

FRIDAY REVIEW

LEGISLATIVE AND GOVERNMENTAL UPDATE

June 25, 2021

Agricultural Employment

AB 1041 (Buffy Wicks, D-Oakland) amends the California Family Rights Act (CFRA) to require employers to make unpaid CFRA leaves available to care for any individual an employee regards as a family member. Farm Bureau opposes this bill due to the uncertainty and ambiguity that will be caused by the changes. AB 1041 passed the Senate Labor, Public Employment, and Retirement Committee on June 21 on a 4-1 vote, and was referred to the Senate Appropriations Committee. Staff: Bryan Little; 916-561-5622 or blittle@cfbf.com.

SB 331 (Connie Leyva, D-Chino) passed the Assembly Labor and Employment Committee on June 18th on a 5-1 vote and is eligible for final Assembly passage. SB 331 would severely restrict the use of non-disparagement clauses as part of agreements employers and employees frequently use to facilitate payment of a severance financial package for the employee. The inability to include non-disparagement clauses in severance agreements will discourage their use, to the detriment of both employers and employees. Farm Bureau opposes this bill. Staff: Bryan Little; 916-561-5622 or blittle@cfbf.com.

SB 606 (Lena Gonzalez, D-Long Beach) proposes to create a new classification of employment law violations that will cause some employers to be dubbed “egregious employers” and would, thereby, subject them to much higher penalty levels. These would be levied on an employee-by-employee basis rather than location by location. Farm Bureau opposes this bill. SB 606 passed the Assembly Labor and Employment Committee on June 18th on a 5-2 vote and was referred to the Assembly Judiciary Committee. Staff: Bryan Little; 916-561-5622 or blittle@cfbf.com.

Animal Health

AB 888 (Marc Levine, D-Marin), is scheduled to be heard in the Senate Agriculture Committee on July 1st. This Farm Bureau sponsored bill would allow for the mobile slaughter of goat, sheep and swine to occur on private ranches for individual customers. AB 888 would expand upon the utilization of on-farm slaughter by a registered mobile slaughter operator (MSO) to also include goats, sheep and pork; existing law passed by AB 2114 (Bigelow, 2018) is currently limited to only cattle. Under the exclusion, a rancher could sell a live animal directly to a customer for their own personal use. The MSO would then be authorized to conduct the slaughter of the animal on a private ranch as opposed to having the animal transported to a slaughterhouse. AB 888 does not allow for the commercial sale of any meat product from this framework and requires the meat to be consumed by the purchaser of the animal, members of their household, their employees and non-paying guests. Staff: Katie Little at klittle@cfbf.com or (916) 446-4647.

Gray Wolf Update

As Friday Review readers may recall, last month there was a new wolf depredation case in Plumas County. Three large wolves were seen on trail camera footage in the area, and the Department of Fish and Wildlife

has officially identified the group as the Beckwourth Pack. Field efforts are ongoing, and it is not yet known whether the pack is reproductive. Preliminary DNA analysis identifies one wolf as LAS12F (from the Lassen Pack's 2019 litter). The origins of the other two wolves remain uncertain. Additionally, a new depredation investigation is underway in Northeastern Siskiyou County. A producer found four injured calves in late May/early June. One calf's injuries were so severe that the calf needed to be euthanized. The Department sent a field agent to investigate the "attacks" as satellite data indicated OR-103 was in the area at the time. OR-103 appears to be a dispersing wolf and was collared by the Oregon Department of Fish and Wildlife. His collar data indicates that he has been in northeastern Siskiyou County since the beginning of May. Although the Department has not officially determined this incident as a wolf depredation case, they have deemed it "probable." The report states, "the spatial and temporal proximity of both calves to one another, and the known localized presence OR-103 indicate Calf A and Calf B were probably attacked by a wolf." Farm Bureau will continue to monitor this issue and keep members informed of increased activity. For more information, or to sign-up for updates, please visit the [Department's Gray Wolf Page](#). Staff: Katie Little at klittle@cbbf.com and 916-446-4647.

Biodiversity

The California Natural Resources Agency has announced their next topical workshop on the 30x30 biodiversity executive order on July 27th from 3-6pm. Interested participants can register for the event [here](#) and more information on the advisory panel and work moving forward will be posted at www.californianature.ca.gov. Staff: Taylor Roschen, troschen@cbbf.com or 916-446-4647.

Climate Change

The California Air Resources Board met on Thursday, June 24th to hear, among other things, an informational update on the structure, development process and timeline for the 2022 Scoping Plan Update. Staff presentations strongly focused on incorporating considerations of the environmental justice community and the opportunity for natural and working lands to serve as carbon sinks, but also as sources of greenhouse gas emissions. CARB identified principles for Natural and Working Lands target setting including looking at both emissions and sequestration, focusing on ecosystem benefits and impacts, regional priorities, scientific data, focusing on the largest carbon pools and scalability. During public comment, items related to pesticide use, methane emissions from the dairy and livestock sector, natural and working lands' carbon sequestration and "industrialized agricultural practices" were requested as points for consideration in the Plan update. Some Board members also spoke on these measures. The Board will hear another update at a subsequent meeting on the status of the scoping plan stakeholder meetings and recommendations. Staff: Taylor Roschen, troschen@cbbf.com or 916-446-4647.

The California Air Resources Board has released a draft [analysis](#) of progress to date on the 2030 dairy and livestock methane emissions target set in SB 1383. This bill establishes a 40% reduction target for short lived climate pollutants, including methane, below 2013 levels by 2030. Farm Bureau staff is in the process of analyzing the proposal and comments are due by close of business on July 14th. Staff: Taylor Roschen, troschen@cbbf.com or 916-446-4647.

Commodities

A Farm Bureau supported measure, [AB 778](#) (Eduardo Garcia, D-Coachella) has been held in the Senate Governance and Finance committee. This bill would have required all state institutions and agencies to purchase only California-grown and processed foods unless it is not produced in state or in season. This measure may no longer be heard in the 2021 legislative year. Staff: Taylor Roschen, troschen@cbbf.com or 916-446-4647.

[AB 710](#) (Eduardo Garcia, D-Coachella) has been recently amended and is scheduled to be heard in the Senate Business and Economic Development Committee next week on Wednesday the 30th. This bill would prohibit a vendor (i.e. distributor, packing house, or food aggregator) from selling an agricultural product (fresh or

value-added fresh apples, asparagus, bell peppers, blueberries, dates, honeydew melons, lemons, nectarines, olives, and table grapes) not produced in state unless its production complies with California's health, labor and environmental laws. The most recent amendments would prohibit the Department of Food and Agriculture from imposing any fees on producers to meet this requirement. *Staff: Taylor Roschen, troschen@cbbf.com or 916-446-4647.*

Food Safety

The California Department of Food and Agriculture and the Monterey County Farm Bureau hosted a virtual townhall on June 21st to present an [interim report](#) titled “California Agricultural Neighbors: Neighbor-to-neighbor best practices to help enhance localized food safety efforts.” The 27-member California Agricultural Neighbors (CAN) Dialogue Group includes representation from the agricultural production community (leafy greens, cattle ranching, viticulture, compost), academia, associations (industry, retail, consumers) and government (local, state and federal). The townhall was recorded and can be viewed [here](#). The California Agricultural Neighbors working group is also hosting a three-part webinar series with subject matter experts on the interim report and food safety recommendations to limit the persistence of E. coli from food safety experts. Below is a synopsis of the webinars and links to register to participate.

- June 30th 1-2:30pm: Reservoirs of *E. coli* O157:H7 and other STEC
 - Zoom: https://cbbf.zoom.us/webinar/register/WN_p3GFEq5dQ5SIL2VSXTBc6A
- July 7th 9-10:30am: Off-farm factors that may affect STEC movement on the landscape
 - Zoom: https://cbbf.zoom.us/webinar/register/WN_l1lsNiWTQAaXURGmkfioxw
- July 14th 9-11am: On-farm factors that may affect STEC survival and contact with produce
 - Zoom: https://cbbf.zoom.us/webinar/register/WN_qaVf0oSzRyGCC5IDMFrtTg

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Insurance

SB 11 (Rubio, D-Baldwin Park) is Farm Bureau's sponsored legislation to authorize the California FAIR Plan to underwrite insurance coverage for commercial farms and ranches. This bill was heard in the Assembly Insurance Committee this week. The legislation passed unanimously by a vote of 14-0 and has been referred to the full Assembly for a final vote, which could occur as early as next week. Should SB 11 pass the Assembly, the bill will return to the Senate for a final vote. Should the bill be approved by the Senate, it would then be presented to Governor Newsom for further action. SB 11 has no opposition and is supported by a coalition of our agricultural colleagues, insurance associations and California Insurance Commissioner Ricardo Lara. *Staff: Robert Spiegel at rspiegel@cbbf.com or (916) 446-4647.*

Land Use

AB 1322 (Robert Rivas, D-Salinas), a bill which would have authorized a local government to not enforce a voter-approved land use measure if it conflicted with the State's housing laws, was recently gutted and amended. This means any language related to land use has been stripped out and now addresses requiring the State Air Resources Board to develop a plan to reduce greenhouse gas emissions for aviation fuel. Farm Bureau had monitored the previous version of the bill given its potential impact to agricultural land use and planning. *Staff: Taylor Roschen, troschen@cbbf.com or 916-446-4647.*

AB 252 (Robert Rivas, D-Salinas) is a bill that has brought much attention to how fallowed agricultural lands in critically over drafted groundwater basins can be repurposed was recently amended. This bill creates the Multi-benefit Land Repurposing Incentive Program at the Department of Conservation, with advisement by the Department of Food and Agriculture. This program would provide funds to groundwater sustainability

agencies and local governments to develop local programs to support repurposing of fallowed agricultural lands for habitat restoration, from irrigated to rangelands, groundwater recharge facilities, flood plain restoration, cover cropping, dust control measures and creating community recreation and parks. Farm Bureau has worked with the sponsors and author on this measure to ensure it conforms with CAFB policy. The bill was most recently amended to specify that the aforementioned activities would constitute a “compatible use” under Williamson Act, meaning they can be conducted on enrolled acreage, unless local governments specify otherwise. Farm Bureau staff is discussing this recent change with local government representatives, the author and sponsor to ensure these activities are reversible and do not threaten agricultural production on neighboring agricultural lands. *Staff: Taylor Roschen, troschen@cbbf.com and Danny Merkley, dmerkley@cbbf.com or 916-446-4647.*

Public Lands and Wildlife

AJR 5 was rescheduled and is set to be heard in the Assembly Water, Parks and Wildlife Committee next week. This resolution, authored by Luz Rivas (D – Arleta), would urge the federal government to immediately declare a moratorium on all further wild horse and burro roundups and would urge the United States Bureau of Land Management and the United States Forest Service to restore the wild horses and burros of California to their legal areas throughout the state. Farm Bureau has submitted a letter of concern to the author and committee which cites a recent [Sacramento Bee article](#) that illustrates many current issues facing wild horses in Modoc County. Farm Bureau has worked with stakeholders, including animal welfare advocates, in the past to create proposals that would benefit the entire eco-system. This bill, however, would halt all progress that has been made with no consideration of the negative impacts on native species, ranchers, and the wild horses’ health. As this is a resolution and not a bill, Farm Bureau is not taking an “oppose” position at this time. We will continue to monitor this issue and have conversations with all stakeholders. *Staff: Katie Little, klittle@cbbf.com or (916) 446-4647*

Transportation

For several months, a coalition led by the California Farm Bureau and California League of Food Producers has attempted to provide greater flexibility for agricultural haulers given the increasing related to the availability of commercially licensed drivers. The coalition that was provided to the Newsom Administration can be found [here](#). Just yesterday and working alongside our colleagues at the California State Board of Food and Agriculture, the California State Transportation Agency (Cal STA) has authorized a temporary weight limit extension for agricultural haulers. Specifically, unlike previous authorizations provided by the federal government, California agricultural haulers would be eligible to haul up to 88,000lbs on state routes, only. Agricultural haulers, or carriers, would have to also apply for a special weight permit for the overweight loads and can be accessed [here](#). The authorization is temporary and will expire on August 31, 2021. The permits are valid for up to 60-days and should provide additional transportation flexibility for California’s farmers and our associated hauling partners. *Staff: Robert Spiegel at rspiegel@cbbf.com or (916) 446-4647.*

Water

As previously reported, a measure that would provide grant funding for repairs on the Friant-Kern Canal, the State Water Project and the Delta Mendota Canal is now scheduled to be heard in the Assembly Water, Parks and Wildlife Committee on July 1st. SB 559 (Melissa Hurtado, D-Sanger), would establish the Canal Conveyance Capacity Restoration Fund to support subsidence repair costs, for the Friant-Kern Canal, the Delta-Mendota Canal and the California Aqueduct. Local and federal funding has also been identified, and the state funds provided in the measure are contingent upon those local and federal funds being provided. Additionally, the State Budget identifies \$200 million in general fund dollars to lessen the total amount needed

to be appropriated by the California Legislature. Farm Bureau supports the measure. **Additionally, a rally at the West Steps of the State Capitol Building supporting the measure will take place on Monday, June 28th at 10:30 a.m.** Staff: Danny Merkley, dmerkley@cbbf.com or (916) 446-4647.

The State will hold listening sessions as part of the Drought Executive Proclamation to develop drinking water well principles and strategies. The California Department of Water Resources, in coordination with the State Water Resources Control Board, is advancing the development of principles and strategies related to groundwater management and drinking water well impacts. The State is hosting Listening Sessions to gather public input for this effort. Three identical Listening Sessions will be hosted on:

1. June 29 Listening Session – Noon to 1:30pm
REGISTER [HERE](#)
2. June 29 Listening Session – 5:00pm to 6:15pm
REGISTER [HERE](#)
3. June 30 Listening Session – Noon to 1:30pm
REGISTER [HERE](#)

You may also provide input, or for more information go to: sgmps@water.ca.gov. Additional public input opportunities will occur once draft principles and strategies are available for public review. Farm Bureau will monitor and comment if necessary. Staff: Danny Merkley, dmerkley@cbbf.com or (916) 446-4647.

The State and regional water boards will consider a racial equity resolution. The California Farm Bureau encourages Farm Bureau members to submit comments on how the water boards' policies and regulations disproportionately impact farmers, ranchers and their employees of racial diversity. The draft proposed Racial Equity Resolution is intended to demonstrate why this work is needed and offers a roadmap for how the State Water Board can (1) ensure its programs and policies preserve, protect, and restore California's water resources equitably for people of all races, and (2) create an equitable, diverse, and inclusive workplace where all employees feel they belong and their opportunities and professional outcomes are not predicted by their race. The draft proposed Racial Equity Resolution will be posted on the State Water Board's [website](#). The State Water Board will accept written comments on the draft proposed Racial Equity Resolution no later than 12:00 noon on Monday, July 12, 2021. Submit written comments to: commentletters@waterboards.ca.gov with subject line: "Comment Letter – Racial Equity Resolution."; or by fax to: (916) 341-5620; or mail to: Clerk to the Board, Ms. Jeanine Townsend, State Water Resources Control Board, P.O. Box 997377, MS 7400, Sacramento, CA 95899-7377. Staff: Danny Merkley, dmerkley@cbbf.com or (916) 446-4647.