

2022 Demographic Data & Equity Mitigation Measures

AGRICULTURAL VERIFICATION ACCESS PROGRAM

September 13, 2023

The revised Agricultural Pass program described in the enclosed resolution for Board policy consideration, will impact the people who are low-wage, immigrant, non-dominant language-speaking farmworkers. Thus, it is appropriate to apply a racial equity impact assessment and analysis to this decision to identify, reduce, eliminate, and prevent racial inequities. However, because policy options were not identified in a timely manner, a racial equity impact analysis was not completed. As such, there has been no attempt to identify disproportional risks to certain community members and consider mitigation measures to address the disproportional risks at issue with a significant expansion of the number of people behind evacuation zone lines during a wildfire emergency, the delegation of program implementation, monitoring, and compliance to the Sheriff's Office, and the enforcement mechanism to ensure compliance with the Board's delegation of its legislative authority.

The County recognizes that equity is an outcome where race or ethnicity do not denote differences in critical markers of health, wealth, and well-being and a process where the voices and contributions of people of color, low-income and other underrepresented or underserved communities identify solutions to achieve that outcome. Achieving equity usually requires seeing, thinking, and working differently to address the harms that have caused racial inequities.

Highlights from earlier demographic data information and risk mitigation measures include the following:

Additional requirements, like requiring enhanced personal protective equipment, capping the numbers of workers by agricultural organization, limiting access to supervisory or managerial employees, and expanded training to include labor rights could mitigate some of the issues that farmworkers have raised and experienced while working in mandatory evacuation zones during active wildfire emergencies.

A racial equity impact analysis also inquires and analyzes the fiscal sufficiency of a proposed program, as well as how a program will ensure accountability, communicate with stakeholders, and evaluate results. Because there is not information provided here on how the program will ultimately be implemented, staff does not have the requisite information to review the viability and sustainability of this program, to ensure that it is adequately funded and that it includes mechanisms to ensure successful implementation and enforcement. The data collection, stakeholder engagement, public reporting, and public accountability are critical functions to review efficacy and to ensure this novel program has the benefit of stakeholder feedback, and especially from the population most impacted by this decision. The County lacks any quantitative data with regard to the

past years of the program. As a result, an equity analysis here would direct a data collection and analysis effort that prioritizes the population most impacted by the program following an actual evacuation event where verification cards were utilized for granting access.

Quantitative data regarding the population most impacted by this policy decision includes the following: Agricultural workers are predominantly immigrants from Mexico (84%) and Central America (4%). There are also high numbers of undocumented workers in agriculture, as reported by the U.S. Department of Agriculture's Economic Research Service, citing California farmworkers as representing the highest share of undocumented workers in the country. The USC California Immigrant Data Portal shows 2019 data for Sonoma County with 27,544 undocumented individuals living in the county. Recent estimates regarding migrant and seasonal farmworkers are 12,251, with Migrant Farmworkers at 5,672 and Seasonal Farmworkers at 6,579.

A large majority of farmworkers do not speak or understand English, and a growing number are monolingual indigenous language-speaking, and experience resulting marginalization. Agricultural workers also experience some of the highest levels of workplace vulnerabilities and injuries, according to official statistics held by the National Institute for Occupational Safety and Health (NIOSH). While there is very limited information about how exposure to wildfire smoke impacts farmworkers, experts "do know that, even in the short term, particle pollution from wildfires - including tiny bits of ash, dust, and soot - can worsen heart problems, reduce lung function, and aggravate asthma. In this way, wildfire smoke can affect health in similar ways as diesel exhaust or smoke from cigarettes. Wildfire smoke can also include heavy metals like lead and arsenic, and hazardous chemicals like benzene and formaldehyde gas, all of which are present in cigarette smoke and can cause cancer." While the Board has received testimony indicating there are agricultural workers who have experienced difficulty in accessing required employer-provided resources such as travel trailers with toilets, clean and fresh drinking water, protections from excessive heat, and personal protective equipment in areas that have been subject to evacuation orders, there was also testimony from some workers that this has not been their experience.

As a result of these and other structural and institutional inequities, health, wealth, and educational outcomes for farmworkers and their families is markedly lower than other workers and residents in Sonoma County. Given the structural vulnerabilities that low-wage and immigrant farmworkers already experience, there is potential for such wildfire smoke and other exposures, within and outside of evacuated areas, to result in adverse health and other life outcomes.

While there are existing worker protections in State law, regulations protecting farmworkers and other outdoor workers enacted in 2019 are "still in their infancy". As reported in Sonoma Magazine, of the 144 Sonoma County complaints filed in 2020 with Cal/OSHA, only 4 arose from wildfire smoke, and only one led to a citation. In that same article, it was reported that Cal/OSHA is severely understaffed, with only 10 inspectors for the 5-county district to which Sonoma is part, and only one speaks Spanish, and none speak any indigenous languages spoken here. These gaps in protections and enforcement may exacerbate racial inequities and disproportionately negative health outcomes for this population.