

SCOPE OF WORK
Light Brown Apple Moth Program
January 1, 2012 - September 30, 2012

The County agrees to perform and provide the following quarantine response and regulatory enforcement activities and services for the California Department of Food and Agriculture (CDFA) in compliance with the requirements imposed by:

1. California Code of Regulations (CCR) Title 3, Division 4, Chapter 3, Section 3434 (<http://pi.cdfa.ca.gov/pgm/manual/htm/419.htm>) and
2. Federal Domestic Quarantine Order for *Epiphyas postvittana* (Light Brown Apple Moth), DA-2011-41 (or most recent version) (<http://pi.cdfa.ca.gov/pqm/manual/htm/250.htm>)

This agreement is inclusive of the County's agreement to perform activities approved by the CDFA as described in the attached projected Work Plan (Appendix I) and by this reference made a part hereof.

Pest Exclusion Advisory 05-2012 (Appendix H) provides additional clarifications regarding authorized expenses that qualify for reimbursement.

Authorized expenses under this Scope of Work include:

- I. **Personnel Hours Related to Quarantine Enforcement**
 - A. **Quarantine Enforcement**
 - B. **Sample Collection and Submission**
 - C. **Other Activities (conference calls, meetings, administrative support)**
 - D. **Public outreach/Education**
- II. **Non-Personnel**
 - A. **Supplies/Equipment**
 - B. **Vehicle/Mileage**
- III. **Reporting/Invoicing**
 - A. **Monthly Activity Report**
 - B. **Invoicing**

I. **Personnel Activities:** The County agrees to perform the listed regulatory quarantine response activities for the *Epiphyas postvittana*, Light Brown Apple Moth (LBAM) state interior quarantine (CCR 3434) and Federal Domestic Quarantine Order DA-2011-41 (or most recent version). This agreement is also inclusive of the following:

A. **Quarantine Enforcement:** Quarantine and regulatory response activities should be conducted as detailed in the "LBAM Regulatory Procedures Manual" (Appendix D) and as necessary when detections of LBAM occur in regulated establishments. Regulatory quarantine enforcement applies to nurseries, green waste, harvested commodities and any other article or commodity that presents a risk of spreading any life stage of LBAM.

1. **Nurseries** (including production nurseries, producers of cut flowers, wholesale florists, garlands, wreaths or greenery and cut Christmas trees):

a. **Compliance Agreement Issuance:**

- Personnel hours associated with issuing and explaining terms of compliance agreement and exhibits (Appendix A) or Quarantine Commodity Permits (Appendix B)
- Using LBAM Program forms (Appendix G) and entering all compliance agreement data into the Integrated Plant Health Information Systems (IPHIS) database and any other required database
- Compliance agreement monitoring

b. Initial Inspection/Sampling/Hold Notice:

- Personnel hours associated with initial inspection of facility, issuing hold notices and performing hold actions
- Personnel hours associated with collecting and submitting samples as directed in the "LBAM Regulatory Procedures Manual" (Appendix D)
- Using LBAM Program inspection forms (Appendix G) and entering data into the IPHIS database and any other required database

c. Regulatory Inspections/Sampling/Hold Notice:

- Personnel hours associated with inspections conducted monthly, biweekly or as determined necessary by the LBAM Program, issuing hold notices and performing hold actions
- Personnel hours associated with collecting and submitting samples as directed in the "LBAM Regulatory Procedures Manual" (Appendix D)
- Using LBAM Program inspection forms (Appendix G) and entering data into the IPHIS database and any other required database

d. Treatment/Re-inspection:

- Personnel hours associated with discussing treatment options, conducting or overseeing remediation or disposal at LBAM-positive nurseries and re-inspecting treated material to determine freedom from LBAM.
- Personnel hours associated with implementing the "LBAM Repeat Positive Nursery Protocol" (Appendix C), when applicable
- Using LBAM Program forms (Appendix G) and entering data into the IPHIS database and any other required database

e. Outreach:

- Personnel hours associated with distributing quarantine maps and flyers to retail nurseries in quarantine areas (not in regulated areas) and general industry outreach

f. Regulatory Trapping:

- Personnel hours associated with ensuring trapping procedures are followed as outlined in the "LBAM Insect Trapping Guide Supplement" (Appendix E)
- Ensure all documentation of trapping work is complete and accurate
- Provide and maintain vehicles for trapping
- Using LBAM Program forms (Appendix G) and entering data into the IPHIS database and any other required database

2. Green Waste:

a. Compliance Agreement Issuance:

- Personnel hours associated with issuing and explaining terms of compliance agreement and exhibits (Appendix A) or Quarantine Commodity Permits (Appendix B)
- Using LBAM Program forms (Appendix G) and entering all compliance agreement data into the Integrated Plant Health Information Systems (IPHIS) database and any other required database
- Compliance agreement monitoring

b. Quarterly Monitoring:

- Personnel hours associated with verifying green waste is received from regulated and quarantine areas and is handled as directed in the "LBAM Regulatory Procedures Manual" (Appendix D)
- Using LBAM Program forms (Appendix G) and entering data into the IPHIS database and any other required database

3. Harvested Commodities (including Certified Farmers' Markets and Swap Meets):

a. Compliance Agreement Issuance:

- Personnel hours associated with issuing and explaining terms of compliance agreement and exhibits (Appendix A) or Quarantine Commodity Permits (Appendix B)
- Using LBAM Program forms (Appendix G) and entering all compliance agreement data into the Integrated Plant Health Information Systems (IPHIS) database and any other required database
- Compliance agreement monitoring.

b. Initial Inspection/Sampling/Hold Notice:

- Personnel hours associated with initial inspection of facility, issuing hold notices and performing hold actions
- Personnel hours associated with collecting and submitting samples as directed in the "LBAM Regulatory Procedures Manual" (Appendix D)
- Using LBAM Program inspection forms (Appendix G) and entering data into the IPHIS database and any other required database

c. Treatment/Re-inspection:

- Personnel hours associated with discussing treatment options, conducting or overseeing remediation or disposal at LBAM-positive growing locations and re-inspecting treated material to determine freedom from LBAM
- Using LBAM Program forms (Appendix G) and entering data into the IPHIS database and any other required database

d. Regulatory Trapping:

- Personnel hours associated with ensuring trapping procedures are followed as outlined in the "LBAM Insect Trapping Guide Supplement" (Appendix E)
- Ensure all documentation of trapping work is complete and accurate
- Provide and maintain vehicles for trapping
- Using LBAM Program forms (Appendix G) and entering data into the IPHIS database and any other required database

4. Other Activities (conference calls, meetings, administrative support):

- Conference Calls:** Personnel hours associated with conference calls with CDFA, USDA, industry or community regarding LBAM regulatory updates. Monthly or as directed by CDFA.
- Meetings:** Personnel hours associated with public, industry or regulatory meetings regarding LBAM regulatory activities.
- Administrative Support:** Personnel hours associated with administrative activities such as submitting reports and invoicing for LBAM regulatory activities.

5. Public outreach/Education: Personnel hours associated with phone calls and walk-ins.

II. Non-personnel:

A. Supplies/Equipment:

- **Supplies:** Costs of articles having a useful life of less than one year directly related to administering and conducting quarantine and regulatory enforcement activities associated with the Light Brown Apple Moth Program may be reimbursed. Examples of supplies include materials from a general supply or stockroom, fabricated parts, paper, stationary, general office goods, ink and toner cartridges and organization tools
- **Equipment:** Costs of articles having a useful life of more than one year and a cost equal to or less than the amount approved by this agreement, or \$5000, directly related to administering and conducting quarantine and regulatory enforcement activities associated with the Light Brown Apple Moth Program may be reimbursed. Articles with a unit cost of \$5000.00 or more must have prior approval for reimbursement. Examples of equipment include microscopes, spectrometers, office equipment, office furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment and motor vehicles.

All records substantiating that the supplies and equipment are used for the Light Brown Apple Moth Program must be maintained by the county.

- B. Vehicle/Mileage:** Mileage rate used on invoice should be the same as contained in the work plan. If the federal rate goes up during the agreement period, counties may submit invoices for the higher, current federal rate.

III. Reporting/Invoicing: Personnel hours associated with the compilation, submittal and maintenance of the following program related documents and reports:

- A. Monthly Activity Report:** The County will submit a "Monthly Activity Report" utilizing the on-line County Monthly Report system (<https://secure.cdfa.ca.gov/egov/crs/login.aspx>) to report all authorized regulatory quarantine enforcement activities conducted for the LBAM Program. Monthly activity reports must be submitted through the on-line County Monthly reporting system no later than the fifth day of the month following when the activities took place. Questions about reporting can be directed to Vince Arellano at vrarellano@cdfa.ca.gov or by calling (916) 654-0312.
- B. Invoicing:** The County will submit a monthly invoice, on county letterhead using the provided template (Appendix F). Indirect expenses (up to 25% of personnel expenses) may be included on the invoice. Indirect expenses may include staff benefits, vehicle and facility operations, etc. Invoices must be submitted to the CDFA Contract Manager no later than 30 days after the end of the coinciding reporting period.
- 1. Allowable Costs:** All invoiced expenses must fall within the parameters of this "Scope of Work" and must be directly related to administering and conducting LBAM Program activities related to regulatory quarantine enforcement.
 - 2. Monthly Activity Report Required for Reimbursement:** Invoices will not be paid until submission of the "Online Monthly Activity Report" (see section III. A. above) is verified. Hours on the Monthly Activity Report must match the hours invoiced for the corresponding monthly invoice.
 - 3. Hourly Rate(s) on Invoices:** Invoices should reflect the actual hourly rates (salary and benefits) per individual or classification that conducted LBAM Program quarantine enforcement activities.
 - 4. Personnel on Invoice Must Match Work Plan:** Invoices must reflect work performed by individuals or classifications listed on the work plan. Invoices containing charges for non-listed personnel or classifications will be accepted as long as the total for the charge does not exceed 10% of the total agreement.
 - 5. Documentation:** Documentation (including receipts for purchases) applicable to reimbursement for expenses does not need to be submitted to CDFA, but must be retained by the county and shall be made available for audit purposes.
 - 6. Submission of Monthly Invoice:** Submit LBAM Program monthly invoice:

By mail:

CDFA, Pest Exclusion Branch
Attn: Gloria Gin
1220 N Street, Room 325
Sacramento, CA 95814

Via email:

gloria.gin@cdfa.ca.gov

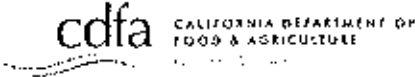
or

Questions regarding invoicing or reimbursement can be directed to Gloria Gin via email or by calling (916) 654-0312.

Scope of Work - Light Brown Apple Moth Program

Appendix Index

Appendix A.....	Compliance Agreement and Exhibits
Appendix B.....	Quarantine Commodity Permits
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Appendix D.....	LBAM Regulatory Procedures Manual
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Appendix F.....	Monthly Invoice Template
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Appendix H.....	PEA No. 5-2012
Appendix I.....	LBAM Work Plan and Instructions



**COOPERATIVE LIGHT BROWN APPLE MOTH QUARANTINE PROGRAM
COMPLIANCE AGREEMENT**

_____ **County Agricultural Commissioner / CDFA / USDA**

Pursuant to California Code of Regulations 3434 and the
Federal Domestic Quarantine Order *Epiphyas postvittana*, Light Brown Apple Moth DA-2007-18

(Check all that apply)

_____ County Agricultural Commissioner's Office

Street Address: _____
City: _____ Zip Code: _____
Contact: _____

Cooperative Light Brown Apple Moth Quarantine Program
2601 East Lake Avenue
Watsonville, CA 95076
Phone: (831) 761-2178; Fax: (831) 761-5972

Compliance Agreement Number:	
Establishment Name*:	
Manager Name:	
Mailing Address:	City: Zip:
Physical Address:	City: Zip:
Phone: (____)-____-____ Fax: (____)-____-____	E-Mail:
Thos. Bros:	Latitude:
Cross Street:	Longitude:

*Please see attached for names and locations of additional establishments.

Parties:

The California Department of Food and Agriculture (CDFA), the United States Department of Agriculture (USDA), and the _____ County Agricultural Commissioner, cooperating as the Light Brown Apple Moth Quarantine Program

Program Officer: _____

Business/Establishment:

Establishment Name: (subsequently referred to as "Establishment")

Background:

The pest known as Light Brown Apple Moth (LBAM) presents a real and ongoing threat to the agricultural industry, environment and economy of the State of California. Movement of regulated articles and commodities is a recognized channel for the spread of LBAM from established areas to new locations. The LBAM Quarantine Program is a cooperative effort between public entities that are responsible for mitigating the movement of LBAM from quarantine and regulated areas where the pest is established to new locations.

AGREEMENT:

A. The Light Brown Apple Moth Quarantine Program, hereafter referred to as the Program, will permit your establishment to self-execute the Light Brown Apple Moth quarantine regulatory requirements attached as exhibits checked below, inclusive and incorporated into this agreement by reference as if fully set out. The exhibits checked below are binding.

(Check all that apply)

- Exhibit A – Nursery Stock (Production Nursery)
- Exhibit A1 – Nursery Stock (Interstate Shipping Nursery)
- Exhibit B – Nursery Stock (Retail Nursery)
- Exhibit C – Community Garden
- Exhibit D – Green Waste Transporter
- Exhibit E – Green Waste Origin Facility
- Exhibit F – Federal Shield and Tracking Log
- Exhibit G – Produce Grown within 1.5 Miles of LBAM Detection
- Exhibit I – Wholesale Produce Dealer
- Exhibit J – Cut Flowers, Garlands, Wreathes or Greenery (Non-Producer)
- Exhibit K – Cooling/Packing/Processing Facilities
- Exhibit L – Producer of Bulk Grapes for Crush.
- Exhibit M – Hauler/Transporter of Bulk Grapes for Crush Inside a State Interior Quarantine Boundary

B. In exchange for the Program's promise contained in sub-paragraph "A" above, the Establishment agrees to abide by the following Light Brown Apple Moth (LBAM) rules and regulations:

1. Handle, process, and/or move regulated articles in accordance with the LBAM quarantine requirements;
2. Follow the Project's instructions regarding the use of all LBAM permits and certificates;
3. Maintain and make such records as the Program requires, accessible for inspection upon reasonable notice by the Project. These records must be maintained for a period of the later of two years or the resolution of any outstanding claims.

- C. This agreement becomes effective on signing and shall remain in effect until canceled by either party on 30 days notice to the other at the address of either appearing above. However, the Program may accelerate the notice to immediate for cause, including but not limited to the Establishment's abandonment of the procedures outlined in the attached Exhibit(s).
- D. Establishment assumes liability, if any, arising from the manner in which Establishment sells, handles or distributes any regulated host material.

NOTICE: Any signatory or employee of any signatory who violates the terms of this Compliance Agreement may be subject to Civil Penalties pursuant to California Food and Agricultural Code Section 5705.

Signed in the County of _____ in the State of California on ____/____/____	
Establishment Representative:	Light Brown Apple Moth Quarantine Program Project Officer:
Print:	Print:
Signature:	Signature:

EXHIBIT A- PRODUCTION (NURSERY STOCK OR RETAIL)

Provisions for the Intrastate Movement of Nursery Stock:

Establishment agrees to the following:

1. Control Program

- Establishment shall maintain a suitable Best Management Practice (BMP), otherwise known as an Integrated Pest Management program or Organic Management Program, which targets *tortricids* to ensure freedom within the nursery from the Light Brown Apple Moth (LBAM).
- Establishment will provide copies of BMP to the Cooperative Program for review to determine its effectiveness against Light Brown Apple Moth.
- BMP must be approved by the Cooperative Program for the Establishment to be considered in compliance.

2. Trapping

- Establishment shall allow the Cooperative Program to place and service traps for the detection of LBAM.

3. Inspections

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

4. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain production records as directed by the Cooperative Program.
- Records shall be maintained by the Establishment for two years for all treatments.
- Establishment shall maintain shipping records as directed by the Cooperative Program.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.
- All Production fields must be listed with the Cooperative Program.

5. Certification for Movement of regulated articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined areas.
- Establishment shall display a copy of their Compliance Agreement when selling at certified farmers market or any other similar facility.

6. Notification

- Establishment shall notify the Cooperative Program if any LBAM suspects are detected.

7. Associated Establishments

- All processing, cooling, and/or packing facilities used by grower must be listed and under compliance with the LBAM Cooperative Program.

8. Return Policy

- Establishment shall notify the Program as well as the Agriculture Official of the County and/or State of origin when it is returning or rejecting a shipment of plant material.
- Establishment shall choose one of the following options when returning or rejecting a shipment of plants and notify the program of the course of action they choose.
 - Plants must be safeguarded, kept covered and secured at night and can then be returned without an inspection. OR
 - Plants will need to be 100% re inspected prior to leaving the establishment. OR
 - Plants may be disposed of in the proper covered green waste container or a covered trash receptacle.

Establishments found infested with LBAM also agree to the following:

1. Establishment shall conduct treatments as specified by the Cooperative Program.
2. Establishment shall provide treatment records to the Cooperative Program Officer as specified.
3. Establishment shall allow the Cooperative Program to perform post treatment inspections at intervals specified by the Cooperative Program to verify freedom from LBAM.

EXHIBIT A1- Production (NURSERY STOCK or RETAIL)

Provisions for the Interstate Movement of Nursery Stock:

Establishment agrees to the following:

1. Control Program

- Establishment shall maintain a suitable Best Management Practice (BMP), otherwise known as an Integrated Pest Management program or Organic Management Program, that targets *tortricsids* to ensure freedom within the nursery from the Light Brown Apple Moth (LBAM).
- Establishment will provide copies of their BMP to the Cooperative Program for review to determine its effectiveness against Light Brown Apple Moth.
- BMP must be approved by the Cooperative Program for the Establishment to be considered in Compliance.

2. Trapping

- Establishment shall allow the Cooperative Program to place and service traps for the detection of LBAM.

3. Inspections

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

4. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain production records as directed by the Cooperative Program.
- Establishment shall also maintain records of incoming shipments of nursery stock.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.
- Records shall be maintained by the Establishment for two years for all treatments.
- Establishment shall maintain shipping records as directed by the Cooperative Program.
- All Production fields must be listed with the Cooperative Program.

5. Certification for movement of regulated articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined areas.

6. Notification

- Establishment shall notify the Cooperative Program if any LBAM suspects are detected.

7. Associated Establishments

- All processing, cooling, and/or packing facilities used by grower must be listed and under compliance with the LBAM Cooperative Program.

8. Return Policy

- Establishment shall notify the Program as well as the Agriculture Official of the County and/or State of origin when it is returning or rejecting a shipment of plant material.
- Establishment shall choose one of the following options when returning or rejecting a shipment of plants and notify the program of the course of action they choose
 - Plants must be safeguarded, kept covered and secured at night and can then be returned without an inspection. OR
 - Plants will need to be 100% re inspected prior to leaving the establishment. OR
 - Plants may be disposed of in the proper covered green waste container or a covered trash receptacle.

Establishments found infested with LBAM also agree to the following:

1. Establishment shall conduct treatments as specified by the Cooperative Program.
2. Establishment shall provide treatment records to the Cooperative Program Officer as specified.
3. Establishment shall allow the Cooperative Program to perform post treatment inspections at intervals specified by the Cooperative Program to verify freedom from LBAM.

EXHIBIT B- NON-PRODUCER (NURSERY STOCK / RETAIL)

Provisions for the Intrastate Movement of Nursery Stock:

Establishment agrees to the following:

1. Control Program

- Establishment shall maintain a suitable Best Management Practice (BMP) otherwise know as an Integrated Pest Management program or Organic Management Program that targets *tortricids* to ensure freedom within the establishment from the Light Brown Apple Moth (LBAM).
- Establishment will provide copies of BMP to the Cooperative Program to determine its effectiveness against Light Brown Apple Moth.
- BMP must be approved by the Cooperative Program for the Establishment to be considered in Compliance.

2. Inspections

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

3. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain records of incoming shipments of nursery stock.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.
- Records shall be maintained by the establishment for two years for all treatments.

4. Certification for Movement of Regulated Articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantine area.

5. Notification

- Establishment shall immediately notify the Cooperative Program if any LBAM suspects are detected.

6. Public Information

- Establishment shall make available LBAM quarantine boundary maps and informational LBAM flyers, provided by the Cooperative Program, to customers of nursery stock.

6. Return Policy

- Establishment shall notify the Cooperative Program as well as the County and/or State of origin when it is returning or rejecting a shipment of plant material.
- Establishment shall choose one of the following options when returning or rejecting a shipment of plants and shall notify the program of the course of action they choose.
 - Plants must be safeguarded, kept covered and secured at night and can then be returned without an inspection. OR
 - Plants will need to be 100% re inspected prior to leaving the establishment. OR
 - Plants may be disposed of in the proper covered green waste container or a covered trash receptacle.

Establishments found infested with LBAM also agree to the following:

1. Establishment shall conduct treatments as specified by the Cooperative Program.
2. Establishment shall provide treatment records to the Cooperative Program Officer as specified.
3. Establishment shall allow the Cooperative Program to perform post treatment inspections at intervals specified by the Cooperative Program to verify freedom from LBAM.

Modified 1/28/2009

EXHIBIT C- COMMUNITY GARDENS

Provisions for the Intrastate Movement of Garden Fruits and Vegetables:

Establishment agrees to the following:

1. Inspections

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

2. Notification

- Establishment shall notify the Cooperative Program if any LBAM suspects are detected.

3. Public Information

- Cooperative Program shall provide educational material to the Establishment and garden members for the purposes of recognizing all life stages of LBAM.

4. Movement Restrictions

- Establishment and garden members shall not move product outside of the quarantine boundaries without notification and inspection by the Cooperative Program.
- Contact the Cooperative Program for quarantine boundary information.

5. Other specific instructions:

EXHIBIT D- GREEN WASTE TRANSPORTER

Provisions for the Intrastate Transportation of Green Waste

Establishment agrees to the following:

1. Vehicle and/or Trailer Requirements

- Establishment shall only transport green waste from the quarantined area in a vehicle or trailer that is in compliance with the California Vehicle Code sections 23114 (a) and 23115 (a).
 - 23114. (a) A vehicle may not be driven or moved on any highway unless the vehicle is so constructed, covered, or loaded as to prevent any of its contents or load other than clear water or feathers from live birds from dropping, sifting, leaking, blowing, spilling, or otherwise escaping from the vehicle.
 - 23115. (a) No vehicle transporting garbage, swill, used cans or bottles, wastepapers, waste cardboard, ashes, refuse, trash, or rubbish, or any noisome, nauseous, or offensive matter, or anything being transported for disposal or recycling shall be driven or moved upon any highway unless the load is totally covered in a manner that will prevent the load or any part of the load from spilling or falling from the vehicle.

2. Trailer Cleaning

- Establishment shall ensure that the vehicle or trailer used to transport green waste is thoroughly cleaned of green waste debris prior to leaving receiving facility.

3. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain shipping records as directed by the Cooperative Program.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.

4. Certification for Movement of Regulated Articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantine areas.

5. Associated Establishments

- Establishment shall only move green waste out of the quarantined area to any facility that is under Compliance with the Cooperative Program.

6. Direct Route

- Establishment shall transport green waste from the origin facility to a receiving facility outside the quarantined area by the most direct route feasible, or by a route described herein.

7. Spill Notification

- Establishment shall notify the Cooperative Program as soon as possible, but no later than 24 hours after a spill.

Modified 11/26/08

EXHIBIT E- GREEN WASTE RECEIVER/ORIGIN FACILITY (Transfer Stations)

Provisions for the Receipt/Transfer of Green Waste

Establishment agrees to the following:

1. Trapping
 - Establishment shall allow the Cooperative Program to place and service traps for the detection of LBAM.
2. Inspections
 - Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.
3. Records
 - Establishment shall keep ALL records for at least 2 years.
 - Establishment shall maintain shipping records as directed by the Cooperative Program.
 - Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.
4. Certification for Movement of regulated articles
 - Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined areas.
 - Establishment shall only move green waste from a county with a LBAM quarantine area if the green waste has been processed (chipped, ground or shredded).
5. Associated Establishments
 - Establishment shall only move green waste out of the quarantined area to facilities that are under Compliance with the Cooperative Program.
6. Green Waste Processing
 - Establishment shall process (grind, chip or shred) green waste from a LBAM quarantine area as soon as feasible.
 - If Establishment is composting on site, Establishment shall ensure that green waste from counties with a LBAM quarantine area is composted in accordance with California Code of Regulations, Title 14, Division 7, Chapter 3.1.

EXHIBIT F- Authorization for Certification

Page 1

Establishment agrees to the following:

1. Records

- Establishment shall keep ALL records for at least 2 years.
- Maintain records of all interstate shipments of regulated plant material certified with Federal certificate by using the tracking log on page three of this exhibit or the equivalent in business records, and make such records available to agricultural officials upon request.

2. Requirements for Certification

- Use the Federal certificate to certify interstate shipments of regulated plant material shipped from Establishment named in this Compliance Agreement.
- Use Federal certificate to certify regulated plant material that has been inspected and found free of Light Brown Apple Moth by agricultural officials.
- Delegate to one person only, the authority to reproduce Federal certificate and use to certify interstate shipments of regulated articles.
- Reproduce the Federal certificate following dimensions, and exact language in the example below.



Nurseries/Establishments will be assigned Compliance Agreement numbers following the

formula below:

First two numbers =county number, followed by QLBAM, followed by the eight digit number assigned by the issuing party

Stamp Description:

Approx. Size: 2"x4"

Font: Arial Black

Font Size: 11

EXHIBIT F- Authorization for Certification
Authorization for Certification
Page 2

By signing below, Establishment agrees to follow all instructions contained in Exhibit F, Authorization for Certification.

Signature of Establishment Representative

_____ Date _____

Signature of County/LBAM Program Representative

_____ Date _____

EXHIBIT G-PRODUCE GROWER/FARMER

Provisions for the Intrastate and/or Interstate Movement of Produce/Commodities

Establishment agrees to the following

1. Trapping

- Establishment shall allow the Cooperative Program to place and service traps for the detection of LBAM at intervals specified by the Cooperative Program

2. Inspection

- Establishment shall allow the Cooperative Program to perform inspections within 30 days prior to movement of regulated articles to verify ongoing freedom from LBAM.

3. Records

- Establishments shall keep ALL records for at least 2 years.
- All production fields must be listed with the Cooperative Program.
- Records shall be maintained by the Establishment for two years for all treatments.
- Establishment shall provide such records to the Cooperative Program Officer upon request by to the Cooperative Program Officer.

4. Certification for Movement of regulated articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined areas.
- Establishment shall display a copy of their Compliance Agreement when selling at certified farmer market or any other similar facility.

5. Notification

- Establishment shall immediately notify the Cooperative Program if any LBAM suspects are detected.

6. Associated Establishments

- All processing, cooling, and/or packing facilities used by grower must be listed and under compliance with the Cooperative Program.

Establishments found infested with LBAM also agree to the following:

1. Establishment shall conduct treatments as specified by the Cooperative Program.
2. Establishment shall provide treatment records to the Cooperative Program Officer as specified.

3. Establishment shall allow the Cooperative Program to perform post treatment inspections at intervals specified by the Cooperative Program to verify freedom from LBAM

Modified 12/12/2008

EXHIBIT I- WHOLESALE PRODUCE (DEALER/BROKER/DISTRIBUTER)

Provisions for the Intrastate and/or Interstate Movement of Wholesale Produce

Establishment agrees to the following:

1. Inspection

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

2. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain shipping records as directed by the Cooperative Program.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.
- Records shall be maintained by the Establishment for two years for all treatments.

3. Certification for movement of regulated articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined area.

4. Notification

- Establishment shall notify the Cooperative Program if any LBAM suspects are detected.

5. Associated Establishments

- Facility must give Cooperative Program a list of all growers/farmers they receive material along with all field locations.

6. Sources of Regulated Articles

- Establishment must determine where all regulated articles are being produced.
 - If regulated articles are being produced within the LBAM quarantine area, they must be accompanied by a quarantine certificate, and the producer must be under compliance with the Cooperative Program OR

- If the regulated articles are not produced within the LBAM quarantine, they do not require a quarantine certificate or to be in compliance with the Cooperative Program

Establishments found infested with LBAM also agree to the following:

1. Establishment shall conduct treatments as specified by the Cooperative Program.
2. Establishment shall provide treatment records to the Cooperative Program Officer as specified.
3. Establishment shall allow the Cooperative Program to perform post treatment inspections at intervals specified by the Cooperative Program to verify freedom from LBAM.

Modified 12/12/2008

EXHIBIT J - Non- Producer (CUT FLOWERS, GARLANDS, WREATHES OR GREENERY)

Provisions for the Intrastate and/or Interstate Movement of Cut Flowers, Garlands, Wreathes or Greenery

Establishment agrees to the following:

1. Inspections

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

2. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain shipment records or records of receipt, as directed by the Cooperative Program, for all cut flowers, garlands, wreaths or greenery moved out of the quarantined areas.
- Establishment shall also maintain records of incoming shipments of cut flowers, garlands, wreaths or greenery. Establishment shall allow the Cooperative Program to perform periodic inspections to verify compliance with this provision.
- Records shall be maintained by the Establishment for two years for all treatments.
- Establishment shall provide such records to the Cooperative Program Officer upon request by to the Cooperative Program Officer.

3. Certification for the Movement of Regulated Articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined areas.

4. Notification

- Establishment shall notify the Cooperative Program if any LBAM suspects are detected.

5. Associated Establishments

- Facility must give Cooperative Program a list of all growers/farmers they receive material from, along with all field locations.

6. Source of Regulated Articles

- Establishment must determine where all regulated articles are being produced
 - If regulated articles are being produced within the LBAM quarantine area, they must be accompanied by a quarantine certificate, and producer must be under compliance with the LBAM Cooperative Program OR
 - If the regulated articles are not produced within the LBAM quarantine, they do not require a quarantine certificate or to be in compliance with the Cooperative Program

7. Return Policy

- Establishment shall notify the Program as well as the Agriculture Official of the County and/or State of Origin when it is returning or rejecting a shipment of plant material.
- Establishment shall choose one of the following options when returning or rejecting a shipment of plants and notify the program which course of actions they choose.
 - Plants must be safeguarded, kept covered and secured at night and can then be returned without an inspection. OR
 - Plants will need to be 100% re inspected prior to leaving the establishment. OR
 - Plants may be disposed of in the proper covered green waste container or a covered trash receptacle.

Establishments found infested with LBAM also agree to the following:

1. Establishment shall conduct treatments as specified by the Cooperative Program.
2. Establishment shall provide treatment records to the Cooperative Program Officer as specified.
3. Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify freedom from LBAM.

EXHIBIT K –PROCESSING (COOLER/PROCESSOR) AND PACKING (BROKER/DISTRIBUTER) FACILITIES

Provisions for Cooling, Packing and/or Processing Facilities:

Establishment agrees to the following:

1. Inspections

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.

2. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain shipping records as directed by the Cooperative Program.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.

3. Certification for Movement of regulated articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantined areas.

4. Notification

- Establishment shall notify the Cooperative Program if any suspect life stage of LBAM is detected.

5. Associated Establishments

- Facility must give Cooperative Program a list of all growers/farmers they receive material along with all field locations.

6. Sources of Regulated Articles

- Establishment must determine where all regulated articles are being produced
 - If regulated articles are being produced within the LBAM quarantine area, they must be accompanied by a quarantine certificate, and producer must be under compliance with the Cooperative Program OR

- If the regulated articles are not produced within the LBAM quarantine, they do not require a quarantine certificate or to be in compliance with the Cooperative Program

Modified 12/12/2008

EXHIBIT L – PRODUCER OF GRAPES FOR CRUSH

Provisions for Bulk grapes produced within the Light Brown Apple Moth Quarantine area.

Check that which applies

Grapes are being processed OFF-SITE

1. Inspection

- Establishment shall allow the Cooperative Program to perform periodic inspections at intervals specified by the Cooperative Program to verify ongoing freedom from LBAM.
- Establishment shall notify the Cooperative Program at least 30 days prior to harvest.

2. Records

- Establishment shall keep ALL records for at least 2 years.
- All production fields must be listed with the Cooperative Program.
- Establishment shall maintain shipping records as directed by the Cooperative Program
- Establishment shall provide such records to the Cooperative Program Officer upon request by to the Cooperative Program Officer.

3. Certification for movement of regulated articles.

- Establishment must ensure that bulk grapes for crush are transported by an authorized transporter / hauler who are under Compliance with the Cooperative Program.
- Establishment must notify the Cooperative Program and the receiver of a shipment at least 24 hours prior to transporting.
- Establishment shall ensure that quarantine certification accompanies each shipment moved within the quarantine area.

4. Notification

- Establishment shall notify the Project if any LBAM suspects are detected.

5. Operational Procedures

- Establishment shall ensure that all equipment used for harvesting is thoroughly cleaned of all plant debris prior to leaving the growing facility.

6. Associated Establishments

- Establishment shall inform the Program of any or all companies that remove or transport Green Waste from their property.
- Establishment shall provide the Program with a list of all establishments receiving their grapes from within the state interior quarantine
- Establishment must contact all receiving wineries receiving the Establishment's grapes, produced from within the state quarantine area, and notify them of the Establishment's vineyard quarantine status, in writing.
- Establishment must ensure that all grapes for crush will be received by an authorized receiver / processor that is in Compliance and listed with the Cooperative Program

7. Public Information

- The Cooperative Program will provide educational material to the Establishment for the purposes of recognizing all life stages of LBAM

While a Best Management Practices (BMP) program is NOT required it is highly recommended.

- Establishments using an approved written BMP will be inspected at the discretion of the Program.
- Contact Program officials for further details.

o Grapes are crushed ON SITE

1. Records

- All production fields must be listed with the Cooperative Program.

2. Notification

- Establishment shall notify the Cooperative Program if any LBAM suspects are detected.

3. Operational Procedures

- Establishment shall ensure that all equipment used for harvesting / processing is thoroughly cleaned of all plant debris prior to leaving the growing facility.

4. Associated Establishments

- Establishment shall inform the Program of any or all companies that remove or transport Green Waste from their property

5. Public Information

- The Cooperative Program will provide educational material to the Establishment for the purposes of recognizing all life stages of LBAM

Establishments found infested with LBAM also agree to the following.

1. Establishment shall remove the infestation from the load of bulk grapes
2. Establishment shall ensure the load is tarped and safeguarded before leaving the site.

Modified 4/6/2009

EXHIBIT M- TRANSPORTER OF BULK GRAPES FOR CRUSH

Provisions for Intrastate Transportation of Bulk Grapes for Crush

Establishment agrees to the following:

1. Vehicle Requirements

- Establishment shall only transport bulk grapes for crush from the quarantined area in a vehicle or trailer that is in compliance with the California Vehicle Code sections 23114 (a) and 23115 (a).
 - 23114. (a) A vehicle may not be driven or moved on any highway unless the vehicle is so constructed, covered, or loaded as to prevent any of its contents or load other than clear water or feathers from live birds from dropping, sifting, leaking, blowing, spilling, or otherwise escaping from the vehicle.
 - 23115. (a) No vehicle transporting garbage, swill, used cans or bottles, wastepapers, waste cardboard, ashes, refuse, trash, or rubbish, or any noisome, nauseous, or offensive matter, or anything being transported for disposal or recycling shall be driven or moved upon any highway unless the load is totally covered in a manner that will prevent the load or any part of the load from spilling or falling from the vehicle.

2. Trailer Cleaning

- Establishment shall ensure that the vehicle or trailer used to transport bulk grapes for crush is thoroughly cleaned of debris prior to leaving receiving facility.

3. Records

- Establishment shall keep ALL records for at least 2 years.
- Establishment shall maintain shipping records as directed by the Cooperative Program.
- Establishment shall provide such records to the Cooperative Program upon request by the Cooperative Program Officer.

4. Certification for Movement of Regulated Articles

- Establishment shall ensure that quarantine certification accompanies each shipment moved from the quarantine areas.

5. Associated Establishments

- Establishment shall only move bulk grapes for crush out of the quarantined area to a facility that is under Compliance with the Cooperative Program.

6. Direct Route

- Immediately after harvest, Establishment shall transport bulk grapes for crush from the origin/growing site to a receiving facility by the most direct route feasible, or by a route described herein.

7. Spill Notification

- Establishment shall notify the Cooperative Program as soon as possible, but no later than 24 hours after a spill.

Modified 12/12/2008



September 27, 2011
Amended

PERMIT No. QC 1223

**MASTER PERMIT
TO RECEIVE BULK GRAPES FROM
LIGHT BROWN APPLE MOTH
AREAS UNDER REGULATION**

Under authority of Title 3, California Code of Regulations (CCR), Section 3154 (Secretary May Issue Special Permits), permission is granted to the following:

All California County Agricultural Commissioners' staff, and

Pest Exclusion's Emergency Quarantine Response Program/LBAM
Project staff ("Permittees")

to receive light brown apple moth (LBAM) regulated articles in the form of bulk grapes that would otherwise be prohibited by Sections 3434 (California Code of Regulations) and 5701 (Food and Agricultural Code) under the following conditions:

1. The bulk grapes shall not be eligible for certification as authorized under CCR Section 3434.
2. The receiver (Establishment) shall be operating under the terms of a LBAM compliance agreement to receive bulk grapes originating in a county from within a LBAM regulated area prior to being shipped from the origin facility.
3. The shipper (Establishment) shall be operating under the terms of a LBAM compliance agreement to ship bulk grapes originating from within a LBAM regulated area prior to shipping to the receiver.
4. The Establishment and the permittees shall be responsible for regularly verifying current LBAM areas under regulation. The most up to date information can be viewed at: http://www.cdfa.ca.gov/phpps/pdep/LBAM_main.htm
5. Under the terms of this permit, the permittees shall use the compliance agreement and appropriate exhibits located at: <http://phpps.cdfa.ca.gov/user/frmlOgon2.asp> which may be placed on county letterhead; but which otherwise may not be altered.



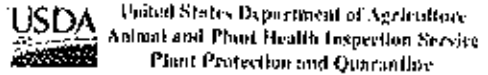
Permit No. QC 1223
September 27, 2011
Page 2

Unless earlier revoked, this permit is valid through the duration of the LBAM Project.

On File

Stephen S. Brown, Special Assistant
Permits and Regulations
Plant Health and Pest Prevention Services

cc: County Agricultural Commissioners
Nawal Sharma
Melinda Mochel
Susan Sawyer
Perry Poe



**COOPERATIVE LIGHT BROWN APPLE MOTH (LBAM) QUARANTINE PROJECT
COMPLIANCE AGREEMENT for use with Master Permit QC 1223**

EXHIBIT A- RECEIVER: Bulk Grapes For Crush from Inside a LBAM State Interior Quarantine or Regulated Area

**Provisions for Receiving Bulk Grapes for Crush from Inside a
LBAM State Interior Quarantine or Regulated Area via an Approved Hauler/Transporter/Grower**

Establishment agrees to the following:

1. Establishment shall only receive bulk grapes for crush from within a state interior quarantine or regulated area from a grower operating in compliance with the Project and via an approved transporter/hauler operating in compliance with the Project. A Certificate of Compliance (copy of the compliance agreement) for the grower (Exhibit L) and the hauler (Exhibit M) must accompany each load transported outside the state interior quarantine or regulated areas.
2. Establishment shall process bulk grapes for crush from within a state interior quarantine or regulated area as follows:
 - Prioritize processing of regulated bulk grape shipments before shipments grown outside the state interior quarantine or regulated areas.
 - Immediate processing within two hours of arrival. Bulk grapes awaiting processing must be stored in an enclosed area or in a cooler.
3. All "material other than grapes" must be contained in a manner that mitigates the spread of LBAM prior to and during processing. The following are acceptable methods:
 - Composted on site in accordance with California Code of Regulations, Title 14, Division 7, Chapter 3.1
 - Disposed (double-bagged) at designated landfill site
 - Processed (chipped, ground or shredded) in an approved manner
 - Transported by an authorized hauler in an enclosed conveyance to point of origin or to an approved green waste facility under compliance with the Project or CDFA Departmental Permit
 - Other as listed below in specific instructions

Remnants of crushed grape material *after* processing (pomace, seeds, stems, skins, etc.) are not required to be treated as "material other than grapes" as outlined in Section 3 above.

4. Establishment shall maintain records of each shipment from within a state interior quarantine or regulated area for a period of two years and make those records available to the Project upon request.
5. Establishment shall allow the placement and servicing of LBAM traps at intervals specified by the Project.
6. Other specific instructions:

Printed name (Owner/Manager)

Signature of Establishment

Date

Failure to comply with stipulations outlined above may result in civil penalties pursuant to California Food and Agricultural Code Section 5705 and/or revocation of this Agreement.



May 11, 2011
Amended

PERMIT No. QC 1290

**MASTER PERMIT FOR GREEN WASTE FROM
LIGHT BROWN APPLE MOTH
REGULATED COUNTIES**

Under authority of Title 3, California Code of Regulations, Section 3154 (Secretary May Issue Special Permits), permission is granted to:

Emergency Quarantine Response Program
and the
California County Agricultural Commissioners

to authorize Establishments to receive or move Light brown apple moth (LBAM) regulated articles in the form of green waste that would otherwise be prohibited by Sections 3434 (California Code of Regulations) and 5701 (Food and Agricultural Code) under the following conditions:

1. Each Establishment receiving or moving green waste from an LBAM regulated area shall be issued the appropriate LBAM compliance agreement and exhibit(s) (GW1, GW2, GW3, GW4, GW5, GW6, GW10). Compliance agreements and exhibits to be issued under this permit are located on the PHPPS Extranet site (<http://phpps.cdfa.ca.gov/user/frnLogon2.asp>) by copying and pasting the following URL after logging on: <http://phpps.cdfa.ca.gov/pbuilder/FileReader.asp?PageID=1162>
2. The county agricultural commissioner's office may recover their costs involved with regulatory activities conducted outside of the quarantined area including but not limited to issuance of compliance agreements, deployment and servicing of traps (1 trap every five acres), and records verification.
3. Establishments which violate the terms of their compliance agreements shall be suspended until an investigation is completed and for a period no shorter than two weeks.

Violation of any of the conditions of this permit shall be sufficient cause for its immediate revocation. The shipment(s) shall be returned to origin or destroyed at the expense of the shipper.



QC Permit No. 1290

May 11, 2011

Page 2

Unless earlier revoked, this permit is valid through the duration of the LBAM quarantine project.

on file

Stephen S. Brown, Special Assistant
Permits and Regulations
Plant Health and Pest Prevention Services

cc: County Agricultural Commissioners
Nick Condos
Courtney Albrecht
Gary Leslie
Amber Morris



August 22, 2011 (Amended)

Permit No. QC 1300

**Master Permit for the Exemption of Listed Articles
from the Light Brown Apple Moth and/or European Grapevine Moth
Interior Quarantines**

Under authority of Title 3, California Code of Regulations (3CCR), Section 3154 (Secretary May Issue Special Permits), permission is granted to:

Nawal Sharma, Program Supervisor, Pest Exclusion Program,
Light Brown Apple Moth and European Grapevine Moth Projects, and the
California County Agricultural Commissioners

to exempt the following articles from meeting the requirements of 3CCR, Section 3434, Light Brown Apple Moth Interior Quarantine:

- Green waste composed solely of wood/bark, free of any leafy material
- All dormant bulbs (without green shoots), tubers and rhizomes
- Grape spurs and canes (of the current year's growth that are dormant and hardened off but which do not have flaking bark like a cordon or trunk), to be destructively sampled
- Olive fruit, when free from leaves and twigs

and the following articles from meeting the requirements of 3CCR, Section 3437, European Grapevine Moth Interior Quarantine:

- Almonds in dried/split husks ready for harvest
- Olive fruit, including associated leaves and twigs
- Grape spurs (as described above)
- All grape petioles and leaf blades/sheaths
- Fermented pomace from *Vitis* spp.
- Must from *Vitis* spp.

Unless earlier revoked, this permit is valid through the life of the quarantine projects.

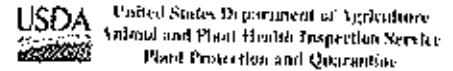
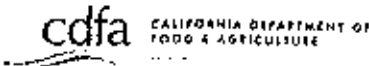
Violation of any of the conditions of this permit shall be sufficient cause for its immediate revocation.

Stephen Brown
Special Assistant
Permits and Regulations

cc: Helene Wright, USDA
Anthony Jackson, USDA

Nick Condos
Nawal Sharma





**COOPERATIVE EUROPEAN GRAPEVINE MOTH AND LIGHT BROWN APPLE MOTH
QUARANTINE PROJECT COMPLIANCE AGREEMENT
for use with Master Permit QC 1308**

EXHIBIT 1308 A- SHIPPER OF REGULATED PLANT MATERIAL

Provisions for Intrastate Shipment of Regulated Plants or Plant Parts (such as leaves, stems, roots, trunk and branch pieces, crowns, cordons, canes, etc.) Produced inside the European Grapevine Moth/Light Brown Apple Moth Quarantine Areas and/or the Light Brown Apple Moth Contiguously Regulated Area(s):

To a Lab Located Inside the Quarantine Area (operating under Exhibit 1308 B) for Brix Analysis and/or

To a Lab With a State Plant Pest Permit (Form 66-026) for Disease or Post Research or Diagnostics

Establishment shall comply with *all* of the following:

- 1) Ensure that the shipment will be received by an authorized receiver* under compliance with the Project.
- 2) Notify the receiving County Agricultural Commissioner if any life stage of EGVM and/or LBAM are found.
- 3) Material gathered for shipment should be selected carefully excluding all life stages of EGVM and/or LBAM.
- 4) Shipments must be packaged as follows:
 - a) Each individual sample must be submitted in double plastic bags. Each sample placed individually in a plastic bag may be placed in a secondary plastic bag with other individually bagged samples.
 - b) Each individual sample must be labeled with the location of collection.
 - c) Each individual sample must be labeled with the applicable state interior quarantine (EGVM: CCR 3437 and/or LBAM: CCR 3434).
 - d) Plastic bagged samples must be shipped in a leak proof container.
 - e) The leak proof container must be sturdy and non-flexible.
- 5) Each shipping container must be legibly marked in a conspicuous manner with the following information in accordance with Food and Agriculture Code 6501:
 - a) name and address of the shipper
 - b) name of the person to whom the shipment is forwarded or shipped or the name of his or her agent
 - c) name of the county where the contents of the shipment were grown
 - d) statement of contents of the shipment (type of plant material, soil, species of plant, etc.)
- 6) Any portion of the shipment must not leak from the shipping container.
- 7) Shipment must include a copy of the shipping Establishment's compliance agreement.
- 8) Maintain records of each shipment from and within the state interior quarantine area for a period of two years and make those records available to the Project upon request.
- 9) Ensure all employees receive training to be compliant with all specifications of this compliance agreement exhibit.

Shipments found to be in violation of the above stipulations are subject to being held, rejected, destroyed, or subject to other prescribed actions at the discretion of the Project and/or CDFA.

***Approved receivers and labs operating under Form 66-026 can be verified online at:
http://www.cdfa.ca.gov/phpps/PE/InteriorExclusion/egvm_quarantine.html**

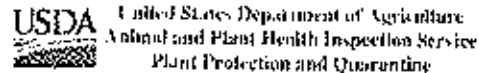
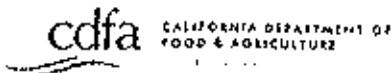
Other specific instructions: _____

Printed name (Owner/Manager)

Signature of Establishment

Date

Failure to comply with stipulations outlined above may result in civil penalties pursuant to California Food and Agricultural Code Section 3705 and/or revocation of this Agreement.



**COOPERATIVE EUROPEAN GRAPEVINE MOTH AND LIGHT BROWN APPLE MOTH
QUARANTINE PROJECT COMPLIANCE AGREEMENT
for use with Master Permit QC 1308**

**EXHIBIT 1308 B- RECEIVER OF REGULATED PLANT MATERIAL
LOCATED INSIDE A STATE INTERIOR QUARANTINE AREA**

**Provisions for Receiving Intrastate Shipments of Regulated Plants or Plant Parts
(such as leaves, stems, roots, trunk and branch pieces, crowns, cordons, canes, etc.)
Produced Inside the European Grapevine Moth/Light Brown Apple Moth Quarantine Areas or Light
Brown Apple Moth Contiguously Regulate Area(s) For Brix Analysis**

Establishment shall comply with *all* of the following:

- 1) Ensure that the shipment is shipped by an authorized shipper* under compliance with the Project.
- 2) Ensure adequate containment of the regulated plant material and safeguard as necessary while stored and/or awaiting diagnostics and analysis to be completed (i.e. freezing at 20°F or lower, stored in tightly sealed containers).
- 3) Process shipments received under QC Permit 1308 before processing shipments received from outside a European Grapevine Moth (EGVM) and/or Light Brown Apple Moth (LBAM) quarantine area when feasible.
- 4) Once diagnostics and analysis is complete, if sampling is not destructive, all regulated plant material (including green waste, leaves, stems, roots, leaf litter and other unprocessed material) must be handled in a manner that mitigates all life stages of EGVM and/or LBAM in one of the methods described below:
 - a) Incineration
 - b) Steam sterilization, autoclave (internal temperature of 212°F for 30 minutes)
 - c) Dry heat in oven or large cooker
 - d) Fumigation chamber
 - e) Acid or caustic vat
 - f) Other as specified below in "Other Specific Instructions"
- 5) Material must never be used for propagation or removed from the laboratory for any purpose without treatment.
- 6) If any life stage of EGVM and/or LBAM are found within the submitted sample laboratory personnel will notify the local County Agricultural Commissioner.
- 7) Maintain records of each shipment from and within the EGVM and/or LBAM state interior quarantine for a period of two years and make those records available to the Project upon request.
- 8) Ensure all employees receive training to be compliant with all specifications of this compliance agreement exhibit.

***EGVM Project approved shippers can be verified online at:
http://www.cdfa.ca.gov/phpps/PE/InteriorExclusion/egvm_quarantine.html**

Shipments found to be in violation of the above stipulations are subject to being held, rejected, destroyed, or subject to other prescribed actions at the discretion of the EGVM and/or LBAM Project.

Other specific instructions: _____

Printed name (Owner/Manager)

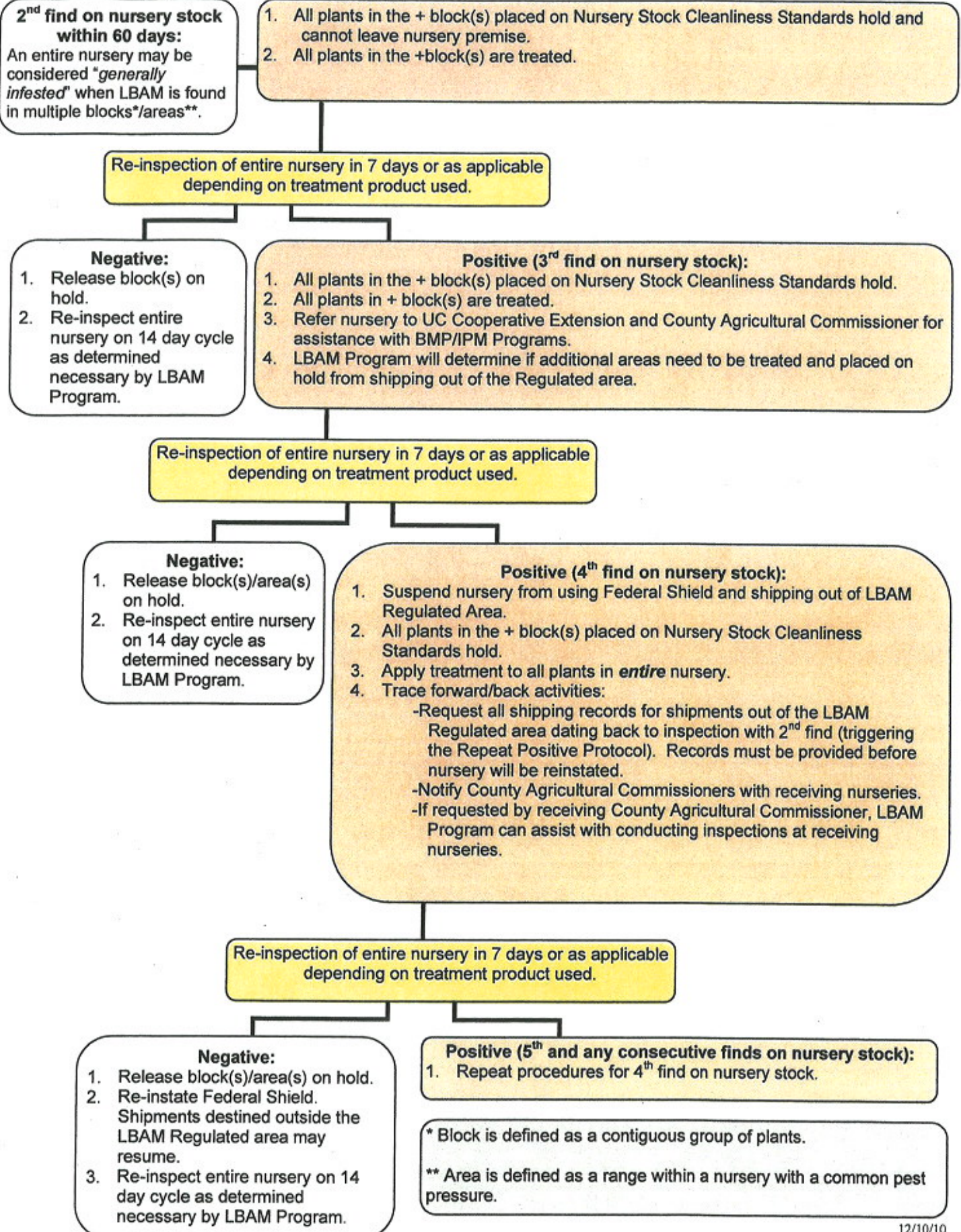
Signature of Establishment

Date

*Failure to comply with stipulations outlined above may result in civil penalties pursuant to
California Food and Agricultural Code Section 5705 and/or revocation of this Agreement.*

Light Brown Apple Moth Regulatory Protocol for Repeat Positive Nurseries

A Repeat Positive Nursery is a nursery with a 2nd LBAM larvae/pupae/egg found on nursery stock within 60 days.



COOPERATIVE LIGHT BROWN APPLE MOTH QUARANTINE PROGRAM
 COUNTY AGRICULTURAL COMMISSIONER / CDFA / USDA



LIGHT BROWN APPLE MOTH REGULATORY PROCEDURES MANUAL

Table of Contents

Chapter 1	Shipping Establishments: <ul style="list-style-type: none"> • <u>inside</u> a Light Brown Apple Moth (LBAM) State Interior Quarantine Area (CCR 3434), or • <u>inside</u> the Light Brown Apple Moth State Interior Quarantine Regulated Area (CCR 3434), or • <u>within 1.5 miles</u> of a LBAM detection
Chapter 2	Shipping Establishments: <ul style="list-style-type: none"> • <u>outside</u> a Light Brown Apple Moth (LBAM) State Interior Quarantine or Regulated Area (CCR 3434), and • <u>more than 1.5 miles</u> from a LBAM detection, and • <u>inside</u> a county regulated by the Federal Domestic Quarantine Order DA-2011-41 (or most recent version)
Chapter 3	Non-Shipping Establishments
Chapter 4	Green Waste Transporters and Receivers
Chapter 5	Harvested Commodities
Chapter 6	Collection and Submission of LBAM Samples
	<ul style="list-style-type: none"> • Definitions • Infested nurseries or places of production in a non-regulated county should consult the Program prior to taking any Light Brown Apple Moth regulatory action. • All regulatory activities conducted must be recorded on approved Light Brown Apple Moth Program forms and must be entered into the Integrated Health Information Systems (IPHIS) database accordingly. • If a business or establishment is sold or ownership changes, a new Compliance Agreement must be issued by the Program.

The Light Brown Apple Moth (LBAM) Quarantine Trigger is reached with the detection of:

- 2 adult moths within 3 miles of each other and during the timeframe of one lifecycle as determined by the degree day model, **OR**
- 1 mated female moth, **OR**
- 1 immature life stage (egg, larvae, or pupae), **OR**
- any detection indicative of a breeding population



APPENDIX E: LBAM INSECT TRAPPING GUIDE SUPPLEMENT

PROGRAM: Light Brown Apple Moth (LBAM) Trapping, (Detection, Nursery, Cropland)

TYPE OF TRAP: Jackson Trap

The delta-shaped Jackson trap is made of plastic-coated cardboard. A sticky insert on the bottom captures moths. The pheromone septum is placed in the stickum on the trap insert. If the pheromone septum is lost due to wind or other factors, use a medfly lure basket to secure the pheromone septum.

The trap consists of four parts: trap body, insert, septum and trap hanger.



Photo by MJ Sawyer, CDFA

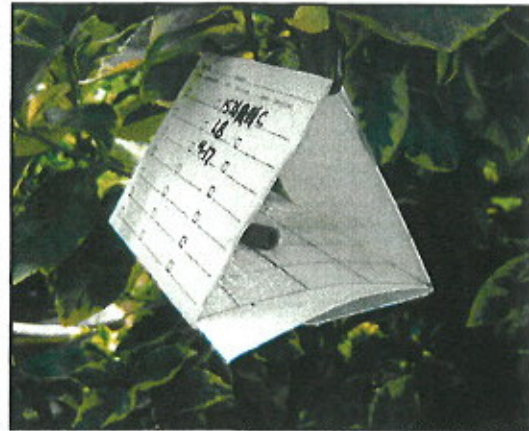


Photo by CDFA

FIGURE 1. JACKSON TRAP

FIGURE 2. STICKY INSERT WITH SEPTUM

ATTRACTANT: A mixture of (E)-11-tetradecenyl acetate (96%) and (9E, 11E)-9, 11-tetradecadienyl acetate (4%).

DETECTION TRAPPING SEASON:

Counties that normally manage year-round detection trapping programs - continue with two-week service interval. Currently these are:

Los Angeles
San Diego

Orange
Santa Barbara

Riverside
Ventura

San Bernardino

Counties that do not trap year-round - all trapping will be conducted during the normal detection trapping season with two-week service interval. Currently these are:

Amador
El Dorado
Kings
Mendocino
Sacramento
Stanislaus
Tuolumne

Butte
Fresno
Lake
Merced
San Joaquin
Sutter
Yolo

Calaveras
Glenn
Madera
Nevada
San Luis Obispo
Tehama
Yuba

Colusa
Kern
Mariposa
Placer
Shasta
Tulare

APPENDIX E: LBAM INSECT TRAPPING GUIDE SUPPLEMENT

Counties that are partially within the contiguous LBAM State Interior Quarantine will trap in the portion of the county that is outside the contiguous LBAM State Interior Quarantine Boundry (includes detection trapping in satellite quarantine areas outside of the contiguous regulated area) during the normal detection trapping season. These currently are:

Alameda	Contra Costa	Marin	Monterey
Napa	San Benito	Santa Clara	Solano
Sonoma			

Counties that are completely within the State Interior Quarantine and surrounded by partially infested counties, will not include LBAM trapping in the normal detection trapping season. These currently are:

San Francisco	San Mateo	Santa Cruz
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Counties where LBAM trapping is not biologically warranted, will not include LBAM trapping in the normal detection trapping season. These currently are:

Alpine	Del Norte	Humboldt	Imperial
Inyo	Lassen	Modoc	Mono
Plumas	Siskiyou	Sierra	Trinity

DETECTION TRAP DENSITY: Statewide - Use up to five traps per square mile piggybacked onto existing trap sites. Existing trap sites would generally be Mediterranean fruit fly (MF) or glassy-wing (GWSS) locations. However, other trap sites may be utilized if MF or GWSS sites are not available.

NURSERY TRAP DENSITY: Federally Regulated Area - Trapping for LBAM must occur on each premises or farm in a LBAM quarantined area that ships regulated articles intrastate and interstate. Premises or farms that are larger than five acres must maintain traps at a density of one trap every five acres or less. Premises or farms that are equal to or less than five acres must be trapped with a minimum of one trap. Traps should be piggybacked with GWSS locations when possible.

CROPLAND TRAP DENSITY: Federally Regulated Area - Trapping for LBAM must occur on each premises or farm in a LBAM quarantined area that ships regulated articles intrastate and interstate in areas 1.5 miles or less from a LBAM detection site. Trapping for LBAM must occur at a trapping density of one trap per square mile in cropland.

INSPECTION FREQUENCY:

Detection, Nursery, and Cropland Trapping – Once every 14 days.

Delimitation Survey – When a confirmed LBAM is trapped, pheromone baited Jackson traps will be placed uniformly over a nine square mile area. One hundred traps will be placed in the core square mile with twenty-five traps placed in each of the square miles surrounding the core. A total of 300 traps will be deployed. All traps should be placed within 24 hours and inspected once the following day. Traps should be serviced weekly thereafter until determined otherwise.

HOSTS: The moth has a wide-range of unrelated hosts including: Apple, pear, peach, apricot, blackberry, raspberry, citrus, persimmon, avocado, oak, willow, walnut, poplar, cottonwood, alder, pine, and eucalyptus.

SELECTION OF TRAPPING SITES: Deploy detection and nursery traps onto any existing trapping site. Cropland traps are generally not piggybacked. Piggybacking traps in this manner will allow for rapid deployment, efficient servicing, and reduce program expenses. Ideally, the trap should be placed at least 10 feet from any existing trap. However, piggybacking traps takes priority over the 10 foot separation.

APPENDIX E: LBAM INSECT TRAPPING GUIDE SUPPLEMENT

HANGING THE TRAP: Assemble the trap by first writing the trap number and date of deployment on both the trap body and the sticky insert. Trap numbers for this pest will include the identifying letters "LB" (in place of "MF", "OF", "ML", etc.). The trap body is then opened; the bottom is pushed upward and firm pressure is applied laterally. **THIS IS IMPORTANT!** When pressure is released, the trap bottom will remain flat. The sticky insert is slid into place. It will fit tightly, if properly done. Tear open the septum package and slide the lure onto the insert without touching the lure or the inside of the package with your fingers. Forceps or tweezers may be used for septum placement if necessary. The lure is placed directly onto the center of the sticky insert on its side (**DO NOT BLOCK THE OPENING OF THE SEPTUM WITH STICKUM!**).

The trap may be placed in any host tree that fits the following placement criteria – in the upper 1/3 to 1/2 of the tree canopy, and 1/3 to 2/3 the distance from the trunk to the outer edge of the foliage. The presence or absence of ripe fruit is not a factor in hanging the trap. Shade is not as critical for this trap as for the fly traps.

TRAP INSPECTION AND SERVICING: When inspecting traps, the following steps should be taken:

1. Remove the trap from the tree.
2. Pull out insert and examine entire area of stickum.
3. Remove leaves and debris from stickum as moths could be beneath these objects. Be certain that the sticky surface is not rendered less effective by dust or debris. The stickum must remain optimally sticky to capture moths.
4. If no moths are found, replace insert, date trap, and rebait, if necessary, according to the recommended baiting interval and suggested handling techniques.
5. Change inserts every month or more often as needed. Always change the insert when relocating the trap. Mark new inserts with the trap number and placement date.
6. Replace lure according to the schedule below. Avoid contamination when handling lures or lure packages. Use forceps if necessary for placement of septum on to insert.
7. Trap bodies eventually lose their shape, become filled with trap servicing data, or otherwise deteriorate. When this occurs, they should be replaced.

COLLECTION AND SUBMISSION OF SAMPLES: The entire trap insert, containing the suspect moth, should be collected for supervisory review. Specimens submitted to Sacramento should be cut from the stick insert and placed in a dry vial for submission. Send the specimen to Sacramento with a Standard Form 65-020, "Pest and Damage Record" (PDR). Be sure the identification slip and the outside of the package are marked "RUSH". Include the trap number in the "Remarks" section of the PDR Form.

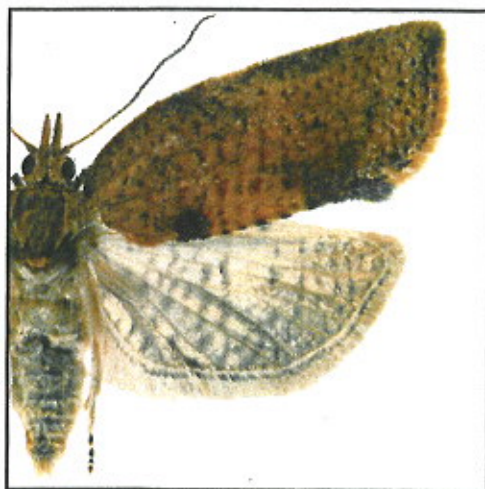
BAITING INTERVAL: Change the septum every six weeks or sooner if temperature is above 95 degrees F for a period of time.

TRAP RELOCATION: Relocate the trap on the same relocation interval as the trap with which it is piggybacked.

APPENDIX E: LBAM INSECT TRAPPING GUIDE SUPPLEMENT



Adult male. Photo by MJ Sawyer, CDFA



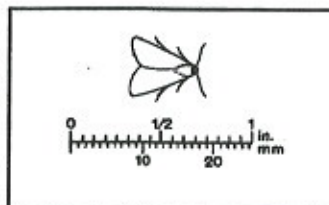
Adult female. Photo by Dr. Marc Epstein, CDFA



Larvae. Photo from www.homecitrusgrower.co.uk



Pupae. Photo by MJ Sawyer, CDFA



**LIGHT BROWN APPLE
MOTH**

Epiphyas postvittana (Walker)

APPENDIX F- MONTHLY INVOICE TEMPLATE

(County Letterhead)

California Department of Food and Agriculture
 Attn: Gloria Gin
 1220 N Street, Room 325
 Sacramento, CA 95814

Light Brown Apple Moth (LBAM) Emergency Response in Regulated Counties
 Contract #
 Budget Display FY 2011/2012 and FY 2012/2013
 Invoice for Period from [Month, Date, Year]

Personnel Services

Name/Classification	Hours	Hourly Rate	Total Salaries	Totals
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
	0.00	0.00	0.00	
Total Hours	<u>0.00</u>	Total Salaries	<u>0.00</u>	

Total Personnel Services 0.00
 Indirect (up to 25% of Personnel Services) 0.00
Total Personnel Costs: 0.00

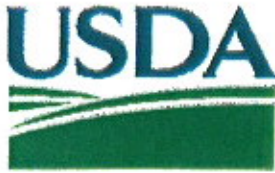
Operating Expenses

Supplies 0.00
Total Operating Expenses: 0.00

Vehicle Usage	Miles	Rate	
Vehicle Mileage =	0.00	0.555	
			<u>0.00</u>
		Total Mileage Cost:	<u>0.00</u>

Total Operating Expenses 0.00
Grand Total: 0.00

Contract Amount	0.00
Billed to Date	0.00
Balance	0.00



Light Brown Apple Moth Program
7697 Highway 1 Bldg. 20
Moss Landing, CA 95039

(831) 796-9600 (831) 632-0481 Fax



California Department of Food and Agriculture

Notice of Hold on Premises

California Department of Food and Agriculture

(Authority: California Food and Agricultural Code, Section 5701-5704 and 6303)

Establishment: _____ Date Issued: _____

Premises: _____ Phone: _____

Partial: ___ Full Premises: ___ (check applicable) Reason: Suspect LBAM Found

Quantity	Description	PDR#
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

You are hereby notified that it is unlawful under sections 5701-5704 and 6303 of the California Food and Agricultural Code to move any agricultural product (whole or part), or associated containers, soil, and equipment placed under hold from your premises except under written permission of an Agricultural Officer, or until this order is revoked in writing.

No liability shall be attached to the California Department of Food and Agriculture or its employees or cooperators in the event of injury to regulated articles or property from commodity treatments or quarantine regulations.

If you choose not to sign this document you are still held accountable in accordance with California and Federal law.

Print Name and Title of Person Contacted: _____

Signature of Person Contacted: _____ Date: _____

Signature of Agricultural Officer: _____ Date: _____

Amendment for Office use only

Partial Hold: ___ Full Premises Hold: ___ (check applicable) Date: _____

Reason: _____

Print Name and Title of Person Contacted: _____

Signature of Person Contacted: _____ Date: _____

Signature of Agricultural Officer: _____ Date: _____

Date Hold Released _____



Light Brown Apple Moth Program
7697 Highway 1 Bldg. 20
Moss Landing, CA 95039

(831) 796-9600 (831) 632-0481 Fax



Hold Amendments Continued

California Department of Food and Agriculture

(Authority: California Food and Agricultural Code, Section 5701-5704 and 6303)

Establishment: _____ Original Hold Date: _____

Premises: _____

Amendment

Partial Hold: ___ Full Premises Hold: ___ (check applicable) Date: _____

Reason: _____

Print Name and Title of Person Contacted: _____

Signature of Person Contacted: _____ Date: _____

Signature of Agricultural Officer: _____ Date: _____

Date Hold Released _____

Amendment

Partial Hold: ___ Full Premises Hold: ___ (check applicable) Date: _____

Reason: _____

Print Name and Title of Person Contacted: _____

Signature of Person Contacted: _____ Date: _____

Signature of Agricultural Officer: _____ Date: _____

Date Hold Released _____

Amendment

Partial Hold: ___ Full Premises Hold: ___ (check applicable) Date: _____

Reason: _____

Print Name and Title of Person Contacted: _____

Signature of Person Contacted: _____ Date: _____

Signature of Agricultural Officer: _____ Date: _____

Date Hold Released _____



California Light Brown Apple Moth Program Nursery Visit Inspection Checklist



Program Contact: _____

First and Last Name, Work Cell #, Main Line #

ISIS Record Name: _____

Owner Information	
Business Name:	_____
Contact Name:	_____
Address:	_____
Address 2:	_____
City:	_____
State:	_____
Zip:	_____
Phone: () _____	
Cell Phone: () _____	
Fax: () _____	
Email:	_____

Owner Comments:

Nursery Type:	<input type="checkbox"/> Farmers Market <input type="checkbox"/> Floriculture <input type="checkbox"/> Garden Center <input type="checkbox"/> Incidental Retail <input type="checkbox"/> Landscape Holding Yard <input type="checkbox"/> Potted Indoor Plants <input type="checkbox"/> Research <input type="checkbox"/> Retail <input type="checkbox"/> Production <input type="checkbox"/> Other
----------------------	---

Type of Inspection:	_____ <i>Initial Inspection</i> _____ _____ <i>2 Week Inspection</i> _____ _____ <i>30 Day Inspection</i> _____ _____ <i>Scouted Only</i> _____ _____ <i>Re-Inspection After USDA Treatment</i> _____ _____ <i>Other</i> _____ _____
----------------------------	--

Location Information	
Location/Site Name:	_____
Contact Name:	_____
Phone: () _____	
Address:	_____
City, State:	_____, CA
County:	_____
Zip:	_____
Cross Street:	_____
Location Notes:	_____
Location Status:	Active / Inactive Hold Status: N / P /
Inspection Point:	_____
Total Acres at Site:	_____
Compliance Agrmnt #:	___ QLBAM ___
Shipping Type:	Inter Intra Inter/Intra Non-Shipper
Inspection Frequency:	0 14 30 90 180 365
Within Quarantine:	<input type="checkbox"/>
Thomas Brothers:	_____
Latitude:	_____
Longitude:	_____
Total Acres Cultivated:	_____
Acres Inspected:	_____

Have any pesticides been applied recently to your inspection areas?	Yes ___ No ___	If Yes Date: _____
Note: If you can't get this information, cancel your inspection and call your division leader.		Re-entry Period _____
Were any suspect LBAM turned in for ID? If Yes Attach PDR to this report and pest interception record.	Yes ___ No ___	
PDR # _____ # of Adults: _____ # of Larvae: _____ # of Pupa: _____ # of Eggs: _____		
Was a Hold notice issued? If yes attach to this report.	Yes ___ No ___	
If a hold was issued did you mark the lot with flagging?	Yes ___ No ___	
Was a CQC (Certificate of Quarantine Compliance) issued? If Yes attach to this report.	Yes ___ No ___	
Did you service LBAM traps on site? If Yes how many? _____	Yes ___ No ___	
Was the inspection completed today? (Note where you left off in the remarks section.)	Yes ___ No ___	

Number of Inspectors _____	Time arrived at site _____	Time left site _____	Total time at site _____
Remarks (use back of form if necessary):			Received by _____
			Incident Report? Yes ___ No ___
Site Representative (Print): _____	Site Representative (Signature): _____	Date: _____	
Inspectors Name(s) (Print): _____	Inspectors Name(s) (Signature): _____	Date: _____	

California Light Brown Apple Moth Program Treatment Checklist



Program Contact: _____
Print and fill forms, Web, Call 6, Mail Unit 6

ISIS Record Name _____

<h3 style="text-align: center;">Owner Information</h3> <p>Business Name: _____</p> <p>Contact Name: _____</p> <p>Address: _____</p> <p>Address 2: _____</p> <p>City: _____</p> <p>State: _____</p> <p>Zip: _____</p> <p>Phone: () _____</p> <p>Cell Phone: () _____</p> <p>Fax: () _____</p> <p>Email: _____</p> <p>Owner Comments: _____</p>	<h3 style="text-align: center;">Location Information</h3> <p>Location/Site Name: _____</p> <p>Contact Name: _____</p> <p>Phone: () _____</p> <p>Address: _____</p> <p>City, State: _____</p> <p>County: _____</p> <p>Zip: _____</p> <p>Cross Street: _____</p> <p>Location Notes: _____</p> <p>Location Status: Active / Inactive Hold Status: N / P / F</p> <p>Compliance Agmt #: _____ QLBAM _____</p> <p>Shipping Type: Inter Intra Inter/Intra Non-Shipper</p> <p>Inspection Frequency: 0 14 30 90 180 365</p> <p>Inspection Point: _____</p> <p>Within Quarantine: <input type="checkbox"/></p> <p>Thomas Brothers: _____</p> <p>Latitude: _____</p> <p>Longitude: _____</p> <p>Total Acres Cultivated: _____ Acres Treated: _____</p>
<p>Nursery Type:</p> <p>Retail Production Nursery <input type="checkbox"/></p> <p>Wholesale Production Nursery <input type="checkbox"/></p> <p>Forced Indoor Deciduous Plants <input type="checkbox"/></p> <p> Garden Center <input type="checkbox"/></p> <p> Incidental Retail <input type="checkbox"/></p> <p>Landscape Holding Grounds <input type="checkbox"/></p> <p>Nonculture (Cutflowers / Greens) <input type="checkbox"/></p> <p>Other _____</p>	<p>Type of Inspection:</p> <p>Treatment _____</p> <p>Destruction _____</p> <p>Other _____</p> <p>Reason for the Treatment</p> <p>PDR # _____</p> <p>Date Determined _____</p> <p>Host _____</p> <p>Hold Date _____</p> <p>Treatment Scheduled for _____</p>

Have any pesticides been applied recently to your inspection areas? Yes ___ No ___ If Yes Date: _____

Note: If you can't get this info, cancel your inspection and call your division leader. Re-entry Period: _____

Larvicide used: _____ **Ovicide used:** _____
Active Ingredient (Product Name) Oils & Inert Ingredients

Dilution Rate _____ per 100 gallons in: fl. oz. (dry) oz. ml. **Dilution Rate** _____ per 100 gallons in: fl. oz. (dry) oz. ml.

Total Volume Sprayed _____ (gallons)

Time Started _____ **Time ended** _____

Re-entry Period _____ **Date for Re-inspection** _____

Was the treatment completed today? (Note where you left off in the remarks section.) Yes ___ No ___

How many inspectors were required to monitor this treatment? _____ * **Number of hours?** _____ = **Manhours**

Remarks (use back of form if necessary): _____

Site Representative (Print): _____	Site Representative (Signature): _____	Received by: _____
		Incident Report? Yes ___ No ___
		# _____

Inspectors Name(s) (Print): _____	Inspectors Name(s) (Signature): _____	Date: _____
		Date: _____



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

DATE: March 6, 2012

TO: All County Agricultural Commissioners

FROM: Plant Health and Pest Prevention Services

SUBJECT: **PEST EXCLUSION ADVISORY NO. 05-2012**
Authorized Charges and Substantiation Requirements for USDA/APHIS-Funded Cooperative Agreements

As a result of the recent and ongoing audits conducted by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) of the *Phytophthora ramorum* federally-funded program, the California Department of Food and Agriculture (CDFA) is issuing this advisory to provide clarification on authorized charges and the substantiation requirements for the following USDA/APHIS-funded cooperative agreements:

Pest Exclusion Branch

- *Phytophthora ramorum*
- California Dog Team
- European Grapevine Moth (Regulatory)
- Light Brown Apple Moth (Regulatory)

Pest Detection and Emergency Projects Branch

- Pest Detection Trapping (Exotic fruit fly and Enhanced Pest Detection Survey)
- Asian Citrus Psyllid (Detection Trapping)
- European Grapevine Moth (Detection Trapping)

Integrated Pest Control Branch

- Light Brown Apple Moth

1. Authorized Charges

Authorized charges under federally-funded cooperative agreements are contained in the Scope of Work (SOW) and Work Plan for each agreement. Typical authorized charges are salaries, benefits, vehicle mileage, supplies, equipment, overhead, etc. Anything not included or specified in the SOW or work plan is considered an unauthorized charge and must not be included on an invoice submitted to CDFA for reimbursement. It is the county's responsibilities to ensure that the SOW and work plans are reviewed and that only authorized charges are included on invoices. If you have questions about authorized charges, or need to obtain copies of the SOW or work plans, please contact the cooperative agreement manager (see attached list).



2. Personnel Charges

a) **Substantiation of Personnel Costs**

Substantiation of employee hours charged to a federal program must be kept on file, and such substantiation must meet [2 Code of Federal Regulations 225, Appendix B](#), Section 8 (Compensation for Personnel Services). For employees that perform work on more than one program (i.e. a federally-funded program and a non-federally funded program), the USDA/APHIS has recommend that substantiation records meet the following standards:

- It must reflect the actual time (calculated after-the-fact) spent working on a federally-funded program (not an estimate).
- **Total time worked each day** must be accounted for.
- Daily records must be kept that document all the programs (federally-funded and other) worked on by each employee.
- The percent of time charged for each employee to the cooperative agreement must match the actual time the employee worked on that program.
- Documentation must be signed by the employee at the end of the pay period (daily signatures not required).

Note that 2 CFR 225, Appendix B also provides other means of substantiating personnel costs for employees who work on only one federally-funded program. Please review the federal regulation to ensure that your county's method of personnel cost substantiation meets the federal standards listed in the regulation.

b) **Personnel on Invoice Must Match Work Plan**

Invoices must reflect work performed by individuals or classifications listed on the submitted work plan. Work plans are included in the final cooperative agreement packages. Invoices containing charges for non-listed personnel or classifications will be accepted as long as the total for the charge does not exceed 10% of the total agreement. CDFA recommends that all future work plans list personnel by classification only.

c) **Hourly Rate(s) on Invoices**

Invoices should reflect the actual hourly rates (salary and benefits) per individual or classification that worked on the program. CDFA recommends **not** using the "cost per hour" estimate used to determine work plan amounts for invoicing purposes.

3. Vehicle Charges

a) **Mileage Rate**

Mileage rate used on invoice should be the same as contained in the work plan. If the federal rate goes up during the agreement period, counties may submit invoices for the higher, current federal rate. Language already is present in the county cooperative agreements under Exhibit B, Paragraph 5.C. which states the rate used cannot exceed the maximum rates allowed per Title 2, California Code of Regulations, Sections 559.619 and 559.630. The rate the state uses is the same as the federal rate. Therefore, if the federal rate decreases during the agreement period, CDFA will reimburse at the lower rate.

b) Substantiation of Vehicle Mileage Costs

Counties must maintain a single vehicle log per vehicle, and all mileage should be recorded daily with an indication of which program the vehicle was used and the name of the driver. Vehicle logs may be maintained on a monthly basis. There is no need to maintain multiple vehicle logs for a single vehicle, even if the vehicle is used for more than one program.

4. Additional Considerations

If the SOW for a cooperative agreement contains approved amounts for equipment (i.e. cell phones, vehicles, etc.) and the equipment is rented and used for the program, counties must maintain all records substantiating that the equipment was used for the program. For instance, vehicle rental expenses can be charged to a federal agreement (proportionately) if the vehicle log documents that the vehicle was used for a federal program.

As per Exhibit B, Paragraph 5.E. of the county agreements, all records and documentation pertaining to the agreement must be maintained by counties for three years after completion of the agreement period or until final resolution of any performance/compliance issues. CDFA recommends that records and documentation be maintained by counties until CDFA finalizes billing with the USDA. Often, the final billing is several months after the end of the agreement period. CDFA will notify counties when the final billing with the USDA/APHIS occurs for the agreements mentioned in this advisory. All records may be requested by, and must be provided to, the USDA/APHIS in the event of an audit.

For further clarification of invoicing, authorized charges, etc., please review Appendix B, Budget and Payment Provisions, contained in the final cooperative agreement package. The USDA/APHIS plans to conduct further audits of federally-funded programs managed by CDFA. If needed, this advisory will be updated to address any problems as a result of these future audits.

For questions regarding Pest Exclusion agreements, please contact Courtney Albrecht at calbrecht@cdfa.ca.gov or call (916) 654-0312.

For questions regarding Detection agreements, please contact Debby Tanouye at dtanouye@cdfa.ca.gov or call (916) 654-1211.

For questions regarding the Integrated Pest Control agreement, please contact Duane Schnabel at dschnabel@cdfa.ca.gov or call (916) 654-0768.

**Light Brown Apple Moth
Regulatory Work Plan Instructions
January 1, 2012 – September 30, 2012**

1. Line Item Descriptions

Please complete work plan as appropriate for State Interior Quarantine and / or Regulated area restrictions

Quarantine Enforcement Activities

- **Nurseries (also includes production nurseries, and producers of cut flowers, wholesale florists, garlands, wreaths or greenery and cut Christmas trees)**
 - Compliance Agreements Issuance- Issuing and explaining terms of compliance agreements and regulatory requirements.
 - Initial Inspection/Sampling/Hold Notice- Initial inspection of facility, collecting and submitting samples, issuing hold notices and performing hold actions.
 - Regulatory Inspections/Sampling/Hold Notice- Monthly, biweekly, or as often as determined necessary, nursery inspections, collecting and submitting samples, issuing hold notices and performing hold actions.
 - Treatment/Re-inspection- Discussing treatment options, overseeing treatment or disposal at LBAM positive nurseries and reinspecting treated material to determine freedom from LBAM.
 - Outreach- Distributing quarantine maps and flyers to retail nurseries (except in regulated areas), general industry outreach.
 - Regulatory Trapping – See Regulatory trapping guidelines for nurseries in the attachment, "Light Brown Apple Moth Trapping Guidelines."
- **Green Waste**
 - Compliance Agreements- Issuing and explaining terms of compliance agreements.
 - Quarterly monitoring
- **Harvested Commodities**
 - Compliance Agreements Issuance- Issuing and explaining terms of compliance agreements and regulatory requirements, inputting compliance agreement forms into LBAM database, compliance agreement monitoring.
 - Initial Inspection/Sampling/Hold Notice- Initial, monthly or pre-shipment inspections, collecting and submitting samples, issuing hold notices and performing hold actions.
 - Treatment/Reinspection- Discussing treatment options, conducting or overseeing treatment at LBAM positive location and reinspecting location to determine freedom from LBAM.
 - Regulatory Trapping – See Regulatory trapping guidelines for croplands in the attachment, "Light Brown Apple Moth Trapping Guidelines."

Other Activities

- **Conference Calls**- Conference calls with CDFA, USDA, industry or community regarding LBAM regulatory updates. Monthly or as directed by CDFA.
- **Meetings**- Public, industry or regulatory meetings regarding LBAM regulatory activities.
- **Administrative Support**- Monthly invoicing for LBAM regulatory activities.
- **Reporting**- Monthly reporting and submitting for LBAM regulatory activities, new compliance agreement information and regulatory trapping activities.
- **Public Outreach/Education**- Phone calls and walk-ins.

Cost Estimates

Personnel Costs:

Individual salaries, rather than weighted averages, must be used to determine the work plan dollar amount.

Overhead:

Overhead for personnel costs may not exceed 25%.

Supplies:

Enter cost for estimated annual regulatory LBAM supply costs including flyer printing for public outreach activities.

Mileage:

Mileage should be charged using the following guidelines:

- 55.5 cents per mile for County owned or personal vehicles, or whichever is most current per IRS 2012 Standard Mileage Rate.

2. Projecting Numbers

of Facilities Requiring Activity Column

- Use current numbers of regulated entities, plus estimate that an additional 2% more of total entities in county (in that category) may be affected by LBAM. For example:
Current number of nurseries under compliance = 40
Total number of nurseries in county = 100
Estimate: $40 + (100 \times 2\%) = 42$

Estimated Visits/Year/Facility Column

- Use LBAM procedural manual as a guide to determine how many visits per facility per year will be required for current and estimated increased number of entities that are affected by LBAM.

Estimated Hours/Visit Column

- Use LBAM procedural manual as a guide to determine how many hours each line item will require for current and estimated increased number of entities affected by LBAM.

3. Reporting

The county will utilize the on-line County Monthly Report system (<https://secure.cdfa.ca.gov/egov/crs/login.aspx>) to submit a monthly report for the Light Brown Apple Moth Program. Monthly reports need to be submitted no later than the fifth day of the month following when the activities took place. Questions about reporting can be directed to Vince Arellano at vince.arellano@cdfa.ca.gov or by calling (916) 654-0312.

4. Invoicing/Reimbursement

All personnel salary costs shall be properly tracked or allocated to the cooperative agreement in accordance with Office of Management and Budget (OMB) requirements and Federal cost principles. Please be sure that personnel costs can be traced back to original documents detailing the account to which personnel hours are billed. In addition, all invoiced personnel costs must match the scope of work.

If the County plans to seek reimbursement for vehicle mileage, the documentation for mileage reimbursement shall be tracked separately from all other programs and documentation shall be available to support the reimbursement. In addition, all invoiced vehicle costs must match the scope of work. On a related note, mileage rates used on invoices must be the same as contained in the work plan. CDFA will send an email that will notify counties of new rates (current rate \$0.555) if the federal mileage rate changes during the term of the agreement.

**Light Brown Apple Moth
Regulatory Work Plan Instructions
January 1, 2012 – September 30, 2012**

Invoicing/Reimbursement (continued)

All other expenses (travel, supplies, and communications) for which the County will seek reimbursement under the cooperative agreement shall be directly related to the cost of administering and conducting the program and documentation shall be available to support the reimbursement. In addition, all invoiced expenses must match the scope of work (work plan).

The following citations are requirements outlined in OMB Circulars and Federal Cost Principles applicable to your agency/organization.

State, Local and Indian Tribal Governments:

- 2 CFR 225, Cost Principles (formerly OMB Circular A-87), see Cost Allocation Plans and Attachment B, 8. Compensation for personal services, h. Support of Salaries and wages.
- OMB Circular A-102, Uniform Administrative Requirements.

The county shall submit monthly an itemized invoice. All invoices shall be submitted to the CDFA Contract Manager. Invoices must be submitted no more than 30 days after the end of the coinciding reporting period. Receipts for purchases do not need to be submitted to CDFA, but must be retained by the county for audit purposes. Send itemized invoices to:

California Department of Food and Agriculture
Pest Exclusion Branch – Interior Program/ EQRP
Attn: Gloria Gin
1220 N Street, Room 325
Sacramento, CA 95814

Counties may also send invoices via email to Gloria.Gin@cdfa.ca.gov. Questions about invoicing/reimbursement can be directed to Gloria Gin via email or by calling (916) 654-0312.