



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: August 23, 2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Cathleen Fisher, Agricultural Commissioner 805-681-5600
Director
Contact Info: Lottie Martin or Kendra Stites 681-5600
SUBJECT: California Department of Food and Agriculture Industrial Hemp Cultivation
Program Agreement No. 22-0769-000-SA

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management
As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A) Approve, ratify and authorize the Chair of the Board of Supervisors to execute an agreement with the California Department of Food and Agriculture (CDFA) in an amount not to exceed \$31,871.86 to reimburse the County for the registration of industrial hemp growers and seed breeders and the enforcement of laws and regulations pertaining to industrial hemp for the period of July 1, 2022 through June 30, 2024.
- 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 item is on the agenda for the Board of Supervisors to approve, ratify, and authorize an agreement with the California Department of Food and Agriculture (CDFA) to receive reimbursement for the cost of activities to perform regulatory work in the Industrial Hemp Cultivation Program. This program will include registration of industrial hemp growers and seed breeders, enforcement of laws and regulations pertaining to industrial hemp, and prevention of non-compliant plantings from entering the marketplace as industrial hemp.

Background:

On February 1, 2022, the Board of Supervisors adopted Ordinance No. 5149, regulating industrial hemp cultivation within the unincorporated area of the County. CDFA and county agricultural commissioners have different responsibilities with regard to the Industrial Hemp Cultivation Program, as delineated by the Food and Agricultural Code, its implementing regulations, and a 2019 Memorandum of Understanding between the State of California and California Agricultural Commissioners and Sealers Association.

One of CDFA’s responsibilities is to allocate funds from the Department of Food and Agriculture Fund to county agricultural commissioner to cover the costs of hemp registration, investigation, and enforcement activities. To accomplish this, CDFA has entered this cooperative agreement with other California counties.

The agreement would reimburse the County in an amount not to exceed \$31,871.86, for the period of July 1 through June 30, 2024. The County would be reimbursed for collecting and transmitting registration and renewal fees, confirming registrant eligibility, and investigating and overseeing enforcement by non-registered cultivators.

Performance Measure:

N/A

Contract Renewals and Performance Outcomes:

N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>2022-2023 FY</u>	<u>2023-2024 FY</u>	<u>Total One-Time</u>
	<u>Cost:</u>	<u>Cost:</u>	<u>Project Cost</u>
General Fund			
State	\$ 15,935.93	\$ 15,935.93	\$ 31,871.86
Federal			
Fees			
Other:			
Total	\$ 15,935.93	\$ 15,935.93	\$ 31,871.86

Narrative: The total revenue from this agreement is \$31,871.86, which includes \$15,935.93 for FY 22/23 and \$15,935.93 for FY 23/24.

Key Contract Risks:

If funding for any fiscal year is reduced or deleted for purposes of this program, the CDFA has the option to either cancel this Agreement with no liability occurring to the State, or offer to amend the Agreement to reflect the reduced amount.

Staffing Impacts:

Legal Positions: N/A

FTEs: N/A

Special Instructions:

Please return a fully executed signature page for Agreement #22-0769-000-SA and a minute order to the Agricultural Commissioner's Office.

Attachments:

Attachment A: Agreement #22-0769-000-SA

Authored by:

Lottie Martin

cc:

N/A