



City of Encinitas City Council's Office

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March 13, 2024

Tony Kranz
Mayor

The Honorable Maria Alvarado-Gil
Member of the California State Senate
California State Capitol
Sacramento, CA 95814

**Re: Support for SB 1497 (Alvarado-Gil) California Agritourism Promotion Act:
Agritourism Civil Liability**

Allison Blackwell
Deputy Mayor

Dear Senator Alvarado-Gil:

On behalf of the City of Encinitas, I write in strong support of Senate Bill 1479 which would define an "agritourism activity" as an activity carried out on a farm, ranch, or other rural land that allows members of the public to view, enjoy, and participate in rural activities.

Bruce Ehlers
Council Member

Agritourism, the blending of agriculture and tourism, has become increasingly popular in California – offering visitors a unique opportunity to experience farming operations, rural life, and local food production first-hand. From u-pick farms and pumpkin patches to vineyard tours and farm stays, agritourism activities contribute significantly to the state's economy and cultural heritage.

Kellie Shay Hinze
Council Member

The City of Encinitas has a rich history of agriculture. Encinitas is known for its beautiful Poinsettias. They are still grown on the 60-acre farm of Paul Ecke. The city is also home to the San Diego Botanic Garden and Leichtag Commons and is a neighbor to the Carlsbad Flower Fields. All these sites welcome many visitors each year.

Joy Lyndes
Council Member

With the diverse range of activities offered in agritourism, there comes inherent risk. Inherent risk refers to the potential dangers or hazards that are an integral part of a particular activity or environment, regardless of the precautions taken. In the context of agritourism, these risks can stem from various factors.

Pamela Antil
City Manager

Given these inherent risks, agritourism operators in California must take proactive measures to mitigate potential hazards and ensure the safety of their visitors. The problem with a lack of legislative protection for inherent risk in California, agritourism operations has the potential for increased liability exposure and legal uncertainty for both agritourism operators and visitors.

SB 1479 will provide agritourism professionals with a clear framework that gives both adequate warnings to the public about inherent risks to the activities and reasonable protections from civil liability. Additionally, the bill will ensure consumer protection by

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waiving any liability immunity if the agritourism professional failed to meet basic safety precautions. The bill would exempt an agritourism professional from civil liability from injury, loss, damage, or death of a participant of an agritourism activity resulting exclusively from an inherent risk of the activity.

For these reasons, we are in strong support of SB 1479 (Alvarado-Gil). Please contact me at 760-633-2618 for any questions about our position.

Sincerely,

A handwritten signature in blue ink that reads "A. J. Kranz". The signature is fluid and cursive, with the first name "A." and last name "Kranz" clearly legible.

Tony Kranz
Mayor
City of Encinitas