



March 8, 2019

Air Quality

The Air Resources Board (ARB) is considering regulations that will require annual emissions reporting of criteria pollutants and toxic air contaminants for many facilities, including farms and agricultural processing businesses. These new reporting requirements are due to the passage of [AB 617](#), (C. Garcia) last year. ARB released the proposal last year and Farm Bureau provided comments. This week, ARB released revisions to the proposed regulations that vastly expand the scope of facilities that would be required to report. The new proposal would require facilities in a district that has been designated as non-attainment to report annual emissions of criteria pollutants if they are permitted to emit more than 4 tons per year of any criteria air pollutant. Additionally, any facilities with an air district issued permit to operate that operate stationary diesel engines more than 5 hours per year and permitted facilities that fumigate crops for market with ethylene oxide, propylene oxide, methyl bromide, or sulfuryl fluoride would have to report all of their emissions annually.

ARB held workshops on the proposed changes this week and will continue in other areas next week. Farm Bureau attended one of the workshops and expressed significant concern with the proposed changes and the costs the changes would create for our members, with likely limited public benefit. Workshop information can be found [here](#). If you are available to attend one of the workshops next week, Farm Bureau would recommend it; as the permitting costs are expected to increase significantly to cover the cost of the new reporting system, not to mention the costs incurred by reporting parties. *Staff contact: Noelle Cremers at ncremers@cfbf.com or (916) 446-4647.*

Climate Change

The deadline for CDFA's Healthy Soils Program (HSP) has been extended. The application submission deadline for [2018 HSP Incentives Program](#) and [2018 HSP Demonstration Projects](#) is now **Wednesday March 13, 2019 5:00 p.m. PT**. This extension is being provided in light of technical difficulties due to which the HSP websites were not available to potential applicants between March 2 and March 5, 2019. *Staff contact: Noelle Cremers at ncremers@cfbf.com or (916) 446-4647.*

Timber/Forestry

The California Legislature wasted no time in introducing dozens of legislative proposals related to forest management, biomass utilization, wildfire mitigation plan augmentations, construction restrictions for local governments, wildfire resilient home construction mandates, and numerous other proposals related to vegetation management, California Environmental Quality Act (CEQA) exemptions, and insurance. While many of the proposal are likely “spot bills,” there are several that warrant some attention:

- [AB 38](#), (Wood, D-Santa Rosa) Beginning July 1, 2020, the legislation would create new building standards for construction in high fire hazard zones. The standards would apply to new construction and would require the retrofitting of existing structures. The legislation would also create a state Community Fire Preparedness Council (Council) which will be responsible for reviewing and approving community wildfire protection plans; developing best practices for emergency alert and evacuation procedures; creating and executing statewide fire preparedness public education campaigns and promoting, organizing and supporting community fire evacuation drills. Additionally, the Council is empowered to develop a list of construction features that must be retrofitted, or built into new construction, in high and very high fire severity zones including features such as fire-resistant roofing and siding, vent screens and any other feature the council deems critical for home protection. These features, once approved, would be required for all homes and commercial buildings beginning January 1, 2024. CFBF has not officially positioned on this bill.
- [SB 515](#), (Caballero, D-Salinas) would expand the definition of high-hazard material to include CAL FIRE’s Fire and Resources Assessment Program (FRAP) map. The legislation would provide an opportunity for California’s biomass energy generation facilities to acquire a greater amount of forest waste that would otherwise be left as fuel for future wildfires or disposed of in a landfill. SB 515 will ensure that California’s biomass facilities continue operation and serve as a productive tool in combatting California forest management crises. CFBF has not officially positioned on this bill.
- [SB 632](#), (Galgiani, D-Stockton) would provide expedited judicial review for the California Vegetation Treatment Program, or CalVTP. The CalVTP is part of the state’s comprehensive wildfire prevention strategy and will properly manage vegetation across 21 million acres of public and private lands. SB 632 would still require a project to have a completed and certified environmental impact report, but the bill would limit appeals of the project to 270 days from the filing of the certified record to completed court opinion. The bill would also grant the state Courts of Appeal original jurisdiction over challenges to project approvals, bypassing the trial courts. The expedited judicial review is conceptually identical to what has been provided by the California Legislature for large professional sport stadiums. CFBF has not officially positioned on this bill but supports a robust program of management actions that increase the pace and scale of fuels and forest management. *Staff Contact: Robert Spiegel, rspiegel@cfbf.com or (916) 446-4647.*

Transportation

[AB 1135](#), (Eggman, D-Stockton) would specifically create a new agricultural exemption from California's Basic Inspection of Terminals (BIT) Program for California beekeepers, and defines a beekeeping vehicle. Existing law regulates the use of agricultural vehicles and defines an agricultural vehicle to mean a vehicle or combination of vehicles with a gross combination weight rating (GCWR) or a gross vehicle weight rating (GVWR) of 26,000 pounds or less, if certain conditions are met, including that the vehicle is operated by a farmer or other specified individual and used exclusively in the conduct of agricultural operations when operating in commerce. The agricultural exemption also authorizes a farmer to operate a tow vehicle with a weight up to 16,000 pounds. AB 1135 would increase the GCWR or GVWR to 36,000 pounds or less and authorize a beekeeper to operate a towing vehicle with a gross weight of up to 26,000 pounds. CFBF has not officially positioned on this bill. *Staff Contact: Robert Spiegel, rspiegel@cfbf.com or (916) 446-4647.*

Wildlife

The Department of Fish and Wildlife received approval from the Assembly and Senate Budget Sub-Committees for \$1.9 million this year, and \$1.6 million in future years to eradicate Nutria. Nutria were introduced to California for the fur-trade, but were eradicated by the 1970's. In 2017, a population of Nutria were found in the San Joaquin Valley and as of January they have been confirmed in San Joaquin, Stanislaus, Tuolumne, Merced, Mariposa, and Fresno counties. Nutria destroy wetland vegetation and crops as well as damage levees through their burrowing. Farm Bureau testified in support of the additional funding to help eradicate the invasive pest *Staff contact: Noelle Cremers at ncremers@cfbf.com or (916) 446-4647.*