

Neglected and Abandoned Vineyards in Mendocino County

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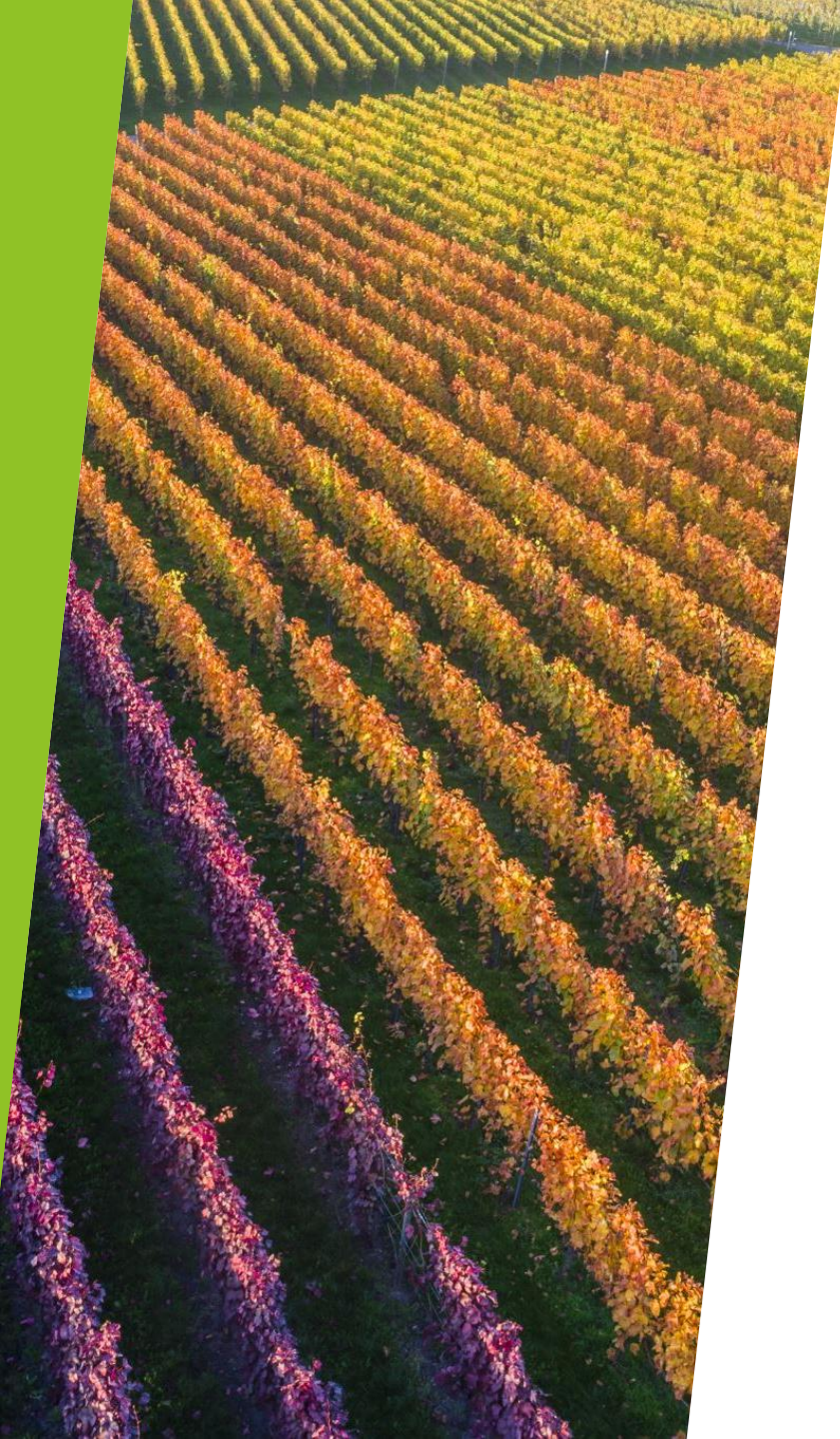
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Today's Topic



- ▶ Current Situation in Mendocino County
- ▶ Why this Matters Pest & Disease Risks
- ▶ Existing & New Authority & Procedures
- ▶ Next Steps & Community Input
- ▶ Our Departments Philosophy
- ▶ Current implementation & Progress
- ▶ Key Takeaways



Current Situation

- ▶ Statewide winegrape industry contraction (tens of thousands of acres removed since 2023)
- ▶ Mendocino County feeling similar pressures
- ▶ >10 formal complaints received in the last two months

Why This Matters

- ▶ Neglected vineyards become pest and disease reservoirs
- ▶ Threaten economic viability of active vineyards
- ▶ Additional risks: fire hazard, illegal dumping, rural blight



Key Pests & Diseases of Concern

- ▶ Powdery mildew
- ▶ Botrytis bunch rot
- ▶ Grapevine leafroll viruses
- ▶ Mealybugs, creepers, leafhoppers, sharpshooters (Pierce's Disease vectors)



Abatement of Neglected or Abandoned Crops Authority

CA FOOD AND AG. CODES:

- ▶ **5551:** Any neglected or abandoned **plant** or crop is a public nuisance in any of the following circumstances:
 - (a) It is a menace to the agriculture of the county, district, or vicinity because of the existence of any **pest**, in or on it.
 - (b) It is a menace to the agriculture of the county, district, or vicinity because of the existence of any other condition than the condition described in subdivision (a).
 - (c) It is a host plant of, or provides a favorable or likely harbor for, any pest.
- ▶ **5553:** It is unlawful for any person to maintain any neglected or abandoned **plant** or crop which is a public nuisance.



Statute Definitions

Neglected/Abandoned Vineyard=Public Nuisance



CA Food and Ag. Code 5006: “Pest” means any of the following things that is, or is liable to be, dangerous or detrimental to the agricultural industry of the state:

- (a) Any infectious, transmissible, or contagious disease of any plant, or any disorder of any plant which manifests symptoms or behavior which the director, after investigation and hearing, finds and determines is characteristic of an infectious, transmissible, or contagious disease.
- (b) Any form of animal life.
- (c) Any form of vegetable life.



CA Food and Ag. Code 5007: “Plant” includes any part of a plant, tree, plant product, shrub, vine, fruit, vegetable, seed, bulb, stolon, tuber, corm, pip, cutting, scion, bud, graft, or fruit pit.

Existing County Authority

- ▶ **Mendocino County Code (MCC) Sec. 8.75.040(m):** “Any condition declared by a statute of the State of California... to be a nuisance.”
- ▶ Uniform Nuisance Abatement Procedure already in place
- ▶ Focus: Education → Voluntary compliance → Enforcement if needed

Alignment with Existing Code Enforcement Division Processes

- ▶ Mendocino County Code Enforcement Division uses well-established procedures for complaints, investigations, and enforcement
- ▶ Our approach for neglected vineyards will parallel these existing processes
- ▶ Primary Goal: Voluntary compliance through education and collaboration
- ▶ When voluntary compliance is not achieved:
 - ▶ Administrative Citations & Penalties (MCC Chapter 1.08)
 - ▶ Uniform Nuisance Abatement Procedures (MCC Chapter 8.75)

AB 732 - Additional New Civil Penalty Authority



Effective January 1, 2026 (Chapter 440, Statutes of 2025)



Initial penalty: Up to \$500 per acre



Increased penalty: Up to \$1,000 per acre
(if no good-faith action within 45 days)



Strong due process protections included

AB 732

Overview and Why It Matters

New, optional enforcement tool for pest-related nuisances

Designed to improve compliance and reduce crop, economic, and ecological damage (more timely and less costly enforcement)

Provides an alternative to abatement – education and cooperation first

Protects neighboring growers while remaining fair to landowners

Temporary authority (2026-2035)

Existing Process vs. AB 732

<u>Aspect</u>	<u>Existing Process</u>	<u>AB 732 Addition</u>
Public Nuisance	Yes	Yes
Education First	Yes	Yes
Civil Penalties	Limited	New - \$500-\$1,000/acre
Collection / Lien	Court-ordered lien	Same as existing
Speed	Slower	Faster compliance option

Our Department's Philosophy

- ▶ Primary Focus: Education, outreach, and voluntary compliance
- ▶ Work collaboratively with landowners
- ▶ Practical solutions: responsible mothballing, removal, or alternative uses
- ▶ Enforcement = Last Resort only when clear threat exists

Current Implementation Progress

- ▶ Coordinating with County Counsel & Code Enforcement
- ▶ - Developing procedures and notice templates
- ▶ - Outreach to neighboring county Ag Commissioners
- ▶ - Partnering with UCCE on mothballing research
 - ▶ Vineyard Mothballing Research Study (2026-2028)
 - ▶ Goal: Identify low-cost strategies to preserve vines while minimizing pest risks
 - ▶ Will help define “good faith effort” under AB 732

Next Steps



Continue case-by-case outreach and education



Refine internal procedures, including a public complaint process



Provide community resources on responsible stewardship



Return to the Board with updates as needed

Key Takeaways

- ▶ Neglected vineyards create real risks to our active agricultural economy
- ▶ We already have strong existing nuisance abatement authority (MCC 8.75)
- ▶ **AB 732 adds** a faster civil penalty tool (\$500-\$1,000/acre)
- ▶ Our priority remains **education and voluntary compliance**
- ▶ Enforcement (penalties or abatement) is a last resort
- ▶ We are working collaboratively with landowners, UCCE, and other departments



How to Report a Concern



How to Report a Concern



Call our office: (707) 234-6830



Email: agcomm@mendocinocounty.gov



All complaints are reviewed, documented, and responded to promptly



Reporter information kept confidential when possible

Thank You

Thank you for your support of Mendocino County agriculture.

Questions?

Contact:

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