



Monterey County

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Board Order

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

- a. Adopted Resolution 14-358 finding the proposed ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, categorically exempt under the California Environmental Quality Act; and
- b. Adopted Ordinance 5249 of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters

PASSED AND ADOPTED on this 16th day of December 2014, by the following vote, to wit:

AYES: Supervisors Calcagno, Parker and Potter

NOES: Supervisors Armenta and Salinas

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on December 16, 2014.

Dated: December 18, 2014
File Number: ORD 14-026
Revised: January 23, 2015

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.: 14-358

Adopting finding of categorical)
Exemption under CEQA for)
Proposed ordinance amending)
Chapter 8.04 of Title 8 and adding)
Chapter 8.50 to Title 8 of the)
Monterey County Code)

This Resolution is made with reference to the following facts:

1. On December 2, 2014, the Board of Supervisors of the County of Monterey introduced, waived reading, and set December 16, 2014 at 1:30 p.m. as the date and time to consider adoption of a proposed ordinance amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters. Staff indicated it would recommend that the Board consider finding the ordinance categorically exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15308.
2. The CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000-15387) contain a list of classes of projects which have been determined not to have a significant effect on the environment and therefore are exempt from CEQA. Class 8 categorically exempts actions taken by regulatory agencies “to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.” (CEQA Guideline section 15308.) The proposed ordinance is within the class of projects that are categorically exempt under section 15308 of the CEQA Guidelines because the regulatory process it will implement will maintain, enhance, and protect the environment.
3. The proposed ordinance will establish an approach to the keeping of five or more roosters that balances promotion of agriculture and agricultural education with prevention of rooster keeping operations that are unsanitary, environmentally damaging, inhumane, and conducive of illegal cockfighting. In terms of environmental protection, the proposed ordinance imposes specified sanitation, space, and animal hygiene standards as a condition of obtaining required permits, and ensures these standards are enforced by authorizing County inspections of covered rooster keeping operations. County personnel are authorized to shut down and financially penalize rooster keeping operations which do not observe adequate sanitation, waste disposal, and drainage practices and thereby pollute water supplies, breed vermin infestation, generate odors, and create risk of transmission of contagious disease.
4. Rooster Keeping Operations will be required to construct and maintain proper drainage to avoid pooling of liquids and to eliminate contaminated runoff into the waters of the state. Rooster Keeping Operations will be required to regularly utilize solid waste disposal services for removal of all solid wastes, including manure, food waste, debris, and bird carcasses. Rooster Keeping Operations will be required to implement effective pest control management programs that eliminate insects, rodents, and other vermin.

5. A project that would otherwise fall within categorical exemptions is not exempt if “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (CEQA Guideline section 15300.2(c).) No evidence has been presented of unusual circumstances that would create a reasonable possibility that the ordinance would have a significant effect on the environment.

NOW, THEREFORE, the Board of Supervisors does hereby:

- A. Find that the above recitals and findings are true and correct; and
- B. Find, based on substantial evidence and the record as whole, that the proposed ordinance is categorically exempt under section 15308 of the CEQA Guidelines.

PASSED AND ADOPTED upon motion of Supervisor Calcagno, seconded by Supervisor Potter and carried this 16th day of December 2014, by the following vote, to wit:

AYES: Supervisors Calcagno, Potter and Parker
NOES: Supervisors Armenta and Salinas
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on December 16, 2014.

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