



Board Agenda Item 40

DATE: October 17, 2017

TO: Board of Supervisors

SUBMITTED BY: Les Wright, Agricultural Commissioner/Sealer of Weights and Measures

SUBJECT: Revenue Agreement for the Enforcement Evaluation and Improvement Project with the California Department of Pesticide Regulation

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a revenue Agreement with the California Department of Pesticide Regulation for the Enforcement Evaluation and Improvement Project effective upon execution by the State through December 31, 2017 (\$62,579).

Approval of the recommended action will allow the County to enter into an agreement with the California Department of Pesticide Regulation for the collection and submission of historical compliance and enforcement data from calendar year 2016.

ALTERNATIVE ACTION(S):

No action or disapproval would mean that the Department will not receive funding from the Department of Pesticide Regulation (DPR) to offset the costs incurred in carrying out this State required project.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Costs associated with the agreement (\$62,579) are funded 100 percent by DPR. Sufficient appropriations and estimated revenues are included in the FY 2017-18 Adopted Budget for Department of Agriculture Org. 40101005.

DISCUSSION:

California's Pesticide Regulatory Program is designed to protect workers, the environment, the public, and the food supply from harm that could be caused by the unsafe or misuse of pesticides. DPR and the County Agricultural Commissioners (CACs) throughout the State work together in an enforcement partnership. The Department's goal is to improve and promote regulatory compliance within Fresno County for the protection of people and the environment; while at the same time, providing consistent and appropriate enforcement responses as needed.

The objective of the agreement is for CACs to assist DPR in carrying out its Enforcement Evaluation and Improvement Project (EEIP), which will assist DPR in its compliance with the Federal Insecticide Fungicide and Rodenticide Act (FIFRA).

In recent years, the number of pesticide episode incident reports, investigations, and enforcement actions conducted by CAC staff has dramatically increased. This increase has resulted in the level of interaction between CAC and DPR staff to vary. DPR has determined there is a need to improve communication and collaboration

with CACs in the tracking, development, and preparation of enforcement responses. A vital component to this evaluation and improvement project is the collection of accurate and complete compliance and enforcement data. Equally important is standardizing the method and timeliness in which data is submitted. In addition, the work carried out under this agreement will help highlight repeat violators and identify trends that will be used to improve outreach and education.

Approval of the recommended action will provide \$62,579 to offset costs associated with the collection and submission of historical compliance and enforcement data from calendar year 2016.

On April 25, 2017, your Board authorized the Fresno County Agricultural Commissioner/Sealer of Weights and Measures to execute specific revenue agreements for FY 2017-18, which included the Enforcement Evaluation and Improvement Project. A provision was included within that agenda item stating that the Agricultural Commissioner/Sealer of Weights and Measures may execute these agreements as long as they are within 15 percent of the Department's estimations. At that time, the Department estimated \$117,713 in yearly revenues for this program. The actual amount approved by the DPR (\$62,579) is outside the 15 percent allowance; therefore, this agreement is brought before your Board individually for approval. The decreased amount is due to a decrease in the agreement period from 12 months to 6 months.

REFERENCE MATERIAL:

BAI #36, April 25, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement
On file with Clerk - Contactor Certification Clauses

CAO ANALYST:

Ronald Alexander