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.

April 28, 2023

Agricultural Employment Policy

The Senate's Judiciary and Labor committees advanced legislation this week opposed by Farm Bureau because of new burdens they will impose for California farmers. SB-365 Senator Scott Wiener (D-San Francisco) continues the Legislature's ongoing attempts to undermine employment dispute arbitration widely used by employers; SB-399 Senator Aisha Wahab (D-Hayward) will prohibit employers for meeting with employees to educate them about the impact of last year's card-check legislation; SB-809 Senator Lola Smallwood-Cuevas (D-Los Angeles) will hamstring employers' efforts to protect their employees and customers by avoiding hiring violent felons. Senate Labor turned back a bill to ease employees' ability to opt for flexible workweek options like "4-10s" (four ten hours days without overtime liability for employers). SB 365, SB 399, and SB 809 advance to the Senate Appropriations Committee for consideration of their fiscal impacts. *Staff: Bryan Little; blittle@cfbf.com*

AB-1044, Assemblymember James Gallagher (R-Yuba City) was heard in the Assembly Jobs, Economic Development and the Economy Committee on Tuesday this week. The farm Bureau testified about the importance of establishing a small agricultural business relief program that provides grant monies to those small agricultural businesses that have been affected by severe drought over the last few years. The bill received unanimous support from the committee and now goes Assembly Appropriations Committee. *Staff: Chris Reardon; creardon@cfbf.com*

Agriculture Technology

Farm Bureau's sponsored bill, AB-1016 passed from the Assembly Committee on Privacy and Consumer Protection with nearly unanimous bi-partisan support. As discussed previously, AB 1016 authorizes the Department of Pesticide Regulations to create a training program that ultimately will help farmers gain more access to unmanned aerial systems (drones) for pesticide applications. The bill would have been on the Committee's Consent Calendar; however, the California Agriculture Aircraft Association filed an oppose unless amended position, forcing the bill to be formally presented (that is why this Committee published an updated Committee analysis, removing the proposed consent recommendation).

Al Stehly, a San Diego County Farm Bureau member, presented testimony about how he hopes to use a drone as part of his commercial qualified applicator business, to improve worker safety, and provide more efficient applicator services to his clients but has struggled to become fully licensed due to DPR's structure for drone applicator training. That is the process that AB 1016 modernizes, since that statute was originally written before drones even existed.

The bill has passed two policy committees without a no vote, and enjoys broad support from Republicans, moderate, and progressive Democrats. Authored by Assemblymember Reginald Byron Jones-Sawyer (D-Los Angeles), AB 1016 next moves onto the Assembly Committee on Appropriations. *Staff: Peter Ansel; pansel@cfbf.com*

Air Quality

AB-650 by Assemblymember Joaquin Arambula (D–Fresno) was heard in the Assembly Local Government Committee on Wednesday, April 26. CA Farm Bureau opposed this bill as it would expand the membership of the governing board of the San Joaquin Valley Air Pollution Control District. The bill only received a courtesy motion, with failure to gain a "second" to that motion, and could not pass without a full recommendation. Therefore, the bill failed to move out of the committee and cannot proceed to the next committee. Existing law authorizes the board of the San Joaquin Valley Unified Air Pollution Control District to be comprised of 15 members. This bill would have increased the number of members from 15 to 19 members, increased the term of office for the members from 3 years to 4 years, and would have required the addition of environmental justice or social justice issues and to be selected from a list submitted by nonprofit organizations that have a presence within the San Joaquin Valley Air Basin. Local Government Committee members including Chair Cecilia Aguiar-Curry (D–Winters), Assemblymember Lori Wilson (D–Fairfield) and Assemblymember Blanca Pacheco (D–Downey) expressed concerns with appointing "non-elected" individuals to a "rule-making body." They emphasized these issues should be addressed at the local level, and not as a state-wide approach. *Staff: Katie Little, klittle@cfbf.com*

Animal Health and Welfare

AB-554 by Assemblymember Jesse Gabriel (D–Encino) was heard on Monday, April 24 in the Assembly Banking and Finance Committee. CA Farm Bureau opposes the bill and has joined a coalition of stakeholders. AB 554 would create a new right of action enabling Societies for the Prevention of Cruelty to Animals (SPCAs) and their humane officers to litigate alleged violations of "any law relating to or affecting animals" in the civil courts. CA Farm Bureau has major concerns that this bill would expose our membership to unfounded charges and litigation. Under current law, SPCAs may be incorporated once 20 CA citizens have organized and filed. This mechanism of incorporation is ripe for abuse by extremist animal rights organizations which have long sought to disrupt, harass, and even shutter California businesses engaged in the production, stewardship, conservation, and care of animals. Once established as an SPCA, this bill would grant this entity the authority to "proffer a complaint" of alleged animal abuse in civil court. Farm Bureau is opposed to animal abuse and fervently believes it should be prosecuted by the fullest extent of the law in *criminal* court. Allowing these groups to file allegations under their perceptions or opinions of animal abuse in a *civil* court would certainly be a burden to our members who are legally operating their farms under CA code. The author's office and sponsors of the bill, the Animal Legal Defense Fund, argue that this bill is only "clarifying" current law and is not providing extremist groups the opportunity to impugn our membership. In response to these claims, Farm Bureau provided amendments to provide production livestock, fairs, and rodeos with an exemption from the language – but the language was not accepted. Due to the timeline of our early negotiations, Farm Bureau did not engage on the bill when it was heard in the first policy committee – Assembly Judiciary. With the rejection of our amendments, the coalition has moved to an "oppose" position. We continue our conversations with the author's office and hope to find a resolution that removes our opposition. *Katie Little, klittle@cfbf.com*

CPUC

Recently, the California Public Utilities Commission held a public hearing regarding the state cellular, voice, and broadband networks in California. The California Farm Bureau provided public comments regarding the need for rural California to enjoy the same level of network speed and reliability as urban centers, whether for pure broadband or voice and cellular network services. Farm Bureau noted that precision and automated agriculture technology need ubiquitous network coverage on the farm to maximize their potential efficiencies in farming, and that farmers and farm workers need robust infrastructure to compete in a global marketplace, and enjoy access to tele-health and educational opportunities. *Staff: Peter Ansel; pansel@cfbf.com*

Insurance

Farm Bureau's sponsored bill SB-505, authored by Senator Susan Rubio (D-Baldwin Park), passed from the Senate Committee on Appropriations pursuant to Senate Rule 28.8. The use of this rule means that the Appropriations Committee Chair determined that any state costs to implement SB 505 are not significant and the measure was sent directly to the Senate Floor for Second Reading without a hearing in the Appropriations Committee. The bill is now on Third Reading on the Senate Floor, and can be taken up by Senator Rubio for a Senate Floor vote imminently. The bill would move next to the Assembly, if it passes from the Senate Floor. SB 505 does not have any opposition, and is supported by key stakeholders, including the California FAIR Plan, and the admitted insurance market. The bill would add commercial insurance policies into an existing FAIR Plan process called the clearinghouse, with a goal to return policies back to the admitted marketplace and stabilize the function of the FAIR Plan. *Staff: Peter Ansel; pansel@cfbf.com*

Land Use

California Farm Bureau joined a coalition comprised largely of builders, the Chamber of Comerce, and pro-housing advocates to oppose SB-571, authored by Senator Ben Allen (D-Santa Monica) which was set to be heard in Senate Governance and Finance Committee. The bill removes local control from zoning and planning decisions in favor of a ban on any development in high or very high fire severity zones, if there would be more than 40 vehicles located in the development. While the author has an admirable goal to protect human life by ensuring developments have sufficient evacuation routes, the bill would be a statewide overlay on top of CEQA and rules from the State Fire Marshall. The bill also fails to recognize a rural lifestyle, where a homeowner will likely have a truck for work and passenger vehicle. Farm Bureau's concerns are shared by the California Chamber of Commerce and California Building Industries Association, which labeled the bill a "Housing Killer."

The Chair of Governance and Finance Committee, Senator Anna Caballero (D-Merced), may have shared many of the concerns brought forward by the coalition about the bill being a Housing Killer, since she has focused her legislative efforts to pass significant housing production bills like SB 6 last year. Due to the work from this broad coalition, including Farm Bureau, SB 571 was not presented in the Committee, and has been turned into a two-year bill by the author. Hopefully, the author's office will create a working group that includes a variety of rural voices, including farmers and ranchers, to help to improve the bill. *Staff: Peter Ansel; pansel@cfbf.com*

Livestock

SB-485 by Senator Josh Becker (D-Menlo Park) was heard on Monday, April 24 in the Senate Agriculture Committee. Farm Bureau had an Opposed Unless Amended position as of the committee submission deadline. However, after coordinating with California Cattlemen's Association, Western United Diaries, and the author's office, we were able to incorporate amendments that removed our opposition at the committee hearing. This bill would require, CARB and CDFA to create a feed additive program to reduce emissions by August 1, 2026. The bill would also require CARB and CDFA to provide the Legislature with a report, 2 years after a safe and effective feed additive is commercially available, about further funding and scientific research that is necessary to improve the incentive program, and convene workgroups to provide a comprehensive assessments to the Legislature of the potential impacts of feed additives. Farm Bureau asked for beef cattle to be removed from the program as feed additives have not been thoroughly researched in the industry – and in some cases can have a negative connotation. While the current goal of the program would greatly benefit dairy cattle and help reach SB 1383's (Lara, 2016) 40% emission reduction goals, the same cannot be said for beef and feeder operations. Therefore, the bill was amended to only pertain to the dairy industry until more research can be conducted in other livestock operations. Farm Bureau also supported language to incorporate agricultural stakeholders within the workgroup process to ensure a comprehensive assessment of feed additives' impacts. With these amendments, Farm Bureau has moved to a neutral position and continues to work with agricultural stakeholders

and the Senator on parameters of the "working group" within the bill. *Staff: Katie Little; klittle@cfbf.com*

Pesticides

AB-99, Assemblymember Damon Connolly (D-San Raphael) was heard in Assembly Transportation Committee earlier this week. This bill's focus is on eliminating certain pesticides for roadside vegetation control. This is unnecessary because the California Department of Transportation already has requirements for these applications, but the author is attempting to target certain pesticides applications. The bill made it out of committee and now going to Assembly Appropriations. The Farm Bureau opposes this bill along with a broad coalition of agriculture. *Staff: Chris Reardon; creardon@cfbf.com*

Rural Broadband

AB-415 , authored by Assemblymember Freddie Rodriguez (D-Pomona)and supported by California Farm Bureau passed from the Assembly Committee on Communications and Conveyance as part of the Consent Calendar. It moves next to Assembly Committee on Appropriations. The bill would require the Office of Emergency Services to consult with the Department of Technology and the Department of Food and Agriculture to coordinate the statewide building and upgrading of communication and internet infrastructure on fairgrounds. *Staff: Peter Ansel; pansel@cfbf.com*

Taxation

AB-294 , authored by Assemblymember Cottie Petrie-Norris (D-Irvine) passed from Assembly Committee on Revenue and Taxation. The bill is supported by Farm Bureau, as it provides an exclusion from gross income for any qualified taxpayer for amounts received for costs and losses associated with wildfires as a state policy. As previously discussed, current law requires this exclusion to be sought for each specific wildfire incident for impacted counties. This has created a number of carbon copy bills to address different fires and county combinations, and Farm Bureau supports those bills, too. AB 294 would clean up the process so that these amounts received would be considered excluded from gross income as a matter of law once the wildfire disaster declaration occurs, ending the need for specific follow on legislation. The bill offers good policy and good governance. *Staff: Peter Ansel; pansel@cfbf.com*

Transportation

The Advanced Clean Fleets Regulation (ACF) was brought before the California Air Resources Board (CARB) at this week's Board meeting. ACF aims to accelerate the widespread adoption of zero-emission vehicles in the medium- and heavy-duty sector and for light-duty package delivery vehicles. This is the second of two Board Meetings; the Board will also consider adopting findings and a Statement of Overriding Considerations under the California Environmental Quality Act, and certifying the Final Environmental Impact Analysis. Farm Bureau continues to share concerns with the regulation as a majority of CA Farmers and Ranchers live in remote and rural communities that have limited access to the infrastructure required for this proposal. Furthermore, the time required to charge these vehicles in addition to the time needed to travel to these charging facilities could jeopardize food security and availability. These limitations do not stop at rural community borders, farmers and ranchers are part of a vital supply chain that is still feeling the effects of port congestion caused by the COVID-19 pandemic. The transportation of food, and various agricultural commodities, was disrupted – which ultimately led many international consumers of these products to seek new suppliers in different markets. Another transportation disruption of goods to and at the ports, could limit the distribution of ag goods which accounts for more than 22 billion dollars of California's economy. After hours of testimony that lead into Board discussions on Friday, the regulation has passed. Many Board members discussed the importance of implementation, infrastructure, and feasibility, and Farm Bureau will continue to engage on these conversations. *Staff: Katie Little, klittle@cfbf.com*

Water Rights

This week, several of the water bills Farm Bureau is tracking advanced from policy or fiscal committees, including the three water rights-related bills that Farm Bureau is actively opposing: AB 460 Assemblymember Rebecca Bauer-Kahan (D-Orinda), AB 1337 Assemblymember Buffy Wicks (D-Oakland), and SB 389 Senator Ben Allen (D-Santa Monica). The water user/diverter and business communities are united in strong opposition to these bills, with around 100 water agencies, irrigation districts, municipalities, chambers of commerce, commodities groups, and industry associations actively fighting them. Although each bill passed multiple committees, they did so with mixed support including several "no" votes and abstentions and after extensive debate among committee members. The opposition coalition, which includes the Farm Bureau, has been collaborating in development of alternative legislative language that could be considered by the authors and other members. *Staff: Alex Biering; abiering@cfbf.com*

Recharge, Storage, and Drought Relief Bills

On a more positive note, multiple bills Farm Bureau actively supports also advance this week, including: AB 62 Assemblymember Devon Mathis (R-Porterville), establishing targets for statewide surface and groundwater storage; AB 830 Assemblymember Esmeralda Soria (D-Fresno), exempting diverters of flood flows for recharge from obtaining streambed alteration agreements; AB 1044 Assemblymember James Gallagher (R-Yuba City), which would appropriate $100 million from the General Fund to the state's agricultural drought relief program; and SB 366 Senator Anna Caballero (D-Merced), expanding the scope and uses of the California Water Plan. *Staff: Alex Biering; abiering@cfbf.com*

Wildfire

SB-310 authored by Senator Bill Dodd (D-Napa) and supported by the Farm Bureau passed from the Senate Judiciary Committee unanimously. The bill is sponsored by the Karuk Tribe, and supports the effort to increase the Tribe's ability to conduct cultural burning on its lands as part of wildfire mitigation efforts. The bill is opposed by the California Air Pollution Control Officers. The bill moves next to Senate Appropriations Committee. *Staff: Peter Ansel; pansel@cfbf.com*

✦ ANNOUNCEMENTS

The California Department of Pesticide Regulation (DPR) released the draft mill assessment recommendations, which are part of an independently conducted study to identify the structure and funding necessary for the department to continue to effectively carry out its pesticide regulatory program and support the state's accelerated transition to sustainable pest management. The study's author, Crowe LLC, will collect public feedback on the draft study through May 30 to inform its final recommendations.

DPR's mill assessment is paid by a pesticide retailer or manufacturer when a pesticide is first sold into California and provides approximately 80% of the department's current funding. The mill assessment was last increased in 2004.

To sustainably fund DPR and the pesticide-related work of County Agricultural Commissioners (CACs) and the California Department of Food and Agriculture (CDFA), the draft study recommendations consider incremental increases of the mill assessment from the current $0.021 up to $0.0339 per dollar of pesticide sales. The draft implementation recommendations include phasing-in the increase and continuing the mill assessment's flat rate structure to start, while considering a tiered mill assessment in the future. The Farm Bureau opposes these proposed recommendations which effectively increases DPR's budget by 50 million dollars.

Crowe LLP is seeking feedback on the draft to inform its final recommendations for department funding, which are expected to be released this summer. The feedback period is open today through May 30 at 5 p.m. Comments may be sent via email to ProjectMillStudy@cdpr.ca.gov, or by mail to 1001 I Street, P.O. Box 4015, Sacramento, CA 95812.

Crowe LLP will hold a webinar on Thursday, May 4, from 3 p.m. to 4 p.m. to give an overview of the draft study and recommendations. The Mill Study Webinar will be hosted live on Zoom. Registration is not required to attend, and the webinar will be recorded. Crowe LLP is also conducting three Q&A sessions for stakeholders. To sign up for a Q&A session, interested participants should email two preferred date/time choices to Jamey.Hammond@crowe.com by Monday, May 8, from the following options:

- Tuesday, May 9 from 1-2:30 p.m. PST
- Thursday, May 11 from 3-4:30 p.m. PST
- Tuesday, May 16 from 1:30-3 p.m. PST

CDFA TO DISCUSS STATEWIDE PLAN FOR CLIMATE, WORKING LANDS AND COMMUNITIES ON MAY 2nd

Plan Takes Aim on Building Opportunity for California and Climate Action

The California State Board of Food and Agriculture will discuss opportunities for collaboration and action related to the recently released statewide plan - Ag Vision for the Next Decade. The meeting will be held on Tuesday, May 2, 2023, from 10:00 a.m. – 2:30 p.m. at the California Department of Food and Agriculture, 1220 N Street – Main Auditorium, Sacramento, CA, 95814.

The meeting is also available via Zoom at: https://us02web.zoom.us/j/88174303335

Webinar ID: 881 7430 3335
Passcode: Board2023!
(Phone Access Passcode: 6805723639)

(Simultaneous Spanish interpretation is available via the Zoom application)

"Ag Vision is a plan for every Californian, from those who care about the land and landscape and making it better for the future, to those who work with or live around farming communities," said CDFA Secretary Karen Ross. "It's a plan for those curious about their food and health and those who care about climate action to foster more climate smart, resilient and restorative food systems. While the plan is intended to guide the actions of CDFA, we can't do it alone. To bring Ag Vision to life we need private and public entities, community leaders and diverse stakeholders to come together to advance the vision through collaboration, partnerships and action."

Invited speakers include: Jennifer Norris, California Natural Resources Agency; Glenda Humiston, UC Agriculture and Natural Resources; Patricia Stock, California State University, Chico; Cherie Watte, CA GROWN; Stacia Levenfeld, California Association of Food Banks; Erika Lovejoy, Sustainable Conservation and representatives from CDFA's Office of Farm to Fork, Fairs and Exposition, and Farmer Equity Programs.
Ag Vision centers on growing opportunity – for farmers and ranchers, farmworkers, individuals and communities – and demonstrating leadership on climate action. The plan – which will guide areas of focus for CDFA and serve as a catalyst for action with farmers and ranchers, and other California agencies and partners – is being hailed as not just a plan for agriculture, but a plan to benefit every Californian.

"The priorities within Ag Vision support a vibrant future for California farmers, ranchers, farmworkers and communities," said President Don Cameron, California State Board of Food and Agriculture.

"California agriculture is unique in its diversity, productivity and ongoing commitment to sustainability. This plan provides a roadmap to further shared goals on climate action and build opportunities within the nation's largest agricultural state."

To learn more about Ag Vision, please visit https://www.cdfa.ca.gov/agvision/.