



Top 3 Stories

1. H5N1 in Dairies

As of October 3, the H5N1 in dairies stands at the numbers below:

Confirmed positive: 55 dairies, 1 turkey flock

Presumptive positive with confirmation pending: 14 dairies

In response to the detections, the California Department of Food and Agriculture (CDFA) Animal Health Branch (AHB) has established 10 km surveillance zones around each affected dairy and continues to evaluate various strategies for collecting bulk milk tank samples from unaffected dairies, which may include using state/federal regulatory animal health personnel, county or state milk inspectors, or milk processors. Staff Contact: Steven Fenaroli; sfenaroli@cfbf.com

2. CA Lawmakers Introduce Language Requesting \$14 Billion in '23 Ag Disaster Funding

Last week, Rep. David Valadao (CA22) and several other lawmakers introduced appropriations [language](#) that would provide \$14 billion in assistance to agricultural producers impacted by natural disasters in 2023. The Emergency Relief Program (ERP) has been underfunded and oversubscribed in the last few years, and despite its challenges, the funding and additional improvements would go a long way in supporting California farmers. The request follows a years long endeavor to improve ERP so that assistance is not only issued more quickly, but more fully covers losses after USDA was forced to reduce payments.

In a [release](#), Rep. Valadao said, "These extreme weather events negatively affect the security of our nation's food supply, prices for consumers, and jobs throughout our community. My legislation provides USDA with the funding necessary to assist farmers in California and across the country who have been impacted by natural disasters." California Farm Bureau issued a [press release](#) in support of the endeavor, which was amplified by a Congressional [letter](#) from other coalition partners urging Congress to move forward with the language. The legislation is also supported by Reps. Jimmy Panetta (CA19), Mike Thompson (CA04), John Duarte (CA13),

Jim Costa (CA21), Vince Fong (CA20), Salud Carbajal (CA24), Doug LaMalfa (CA01), Josh Harder (CA09), and other non-CA legislators. Staff Contact: Erin Huston; ehuston@cbbf.com

3. Major Port Worker Strike Suspended, Tentative Agreement Reached

Late last week, the International Longshoremen's Association (ILA) suspended a general strike that had begun on October 1st. The strike included nearly 50,000 workers across 36 ports along the East Coast and Gulf. It originally came about after negotiations broke down between the United States Maritime Alliance and the ILA. The strike represented the first of its kind since the late 70s and had put many businesses on edge due to the significant amount of freight that passes through our eastern ports. There likely would have been more direct impacts on the agricultural industry as well. As of now, a tentative agreement has been reached that would raise wages by 62% over the next six years, but it will need to be ratified by ILA's members prior to mid-January. Staff Contact: Matthew Viohl; mviohl@cbbf.com



Agricultural Employment

SB 399 (Wahab, D-Hayward) - signed legislation that could impact California agricultural employers as the ongoing jockeying between employers and unions unfolds in the aftermath of 2022's card-check legislation. SB 399 restricts employers' ability to communicate with employees about virtually any political issue if the employee and employer are at odds over the underlying issue. Proponents claimed its restrictions on speech are meant primarily to restrain employers from engaging "captive audience" meetings to discourage employees from supporting union representation. The exact reach of SB 399 remains to be seen, as there are ongoing concerns about the degree to which it infringes on employers' First Amendment rights. SB 399 is likely to attract a challenge on those constitutional grounds, as has similar Minnesota legislation signed by Vice Presidential candidate Tim Walz. Farm Bureau had sought a veto of SB 399.

SB 1299 (Cortese, D-San Jose) - Governor Newsom vetoed SB1299 which would have created a rebuttable presumption of work-relatedness in the event of a farm employee's episode of heat illness if the injured employee worked during a week or pay period in which weather conditions triggered implementation of Cal/OSHA Heat Illness Prevention standard. Cortese's rationale for the bill was that Cal/OSHA enforcement has proved ineffective at preventing episodes of heat illness among farm employees, despite the agency's heavy emphasis on enforcement. Governor Newsom's state reasons for vetoing SB 1299 including Cal/OSHA's

creation of a new enforcement task force focusing on heat illness, his concern that SB 1299 was simply the wrong tool to address the matter, and that the Workers Compensation Appeals Board (WCAB) has not particular expertise in determining employer compliance with Cal/OSHA regulations. FELS' parent organization, California Farm Bureau, had encouraged Governor Newsom to veto SB 1299.

AB 2240 (Arambula, D-Fresno) – The Governor signed AB 2240 requiring state-operated and -supported migrant farmworker housing centers to remain open year-round. Previously, qualified migrant farmworkers could occupy slots in migrant farmworker housing centers for up to six months, extendable to up to nine months. Arambula and the bill's proponents contended the time limitation disrupted the education of migrant farmworker's children when they were required to move in the middle of the academic year; existing policy required migrant farmworkers to move at least 50 miles away to be eligible for housing the following year. Some farmworker advocates expressed concern that AB 2240 would shift financial resources away from migrant farmworker housing programs, that year-round occupants would preclude housing workers needed for limited seasons, and that some centers lack heat for occupancy during winter months.

SB 1105 (Padilla, D-El Centro) – Newsom also signed SB 1105 specifying that agricultural employees can use state-mandated Paid Sick Leave to avoid excessive smoke, heat or flooding. Employees, including agricultural employees, can already use state-mandated PSL virtually without restriction and without any obligation to prove actual illness of themselves or others they provide care for, meaning SB 1105 makes virtually no change to existing law. Staff Contact: Bryan Little; blittle@cfbf.com

Dairy

California Dairy Quality Assurance Program Newsletter

Please find attached the September, 2024 edition of our CDQAP newsletter for your use and distribution. An [on-line version](#) of the issue is available for download.

All previous newsletters can be found at our [CDQAP website](#), collected on the [newsletter page](#). Please feel free to reprint any of these articles in part or in their entirety in your own dairy producer communications, we ask only that you credit CDQAP for the information.

This issue focuses primarily on information related to preventing and responding to HPAI which was shared by disease experts and Central Valley veterinary practitioners during last week's webinar. Also included is more details about applying for Dairy PLUS program grants. Staff Contact: Steven Fenaroli; sfenaroli@cfbf.com

Voters and Data Support Continuation of Dairy Climate-Smart Efforts

Public polling and policymakers have demonstrated approval of dairy methane reduction programs that are benefiting both local communities and the planet

Those who work on California dairy farms and live nearby can tell you that methane reduction efforts are working, and that is due in large part to the existing incentive-based approach. Collectively, the state's dairy efforts are expected to achieve annual reductions of more than 6.6 million metric tons (MMTCO₂e). More projects are already in the works and are expected to add significantly to the total. The dairy sector—essential to both community health and local economies—continues to make unmatched climate progress, while also improving the protection of air quality and water resources.

The latest analysis performed by the California Air Resource Board (CARB) staff again confirms that the current incentive-based approach for methane mitigation is working. In line with the findings, the public has demonstrated that they too see value in the incentives. [Keep Reading](#)
Staff Contact: Steven Fenaroli; sfenaroli@cbbf.com

California Dairy Sustainability Summit: Farm Focus Announced for March 2025 in Visalia

The California Dairy Sustainability Summit organizing committee today announced a new, farmer-focused event that will take place on March 25, 2025, at the Visalia Convention Center in Visalia, Calif. This added event will focus on equipping California dairy families and employees with information to further enhance and future-proof farming operations. The one-day conference and tradeshow will promote innovative, practical, and workable approaches to advance environmental and economic sustainability, enabling California's family dairies to continue producing nutritious milk and dairy foods for local and global communities.

The event notice is attached [here](#). Consider sponsoring or becoming an exhibitor [here](#).

The summit's mission is to promote education and collaboration for further advancing planet-smart dairy farm practices and to recognize and enhance dairy's valuable role in sustainable, healthy, and equitable food systems. The 2025 summit is organized in partnership with JCS Marketing, Inc., a full-service agriculture marketing firm operating in the heart of the San Joaquin Valley. More information about the event program and sponsor opportunities will be announced soon. To learn more or to subscribe for updates, visit www.cadairysummit.com.
Staff Contact: Steven Fenaroli; sfenaroli@cbbf.com

Endangered Species

California Fish and Game Commission to Discuss Petition to List Western Burrowing Owl under the California Endangered Species Act

On October 9th and 10th, the California Fish and Game Commission will be holding its next series of public meetings where it will, among other things, consider and potentially act on the petition to list the Western Burrowing Owl as threatened under the California Endangered Species Act (CESA). Western Burrowing Owls occur in human-altered landscapes such as agricultural lands and cattle pastures, utilizing burrows excavated by ground squirrels, and are primarily found in the Central Valley and Imperial Valley. CESA listed species may not be "taken" (i.e., killed), or possessed without proper authorization from the state, and punishment for violation is a fine of not less than \$25,000 or more than \$50,000 for each violation or imprisonment in the county jail for not more than one year, or both that fine and imprisonment.

Section 2087 of the California Fish and Game Code, however, provides a 'take' exemption during routine and ongoing agricultural activities. It is important to note, however, that while farmers and ranchers are provided with this exemption, when an accidental take is known to occur, the person shall report the take to the California Department of Fish and Wildlife within 10 days. California Farm Bureau staff remain engaged on this issue and will be attending the Commission's meeting to provide public comment. If you have any questions regarding the listing, please contact Richard Filgas at the California Farm Bureau, Government Affairs Division at 925-597-0738 or rfilegas@cfbf.com.

Webinar: Farming, Monarch Butterflies, and the New EPA Workplan: What Does this Mean for Farmers?

On Tuesday, October 8th from 9-10am, Western Growers and the California Farm Bureau will be hosting a free webinar to discuss what growers will need to know about the federal Endangered Species Act (ESA) listing of the Monarch Butterfly and how the Environmental Protection Agency workplan will change pesticide use.

Due to declining numbers of Monarch Butterflies, the U.S. Fish and Wildlife Service is reviewing candidacy for listing the monarch under the federal Endangered Species Act by December 2024. California is a key region within the monarch's migratory route and because farming operations play a key role in the conservation, farmers will likely encounter the candidate species. Inherently, this puts growers at risk for Take of the species, resulting in civil and criminal penalties. Growers are likely to be impacted by changes to pesticide regulations and will therefore need to comply with the broadened approach to minimize pesticide exposure to the protected species. **Register for the webinar [here](#).** Staff Contacts: Richard Filgas; rfilegas@cfbf.com, Kari Fisher; kfisher@cfbf.com, and Erin Huston; ehuston@cfbf.com

Forestry and Wildfire

SB 1101 (Limon D) was signed by Governor Newsom. The bill provides expedited contracting for prescribed burns including logistical activities prior to (mechanical work. Farm Bureau supported SB 1101 and worked to amend SB 1101 to include pre-burn activities.

SB 675 (Limon D) is a two-year bill signed by Governor Newsom. The bill provides an expedited pathway for prescribed grazing as part of the state's wildfire mitigation efforts.

AB 2276 (Wood D) was signed by Governor Newsom. The bill was supported by Farm Bureau and provides changes to the Small Timberland Owner Exemption.

SB 310 (Dodd D) was signed by Governor Newsom. The bill makes clarifications regarding prescribed burns conducted by sovereign Tribal Nations, in an effort to encourage more burns for wildfire fuel mitigation. Farm Bureau supported SB 310.

Predators

Questionnaire on Wolf-Livestock Compensation Programs From Oregon State University Graduate Student Tyler Allen

Oregon State University's (OSU) Department of Fisheries, Wildlife, and Conservation Sciences is seeking help to understand livestock producer's thoughts about wolf-livestock compensation programs. Graduate student, Tyler Allen asks that you or another member of your household or company over the age of 18 please complete the following questionnaire in the next few days.

The accuracy of conclusions OSU makes depends on opinions from all livestock producers being represented, so even if you live outside of the current range of wolves or have not applied for compensation in the past, your participation is still very much needed and greatly encouraged. The questionnaire should take less than 15-20 minutes to complete and the survey can be accessed [here](#).

This research study is part of a requirement for Tyler Allen to complete his Master's degree, and this study is not being funded by any agency or organization. Participation is voluntary, responses are confidential, and you can refuse to answer any question(s) for any reason. OSU and Allen value your time and opinions. Completing this questionnaire will help them understand how livestock producers think about, engage with, or could engage with compensation programs.

If you have questions about this questionnaire, please contact Tyler Allen at Tyler.Allen@oregonstate.edu or (503) 998-9537.

Taxation

SB 542 (Dahle R) was vetoed by Governor Newsom. Farm Bureau supported SB 542. The bill would have provided an exclusion from gross income for any qualified taxpayer for amounts received in settlement for costs and losses associated with the 2021 Dixie Fire in the Counties of Butte, Plumas, Lassen, Shasta, and Tehama, or the 2022 Mill Fire in the County of Siskiyou. The veto message noted that the state budget was severely constrained and that the author did not provide for the costs of the bill in the budget process.

AB 1973 (Lackey R) was similar to SB 542 but for the Bobcat Fire in the County of Los Angeles. The bill was vetoed by Governor Newsom for the same reasoning in the same veto message. Farm Bureau supported this bill.

SB 946 (D McGuire) took a different approach and from January 1, 2024 to December 31, 2028, provides an exclusion from gross income for amounts received by a qualified taxpayer as a California qualified wildfire loss mitigation payment. The bill does not mention specific fire incidents or counties, and was signed by the Governor, despite similar bills being vetoed by the Governor last year for failing to provide the specificity of wildfire incidents and impacted counties as was set forth in SB 542 and AB 1973 (which were vetoed this year). The Republican members must be frustrated but this is the challenge of being in a numerical voting super-minority. Even when it seems the bills are right, the risk of a veto for unexpected reasons looms large.

AB 2257 (Wilson D) is a bill related to Proposition 218 litigation. The bill states that if a local agency follows specified procedures, it will prohibit individuals or entities from initiating judicial actions claiming noncompliance with constitutional provisions for any new, increased, or extended fees or assessments unless a written objection specifying the grounds for noncompliance is submitted on time. Farm Bureau expressed concerns with this bill during the legislative session to policy committees, the author's office, and stakeholders. Ultimately, we requested a veto. The Bill was signed by Governor Newsom.

AB 1827 (Papin D) was signed by Governor Newsom, and like AB 2257, Farm Bureau expressed concerns with the bill during the legislative session and requested a veto. This bill provides that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels.

Transportation

Advanced Clean Fleets Exemptions and Extensions

The California Air Resources Board (CARB) invites you to participate in the public online webinar covering Exemptions and Extensions for the Advanced Clean Fleets (ACF) regulation.

This session will be held via Zoom. Interested parties must register to participate. The session will be limited to 1,000 participants. This session will be recorded and made available on the [ACF website](#).

New Date: Friday, November 1, 2024
Time: 1:30 p.m. – 3:30 p.m. (Pacific Time)
Webinar: [Zoom](#)

[Register](#)



CAFB Submits Comments on USFS Old-Growth Plan

On September 20th, California Farm Bureau submitted [public comments](#) regarding the US Forest Service’s (USFS) proposal to have a top-down national plan for the conservation and protection of “old growth” forests within the National Forest System. CAFB urged USFS to consider a “no-action” alternative, warning that a one-size-fits-all approach would not be practical given the variance between individual national forests. In addition, the current proposal would seem to lack local input from those directly impacted by potential conservation efforts, something that could have a substantial negative impact on the logging and timber industry—as well as those that utilize public lands for grazing. It is likely that such a plan could also hurt ongoing wildfire mitigation efforts, which can often rely upon harvesting for better and safer forest management. Staff Contact: Erin Huston; ehuston@cfbf.com

Ag Groups Send Letter in Support of the Fix Our Forests Act (HR 8790)

In late September, CAFB joined several other ag organizations in sending a letter of support to Reps. Bruce Westerman (R-AR04) and Scott Peters (D-CA50) for their bipartisan Fix our Forests Act ([HR 8790](#)), which passed the House in a 268-151 vote. The legislation aims to improve forest health, reduce the risks of catastrophic wildfires, and increase community resilience to fire threats through science-based forest management. Not only would the legislation simplify and speed up environmental reviews, but it would reduce the risks of frivolous litigation against urgent forest management projects and increase cooperation between local, state, federal, and tribal partners. Poor forest management practices and painfully slow environmental reviews have contributed significantly to our ongoing challenges in mitigating and combating wildfires. HR 8790 would go a long way towards addressing many of these problems. Staff Contact: Erin Huston; ehuston@cfbf.com

USDA to Put \$1.7 Billion Towards Local and Regional Food Purchases

On October 1st, USDA [announced](#) their plans to spend \$1.7 billion on local and regionally produced foods for emergency food assistance via discretionary spending from the Commodity Credit Corporation. It includes \$1.2 billion in food purchases for schools, childcare facilities, and food banks, and \$500 million for emergency food providers. The goal is to help provide new market opportunities for small and mid-sized producers, particularly at a time when many ag sectors around the country are struggling. Members are encouraged to follow the links to view the various opportunities available via several ongoing USDA programs. Staff Contact: Matthew Viohl; mviohl@cfbf.com

Shutdown Averted, Lawmakers Look Ahead to Election and Lame Duck Period

Just before the end of September, lawmakers in DC were able to come to an agreement to keep government funded through December 20th. It falls short of Speaker Mike Johnson's (R-LA) plan to keep the lights on through at least January, but it at least avoids a potential crisis prior to the upcoming election. Unfortunately, this means an already busy lame duck period will get even more challenging. Some required and likely-to-be-introduced pieces include the National Defense Authorization Act, an ag appropriations bill, a full or partial Farm Bill extension, natural disaster assistance, foreign aid, and FEMA funding for Hurricane Helene. With few days on the legislative calendar following the election, it remains to be seen what Congress will or won't be able to accomplish from those priorities. Staff Contact: Matthew Viohl; mviohl@cfbf.com

Beneficial Ownership Information Reports Still Lag Behind

CAFB recently shared data showing the state-by-state compliance percentages of the Corporate Transparency Act which requires roughly 32 million businesses to file a beneficial ownership information report (BOIR) by January 1st, 2025. Although we have reported this previously, we would again encourage members to view the US Treasury Department's [page on BOIRs](#) and what your obligations are. While the information they are seeking is relatively limited, financial and other penalties could apply for those that fail to submit a report. California currently ranks 17th with an estimated 12.7% compliance rate, although nearly half of states are in the single digits (and no state is above 25%). It remains to be seen if the agency will opt to delay the deadline given the significant lag in compliance, but members should plan as though no such delay will be provided. Staff Contact: Matthew Viohl; mviohl@cfbf.com