



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.

March 17, 2023

Pesticides

EPA ANNOUNCES ACCELERATED ACTION ON FOUR ORGANOPHOSPHATE PESTICIDES BASED ON UPDATED EXPOSURE ASSESSMENTS

Today, the U.S. Environmental Protection Agency (EPA) is announcing an effort to expedite protections on some high-risk uses of four organophosphate pesticides. The Agency is releasing the updated occupational and non-occupational spray drift exposure risk assessments for these four pesticides – diazinon, ethoprop, tribufos and phosmet – several years ahead of the scheduled completion of EPA's work on these chemicals in order to seek early mitigation prior to completing the standard registration review process.

EPA is currently meeting with the technical registrants of the four pesticides about early risk mitigation. The types of mitigation under consideration include cancellation of uses and formulation types, prohibition of application methods, increased personal protective equipment for pesticide handlers, spray drift requirements, and new restrictions on when workers can reenter treated fields and perform harvesting and other types of post-application activities. The Agency is asking the registrants to submit label amendments that reflect the necessary risk mitigation measures for each of these four organophosphates and is prepared to expedite label reviews in order to implement the protections as quickly as possible. California Farm Bureau will work with AFBF to provide further comments on this issue.

Staff: Chris Reardon; creardon@cfbf.com

The Assembly Environmental, Safety Toxic Committee met this week and passed out of the committee, [AB-652](#) which would require the Department of Pesticide Regulation to have an Environmental Justice Committee similar to the one at the California Air Resources Board. It would have appointed members from the cross section of environmental justice community and provide guidance to the department on all issues related to environmental Justice. If enacted, this would have significant impacts on the future of the pesticide program in California. Farm Bureau opposed the bill and provided testimony at the hearing. *Staff: Chris Reardon; creardon@cfbf.com*

[AB-1042](#), Introduced by Rebecca Bauer-Kahan, would require the Director of Pesticide Regulation to adopt regulations to govern the use and disposal of seeds treated with a pesticide and to prohibit the use of seeds treated with a pesticide that meets specified conditions. Because a violation of these regulations would be a crime, the bill would impose a state-mandated local program. The bill would prohibit a person from selling, delivering, or using seeds treated with a pesticide that is not registered for use. The bill would require, on and after January 1, 2025, a use report to be submitted by, or on behalf of, a grower to the director or a county agricultural commissioner when seeds treated with a pesticide are used by the grower in the state and would require the director or commissioner, on and after January 1, 2026, to annually report to the public the pounds of pesticides applied as seed treatment in California and the cumulative acres planted with seeds treated with a pesticide in California, as specified. By imposing this reporting requirement on county agricultural commissioners, this bill would create a state-mandated local program. *Staff: Chris Reardon; creardon@cfbf.com*

Agricultural Employment

On March 16, the Cal/OSHA Standards Board rejected a motion offered by Board member Chris Lacszy-Davis to empanel an advisory committee to examine possible changes to Title 8, Section 3441 OSHA regulations governing the use of driverless tractors. Existing regulations require an operator at the controls of a furrow-guided tractor. The advent of autonomous and semi-autonomous agricultural vehicle technologies raises a possible conflict with this regulation. An advisory committee would bring together interested stakeholders to try to reach consensus on the matter. Labor advocates insisted that there was no reason to empanel an advisory committee given their position that there is no safe way to operate autonomous or semi-autonomous agricultural vehicles. Proponents highlighted data indicating safe operation of similar vehicles in industries like mining and construction, as well as early data from two regulatory variances granted to allow limited use of autonomous tractors, in the face of insistence from some Board members and labor advocates that no such data exists. Opponents of the measure also decline to specify what, if any, safety data they may find sufficiently compelling to warrant further conversation on the matter. *Staff: Bryan Little; blittle@cfbf.com*

Ag General

[AB-1044](#), as introduced by Assemblymember James Gallagher: Agricultural Relief Act.

Current law imposes various limitations on the emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Pursuant to that authority, the State Air Resources Board has adopted a regulation to reduce oxides of nitrogen, diesel particulate matter, and other criteria air pollutant emissions from in-use, diesel-fueled vehicles. This bill would require the state board to exempt agricultural vehicles and specialty agricultural vehicles that do not exceed 10,000 miles of operation annually from any regulation to reduce emissions of diesel particulate matter, oxides of nitrogen, and other criteria air pollutants from in-use, diesel-fueled vehicles. *Staff: Chris Reardon; creardon@cfbf.com*

Climate Change

[SB-308](#), by Assemblymember Josh Becker, would enact the Carbon Dioxide Removal Market Development Act that would require the State Air Resources Board, no later than December 31, 2027, to adopt a regulation to require certain emitting entities to purchase negative emissions credits equal to a specified amount of their greenhouse gas emissions, as determined by the state board, in each calendar year beginning in the 2028 calendar year in accordance with specified requirements. The bill would require the state board, no later than December 31, 2027, to establish rules and processes for certifying carbon dioxide removal processes that may be used to create negative emissions credits and for tracking negative emissions credits in accordance with certain criteria. The bill would also require negative emissions resulting from the use of negative emissions credits to be included in the calculation of the state's net greenhouse gas emissions, as specified. *Staff: Chris Reardon; creardon@cfbf.com*

Forestry

[AB 625](#) by Assemblymember Cecilia Aguiar-Curry addresses forest biomass waste. This bill would: establish a forest biomass waste utilization program at the Board of Forestry's Joint Institute for Wood Products Innovation; require the California Natural Resources Agency to incorporate forest biomass utilization recommendations into the state's climate adaptation plans; require the Air Board to develop a report that includes a methodology to quantify the greenhouse gas and short-lived climate pollutant emissions, including black carbon, from wildfire, pile burning, and forest management activities; require the California Energy Commission to prepare a report on bioenergy technologies; and require the California Public Utilities Commission to extend the Bioenergy Market Adjusting Tariff (BioMAT) program. AB 625 will be heard in the Assembly Utilities and Energy Committee on Wednesday March 22. CFBF is continuing to review the bill to obtain clarification regarding some of the provisions and may support it if the new sections are beneficial. *Staff: Karen Mills, kmills@cfbf.com*.

Land Use

[AB-1197](#), by Assemblymember Gregg Hart. Current law establishes the Agricultural Protection Planning Grant Program within the Department of Conservation, to provide planning grants to improve the protection of agricultural lands and grazing lands, including oak woodlands and grasslands. Current law provides these planning grants to, among other things, maintain local food supplies and agricultural economies through the protection of agricultural lands. Current law authorizes certain purposes for which these grants may be made for agricultural protection, including, among others, to develop public-private partnerships for the long-term protection and stewardship of agricultural lands. Current law prohibits the department from awarding a grant in excess of \$500,000 to any applicant and \$750,000 if the department determines that the grant application is for collaborative planning activities proposed to include 2 or more adjacent counties, cities, or city and county. This bill would increase these grant limits to \$1,000,000 and \$1,500,000, respectively. *Staff: Chris Reardon; creardon@cfbf.com*

Rural Broadband

A bill supported by Farm Bureau, [AB-415](#) by Assemblymember Freddie Rodriguez passed out of the Assembly Committee on Emergency Management with unanimous approval. The bill moves onto the Communications and Conveyance Committee with a Consent Calendar recommendation, meaning it should have a good pathway through the Assembly. The bill would enact the Emergency Fairgrounds Communications Grant Act and would require the Office of Emergency Services to establish a grant program to provide fairgrounds with grant funding for the purpose of building and upgrading communication and internet infrastructure on fairgrounds. *Staff: Peter Ansel; pansel@cfbf.com*

Amended this week is [SB-387](#) from Senator Bill Dodd. This bill, as an exception to the prohibition on the Department of General Services leasing certain properties and only leasing others at fair market value, would authorize the Department of General Services, with the consent of the concerned agency, to enter into a lease for real property under the jurisdiction of a state agency, department, or district agricultural association at an amount less than fair market value in support of broadband development in the state. The bill could help broadband providers work with state agencies to identify state properties suitable for leasing to expand broadband into rural areas, since siting broadband equipment and paying leasing for that siting is a prohibitive cost to network development. *Staff: Peter Ansel; pansel@cfbf.com*

Transportation

Upcoming [trainings](#) with CA Air Resources Board Meetings and Trainings:

MS510: CARB Smog Check for Heavy Trucks: Heavy Duty Inspection & Maintenance (HD I/M) Program
Do you own, operate, or dispatch heavy-duty trucks in or to California? Then you need to know about the California Air Resources Board's (CARB) upcoming requirement to regularly test the emission control system of nearly every truck operating within California, regardless of where the trucks owner lives or where the truck is based. The new requirements are more commonly know as a heavy duty truck smog check and will become effective over the next couple of years. If your vehicles are not compliant, you need to know what the current and future requirements are. If your vehicles are compliant, you may need to regularly test and report to remain compliant. This course gives you information about how to comply with the HD I/M program and how to report to continue operating legally in 2022 and beyond.

Date: March 29, 2023 (*Offered in-person & via Zoom webinar*)

Time: 9:00 a.m.

[In-Person Registration](#) (Browse for MS510)

Location: Clark's Nutrition & Natural Foods Market
12835 Mountain Ave., Chino, CA 91710

Webinar: [Zoom Registration](#)

Date: April 4, 2023 (*Offered in-person & via Zoom webinar*)
Time: 1:00 p.m.
[In-Person Registration](#) (Browse for MS510)
Location: County Operations Center
5560 Overland Ave. - Training Room 124
San Diego, CA 92123
Webinar: [Zoom Registration](#)

MS555: New Programs and Regulations at CARB

The California Air Resources Board (CARB) has several new regulatory programs that will help the State become carbon neutral in the future. These programs are going through the public process designed to get input from people and industries affected by the eventual requirements. The class will cover the requirements of existing regulations and then the new programs that will eventually be in effect. The goals for this class are to cover the proposed program elements and elicit participation in the regulatory process. These regulations are needed to meet federal and state ambient air quality standards as well as mandated timelines for reaching carbon neutrality in California.

Date: April 20, 2023
Time: 1:00 p.m.
Webinar: [Zoom Registration](#)

MS504: In-Use Off-Road Diesel Vehicle Regulation

The Air Resources Board has a regulation to reduce emissions from existing off-road diesel vehicles used in California construction, mining, and other industries. The In-Use Off-Road Diesel Vehicle Regulation (Off-Road Regulation) requires fleets to report to ARB and label their off-road vehicles as well as reduce their overall fleet emissions. This course provides detailed information to help fleet owners understand and comply with the Off-Road Regulation. Due to the Public Records Act, please be advised registration information you provide for this course may be provided in a public records request

Date: April 4, 2023 (*Offered in-person & via Zoom webinar*)
Time: 9:00 a.m.
[In-Person Registration](#) (Browse for MS504)
Location: County Operations Center
5560 Overland Ave. - Training Room 124
San Diego, CA 92123
Webinar: [Zoom Registration](#)

MS 507: Transport Refrigeration Units (TRUs)

Transport Refrigeration Units (TRUs) are used on semi-trailers, truck vans, shipping containers, and rail cars. Most TRUs are diesel-powered. Although TRU engines are relatively small, significant numbers of these engines congregate at distribution centers, truck stops, and other facilities, resulting in exposure to diesel particulate matter (PM) and health risks to those that live and work nearby. To reduce the risks of exposure to diesel PM from TRUs, owners, operators, dispatchers, and distribution centers must comply with the TRU Air Toxic Control Measure (ATCM). This class covers the requirements of the existing ATCM as well as amendments adopted in 2022.

Date: April 5, 2023 (*Offered in-person & via Zoom webinar*)
Time: 9:00 a.m.
[In-Person Registration](#) (Browse for MS510)
Location: County Operations Center
5560 Overland Ave. - Training Room 124
San Diego, CA 92123
Webinar: [Zoom Registration](#)

Water

With unanimous support and passing out of Assembly Committee on Water, Parks, and Wildlife this week was [AB-30](#) by Assemblymember Christopher Ward. The bill would require the Department of Water Resources to make investments in data modeling and forecasting for atmospheric river incidents. Most of the members the committee requested to join the bill as a co-author, noting the good timing for Assemblymember Ward to present a bill about atmospheric rivers during an atmospheric river that soaked the Sacramento area. The bill moves onto Assembly Appropriations Committee. Farm Bureau supports the bill. *Staff: Peter Ansel; pansel@cfbf.com*

Amended this week is [AB-676](#) from Assemblymember Steve Bennett. The bill amends Section 106 of California Water Code to include specific examples of the domestic use of water (the highest use of water in the state) to include but not be limited to:

- (1) Sustenance of human beings and household conveniences.
- (2) Care of household livestock and animals.
- (3) Care of household gardens.
- (4) Deliveries of water by community water systems, other public, municipal, and industrial water agencies, and water corporations regulated by the Public Utilities Commission.

The bill was further amended to state that all water rights are remain subject to the reasonable use doctrine and public trust doctrine. Farm Bureau has not taken a position on the bill, yet. *Staff: Peter Ansel; pansel@cfbf.com*

[AB-830](#) authored by Assemblymember Esmeralda Soria was amended this week. In an effort to expedite the process of capturing flood stage waters, this bill would exempt from certain Department of Fish and Wildlife provisions, the temporary operation of existing infrastructure or temporary pumps being used to divert flood stage and monitor stage flows, as identified by the California Nevada River Forecast Center, to beneficial groundwater recharge necessary to protect downstream life and property. *Staff: Peter Ansel; pansel@cfbf.com*

Also, Farm Bureau has taken a support position on [SB-23](#), authored by Senator Anna Caballero. As discussed previously, SB 23 creates an expedited permit process for water supply and flood risk reduction projects. *Staff: Peter Ansel; pansel@cfbf.com*

Wildfire

A bill supported by Farm Bureau heard this week In the Assembly Committee on Natural Resources [AB-397](#) by Assemblymember Bill Essayli, failed to pass out of the committee but was granted reconsideration, in effort to still move the bill at a later hearing. In an interesting bill vote, Assemblymember Jim Wood voted aye, and implored his Democrat colleagues to support the bill. Noting that his district has been dramatically impacted by wildfire, he indicated that as the Air Resources Board moves to making recommendations in the scoping plan regarding natural and working lands, it would be almost disingenuous to not include carbon emissions from wildfire, especially since 85% of wildfire are caused by human ignition sources. Two other Democrats, Assemblymembers Steve Bennett, and Christopher Ward abstained from voting, potentially giving Assemblymember Bill Essayli a path to still move the bill forward. The bill would require the state air board to include greenhouse gas emissions from wildlands and forest fires in the scoping plan. *Staff: Peter Ansel; pansel@cfbf.com*

Being heard on March 20th in Assembly Committee on Revenue and Taxation [AB-294](#) by Assemblymember Petrie Norris. The bill would provide an exclusion from gross income for any qualified taxpayer, as defined, for amounts received for costs and losses associated with wildfires or natural disaster. Farm Bureau supports the bill. *Staff: Peter Ansel; pansel@cfbf.com*

✦ VACANCIES

CDFA ANNOUNCES VACANCIES ON FEED INSPECTION ADVISORY BOARD

The California Department of Food and Agriculture (CDFA) announces one vacancy on the Feed Inspection Advisory Board (FIAB). This board makes regulatory and enforcement recommendations to CDFA to help ensure that commercial feed inspections contribute to a clean and wholesome supply of milk, meat and eggs.

There is one board position available. The term of office for board members is up to three years. This vacancy will fill an unfinished board term of service until April 30, 2025. Board members do not receive compensation, but they are entitled to necessary travel expenses in accordance with the rules of the California Department of Human Resources. Board member applicants must hold a current California Commercial Feed License.

Individuals interested in a board appointment must submit a resume and a completed Prospective Member Appointment Questionnaire (PMAQ). The PMAQ is available on the CDFA website at: http://www.cdfa.ca.gov/is/ffldrs/pdfs/PMAQ_Feed_IAB.pdf. Both the resume and PMAQ are due by April 10, 2023. Send resume and PMAQ via email to Brittnie.Williams@cdfa.ca.gov or by mail to:

CDFA
Feed, Fertilizer and Livestock Drugs Regulatory Service Branch
Attn: Brittnie Williams
1220 N Street
Sacramento, CA 95814