements each year. Measure O would continue to prohibit all new CAFOs from operating with the City. It would continue to require the City Manager or his/her designee to present an annual report on ordinance compliance to the City Council.

If a farm meets the definition of a CAFO and does not comply with the terms of Measure O or other portions of Chapter 17.200 it would face daily penalties of \$1,000 for the first day, \$5,000 for the second day, and \$10,000 for the third and subsequent days in violation. The City could additionally pursue any other enforcement available at law.

Measure O will become effective only if approved by a majority of those voting on the measure.

A “yes” vote on Measure O will amend the code provisions governing CAFOs in all zoning districts within the City limits by allowing existing CAFOs to operate, eliminating the phase out period, and requiring existing CAFOs to certify compliance with state and federal requirements.

A “no” vote on Measure O will keep the existing code provisions, which prohibits all CAFO operations and provided a phase out period for existing CAFOs to cease operations.

The above statement is an impartial analysis of this measure. If you desire a copy of the Ordinance, please contact the City Clerk's office at 401 W. Kern Avenue, McFarland, CA 93250, or at telephone number (661) 792-3091, and a copy will be sent to you at no charge. Free copies of the Ordinance are also available at the City Clerk's office via email request to edelacruz@cityofmcfarland.ca.gov.

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City of McFarland