



In Brief

A MONTHLY NEWSLETTER FROM
THE LEGAL ADVOCACY DIVISION OF
CALIFORNIA FARM BUREAU

DECEMBER 2024

Water Board Extends Opportunities for Oral Written Comments on Potential Devastating Bay-Delta Plan Update Regulatory Proposal



CAFB continues outreach efforts to County Farm Bureaus and members on the Water Board's potential far-reaching Sacramento-San Joaquin River Bay-Delta Water Quality Control Plan Update (Bay-Delta Plan Update).

After a workshop on December 12th, the Board announced it will provide one more opportunity for members of the public to make oral comments at a final **January 23rd** workshop, as described in the Board notice [here](#).

As also noted in the Board's notice, the Board's written comment deadline has been extended from December 19th to **January 10th**.

As highlighted in the summary document and in talking points on CAFB's website [here](#), a "regulatory pathway" option being considered by the Water Board would severely impact agricultural and urban water users throughout the state, requiring 45 to 65 percent January through June of total runoff from the whole of the extended Sacramento River Watershed to be released to the Pacific Ocean. In contrast, a water-user backed "voluntary agreements" package would more reasonably balance water supply and fish protection through "adaptive management" of a combination of complementary flow and habitat measures.

CAFB staff have closely followed each of the five workshops scheduled by the Board, have provided oral comments, and will submit written comments on the Board's Draft Plan Amendments document by the Board's extended deadline of January 10th.

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Monarch Butterfly Proposed to be Listed as Threatened Under the Endangered Species Act



The U.S. Fish and Wildlife Service published a proposal in the Federal Register on December 12, 2024, to list the monarch butterfly as threatened with species-specific protections and flexibilities to encourage conservation under section 4(d) of the Endangered Species Act. The proposal also designates critical habitat along the Central Coast. A 90-day comment period will close on March 12, 2025.

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Draft EIR Released For PG&E Northern San Joaquin Transmission Project

The California Public Utilities Commission (CPUC), acting as the Lead Agency pursuant to the California Environmental Quality Act, has prepared a Draft Environmental Impact Report (EIR) to evaluate the environmental effects of PG&E's Northern San Joaquin 230 Kilovolt (kV) Transmission Project, which would be located in northeastern San Joaquin County and in the City of Lodi. The Draft EIR is now available to review on the CPUC project website

(<https://ia.cpuc.ca.gov/environment/info/ascent/NSJTP/index.html>), at the Lodi Public Library (201 W. Locust Street, Lodi, CA) and CPUC offices in Sacramento (300 Capitol Mall, Sacramento, CA) and San Francisco (505 Van Ness Avenue, San Francisco, CA). The CPUC is accepting comments on the environmental analysis through close of business on **February 7, 2025**, and will provide written responses to comments raising significant environmental points in the Final EIR.

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State Water Board Releases Draft Order Revising Central Valley Dairy Order



On October 1, 2024, the State Water Resources Control Board released a draft order revising the Central Valley Regional Water Quality Control Board's existing dairy order. The draft order creates a new regulatory framework for nitrogen discharges and makes certain components precedential for dairies statewide. The comment deadline has been extended to December 20, 2024. CAFB Legal is working with Dairy Cares and the Central Valley Dairy Representative Monitoring Program to review and respond to the draft order.

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North Coast Water Board Pushes Back Adoption of Vineyard WDR



The North Coast Regional Water Quality Control Board held a hearing to consider adopting the revised Proposed Waste Discharge Requirements for Commercial Vineyards and supporting Final Environmental Impact Report on December 4, 2024. The Regional Board members refrained from adopting the permit, asking staff to first fix various components. A new adoption hearing will likely occur in mid-2025.

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**Corporate Transparency Act Reporting Rules
Temporarily Suspended, However Covered**

Businesses Should Continue to Take Steps to Comply

The Eastern District Court of Texas issued a preliminary injunction against the Corporate Transparency Act (CTA). As a result, enforcement of the CTA and its reporting rules on beneficial ownership information has been temporarily suspended. On December 5, 2024, the U.S. government filed an appeal to the United States Court of Appeals for the Fifth Circuit against this preliminary injunction. Many are recommending that entities should not entirely abandon their efforts to gather information necessary to comply with the CTA to avoid a last-minute disruption if the court reverses the decision or otherwise stays the injunction.

Enacted in 2021, the federal Corporate Transparency Act was intended to combat illegal activities like money laundering, terrorist financing, and tax evasion. It sought to do so by requiring specified businesses to disclose information about their beneficial owners, owning at least 25% of the company or exercising “substantial control.” Ostensibly, the reporting would allow law enforcement to more easily identify individuals behind potentially illicit operations. Covered businesses existing before Jan. 1, 2024, were to file with the U.S. Treasury Department’s Financial Crimes Enforcement Network (FinCEN) initial beneficial ownership information reports by Jan. 1, 2025. Entities formed on or after January 1, 2025, would have 30 calendar days to file the reports.

In new guidance, FinCEN stated:

In light of a recent federal court order, reporting companies are not currently required to file beneficial ownership information with FinCEN and are not subject to liability if they fail to do so while the order remains in force. However, reporting companies may continue to voluntarily submit beneficial ownership information reports.

Regardless of whether the CTA’s suspension remains in effect, certain entities will remain exempt from the beneficial ownership information reporting requirement. Exempt entities include tax-exempt organizations described in section 501(c)(5) of the Internal Revenue Code, such as county Farm Bureaus; see FAQ L.1. posted at https://www.fincen.gov/boi-faqs#L_1.

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