

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

Resolution No. \_\_\_\_

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 on this \_\_\_ day of \_\_\_\_\_, 201\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of Monterey County, 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 into the minutes thereof of Minute Book \_\_ for the meeting on \_\_\_\_\_, 20\_\_.

Dated: \_\_\_\_\_, 20\_\_  
File Number: ORD 14-024

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

By \_\_\_\_\_  
Deputy