

**ENDORSED
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SEP 24 2026

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
By *[Signature]* Deputy

**The Sutter County
Board of Supervisors' Response to the
2025-2026**

**Sutter County Grand Jury
Final Report**



**Jeff Boone
Dan Flores
Mike Ziegenmeyer
Karm Bains
Jeff Stephens**

**District No. 1
District No. 2
District No. 3
District No. 4
District No. 5**

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AUG 13 2026

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER



County of Sutter
Office of the County Administrator

1160 Civic Center Boulevard
Yuba City, California 95993
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August 11, 2026

The Honorable David I. Ashby
Presiding Judge of the Sutter County Superior Court
1175 Civic Center Boulevard
Yuba City, CA 95993

Dear Judge Ashby:

On behalf of the Sutter County Board of Supervisors, I am herewith submitting its response to the findings and recommendations of the 2025-2026 Grand Jury Final Report on the following:

- Cultivating Compliance: A Review of Sutter County's Agricultural Operations

The Sutter County Board of Supervisors and administration thanks the Grand Jurors for their service to the citizens of Sutter County. Grand Jury service requires a great amount of time and effort and each juror's dedication is truly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "S.M. Smith", is written over a light blue circular stamp.

Steven M. Smith
County Administrator

Cultivating Compliance: A Review of Sutter County's Agricultural Operations

The Sutter County Board of Supervisors is required to respond to this report.

Below is the response from the Board of Supervisors, in concert with the County Administrator's Office and the Agricultural Commissioner/Sealer.

FINDINGS

Grand Jury Finding #1:

"F1: There is no set clear standard for deciding pesticide fine amounts. When the committee reviewed past NOPA documents, it was not clear why specific fines were given or how the final dollar amounts were chosen."

Grand Jury Finding #2:

"F2: The Agricultural Department does not always follows its own written policies or duty statements when giving out work assignments. During interviews, some staff members reported being asked to perform tasks other than their typical job duties. This change in assignment did not come from the supervisor but rather from other department staff."

Response from the Board of Supervisors:

F1: The Board of Supervisors partially disagrees with this finding.

Fundamentally, pesticide laws and regulations enforcement response is up to the Agricultural Commissioners' discretion and many contributing factors play a role in determining fine levels. 3 CCR, section 6130 (d) states that "when determining the fine amount within the fine range, the commissioner shall use relevant facts, including severity of actual or potential effects and the respondent's compliance history, and include those relevant facts in the notice of proposed action".

Under the penalty section of every Notice of Proposed Action (NOPA) issued by the Sutter County Agricultural Commissioner/Sealer there is a clear statement of the facts that supports the classification and fine amount per 3 CCR, section 6130 (d).

F2: The Board of Supervisors partially disagrees with this finding.

There is not enough information to determine the circumstances of the change in assignment whether a daily task, assisting other licensed staff or filling in during a vacancy. However, it should be noted that licensed Agricultural & Standards Biologists job duties can shift seasonally and between more than 20 state programs well within the job description.

RECOMMENDATIONS

Grand Jury Recommendation #1:

“R1: The Grand Jury recommends that the Agricultural Department create a clear standard for assessing pesticide fines. The Grand Jury also recommends that the Department include a procedure for how they chose the final dollar amount on every new NOPA document. This should be completed by January 31, 2027.”

Grand Jury Recommendation #2:

“R2: The Grand Jury recommends that department leaders follow existing office policies and written duty statements when assigning work. This should be completed by October 31, 2026.”

Response from the Board of Supervisors:

R1: The first part of this recommendation has been implemented.

Under the penalty section of every Notice of Proposed Action (NOPA) issued by the Sutter County Agricultural Commissioner/Sealer there is a clear statement of the facts that supports the classification and fine amount per 3 CCR, section 6130 (d). 3 CCR, section 6130 (d) states that "when determining the fine amount within the fine range, the commissioner shall use relevant facts, including severity of actual or potential effects and the respondent's compliance history, and include those relevant facts in the notice of proposed action".

The second part of the recommendation will not be implemented because it is not warranted. Pesticide laws and regulations do not require this. Each instance of a pesticide violation is unique, and many factors come into play when establishing final fine dollar amounts, including severity of actual or potential effects and the respondent's compliance history.

However, it should be noted that on 6/12/26, the Department of Pesticide Regulations (DPR) noticed a proposed regulatory action to change, "Enforcement Response". In summary, the proposed action will revise appropriate enforcement responses to be taken by the county agricultural commissioner (CAC) each time a violation(s) occurs to improve effectiveness and clarity of the regulations. The proposed amendments establish clear standards for determining penalty amounts, ensure that serious and repeat violations receive appropriately elevated consequences consistent with progressive enforcement, and reduce variations in enforcement practices among counties.

R2: This recommendation has been implemented.

The Agricultural Commissioner/Sealer and the agricultural department management team reviewed the county and department procedures, functions by staff member and organization chart, job descriptions, and consulted with Human Resources. It was found that existing procedures are being followed and are communicated appropriately with staff. The department's goal is to ensure that Agricultural & Standards Biologists staff have clear direction while supporting their autonomy and authority as employees, unless otherwise directed by management. During the 2025-26 Sutter County Grand Jury review, 10 out of 11 Agricultural & Standards Biologists were in the III classification. Agricultural & Standards Biologists III is the advanced journey-level classification in the series.