



August 17, 2018

Legislative Deadline

The Legislature has passed yet another major deadline—Appropriations Committee. Hundreds of the remaining active bills were heard by the Senate and Assembly Appropriations Committee, where their policy and fiscal impacts were considered. Those items that failed passage are no longer active, whereas, those that passed, are sent to the Floor of the Second House (if it is an Assembly bill it will be on the Senate Floor) for final votes. All bills must pass the Second House by August 31st and must be in their final form, with respect to the bill language, by August 24th.

Air Resources

The California Air Resources Board is holding workshops to gather input on its Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program. The FARMER Program has received \$267 million to fund the replacement of diesel agricultural vehicles and equipment. The public meetings are meant to seek input on the following project categories: heavy-duty agricultural trucks, large agricultural equipment, and agricultural utility terrain vehicles. The meetings will be held August 28th in Fresno and August 29th in Red Bluff. There will also be a teleconference on August 30th. More information about the meetings can be found [here](#). Staff contact: Noelle Cremers at (916) 446-4647 or ncremers@cbbf.com.

Commodities

A Farm Bureau, supported measure, [AB 2106](#) (Eduardo Garcia, D-Coachella), which would have increased the purchase preference for California-grown produce by state agencies from 5% to 10% was, unfortunately, held in Committee and failed passage. Assemblymember Garcia has committed to continuing discussions about the true purchase preference necessary to compete against foreign imports during the Legislative offseason. Farm Bureau staff will also be closely monitoring the implementation of the 5% preference closely. Staff contact: Taylor Roschen, troschen@cbbf.com or 916-446-4647.

Energy

[SB 1131](#) (Robert M. Hertzberg, D-Van Nuys) continues to progress, passing out of the Assembly Appropriations Committee on a 12 to 0 vote. This bill would clarify eligibility and the standard of review for energy efficiency improvements in the agricultural and industrial sectors. SB 1131 provides greater transparency and clear timelines for the industrial, agricultural and large commercial sector energy efficiency programs. It would require: (1) energy efficiency projects be measured against publicly-available guidelines and according to specific timelines; and (2) requests for information, rejections, and suggested modifications be provided in writing, with accompanying explanations and according to specific timelines. SB 1131 moves to the Assembly Floor next. CBBF is in support. *Staff contact: Karen Mills, kmills@cbbf.com or 916-561-5665.*

[SB 100](#) (Kevin de Leon, D-Los Angeles) resurfaced in July after being stalled at the end of the Legislative Session in 2017. SB 100 requires sellers of electricity to procure a minimum of 60% of their electricity products from eligible renewable generation resources by 2030; currently they must procure 50% by 2030. In addition, the bill sets aspirational goals of meeting 100% of retail sales of electricity with eligible renewable generation and zero-carbon resources by 2045. The implications for costs to customers and management of the electric grid from such requirements are significant. CFBF is opposed to SB 100 and part of a large business coalition working against its passage. The next vote on it will be by the full Assembly. *Staff contact: Karen Mills, kmills@cfbf.com or 916-561-5665.*

Forestry

[AB 2518](#) (Aguiar-Curry, D-Winters), a bill which would direct the Department of Forestry and Fire Protection (CAL-FIRE), in collaboration with the State Board of Forestry and Fire Protection, to identify barriers to in-state production of mass timber and other innovative forest products and develop solutions to those identified barriers, passed in the Senate Appropriations Committee and awaits a final vote by the State Senate. Farm Bureau is supportive of the legislation as an effort to promote forest-products and biomass utilization which could help bring new economic prosperity to California's rural economies. *Staff contact: Robert Spiegel, rspiegel@cfbf.com or 916-446-4647.*

Industrial Hemp

A bill to make clarifying changes to California's industrial hemp cultivation allowances, [SB 1409](#) (Scott Wilk, R-Antelope Valley), has passed the Assembly Appropriations Committee. Farm Bureau staff are monitoring the bill closely, along with federal policy changes within the Farm Bill for state and federal conformity, where possible. *Staff contact: Taylor Roschen, troschen@cfbf.com or 916-446-4647.*

Land Use

[AB 2447](#) (Eloise Gomez Reyes, D-Grand Terrace) would increase the notification requirements and scoping meeting obligations for projects subject to the California Environmental Quality Act (CEQA) if the siting for such a project occurs within one-half mile of a disadvantaged community and in an area zoned industrial. These new requirements may presumably apply to nearly all agricultural processing plants. Farm Bureau is leading a broad coalition of agricultural associations in opposition to the bill. *Staff contact: Taylor Roschen, troschen@cfbf.com or 916-446-4647.*

Friday Review readers will remember Farm Bureau's opposition to [SB 1029](#) (Mike McGuire-Healdsburg), which would dissolve the existing North Coast Rail Authority (NCRA) and transfer the rights for 300+ miles of rail line to the Sonoma-Marin Rail Transit District (mile post 0-142.5 in Willits) and the newly create Great Redwoods Trail Agency (mile post 142.5-300.5) to create a hiking, biking, riding trail and potential transit lines. Farm Bureau has been in active opposition with concerns of incompatible trail activities, public and private safety, lack of local engagement and land use planning, and financing. Due to the articulation of these concerns, SB 1029 has passed Assembly Appropriations with significant amendments to 'gut and amend' the bill to now only require the NCRA to develop a closure plan and mandate the State evaluate NCRA's outstanding debts, liabilities, and make recommendations for future actions. Formal amendments are forthcoming. *Staff contact: Taylor Roschen, troschen@cfbf.com or 916-446-4647.*

Waste

Private waste haulers would have been granted broad new legal authority to enforce against people transporting solid waste they believe to be in violation of local agreements. Waste hauling companies are sponsoring [SB 71](#) (Wiener, D-San Francisco) to give them the ability to take civil action against anyone

hauling solid waste. This means people transporting food processing byproducts for land application or to feed to livestock could be threatened with lawsuits by private waste hauling companies with local franchise agreements. Farm Bureau is working with a coalition of agricultural organizations to oppose SB 71 to ensure agricultural products considered “solid waste” that are currently being used beneficially aren’t stopped by waste haulers wanting to increase their waste hauling revenues. This bill was held in Assembly Appropriations Committee. *Staff Contact: Noelle Cremers at (916) 446-4647 or ncremers@cfbf.com.*

Wildfire Preparedness and Response Legislative Conference Committee

Prior to the Summer Recess the Governor established the Wildfire Preparedness and Response Conference Committee to put forth legislation to strengthen disaster preparedness and set forth appropriate policies to respond to increasing wildfire danger. The Committee hearing held this week focused on Wildfire Fuels Reduction with extensive discussion on fuel management and biomass. CFBF submitted comments on highlighting the importance of active forest management and that the state’s current forest management practices and policies have contributed to increased wildfire risk. An emphasis on fire suppression, timber harvest limitations, and additional regulations related to permitting have slowed the ability of the state’s public and private forest land managers to make significant improvements in forested landscapes. Sustainable forest management and protecting and preserving our environment are not mutually exclusive. The state must work towards a series of serious reforms that accomplish these co-equal goals.

Although [SB 901](#) (Bill Dodd, D-Napa) provides the formal basis for convening the conference committee, its elements of development of utility wildfire mitigation plans, establishes the opportunity to bring in other elements to the debate such as how damages from wildfires caused by utility infrastructure should be assessed. With only 2 weeks remaining in the legislative session there is still no official language from the committee regarding what areas will be proposed for action by the Committee.

CFBF is part of a coalition of electric ratepayers addressing the multiple issues implicated in the discussions and continues to meet with legislators to address the topics from agriculture’s unique perspective. The Committee is comprised of 10 legislators, 5 each from the Senate and Assembly. Assemblymember Holden and Senator Dodd are the Co-Chairs. Staff contact: Karen Mills at kmills@cfbf.com and Robert Spiegel at rspiegel@cfbf.com or (916) 446-4647.

Wildlife

The following bills passed from the Senate Appropriations Suspense File and now move to the Senate floor:

- California would create a fund to assist voluntary efforts to restore and enhance Monarch butterfly habitat if [AB 2421](#) (Mark Stone, D-Scotts Valley) passes. The bill would create a fund at the Wildlife Conservation Board to fund both overwintering and foraging habitat improvements to benefit the butterflies. Farm Bureau is supporting AB 2421, which passed with a 7-0 vote.
- Farmers and ranchers whose property is damaged by wild pigs would no longer need a depredation permit to take those pigs if [AB 2805](#) (Frank Bigelow, R-O’Neals) becomes law, however they would be required to report any take of pigs. The bill also allows hunting of wild pigs at night. DFW is now officially opposing AB 2805 unless it is amended to eliminate the taking of pigs at night and delete the requirement for development of a management plan. Farm Bureau is supporting AB 2805 and will continue working with Assemblymember Bigelow to ensure that amendments are not taken that harm private landowners. Despite DFW’s opposition, the bill passed with a 6-0 vote.
- California would designate broad swaths of the state as habitat resilience areas and strongholds and require the state to protect and enhance “strongholds” if [AB 2528](#) (Richard Bloom, D-Santa Monica) passes. The bill requires the state to designate “source watersheds,” which are water

systems in the Cascade Mountains, Modoc Plateau, and Feather River headwaters that provide groundwater recharge; coastal estuaries over two acres in size; mountain meadows in the Sierra Nevada, Modoc Plateau, Warner Mountains, Southern Cascades, or Sierra or Cascade foothills; and “strongholds,” which are watersheds of the Smith River, Salmon/Mid-Klamath River system, Sacramento River, Mattole/South Fork Eel River system, Big Sur, and Santa Clara that support the largest populations of salmon, steelhead, and trout or populations of these fish with critical genetic diversity. Once these areas are designated, they are to be included in the state’s climate adaptation strategy, “Safeguarding California.” Current law requires the state to protect and enhance species strongholds, which means if AB 2528 were to pass the state would require additional protects for salmonids in the areas of the state the bill designates as strongholds. CFBF is working with a coalition of interests to oppose AB 2528 unless it is amended to call strongholds another term so that there is not a requirement for their protection and enhancement. The bill passed with a 5-2 vote. *Staff contact: Noelle Cremers at (916) 446-4647 or ncremers@cfbf.com.*

- Farm Bureau was successful in stopping a bill, [AB 2627](#) (Ash Kalra, D-San Jose), which would have required anyone at risk of taking migratory birds to follow best management practices and certify to the Department of Fish and Wildlife that they are following them. Farm Bureau was opposed to the bill. *Staff contact: Noelle Cremers at (916) 446-4647 or ncremers@cfbf.com.*