

MINUTES OF THE SOLANO COUNTY ZONING ADMINISTRATOR

Meeting of May 18, 2017

The regular meeting of the Solano County Zoning Administrator was called to order at 10:00 a.m. in the Department of Resource Management, Fairfield, California.

STAFF PRESENT: Michael Yankovich, Program Manager
Eric Wilberg, Planner Associate
Jim Allan, Ag. Commissioner
Kristine Sowards, Zoning Administrator Clerk

ADMINISTRATIVE APPROVALS

1. Continuation of Compliance Review No. 1 for Use Permit No. U-00-26-MR1 of **Sprint/Crown Castle** for the continued operation of a wireless communication facility located at 1620 Mason Road, 6 miles west of the City of Fairfield, APN 0148-010-160. (Project Planner: Karen Avery) ***This item was removed from the agenda. Staff is awaiting the applicant to provide photo evidence that the microwave dish has been painted. The item will be placed back on the calendar for public hearing at that time.***

PUBLIC HEARINGS

2. **PUBLIC HEARING** to consider Minor Use Permit Application No. MU-16-02 of **Eiad Eltawil** to permit a Small Confined Animal Facility consisting of up to 850 goats and a 120' x 80' barn for shelter. The project is located at 5360 Box R Ranch Road, 2 miles east of the City of Vacaville. The property is located within the "A-80" Exclusive Agriculture Zoning District, APN's: 0042-010-470 and 480. This project qualifies for an Exemption from the California Environmental Quality Act pursuant to the CEQA Guidelines. (Project Planner: Eric Wilberg)

Eric Wilberg provided a brief presentation of staff's written report. The applicant, Mr. Eltawil currently conducts a sheep and goat livestock grazing operation on his property, APN 0042-010-470 and also leases a large portion of the adjacent parcel (APN 0042-010-480) as pasture for the herd. The animals are maneuvered throughout fenced portions of the site to provide adequate year round feed to the herd. Water troughs are placed throughout the site. One additional worker assists Mr. Eltawil and no customers access the site. Parcels surrounding the subject site vary in size from approximately 40 – 160 acres and are primarily utilized for cattle and sheep grazing typical of the Jepson Prairie Agricultural Region. Staff recommended approval of the application.

The applicant, Eiad Eltawil, stated that he was in agreement with staff's report. He noted that it is his intention to decrease the number of goats to between 300 and 400. He said he proposed the higher number as an estimate because he is just getting his business started and is in the process of building his herd. He said the request for the barn is essential for the animals to have shelter, especially in the winter. Mr. Eltawil stated that he is focusing on becoming an organic farmer. He said he is trying to fix the problems that exist and the way to get started in doing that is to get this approval for the barn.

Mike Yankovich noted for the record that a letter was faxed to staff prior to this hearing by Leontyne Hansing voicing opposition to the project. The concerns cited in the letter were with regard to herd health issues, overgrazing, grading and drainage, manure management, animal mortality, carcass disposal, long term environmental impacts and the need for water testing. The letter also stated that there are negative impacts with regard to the operation that is currently being conducted.

Mr. Eltawil stated that he believes the issues raised in the letter are incorrect. He did not believe that area drainage or water quality is impacted by his operation. With regard to the animal waste concern, he stated that he piles the manure, covers it to dry out, and then uses it as onsite fertilization. Mr. Eltawil commented that this project is a simple venture which he is trying to build and needs the time to do so. He said he believes he is following the code and the regulations and is asking the county for approval.

Since there were neighboring property owners who were present at the meeting, Mr. Yankovich opened the floor for public comment.

James Williams, 5430 Box R Ranch Road, Vacaville, stated that he shares a fence line to the north with the subject property. He stated that the negative environmental impacts to both he and his wife and their animals have been detrimental, injurious and immeasurable due to the activity taking place on the property. Mr. Williams stated that in reading the application he found many inconsistencies with the applicant's ability to mitigate the impacts surrounding the waterways, water, air quality, their property, and the environment. He said there are quite a few items in the report that need to be addressed, specifically with respect to their qualifications in the land issues and what really exists on the property. Mr. Williams stated that his wife's respiratory health has been severely impacted. He voiced concern with the feeding of the goats in close proximity to their backdoor and to the fly infestation, increase in dust, and fecal dust blowing into their home inundating their possessions. He said the odor is overwhelming and they can no longer enjoy the outside of their property.

Mr. Williams said he was concerned that there is no fecal removal plan or disposal plan for goat carcasses. He said the noise from the goats and sheep in large herds in close proximity to their home is high. He said due to the applicant feeding the animals on the plateau above his home it has changed the grade of the property where rain water no longer flows down Mr. Eltawil's field but in now flows into his backyard where they have had standing water, as well as their leach lines becoming inundated.

Joe Silva, 5435 Box R Ranch Road, Vacaville, provided several Google Earth photos from August of 2016 depicting the north end of the applicant's property and showing the magnitude of goats and how they are confined. He stated that they have personally experienced fly infestation and an increase of dust in their home where they can no longer leave their windows open. They are also concerned with the return of coyotes to the area which could become a major problem. Mr. Silva commented that he has not seen Mr. Eltawil irrigate the property stating that in order for grass to grow back irrigation and reseeding is needed. Mr. Silva stated that they have seen a substantial number of goat carcasses on the property and questioned the disposal process commenting that he has noticed big holes dug on the property and hoped if the carcasses were being buried that there is some kind of odor management control.

Mr. Silva submitted for the record an article he found in his research on the internet and summarized it by reading the first two paragraphs. The article addressed goat stocking rates and explained how stocking rates for goats cannot be based upon plant materials that are available for consumption per acre of land. The rates must be based upon controlling internal parasites and avoiding over-crowding.

James Plunkett, 5295 Box R Ranch Road, Vacaville, noted his many years of experience in the livestock business. He said his concerns lie with the large number of animals, the need for proper veterinary care, parasite control, and feces management. Mr. Plunkett stated that he did not have a problem with the addition of a barn but was concerned with where the barn will be placed. He said he drives by the property every day and every day he observes goats that are deceased. He felt this to be excessive and a lack of proper management of the facility. He said there are too many goats and the property has been overgrazed. He commented that goats need supplements for proper nourishment. Mr. Plunkett reiterated that he is not in opposition to the facility, but it needs to be a properly managed facility. He stated that Mr. Eltawil has also shown a lack of interest in helping to maintain the road.

Joyce Moody, 5430 Box R Ranch Road, Vacaville, stated that when Mr. Eltawil would feed his goats at their fence line the manure would pile up, dry out, and then the dust would blow throughout their home. She noted that there has been some improvement because Mr. Eltawil is no longer feeding all of the goats at the fence line. Ms. Moody stated that her respiratory health issues have gotten worse and the odor coming from the adjacent property is very bad. She said they now have drainage issues where the rain water will pool in their backyard impacting their leach lines as well. Ms. Moody said they are not opposed to the barn they just do not want it built right next to their home.

Javier Ibarra, 5235 Box R Ranch, Vacaville, voiced his concern with regard to the road. Mr. Ibarra talked about how he and an area neighbor have always taken care of the road to keep it nice and smooth. He said since Mr. Eltawil has moved in there is hay and mud on the road and pot holes in front of Mr. Eltawil's property. He said that old trucks and junk is stored on the road as well. Mr. Ibarra said he believed there are too many goats on Mr. Eltawil's property and that the facility is not equipped to handle such a large amount. He also commented on the bad odor being emitted from the facility.

Laura Peters, a resident of the unincorporated county, stated that she is a small facility goat rancher and does organic farming. She questioned Mr. Eltawil's organic status commenting that there are a lot of stipulations to get through to be certified, and hearing about and seeing Mr. Eltawil's business practices she doubted he has received that certification. Ms. Peters stated that in order to start a business in goat ranching the first step would be to fence, cross fence, and separate the pastures so as not to overgraze, and to provide a barn to house the animals to feed them securely and safely. She said also required in being a goat farmer is a disposal plan for the deceased goats, annual water quality testing, and a veterinary management program created by a doctor of veterinary medicine. Ms. Peters remarked that when her goats are at the end of their life expectancy they are either put down or nursed in the barn. She commented that she has never had a goat die in the pasture and she believed allowing that to happen is not an acceptable ag practice nor a

humanian effort. She questioned if Mr. Eltawil had FDA approval. Ms. Peters noted that she owns 160 acres and she would never even approach the idea of having 400 goats because they would destroy the entire property.

Since there were no further speakers, Mr. Yankovich closed the public hearing.

Mr. Eltawil reiterated that he is just started this business and he needs time to grow and to correct any mistakes that have been made. He said the application is his effort to get the barn in place. Mr. Eltawil commented that he felt like he was being singled out due to the fact that complaints are not being made against other activities taking place in the area.

Mr. Yankovich stated that what he is seeing is there are too many animals. He asked Mr. Eltawil how he would deal with a permit condition requiring the development of a fecal management plan, odor control plan, fire control plan, supplemental feeding plan, and carcass removal plan. Mr. Eltawil stated that he is working hard to clean up the facility and that he would decrease the number of animals to 400.

Jim Allan, agricultural commissioner, stated that the management plans mentioned by Mr. Yankovich are necessary and should be produced in writing. He commented that the ability of the land to accept nutrients is not unlimited. Too many animals can create too much manure for the land to take in, losing nitrogen either to the groundwater or to runoff. He said figuring the stocking rate on goats is a difficult task and that there is not a hard and fast number. He said there needs to be a stocking rate that can balance the inputs and outputs of the operation. There is also the definition of what an animal until means and how babies will be accounted for and how long they would reside on the property. Mr. Allan stated that there are a lot of unanswered questions, but noted that a number of the concerns voiced by area property owners are neighbor issues that are not relevant to the permit application. It is either a civil matter or a matter for review by another agency. Mr. Allan stated that the permit review is for what conditions would have to apply to be able to grant a permit such as this.

Mr. Yankovich informed Mr. Eltawil that he would benefit by seeking some expert assistance in helping him develop these management plans. It was recommended that Mr. Eltawil contact the Cooperative Extension at the UC Davis campus and speak with the small farms advisor or livestock advisor who could offer some advice on the number of goats that can be stocked on the property in an environmentally acceptable way. Mr. Wilberg noted that the threshold for the number of goats allowed by right is 198 per 40 acre property.

Mr. Yankovich took action to continue this item to the regular meeting of June 15, 2017 in order to allow the applicant time to provide the requested information in order to continue with his application process.

Since there was no further business, the meeting was **adjourned**.

Any person who believes he or she has been adversely affected by the decision of the Zoning Administrator may file an appeal of the decision to the Planning Commission within ten days.