

COUNTY OF SACRAMENTO
CALIFORNIA

For the Agenda of:
October 1, 2009

To: Board of Supervisors
From: Countywide Services Agency
Subject: Report Back - Airport Funding Options for Pest Exclusion Activities
Supervisory District: All
Contact: Frank Carl, Agricultural Commissioner, 875-6603

BACKGROUND

During Fiscal Year 2009-10 Final Budget Hearings on September 29th, the Board asked if Airport funds could support Pest Exclusion activities at Air Cargo facilities.

DISCUSSION

After review of US Department of Transportation Policy it appears that the use of Airport funds to support pest exclusion activities at International Airport and Mather facilities is not viable.

In essence, the Airport Enterprise can be charged for these services as long as the following conditions are met:

1. The fees charged to the County Airport System must be based on the same methodology used to determine fees to all other recipients of the same services.
2. The Agricultural Commissioner must charge all other recipients of the same services – the Airport cannot be singled out simply because they have the means to pay.

In order to bill the Airport for inspection activities, the Commissioner would be required to bill all other parcel facilities and recipients of interstate shipments for inspection costs as well. The Agricultural Commissioner has no authority to charge for these mandated inspection activities. Section 6401 of the California Food and Agricultural Code requires the carrier to notify the Commissioner upon arrival of any plant shipment, and to hold the shipment for immediate inspection by the Commissioner.

Funding for this activity has improved over the years, and the Canine Program is an example of that. The canine aspect of the program is fully funded. In addition, we have

received partial funding through the State General Fund for High Risk Pest Exclusion, but that funding is inadequate to fully cover the cost of inspection. County staff initiated the authorizing legislation for this partial reimbursement and have twice gone back to convince the Legislature to re-establish the budget line item after the funding was diverted. Only \$5.5 million remains in the current State Budget for these inspections. Sacramento County, however, receives \$85,030 of this amount which is insufficient to fully fund operational costs.

A few Southern California Commissioners attempted several years ago to charge for pest exclusion activities and after complaints were filed, were ordered to cease and desist by the Secretary of the California Department of Food and Agriculture. When one of the Commissioners refused to stop charging the fees, action was proposed against her license. At that point, the fees were discontinued and those collected were refunded. Therefore, staff does not recommend pursuing this option.

Respectfully submitted,

APPROVED:
TERRY SCHUTTEN
County Executive

FRANK E. CARL, Director
Agricultural Commissioner/
Sealer of Weights and Measures

By: _____
JAMES W. HUNT, Acting Administrator
Countywide Services Agency