

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Agricultural Commissioner

[Handwritten Signature]

BOARD AGENDA # *B-1

Urgent

Routine

AGENDA DATE May 1, 2012

CEO Concurs with Recommendation YES NO

(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2012-2013

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 2012-2013.

FISCAL IMPACT:

While there is no direct fiscal impact in authorizing the Agricultural Commissioner to sign contracts, it is anticipated that there will be an efficiency cost savings to the County. 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. 2012-202

On motion of Supervisor Withdraw, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: Chiesa, Withdraw, Monteith, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

[Handwritten Signature: 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 2012-2013

FISCAL IMPACT (Continued):

State contracts and agreements detailed in this item represent approximately \$77,531 in reimbursement for Fiscal Year 2011-2012, \$802,868 for Fiscal Year 2012-2013, \$262,575 for Fiscal Year 2013-2014 and \$4,000 for Fiscal Year 2014-2015 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 \$56,646 for Fiscal Year 2012-2013. Estimates of revenue and expenditures associated with Fiscal Year 2012-2013 contracts have been requested for in the Fiscal Year 2012-2013 Proposed Budget.

DISCUSSION:

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 2012-2013 and multi-year contracts that include Fiscal Year 2012-2013.

The following is a listing of long-standing and anticipated contracts for Fiscal Year 2012-2013 and multi-year contracts that include Fiscal Year 2012-2013:

California Department of Food and Agriculture:

Asian Citrus Psyllid Program

The Asian Citrus Psyllid (ACP) contract represents the third year of funding and is being made available due to the emergence of this insect threat to agriculture. The California Department of Food and Agriculture proposes to contract with the Agricultural Commissioner to perform detection activities associated with ACP.

The Asian Citrus Psyllid is a new pest that has been found in Southern California which, if established, could prove to be catastrophic to California's citrus industry. The insect, about the size of an aphid, is a vector for a virus known to cause Huanglongbing disease. It has been responsible for nearly destroying the citrus industry in China, other parts of Asia, Brazil, and is a growing concern in Florida. Currently, all or parts of seven Southern California counties are under quarantine, and no host plant materials are allowed to be shipped to non-infested areas of the State. Hosts for this pest are all plants in the citrus family and Jasmine. Once established, the ACP moves rapidly. Unfortunately in March of 2012, the Huanglongbing disease was detected in a residential citrus tree in a Los Angeles community. The U. S. Department of Agriculture has provided funding to the State for an aggressive detection and eradication campaign to prevent the spread of the pest and associated disease.

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The Agricultural Commissioner expects to receive two separate contracts that will cover October 2011 - September 2012 and October 2012 - September 2013. The portion of the contracts covering Fiscal Year 2011-2012 is estimated to be \$77,531. The portion of the contracts covering Fiscal Year 2012-2013 is estimated to be \$120,000. The reimbursements will be used to fund detection activities in urban areas and in citrus production nurseries.

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 U. S. Department of Agriculture. The egg quality agreement has been in effect for many years. It provides industry funds for what has been paid fully by the County General Fund in the past. It is estimated that the contract amount will be approximately \$14,400 of which \$13,100 comprises State enforcement of egg quality standards and \$1,300 represents reimbursement for Federal egg surveillance activities.

Glassy- Winged Sharpshooter Program

The Glassy-Winged Sharpshooter insect is a vector of the devastating grapevine disease known as Pierce's Disease. The Glassy-Winged Sharpshooter feeds on the inner parts of grapevines and infects the plant with the bacterium that causes Pierce's Disease causing the vine to die within three years.

The Agricultural Commissioner's Office has developed an action plan to combat the detrimental effect of the Glassy-Winged Sharpshooter (GWSS) insect and the associated destructive Pierce's Disease, which the insect spreads. Program activities include visual inspections of all plants arriving at retail nurseries from Glassy-Winged Sharpshooter quarantine areas, annual visual surveys of wholesale production nurseries, and placing and servicing traps designed to detect the presence of the Glassy-Winged Sharpshooter. The Glassy-Winged Sharpshooter Program is critical for the protection of the agricultural industry in Stanislaus County. This contract provides for the supplies and personnel services required to continue an ongoing detection program. The Department anticipates receiving a two year contract that will cover Fiscal Years 2012-2013 and 2013-2014 for the estimated amount of \$258,575 for each fiscal year.

High Risk Program

The contract for the High Risk Program covers reimbursement for inspection 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 the Japanese Beetle, Gypsy Moth and Longhorn Beetle. Inspectors will also inspect shipments of fruits, vegetables and propagative plant material for all pests.

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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 \$13,100.

Light Brown Apple Moth

Light Brown Apple Moth, also known as LBAM, is an exotic pest native to Australia with a host range of over 250 fruits and vegetables including apples, grapes, corn and tomatoes. In grapes the larvae feed on buds, flower cluster and berries causing reduced crop yields and an increase in disease.

Light Brown Apple Moth (LBAM) was first discovered in the San Francisco Bay Area in the late fall of 2006. Since then, the moth has infested 13 counties, from Sonoma 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 LBAM is a crucial program in order to protect the County's valuable agricultural resource. The total contract amount is estimated to be \$6,000.

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 \$3,870.

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.

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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 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 \$22,288.

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. 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 is estimated to be \$4,005.

Pest Detection

The goal of the Stanislaus County Pest Detection Program is to detect insect pests before they can cause infestation or damage to residential and agricultural areas. This program protects California agriculture, the local economy and homeowners' fruit-bearing trees and plants.

In addition to Agricultural Inspectors, employees of Stanislaus County Agricultural Commissioner's Office who primarily work in this program are Agricultural Assistants, also known as "insect trappers" or "trappers." These trappers work in both rural and urban areas of Stanislaus County placing insect traps in trees and plants. Trappers inspect the traps on a regular basis to see if any of the targeted insect pests they are looking for have been trapped. The early detection of insects can help to ensure that an infestation is prevented. Some of the insects which trappers try to detect are: Caribbean Fruit Fly, Mexican Fruit Fly, Olive Fruit Fly, Oriental Fruit Fly, Mediterranean Fruit Fly, Melon Fruit Fly, Guava Fruit Fly, Gypsy Moth, and Japanese Beetle. If an insect of concern is found, the California Department of Food and Agriculture assists the County program by providing additional personnel to help put a more intensive trapping program in place for a specified duration of time. If necessary, the State will also assist in the eradication of these insects if they are found.

The Pest Detection contract with the California Department of Food and Agriculture reimburses the County for personnel, equipment and vehicle expenditures associated with the program. This program is vital to the protection of local and State agriculture by preventing the introduction of unwanted and injurious pests. The total contract amount is estimated to be \$218,000.

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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 to the California Department of Food and Agriculture, Division of Measurement Standards, a list of businesses in the County that operate retail engine fuel dispensers.

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

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 cantaloupe 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 to be \$21,350.

Sudden Oak Death

Since 1995, large numbers of oaks and tanoaks have been dying of Sudden Oak Death (SOD) in the coastal counties of California. 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.

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This contract allows the County Agricultural Commissioner to recover expenses from Sudden Oak Death Program activities performed to 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 amount is \$60,655.

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 allow electronic submission of pesticide use reports to County Agricultural Commissioners. 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 contract amount is estimated to be \$40,500.

California Department of Transportation:

In Fiscal Year 2003-2004, the Board of Supervisors approved the first contract between the Agricultural Commissioner and the California Department of Transportation (DOT) to perform the required annual testing of DOT axle-load scales. The Agricultural Commissioner/Sealer utilizes a scale that was transferred from the California Department of Food and Agriculture, Division of Measurement Standards (DMS) to Stanislaus County to perform these tests. This contract ensures that DOT has a place for scale certification within the State of California and provides the Agricultural Commissioner/Sealer with an additional source of revenue for its weights and measures activities.

The Department expects to receive a three year contract for \$12,000 (\$4,000/Fiscal Year) that will cover Fiscal Years 2012-2013, 2013-2014 and 2014-2015. The contract allows the Agricultural Commissioner to charge \$26 per axle-load scale tested. Additional funding has been built into the contract to cover extra costs if required. Funds will be requested in the Agricultural Commissioner's Fiscal Year 2012-2013 Proposed Budget to reflect this contract in the amount of \$2,500, since this is the amount which the Agricultural Commissioner realistically estimates to receive, based on scales tested in previous years--although the State contract will be for the higher amount.

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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 with no corresponding offsetting revenue. The County's cooperative share for the services of the Wildlife Services Specialist is requested at \$56,646.

Additional State Contract

It should be noted that there is one additional State contract from which the Agricultural Commissioner routinely receives revenue, which is not represented in this discussion, due to previous approval of a multi-year contract. The Scale Certification contract with the California Highway Patrol previously approved by the Board of Supervisors covers Fiscal Year 2011-2012 and Fiscal Year 2012-2013. Funds will be requested in the Agricultural Commissioner's Fiscal Year 2012-2013 Proposed Budget to reflect this contract in the amount of \$10,500, since this is the amount which the Agricultural Commissioner realistically estimates to receive, based on scales tested in previous years.

POLICY ISSUE:

Approval of this item supports the Board priority of A Strong Agricultural Economy/Heritage by securing outside funding for critical programs and services that benefit the agricultural industry in Stanislaus County. Granting the Agricultural Commissioner or his designee the authority to enter into and sign routine agreements and contracts with Federal and State agencies, supports the Board priority of the Efficient Delivery of Public Services through increased efficiencies in the processing of such items.

STAFFING IMPACT:

There is no staffing impact associated with this request.

CONTACT INFORMATION:

Gary Caseri, Agricultural Commissioner, 525-4730