

BOARD of SUPERVISORS



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MEMORANDUM

TO: Planning Department
Environmental Review Officer

FROM: Angela Calvillo, Clerk of the Board *by wy*

DATE: February 20, 2013

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Budget and Finance Committee

The Board of Supervisors Budget and Finance Committee has received the following, which is being referred to the Planning Department for determination as to whether the proposed legislation will impact the environment.

Please provide your findings within 10 days from the date of referral.

File: 130131

Administrative Code - Agricultural Inspection Fees

Please return this cover sheet with the Commission's response to **Victor Young, Clerk, Budget and Finance Committee.**

C: Nannie Turrell, Major Environmental Analysis
Monica Pereira, Environmental Analysis
Joy Navarrete, Environmental Analysis

RESPONSE FROM PLANNING DEPARTMENT - Date: *February 21, 2013*

No Comment
 Recommendation Attached

*Statutory Exemption Article 18,
Section 15273, Rates, Fees, Fares
and Charges.*
Nannie Turrell for
Bill Wycko, Environmental Review Officer

[Administrative Code - Agricultural Inspection Fees]

Ordinance amending the Administrative Code, Section 1.10, to revise registration fees for inspecting agricultural products; and making environmental findings.

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike-through italics Times New Roman~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. ____ and is incorporated herein by reference.

Section 2. The San Francisco Administrative Code is hereby amended by amending Section 1.10, to read as follows:

SEC. 1.10. INSPECTION OF AGRICULTURAL PRODUCTS PRIOR TO SHIPMENT – INSPECTION FEES.

(a) The fees to be charged for inspection and certificates for agricultural products to be shipped, effective ~~October 1, 1995~~ January 1, 2013, shall \$40.00 ~~be as follows:~~

~~(a) Number of packages:~~

1	\$29.00
- 101	\$35.00
- 201	\$40.00
501	\$35.00 40.00 plus one cent per package over 500

1 packages

2 Over 1000 40.00 plus one-half cent per package over 1000
3 packages.

4
5 (b) The fees ~~F~~for each certificate of fumigation shall be \$30.00.

6 (c) Twenty-five dollars shall be the minimum charge for any single certificate.

7 (d) State of California Fees. In addition to the fees set forth above, the California Code of
8 Regulations, Title 3, Division 4, Chapter 7, Subchapter 1, Section 4603, requires each county
9 agricultural commissioner to collect the following fees on behalf of the California Department of Food
10 and Agriculture for recovery of the Department's administrative costs, and to remit these funds to the
11 Department.

12 1. Federal Phytosanitary Certificates, per certificate:

13 (A) U.S. Department of Agriculture Phytosanitary Certificate Tracking System

14 (PCIT) \$5.30

15 (B) If PCIT is not used.....\$5.30

16 (2) State of California Certificates, per certificate:

17 (A) Original State of California phytosanitary certificate or certificate of quarantine
18 issued for interstate movement, if PCIT is used.....\$5.30

19 (B) If PCIT is not used.....\$5.30

20 ~~(de)~~ The County Agricultural Commissioner may develop procedures for the
21 collection of any fees authorized by this Section.

22 (f) Beginning with fiscal year 2013-2014, the fee set forth in the Section may be adjusted each
23 year, without further action by the Board of Supervisors, as set forth in this Section. Not later than
24 April 1, the Director shall report to the Controller the revenues generated by the fee for the prior fiscal
25

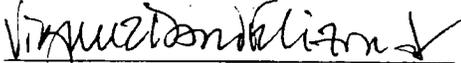
1 year and the prior fiscal year's costs of operation, as well as any other information that the Controller
2 determines appropriate to the performance of the duties set forth in this Section.

3 (g) Not later than May 15, the Controller shall determine whether the current fee has produced
4 or is projected to produce revenues sufficient to support the costs of providing the services for which
5 the fee is assessed and that the fee will not produce revenue which is significantly more than the costs
6 of providing the services for which the fee is assessed. The Controller shall, if necessary, adjust the fee
7 upward or downward for the upcoming fiscal year as appropriate to ensure that the program recovers
8 the costs of operation without producing revenue which is significantly more than such costs. The
9 adjusted fee shall become operative on July 1.

10 Section 3. Effective Date. This ordinance shall become effective 30 days from the
11 date of passage.

12 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
13 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
14 punctuation, charts, diagrams, or any other constituent part of the Administrative Code that
15 are explicitly shown in this legislation as additions, deletions, Board amendment additions,
16 and Board amendment deletions in accordance with the "Note" that appears under the official
17 title of the legislation.

18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: 
21 VIRGINIA DARIO ELIZONDO
22 Deputy City Attorney

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