

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 15, 2022

FROM

**ANGELA GODWIN, Agricultural Commissioner/Sealer of Weights & Measures,
Department of Agriculture/Weights & Measures**

SUBJECT

Amendment to Revenue Agreement with the California Department of Food and Agriculture for Services Related to the Industrial Hemp Cultivation Program

RECOMMENDATION(S)

Approve **Amendment No. 2** to Revenue **Agreement No. 20-893** (State Revenue Agreement No. 20-0341-000-SA) for Industrial Hemp Cultivation Program, effective July 1, 2020, through June 30, 2022, increasing the Agreement by \$137,917, from \$73,050 to a new total not to exceed \$210,967.

(Presenter: Angela Godwin, Agricultural Commissioner/Sealer of Weights & Measures, 387-2117)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

This item will not result in the use of additional Discretionary General Funding (Net County Cost). The revenue agreement amendment specifies a term from July 1, 2020 through June 30, 2022, for a new maximum reimbursement not to exceed \$210,967. Monthly invoices are submitted to the California Department of Food and Agriculture (CDFA) for reimbursement to the program. Sufficient appropriation and revenue for this agreement were included in the Department of Agriculture/Weights & Measures (AWM) 2021-22 budget. Services per the revenue agreement will be provided by existing AWM staff.

BACKGROUND INFORMATION

This amended revenue agreement increases the original agreement amount by \$137,917 to a new total not to exceed amount of \$210,967. The original agreement amount was based on estimations made prior to beginning services. The amendment increases the total to an amount more applicable to the actual level of work performed and will allow AWM to receive reimbursements for the entirety of the agreement's term. From June 2019 through February 2022, 183 registration applications were received, and approximately 88 are currently active.

AWM will continue to perform activities related to industrial hemp registration, renewal, and registration amendments as required by CDFA guidelines and all requirements outlined in Section 4901 in Title 3 of the California Code of Regulations. AWM thoroughly reviews applications for registrant information, business information, Employer Identification Number,

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key participant criminal history reports, zoning certification (Assessor Parcel Number), cultivation site, cultivar registration, certificate of analysis, maps, signed industrial hemp regulation letter, and payment forwarded to the CDFA. AWM also conducts a site location verification during the application process. A completed registration will trigger annual (random) inspections of grow sites and sampling for tetrahydrocannabinol (THC), review and confirmation of planting reports, review of pre-harvest notifications and sampling requests (official sampling following grower request), harvest confirmations, and site inspections. The program also conducts destruction of illegal hemp with verification and witnesses in coordination with the San Bernardino County Sheriff's Office.

This revenue agreement aligns with the County and Chief Executive Officer's goals and objectives by working with other agencies by performing enforcement activities for the Industrial Hemp Cultivation Program on behalf of CDFA, Plant Health and Pest Prevention Services/Pest Exclusion Division (PHPPS/Pest Exclusion) and receiving reimbursement for the work performed.

The Board of Supervisors (Board) approved the initial revenue agreement with CDFA, PHPPS/Pest Exclusion on March 10, 2020 (Item No. 7), to provide enforcement activities related to the cultivation of industrial hemp throughout San Bernardino County on behalf of the State, for the period of April 30, 2019 through June 30, 2020. The Board approved Amendment No. 1 to the agreement on January 26, 2021 (Item No. 9), to include registration and renewal issuance activities.

On January 13, 2022 AWM received the amended State Revenue agreement. The amendment is being presented to the Board at this time as this is the first date available for presentation following the required operational, fiscal and legal reviews. Approval at this time will have no impact on the estimated revenue or the work performed for the Industrial Hemp Cultivation Program since July 1, 2020, as it will be reimbursed under this agreement.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Daniel Pasek, Deputy County Counsel, 387-5455) on January 24, 2022; Finance (Elias Duenas, Administrative Analyst, 387-4052) on February 7, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on February 7, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

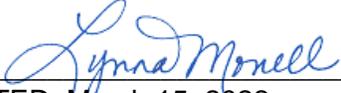
APPROVED (CONSENT CALENDAR)

Moved: Janice Rutherford Seconded: Joe Baca, Jr.

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY


DATED: March 15, 2022



cc: AW&M- Godwin w/agree for sign
Contractor- C/O AW&M w/agree
File- w/agree

LA 03/17/2022