

State of California

Department of Food and Agriculture  
Citrus Pest and Disease Prevention Division  
2710 Gateway Oaks Drive  
Sacramento, CA 95833

**CPDPD ADVISORY No. 01-2023**

To: All County Agricultural Commissioners      Date: February 6, 2023  
Place: Sacramento  
Phone: (916) 274-6300

From: Citrus Pest and Disease Prevention Division

Subject: **Asian Citrus Psyllid Regulatory County Cooperative Agreements**

The California Department of Food and Agriculture (CDFA), Citrus Pest and Disease Prevention Division, requests each county involved in Asian citrus psyllid (ACP) bulk citrus regulatory activities submit a Work Plan for the 12-month agreement period of October 1, 2023, through September 30, 2024. Bulk citrus regulatory activities include, but are not limited to, issuing compliance agreements, inspecting regulated establishments, and issuing notices of violation for noncompliance. Activities conducted to regulate harvesters and farm labor contractors are reimbursable under this new agreement.

The following counties are involved in regulatory activities and may submit an ACP Work Plan for fiscal year 2023-24:

Fresno	Imperial	Kern	Kings
Los Angeles	Monterey	Orange	Riverside
San Bernardino	San Diego	San Luis Obispo	Santa Barbara
Tulare	Ventura		

After reviewing the updated Scope of Work, Guidelines and Work Plan Instructions, and Work Plan template, and taking into consideration work completed under the previous ACP cooperative agreements, please complete and submit your Work Plan by **February 24, 2023**, to Keith Okasaki via email at [Keith.Okasaki@cdfa.ca.gov](mailto:Keith.Okasaki@cdfa.ca.gov). The remaining agreement documents including an invoice template and Monthly Activity Report form will be sent in via email.

Please contact Keith with any questions or need clarification regarding the recently updated Scope of Work or Work Plan.

## **Asian Citrus Psyllid Program, Citrus Commodities (Regulatory)**

### **Scope of Work**

**October 1, 2023 – September 30, 2024**

The County agrees to perform and provide the following quarantine response and regulatory enforcement activities for the California Department of Food and Agriculture (CDFA) in compliance with Title 3, section 3435 of the California Code of Regulations (CCR) and Title 7, Part 301.76 of the Code of Federal Regulations (CFR).

This agreement is inclusive of the County's agreement to perform activities approved by CDFA as described in the attached projected Work Plan.

Regulatory and records inspections at regulated establishments are the highest priority. Compliance agreement issuance is a lower priority. If regional quarantine zones are modified and commercial channels change, county personnel shall prioritize inspection activities as appropriate to meet changing needs.

**Authorized expenses under this Asian citrus psyllid (ACP) regulatory cooperative agreement include:**

#### **I. Personnel Activities**

##### **A. Quarantine Enforcement**

- 1. Citrus Growers**
- 2. Citrus Packers/Juice Plants/Processors**
- 3. Citrus Transporters**
- 4. Citrus Fruit Sellers**
- 5. Citrus Harvesters/Farm Labor Contractors**
- 6. Dump and Disposal**
- 7. Regulatory Trace Activities**
- 8. Program Environmental Impact Report**

##### **B. Other Activities**

- 1. Meetings**
- 2. Administrative Support**
- 3. Reporting**

#### **II. Non-Personnel**

- A. Dump and Disposal**
- B. Supplies/Equipment**
- C. Vehicle Mileage**

#### **III. Reporting/Invoicing**

- A. ACP Regulatory Monthly Activity Report**
- B. Invoicing/Reimbursement**

**Description of authorized expenses:**

- I. Personnel Activities:** The County agrees to perform the listed quarantine response and regulatory enforcement activities required by the ACP State Interior Quarantine

and the Federal Domestic Quarantine for Citrus Greening and Asian Citrus Psyllid. This agreement is also inclusive of the following:

**A. Quarantine Enforcement Activities for The Following Regulated Entities:**

**1. Citrus Growers**

Includes commercial growers of ACP host fruit.

**a. Compliance Agreement Issuance**

- i. Initial visit to issue and explain the terms of the compliance agreement and exhibits, and regulatory requirements.
- ii. Assigning a compliance agreement number, countersigning the agreement, and sending a copy to [ACPCompliance@cdfa.ca.gov](mailto:ACPCompliance@cdfa.ca.gov).

**b. Regulatory and Records Inspections**

- i. Regulatory inspections and records review to verify quarantine compliance.
- ii. Receiving, maintaining, and approving grower-submitted ACP-Free Declaration forms.
- iii. Issuing Hold Notices, Notices of Rejection, Notices of Violation, and Notices of Proposed Action for non-compliance.

**2. Citrus Transporters**

Includes transporters of commercial ACP host fruit.

**a. Compliance Agreement Issuance**

- i. Initial visit to issue and explain the terms of the compliance agreement and exhibits, and regulatory requirements.
- ii. Assigning a compliance agreement number, countersigning the agreement, and sending a copy to [ACPCompliance@cdfa.ca.gov](mailto:ACPCompliance@cdfa.ca.gov).

**b. Regulatory and Records Inspections**

- i. Regulatory inspections and records review to verify quarantine compliance.
- ii. Issuing Hold Notices, Notices of Rejection, Notices of Violation, and Notices of Proposed Action for non-compliant shipments.
- iii. Placing, servicing, relocating, and submitting yellow panel traps.

**3. Citrus Packers/Juice Plants/Processors**

Includes packers/juicers/processors of commercial ACP host fruit.

**a. Compliance Agreement Issuance**

- i. Initial visit to issue and explain terms of compliance agreement and exhibits, and regulatory requirements.
- ii. Assigning a compliance agreement number, countersigning the agreement, and sending a copy to [ACPCompliance@cdfa.ca.gov](mailto:ACPCompliance@cdfa.ca.gov).

**b. Regulatory and Records Inspections**

- i. Regulatory inspections to ensure compliance with safeguarding performance standards and records review to verify quarantine compliance.
- ii. Issuing Hold Notices, Notices of Rejection, Notices of Violation, and Notices of Proposed Action for non-compliant shipments.

**4. Citrus Fruit Sellers**

Includes sellers, distributors, and market vendors of ACP host fruit.

**a. Compliance Agreement Issuance**

- i. Initial visit to issue and explain the terms of the compliance agreement and exhibits, and regulatory requirements
- ii. Assigning a compliance agreement number, countersigning the agreement, and sending a copy to [ACPCompliance@cdfa.ca.gov](mailto:ACPCompliance@cdfa.ca.gov).

**b. Regulatory and Records Inspections**

- i. Regulatory inspections to ensure compliance with safeguarding performance standards and records review to verify quarantine compliance.
- ii. Issuing Hold Notices, Notices of Rejection, Notices of Violation, and Notices of Proposed Action for non-compliant shipments.

**5. Citrus Harvesters/Farm Labor Contractors**

Includes harvesters and farm labor contractors harvesting ACP host fruit.

**a. Compliance Agreement Issuance**

- i. Initial visit to issue and explain the terms of the compliance agreement and exhibits, and regulatory requirements
- ii. Assigning a compliance agreement number, countersigning the agreement, and sending a copy to [ACPCompliance@cdfa.ca.gov](mailto:ACPCompliance@cdfa.ca.gov).

**b. Regulatory and Records Inspections**

- i. Regulatory inspections to ensure compliance with safeguarding performance standards and records review to verify quarantine compliance.
- ii. Issuing Hold Notices, Notices of Rejection, Notices of Violation, and Notices of Proposed Action for non-compliant shipments.

**6. Dump and Disposal**

Personnel hours associated with the disposal of confiscated bulk citrus related material.

**7. Regulatory Trace-Back Activities**

Regulatory trace-back and trace-forward activities when required. Trace-back and trace-forward activities may occur at any regulated establishment.

**8. Program Environmental Impact Report**

Ensure that all activities are performed following CDFA's management practices and any necessary mitigation measures as required and consistent

with CDFA's Program Environmental Impact Report (PEIR).

## **B. Other Activities:**

### **1. Meetings**

Personnel hours associated with attendance at and participation in conference calls and meetings regarding ACP quarantine response and regulatory enforcement.

### **2. Administrative Support**

Personnel hours associated with administrative activities such as maintaining and recording received ACP-Free Declaration forms, HLB Pest Risk Mitigation Forms, data entry, or invoicing for ACP quarantine response and regulatory enforcement.

### **3. Reporting**

Personnel hours associated with entering compliance agreement information into spreadsheets, completing the ACP Regulatory Monthly Activity Report, and reporting any other requested data. Use of ACP Program forms for reporting and inspections is required. Forms will be provided to all counties. Forms created by the County will **not be** accepted and incomplete forms will be returned.

## **II. Non-Personnel**

**A. Dump and Disposal:** Only dump and disposal fees related to administering and conducting quarantine and regulatory enforcement activities associated with the ACP Program will be reimbursed. Dump fees includes the landfill cost for disposal with special handling (deep burial with immediate cover). Disposal fees include, but are not limited to, bags for safeguarding confiscated material enroute to the dump for disposal.

## **B. Supplies/Equipment:**

**1. Supplies:** In accordance with 2 C.F.R. § 200.94 (<http://www.ecfr.gov>), supplies are considered articles having a useful life of less than one year. Only supplies directly related to administering and conducting quarantine and regulatory enforcement activities associated with the ACP Program will be reimbursed. Examples of supplies include materials from a general supply or stockroom, fabricated parts, paper, stationery, general office goods, ink and toner cartridges, and organization tools.

**2. Equipment:** In accordance with 2 C.F.R. § 200.33 (<http://www.ecfr.gov>), equipment is considered articles having a useful life of more than one year. Only equipment directly related to administering and conducting quarantine and regulatory enforcement activities associated with the ACP Program will be reimbursed. Articles with a unit cost of \$5,000 or more must have prior approval for reimbursement. Examples of equipment include microscopes,

spectrometers, office equipment, office furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

All records substantiating that the supplies and equipment are used for the ACP Program must be maintained by the county.

- C. Vehicle Mileage:** The mileage reimbursement rate used on the monthly invoice must be the same as the rate in the Work Plan. If the federal mileage reimbursement rate (<http://www.irs.gov>) fluctuates during the agreement period, counties must submit invoices for the current federal rate.

**Substantiation of Vehicle Mileage Costs:** Counties must maintain a single vehicle log per vehicle, and all mileage must be recorded daily with an indication of which program the vehicle was used for and the name of the driver. Vehicle logs must be submitted if requested.

**III. Reporting/Invoicing:** Personnel hours associated with the compilation, submittal, and maintenance of the following:

- A. ACP Regulatory Monthly Activity Report:** The County must submit an ACP Regulatory Monthly Activity Report utilizing the template provided to report all authorized ACP quarantine response and regulatory enforcement activities. Monthly activity reports must be submitted with the monthly invoice to Keith Okasaki ([Keith.Okasaki@cdfa.ca.gov](mailto:Keith.Okasaki@cdfa.ca.gov)) and **no later than 30 days** after the end of the coinciding reporting period. Questions about the reporting can be directed to Keith at the email listed above or by calling (916) 704-5464.

- B. Invoicing/Reimbursement:** The County must submit a monthly itemized invoice using the provided template (Appendix A) on county letterhead to CDFA **no later than 30 days** after the end of the coinciding reporting period. Completed official ACP Program forms must be submitted with or prior to invoicing. Invoices will not be processed without current and completed ACP Program forms.

**1. Allowable Costs:** All invoiced expenses must fall within the parameters of this Scope of Work and must be directly related to administering and conducting ACP quarantine response and regulatory enforcement activities.

**2. ACP Regulatory Monthly Activity Report Required for Reimbursement:** Invoices will not be paid until the ACP Regulatory Monthly Activity Report for the invoicing period has been submitted by the County and verified by CDFA. Personnel hours on the activity report must match the hours on the invoice.

**3. Hourly Rate(s) on Invoices:** Invoices must reflect the actual hourly rates (salary and benefits) for each personnel classification listed on the Work Plan that conducted ACP quarantine response and regulatory enforcement activities.

- 4. Personnel on Invoice Must Match Work Plan:** Invoices must reflect work performed by personnel classifications listed on the Work Plan.
- 5. Documentation:** Documentation (including purchase receipts) for expense reimbursement must be retained by the County and shall be made available upon request for audit purposes.
- 6. Substantiation of Costs:** All personnel salary costs must be properly tracked or allocated to the cooperative agreement in accordance with the Office of Management and Budget (OMB) requirements and Federal Cost Principles. Personnel costs must be able to be traced back to original documents detailing the account to which personnel hours are billed. In addition, all invoiced personnel costs must match the work plan.

If the County plans to seek reimbursement for vehicle mileage, the documentation for mileage reimbursement must be tracked separately from all other programs and documentation must be available to support the reimbursement. In addition, all invoiced vehicle costs must match the work plan. Mileage rates used on invoices must be the same as contained in the work plan. CDFA will notify counties of new rates (current rate \$0.56) if the federal mileage rate changes during the term of the agreement.

All other expenses (travel, supplies, communications, etc.) for which the County will seek reimbursement under the cooperative agreement must be directly related to the cost of administering and conducting the program, and documentation must be available to support the reimbursement. In addition, all invoiced expenses must match the work plan.

The following citations are requirements outlined in OMB Circulars and Federal Cost Principles applicable to your agency/organization.

State, Local and Indian Tribal Governments:

- 2 C.F.R. § 200 (<http://www.ecfr.gov>), Uniform administrative requirements, cost principles, and audit requirement for federal awards.
- 2 C.F.R. § 225 (<http://www.ecfr.gov>), Cost Principles (formerly OMB Circular A-87), see Cost Allocation Plans and Attachment B, 8. Compensation for personal services, h. Support of Salaries and wages.

- 7. Submission of Monthly Invoice:** Invoices with the ACP Regulatory Monthly Activity Report must be emailed to Keith Okasaki at [Keith.Okasaki@cdfa.ca.gov](mailto:Keith.Okasaki@cdfa.ca.gov). Contact Keith with any questions regarding invoicing or reimbursement by email or by calling (916) 704-5464.

**Asian Citrus Psyllid Program, Citrus Commodities (Regulatory)  
Guidelines and Work Plan Instructions  
October 1, 2023 – September 30, 2024**

Each county is to complete the Work Plan based on the individual county's needs and enforcement priorities. The list of regulated establishments to assist in determining workload and enforcement priorities is available here:

<http://phpps.cdfa.ca.gov/PE/InteriorExclusion/pdf/ComplianceAgreementDatabase.pdf>

**Guidelines:** Regulatory and records inspections at regulated establishments are the highest priority. Compliance agreement issuance is a lower priority. If regional quarantine zones are modified and commercial channels change, county personnel shall prioritize inspection activities as appropriate to meet changing needs.

**Instructions:** Complete an Asian citrus psyllid (ACP) regulatory Work Plan by following the instructions below. The Work Plan should represent the number of staff, hours, and resources required to fully regulate citrus commodity establishments.

**I. Personnel Activities**

**A. Quarantine Enforcement Activities:**

- 1. Citrus Growers: Includes all commercial growers of ACP host fruit.**
  - a. Compliance Agreement Issuance
    - Reimbursable activities include an initial visit to issue and explain terms of compliance agreement and exhibits, regulatory requirements, assigning a compliance agreement number and countersigning to execute the agreement, and sending a copy of the agreement to CDFA.
    - The number of hours per visit includes commute time to the grower.
  - b. Regulatory and Records Inspections
    - Reimbursable activities include regulatory inspections, records review, receiving and approving grower-submitted ACP-Free Declaration forms, and issuing Hold Notices, Notices of Rejection, Notices of Violation, or Notices of Proposed Action for non-compliance.
    - The number of hours per visit includes commute time to the grower.
- 2. Citrus Packers/Juice Plants/Processors**
  - a. Compliance Agreement Issuance
    - Reimbursable activities include an initial visit to issue and explain terms of compliance agreement and exhibits, regulatory requirements, assigning a compliance agreement number and countersigning to execute the agreement, and sending a copy of the agreement to CDFA.
    - The number of hours per visit includes commute time to the

- packer/processor.
- b. Regulatory and Records Inspections
  - Reimbursable activities include regulatory inspections, records review, citrus shipment inspections, collecting and submitting samples, placing, servicing, and submitting yellow panel traps if requested by CDFA, and issuing Hold Notices, Notices of Rejection, Notices of Violation, or Notices of Proposed Action for non-compliance.
  - The number of hours per visit includes commute time to the packer/processor.

### **3. Citrus Transporters**

- a. Compliance Agreement Issuance
  - Reimbursable activities include an initial visit to issue and explain terms of compliance agreement and exhibits, regulatory requirements, assigning a compliance agreement number and countersigning to execute the agreement, and sending a copy of the agreement to CDFA.
  - The county in which the transporter headquarters operates shall be responsible for issuing a compliance agreement.
  - The number of hours per visit includes commute time to the transporter headquarters.
- b. Regulatory and Records Inspections
  - Reimbursable activities include regulatory inspections, records review, and issuing Hold Notices, Notices of Rejection, Notices of Violation, or Notices of Proposed Action for non-compliant shipments.
  - The number of hours per visit includes commute time to the transporter headquarters.

### **4. Citrus Fruit Sellers**

- a. Compliance Agreement Issuance
  - Reimbursable activities include an initial visit to issue and explain terms of compliance agreement and exhibits, regulatory requirements, assigning a compliance agreement number and countersigning to execute the agreement, and sending a copy of the agreement to CDFA.
  - The number of hours per visit includes commute time to the fruit seller.
- b. Regulatory and Records Inspections
  - Reimbursable activities include regulatory inspections, records review, and issuing Hold Notices, Notices of Rejection, Notices of Violation, or Notices of Proposed Action for non-compliance.
  - The number of hours per visit includes commute time to the fruit seller.

## 5. Citrus Harvester/Farm Labor Contractors

### a. Compliance Agreement Issuance

- Reimbursable activities include an initial visit to issue and explain terms of compliance agreement and exhibits, regulatory requirements, assigning a compliance agreement number and countersigning to execute the agreement, and sending a copy of the agreement to CDFA.
- The number of hours per visit includes commute time to the site(s) at which harvesters/farm labor contractors are operating.

### b. Regulatory and Records Inspections

- Reimbursable activities include regulatory inspections, records review, and issuing Hold Notices, Notices of Rejection, Notices of Violation, or Notices of Proposed Action for non-compliance.
- The number of hours per visit includes commute time to the harvester/farm labor contractor or site(s) at which they are operating.

## 6. Dump and Disposal

Reimbursable activities include personnel hours associated with the disposal of confiscated bulk citrus related material.

## 7. Regulatory Trace Activities

Reimbursable activities include regulatory trace-back and trace-forward activities at any applicable regulated establishment.

## B. Other Activities:

### 1. Meetings

Reimbursable activities include personnel hours associated with attendance at and participation in conference calls and meetings regarding ACP quarantine response and regulatory enforcement.

### 2. Administrative Support

Reimbursable activities include personnel hours associated with administrative activities such as maintaining and recording received ACP-Free Declaration forms, data entry, or invoicing for ACP quarantine response and regulatory enforcement.

### 3. Reporting

Reimbursable activities include personnel hours associated with completion of the ACP Regulatory Monthly Activity Report, entering newly issued or updated compliance agreement information, and any other data entry required. Use of official ACP Program forms for inspections and reporting is required. Forms created by the County **will not** be accepted. Submission of County created forms will result in non-payment of invoice. Completed official ACP Program forms must be submitted prior to or with invoicing. **Incomplete forms will be returned.**

**Personnel Costs**

- Individual salaries, rather than weighted averages, must be used to determine the work plan dollar amount using the Cost Per Hour Worksheet.
- The dollar figure entered on the Work Plan for Personnel Costs must match the Total Cost dollar figure on the Cost Per Hour Worksheet.

**Overhead (Indirect Costs)**

Overhead percentage for *Personnel Costs* (must not exceed 25% of *Personnel Costs*).

**II. Non-Personnel – Operating Expenses:****A. Dump and Disposal:**

Reimbursable activities include the cost for disposing of confiscated ACP host material at a dump with special handling, which includes deep burial with immediate cover.

**B. Supplies/Equipment:**

Reimbursable items include ACP regulatory supply and equipment costs which may include shipping supplies, sampling kit needs, etc.

**C. Mileage:**

Reimbursable activities include mileage driven to conduct quarantine enforcement activities. Mileage will automatically calculate at 65.5 cents per mile, or the current federal rate.

Work plans must be returned to Keith Okasaki at [Keith.Okasaki@cdfa.ca.gov](mailto:Keith.Okasaki@cdfa.ca.gov) no later than close of business on **February 24, 2023**.