



**Tulare County Agricultural
Commissioner/Sealer
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: September 15, 2020

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Jonathan Bixler PHONE: 684-3350		

SUBJECT: Approve an Agreement with the California Department of Food and Agriculture for a Noxious Weed Grant Program.

REQUEST(S):

That the Board of Supervisors:

1. Approve an Agreement with the California Department of Food and Agriculture for providing State subvention in the amount of \$40,000 to offset costs of providing noxious weed surveying and treatments, retroactive to May 1, 2020 through December 31, 2020. This Agreement is retroactive because the document was not received from the State until June 3, 2020.
2. Find that the Board had authority to enter into the proposed Agreement as of May 1, 2020, and that it was in the County's best interest to enter into the Agreement on that date.
3. Adopt the Categorical Exemption prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) for projects recommended by the California Department of Food and Agriculture.
4. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemption with the County Clerk.
5. Authorize the Chairman of the Board to sign two copies of the Agreement.

SUMMARY:

This Agreement is intended to render State financial aid to Tulare County for providing noxious weed surveying and treatments. The early detection of noxious weeds is critically important to the cattle industry in our County in that it will allow for the early detection and elimination of an invasive weeds that could threaten our cattle industry.

SUBJECT: Approve an Agreement with the California Department of Food and Agriculture for a Noxious Weed Grant Program.

DATE: September 15, 2020

This agreement has been approved as to form by County Counsel. Deviations from the standard County contract include:

- Mutual Liability – Neither party assumes liability for wrongful, negligent acts or omissions arising from this agreement.
- The County signs the agreement first.

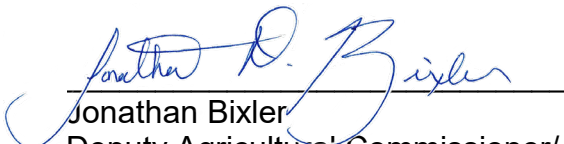
FISCAL IMPACT/FINANCING:

This Agreement provides \$40,000 to the County to provide noxious weed surveying and treatments. The expenses, including a cost share of \$500, and revenues have been included in the Agricultural Commissioner's Fiscal Year 2020/2021 budget.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Economic Well-Being Initiative to promote economic development opportunities, effective growth management and a quality standard of living. The request to approve this Agreement will provide a continued funding source that will allow the continuation of a program that protects the County's agricultural economy.

ADMINISTRATIVE SIGN-OFF:


Jonathan Bixler
Deputy Agricultural Commissioner/
Sealer of Weights and Measures

cc: County Administrative Office

Attachment(s) CDFA Noxious Weed Grant Program Agreement (19-1033-000-SG),
Notice of Exemption, California Environmental Quality Act

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH THE CALIFORNIA) Resolution No. _____
DEPARTMENT OF FOOD AND) Agreement No. _____
AGRICULTURE FOR A NOXIOUS WEED)
GRANT PROGRAM

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

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2. Found that the Board had authority to enter into the proposed Agreement as of May 1, 2020, and that it was in the County's best interest to enter into the Agreement on that date.
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Notice of Exemption

Fee Exempt per Government Code Section 6103

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
Room 105, Courthouse
221 South Mooney Boulevard
Visalia, California 93291

<i>Date filed by Tulare County Clerk</i>

Lead Agency: Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, Ca 93277 (559) 624-7000
Attn: hguerra@co.tulare.ca.us

Applicant(s): County of Tulare Agricultural Commissioner/Sealer
4437 S. Laspina St.
Tulare, CA 93274 (559) 684-3397

Project Title: CDFR Noxious Weed Grant Program 2020

Project Location - Specific: Throughout Tulare County, CA

Project Location- Section, Township, Range: N/A

Project Location - City: N/A

Project Location - County: Tulare

Description of Nature, Purpose, and Beneficiaries of Project: The Tulare County Board of Supervisors (on May 1, 2020) entered into an Agreement with the State of California Department of Food and Agriculture (CDFR) to provide funding for the County of Tulare Agriculture Commissioner's Office to offset costs of providing Noxious Weed Surveying and Treatment. The detection and treatment of invasive noxious weeds is critically important to the agricultural industry within Tulare County and State of California. Implementing the programs as provided by CDFR (i.e., the use of equipment, herbicides, chemicals, personnel, etc.) would mitigate the spread of several invasive weeds that threaten the cattle industry. As such, the funds will result in a public benefit by supporting the actions necessary to eradicate invasive weeds and protect the cattle industry as noted above.

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- General Rule: CEQA guidelines 15061 (b)(3)
- Categorical Exemption Section 15307 Actions by Regulatory Agencies for Protection of Natural Resources and 15308 Actions by Regulatory Agencies for Protection of the Environment
- Statutory Exemptions:

Reasons why project is exempt: This action is consistent with CEQA Guidelines (California Administrative Code, Title 14, Division 6) Section 15061 (b)(3) that there is no possibility that the proposed grant activity may have a significant effect on the environment. Thus, Section 15061 (b)(3) is applicable and appropriate for this project. Further, CDFR certified a Final Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program as an ongoing effort by CDFR to protect California's agriculture from damage caused by invasive plant species. CDFR also certified Addendum No. 1 (on July 15, 2016) and Addendum No. 2 (on April 17, 2017) to the PEIR. As such, the use of Sections 15307 Actions by Regulatory Agencies for Protection of Natural Resources and 15308 Actions by Regulatory Agencies for Protection of the Environment are appropriate and applicable.

Name of Public Agency Approving Project: County of Tulare, Resource Management Agency

Project Representative Jonathan D. Bixler, Deputy Agricultural Commissioner/Sealer **Telephone:** 559-623-3367

Signature: _____ Date: _____ Title: Chief Environmental Planner
Hector Guerra

Signature: _____ Date: _____ Title: Environmental Assessment Officer
Reed Schenke, PE RMA Director

Signed by Lead Agency

Date received for filing at OPR: N/A