



# 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 24, 2023**

## Air Quality

Assemblymember Garcia introduced [AB 1401](#) would require the CARB to give additional preference to air quality improvement projects under the Air Quality Improvement Program (AQIP) based on the project's ability to promote the use of clean alternative fuels, biofuels, and vehicle technologies. The bill would also require the state board to include certain information relating to renewable fuels and biofuels in its biennial report to the Legislature on the program. *Staff: Katie Little, [klittle@cbbf.com](mailto:klittle@cbbf.com)*

[SB 768](#) by Senator Caballero was introduced last week. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would state the intent of the Legislature to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of CEQA. *Staff: Katie Little, [klittle@cbbf.com](mailto:klittle@cbbf.com)*

## Animal Health and Welfare

[SB 780](#) by Senator Alvarado-Gil is a spot bill that would state the intent of the Legislature to enact subsequent legislation requiring the secretary to have the final determination regarding whether a feed additive or ingredient is safe for both livestock and consumers and can be distributed within California. Existing law establishes the Department of Food and Agriculture regulates, among other things, certain animal feedlots, and requires operators of those businesses to be registered with the secretary. Existing law also establishes the Feed Inspection Advisory Board in state government and generally requires it to serve in an advisory capacity to the secretary with respect to the operation of the law governing commercial feed. Farm Bureau will continue to monitor this bill as language is developed. *Staff: Katie Little, [klittle@cbbf.com](mailto:klittle@cbbf.com)*

## Broadband

Assemblymember Wood introduced [AB-1714](#). This bill would define "public utility" to include a corporation providing broadband service to the public or a portion of the public. Currently, the Public Utilities Commission does not regulate broadband providers as a "public utility" in any capacity. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

## CESA and Wildlife

Assemblymember Flora (R – Modesto) has introduced [AB 1629](#), a spot bill relating to endangered species. Existing law requires the Department of Fish and Game, in cooperation with the Department of Food and Agriculture and specified persons, to adopt regulations that authorize locally designed voluntary programs for routine and ongoing agricultural activities on farms or ranches that encourage habitat for candidate, threatened, and endangered species, and wildlife generally. Existing law requires these authorized programs to, among other things, be supported by the best available scientific information for both agricultural and conservation practices. Farm Bureau will track the bill as substantive language will be added in the coming weeks. *Staff: Katie Little, [klittle@cbbf.com](mailto:klittle@cbbf.com)*

## Food Safety

[SB-701](#), as introduced by Hurtado. Existing law, the Sherman Food, Drug, and Cosmetic Law, requires the State Department of Public Health, whenever the department finds that a class of food distributed in the state may, by reason of contamination with micro-organisms during manufacture, packing, or storage, be injurious to the health of a man or other animal that consumes it, and that the injurious nature cannot be adequately determined after the food has entered commerce, to adopt regulations providing for the issuance of permits to manufacturers, processors, or packers of the class of food. Existing law, the California Retail Food Code, requires all food to be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage. This bill would state the intent of the Legislature to enact legislation regarding food and safety standards to ensure general food safety requirements are updated and aligned with the evolving goals of the Legislature. Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no. *Staff: Chris Reardon; [creardon@cbbf.com](mailto:creardon@cbbf.com)*

## Herbicides and Pesticides

[AB-1752](#), as introduced, Committee on Agriculture. Existing law requires the Secretary of Food and Agriculture to adopt regulations necessary to minimize the hazard to bees, while still providing for the reasonable and necessary application of pesticides toxic to bees to blossoming plants, as specified. Under existing law, a failure to comply with those regulations is subject to a civil penalty of not more than \$500 for each day that the violation continues and, after a warning notice of 7 days is given, is an infraction. In addition to the civil penalty and infraction described above, this bill would authorize a county agricultural commissioner, in lieu of a civil prosecution by the secretary, to levy a civil penalty of not more than \$3,000 per violation against a person violating those regulations, as specified. *Staff: Chris Reardon; [creardon@cbbf.com](mailto:creardon@cbbf.com)*

[AB-99](#) as introduced, Connolly. Existing law vests the Department of Transportation with possession and control of the state highway system and associated property. Existing law prohibits each state agency that has responsibility for roadside vegetation control operations on, or along, a roadway, including a state highway, from conducting a roadside vegetation control operation on a portion of the roadway for which a property owner has made a request for information related to the roadside vegetation control operation until certain conditions are satisfied, as specified. This bill would require the department to develop and adopt a statewide policy to discontinue roadside spraying of herbicides and synthetic pesticides in each county where the county board of supervisors has adopted a resolution that opposes the spraying of herbicides and synthetic pesticides in the county, except where no alternative vegetation management practice is feasible or during a state of emergency relating to wildfire if the spraying is solely for purposes of preventing, combating, or mitigating the risk of wildfire. The bill would require the department, in developing that policy, to consider. *Staff: Chris Reardon; [creardon@cbbf.com](mailto:creardon@cbbf.com)*

## Marketing

[AB-1715](#), as introduced, Committee on Agriculture. Existing law authorizes the Secretary of Food and Agriculture to act as an adviser for producers and distributors, if requested, and assist them in the economical and efficient distribution of any product at fair prices. This bill would make nonsubstantive changes to this provision. Vote: majority. Appropriation: no. Staff: Chris Reardon; [creardon@cfbf.com](mailto:creardon@cfbf.com)

## Taxation

[AB-1500](#) from Assemblymember Irwin introduced a spot bill that states the intent of the Legislature to enact legislation relating to taxation and the base year value of real property that is substantially damaged or destroyed by a disaster. Current property tax law provides, pursuant to a requirement of the California Constitution, that the property tax base year value of real property that is substantially damaged or destroyed by a disaster, as declared by the Governor, may be transferred to a comparable property located within the same county that is acquired or newly constructed within a prescribed time after the disaster as a replacement property. Staff: Peter Ansel; [pansel@cfbf.com](mailto:pansel@cfbf.com)

## Water

Assemblymember Juan Carrillo introduced [AB-1364](#) a spot bill related to lake and streambed alterations. Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing or disposing of certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that activity, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources, except as specified. Staff: Peter Ansel; [pansel@cfbf.com](mailto:pansel@cfbf.com)

[AB-1488](#) from Assemblymember Wallis would create streamlining of judicial review for water conveyance or storage projects challenged under the California Environmental Quality Act (CEQA). AB 1488I would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects. Staff: Peter Ansel; [pansel@cfbf.com](mailto:pansel@cfbf.com)

[AB-1563](#) from Assemblymember Bennett has been introduced. Existing law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. Staff: Peter Ansel; [pansel@cfbf.com](mailto:pansel@cfbf.com)

Assemblymember Garcia has introduced [AB-1567](#), the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. Staff: Peter Ansel; [pansel@cfbf.com](mailto:pansel@cfbf.com)

[AB-1572](#) from Assemblymember Friedman has been introduced. Existing law establishes the state water policy that the use of water for domestic purposes is the highest use of water. This bill would make

legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Also introduced from Assemblymember Friedman is [AB-1573](#). Current law, the Water Conservation in Landscaping Act, requires the Director of Water Resources to convene a working group comprised of representatives from the landscape nursery industry, the agricultural community, the landscape retail industry, environmental organizations, urban water agencies, and other professionals to examine the current state of consumer information available and accessible regarding water use associated with landscape plants and to explore and identify options for improving the availability, accessibility, and quality of consumer information regarding water use associated with landscape plants. This bill would delete that requirement. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Assemblymember Bains has introduced two spot bills [AB-1613](#) and [AB-1648](#). Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, declares that the Sacramento-San Joaquin Delta is a critically important natural resource for California and the nation. AB 1613 would state the intent of the Legislature to enact future legislation requiring the Department of Water Resources to identify permanent and temporary salinity barriers that would reduce the amount of fresh water outflow required to combat saltwater intrusion into the Sacramento-San Joaquin Delta. AB 1648 would state that it is the intent of the Legislature to enact subsequent legislation that would prohibit the City and County of Los Angeles from achieving federally mandated conservation of Colorado River water supplies by increasing water imports from other regions, including the San Joaquin Valley. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

[AB-1736](#) from Assemblymember Juan Carrillo has been introduced. It is a spot bill related to the Sustainable Groundwater Management Act. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Senator Eggman introduced [SB-638](#), which would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000, pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

[SB-651](#), introduced by Senator Grove has been introduced. This bill would make it the policy of this state that, to help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the state board and the regional water quality control boards prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

[SB-659](#) has been introduced by Senator Ashby. This bill would establish that it is the policy of the state to recharge groundwater by a minimum of 10 million acre-feet of water annually. The bill would require the department to promulgate regulations necessary to implement this policy. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Senator Hurtado introduced [SB-737](#). This bill would state the intent of the Legislature to enact subsequent legislation to capture floodwater to recharge groundwater basins and to require the Department of Water Resources and the State Water Resources Control Board to work together to expedite the regulatory steps

necessary to store significant rainfall and excess water underground, while still ensuring protections for the environment and other water users as required by state law. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

[SB-753](#) has been introduced by Senator Caballero. This bill would create a felony for planting, cultivating, harvesting, drying, or processing marijuana that results in substantial environmental harm to surface or groundwater, a violation of pesticide provisions, taking or using water from a conveyance or storage facility without permission, and extraction or use of groundwater from an unpermitted well or from a permitted well in excess of a restriction. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Senator Dahle has introduced [SB-836](#). This bill would authorize a landowner, in the County of Siskiyou, where a conduit is constructed across or buried beneath the lands of 2 or more landowners, and the conduit is not under the control or management of any public agency or authority, to modify or replace the conduit on or beneath their land if the modification or replacement is made in a manner that does not impede the flow of the water to any other water right holder receiving a benefit of the conduit. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Also from Senator Dahle, [SB-861](#) would require the Judicial Council to adopt rules of court related to California Environmental Quality Act actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Senator Allen has introduced [SB-867](#), which would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

## Wildfire

[AB-1544](#) from Assemblymember Patterson would expressly exempt from the California Environmental Quality Act (CEQA) a project reduction of fuels in areas within moderate, high, and very high fire hazard severity zones. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

Senator Limon introduced [SB-675](#). Current law requires the Department of Forestry and Fire Protection to establish a local assistance grant program with advance payments for eligible fire prevention and home hardening education activities in the state, including public education outreach activities. This bill would expand the definition of fire prevention activities to include prescribed grazing, defined as the lawful application of a specific kind of livestock at a determined season, duration, and intensity to accomplish defined vegetation or conservation goals, including reducing the risk of wildfire by reducing fuel loads, controlling undesirable or invasive plants, and promoting biodiversity and habitat for special status species. The bill would expand allowable public education outreach activities to include training on livestock management and community-supported prescribed grazing. *Staff: Peter Ansel; [pansel@cbbf.com](mailto:pansel@cbbf.com)*

## ✦ VACANCIES

### **CDFA ANNOUNCES ONE VACANCY ON THE CITRUS PEST AND DISEASE PREVENTION COMMITTEE**

The California Department of Food and Agriculture is announcing one vacancy on the Citrus Pest and Disease Prevention Committee. The Committee advises the CDFA Secretary on activities associated with the statewide citrus specific pest and disease work plan that includes, but is not limited to outreach and education programs and programs for surveying, detecting, analyzing, and treating pests and diseases specific to citrus. The members receive no compensation, but are entitled to payment of necessary travel expenses in accordance with the rules of the Department of Personnel Administration.

The Committee member vacancy exists for one grower representative from Fresno County and the member term expires on September 30, 2024. Applicants should have an interest in agriculture and citrus pest and disease prevention. Individuals interested in being considered for a committee appointment should send a brief resume by March 10, 2023 to the California Department of Food and Agriculture, Citrus Pest and Disease Prevention Division, 1220 N Street, Sacramento, California 95814, Attention: David Gutierrez. For additional information, contact: David Gutierrez, Branch Chief, Citrus Pest and Disease Prevention Division at (916) 274-6300, or e-mail [David.Gutierrez@cdfa.ca.gov](mailto:David.Gutierrez@cdfa.ca.gov).

### **CDFA ANNOUNCES VACANCIES ON CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE**

The California Department of Food and Agriculture (CDFA) is announcing vacancies on the Certified Farmers Market Advisory Committee (CFMAC). The CFMAC advises the CDFA Secretary on all matters pertaining to the [Direct Marketing Program](#), including legislation, regulations, enforcement, and administrative policies and procedures pertaining to the direct marketing of California-grown agricultural products at Certified Farmers' Markets (CFMs). California currently has more than 2,700 certified agricultural producers participating in approximately 650 CFMs within the state.

Current CFMAC vacancies include producer or representative of agricultural organization that represents producers; alternate producer or organization that represents producers; alternate CFM operator or representative of operator; and county agricultural commissioner alternate. The term of office for committee members is two years. While members do not receive compensation, they are entitled to payment of necessary traveling expenses in accordance with the rules of the California Department of Human Resources.

Individuals interested in being considered for an appointment should complete the Prospective Member Appointment Questionnaire (PMAQ) available at [https://www.cdfa.ca.gov/is/i & c/pdfs/CFM-PMAQ.pdf](https://www.cdfa.ca.gov/is/i%20c/pdfs/CFM-PMAQ.pdf) and obtain a letter of recommendation from an industry member. Applications will be accepted until the positions are filled. Applications should be sent to Sarah Cardoni, CDFA Inspection and Compliance Branch, 1220 'N' Street, Sacramento, CA 95814, or via email to [Sarah.Cardoni@cdfa.ca.gov](mailto:Sarah.Cardoni@cdfa.ca.gov). For further information regarding the Direct Marketing Program and CFMAC vacancies, please contact Jennifer Leidolf at [Jennifer.Leidolf@cdfa.ca.gov](mailto:Jennifer.Leidolf@cdfa.ca.gov).