



April 3, 2015

[SB 119](#) (Jerry Hill, D-San Mateo) addresses the integrity of underground infrastructure and the safety of those who operate around and near the infrastructure by establishing mandated requirements for calling and marking prior to contact of the ground with equipment. The bill is the subject of extensive and ongoing discussions among a broad group of stakeholders, both those who own the infrastructure and those who operate equipment affecting the ground. SB 119 is still in the early stages of development, so Farm Bureau has not taken a position on the bill. Along with other agricultural organizations, Farm Bureau is working with the author's office and other stakeholders to identify an alternate approach for agricultural activities that limits the requirements to the types of activities that are currently considered for advance notice. These activities could include orchard planting and, in limited cases, orchard removals; installation of irrigation systems; and ripping, although this activity is much reduced due to regulatory constraints. Such an approach should appropriately be coupled with increased educational efforts. The bill is triple-referred and so it will be heard in the Senate Business, Professions & Economic Development; Judiciary; and Governmental Organization Committees.

[SB 687](#) (Ben Allen, D-Santa Monica) would require adoption of a carbon-based renewable gas standard that requires all gas sellers to provide specified percentages of renewable gas meeting certain deliverability requirements to retail end-use customers for use in California. Farm Bureau has identified that the mandate could increase costs for natural gas users and would be duplicative of other endeavors related to the electric renewable portfolio standard and planning efforts at the California Air Resources Board. SB 687 will have its first hearing on April 7 in the Senate Energy, Utilities and Communications Committee. Farm Bureau opposes.

The Department of Pesticide Regulation (DPR) has noticed a workshop for April 9, 2015 at 9AM at the CalEPA headquarters in Sacramento to consider development of a regulation to expand notification requirements for all field fumigants. The agenda and details can be found at this link: http://www.cdpr.ca.gov/docs/emon/vocs/vocproj/field_fumigation.pdf. There will be a panel that includes presentations by DPR, agricultural commissioners, growers and environmental advocates. In addition, there will be a public comment section. **It is critical that growers, ranch managers, and compliance staff who have experience in complying with the current labels and/or the current methyl bromide regulation requirements attend the meeting and provide a 2-5 minute comment to discuss the impacts of expanding the notification requirements to all fumigations.**

Currently the labels of methyl bromide, chloropicrin and MITC generators (metam sodium, metam potassium and dazomet) require notification or monitoring of certain properties near fumigation sites as emergency preparedness and response measures. These requirements are based on the size of the buffer zones, so that fields with larger buffer zones trigger larger "notification zones".

In addition, methyl bromide regulations require a two-tiered, general notification process for residences and schools within an area 300' from the edge of the buffer zone of a fumigated field, regardless of the size of the field or the buffer zone. According to the DPR notice, the current methyl bromide regulations could become the "foundation" (starting point) for the new concept. Everything is on the table at this point and it is conceivable that a 300' notification zone beyond the buffer zone **and** monitoring would both be mandatory. Although current 1,3-D labels do not include any notification requirements, DPR is proposing that 1,3-D fumigations would also be covered by the expanded regulatory concept.

If you would like any more information or suggestions for talking points, please contact Cynthia Cory, CFBF Director of Environmental Affairs at 916.446.4647.

The California Water Commission held the first meeting of their Water Storage Investment Program (WSIP) Stakeholder Advisory Committee (SAC) this week. With the passage of Proposition 1, the Commission is developing a competitive process to allocate \$2.7 billion in bond funds for the public benefits portion of qualified water storage projects. These public benefits include ecosystem improvements, water quality improvements, flood control benefits, emergency response and recreation. The Commission is required to develop and adopt regulations by December 15, 2016 that provide methods for quantifying and managing the public benefits of water storage projects. The SAC will provide advice and non-binding recommendations to the Commission on developing these regulations. The SAC will meet the first Wednesday of every month in Sacramento and must complete its work and provide recommendations to the Commission by October 2015. The SAC is made up of more than 30 stakeholders, including Farm Bureau.

Governor Brown took executive action this week resulting in the first ever statewide mandatory water restrictions. The order also increases enforcement to prevent wasteful use of water, streamlines the state's drought response and invests in new technologies to improve the state's drought resilience. The order directs the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent. This savings amounts to approximately 1.5 million acre-feet of water over the next nine months.

Also mandated by the order, agricultural water users – which the administration acknowledges have borne much of the brunt of the drought to date, will be required to report more water use information to state regulators with the intent of increasing the state's ability to enforce against illegal diversions and waste and unreasonable use of water, however, all surface water diversions have been required to be reported since 1965. The Governor's act also strengthens standards for Agricultural Water Management Plans submitted by large agriculture water districts and requires small agriculture water districts to develop similar plans.

In order to realize water reductions and discourage water waste, the Governor's order calls on local water agencies to adjust their rate structures to implement conservation pricing.

The State Water Resources Control Board announced this week that curtailment of water right diversions are expected to be implemented soon. The board announcement states that since the January 23, 2015 Notice of Surface Water Shortage and Potential for Curtailment, "it is clear that restrictions of surface water diversions will occur in key watersheds. If dry conditions persist through the spring, it is anticipated that all holders of post-1914 and many holders of pre-1914 water rights in certain watersheds will receive curtailment notices soon as inflows due to snowmelt and possible future rainfall recede and the last opportunities to collect water to storage are past. Continuing dry conditions in some watersheds

will also likely mean that riparian water rights holders will be required to reduce their diversions and share what supplies of natural flow remain, if any.”

In the coming days, forecasts of water availability will be updated for many of the watersheds and posted on the State Water Board’s website at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/analysis/.

The board suggests that all carefully consider this information as it will estimate the timing of curtailments for the various classes of water right holders.

The board also indicates that if you are in a water short area, you should plan to rely on alternative water supplies for your water needs if they are available. Alternative supplies include groundwater wells, purchased stored water supplies under contractual arrangements, and recycled wastewater. Water right holders are cautioned that groundwater resources are significantly depleted in some areas. Water right holders in these areas are urged to carefully consider this information and make planting and other decisions accordingly.