



Farm Bureau at work

California Farm Bureau's government affairs team is at the Capitol, advocating for farmers, ranchers and agriculture's future. Here are some key issues Farm Bureau is focused on this week.

February 3, 2023

Agricultural Employment Policy

Cal/OSHA and the Department of Industrial Relations have submitted two budget change proposals (BCPs) requesting an additional \$14 million to fund additional activities mandated by legislation passed on 2022 and to update its information systems. Funding for these BCPs will come from the Occupational Safety and Health fund, which is funded through assessments on employers' workers compensation premiums. The fund was created to spare Cal/OSHA from the effects of California's sometimes up-and-down fiscal fortunes by removing Cal/OSHA funding from the state's general fund.

\$1.073 million of the new funding will be used to implement [AB-1673](#) (Rivas) directing DIR to convene an advisory committee to study increasing heat and its impact of employers and employees. The remaining \$12.6 million will be spent on an overhaul of Cal/OSHA's information systems and improve its interface with the federal Occupational Safety and Health Administration's OSHA Information System. DIR officials indicate this is necessary because Cal/OSHA regulations and penalty practices are significantly different from federal regulations and penalties, as well as to streamline and augment the agency's case management and data analysis. *Staff: Bryan Little; blittle@cfbf.com*

Forestry & Wildfire

CalFIRE shared this week that grant applications are being accepted across a range of different funding programs. Approximately \$19 million is available to support tribal partners in launching wildfire resilience and other stewardship projects. More than \$100 million is dedicated to shading school playgrounds. Financial support for increasing the health, restoration and resilience of California's forests is open this month. Fire Safe County Coordinator grants have also been announced, along with many others. You can check out these and other CalFIRE grants [here](#). *Staff Peter Ansel; pansel@cfbf.com*

The Wildfire and Forest Resilience Task Force met on February 2 in the Southern California Region. Secretary Crowfoot said that over the past two years, the state has committed \$3 billion in state funds for wildfire prevention and suppression, a 15 times increase in previous state funding. He stated that while this past fire season was less severe than the past few years, there are clear indications that CalFIRE studied showing that the early work being conducted around communities helped to shape wildfires and protect those communities. Jen Eberlin the USDA Forest Service regional director spoke next. She reiterated that the purpose of meeting in Southern California is to highlight that wildfire is not the same in all parts of the state, and that the shift to a sustained, consistent effort of forest management needs to consider those regionalties. Finally, she commented that the Forest Service announced five new landscapes that (Trinity, Klamath, Plumas, Sierra, and Southern California) have new associated funding and scale into the millions of acres per project. This scale will be integrated with streamlined environmental compliance through emergency authorities to bring projects online quickly.

Captain Joe Tyler from CalFIRE spoke next about the role CalFIRE plays in pushing out grant funding for wildfire and forest resilience, workforce development, restoration, expanded nursery capacity, and private landowner support and how all of these programs help to reach the 1 million acre treated goal. Although last year CalFIRE reached 100,000 acres treated, and multiple programs are tracked for a cumulative statewide effort, the 1 million acre by 2025 as a recurring goal looks elusive. Moreover, other forest health studies have indicated that the state needs to treat between 2 and 5 million acres annually to fully restore balance to our landscapes. Other state staff from CalEPA, Office of Planning and Research and more made introductory remarks that discussed some of their water quality, debris removal, forest, grasslands, and other work that connects wildfire mitigation to water, land conservation (Cal EPA) and air quality management (California Air Resources Board). The agencies have worked to try to streamline multi-agency permit applications – specifically the CAL VMP. The goal is to make sure that the state's climate goals and clean water needs are not frustrated by a failure to scale up forest management projects.

Patrick Wright, Director of Wildfire and Forest Resilience Taskforce presented next to update on the Taskforce's progress. He reiterated that there are project funding opportunities available, and pointed to the CalFIRE grants website, available [here](#). Next Director Wright discussed that the key to the Taskforce's plan implementation is program alignment and permit streamlining. You can check the details on the plan progress [here](#). Finally, he said the third goal is to empower regional capacity that reflects differing regional resource needs, but consolidated as a centralized resource for those regions. The first panel focused on Southern California's ecosystems and wildfire intersection of human built environments and the natural environment (San Gabriel Mountains). Chaparral shrublands are the dominant Southern California ecosystem – 57% of landscapes. While treeless, it provides significant ecosystem benefits – just different from forested environments. Fire is also different. Fire is infrequent but high severity. All vegetation is consumed, and vegetation either has dormant seed banks for fast resprouting. But too much fire causes ecosystem conversion to non-native species grasses that are more easy to burn during fire seasons. So, to protect chaparrals, the key is fast suppression to maintain the native plant species.

Other significant ecosystems include Montane conifer forests. These are experiencing infrequent fire due to suppression strategies and elimination of tribal burning practices. The Montane forests used to burn with a regular frequency of up to every 15 years. Because of a lack of forest management, Montane forests have too much density. The key is to conduct sufficient forest management so that fire can be safely returned through prescribed burning, without burning so hot from excessive fuels that the entire ecosystem is destroyed. In the Laguna area, there has been too much fire causing loss of habitat that cannot resprout because it is seedling dependent. This creates opportunities for invasive plant species to change those ecosystems, permanently. Because of Southern California's population density, it is a focus of fire adapted community strategies, including sufficient water supply to fight fire, fuel breaks, forest health, sufficient defensible space around the house, and home hardening. Defensible space and home hardening together make the biggest impact to give firefighters a safe place to conduct structure protection, and stop the fire. But defensible space maintenance is costly and labor intensive. *Staff: Peter Ansel; pansel@cfbf.com*

Pesticides

CDFA reported today that the statewide pesticide use decreased in 2021, according to reports released today by the Department of Pesticide Regulation. In 2021, the total pounds of active pesticide ingredients applied in California decreased by 11.5%, and the total area treated by pesticides decreased by 10.3%, as compared to 2020 reported use data.

Data reported to DPR for the Pesticide Use Reports (PURs) includes pesticide use on farms, parks, managed urban landscapes, rights of ways, roadsides, and structures. The department published annual PUR data reports for 2019 and 2020, and a summary of pesticide use in 2021. The department anticipates releasing the 2021 annual PUR data report in spring 2023. *Staff: Chris Reardon; creardon@cfbf.com*

Earlier this week, Assemblymember Bauer-Kahan (D – Orinda), introduced [AB 363](#) which would require the Department of Pesticide Regulation to publish a reevaluation of the latest science regarding the impacts of neonicotinoid pesticides, on pollinating insects, aquatic ecosystems, and human health when used for the nonagricultural protection of outdoor ornamental plants, trees, and turf. Furthermore, the bill would establish that by July 1, 2026, DPR must adopt regulations governing that use that are necessary to protect the health of honeybees, native bees, and other pollinating insects, aquatic ecosystems, and human health. *Staff: Chris Reardon, creardon@cfbf.com*

Water

On February 1, the California Assembly held a Joint Oversight Hearing on California's Preparedness for and Response to Extreme Atmospheric River Incidents. The hearing was co-chaired by Assembly members Eduardo Garcia, Rebecca Bauer Kahan and Freddie Rodriguez, respectively the Chairs of Assembly Utilities and Energy, Assembly Water Parks and Wildlife, and Assembly Emergency Management. Senator Angelique Ashby, Vice Chair of Joint Committee on Emergency Services, also attended because of the storms' impact to Sacramento County.

The oversight hearing consisted of three different panels, each with multiple witnesses. The first panel focused on the science of atmospheric rivers, and the data forecasting tools being implemented to help better prepare the state for future events. The next panel featured testimony from local emergency management professionals of the hardest impacted counties from the recent storms – Sacramento, Santa Barbara, Santa Cruz. The final panel featured witnesses from state agencies, that served as centralized points of communication and information for county emergency personnel and to direct state resources.

In terms of atmospheric river events impacting state water storage and flood control risks, the most interesting data of the day was presented by Dr. Daniel Swain, UCLA Institute of the Environment and Sustainability. Dr. Swain noted that:

1. We should expect swings from very dry to very wet conditions even within an extended drought as a result of changing climate despite little mean precipitation change.
2. There are historical references to the most recent atmospheric river incident – California has great floods every 100 to 200 years, the last in 1862 – the likelihood and frequency of an 1862 like flood event increases a faster rate because of the future likely increase in frequency and intensity of atmospheric river storms.
3. Using a new data modeling tool called ARKFuture, future storms could face a 3-4 week event with 70+ inches of water (mainly rain) in the Sierra Nevada – an overwhelming amount of water for our reservoir system.
4. The 2023 event was a big event – most closely to January 2017's event. However, 2023 was statewide and broad. The ARkFuture tool shows extremes twice that of the 2023 amount of water.

So, how can California respond: Can we mitigate drought and flood simultaneously? Not with the historical data and management approaches of the past. These will not suffice. We will need to find more programs that can tie hard and soft infrastructures together – like the connection between flood control and stormwater for groundwater recharge, as an example. Dr. Marty Ralph Director Western Weather and Water Extremes,

UC San Diego then presented about the forecasting problems atmospheric rivers present, because they have to account for intensity and duration – the longer the storm stalls over land the more severe the impact. He noted that these storms:

- Account for 84% of flood damage to the West over the past 40 years
- The level 1 and 2 are mostly beneficial since they add water
- Level 4 and 5 are mostly hazardous, where the volume of water surpasses any useful opportunity to capture and inundates landscapes

After the presentations from the local and state emergency management personnel, the Chairs of the Oversight Hearing summed up the challenges facing California - co managing for both extreme drought and extreme precipitation with diverging extremes not necessarily changing the mean total precipitation, but drastically changing when, where, and how it falls. This effort includes updating flood control operations to manage capacity, it includes the use of flood water managed aquifer recharge, so storm waters recharge groundwater, but it begins through advanced data and forecasting, so that water managers and emergency management professionals can better prepare for atmospheric river impacts. California Farm Bureau shared written comments with the three Committee's Chief Consultants prior to the oversight hearing. *Staff: Chris Reardon; creardon@cfbf.com*

Wildlife

Recently, Mountain Lion attacks have been increasing resulting in devastating livestock losses in Lake and Sonoma counties. Many members might have seen a story, which has gained national attention, where 27 lambs were killed by a few mountain lions overnight. The lions broke into the barn where the lambs were penned for the evening and did not eat the lambs they killed. Several other predations occurred in the days following this initial slaughter, resulting in more livestock loss. Although producer frustrations may be at an all-time high, many have forewarned some of the more serious implications of this predator's emboldened behavior. These fears were realized this week when a mountain lion attacked a child in the Same Mateo region, not far from Half Moon Bay. The child escaped this attack with puncture wounds from the cat but is otherwise recovering.

At this time, the Department of Fish and Wildlife (CDFW) is *not* operating off of current [statute](#), voted in by CA voters in 1990 – Proposition 117. This statute clearly outlines the actions the Department must take following a confirmed mountain lion depredation: *If satisfied that there has been depredation by a mountain lion as reported, the department shall promptly issue a permit to take the depredating mountain lion.* Instead, members may remember that in July 2019, the Center for Biological Diversity and the Mountain Lion Foundation petitioned the Fish and Game Commission to list mountain lions as a candidate species under the California Endangered Species Act ([CESA](#)) in a defined regions of Southern California and the central coast of California. In April 2020, the Commission found that listing of the species in this region may be “warranted” and designated mountain lion within these areas as a “candidate species.” According to the CDFW website, they are “completing a 12-month status review of mountain lions ... At the end of the review, CDFW will make its recommendation on listing to the Commission.” Although the year deadline has passed, this has not occurred, and it has not been agendized at this time. However, a species classified as a “candidate species” under CESA are afforded the same protection as listed species. As a result, mountain lions in the southern and coastal regions of the state are CESA-protected during the review period – which is ongoing.

While these specific populations are protected, lions outside of these listed regions do not share the same protections. CDFW distributed a Memorandum in July of 2020 outlining a depredation policy for lion attacks outside of the protected regions of the state. The Evolutionary Significant Unit (ESU) where the lion has full protection is from “San Francisco in the north to the Mexico border the south and from I-5/I-15 in the east to the coast.” The map may be seen in a February 2020 memo [here](#). For those regions outside of the ESU, victims of lions attacks must follow these steps outlined in the Departmental Memorandum:

1. First attack – Request a non-lethal Step-1 permit
2. Second attack – seek additional non-lethal measures, OR the Regional Manager has the discretion to:
 - a. use a structured process to consider translocation
 - b. issue a lethal permit upon confirmation the property owner wishes to receive such a permit.
3. Per FGC Section 4807, any mountain lion that is encountered while in the act of pursuing, inflicting injury to, or killing livestock, or domestic animals, may be taken immediately by the owner of the property or the owner’s employee or agent.

Farm Bureau staff understands members frustration with current CDFW protocols. More importantly, we are aware of the very serious threat these predators pose not only to livestock, but to our communities. Staff remains engaged on this issue and is meeting with the department to gain clarity on the current guidelines and provide membership options for when safety measures – such as a locked barn – are not enough. *Staff: Katie Little, klittle@cfbf.com*

ANNOUNCEMENTS

CDFA ACCEPTING PUBLIC COMMENTS ON THE DRAFT REQUEST FOR APPLICATIONS FOR THE NEW WATER EFFICIENCY TECHNICAL ASSISTANCE PROGRAM

The California Department of Food and Agriculture’s (CDFA) [Office of Environmental Farming and Innovation](#) (OEFI) is accepting public comments on the draft request for Applications for the Water Efficiency Technical Assistance (WETA) program. The [Budget Act of 2021](#) allocated \$15 million to CDFA to support water efficiency technical assistance to California farmers. Resource Conservation Districts, non-profit organizations, universities, and California and federally recognized tribes will be eligible to receive technical assistance funding. Supported activities will include providing one-on-one, on-site pump and irrigation system evaluations and providing training regarding water efficiency and nutrient management.

“Although we’ve just come through a period of storms and rain, we know that overall California is still in a water deficit from the drought we’ve been experiencing for the last few years,” said CDFA Secretary Karen Ross. “CDFA is excited to offer resources for farmers and ranchers to continue to improve water efficiency for a future that will be hotter and drier with increased evapotranspiration.” Stakeholders are encouraged to review the Draft Request for Applications for the Water Efficiency Technical Assistance Program and estimated program timeline on the [Technical Assistance website](#) and submit comments by February 9, 2023, 5 PM PT to cdfa.oefi@cdfa.ca.gov.

Cdfa announces awards of \$13.2 million for conservation agriculture planning grants program

The California Department of Food and Agriculture's (CDFA) Office of Environmental Farming and Innovation (OEFI) announces the award of \$13.2 million in grants for 103 applications throughout the state through the Conservation Agriculture Planning Grants Program (CAPGP). CAPGP was established by the Budget Act of 2021 (Senate Bill 170, Skinner) which appropriated \$17 million to CDFA. With this funding, CAPGP will provide up to \$14.7 million to eligible applicants for the development of conservation agriculture plans. The remainder will be used for research and technical assistance.

CAPGP will fund the development of various types of agricultural conservation plans related to CDFA Climate Smart Agriculture (CSA) programs, which address risks that climate change poses to agriculture, including but not limited to drought, uncertain water availability, increased temperatures, and increased pest pressures. "California needs plans for conservation on agricultural lands, and this program is a crucial step in offering assistance for farmers and ranchers who want to adopt Climate Smart Agriculture practices down the road," said CDFA Secretary Karen Ross. "This is an excellent opportunity for the development and expansion of conservation projects."

The funded plans will help mitigate greenhouse gas (GHG) emissions, support agricultural adaptation to climate change impacts, and promote environmental and agricultural sustainability. The complete list of grant awardees can be found at the CAPGP website by following the link: www.cdfa.ca.gov/oefi/planning Eligible applicants included tribes, farmers and ranchers who partnered with qualified experts, and organizations including resource conservation districts, universities, non-profits, cooperatives, and groundwater sustainability agencies. The maximum award was \$250,000 for a 24-month grant term to prepare conservation plans in the designated categories.

APPOINTMENTS

John Eisenhut, 77, of Colfax, has been reappointed to the California Air Resources Board, where he has served since 2013. Eisenhut has been Manager of Grower Relations at Hilltop Ranch Inc. since 1994 and Owner of Eisenhut Farms, almond orchards in Turlock, since 1975. He was Field Representative for the Dole Dried Fruit & Nut Co. in Fresno from 1989 to 1994 and a Technical Staff Member at both Tecolote Research Inc. from 1975 to 1976 and the General Research Corporation from 1972 to 1974. Eisenhut served as an Infantry Platoon Sergeant in the U.S. Army, 1st Division, from 1967 to 1969. He is a member of the Stanislaus County Farm Bureau. Eisenhut earned a Master of Arts degree in Economics from the University of California, Santa Barbara. This position requires Senate confirmation and the compensation is \$54,114. Eisenhut is a Democrat.

Eric Guerra, 44, of Sacramento, has been appointed to the California Air Resources Board. Guerra has been Vice Mayor for the City of Sacramento since 2023 and a Sacramento City Councilmember since 2015. He was a Consultant for the California State Senate from 2016 to 2022. Guerra earned a Master of Public Policy degree from California State University, Sacramento. This position requires Senate confirmation and there is no compensation. Guerra is a Democrat.

Manuel Perez, 50, of Coachella, has been appointed to the California Air Resources Board. Perez has been Supervisor for the 4th District of Riverside County since 2017. He was Chief Government and Public Affairs Officer at Borrego Community Health Foundation from 2014 to 2017, a Coachella City Councilmember from 2014 to 2017 and an Assemblymember in the California State Assembly from 2008 to 2013, where he served

as Majority Leader from 2012 to 2013. Perez served on the Coachella Valley Unified School District Board of Trustees from 2004 to 2008. Perez earned a Master of Education degree from the Harvard Graduate School of Education. This position requires Senate confirmation and there is no compensation. Perez is a Democrat.

Bill Quirk, 77, of Union City, has been appointed to the California Air Resources Board. Quirk served as an Assemblymember for the 20th District of the California State Assembly from 2012 to 2022. He was a Hayward City Councilmember from 2004 to 2012 and a Physicist at the Lawrence Livermore National Laboratory from 1979 to 2005. Quirk was a Corporate Planner for Amdahl Corporation in 1978, a Management Consultant for McKinsey & Company from 1977 to 1978, a Climate Modeler for the NASA Goddard Institute for Space Studies from 1972 to 1977 and a Postdoctoral Fellow at the California Institute of Technology from 1970 to 1972. Quirk earned a Doctor of Philosophy degree in Astrophysics from Columbia University. This position requires Senate confirmation and the compensation is \$54,114. Quirk is a Democrat.

Susan A. Shaheen, 56, of Orinda, has been appointed to the California Air Resources Board. Shaheen has been a Professor In-Residence in the Department of Civil and Environmental Engineering at the University of California, Berkeley since 2019 and Co-Director of the Transportation Sustainability Research Center of the Institute of Transportation Studies since 2008. She held several positions at the University of California, Berkeley from 2000 to 2007, including Adjunct Professor, Program Leader, Research Director, Assistant and Associate Research Engineer and Post-Doctoral Scholar. She was a Graduate Student Researcher at the University of California, Davis from 1993 to 1999. Shaheen was an Associate for Energetics from 1991 to 1993 and for ICF International from 1990 to 1991. She is a member of the Executive Committee of the Transportation Research Board and the Women's Transportation Seminar. Shaheen earned a Master of Science degree in Public Policy Analysis from the University of Rochester and a Doctor of Philosophy degree in Ecology from the University of California, Davis. This position requires Senate confirmation and the compensation is \$54,114. Shaheen is a Democrat.

Diane Takvorian, 71, of San Diego, has been reappointed to the California Air Resources Board, where she has served since 2016. Takvorian has been Executive Director at the Environmental Health Coalition since 1982. She was Associate Director at the Community Congress of San Diego from 1978 to 1981. Takvorian was a Lecturer at the San Diego State University School of Social Work from 1984 to 2001. Takvorian was appointed by President Obama to the Joint Public Advisory Committee, Commission on Environmental Cooperation and served from 2010 to 2014. Takvorian served as Co-Chair of the California Environmental Protection Agency Environmental Justice Advisory Committee from 2002 to 2007. She earned a Master of Social Work degree from San Diego State University. This position requires Senate confirmation and the compensation is \$54,114. Takvorian is a Democrat.

Gideon Kracov, 51, of Los Angeles, has been reappointed to the South Coast Air Quality Management District Board, where he has served since 2020. Kracov has been Owner of the Law Office of Gideon Kracov since 2004. He was a member of the State Mining and Geology Board at the Department on Conservation from 2014 to 2018. Kracov served as a Deputy City Attorney at the Los Angeles City Attorney's Office from 2002 to 2004 and was an Associate at Rose, Klein & Marias LLP from 1997 to 2002 and at Weston Benshoof LLP from 1995 to 1997. He earned a Juris Doctor degree from the University of California, Berkeley School of Law. This position requires Senate confirmation and the compensation is \$100 per diem. Kracov is a Democrat.