

## Wildfire smoke stirs heated debate over ag burning limits

New limits for ratcheting down the burning of agricultural waste in the San Joaquin Valley went into effect on January 1, two weeks after the governing board for the local air pollution control district unanimously approved the measures.

The contentious debate between environmentalists and the agriculture industry focused on the progress made in the two decades since the district first began phasing in new prohibitions on burning. Frustrations escalated as well over the amount of attention focused on ag burning when wildfires consumed more than four million acres in 2020.



Controlled burning is used to remove agricultural waste in the San Joaquin Valley."

**“Understand the industry before you start mouthing off saying that our industry isn’t doing a damn thing about trying to get rid of burns,” said Manuel Cunha, president of the Nisei Farmers League. “We’re doing a heck of a lot.”**

Cunha took issue with comments from several of the environmental and social justice advocates also testifying at the December board meeting, but specifically aimed his criticism at Mark Rose, a program manager for the National Parks Conservation Association, an environmental group pushing for a complete ban on all burning.

**“Staff are going to proceed with doing whatever it takes to avoid compliance with state law while ensuring the profitability of industry and special interests at the expense of our health and well-being,” said Rose. He added that all incentive funding for helping farmers transition to alternative practices “should be reserved for small-scale or economically disadvantaged farmers.”**

Cunha, who has been closely engaged in air quality issues in the valley for more than 30 years, countered that the staff were taking “a very good direction” in the process. He noted that the biggest challenge for the industry in reducing burning has been with grape harvesting.

**In a new analysis, district staff found no feasible alternatives to burning vineyard removals, and recommended vineyards be evaluated on a case-by-case basis beginning in 2022. Vines tend to wrap around trellis wires as they grow, and any hidden wires could destroy expensive equipment for wood chipping—an alternative to ag burning that works more readily for orchard removals. Cunha added that the environmental community “shouldn't be telling us that we should be able to incorporate the wires into the ground.”**

The board also approved an exemption until 2024 for the burning of raisin trays. The report noted that this type of waste burning has declined by 90% since 1993, dropping from 270,000 acres to just 21,000 in 2020.

“We are doing our best to try to reduce ag burning in all shapes and forms,” said Cunha. “And we're going to work with the staff to continue on this effort.”



Due to several months of lingering wildfire smoke in the valley—mostly from the Creek Fire—as well as existing prohibitions, the amount of ag burning in 2020 was “virtually zero,” according to Samir Sheikh, the district’s executive director. Cunha emphasized this fact in responding to Rose.

**“Before you start pointing the finger at agriculture, you better point a finger at your own entire backyard called the Sierra Nevada,” said Cunha.**

Board Supervisor Kuyler Crocker seized on this argument as well, saying that the 40,000 acres burned in an average year for the industry pales in comparison to the millions of acres burned by wildfires.

**“This is small potatoes as far as I'm concerned,” said Crocker. “We need more logging. If you want to really reduce the black carbon, that's what we need to promote. We need to clean up our forests.”**

Supervisor Tom Wheeler blamed environmentalists for poor forest management.

“They shut down 100 of our 120 sawmills in California and stopped almost all logging,” he said. “Now you're all paying for it.”

Roger Isom, president of the Western Agricultural Processors Association and the Agricultural Energy Consumers Association, noted the staff report’s finding that the closure of biomass plants has been the greatest impediment to reducing the amount of burning.

**“When we started down this path [17 years earlier], there were a lot more biomass plants, and most people moved their material to that and thought that was the answer,” he said. “Once those plants started shutting down, it forced us into this situation.”**

Isom said the answer is not in the type of biomass processing that remains in the valley. He highlighted new technologies like biochar, cellulosic ethanol, renewable diesel and other biogas projects. He urged the board to take a more active role in reducing a number of policy roadblocks making it too costly to build such alternative energy plants.

Isom also recommended the district offer more incentives to help farmers and processors chip material and incorporate it back into the soil. However, a more affordable approach known as an air curtain burner, which staff have encouraged as an alternative, has too many regulatory limitations to work, said Isom.

Almond Alliance President Elaine Trevino pushed for more incentives for almond growers as well.

**“It is our understanding there are no resources or incentives available specifically for pruning,” she said. “This is a very significant annual cost, particularly for small growers.”**

Trevino pushed back on the staff recommendation of reducing the amount of almond acres allowed to burn each year to 50 acres for each farmer. She asked for 100 acres, which would include 70% of the orchards, and argued that larger farmers have a greater capacity to spread the costs across more acres.

Jesse Roseman, a principal analyst at the Almond Board of California, said that while an orchard typically lasts 25 years until it is removed, the costs can be prohibitive for bringing in the heavy equipment for a small acreage, and the few chipping companies available are difficult to schedule on a timely basis.

**Supervisor Alexander Sherriffs said the cost of removal should be a part of the farmer’s business plan when investing in a new orchard or vineyard.**

The Almond Alliance, said Trevino, has been working for Central Valley Rep. Josh Harder on a bill to encourage pilot projects for pyrolysis, an often expensive and complicated process for converting feedstocks into fuel to power facilities.

Staff and board members recognized the air district has had little support from the state in pursuing such biomass solutions.

**“The reality is the state doesn't want to subsidize biomass anymore,” said Crocker. “It's not as cost effective as other forms of electricity.”**

Sheikh said the facilities have “really just fallen out of favor when it comes to contract renewal under the Public Utilities Commission.” The report offered a series of recommendations to spur new bioenergy technologies, including the creation of a clean biomass energy collaborative to bring agencies together to address the barriers to moving projects forward.

“The realities of the costs and the energy policies and all that just don't create enough of an environment today for these to actually be happening in the way that we need them,” said Sheikh.

## California's water wars serve as a 'bellwether' for Colorado River negotiations

After three decades of water wars in Southern California, policy experts hope a new era in collaborative management will offer inspiration for the ongoing and complex negotiations over Colorado River allocations amid a historic and deepening drought.

**“Those lessons need to catapult us forward,” said Patricia Mulroy, former head of the Southern Nevada Water Association, during the fall meeting for the Association of California Water Agencies in December. “These states, these constituencies, these communities cannot afford for these discussions to crater. Failure is not an option.”**

Christopher Harris, executive director of the Colorado River Board of California, added that the watershed has to be managed holistically across the seven basin states and two countries, the U.S. and Mexico, along multiple regulatory structures. Harris stressed that the water users will need to follow through on any commitments while adapting quickly to any sudden changes to come.



A stretch of the All-American Canal, supplying Southern California with Colorado River water.

**“Climate change is going to be—if not the driver in the bus—telling the bus driver where to turn,” said Harris.**

He said the states have just two options: “Either sit down with your colleagues and your sister states and try and work through these challenging and complicated issues together, or you can go after each other in the United States Supreme Court.”

As Mulroy explained, the latter choice is likely to have no winners.

She saw the upper and lower Colorado River basins as interconnected across agricultural communities and cities throughout the West in the same way that California's water issues are tied together via state and federal water projects spanning from Lake Shasta in the north to the Metropolitan Water District of Southern California (Metropolitan) in the Los Angeles region and the Imperial Irrigation District (IID), the most senior water rights holder on the Colorado River.

**“When one goes dry, the other feels the strain. It has been that way forever,” said Mulroy. “And this drought experience has forever sealed it.”**

Long before what is now called the Millennium Drought, Mulroy spent 30 years at the negotiating table with California water interests as they planned for possible shortages. One decades-long battle culminated in the early 1990s with California challenging Arizona in court

over its plan to divert Colorado River water outside of the watershed to Phoenix and Tucson. While the California Supreme Court eventually ruled against the Golden State, Mulroy contended that both sides lost.

Legislation passed in Congress had “forced subordination of that entire project to all of California's uses”—a policy “juggernaut” that has complicated negotiations for 30 years, she said. California, however, realized it could no longer overuse the river if Arizona was going to begin using its allocated supply, according to Mulroy.

**“Even though some of the oldest prior protected rights exist at the southern end of the system, they are also at a highly vulnerable position to have no water, should the worst of all possible scenarios occur,” she said.**

It took five years after the court decision for the parties to agree on how to share a surplus of water.



Patricia Mulroy

“No sooner had the ink dried on that document that the drought started,” said Mulroy. “Two years later, we went from having a robust water supply to having nothing and having to turn on our course completely and reimagine the entire landscape.”

**The surplus discussions were difficult, but the shortage negotiations were “bloody.” The parties eventually agreed to retool and coordinate operations between the upper and lower basins of the river and Nevada was the first to volunteer cuts in its allocations.**

“The lift in those days to get California to the point where they would agree voluntarily to become a part of the solution—when they didn't have to—would have been impossible to do,” she said.

The basin states eventually signed a shortage agreement in 2007, updating it through an international agreement with Mexico in 2012.

“With that agreement having come into place, all the users on the Colorado River system were pulling in the same direction,” said Mulroy. “Underlying that was a basic understanding that if the whole system crashed, there would not just be one person or one state that was going to suffer the consequences. No, all the states were going to suffer the consequences.”

Metropolitan allowed Nevada to bank water in Lake Mead in the lower basin to prop up the Nevada system. In 2015, as California's extreme drought set in, Metropolitan had no choice but to pull major amounts of water out of the lake, explained Mulroy.

“We knew they needed it,” she said. “It wasn't the best timing in the world, but we made it happen and we made it work.”

The success of the partnership has now led to discussions in which Nevada is volunteering to help Metropolitan build a wastewater recycling plant in Southern California.

Yet, Mulroy worried about setbacks from increasingly influential environmental groups. One group had advocated for such collaborative arrangements but now stands in opposition to the recycling project.

**“That kind of brinksmanship—where you say one thing one day out one side of your mouth, and another thing the next day out of the other side of your mouth—will crater the discussions leading up to 2026,” said Mulroy.**

She added that the barriers between urban and agricultural interests “have to go” as well.

**“We are not adversaries. This constant push to attack the Imperial Irrigation District, just because they're the largest single user on the river, has got to stop,” she said. “We have to stop saying every time the drought gets worse, it's their fault. No, it's all of our fault.”**

Mulroy stressed that the solution has to include the entire basin. Harris agreed, saying “there are consequences, both intended and unintended” in forcing IID to comply, including economic impacts.

“These folks down there, with the Colorado River water resources, feed the nation and to some extent feed good portions of the world as well,” said Harris.

Patrick O'Dowd, the executive director and general manager of the Salton Sea Authority, noted that IID board members were frustrated that promises made 17 years ago to restore the Salton Sea as Colorado River runoff decreased were not being honored in the Drought Contingency Plan signed in 2019. He said there has to be trust in those relationships for the states to agree on a plan that extends beyond 2026.

“You need to know that the other person on the other side of the table is going to do what they say they're going to do, and you're not going to have to second-guess these deals,” he said.

Harris felt it was a positive sign that states have cut water use from the Colorado River nearly in half since 2000 due to the drought. Mulroy said this has led to a new appreciation for all the constituencies that depend on the river.

“I am, as always, cautiously optimistic going into this next round of discussions that we will find that same level of cooperation that has carried us through the last 30 years,” she said.

## **Vilsack facing long to-do list, including climate, race, rules**

Tom Vilsack is expected to have little trouble getting confirmed to another term as agriculture secretary. It's a good thing, because he'll have a lot to do the minute he walks in the door, starting with implementation of the COVID package just enacted.

**Farm policy veterans say Vilsack will also be expected to move simultaneously on two of President-elect Joe Biden's top priorities: addressing climate change and racial injustice.**

Vilsack also would likely move to reverse or halt some major regulatory actions by outgoing Ag Secretary Sonny Perdue, including rewriting a rule finalized in December that clarifies what constitutes “undue or unreasonable preference” in relationships between processors and producers.

In addition, Vilsack will likely want to expeditiously fill key positions in the department. The speed of that process will be determined by who controls the Senate. (As we publish Wednesday morning, Democrats gained one of two Senate seats in Georgia’s twin runoff election and the second has yet to be called.)

The department's deputy secretary, who serves as USDA's chief operating officer, and the department’s eight undersecretaries must be confirmed by the Senate. That process could take months even though the Senate precedent no longer requires 60 votes to approve administrative nominations.



Tom Vilsack on the campaign trail. Photo by Adam Schultz / Biden for President

Dale Moore, who served as chief of staff for USDA during the George W. Bush administration, thinks Vilsack is likely to go ahead and appoint deputy undersecretaries and agency administrators without waiting to get undersecretaries confirmed.

**"You're going to see deputy undersecretaries, deputy assistants, and the administrators, the special assistants, confidential assistants ... state FSA directors and Rural Development directors, and so forth. These folks are pretty much going to be in place, I think, before you get that much progress on your undersecretaries," said Moore, now executive vice president for the American Farm Bureau Federation.**

While he's making those appointments Vilsack also will likely have to implement major aspects of the \$900 billion COVID relief package, which includes \$26 billion in agriculture and nutrition spending.

Some of the provisions are relatively automatic, including a new round of the Coronavirus Food Assistance Program, and Perdue this week announced the Farmers to Families Food Box Program was being extended into 2021 with \$1.5 billion from the new bill. Bill Northey, USDA's undersecretary for farm production and conservation, said Tuesday the department is working with the Biden transition team to ensure other payments can be made quickly after Biden and Vilsack take office.

**"The things that are relatively straightforward, that don't require a lot of rule making but maybe a tweak or changing the date on something ... I think they are going to get those things rolling as soon as possible," said Moore.**

But other provisions will almost certainly be left for Vilsack to act on, including potential compensation for biofuel producers and aid to contract poultry growers and hog producers that had to depopulate herds because of processing plant disruptions.

**Biden and Vilsack have both made it clear climate policy will be a top concern of USDA's.** Vilsack hasn't laid out any steps he plans to take yet. However, transition team members have raised the issue in meetings with industry leaders, and the transition team leader, Robert Bonnie, co-wrote a blueprint for the new secretary to follow. Bonnie's plan, contained in a longer set of recommendations written by veterans of the Obama administration, includes proposals to use USDA's Commodity Credit Corp. account to buy and sell agricultural carbon credits.

The plan also calls for a review of the crop insurance program to see how it can be used to incentivize climate friendly practices.

**"We know that they want to try to move quickly on climate issues. We know that a lot will require the Hill's participation, but it's pretty clear that they also want to quickly look to see what existing authority they have to be able to make some administrative changes there as well," said Rob Larew, president of the National Farmers Union.**



Dale Moore, Farm Bureau

Members of the transition team “have not really shed any light on exactly what they want to do” on the climate issue but have indicated they are studying how they can use the department’s existing legal authority to address the subject, Larew said.

Vilsack will have a significant advantage in that not only does he already know how USDA works, but he also has an understanding of how to work with the White House, Environmental Protection Agency and other departments on climate policy and issues such as biofuels, said Larew.

“He knows that if we're talking about climate or if we're talking biofuels what kind of relationship USDA is going to need to have. That's been a problem from time to time, I don't care which administration you're talking about,” Larew said.

Vilsack's experience since 2017 as president and CEO of the U.S. Dairy Export Council also means he has stayed directly involved with other commodity groups on a range of key issues facing agriculture, from trade to climate policy. He already knows where those groups stand on policy without needing to ask.

"Make no mistake, on the trade front and on so many other fronts, he was very much a part of the backroom discussions on how do we convince the Trump administration to do X, Y or Z," said Moore.

The “undue preference” rule, which groups including the NFU and National Sustainable Agriculture Coalition want Vilsack to rewrite, is one of several regulations that he will have a chance to address.

Another that will be waiting for him is a rule tightening care standards for poultry and livestock. The Organic Trade Association has been battling the Trump administration in court over Perdue’s withdrawal of the rule that was finalized in the last days of the Obama administration,





Rob Larew, National Farmers Union

and OTA recently won a delay in the case to allow the incoming administration to take over the litigation.

A second rule that OTA wants Vilsack to finalize would prevent livestock producers from moving animals in and out of organic production.

A series of rules Perdue rolled out to tighten eligibility requirements or change benefit calculations for the Supplemental Nutrition Assistance Program would also almost certainly be targeted by the new administration, starting with one that would make it harder for states to get waivers from SNAP work requirements. A federal judge vacated the rule last fall.

Less clear is whether Vilsack will undertake a new reorganization of the department or undo some of the changes that Perdue made, including his relocation of the Economic Research Service and National Institute of Food and Agriculture to Kansas City, Mo. As part of a reorganization of the USDA management structure, the Natural Resources Conservation Service was moved into a new farm production and conservation mission area now overseen by Northey. The Packers and Stockyards Administration was folded into the Agricultural Marketing Service.

The ERS and NIFA relocations received most of the criticism. Larew said Vilsack will need to rebuild confidence of ERS and NIFA personnel in USDA leadership.

## **Relief bill increases SNAP benefits, appropriates boosts research**

The Agriculture Department is working to get some new coronavirus relief assistance to farmers as soon as possible, but much of the work may not be completed before President-elect Joe Biden takes office in two weeks.

A massive bill President Donald Trump signed into law Dec. 27 includes \$13 billion in COVID relief for farmers, a similar amount in nutrition assistance, plus funding for the entire government through the rest of the fiscal year.

**“We are making every effort to get implemented what we can implement, and make it very easy for the next administration” to carry out the rest, Bill Northey, USDA’s undersecretary for farm production and conservation, told reporters Tuesday.**

Some of the provisions could be implemented fairly quickly by the incoming administration, while others will likely require the department to go through a rulemaking process.

Northey wouldn’t provide a timetable or address most specific provisions of the bill, but he indicated some issues were already under review by the White House Office of Management and Budget.

The bill requires USDA to make a third round of payments under the Coronavirus Food Assistance Program. Row crop farmers will receive new payments worth \$20 an acre. Payments

to corn growers will likely total \$1.8 billion and nearly \$1.7 billion to soybean producers, according to an analysis by the American Farm Bureau Federation.



USDA Undersecretary Bill Northey

Cattle producers will receive supplemental payments under a separate formula that will amount to about \$63 per head for fed cattle and \$25.50 for feeder cattle, the Farm Bureau estimates.

Another provision, which Northey says will take more time to implement, ensures livestock and poultry farmers who had to depopulate herds or flocks because of processing disruptions will be compensated based on 80% of the animals' fair market value. The program will require USDA to make determinations about issues such as the time period covered by the compensation.

**Also facing the new administration will be a new Dairy Donation Program authorized by the bill. USDA will have to set up procedures for reimbursing dairy processors for surplus products they give away. Under the legislation, companies will be compensated both for processing costs as well as the cost of the milk. The bill gave USDA 60 days to implement the program.**

USDA already is moving to implement a 15% increase in Supplemental Nutrition Assistance Program benefits the bill authorized. The increase is to continue through June. USDA's Food and Nutrition Service indicated it would issue a supplemental benefit for January to cover the increase.

**“Maximum allotments will increase for the 48 states and D.C., Alaska, Hawaii, Guam, and the U.S. Virgin Islands,” FNS said Dec. 28. “For a family of four receiving a maximum allotment in the 48 states and D.C., benefits will be \$782, an increase of \$102.” Amounts are higher in Alaska, Hawaii, Guam and the U.S.V.I.**

"I am confident nearly all states can implement the 15% boost by February," said Stacy Dean, vice president for food assistance policy at the Center for Budget and Policy Priorities.

She also praised language in the bill to help states implement Pandemic-EBT, a program that is providing additional nutrition assistance to low-income families with children who are not eating at school during the pandemic. "With these changes, states should find it much easier to deploy these food benefits to struggling families with children in need." she said.

The FY21 funding portion of the bill includes increased spending for agricultural research and rural broadband.

The Supporters of *Agricultural Research (SoAR)* Foundation hailed an increase in the National Institute of Food and Agriculture's "flagship competitive grants program," the Agriculture and Food Research Initiative, from \$425 million in FY 2020 to \$435 million in the current fiscal year, which ends Sept 30.

While welcome, the total still falls far short of the program's authorized level of \$700 million, SoAR said.

**“The COVID-19 pandemic continues to hit our farmers hard,” said Thomas Grumbly, president of the SoAR Foundation. “Investments in agricultural research produce scientific breakthroughs and innovations that ultimately benefit our farmers, families, and nation.”**

SoAR said that even at \$435 million, AFRI will be “unable to meet the substantial demand for research funding that currently exists.”

“NIFA's own data illustrates this: of 2,719 competitive grant applications received and reviewed through a competitive peer review process in Fiscal Year 2016, only 664 of the highest-ranked applications were funded,” SoAR spokesperson Josh Stull said.

An additional 757 proposals, totaling about \$682 million and rated as “Outstanding, High Priority, and/or Medium Priority” could not be funded, Stull said. “In other words, that’s nearly \$700 million in research, nearly the entire authorized amount, that didn’t get funded.”

The agreement accompanying the spending bill provides specific research direction for AFRI, saying congressional appropriators are “concerned with the insufficient progress made in [AFRI] to address conventional plant and animal breeding that can provide farmers with greater access to locally and regionally adapted cultivars.

“The agreement directs the agency to make regionally adapted, publicly held cultivar development a distinct funding priority within AFRI for fiscal year 2021 and directs the agency to take steps to improve its tracking of public cultivar projects within AFRI.”

Eric Deeble, policy director at the National Sustainable Agriculture Coalition, said “the one number that really jumps out for me is the \$40 million” for the Sustainable Agriculture Research and Education program, which NSAC says is the only USDA competitive grants research program focusing solely on sustainable agriculture.

The \$40 million is an increase from \$37 million in fiscal 2020 and is a record high for the program, which is authorized at \$60 million, Deeble says.

Also, research-related, the agreement accompanying the funding bill directs USDA’s chief scientist to complete a report within six months for the Agriculture Advanced Research and Development Authority. “The plan should include a discussion of how AGARDA can work in collaboration with ongoing research programs operating in ARS and NIFA.”

The agreement also includes numerous directives for USDA in the coming year.

**One example involves regulations implementing the domestic hemp production program authorized in the 2018 farm bill.** USDA’s 2019 interim final rule, the agreement says, “may create compliance challenges for the regulated community by using sampling and testing protocols that require too short a time frame between testing and harvest, failing to provide a lack of alternative to the use of Drug Enforcement Administration registered laboratories, requiring the conversion of THCA into delta-9 THC, requiring a sampling of only flowering tops, and establishing an inflexible negligence threshold of 0.5 percent.”



Sen. Amy Klobuchar, D-Minn.

USDA’s final rule on the program should be “based on science,” the agreement says, and be in line with the 2018 farm bill legalizing hemp. The report also encourages the department to use current research at the Agricultural Research Service and land-grant universities, partnering with the National Institute of Food and Agriculture, “to guide the hemp sampling and testing protocols.”

USDA also must develop regulations to “protect the transportation, processing, sale, or use of hemp and in-process hemp extract, that may temporarily exceed a delta-9 THC concentration of 0.3%,” the agreement says.

To expand high-speed internet service, the bill also includes \$635 million in FY21 funding for USDA ReConnect program, which provides grants and loans for rural broadband expansion, an increase of \$80 million over FY20. The bill also earmarks \$65 million to improve the accuracy of the FCC’s broadband availability maps.

**“In 2020, every family in America should have access to high-speed internet, regardless of their ZIP code,” said Sen. Amy Klobuchar, D-Minn. “The pandemic has exposed how critical broadband is to staying connected to work, school, health care and more.”**

Other language of note in the report:

- Within 120 days of the bill’s late-December enactment, USDA “shall submit a report to the [appropriations] committees detailing existing collaborative efforts between FDA, USDA, and other agencies to prevent and respond to zoonotic disease outbreaks in animals and humans.”
- By March 1, USDA must submit a report “on specific agency authorities and activities that could contribute to more robust solar power generation in rural areas, associated economic benefits for landowners and rural communities, and land use implications including wildlife habitat and soil and water quality.”
- Appropriators said “current Canadian grading automatically downgrades American wheat to the lowest quality designation while the U.S. grading system provides a fair examination for wheat imported from Canada. The [funding] agreement believes this discrepancy needs to be addressed to ensure U.S. wheat growers are being treated fairly.”
- The bill encourages USDA to prioritize funding for silvopasture research and education” based on its role in “stimulating farmer income, local water retention, carbon sequestration, improved animal welfare conditions, and decreased erosion.”
- Despite language in the budget request seeking to shut down ARS laboratories, the agreement “directs ARS to fully staff laboratories even if the laboratory is proposed to be closed in the budget request.”

- “Concerns remain about staffing shortages at FSA offices,” the agreement says, directing USDA to submit a report to Congress within 90 days that includes “an administrative breakdown of allotment levels by state, current full-time equivalents, current onboard permanent employees by state, and funded ceiling levels by state.”
- Farmers’ mental health: “Farmers and ranchers face highly stressful working conditions, which can contribute to serious behavioral health concerns, especially during downturns in the farm economy and trade uncertainty,” the agreement says, urging USDA “to prioritize proposals from regions that have seen high levels of farm bankruptcies, auctions, and other signals of severe economic distress when reviewing award applications for the Farm and Ranch Stress Assistance Network program.”
- Concerned about “inaccurate estimates” provided to Congress on the available unused funding for the National Organic Certification Cost-Share Program (OCCSP) during development of the 2018 farm bill, the agreement requires USDA to prepare a report on how it plans to “resolve inconsistencies in supplying Congress with estimates on funding available for the OCCSP and other farm bill programs.” FSA recently reduced the amount of cost-share funding from 75% of eligible costs, up to \$750, to 50% and \$500. The funding “overestimates have led to a funding gap that is leaving farmers with far less assistance for completing this expensive and essential step that is required to tap into the growing market for certified organic food in the United States.”
- The agreement encourages USDA “to dedicate more Conservation Technical Assistance to establish standard protocols for measuring and testing carbon levels to evaluate gains in soil health that will help producers to create positive economic, environmental, and social outcomes through ecosystem service markets. The agreement believes that additional Conservation Technical Assistance should be provided for healthy soil planning, soil carbon sequestration, and conservation activity planning.”
- The funding agreement includes \$635 million to support the ReConnect pilot program to increase access to broadband connectivity in unserved rural communities, “and directs [USDA] to target grants and loans to areas of the country with the largest broadband coverage gaps. These projects should utilize technology that will maximize coverage of broadband with the most benefit to taxpayers and the rural communities served.”

ARS received more for employees — \$1.49 billion versus \$1.41 billion in fiscal 2020 — but significantly less for buildings and facilities, \$35.7 million instead of the \$192.7 million enacted for fiscal 2020. The bill said that while supportive of the department’s One Neighborhood Initiative designed to consolidate offices with similar functions, USDA had not adequately justified it in its budget request.

The Farm Service Agency would receive \$1.156 billion, up slightly from the FY 2020 funding level of \$1.135 billion. Funding for the Food Safety and Inspection Service also would be about the same, at about \$1.075 billion compared to FY 2020’s \$1.054 billion.

The Animal and Plant Health Inspection Service will get \$1.064 billion versus \$1.042 billion in FY 2020.

Private lands conservation operations in the Natural Resources Conservation Service held steady at \$832.7 million, up \$3.1 million from FY 2020's \$829.8 million. That also was the overall increase for NRCS, which went from about \$1.015 billion to \$1.018 billion.

The Natural Resources Conservation Service will see a slight increase, from \$829.8 million to \$832.7 million. The Risk Management Agency also will get a small boost, to \$60.1 million from \$58.36 million.

The Economic Research Service will receive an increase from \$84.8 million to \$85.5 million. The National Agricultural Statistics Service stays about the same as well, going from about \$180.3 million to \$184 million.

The National Institute of Food and Agriculture's budget for FY 2021 is \$992.6 million, up from \$962.8 million, a 3% boost.

**Next week:** A look at the EPA and FDA appropriations bills.

## **States vary widely in prioritizing food, ag workers for COVID vaccine**

Many states are falling behind in their early projections of how quickly they will be able to deploy COVID-19 vaccines, and many are still working to determine where ag workers will be on their vaccination prioritization schedules.

Advisers to the Centers for Disease Control and Prevention recommended in late December that front-line essential workers, including food and agriculture workers, should be in the second group to receive COVID-19 vaccines, but millions of people will be eligible to receive the vaccine before them. And some states, including Texas, Florida, and South Dakota, have decided that groups such as people 65 years of age and older and those with certain underlying medical conditions will be vaccinated ahead of essential workers.

The first group to be vaccinated nationwide, referred to as Phase 1A, consists of 24 million front-line health care workers and those living and working in skilled nursing and congregate care facilities. **The essential front-line workforce, which contains food and ag workers, consists of an estimated 49 million people.** Within this group, the food and agriculture subgroup are particularly large. According to the Cybersecurity and Infrastructure Security Agency, the sector, which is almost entirely under private ownership, is composed of an estimated 2.1 million farms, 935,000 restaurants, and more than 200,000 registered food manufacturing, processing, and storage facilities, accounting for roughly one-fifth of the nation's economic activity.

**Most states, including California, are still in the process of providing the first dose of the two-dose vaccine to those in the Phase 1A priority group.**

In late December, California's Community Vaccine Advisory Committee made recommendations on who should be in the state's Phase 1B group, which contains two tiers. The Phase 1B Tier One group prioritizes those 75 years of age and older, followed by workers in education, child care, emergency services, and food and agriculture. That puts food and ag workers in California in front of those 65 years of age and older with an underlying health condition as well as workers in other essential services such as transportation and logistics, industrial, residential, and commercial sectors, incarcerated individuals, and the homeless.



California Gov. Gavin Newsom

At a Dec. 28 press conference, Gov. Gavin Newsom said, “Food and ag, the food supply chain — that’s farmworkers, grocery workers, the logistics around food — the essential workforce we’ve counted on, that’s been there since the beginning of this pandemic, that’s paid a huge price in terms of impact, in terms of spread, in terms of mortality and associated health costs — will be prioritized in Phase 1B Tier One.”

According to the Vaccine Allocation Planning Tool, which tracks vaccine distribution, nearly 2.4 million people in California fall into the 1A group, all eligible for vaccination before food and ag workers and the

other essential workers in the 1B group.

**Newsom said the state should begin vaccinating those 75 and older in January, a group of 1.7 million, according to Census data, also in line in front of food and ag workers. However, some people 75 and older will have been vaccinated in the 1A group if they live in skilled nursing or residential care facilities. As of Monday, California had distributed 1.4 million doses of COVID vaccines and had administered 401,000, according to Bloomberg’s vaccine tracker.**

In Colorado, a state where packers have battled numerous outbreaks of COVID-19 that led to fatalities in some cases, farmworkers and employees working in food processing facilities fall under Phase 1B. Those employees are grouped with workers in education, manufacturing, postal workers, public transit and specialized transportation staff, grocery workers, public health and human service workers, and those caring for the homeless. The entire list is subject to further prioritization. Ahead of that long list of front-line essential workers are police, firefighters, correctional workers, those in the funeral business, and those working in pharmacy, hospice, home health, and dental services as well as everyone 70 years of age and older.

Colorado expected Phase 1 of its vaccination priority plan to continue through the winter. A spokesperson for the Colorado State Joint Information Center said, “the speed at which we move through the phases will largely depend on the supply of vaccine from the federal government.”

The Vaccine Allocation Planning Tool shows that more than 1.2 million people in Colorado, in addition to those over age 70 who do not fall into the higher risk groups, will be eligible to receive vaccines before food and ag workers. As of Monday, the state had administered 113,000 doses to those in the highest risk categories.

Colorado has already determined that all farmworkers and meat and poultry plant employees in Colorado, regardless of citizenship or state residency, will be eligible to receive the vaccine in Colorado. “You do not need to be a U.S. citizen, and you will not need to prove lawful presence to get a COVID-19 vaccine in Colorado. Further, (the Colorado Department of Public Health & Environment) will never share your information for any immigration or law enforcement purposes,” the spokesperson said. “And If they work in Colorado (and live elsewhere), they will be able to get the vaccine in Colorado.”

At this time, it is unclear where farmworkers and meat and poultry plant employees will be vaccinated.

**Gary Mickelson, senior director of media relations for Tyson Foods, said the meatpacking giant “has been working proactively with health care experts, including Matrix Medical, on planning and distribution models that could enable the company to get access to a vaccine when one becomes available in a timely manner.”**

South Dakota also has a detailed plan for its Phase 1 priority group that includes essential workers in food and agriculture. However, the state has prioritized five subgroups within Phase 1, and food and agriculture workers fall into the last subgroup, Phase 1E. In line ahead of food and agriculture workers in South Dakota are front-line health care workers, long-term care workers and residents, others in health care and public health, emergency medical personnel, law enforcement, correctional officers, anyone with two or more underlying medical conditions, school staff including teachers and college professors, all those age 65 and older, and residents in congregate settings.

**Nearly 390,000 people in South Dakota, about 45% of the state’s population, will be eligible to receive the vaccine before food and agriculture workers. As of Jan. 4, South Dakota had administered 27,000 of the 38,000 vaccines it had distributed throughout the state — the highest vaccination rate in the country.**

Not all states have plans that are as well defined as Colorado and South Dakota. Nebraska, which will be following the recommendations of the CDC’s ACIP, has not yet announced plans for Phase 2. Khalilah LeGrand, director of the Office of Communications for the Nebraska Department of Health and Human Services, said, “We’re still making determinations and adjustments to the Phase 1B prioritization. Additionally, we have not received definitive vaccine allocation projections for that phase.”

An estimated 151,672 people are considered highest risk and will receive the vaccine prior to those in subsequent prioritization groups, including food and ag workers. As of Jan. 4, about 34,000 Nebraskans had received their first dose of a COVID vaccine and 80,000 doses had been distributed, according to Bloomberg’s vaccine tracker.

Ashley Jones-Wisner, senior director of public affairs for the Kansas Department of Health and the Environment, said her state’s current priority groups are health care workers and long-term care residents. “These initial groups are anticipated to take through January to complete vaccinations. Further details on future groups will be released at a later date,” she said.

As of Monday, the state had administered 20,000 doses out of the 115,000 that had been distributed. That’s about 5% of what will be needed to inject the more than 190,942 people in the top priority group with two doses of a vaccine.

## **News Briefs:**

**Study: Market Facilitation Program fails to offset trade war losses.** Two years of MFP payments only covered roughly half of the net losses to California commodities, according to [a new paper](#) by UC Davis economists. The state’s farmers received a relatively small share of MFP payments, equivalent to about 2% of net farm income, compared to the 17% average for all



states. Overall, California incurred the largest net economic welfare losses due to the trade war. “The trade war caused losses that outweighed any potential benefits by far, as tariff increases induced a substantial reallocation of agricultural trade around the world,” explained Professor Colin Carter.

**New Year, new updates to minimum wage and ag overtime.** As of Jan. 1, minimum wage is now \$13 per hour for businesses with 25 employees or less and \$14 for larger employers. The increases will continue for two more years until reaching \$15 in 2023. The ag overtime law, initiated through Assembly Bill 1066 in 2016, begins this year as well. Overtime pay is triggered after 8.5 hours per day or 45 hours per week for employers with 26 or more employees. Smaller employers remain exempt from such overtime requirements until 2022, when they will have to pay overtime for workdays greater than 9.5 hours or workweeks over 55 hours.

**Applications needed for first round of NRCS air quality assistance by Jan. 22.**

USDA’s Natural Resources Conservation Service (NRCS) is providing technical and financial assistance to help farmers and ranchers in California make improvements in their operations that can lead to improved air quality. Producers can sign up at any time throughout the year but applications for the initial round of funds must be submitted by Jan. 22, 2021. Assistance is being made available through the Environmental Quality Incentives Program (EQIP), National Air Quality Initiative (NAQI). Financial assistance priority is targeted toward counties identified as having significant air quality resource concerns based on the U.S. Environmental Protection Agency (EPA) “nonattainment” designations for ozone and particulate matter or predesignated as “attainment (maintenance area)” for PM10 or PM2.5. These areas experience air pollution levels that persistently exceed the NAAQS established by the Clean Air Act. The following counties may be eligible for the National Air Quality Initiative: Alameda, Butte, Calaveras, Contra Costa, El Dorado, Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Marin, Mariposa, Merced, Mono, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Solano, Sonoma, Stanislaus, Sutter, Tuolumne, Tulare, Ventura, Yolo, and Yuba. For more information about EQIP, how to apply, and program eligibility, interested applicants should contact a local NRCS field office.

**USDA rolls out quality loss program.** The Department of Agriculture has finalized a program to pay producers for lost product through a Quality Loss Adjustment Program announced Tuesday. The program, created in a 2019 omnibus spending package, is designed to provide assistance “to producers who suffered eligible crop quality losses due to natural disasters occurring in 2018 and 2019,” USDA noted in a release. Signup will run through March 5. “We have worked diligently over the past couple of years to roll out meaningful disaster assistance programs to help alleviate the substantial financial loss experienced by so many agricultural producers and are pleased to offer quality loss assistance as added relief,” Bill Northey, USDA’s undersecretary for farm production and conservation, said in a statement. “Many of the eligible producers have already received compensation for quantity losses.” The program is available to crops eligible for federal crop insurance that suffered a loss due to a qualifying disaster event occurring in calendar years 2018 and 2019. Crops that were sold or fed to livestock may be eligible, but USDA says pre-harvest destruction or quality losses that happened after harvest due to deterioration in storage or that could have been mitigated will not be covered. Payments will be based on formulas for the type of crop and loss documentation provided during the application process. USDA’s Farm Service Agency will calculate payments – capped at \$125,000 per eligible year – based on the producer's own individual loss or based on a county

average if the application lacks certain verifiable documentation. USDA has [full details of the program](#) posted online.

**Farmer sentiment improves, but pessimism over China grows.** Farmers painted a slightly more optimistic picture of their expectations in December but still have a handful of policy concerns as the country prepares for a new administration and Congress. The Ag Economy Barometer, a monthly measurement of producer sentiment conducted by the CME Group and Purdue University, rose seven points in December after dropping 16 points [following the November elections](#); the barometer now has a reading of 174. The barometer's indexes of current and future conditions both rose in December as well. Purdue's James Mintert, the barometer's principal investigator, said producers raised their expectations for their businesses. "The rise in the Ag Economy Barometer was primarily driven by farmers' perception that the current situation on their farms really improved," he said in a release. "The sharp rise in the Index of Current Conditions is correlated with the farm income boost provided by the ongoing rally in crop prices. That appears to be the driving force behind producers' optimism." While producers might be bullish on things like equipment purchases and farmland values, producers demonstrated a marked change in their opinion of how the China trade dispute will shape out for U.S. agriculture. In the first quarter of 2020, an average of 76% of respondents said the resolution would ultimately favor American farmers; that figure in the December survey dropped to 47%. Many producers say they're also worried about more restrictive environmental regulations (83% of respondents), higher estate taxes (71%), and higher income taxes (71%). The survey results are based on conversations with 400 farmers that took place Dec. 7-11, 2020.

## **Farm Hands West: Newsom appoints Baghdassarian to deputy secretary of agriculture**

Governor **Gavin Newsom** has appointed **Haig Baghdassarian** as the deputy secretary and chief counsel at the California Department of Food and Agriculture. Baghdassarian has been principal for the Law Office of Haig Baghdassarian since 2009.

Arizona Leafy Greens Marketing Agreement has hired **Kevin Watson** as a new compliance officer. Bringing over 20 years of experience, Watson previously worked for the Arizona Department of Agriculture, Fresh Express Inc., Chiquita International and AG Food Safety Solutions.

After 40 years, **Dan Duda** is retiring from Duda Farm Fresh Foods where he has been the CEO and former president of the six-generation family-owned company. **Sammy Duda**, Dan's brother, will continue to lead the family business as president.

Naturipe has hired **Alvaro Alezard** as vice president of finance. Alezard has worked for Hope's Cookies as chief financial officer and Baldwin Richardson Foods as vice president. Before that, he worked in the pharmaceutical industry for 17 years in various roles.



Haig Baghdassarian

Western Growers Insurance Services (WGIS) has hired **Nate Flandro** as its new sales executive for commercial insurance. Flandro brings 20 years of experience in workers' compensation and property and liability insurance. He will help agribusinesses focus on mitigating financial risks. Flandro most recently was vice president of property and casualty of USI Insurance Services.



Nate Flandro

Fall Creek Farm & Nursery has brought **Tom Blaser** on to be a part of the company's board of directors. Blaser most recently served as a senior vice president and chief financial officer of W.R. Grace.

The Bureau of Reclamation California-Great Basin Region has selected **Scott Taylor** to be Commissioner **Brenda Burman**'s CGB liaison in Washington DC and **Ankur Bhattacharya** as the regional liaison in Sacramento. Taylor joined Reclamation in 2008 as an economist intern in the Upper Colorado Region. Bhattacharya joined Reclamation in 2012 as an engineering intern with the Division of Resources Management where he assisted several operations and maintenance initiatives throughout the CGB Region.

Vanguard International has added **Ana Yanez** to the sales team as a sales associate, located in the Visalia, Calif., office. Yanez will be responsible for expanding sales into Latin America and will work to help service customers in that market.

Del Rey Avocado has added **Victoria Cao** as a new sales representative. Cao has worked in various sales positions; she began her career in the fresh produce industry with some of the largest avocado companies.

**Kent Fowler** and **Victor Velez** have retired from the California Department Food and Agriculture's Division of Animal Health and Food Safety Services. Fowler retires after 16 years working in public service. He also has over 25 years in private practice where he treated large animals with a specialty in equine medicine. Velez retires after 34 years at CDFA. In his career, Velez made many contributions to emergency disease eradication, animal identification and traceability, animal movement permitting, and data management.

Montana Governor-elect **Greg Gianforte** has appointed **Mike Foster** to lead the Montana Department of Agriculture. Foster previously was the state executive director of the Montana USDA Farm Service Agency, a position he has held since 2018.

Corteva has hired **Sam Eathington** as its new senior vice president and chief technology officer. Eathington previously worked for The Climate Corporation where he was chief science officer. He has spent nearly two decades focused on molecular breeding at Monsanto. Eathington holds more than 50 patents, patent applications, and publications.

**Dana Bolden** has left Corteva where he was the interim senior vice president of external affairs and communications. He has joined GSK as senior vice president of consumer health.

**Michael Seyfert** has been tapped to lead the National Grain and Feed Association as the new president and chief executive officer, succeeding **Randy Gordon** who will retire by the end of



Michael Seyfert

March after 43 years with NGFA. Seyfert comes to NGFA from the FMC Corp. where he has worked since 2014 in the chemical manufacturer's Washington office. To read more on Seyfert, click [here](#)

President-elect Joe Biden has chosen **Michael Regan**, head of North Carolina's Department of Environmental Quality, to lead the Environmental Protection Agency and Rep. **Deb Haaland**, D-N.M., to be Interior Secretary. To read more on the appointments check out this [in-depth story](#).

President-elect **Joe Biden** and Vice President-elect **Kamala Harris** added additional members of the White House COVID-19 Response team. **Sonya Bernstein** will be the COVID senior policy adviser,

**Bechara Choucair** will be the vaccinations coordinator, **Eduardo Cisneros** will serve as the COVID intergovernmental affairs director, **Clarke Humphrey** the COVID digital director, **Carole Johnson** the testing coordinator, and **Tim Manning** the supply coordinator. **Osaremen Okolo** will be the COVID policy adviser, **Cyrus Shahpar** the COVID data director, and **Courtney Rowe** — a veteran of the USDA Office of Communications during the Obama administration — the director of strategic communications and engagement.

**Carrie Castille** has been named the permanent director of USDA's National Institute of Food and Agriculture. Castille served as an assistant professor and agriculture and natural resource leader at Louisiana State University as well as associate commissioner and senior adviser to the commissioner for the Louisiana Department of Agriculture and Forestry.



Carrie Castille

**Vivian Moeglein** will be the incoming staff director for the House Natural Resources Committee and **Chris Marklund** will be the deputy staff director. Moeglein currently is the chief of staff for Rep. **Bruce Westerman**, R-Ark. Marklund previously worked at USDA.

The National Cattlemen's Beef Association has hired **Ashley Willits** and **Sigrid Johannes** to its D.C. team as associate directors of communications. Willits formerly worked at the Department of Agriculture as deputy director of external and intergovernmental affairs and Johannes previously worked in the office of Rep. **Abigail Spanberger**, D-Va., where she led digital media strategy.

**Chuck Stones** has been confirmed by the Senate to serve on the Federal Agricultural Mortgage Corporation (FARMER MAC) board of directors. He previously was president of the Kansas Bankers Association until he retired in 2019.

**Robert Spitzer** has retired from the Department of Agriculture's Foreign Agricultural Service where he was a longtime trade negotiator.

**Bob Cantisano**, a California conservationist, died on his home farm in North San Juan after fighting a long battle with cancer. He was 69. Cantisano was known for his love of the earth and his mission to revolutionize farming. Cantisano helped found California Certified Organic Farmers and the Committee for Sustainable Agriculture.

Former deputy secretary of agriculture during the Clinton Administration and former secretary of the California Department of Food and Agriculture, **Richard Rominger**, died from a heart attack suffered at a restaurant in his hometown of Winters, Calif. He was 93. A pioneer in both commercial, conventional and organic farming, Rominger was known for his character, openness to humility, ability to teach and befriend others, and much more. In his day, he was a strong advocate for sustainable agriculture. To read more on Rominger's career, click [here](#).

**Samuel A. Shanklin**, a popular USDA chauffeur for 14 secretaries of agriculture and sub-cabinet officials over a 50-year government career, died Dec. 16 at Inova Alexandria Hospital in Virginia. He was 73. A Washington native, he joined USDA in 1968 after two years in the U.S. Army, including a tour as a truck driver in Vietnam. Following his retirement in January 2016, then-Secretary of Agriculture **Tom Vilsack** ordered the installation of a plaque in Shanklin's honor outside the chauffeurs' office in USDA's headquarters building. Many USDA alums and congressional staff members recall Shanklin's upbeat good humor from his time delivering messages to House and Senate offices. "He became a dear, dear friend and steady, calming presence through my entire four years working in the Whitten Building," said **Dawn Riley**, who was director of intergovernmental affairs and chief of staff to the deputy secretary in the first Bush Administration. "We stayed in touch all of these years."

**Neal Jack**, a leading force behind Jack Bros., a founding member of the Western Growers Association, passed away on Dec. 15. He was 97 years old. Known to be a pioneer in the Imperial Valley, Jack was an advocate for water conservation. He was a World War II and Korean War veteran, and he used what he learned in the military to modernize farming by bringing many of the innovations used in the military back to the ranch.

**Best regards,**

**Sara Wyant**  
**Editor**

---

© Copyright 2021 Agri-Pulse Communications, Inc. All rights reserved. Reproduction or distribution in any form is prohibited without consent from Editor Sara Wyant, Agri-Pulse Communications Inc., 110 Waterside Lane, Camdenton, MO. 65020. Phone: [\(573\) 873-0800](tel:5738730800). Fax: [\(573\) 873-0801](tel:5738730801). Staff: Managing Editor Spencer Chase; Executive Editor Philip Brasher; Senior Trade Editor Bill Tomson; Associate Editor Steve Davies; Associate Editor Ben Nuelle; Associate Editor Hannah Pagel; Associate Editor Brad Hooker; Contributing Editor Jim Webster; Contributing Editor Ed Maixner; Chief Operating Officer: Allan R. Johnson; Sales and Marketing Manager Jason Lutz; Western Sales Associate: Danielle Brinkmann; Administrative Assistant: Sandi Schmitt; Circulation Manager: Paige Dye; Marketing Consultant: Tom Davis. A one-year subscription (48 issues) is \$747.00. To subscribe, send an e-mail to: [Sara@Agri-Pulse.com](mailto:Sara@Agri-Pulse.com), or visit: [www.Agri-Pulse.com](http://www.Agri-Pulse.com).