



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Agricultural
Commissioner
Department No.: 051
For Agenda Of: May 19, 2015
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Cathleen Fisher, Commissioner, 681-5600
Contact Info: Kendra Stites or Rudy Martel, 681-5600

SUBJECT: Approval of Department of Pesticide Regulation (DPR) Agreement 14-C0079

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- a) Approve and authorize the Chair to execute an agreement with the California Department of Pesticide Regulation (CDPR) for the Santa Barbara County Agricultural Commissioner's Office (SBCAC) to be reimbursed for pesticide enforcement expenditures not previously covered in the pesticide use enforcement program of the SBCAC for the period of April 1, 2015 through June 30, 2015 in the amount of \$21,045.88.
- b) Determine that the above action involves government funding mechanisms and/or fiscal activities and is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4).

Summary Text: This agreement will provide reimbursement for the cost of all activities associated with the assistance to the CDPR in carrying out its Enforcement Evaluation and Improvement Project (EEIP). This will include collecting and submitting complete compliance and enforcement data from the SBCAC for the purpose of: evaluation of compliance and enforcement data to ensure statewide consistency with DPR policies, regulations and law, and identify trends that will be used to improve outreach and education to licensees; improve communication and collaboration between DPR and the SBCAC in the tracking, development, and preparation of enforcement responses as needed to establish and implement county agricultural commissioner enforcement.

Background: Over the years, the number of enforcement actions, method of submission, level of interaction between the County Agricultural Commissioner and Sealers Offices in the state and DPR staff, varied considerably. The EEIP and this contract will assist DPR in its compliance with the Federal

Insecticide Fungicide and Rodenticide Act (FIFRA) statutory requirements pursuant to delegated enforcement authority from U.S. EPA through the three-party Cooperative Agreement between U.S. EPA, DPR, and County Agricultural Commissioners and Sealers Association, and Food and Agriculture Code section 2281.

DPR’s review of notice of proposed actions and civil penalty action hearing decisions prior to issuance will support and strengthen enforcement and assist the County Agricultural Commissioners and Sealers Offices with difficult or complicated enforcement action decisions. In addition, this collaboration will assist DPR in determining whatever enforcement actions are warranted at the state level.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

| <u>Funding Sources</u> | <u>Current FY Cost:</u> | <u>2015-16 FY Cost:</u> | <u>Total One-Time Project Cost</u> |
|-------------------------------|--------------------------------|--------------------------------|---|
| General Fund | | | |
| State | \$21,045.88 | | |
| Federal | | | |
| Fees | | | |
| Other: | | | |
| Total | \$ 21,045.88 | \$ - | \$ - |

Narrative: The total revenue from this contract is \$21,045.88 for FY 2014/15. The funds reimburse the County for work in this program.

Key Contract Risks:

If the Budget Act of the current year covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to the Agricultural Commissioner or to furnish any other considerations under this Agreement and the Agricultural Commissioner shall not be obligated to perform any provisions of this Agreement.

Staffing Impacts: None

Legal Positions:

FTEs:

Special Instructions:

Please return a minute order and one fully executed signature pages for Agreement number 14-C0079 and Contractor Certification Clauses to the Agricultural Commissioner’s Office which will be sent to CDFA for final signature.

Attachments:

- a) Agreement No. 14-C0079
- b) CEQA Notice Of Exemption
- c) Contractor Certification Clauses (CCC-307)

Authored by:

Rudy Martel