



February 22, 2019

Legislative Deadline

The legislature has reached its first major deadline today. All bills to be heard and acted on in the first year of the two-year, 2019-2020, session must be introduced today. To meet this deadline, several legislators have introduced “spot bills” which make minor changes to existing code without substantive impact or simply state their legislative intent for a bill. These spot bills serve as place holders for future bills of substance. As of today, the Assembly has introduced 1,294 bills and the Senate has introduced 540. Over the next weeks, Government Affairs staff will list important bills to note in the Friday Review.

Agriculture, Generally

Several bills of note were introduced in preliminary versions regarding general agricultural issues. Assemblymember Susan Eggman (D-Stockton) has introduced [AB 838](#), a bill which would require the Department of Food and Agriculture to establish a program to provide technical assistance for socially disadvantaged farmers and ranchers. Assemblymember Monique Limon (D-Santa Barbara) has introduced a bill, [AB 1205](#), which states it is the Legislature’s intent to require imported cut flowers and greens to meet the same production standards as those produced within the state. Finally, [SB 499](#) (Mike McGuire, D-Healdsburg) was introduced, which would, among other things, require the Department of Education and the Department of Food and Agriculture to establish the California-Grown for Healthy Kids Program, and require fresh, California-grown fruits and vegetables to be provided in pupil meals, free of charge. In order for a school district to be eligible for funding under this new program, they must provide universal free breakfast and lunch to all qualified students. CFBF is reviewing all of these bills. *Staff contact: Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Cannabis

As expected, several cannabis bills have been introduced in the Legislature, many of which regarding its cultivation. One is of particular note to Farm Bureau. Assemblymember Marc Levine (D, San Rafael) has introduced [AB 858](#), which would, among other things, create the Emerald Triangle Sun-Grown Cannabis Commission under the Agricultural Marketing Act. Similar to other agricultural commissions, this Commission would be required to be established with the requisite votes for eligible cannabis cultivators in Humboldt, Mendocino and Trinity counties and allow assessments to be used on a variety of activities, including research and marketing. This was attempted last year by Mr. Levine via [AB 2810](#), which failed to pass policy committee in the first house. *Staff contact: Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Dairy

Farm Bureau is supporting [AB 985](#) (Robert Rivas, D-Hollister), a bill which would allow school districts in California, regardless of the federal School Nutrition Guidelines, to purchase and offer for sale, whole milk to K-12 students. The federal standard to only allow non-fat or 1% milk is derived from past science seeking to reduce fat intake amongst all ages of Americans; subsequently, additional studies have been conducted to support the consumption of whole milk amongst children as a means to reduce obesity, improve bone density, improve cognitive abilities and make children feel fuller, longer. *Staff contact: Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Land Use

Friday Review readers may remember [SB 1029](#) (Mike McGuire, D-Healdsburg) from last year's legislation session, a bill which seeks to review the North Coast Railroad Authority's right-of-way along the northern coast for potential successor agencies to manage and eventual conversion into the Great Redwood Trail. To effectuate that bill, the State is conducting an inventory of NCRA's assets and debts for potential settlement and will be performing a trail feasibility study for the southern portion of the line from mile 0.0 to 142.5 (City of Willits). During the negotiation of SB 1029, Farm Bureau expressed serious concerns about financing, local engagement and incompatible activities between existing farmland and trail systems. Following on last year's effort, Senator McGuire has introduced [SB 356](#) (Mike McGuire, D-Healdsburg), which specify the Sonoma-Marín Area Rail Transit District as the preordained successor agency of the southern portion of NCRA's right-of-way and authorize them to conduct a freight rail study and create a trail to serve as the southern portion of the Great Redwood Trail. In order to accomplish these two aspects, NCRA's debts must be settled and transferred to SMART who must obtain funding from nonlocal sources. Farm Bureau staff has contacted impact County Farm Bureaus and are in the process of reviewing the bill closely and discussing potential impacts. *Staff contacts: Robert Speigel, rspeigel@cfbf.com or Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Senator Anna Caballero (D-Ceres) has introduced [SB 527](#), a bill which would allow cannabis and industrial hemp cultivation as compatible uses under the Williamson Act program. This bill would also prohibit a local jurisdiction from excluding hemp cultivation from an agricultural preserve. Farm Bureau staff is reviewing this bill very closely in light of current policy and seeking further clarification on items with the author's office. *Staff contact: Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Organic

Assemblymember Cecilia Aguiar-Curry (D-Dixon) has introduced a bill, [AB 958](#), to require the Department of Food and Agriculture to create the California Organic-to-School Pilot program. Through this program, the Department would offer grants for schools to purchase organic food products. *Staff contact: Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Pesticide

Senator Maria Durazo, a freshman member representing East Los Angeles, has introduced [SB 458](#), a bill which would prohibit the use of any pesticide that contains chlorpyrifos as the active ingredient. Given the interim restrictions on chlorpyrifos use imposed by the Department of Pesticide Regulation (including aerial application, buffers and setbacks, application limits and restrictions to critical uses only), this full prohibition could be particularly impactful on multiple commodity growers, including but not limited to grapes, almonds and citrus. Farm Bureau will be working with a broad coalition in response to this bill. *Staff contact: Taylor Roschen, troschen@cfbf.com, 916-446-4647.*

Water

The State Water Resources Control Board recently issued an Administrative Draft of Waste Discharge Requirements for Winery Process Water Treatment Systems. The California Farm Bureau, the Wine Institute and the California Association of Winegrape Growers have been meeting with Water Board staff over the past several years to provide input on the Winery WDR. We will collectively provide detailed informal comments on the current draft before the Water Board released a revised draft for formal public comment in the April timeframe. A copy of the current Administrative Draft is available at:

https://www.waterboards.ca.gov/water_issues/programs/land_disposal/docs/admindraft_winerywdrs.pdf

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Wildlife

Dairies that agree to protect Tricolored Blackbird colonies nesting in their grain fields will be protected from liability under the California Endangered Species Act (CESA) under a proposed Voluntary Local Program (VLP) that was released today. The Fish and Game Commission adopted regulations allowing incidental take of Tricolored Blackbirds on farms that provided nesting habitat and agreed to delay harvest of fields with nesting colonies when the birds were listed as candidates under CESA. Now that Tricolored Blackbirds are listed as threatened under CESA, the regulations are no longer in effect and a VLP is necessary to provide liability protection for farmers.

Under the VLP, farmers who have a colony of Tricolors nest in their fields and agree to protect the colony can get paid for a significant portion of the lost value of the crop caused by the harvest delay through the Natural Resources Conservation Service's Environmental Quality Incentives Program. If a participating farmer wants incidental take protection to alleviate any liability from potential take while the birds are nesting, he or she would contact Farm Bureau to sign up under the VLP. The Department of Fish and Wildlife released the draft VLP for public review and comment today and comments are due by March 25. The proposed VLP is available online here.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=165423> *Staff contact: Noelle Cremers at (916) 446-4647 or ncremers@cfbf.com.*