

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS

ACTION AGENDA SUMMARY

DEPT: Agricultural Commissioner *[Signature]*

BOARD AGENDA # *B-3

Urgent

Routine

AGENDA DATE May 19, 2009

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

STAFF RECOMMENDATIONS:

Authorize the Agricultural Commissioner or his designee to enter into and sign routine agreements and contracts with various Federal and State agencies for Fiscal Year 2009-2010.

FISCAL IMPACT:

While there is no direct Fiscal Impact in authorizing the Agricultural Commissioner to sign contracts, it is anticipated that there will be a efficiency cost savings to the County. Previously, each contract or agreement had been processed individually as agenda items requesting approval by the Board of Supervisors. If this agenda item is approved, the Agricultural Commissioner will be authorized to sign routine contracts and agreements, resulting in reduced costs to the County in weighted labor and equipment costs through this streamlined process.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2009-322

On motion of Supervisor Grover, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

FISCAL IMPACT (Continued):

State contracts and agreements detailed in this item represent approximately \$313,769 in reimbursement for Fiscal Year 2009-2010 for program activities performed. Revenue estimates are included in the program discussion and if State contracts vary significantly from anticipated revenue, the Department will request separate Board of Supervisors' approval. The Federal contract with the U.S. Department of Agriculture represents an expenditure of \$54,000 for Fiscal Year 2009-2010. Estimates of revenue and expenditures associated with these contracts have been requested for in the Fiscal Year 2009-2010 Proposed Budget.

DISCUSSION:

For many years the Agricultural Commissioner has received contracts for revenue reimbursement from various Federal and State agencies. Traditionally, an agenda item was drafted for each contract or agreement, requesting approval by the Board of Supervisors and authorizing the Chairman of the Board to sign.

Since the Department has many routine and long-standing contracts, it is requested that in order to increase the efficiency of government operations and expedite the processing of these contracts and agreements, the Agricultural Commissioner (or his designee) be authorized to enter into and sign routine contracts and agreements for Fiscal Year 2009-2010.

The following is a listing of long-standing and anticipated contracts for Fiscal Year 2009-2010:

California Department of Food and Agriculture:

Egg Quality

This contract reimburses the County for egg quality inspection activities. This includes the inspection of eggs at production and wholesale locations to ensure compliance with State standards. Egg inspection worksheets from these inspections show the quality of eggs, number of eggs rejected, and the number of samples inspected. The contract also includes reimbursement for Federal egg surveillance, which consists of monitoring egg quality to ensure compliance with standards set by the United States Department of Agriculture (USDA). The egg quality agreement has been in effect for many years. It provides industry funds for what has been paid fully by County general funds in the past. It is estimated that the contract amount will be approximately \$19,000, of which \$17,600 comprises State enforcement of egg quality standards and \$1,400 represents reimbursement for Federal egg surveillance activities.

High Risk Program

There are two contracts anticipated to be received by the County for the High Risk Program; one

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

which covers reimbursement for bee inspection activities, and an additional contract covering high risk terminal inspections. Under the High Risk Inspection Program, Stanislaus County will perform inspections for the California Department of Food and Agriculture of incoming shipments of beehives to determine the presence of Imported Fire Ant (IFA). The inspections shall ensure that incoming beehives from IFA-infested states are free of the pest, and that eradication, containment, and control activities take place on all bee colonies on which IFA is found at the time of inspection. The inspections are in compliance with the requirements imposed by Chapter 573 (AB 1771), Statutes of 2000, Food and Agricultural Code Section 2282.5.

The second type of High Risk inspection is of incoming high-risk shipments of plant material from Hawaii, Florida and other southern states at airfreight facilities, nurseries, parcel terminals or other facilities. Inspection work will include checking packages for quarantine compliance and inspecting for high-risk pests, not known to occur in California, such as Japanese Beetle, Gypsy Moth and Longhorn Beetle. Inspectors will also inspect shipments of fruits, vegetables and propagative plant material for all pests. The program requires the County to maintain records of inspections and pest finds, issue notices of rejection if necessary and notify the Interior Pest Exclusion Program of the presence of any significant pest finds. Under this contract, the County agrees to perform high-risk inspection and enforcement activities for the California Department of Food and Agriculture in compliance with the requirements imposed by Chapter 573 (AB 1771), Statutes of 2000, Food and Agricultural Code Section 2282.5

The total revenue anticipated for the High Risk Inspection Program is estimated at \$70,000.

Light Brown Apple Moth

Light Brown Apple Moth (LBAM) was first discovered in the San Francisco Bay Area in the late fall of 2006. Since then, it has been detected in 12 counties, from Marin to Los Angeles. A Federal Domestic Quarantine Order (DA-2007-42) was established on May 2, 2007 that required, in addition to other actions, additional LBAM trapping to ensure continued interstate movement of regulated articles. To confirm that areas of the state are free from LBAM, traps are placed alongside existing detection traps. Since the spring of 2007, county Agricultural Commissioners have been performing LBAM trapping activity. Trapping activity for the detection of Light Brown Apple Moth is a crucial program in order to protect the County's valuable agricultural resource. The total contract amount is estimated to be \$5,200.

Nematode Inspection

This contract facilitates a unified and cooperative program to address the nematode (a microscopic parasitic worm) control component required by the Food and Agricultural Code for nursery stock sold for farm planting. The Nematode Inspection Program protects agricultural growers and the public from pests associated with nursery stock. The contract provides funding for the Agricultural Commissioner to perform soil treatment and commodity treatment supervision and/or soil sampling as required by the laws and regulations pertaining to Nematode Inspection. The total contract amount is estimated to be \$6,300.

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

Nursery Inspection

The State of California contracts with the Stanislaus County Agricultural Commissioner to maintain the Nursery Stock Inspection Program. In accordance with Division 4 and 18 of the Food and Agricultural Code and Title 3 of the California Code of Regulations, the Agricultural Commissioner will perform inspections of nursery stock at all County producer and wholesale nursery locations.

The Nursery Stock Inspection Program ensures that nursery stock meets pest cleanliness standards. Nursery stock should not be infested with pests of economic importance or more than the established threshold not considered to be "commercially clean", or with any significant pest not known to occur or not established in California. If infested, a nursery is a vehicle for the rapid spread of pests since shipments of plants are distributed over a wide geographical area for planting. Stanislaus County is one of the leading counties in the State for both commercial plantings of fruit and nut trees and producer nurseries of such trees. Nursery inspections are thus extremely important to the economic health of the County's agriculture. The Agricultural Commissioner also investigates any nursery complaints and enforces nursery stock licensing requirements for all new nursery operations within the County. The contract amount is estimated to be \$19,600.

Organic Program

In order for a person to sell food represented as organic in California, they must be registered and comply with all mandates of AB2012, the California Organic Foods Act of 1990 and the 1991 Organic Bill, AB645. The organic producer must register with the Agricultural Commissioner in the County of their principal operation on forms made available by the State. The California Department of Food and Agriculture will reimburse the County of Stanislaus for the cost of organic activities (i.e., organic registration, organic registration renewal and investigation of complaints). The contract reimbursement for the Organic Program is estimated to \$1,000.

Petroleum Products and Weighmaster Inspection

The Petroleum Products portion of this agreement stipulates that the County will be reimbursed for initial inspections of establishments selling or distributing petroleum products. An initial inspection is the first inspection in the fiscal year of a location where the primary business is the sale of petroleum products (i.e., retail service stations, distributors of engine fuels, oils and quick-lube shops). These inspections, conducted by Stanislaus County Weights and Measures Inspectors, include verification of compliance with the Business and Professions Code and California Code of Regulations relating to the advertising and labeling of automotive and petroleum products at the location. The agreement also stipulates that Stanislaus County will provide a list of the name and physical address of each location in the County having retail engine fuel dispensers in commercial use to the California Department of Food and Agriculture, Division of Measurement Standards.

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

The Weighmaster Inspection Program provides that the County will be reimbursed for each initial audit inspection of an establishment licensed as a weighmaster. An initial audit inspection is the first audit inspection in the fiscal year of a business location that is operating as a licensed weighmaster. Additionally, Stanislaus County Weights and Measures Inspectors also conduct tare verification inspections. These inspections include verification of pre-determined individual tare weights, seasonal tare weights or cab cards, follow-up audit inspection of locations with previous substantial violations, and verification of unlicensed weighmaster locations that license as a result of a documented County informational visit.

The estimated contract amount for the Petroleum Products/Weighmaster Inspection Program is \$16,125.

Red Imported Fire Ant

The Red Imported Fire Ant (RIFA) is a serious pest in the western United States, which inflicts a painful bite resulting in infection. In addition to this health threat to farm workers, the RIFA builds hard mounds of soil, damaging expensive farming equipment. While there have been several positive finds for RIFA in Stanislaus County over the past few years, these sites are currently under eradication treatment and therefore Stanislaus County is not considered "infested". It is crucial to continue to survey the County for this damaging insect pest.

This contract with the California Department of Food and Agriculture provides reimbursement for survey work which includes placing bait stations throughout the survey area on uniform grid intervals according to the State protocol. Positive finds will be recorded on cards as well as using Geographical Position System (GPS). Primary areas to be surveyed will include bee drop locations and retail and wholesale nurseries. Secondary sites include newly landscaped areas, over-wintering sites for out-of-state bees, trucking facilities, roadside rest areas, hay yards and fairgrounds. The contract amount is estimated at \$20,700.

Standardization

Under the Standardization Program, the County of Stanislaus agrees to provide fruit and vegetable inspection services. Inspectors will visit retail sites, packing sheds, wholesale locations as well as flea markets, fruit stands and field locations. Fruits and vegetables such as tomatoes, watermelon, apricots and honeydew melons will be checked to ensure that quality standards and packing requirements are met. Examples of quality standards are sugar content level, color percentage and lack of pests. Packing requirements are specific to commodities and include containers marked with the appropriate information. This contract provides reimbursement for inspection hours and mileage costs. The contract amount is estimated at \$25,100.

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

Sudden Oak Death

Since 1995, large numbers of oaks and tanoaks have been dying in the coastal counties of California of Sudden Oak Death (SOD). Many other types of plants have been found to be infected or associated with this disease. The pathogen, *Phytophthora ramorum*, is considered the causal agent of Sudden Oak Death and is known to occur in coastal forests and a few horticultural nurseries in the western United States. The following counties are designated as quarantined areas: Alameda, Contra Costa, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma. In order for local nurseries to ship host nursery stock interstate, County Agricultural Commissioners must perform the regulatory enforcement activities as outlined to ensure the plant material is free from infestation.

This contract allows the County Agricultural Commissioner to recover expenses from Sudden Oak Death Program activities performed that ensure that local nurseries are able to ship their product interstate. The Sudden Oak Death Program contract is vital to the protection of Stanislaus County agriculture and local businesses that produce or receive nursery stock. Through this contract, local Stanislaus County nurseries are able to ship their product and effectively mitigate the spread of and eradicate the deadly plant disease *Phytophthora ramorum*. The estimated contract is \$65,000.

Weed Management Area

Locally, invasive weeds such as the Capeweed, cause damage to valuable plants, crops and livestock. Noxious weeds, which extract nutrients and water from their surrounding environment, grow rapidly and spoil adjacent areas when left uncontrolled. Newly introduced invasive noxious weeds are destructive to agriculture should they become established.

The Stanislaus County Agricultural Commissioner's Office works cooperatively with San Joaquin and Merced counties, along with other private and governmental agencies through the Northern San Joaquin Valley Weed Management Area. The group has developed an Integrated Weed Management plan to implement a work plan for the control of noxious and invasive weeds.

This anticipated contract with the California Department of Food and Agriculture will focus on the best methods to eradicate and control Capeweed infestations in Stanislaus County, however, the weed management program could address other noxious or invasive weeds in Stanislaus County. The contract also involves working with growers, and reviewing cultural practices to reduce the risk of re-infestation or introduction of noxious weeds to non-infested areas. The contract amount is anticipated to be \$16,000.

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

California Department of Pesticide Regulation:

Pesticide Use Reporting

Since Fiscal Year 1990-1991, the California Department of Pesticide Regulation has contracted with Stanislaus County for the electronic submittal of Pesticide Use Reports. Under this program, Stanislaus County receives the Pesticide Use Reports and enters the data in a format which is readily accessible to the State. The current contract provides that information on both agricultural and non-agricultural chemical usage will be available to the State of California.

In Fiscal Year 1996-1997, this program was expanded to include CEDTS (California Electronic Data Transfer System). This system allows growers and pest control operators to electronically submit their required paperwork directly to the counties. The counties then review this data and electronically submit it to the Department of Pesticide Regulation. As a result, paperwork is vastly reduced. The total contract amount is estimated to be \$49,744.

United States Department of Agriculture

Wildlife Services

This agreement provides for animal damage management on properties within Stanislaus County and includes funds for the services of a Wildlife Services Specialist. The Wildlife Specialist, employed by the U.S. Department of Agriculture, works to reduce, terminate and prevent predation and damage to livestock, crops and other property caused by damaging birds and mammals. This is a critical program for the protection of agriculture in Stanislaus County and provides a much needed service for affected landowners. This agreement represents an expenditure for Stanislaus County. The County's cooperative share for the services of the Wildlife Services Specialist is requested at \$54,000.

Additional State Contracts

It should be noted that there are several additional State contracts from which the Agricultural Commissioner routinely receives revenue, which are not represented in this discussion, due to previous approval of multi-year contracts. Contracts previously approved by the Board of Supervisors for Fiscal Year 2009-2010 include the Glassy-winged Sharpshooter Program and Pest Detection Program contracts with the California Department of Food and Agriculture and Scale Certification contracts with the California Highway Patrol and the California Department of Transportation.

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010

POLICY ISSUE:

The Board of Supervisors should determine if approval of this item supports the Board Priority to Promote the Efficient Delivery of Public Services.

STAFFING IMPACT:

There is no staffing impact associated with this request.