



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

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**File created:** 11/23/2021      **In control:** Agricultural Commissioner  
**On agenda:** 12/14/2021      **Final action:** 12/14/2021  
**Title:** Cooperative Agreement No. 21-0277-022-SF, Sudden Oak Mortality Regulatory Program  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Sudden Oak Mortality Regulatory Agreement 2021-22, 3. Executed Sudden Oak Mortality Regulatory Agreement 2021-22.pdf

Date	Ver.	Action By	Action	Result
12/14/2021	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors  
**From:** Agricultural Commissioner  
**Agenda Section:** Consent

**SUBJECT:**  
Cooperative Agreement No. 21-0277-022-SF, Sudden Oak Mortality Regulatory Program

**RECOMMENDATION(S):**  
That the Board of Supervisors:

1. Approve Cooperative Agreement No. 21-0277-022-SF, known as the Sudden Oak Mortality Regulatory Program contract, with the California Department of Food and Agriculture;
2. Authorize the Chair to sign the original agreement, and direct the Clerk of the Board to return the signed agreement to the Agricultural Commissioner's Office for further processing; and
3. Grant a waiver from the provisions of the Nuclear Free Ordinance.

**SOURCE OF FUNDING:**  
California Department of Food and Agriculture (CDFA)

**DISCUSSION:**  
*Phytophthora ramorum* the pathogen that causes the plant disease known as Sudden Oak Death (SOD) has caused widespread die-off of several native tree species (Tan Oak, Coast Live Oak, and Black Oak) in California and Oregon since it was first identified in the mid-1990s. Since the discovery of an SOD infestation in the Redway area in 2002, Humboldt County has been subject federal and state quarantine

restrictions on plants and plant parts covered by the quarantine (Title 3 of the California Code of Regulations, Division 4, Chapter 4, Subchapter 6, Section 3700 & Title 7 of the Code of Federal Regulations Section 301.92). Numerous host plants for SOD are important to the wood products and nursery industry. There are currently more than 120 plants regulated as hosts for SOD.

Through the mechanism of compliance agreements between plant products producers and Humboldt County, the SOD program provides a regulatory process that permits the movement of plants and plant products subject to state and federal SOD quarantines. Agriculture Department staff conduct regular surveys of local plant nurseries and collect plant samples for laboratory testing in order to determine that commercial plant products are free from the SOD pathogen. Through intensive visual inspections of host species and laboratory testing, the SOD program ensures that nursery stock, wood products, green waste, and compost produced in Humboldt County are not responsible for artificially spreading the SOD pathogen. The entire scope of work conducted by Humboldt County to ensure producer compliance with SOD quarantines includes quarantine enforcement, eradication, trace-forward/trace-back investigations, communication with industry and training.

The request for a waiver from the provisions of the Nuclear Free Ordinance is requested since the State of California will not modify its cooperative agreements to accommodate local ordinances. The Agricultural Commissioner's Office receives annual subventions from CDFG to offset the local costs of enforcing certain state-mandated programs. Cooperative Agreement No. 21-0277-022-SF provides funding to Humboldt County for the Sudden Oak Mortality Regulatory Program.

FINANCIAL IMPACT:

There is no net cost to Humboldt County for the SOD regulatory program. All costs for personnel, mileage, and supplies will be reimbursed by the agreement. Cooperative Agreement No. 21-0277-022-SF provides \$14,383.69 for agriculture department activities related to the SOD regulatory program from July 1, 2021 to June 30, 2022. The department's adopted budget for fiscal year 2021-22 populated revenue and expenditure accounts in anticipation of this agreement; therefore, no supplemental budget accompanies this request. This agreement comes to your Board after the July 1 effective date due to delays in receiving this agreement from CDFG. All costs associated with the SOD Regulatory Program are billed to CDFG on a monthly basis and payment is made in arrears to Humboldt County.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

CDFG

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion

ATTACHMENTS:

One complete Cooperative Agreement No. 21-0277-022-SF

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-1  
Meeting of: 9/29/2020  
File No.: 20-1164