

Agriculture, Weights and Measures FY 2010-11 Performance Plan

I. MISSION STATEMENT

The mission of the Agriculture, Weights and Measures Department is to serve the public's interest by ensuring equity in the market place, promoting and protecting agriculture, protecting environmental quality and the health and welfare of Marin County's residents.

II. DEPARTMENT OVERVIEW

The Department of Agricultural, Weights and Measures protects environmental quality and the health and welfare of residents by ensuring that pest control is performed safely and appropriately. The department also guards natural, agricultural and urban community resources from destructive and invasive pests and serves the public's interest by implementing weights and measures programs that protect consumers and ensure equity in the marketplace.

These functions are accomplished through education, commodity inspection and certification, promotion of sustainable food systems and enforcement of county, state, and federal regulations. The department works cooperatively with the public, agricultural industry and various county, state and federal agencies with similar mandates to facilitate program goals.

The department also provides sustainable agriculture programs and pest identification and pest control guidance for residents and is an informational resource for the agricultural industry, pest control operators and other government agencies.

The Agriculture, Weights and Measures Department includes the following programs:

- Agriculture
- Weights and Measures

The staff of the Agriculture Commission is responsible for the following services:

- Pesticide Use Enforcement ensures pesticides are used safely, appropriately and in compliance with state and federal laws and regulations
- Pest Exclusion, Pest Detection and Pest Eradication programs prevent the introduction, spread and establishment of injurious and destructive pests such as Light Brown Apple Moth (LBAM)
- Sustainable Agriculture programs, such as Organic Certification and Grass-fed Livestock Certification, promote Marin's agricultural industry and encourage sustainable agricultural practices; Livestock Protection assists ranchers with non-lethal methods of livestock protection
- Fruit, Vegetable and Egg Quality Control protect consumers and industry from substandard quality, insufficiently labeled, deceptively packed and illegally marketed fruits, vegetables and eggs
- Nursery and Seed Inspection ensures agricultural commodities meet state standards and are free of pests
- Livestock and Crop Statistics programs gather statistics for annual livestock and agricultural crop report, which includes crop loss due to environmental disaster
- Farmers Market / Direct Marketing program regulates and certifies local growers so they may sell directly to consumers at farmers markets and other direct market outlets

The Weights and Measures staff is responsible for the following services:

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- Weighing and Measuring Device Regulations program provides for inspection and testing of all commercial weighing and measuring devices within the county to ensure accuracy and fair transactions
- Quantity Control assures that the sale of commodities, over a scale or prepackaged, accurately represent quantity and price
- Scanner Inspection checks the accuracy of retail scanner-pricing and investigates consumer complaints
- Petroleum Inspection program ensures petroleum products meet minimum state standards and investigates complaints of gasoline quality and other petroleum products
- Weighmaster assures commercial transactions by individuals or firms, in the absence of a third party and issues certificates when weighing or measuring bulk commodities

III. FY 2009-10 ACCOMPLISHMENTS

- Board of Supervisors (BOS) adopted an updated Integrated Pest Management (IPM) ordinance and associated policy
- Updated county Integrated Pest Management website to reflect newly adopted policy
- Board of Supervisors (BOS) adopted a reinspection fee for non-compliant scanner locations
- Consolidated office and are in the process of bringing employee workspace up to county ergonomic standard
- Created a file system of electronically scanned inspection documents to eliminate filing paper manually

IV. GOALS AND KEY INITIATIVES FOR FY 2010-11

Goal 1: Prevent the introduction and spread of invasive species

Please indicate how goal reflects one of the department's highest priorities and aligns with Countywide Goals and Priorities

This is consistent with the countywide goals of sustainable communities and environmental stewardship and preservation. State law mandates the control and eradication of invasive species, however there are many in the community who are opposed to any pest eradication activity on the basis of health concerns. Preventing the introduction and spread of invasive species eliminates the high costs associated with eradication programs, as well as the community concerns that often accompany eradication projects.

FY 2010-11 Key Initiatives

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| 1. Work with Marin Agricultural Land Trust (MALT) to pursue grant funding to manage distaff thistle in Cheleno Valley |
| 2. Continue to recruit interns to assist with non-regulatory department functions, allowing licensed staff to focus on pest exclusion activities |
| 3. Work with state to obtain Light Brown Apple Moth (LBAM) twist ties for placement in high risk locations to reduce reproductive capability of LBAM |

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Goal 2: Ensure pesticides are used safely and appropriately

Please indicate how goal reflects one of the department's highest priorities and aligns with Countywide Goals and Priorities

This goal aligns with the countywide goal of sustainable communities, environmental stewardship and preservation. State mandates require county Agriculture departments to regulate pesticides to ensure safe and appropriate use. Department pesticide use enforcement programs are critical in providing oversight to ensure pesticides are used lawfully thereby minimizing the potential for impacts on health or the environment.

FY 2010-11 Key Initiatives

1. Hire a replacement Deputy Commissioner and provide training on local concerns
2. Utilize interns to enter pesticide use report data, allowing licensed staff greater time to focus on field enforcement activities
3. Work with state and county partners to develop uniform software standard for pesticide use reporting and permit issuance

Goal 3: Encourage sustainable agricultural practices

Please indicate how goal reflects one of the department's highest priorities and aligns with Countywide Goals and Priorities

This is consistent with the countywide goal of sustainable communities, environmental stewardship and preservation. The Marin Organic Certified Agriculture (MOCA) program through the Agricultural Commissioner's Office offers affordable organic certification services to local agricultural producers. Organic certification and the implementation of sustainable agricultural practices, encourages resource preservation, ensures continued productivity of agricultural lands, while providing added value to local agricultural products.

FY 2010-11 Key Initiatives

1. Educate Marin County agricultural producers on the new National Organic Program (NOP) pasture regulations and ensure Marin Organic Certified Agriculture (MOCA) certified growers comply with new regulations
2. Prepare for NOP audit to ensure MOCA continues to be an accredited organic certifier

Goal 4: Maintain a fair and equitable marketplace

Please indicate how goal reflects one of the department's highest priorities and aligns with Countywide Goals and Priorities

This goal aligns with the countywide goals of safe communities and sustainable communities. Fair and equitable trade is the basis of commerce as it promotes stability within industry. Local enforcement of weights and measures regulations is important to ensure industry stability and consumer protection. Last year, Weights and Measures implemented a Point-of-Sale (POS)/Scanner inspection program.

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For consumers, a transparent and confident purchase transaction promotes consumer confidence and allows consumers the ability to protect themselves from deception in the marketplace.

FY 2010-11 Key Initiatives

1. Clean-up and streamline scanner billing database so bills are directly and uniformly mailed to corporate headquarters and not to individual business locations
2. Review criteria for business inclusion in scanner inspection program to ensure businesses are appropriately included in the program
3. Investigate and purchase self voiding paper seals to discourage unauthorized removal of seals from department tested and sealed devices and placement on unapproved or incorrect devices

Goal 5: Provide increased efficiencies through office automation

Please indicate how goal reflects one of the department's highest priorities and aligns with Countywide Goals and Priorities

This goal aligns with countywide goals of effective communication, managing for results and financial responsibility. As a regulatory agency, the department maintains records, performs and records inspections, and maintains up-to-date regulations of all applicable state laws, regulations and policies. A tremendous amount of time is used to print and distribute emailed regulations, and significant expense is incurred in the cost of printer toner. Investigating and implementing paperless technology in the department will save time and expenditures over the long run.

FY 2010-11 Key Initiatives

1. Continue to pursue paperless field inspection through use of software and hardware technologies
2. Continue efforts to identify funding sources to purchase electronic notebooks, software and associated hardware
3. Work with Information Services and Technology (IST) Department to obtain daily time program developed for Santa Clara County which would significantly reduce staff time needed to keep records

V. KEY CHALLENGES AND ISSUES

- Recruiting and training replacement for Deputy Commissioner, a key administrative staff position
- Maintaining level of service and responsiveness in an environment of ongoing budget cuts
- Identifying resources to complete office upgrades

VI. PROGRAM OVERVIEW

PROGRAM 1: AGRICULTURE

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PROGRAM DESCRIPTION AND RESPONSIBILITIES

Pest Management activities of the Agriculture department programs include Pest Exclusion, Pest Detection, Pest Eradication and Quarantine. These programs protect agricultural and environmental resources from the introduction and establishment of invasive and destructive weeds, insects, pests and disease. Recent examples of exclusion, detection, and quarantine programs include regulation of Sudden Oak Death, Light Brown Apple Moth (LBAM), and Glassy Winged Sharpshooter. Agriculture department programs also include Pesticide Use Enforcement which involves the permitting and registration of pest control businesses and ranchers, pesticide-application inspection by county agriculture staff, investigation of pesticide-related complaints and illness reports, as well as 100 percent pesticide-use reporting to the state.

The standardization programs of the Agriculture department include regulation of Direct Marketing / Farmers Markets, regulation of nurseries and seed producers; enforcement of fruit, nut, vegetable, honey and egg quality standards; and gathering statistics for and the production of the county's Annual Livestock and Crop Report.

Sustainable agriculture programs include: Marin Organic Certified Agriculture (MOCA) which provides organic certification services; the Livestock Protection Program which assists Marin livestock producers with the implementation of non-lethal livestock-protection methods; and the Marin/Sonoma Weed Management Area Group which assists with the coordination of local noxious weed control activities.

FY 2010-11 PROGRAM INITIATIVES

- **INSTRUCTIONS:** Please add up to 5 (five) key program initiatives below for FY 2010-11.

FY 2010-11 Program Initiatives
1. Work with Marin Agricultural Institute (formerly Marin County Farmers Markets) to improve marketing environment for local agricultural producers
2. Work closer with Organic Specialist to coordinate organic outreach activities and contribute to informational newsletter, Grown in Marin
3. Review MOCA files and perform self audit in advance of United States Department of Agriculture (USDA), National Organic Program (NOP) audit to ensure smooth accreditation audit
4. Obtain and distribute LBAM twist ties at high risk properties to disrupt LBAM mating

PROGRAM 2: WEIGHTS AND MEASURES

PROGRAM DESCRIPTION AND RESPONSIBILITIES

The Weights and Measures Department programs ensure that all local weights and measures transactions are fair and equitable. These programs provide both consumer protection and a transparent marketplace for local industry. Program responsibilities include inspection and testing of all commercial weighing and measuring devices to ensure device accuracy and fairness of transactions; inspection and complaint investigation of weighing and measuring devices, testing gasoline and petroleum product quality; verification of accuracy of commercial transactions when weighing or measuring bulk commodities; verification that the direct sale of commodities made over

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a scale and the sale of prepackaged commodities accurately reflect the quantity and price extension; and the inspection of point-of-sale systems to ensure consumers are charged the lowest advertised price.

FY 2010-11 PROGRAM INITIATIVES

➤ **INSTRUCTIONS:** Please add up to 5 (five) key program initiatives below for FY 2010-11.

FY 2010-11 Program Initiatives
1. Replace aging petroleum test truck through Joint Powers Authority (JPA) with Sonoma and Napa counties
2. Purchase replacement chains for heavy capacity test equipment that is compliant with Occupational Safety and Health Administration (OSHA) requirements
3. Review status of trust fund, identify appropriate expenditures and close fund out

VII. PERFORMANCE MEASURES

AGRICULTURE

Objective: Reduce number of acres of distaff and purple star thistle on agricultural properties to restore the land to productivity

Measures	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Estimate	FY 10-11 Estimate
Workload Measures				
Total number of acres of distaff and purple star thistle	5,750	6,839	6,500	6,500
Efficiency Measures				
Cost per acre cleared	\$150	\$75	\$125	\$90
Effectiveness Measures				
Percent change in acres of distaff and purple star thistle removed	-2%	-2%	-0.5%	0%

Story Behind Performance: Budget reductions and increasing Light Brown Apple Moth workload led to department struggling with weed management effort. Numbers are estimates based on conversations with ranchers. Reduction in material costs have lead to a reduction in cost per acre cleared.

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Objective: Reduce the number of hours spent on organic renewals to maintain certifications

Measures	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Estimate	FY 10-11 Estimate
Workload Measures				
Number of organic agricultural operations	49	58	50	58
Efficiency Measures				
Number of hours spent per certification renewal	6	4.5	5	7.5
Effectiveness Measures				
Percentage of prior-year's certified organic agricultural operations recertified in the current year	100%	100%	98%	100%

Story Behind Performance: Numbers have increased due to the inclusion of dairy and livestock ranchers into the organic certification process. Previous hours were estimates that only included field inspection time. Current hours estimate includes all department staff inspection and prep time. Hours are derived from departmental annual report.

Objective: Improve industry compliance and ensure transaction clarity between consumer and industry

Measures	FY 07-08 Actual	FY 08-09 Actual	FY 09-10 Estimate	FY 10-11 Estimate
Workload Measures				
Number of inspections conducted	158	222	150	150
Efficiency Measures				
Number of hours spent to verify location compliance	2.0	4.9	3.0	3.5
Effectiveness Measures				
Percent of businesses complying with scanner regulations	68%	70%	70%	70%

Story Behind Performance: Increasing number of locations being included in scanner database requiring additional inspections. The number of inspections has gone down because the number of scanners in compliance. Anticipate re-inspection fee will increase compliance, but not in first year.