



December 14, 2018

Legislators Returns, Temporarily

The current and newly elected State Legislators returned to Sacramento in early December to be sworn-into service in the Senate and Assembly. Along with them has come changes to legislative staffing and a series of newly introduced legislative measures. While the Legislature won't officially reconvene until January 7th of the new year, Farm Bureau will begin tracking legislation of interest.

Climate Change

The Air Resources Board (ARB) considered regulations that will require annual emissions reporting of criteria pollutants and toxic air contaminants for many facilities, including some farms and agricultural processing businesses at its hearing this week. These new reporting requirements are due to the passage of AB 617 (C. Garcia) last year. Facilities required to submit emissions reports include those required to report their greenhouse gas emissions, those that have permits that authorize emissions of more than 250 tons per year of criteria pollutants, and those that have permits to operate issued by a local air district and that are within a community selected by ARB as one affected by a high cumulative exposure burden.

ARB staff announced planned changes to the proposed regulations that will require reporting by any facilities that emit more than four tons per year of any criteria pollutant. ARB will hold workshops to discuss these proposed changes before the revised regulations are released. Board members also expressed a desire to see pesticides included in the reporting required under the proposal. Farm Bureau testified before the ARB expressing concern about the additional reporting requirements and requesting that any reporting be done in a manner that matches current reporting requirements. *Staff contact: Noelle Cremers at ncremers@cfbf.com or (916) 446-4647*

Commodities

The Fish and Game Commission is moving forward with a petition to list four species of bumble bees under the California Endangered Species Act (CESA). The Commission formally accepted a petition to list the four bumble bee species at its meeting this week despite testimony from an attorney pointing out that CESA does not offer protection for insects. Now that the Commission has formally accepted the petition, the Department of Fish and Wildlife (DFW) must review the petition before the Commission makes its decision on whether or not to grant candidacy to any of the species. If the Commission grants candidacy, then the full protections of CESA are granted to the species while DFW undertakes a status review. The four species are the Crotch bumble bee, Franklin's bumble bee, Suckley cuckoo bumble bee, and Western bumble bee. Staff Contact: Noelle Cremers at ncremers@cfbf.com or (916) 446-4647.

The Fish and Game Commission also took action on CESA petitions for fish species this week. The Commission formally accepted a petition to list Northern California summer steelhead under CESA and formally received the Department of Fish and Wildlife's (DFW) petition evaluation of a petition to list the

Klamath-Trinity river spring Chinook salmon under CESA. DFW determined that the request for listing may be warranted in its evaluation of the spring Chinook petition. This determination means there is little doubt that the Commission will vote to make that run of Chinook salmon a candidate in the near future. These actions were all on the Commission's consent calendar. Farm Bureau is currently evaluating the potential effect these listing decisions will have on our members. Staff Contact: Noelle Cremers at ncremers@cfbf.com or (916) 446-4647.

Industrial Hemp

The California Industrial Hemp Advisory Board met on December 12th in Sacramento to discuss approved seed cultivars, sampling and testing protocols, plant importation and an agricultural pilot program. Approved recommendations will be sent as advisory to the Secretary, who if approves, will move them forward as a regulatory package. *Staff contact: Taylor Roschen, troschen@cfbf.com or 916-446-4647.*

Labor

California Farm Bureau joined a coalition of employers' representatives in expressing concern to Cal/OSHA leadership about the most recent pre-publication draft of a general industry workplace violence standard. Modeled on a healthcare workplace violence standard Cal/OSHA promulgated in 2017, the regulation treats all employers as if they are businesses with significant numbers of the general public coming and going daily (which farms do not experience), has a very low threshold for reporting of violent incidents, requires voluminous incident records, and requires a high level of employee consultation and involvement that will dilute management's authority to meet its legal responsibility to provide a safe workplace. The workplace violence standard may progress to the stage of a formal proposal in 2019, but that appear more likely to happen in 2020. *Staff contact: Bryan Little, blittle@cfbf.com or 916-446-4647.*

Livestock Health

The California Department of Food and Agriculture has announced a vacancy on the Cattle Health Advisory Task Force which advises the Secretary on control and management of cattle diseases and health programs. The vacancy is for one member representing the cattle research/extension service and will served for a term of two years. Interested applicants should send a brief resume by December 28th to the following address: California Department of Food and Agriculture, Animal Health Branch; Attn: Dr. Anita Edmonson; 1220 N Street, Sacramento, CA 95814. *Staff contact: Taylor Roschen, troschen@cfbf.com or 916-446-4647.*

Water

The State Water Resources Control Board approved Phase I of the Bay-Delta plan this week 4-1. The plan would require unimpaired flows from 30 to 50 percent from February through June on the Tuolumne, Stanislaus and Merced rivers. At the direction of the Governor, the Modesto, Tuolumne and Turlock irrigation districts, the San Francisco Public Utilities Commission, the Sac Valley Water Users, state and federal export contractors worked with the Department of Fish and Wildlife and the Department of Water Resources to develop frameworks for settlement agreements for the Bay-Delta watershed that include both flow and nonflow measure to restore salmon populations. At the time of the meeting, only the Tuolumne watershed had reached a settlement and the Board amended their resolution adopting Phase I to allow for potential integration of the agreement. However, as the amendments were made at the meeting, evaluation is still ongoing. Board Member DeeDee D'Adamo offered a motion to table Phase I and allow the settlement talks to continue but was voted down 1-4. Ms. D'Adamo was the lone vote against the plan CFBF will be evaluating the amendments and coordinating with irrigation districts and others on the next steps. *Staff contact: Danny Merkley, at dmerkley@cfbf.com or (916) 446-4647.*