

While farms and cities make good water partners, they'll keep their options open

New research shows that coastal cities and farming regions can maximize their supply potential if they team up on water sharing. **This offers more water reliability during dry times—and could serve as a linchpin for addressing critical infrastructure issues and creating more flexible water trading policies.** But proponents are quick to say it is no silver bullet.

"One of the main benefits for the ag sector is to really minimize the amount of land that needs to be taken out of production," said Emmy Cattani, the vice president of Cattani Farming and Ranching, a diversified operation in Kern County, speaking last week at a webinar for the Public Policy Institute of California (PPIC). "These partnerships promise to do that in two ways."



Los Angeles River

Cattani, who holds an MBA from Stanford University and worked as a private equity investor, explained that water banking and conveyance infrastructure are expensive and farming districts often lack the resources for such improvements.

With more investment from major water districts for Los Angeles, San Diego and even the Bay Area, farmers could invest in more storage and conveyance projects to help critically overdrafted groundwater basins adapt to pumping curtailments under the Sustainable Groundwater Management Act. If coupled with the right policies and farming practices, it would create more flexibility for growers overall and more reliability for cities in dry years, said Cattani.

Alvar Escrivá-Bou, a PPIC research fellow and lead author on the study detailing the water trading potential, explained the three ways that farms and cities could build partnerships. This could be through co-investments in water storage facilities, through "unbalanced" exchanges based on current water conditions or a mix of the two, which would be the most promising approach, he said.

San Joaquin Valley farmers could invest in alternative water supplies or conservation options in Southern California in exchange for water. Southern California agencies could similarly invest in more storage and conveyance options in the valley. Unbalanced exchanges would mean more deliveries for farmers during wet or normal years. In dry years, they would have less and likely use some of the stored water to pay back earlier deliveries. Since the state has more normal and wet years, overall supplies would increase in the valley as well as for Southern California during droughts.

Deven Upadhyay, assistant general manager and chief operating officer at the Metropolitan Water District of Southern California (Metro), explained how his agency has already been working with farmers on storage arrangements.

"We've seen a lot of success there," said Upadhyay. "It's one example of the kinds of exchanges that we could see even more of going forward."

Metro takes Colorado River water allocations as well as deliveries from the State Water Project (SWP). While the Colorado offers relative certainty, SWP allocations "fluctuate greatly from year to year."

"You don't even know what water you're really going to be dealing with until a good portion of the way into the year," he said.

Both Upadhyay and Escriva-Bou noted that trading rules for SWP contracts are often too rigid to allow for trading outside of basins and would need to be amended. The approach also faces infrastructure limits for storing water through groundwater banking.

Cattani added that farmers also need incentives to help them plan for groundwater recharge projects. With on-farm recharge, they would need to leave land fallow that year. This would require them to invest in annual crops and shift away from more profitable tree nut commodities. Urban partners, meanwhile, would have to give notice as early as possible for when they plan to take back water.

"The later you make that decision, the more a farmer has invested in seeds and in contracting to sell the crop and working the land," she said. "We can avoid some of those costs by making decisions early in the ag calendar."

Data is critical as well, added Cattani.

"Incentives only work if we can actually measure how much water is being used and how much water is being banked," she said.

Escriva-Bou pointed out that while local leadership should be driving the partnerships, there are ways the state can help, especially since the multibenefit projects align with many of the actions outlined in the governor's Water Resilience Portfolio. State agencies could assess the existing regional infrastructure and needs, while improving trading and recharge flexibility and



Emmy Cattani, vice president of Cattani Farming and Ranching

facilitating funding arrangements. The state could build partnerships that benefit environmental water needs.

Joe Yun, the executive officer for the California Water Commission, said the portfolio has tasked the commission with hosting discussions around the state's role in financing conveyance.

"Ecosystem benefits are probably the category of benefits that is cleanest," he said. "The infrastructure involved and the partners involved—all of those pieces will dictate what folks can do in terms of environmental benefit."

Yun said those "unconventional partnerships" must include environmental interests early in the discussion.



Alvar Escriva-Bou, a research fellow at the PPIC Water Policy Center

"I don't think ecosystem benefits can be something that you easily tack on when a funding program appears," he said. "It is something you really need to pay attention to."

Having those voices at the table, he explained, would be valuable when land has to come out of production later and decisions must be made about how to manage the fallowed tracts. Yun also noted that one approach to partnerships would not work in every region of the state, and trust would factor in differently depending on the stakeholders.

several roles to alleviate this, from facilitating partnerships to addressing the human right to water, as well as recreational and environmental benefits.

"There's a lot of sensitivity out there to these partnerships," he said, adding that the state can play

During a budget subcommittee hearing last week, Department of Water Resources (DWR) Director Karla Nemeth said the agency is already working on ways to support water transfers.

"DWR is working on really important improvements to the transparency of the water transfer program," she said. **"This year is a dry year, and we're anticipating a very active water transfer market."**

Nemeth added that the department has recently amended SWP contracts to allow for longer-term transfers.

"A huge benefit of that is how it works with some of the water recharging needs, particularly in the Central Valley," she said.

In combating citrus greening and its insect host, California has a leg up

Despite a widespread invasion of Southern California by the host insect for citrus greening, farmers in the San Joaquin Valley have been able to beat back the bug.

Years of research into the pest and proactive efforts by growers and CDFA have paid off, and signs of optimism are beginning to appear, according to researchers. The state has yet to detect citrus greening in commercial orchards.

“The program here in California deserves a gold star,” said UC Davis Plant Pathology Professor Neil McRoberts. **“There's not much we could do to improve the way the program interacts and how it's structured. That's good news for everybody.”**

McRoberts was speaking in a webinar for the Citrus Pest and Disease Prevention Program, a collaboration formed by the Legislature in 2009 to tackle the threat. It is funded by growers and administered by CDFA.



Citrus greening

The disease decimated orchards in Florida, Texas and Brazil before the host insect, the Asian citrus psyllid (ACP), arrived in California.

“All of the investment that the industry is making is having an impact on the epidemic,” said McRoberts.

The program’s grower liaison for Kern County, Judy Zaninovich, said that after the first detections of ACP in 2012, weather conditions were just right for a major blowup in Bakersfield in 2015, which then moved to commercial citrus groves and rural towns the following year. **Immediate responses to detections, including coordinated crop protection treatments of all commercial orchards within 800 meters, were able to bring the numbers down in 2017, leading to a quiet 2018. Just one ACP has been detected in Bakersfield so far this year.**



Neil McRoberts, UC Davis

The pattern now, said Zaninovich, is to continue to have periodic increases. The strategy has been to eradicate those flare-ups as quickly as possible. CDFA has also removed trees and implemented biological controls like parasitic wasps.

California’s Mediterranean climate and topography has also limited movement, said McRoberts, adding that nature plays a role as well. While invasive pests may be successful early on, local parasites and predators eventually figure out how to use them for food, regulating their numbers.

“We're starting to see some indications that the ACP population is coming under regulation across the state,” he said. “We're starting to see it oscillate up and down, rather than just increase everywhere. That's a good sign as well for the long term.”

The epicenter of the outbreak has been in Los Angeles and Orange counties, where the program invests relatively little in trapping since ACP is so endemic.

The researchers have gathered a wealth of information from tracking the spread over the years. The findings have led to more of a focus on the end-of-year flush, compared to the beginning. Populations are also compressed down to smaller sizes over the summer months, allowing for targeted control efforts. **The data have also shown that the treatment radius can be dropped to just 250 meters, which eases the workload by 60%.**

Out of hundreds of thousands of ACP detections over the years, less than 0.5% have had the bacterium. At this point in the Florida pandemic, 70% of the insects carried the bacterium, according to McRoberts. In Texas, as many as half did. He said California's success is likely due to early action with the program and doing "a good job" of eradicating ACP when detected.

Southern California fruit harvests see various pandemic impacts

Picking California's citrus crops typically involves a single worker per tree, a naturally socially-distant practice that has lessened the pandemic's impact on harvests, which occur almost throughout the year.

Greg Kamin of Agua Tibia Ranch in San Diego County says the contractor he works with for temporary employees took on the responsibility of ensuring his crews were in line with California's COVID safety guidelines. **But he adds that because his operation has federal food safety and good agricultural practices certifications, regular hand-washing and other cleaning procedures were already routine.**

During the pandemic, he says, they've been "cleaning everything more often than we normally do." The harvests have progressed without infections. **He said he's not aware of any COVID-19 cases among his contract employees and all of his five staff have stayed healthy.** Kamin says pandemic or not, he typically has a single worker pick fruit from a specific group of trees. But he's also been hiring fewer workers at a time, which is a function both of the pandemic and the market conditions (which, of course, also have been impacted by the pandemic).



"We tend to try to space it out a little bit so that we're not having huge crews in here," Kamin said. For the Valencia orange harvest, he'll hire 10-15 people now, instead of 30 historically, and they will pick the fruit over a longer period. It's similar with avocados, which were hit especially hard in the marketplace when restaurants shut down. Kamin says a year ago, just before the World Health Organization declared the pandemic, he was getting \$1.72/pound for 8-ounce avocados. That dropped to 91 cents at the worst point.

"That was a pretty good-size hit as far as income," he said.

Alan Washburn also saw changes to consumer eating habits impact California fruit. He's on the board of Villa Park Orchards, a cooperative that operates several citrus packing houses.

“(COVID) made the grapefruit business better,” he said. “People started eating good healthy food at home.”

Washburn says the current navel orange harvest is off to a slow start this year, which he attributes to the strong presence of imported citrus. But he says the packing house has all of the coronavirus safety measures established.

“Everybody’s trained and the in-house people are all wearing masks,” he said. Plastic dividers separate workers inside. “We can’t change the packing system, but we can put dividers in.”

Sonia Rios, a subtropical horticulture farm adviser with the University of California Cooperative Extension, says the packing house presents more of a COVID-19 risk than picking the fruit.

“They get cleaned and sorted and that’s where it kind of gets a little big complicated because you’re in an enclosed area,” she said. Washburn’s modifications reflect what she’s seen in other operations as well. “They have had to rejigger things, for sure.”

But she says citrus, avocado and date harvests have gone smoothly throughout the pandemic.

“I haven’t heard of any outbreaks,” she said, “I haven’t heard of any issues.”

Another pandemic impact, Washburn says, was a further tightening of the labor market.

“We still have a big sign up out in front looking for help,” he said. When pandemic-related unemployment benefits were at their peak, he says some would-be workers were not interested. That has since eased some, but labor remains an ongoing issue.

“Labor was a little tougher to get this year,” Kamin said, adding that it wasn’t just because of the pandemic. The hiring challenge “has been increasing over the years.”

Historic \$1.9T stimulus plan targets minority farmers as well as supply chain

Democrats are moving to provide unprecedented amounts of debt relief and other assistance to Black farmers and other minority producers as part of a \$1.9 trillion stimulus package that's being designed to address racial justice as well as the impact of the coronavirus pandemic.

The House Agriculture Committee will vote today on its piece of the package, a \$16.1 billion, 17-page measure that also includes new aid for the food supply chain and rural hospitals as well as domestic and international food assistance. **House Agriculture Chairman David Scott, D-Ga., and Senate Ag Chairwoman Debbie Stabenow, D-Mich., worked together with the Biden administration in developing key provisions, sources say.**

Under the measure, **farmers who qualify as “socially disadvantaged” would be eligible for payments worth 120% of their indebtedness on direct or guaranteed Agriculture Department farm and storage facility loans.** There is no spending cap on the provision.

The draft also earmarks \$1 billion for community-based organizations and Black, Hispanic and Native American colleges and universities that assist minority farmers and forest owners with such needs as loans for land access, financial training and help with heirs' property issues.

President Joe Biden's USDA transition team started working on the provisions in December, according to a source familiar with the issue. **The stimulus package "became the vehicle to make this happen," the source said.**



House Ag Chair David Scott, D-Ga.

In 2017, there were 45,508 Black farmers, 112,451 Hispanic producers and 58,199 producers who were American Indian or Native Alaskan, according to an analysis of USDA data by the Government Accountability Office.

The provisions were included in a stand-alone Senate bill called the Emergency Relief for Farmers of Color Act released on Monday and also were made part of House Ag's draft stimulus package released Tuesday.

Scott, the House committee's first Black chairman, said the bill would "put our Black farmers in a better position after suffering the impacts of this pandemic and the inability to receive equal access to USDA programs over decades."

Stabenow said at a news conference Monday that Democrats would use the stimulus to help "farmers who have been left behind."

The House Ag stimulus measure would provide a substantial infusion of aid — \$4 billion — to the food supply chain. Of that amount, \$3.6 billion would go for purchasing commodities and for helping processors, distributors and producers address pandemic-related needs, including personal protective equipment for workers. An omnibus bill enacted in December provided \$1.5 billion for food supply chain needs.

Another \$100 million out of the \$4 billion is earmarked for small-scale meat, poultry and egg processors to offset the cost of inspector overtime. An additional \$300 million is earmarked for COVID-19 surveillance in animals.

The bill also would:

- Provide \$500 million for a variety of rural health care needs, including vaccine and testing capacity and compensation for lost revenue due to the pandemic.
- Extend through September a 15% increase in Supplemental Nutrition Assistance Program benefits.
- Provide \$800 million to the Food for Peace Program, which funds purchases of U.S. commodities for distribution to needy countries.

The measure will be part of a \$1.9 trillion stimulus package that Democrats are trying to pass under the budget reconciliation process, which would allow the package to pass the Senate with no Republican support.

“It is clear from the House bill that Congress intends to use the reconciliation process to the fullest,” said Eric Deeble, policy director of the National Sustainable Agriculture Coalition.

“The bill also sends a very strong signal to the new Administration to double down on efforts to address racial inequities within the food and farm system.”



Rep. Glenn "GT" Thompson, R-Pa.

But the top Republican on the House Ag Committee, Glenn “GT” Thompson of Pennsylvania, complained ahead of the measure’s release that GOP members of the panel hadn’t been consulted.

The package was “drafted behind closed doors, placing secrecy over solutions. The package is neither timely, nor targeted, and will fall devastatingly short of delivering direct relief for the agriculture industry and farm families,” he said.

The House Education and Labor Committee on Tuesday separately debated some additional child nutrition assistance in its portion of the overall stimulus package. **The committee's measure would increase fruit and vegetable benefits under the Women, Infants and Children nutrition program from \$9 for children and \$11 for women per month to \$35 per month for women and children during a four-month period.**

The committee's measure also would extend through the end of the COVID-19 crisis the Pandemic EBT program that provides meal funding to families whose children ordinarily get free or reduced-priced meals at schools.

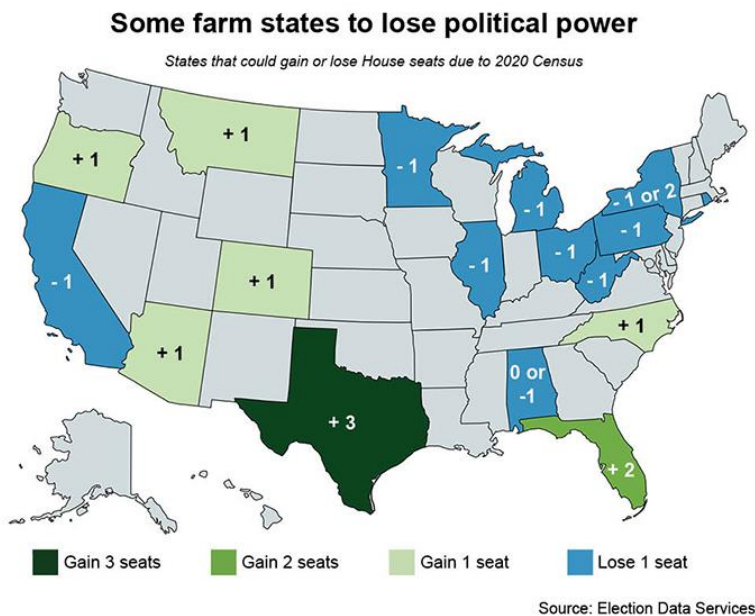
Farm states brace for loss of clout as House redistricting nears

Major farm states are likely to lose more influence in the U.S. House because of population shifts that are expected to result in lost seats across the Midwest as well as in Pennsylvania and New York.

The results of the 2020 Census are not expected to be released before March, but analysts expect the states losing seats to include Illinois, Ohio, Michigan and Minnesota. California also could lose at least one House seat.

"As we continue to lose members of Congress from rural America, I worry about the long-term effect it will have on agriculture," Rep. Darrin LaHood, R-Ill., told *Agri-Pulse*.

State legislatures, and in some cases independent commissions, are responsible for drawing new districts based on the Census results. In most cases, the lost districts are likely to come out of rural areas.



A reapportionment study conducted by Election Data Services — a political consulting firm — using Census Bureau estimates found Texas will likely gain three congressional seats, Florida will gain two seats, and Arizona, Colorado, Montana, North Carolina and Oregon would each add a single seat. Montana could gain a seat, but by only 4,714 people, according to the Election Data Services estimate.

Several farm states — California, Illinois, Ohio, North Carolina and Minnesota — along with Michigan, Pennsylvania, Rhode Island and West Virginia are likely to lose a seat. Under certain scenarios, it's possible Alabama could lose one seat and New York could lose as many as two. **The challenge to rural political influence is that most population growth continues to be in the cities and suburbs, and new districts must be drawn to reflect that.**

Lawmakers who are drawing new districts can "manipulate things a little bit on the margins" to help rural areas, but in the end it "all comes down to where people live," said Christopher Mooney, a professor of state politics at the University of Illinois at Chicago. **"If nobody's living there, you're not going to have political power."**

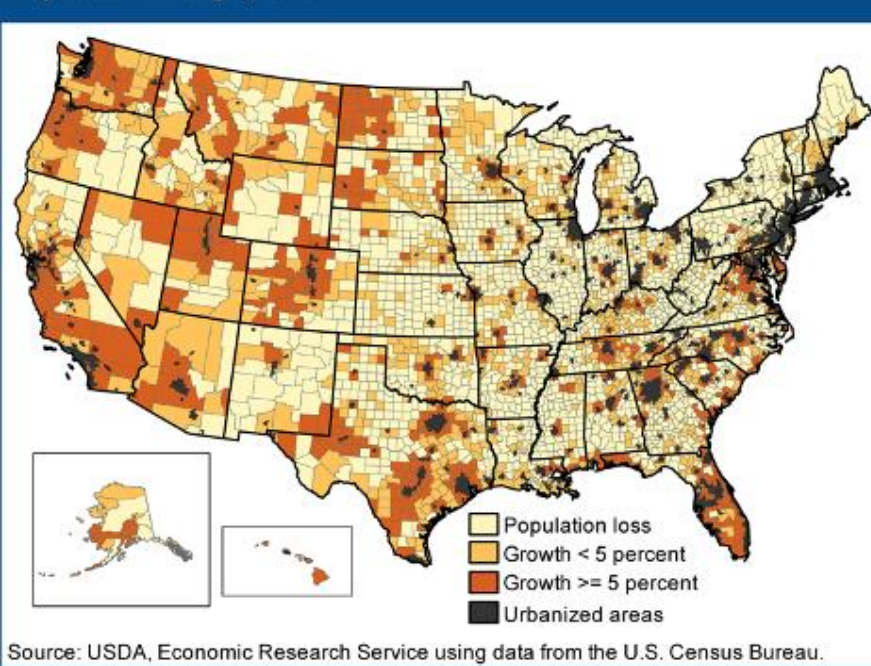
According to USDA's Economic Research Service, 46.1 million people lived in rural counties in July of 2016. Between 2006 and that year, annual rates of population change fell from 0.7% to below zero, before slightly increasing by 0.1% between 2016 and 2017.

In contrast, urban population rates in the United States only fell by 1 to 0.8% percent between 2006 and 2016.

Historically, the parties in control of state governments have had the opportunity to gerrymander, or manipulate, district boundaries to favor their party. However, this has been a controversial practice and has prompted states like Colorado, Michigan and Utah to create independent redistricting commissions that have the task of deciding how boundaries should be drawn.

Illinois, which currently has 18 congressional districts, is one of the states that has seen a population decline in recent years. According to population estimates from the Census Bureau,

Population change, 2010-17



the state lost 79,487 residents between July 2019 and July 2020. The state was ranked No. 6 by the Economic Research Service in 2019 in agricultural production.

Rep. Rodney Davis, a Republican who represents Illinois's 13th District, which spans both urban and rural areas across 14 counties in the central and southwestern parts of the state, told *Agri-Pulse* he worries the state's Democratic-controlled legislature will take the seat from one of Illinois's

rural districts, most of which are GOP held.

“Our congressional districts are drawn by the Democrats in Springfield and Gov. (J.B.) Pritzker has to approve that map,” Davis said. **“He has said in the past that he wants to see a fair map drawn. I think our rural constituents need to make sure that their voices are heard so that he sticks by that pledge.”**

LaHood, who represents the 18th District in central Illinois, shares the same concern. He believes the seat will be taken from downstate Illinois, which is largely rural.

Minnesota has been on the edge of losing a seat for decades, keeping it by only about 8,000 people in the last census. According to State Demographer Susan Brower, Minnesota hasn't seen much population loss — even in the rural areas. The state's just been outpaced in recent years by states like Florida and Texas.

“The picture is much more one of stability, that there aren't huge population losses in many of our rural areas,” Brower said. “It's just that the population gains are concentrated in the metro areas.”

Steven Schier, a former professor of political science at Carleton College in Northfield, Ill., told *Agri-Pulse* that because Minnesota's legislative power is split between both parties, the Minnesota State Supreme Court will likely end up with the responsibility of redrawing the district boundaries.

“We are the only state legislature in the country with divided control: Republicans in the Senate and Democrats in the House,” Schier said. **“So they're not going to agree on a law, on a redistricting plan. It will go to the state courts and they will draw it.”**

Schier believes that because of this, it is likely the state's remaining, largely rural House districts will be redrawn to cut deeper into the districts surrounding Minneapolis and St. Paul to capture some of that region's population. First-term GOP Rep. Michelle Fischbach, who defeated long-time Democrat Collin Peterson in the 7th district last year, could be one of the most vulnerable members.



Minnesota's current congressional districts

“They will be redrawn in a way to draw on some of that population,” Schier said. “That’s going to make all of those districts less rural in their voting profile than they were before.”

Schier also noted that larger districts require their representatives to cover more ground.

“You can expect that these rural districts are going to cover even more counties and more geographical areas,” he said. “That requires a lot of traveling on rural roads and in small planes.”

California, which currently has 55 districts, is expected to lose a seat for the first time in the state's history.

“The state of California, since it became a state in 1849, has always gained congressional seats,” said Kimball Brace, president of Election Data Services. **“This time, what we’re seeing in the data is a strong probability that they, in the first time in their state history, will lose a congressional seat.”**

Mike Zimmerman, political affairs manager for the California Farm Bureau Federation, said he is not sure which of California’s districts will go, and he likely won’t have any idea until the Census results are released. **He said the California Farm Bureau is preparing to keep agriculture in the redistricting discussions.**

“We’ve been talking with our members and our leadership over the last two years now, preparing for this and making sure that when the commission does hold public hearings and when they release initial lines, agriculture has a voice in making sure that we’re represented,” Zimmerman said. “The way that we’re represented in that process is by talking about communities of interests and why agriculture districts should remain whole districts.”

Based on the latest projections, Texas will likely gain three seats, giving it 39. The state grew from about 25 million people in 2010 to over 28 million in 2019, according to the Texas Demographic Center.

The impact these districts will have on rural areas depends on where they will be added, said Laramie Adams, the national legislative director for the Texas Farm Bureau.

“As you see the populations grow, and as these districts change, I think we’re going to have to be working to engage people that have an appreciation for agriculture,” Adams said. “It’s going to change the dynamics of elections and who the constituents are.”

Billy Howe, the associate director of government affairs at the Texas Farm Bureau, believes new districts could be added in the Houston area, along the I-35 corridor between Dallas and San Antonio, and in the Rio Grande Valley. Those are regions that have seen the highest levels of population growth in recent years.

“Unlike some of the other states, from an ag [and] rural standpoint, we are fortunate enough that the growth in our state has caused us to gain seats each redistricting, and that has helped to mitigate a little bit of the loss of ag [and] rural representation,” he said.

Phase one deal yields little so far in China biotech approvals

There were high hopes after the "phase one" agreement was implemented last February that China would finally overhaul its opaque and sluggish approval process for new agricultural biotech traits, **but that optimism has mostly turned to disappointment a year later, according to current and former government officials as well as industry representatives.**

“They haven’t made much of a change,” said one U.S. government official, who asked not to be named because of the sensitivity of the issue and the fact that U.S. and Chinese talks are still technically ongoing.

Low-level technical talks between the two countries continue, but it has been months since higher-level officials addressed significant implementation of China’s biotech approval reforms, sources say.

The lack of progress is especially hurtful after the unveiling last year of the Economic and Trade Agreement Between the Government of the United States of America and the Government of the People’s Republic of China, known more commonly as the “phase one” deal. The deal promised that “China shall implement a transparent, predictable, efficient, science- and risk-based regulatory process for safety evaluation and authorization of products of agricultural biotechnology.”

Rosalind Leeck, a director for the U.S. Soybean Export Council who specializes in foreign market access, said the provisions in the “phase one” deal on China’s biotechnology approval inspired hope, but questions remained over whether the aspirations were actually achievable.

The U.S. had been unsuccessfully negotiating with China for years to persuade the country to overhaul its biotech approval process.

“We had long been wanting to have those core tenets of a science-based, transparent and timely regulatory system,” Leeck told *Agri-Pulse*. “There hasn’t been as much progress as we would have liked to have seen.”

U.S. sources say China has made some headway in its promises under “phase one,” and that includes the country lengthening the time that an approval stands before it has to be renewed by the country’s National Biosafety Committee. Approvals used to be good for just three years before they needed to go through the renewal process, but that has been extended to five years.



Rosalind Leeck, USSEC

That development offers some cause for optimism, says Leeck.

“That’s important, but there’s a lot more to be done,” she said. “We aren’t satisfied with the outcome so far.”

And that’s because U.S. companies usually will not commercialize new ag traits without first getting Chinese approval. **Once a trait is introduced in U.S. fields, it can end up inadvertently in supplies shipped to China,** risking the potential for massive rejections of U.S. shipments and legal trouble akin to the issues surrounding the Syngenta Viptera corn seed trait.

Trying to segregate crops unapproved by China or the European Union is seen as very risky and harmful to the efficiency of American farming and transportation systems, Leeck said.

But it appeared that China was really willing to make significant changes to speed up its approval process after “phase one” was implemented in February 2020. **One of the biggest provisions stated China would not “request information unnecessary for assessing the safety of a product for its intended use.”**

In other words, China promised not to treat approval applications for imported feed commodities like corn and soybeans the same as it treats applications to plant commodities with new traits.

That has not happened, and it’s unclear if it ever will, say some U.S. industry officials with knowledge of the status of talks between the U.S. and China. The officials asked not to be named.

Companies that want their biotech seeds to be planted in China must wait for lengthy in-country environmental trials to be conducted, but so do companies that just want to sell corn and soybeans to Chinese buyers — corn and soybeans that will be crushed and won’t be viable to grow crops.

“Often cultivation and importation get conflated,” said Leeck. **“The soy is being imported for processing not cultivation, so the regulatory requirements should be appropriate for the intended use.”**

One U.S. industry official, talking about the environmental trial requirements in China, said: “Why would we do that if we’re never going to plant seed? What we’ve been trying to do through these negotiations (with China) is remove the requirements. ... The key issue is finding ways to move from this multi-year black hole that these approvals go into.”

Getting China to do away with approval requirements that the U.S. does not believe apply to imported ag commodities will be key to getting the Chinese process to take no longer than two years — a goal commonly equated with the “phase one” deal.

But China is still not willing to commit to concrete actions, say U.S. and government officials. **“China has not articulated how they intend to meet the commitment of approvals within two years, and that is the key issue,” one industry source said.**

But the “phase one” deal left a loophole for the Chinese, says a U.S. government official. The text of the pact does not actually say that China will not take more than two years to approve new traits, but that the country will reduce the “average amount of time” for an approval to “no more than 24 months.”

That word “average” is key because the Chinese believe it means some approvals could take much longer than two years. Furthermore, Chinese negotiators have expressed concerns about imported biotech commodities somehow inadvertently making their way into domestic farm production before they are processed.

But the U.S. farm and biotech sectors are still hoping for success.

“For the future of food security and sustainability around the world, we need to have these regulatory systems that are functioning in a more predictable, transparent and timely way,” said Leeck. **“We try to remain optimistic. There’s still progress to be made. We’ll continue to support our industry partners anyway we can because it’s important ... to bring these products to market.”**

'Forever chemicals' get agriculture's attention

The ag industry is paying more attention to a group of highly persistent chemicals known as PFAS, short for per- and polyfluoroalkyl substances, which have been found in drinking water and groundwater throughout the United States.

The group of more than 9,000 compounds are known as “forever chemicals” because of their long half-lives and ability to remain in soil, water and tissue without breaking down. “One of the reasons why scientists are highly concerned about this class of chemicals is there are thousands of them,” says Natural Resources Defense Council scientist Anna Reade. **“They don't go away once we produce them. And they're very hard to contain, once they're used.”**

“Eventually, throughout their lifecycle, they will contaminate our environment and our food supply and eventually us,” she said.

Testing by the Food and Drug Administration has so far not identified human health risks in the food supply, although FDA is expanding testing.

“Research has shown that PFAS contamination in the environment where food is grown or produced does not necessarily mean the food will contain detectable levels of



Anna Reade, NRDC

PFAS,” the agency said in a question-and-answer document posted online in October. “This is because the amount of PFAS taken up by foods depends on many factors, including the specific type of PFAS and type of food.”

However, high levels of PFAS have shut down three dairies in Maine and New Mexico and forced another dairy in New Mexico to filter the water it uses. The dairy industry is keeping a close eye on the issue and looking to the federal government for direction in the areas of testing and standards.

Clay Detlefsen, senior vice president of regulatory and environmental affairs and staff counsel at the National Milk Producers Federation, says he’s not “alarmed” by reports about the chemicals, but is “a bit apprehensive.”

“I have to keep on telling myself this is really a drinking water issue,” Detlefsen said. “And there's literally thousands of water sources in the United States that are contaminated with PFAS that need to be dealt with. It will spill over into the food supply in some cases, but primarily, this is a drinking water issue that we've got to fix in this country.”

“There's a lot of research going on, which is trying to pin things down a bit better,” he said. “What's the uptake in an animal if it's drinking the water? Where does it go? How long does it take to clear an animal? If the source of the contamination is through crops, what crops take it up? We’ve got way more questions than answers.”

Joseph Scimeca, senior vice president for regulatory & scientific affairs at the International Dairy Foods Association, told *Agri-Pulse* in a written statement IDFA is monitoring the situation but does not have a formal set of PFAS legislative or regulatory priorities. “That’s because to date, all retail sampling of milk or milk products has found that they have no or very low detectable levels of PFAS,” he said.

“We share FDA’s position that there are no health or safety concerns for retail dairy foods and we encourage regulators and lawmakers to focus on the real issue — which is non-food related sources of PFAS in our environment,” Scimeca said. **“We should not allow the burden of this issue to be unfairly shifted onto the backs of farmers or food producers.”**

“I think everybody's willing to admit, yes, we need to address this,” said Adam Brock, director of food safety and quality and regulatory compliance for Dairy Farmers of Wisconsin, the checkoff-funded marketing and promotion arm for the state’s dairy operations. **“My fear is, I don't want these farms and farmers to go out of business.”**

“It’s not just dairy,” he added. “We're talking carpet manufacturing, rugs, mining operations — everybody's got it.” Brock is pushing for collaborative, public-private partnerships that can come up with ways to remediate the chemicals, which are fiercely resistant to breakdown, even at high heat.

EPA says certain PFAS chemicals are no longer manufactured in the U.S., including the two that have been “most extensively produced and studied,” PFOA and PFOS. However, PFAS are imported and can be found in food packaging, commercial household products including stain- and water-repellent fabrics and nonstick products such as Teflon, production facilities, and “living organisms, including fish, animals and humans, where PFAS have the ability to build up and persist over time,” EPA says.

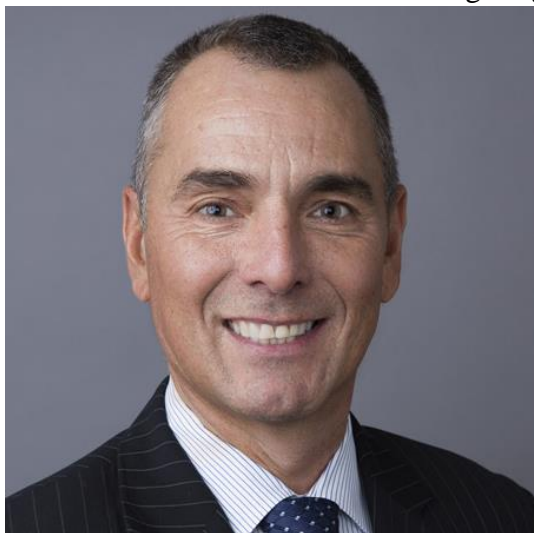
Concerns revolve around the effects on human health. “There is evidence that exposure to PFAS can lead to adverse health outcomes in humans,” EPA says. “Studies indicate that PFOA and PFOS can cause reproductive and developmental, liver and kidney, and immunological effects in laboratory animals.”

The Biden administration is expected to designate PFAS as a hazardous substance, meaning it would be regulated under the Superfund law, and set limits for the substances in drinking water, according to then-candidate Joe Biden’s [environmental justice plan](#). Citing data collected by the Environmental Working Group, Biden’s plan says, “it is estimated that up to 110 million American’s drinking water could be contaminated with PFAS.”

“I don’t want to say I’m on the alarmist side,” Brock says. “But I don’t want to see it devastate farmers, because it’s not something they had control over. They weren’t producing it.”

"You could potentially have farms be declared Superfund sites," Detlefsen said. "That just opens an awful can of worms."

Two well-identified sources are firefighting foam and sewage sludge, or biosolids, which can be spread on farmers’ fields as fertilizer. The PFAS contamination that caused a New Mexico dairy farm to go out of business has been linked to the use of firefighting foam at Cannon Air Force Base in Curry County, and litigation led by New Mexico is proceeding against the Defense Department.



Clay Detlefsen, NMPPF

“The dangerous levels of PFAS detected at Cannon and Holloman [air force bases] are shocking and found to be migrating into offsite public and private wells that provide drinking water and livestock and irrigation water to the surrounding communities,” the state said in a recent court filing that seeks to have the case remanded from South Carolina, where multi-district litigation is proceeding, to New Mexico.

And in Maine, the source of PFAS on two dairy farms that were forced out of business was sewage sludge applied to fields. **At least one of the farmers, Fred Stone, is pursuing legal action, said Patrick MacRoy, deputy director of Defend Our Health in Maine.**

He said state testing showed 90% of biosolids tested by sewer districts failed a screening test for PFAS. A study that looked at the issue nationally estimated “significant loading [of PFAS] to U.S. soils [that] further increases concern about groundwater and surface water contamination.” That study found 10 of 13 PFAS compounds, including PFOA and PFOS, were consistently detected in all biosolids samples.

Maine has identified farms where suspect sludge was applied but has yet to test them for PFAS, MacRoy said.

“Folks like Fred Stone were told that they're basically doing a civic service by using the sludge,” MacRoy said. “It’s both providing a benefit to them and it's helping sewer districts deal with the waste in an affordable and responsible way. They were assured it was safe, it was tested, and all was good. And then 20 years later, what do you know, it was problematic, and you've lost your livelihood, sorry.”

MacRoy says the chemical industry that manufactured the compounds should have to compensate farmers such as Stone.

With the lack of an overall solution, MacRoy and Detlefsen both advise farmers not to apply biosolids to their fields. NRDC’s Reade agrees, saying “we should be avoiding applying highly contaminated biosolids to agricultural fields that are going to contaminate that land for an indefinite period of time.”

Farmers need to not just be aware of the problem, but be proactive in addressing it, say legal experts who have studied the issue. ‘You're starting to see all the warning signs that this is going to be a problem for ag producers,’ says Ally Cunningham, an attorney at Lathrop GPM in Kansas City, Mo., who works on environmental litigation.

“We haven't seen litigation on the ag side yet,” she said, but warns, “I think it's probably coming,” as federal agencies step up efforts on testing standards and regulatory limits for PFAS “and people just generally become more familiar with PFAS.”

Another Lathrop GPM attorney, Alexandra Roje, says once EPA designates PFAS as a hazardous substance, “now, you're looking at not just direct action by individual plaintiffs, you're looking at the government coming in and forcing you” to clean it up. “It’s going to get regulated. And that can mean you might get sued by the government.”

She advises farmers to obtain pollution liability coverage but also look for any policies they may predate the insurance industry’s decision in the mid-1980s to begin excluding pollution from general liability coverage.

“If you have to clean up PFAS, if PFAS is regulated to a certain level, you're going to be forced to incur substantial defense costs and substantial [cleanup] costs,” Roje said. “Without insurance, it can really take out a small to mid-sized business.”

News Briefs:

Decision to scrap California bumble bee protections appealed. Environmental groups and the Stanford Law Clinic are appealing a California state court decision that found the California Fish and Game Commission does not have the authority to list four bumble bee species as candidate species under the state’s Endangered Species Act, or CESA. The commission also is appealing the decision, which said the word “invertebrates” as used in the California Fish and Game Code “clearly denotes invertebrates connected to a marine habitat, not insects such as bumble bees.” “We believe an appeal is warranted as the lower court discounted key provisions of the Fish and Game Code, CESA's legislative history, and the case law, which together show that CESA protects insects,” said Matthew Sanders of the Stanford Environmental Law Clinic, and lead counsel in the case. The decision came in response to a lawsuit brought by the Almond Alliance, California Association of Pest Control Advisers, California Citrus Mutual, California Cotton Ginners and Growers Association, California Farm Bureau Federation,

Western Agricultural Processors Association, and Western Growers Association. The California Fish and Game Commission has also appealed the court's ruling. The commission voted to begin the listing process in 2019 in response to a petition filed by the Center for Food Safety, Defenders of Wildlife, and the Xerces Society to list four native bumble bee species — western bumble bee, Franklin's bumble bee, Crotch's bumble bee, and the Suckley cuckoo bumble bee.

EPA reopens comment period on chlorpyrifos interim decision. The Environmental Protection Agency has extended until March 7 the comment period on its proposed interim registration decision and risk assessments for chlorpyrifos, an insecticide that environmental and farmworker groups have been trying to ban for more than a decade. In December, EPA issued its interim decision, which would allow continued use of the product so long as certain conditions are met. The agency proposed label amendments that would limit applications “to address potential drinking water risks of concern,” and added requirements for the use of personal protective equipment and spray drift mitigation. EPA had proposed revoking food tolerances for the chemical during the Obama administration, but one of former EPA administrator Scott Pruitt's first decisions was to reverse course on that. Since then, former registrant Corteva Agriscience announced it would stop manufacturing the chemical, which it did at the end of 2020. That doesn't mean it can't still be used, however, and in comments filed so far, farm groups such as the Florida Fruit and Vegetable Association supported its continued use while criticizing epidemiological studies used by EPA to determine the chemical's risks. The Northwest Center for Alternatives to Pesticides, however, said proposed PPE requirements and engineering controls — double layers of clothing, long-sleeves, long pants, and respirators — “may lead to heat and respiratory stress during much of the growing season in many parts of the country where chlorpyrifos is applied.” California banned virtually all uses of the insecticide by the end of 2020. Other states also have approved bans that have yet to go into effect, including Hawaii and New York.

United Fresh seeking compensation info. The United Fresh Produce Association has launched its latest survey of compensation information for the fresh produce industry. The group says the data will be “published in an expansive research report that will assist produce industry employers in understanding critical compensation benchmarks.” Mike McGee, the United Fresh finance and business management council chair, said “it's crucial for our industry to have reliable data and benchmarks to inform our decisions” and noted “broad industry participation in this year's survey will lead to a robust report.” As always, the survey is set to collect data on the compensation and benefits produce companies offer to more than 30 full-time positions in the areas of: sales and marketing; production and operations; quality control and assurance; administration; finance and accounting; and executives. The survey is open to any U.S. or Canadian-based produce employer, including grower-shippers, brokers, wholesaler-distributors, importers, exporters, and fresh-cut processors. New to the report this year is questions focused on two new positions related to sustainability as well as questions about how companies have changed their salary and benefit practices due to COVID-19. The survey, which is administered every two years, will inform a report expected to be published in June.

Farm Hands West: Grimmway Farms hires Morrelli

Grimmway Farms has brought on **Keri Morrelli** as the new product innovation and development director. Morrelli has spent the last 15 years at Curation Foods where she most recently was a senior product developer.



Keri Morrelli

The Produce for Better Health Foundation has selected **Matt Middleton** as its new chairman of the board. Middleton serves as the vice president of retail sales for Ventura Foods. **Bil Goldfield**, Dole Food Co., will serve as immediate past chairman; **CarrieAnn Arias**, Naturipe Farms, as vice chairman of the board; and **Desiree Olivero**, Wakefern Food Corp., as secretary and treasurer.

The Yolo Land Trust has elected **Neal Van Alfen** as president for 2021. **Mary-Ann Warmerdam** was elected vice president, **Kathy Ward** was elected secretary, and **Chuck Moore** as treasurer. The Land Trust works to protect Yolo County land from development by putting it into a trust to either preserve it or use it solely for farming.

Revol Greens has tapped **Michael Wainscott** to the newly-created role of chief financial officer. Wainscott previously worked as the CFO for Benson Hill Inc. He also was the CFO and co-founder of Technology Crops International, and CFO at Kings Inc.

Floyd Charles “Chuck” Olsen died Dec. 30 in Visalia, Calif., after suffering from health problems related to back pain. He was 77. In 1987, Olsen founded the Chuck Olsen Co., later spending the majority of his career in the produce and agriculture trade industry. He graduated with a degree in viticulture from Fresno State, and took his first job as a grower representative with Ernest and Julio Gallo. Known for his integrity, Olsen promoted his orchard’s produce building a loyal customer base both domestically and internationally.

The Department of Agriculture has announced more key staff appointments. **Anne Knapke** was named deputy assistant secretary for congressional relations. She most recently worked as a senior program officer at the Bill and Melinda Gates Foundation, focused on nutrition issues. Before that, Knapke was legislative director for Sen. Amy Klobuchar, D-Minn.

Liz Archuleta is now the director in USDA's Office of Intergovernmental Affairs. Archuleta previously served as a county supervisor for Coconino County, Arizona. She has also served as president of the County Supervisors Association and as chairwoman of the National Association of Counties' Public Lands Steering Committee. **Jasmine Dickerson** has been named legislative director in the Office of Congressional Relations. Dickerson most recently worked as staff director for the House Ag Subcommittee for Nutrition, Oversight, and Departmental Operations. **Jamal Habibi** was named chief of staff for the Rural Housing Service. Before joining USDA, Habibi was a senior associate at the Opportunity Finance Network. **Brandon Chaderton** is now the deputy White House liaison in the Office of the Secretary. He most recently served as director of human resources for the 2021 Presidential Inaugural Committee.

The Office of the U.S. Trade Representative also has announced staff appointments. Serving as the assistant trade representative for intergovernmental affairs is **Sirat Attapit**, who most recently served as director of legislative affairs for California Attorney General **Xavier Becerra**. **Jan Beukelman** has been hired as the assistant trade representative for congressional affairs. She previously served as Sen. Tom Carper's, D-Del., legislative director.

Máira Ferranti Corrêa will be USTR's new digital media director in the office of media and public affairs. She previously worked on the Biden-Harris campaign overseeing the production of campaign videos. **Adam Hodge** has been hired as the new assistant trade representative for media and public affairs. Hodge served in the Obama-Biden administration as deputy assistant secretary for public affairs at the Treasury Department, and most recently was senior vice president for external affairs at Ariel Investments. **Ethan Holmes** was brought on to be the special assistant to the USTR. He most recently served as Rep. **Ron Kind's**, D-Wis., economic policy adviser. **Ginna Lance** has been tapped to be deputy chief of staff. She previously served as the associate operations manager for the Overdeck Family Foundation. She also worked in the Obama-Biden administration in the office of the vice president. **Greta Peisch** has been hired as general counsel. She has served as senior international trade counsel on the Senate Finance Committee and has served in the USTR Office of the General Counsel as chief counsel for negotiations.

Brad Setser will be the counselor to the USTR, helping provide advice on trade and economic policy issues. He most recently served as a senior fellow for international economics at the Council on Foreign Relations. **Shantanu Tata** has been tapped to be the executive secretary and adviser to the USTR. Tata previously worked as a senior policy adviser to Rep. **Suzan DelBene**, D-Wash. **Jamila Thompson** has been hired as a senior adviser. Thompson previously served as the chief of staff for the late Rep. John Lewis, D-Ga. **Nora Todd** is now the office's chief of staff. Before coming to USTR, Todd was chief economic adviser for Sen. **Sherrod Brown**, D-Ohio. **Mark Wu** has been brought on as a senior adviser. Wu previously served as a professor and vice dean of the graduate program and international legal studies at Harvard Law School.

Aimpoint Research will add **Gregg Doud** to its team as vice president of global situational awareness and chief economist. The Kansas native most recently served as chief ag negotiator in the Office of the U.S. Trade Representative.

House Ag Committee Chairman **David Scott, D-Ga.**, and Ranking Member **Glenn "GT" Thompson, R-Pa.**, have announced the members *Gregg Doud*



who will lead the committee's six subcommittees. Chairing the Subcommittee on Livestock and Foreign Agriculture will be Rep. **Jim Costa**, D-Calif.; the ranking member will be Rep. **Dusty Johnson**, R-S.D. Rep. **Abigail Spanberger**, D-Va., will chair the Subcommittee on Conservation and Forestry and the ranking member will be Rep. **Doug LaMalfa**, R-Calif. Rep. **Jahana Hayes**, D-Conn., will chair the Subcommittee on Nutrition, Oversight and Department Operations, and the ranking member will

be Rep. **Don Bacon**, R-Neb. Rep. **Antonio Delgado**, D-N.Y., will chair the Subcommittee on Commodity Exchanges, Energy, and Credit, and the ranking member will be Rep. **Michelle Fischbach**, R-Minn. Chairing the Subcommittee on General Farm Commodities and Risk Management will be Rep. **Cheri Bustos**, D-Ill., and the ranking member will be Rep. **Austin Scott**, R-Ga. Finally, Del. **Stacey Plaskett** of the Virgin Islands will chair the Subcommittee on Biotechnology, Horticulture, and Research, and the ranking member will be Rep. **Jim Baird**, R-Ind.

Taylor McCarty is now the communications director for the minority staff of the House Ag Committee. She will also remain as Rep. **GT Thompson**'s, R-Pa., communications director for his personal office.

Patrick Delaney has moved over to the Senate Ag Committee as the new director of external affairs. Delaney served on the minority and majority staffs of the House Agriculture Committee under former Chairman Collin Peterson since 2018. Before that, he worked for 10 years in policy communications for the United Fresh Produce Association and the American Soybean Association.

President **Joe Biden** added staff members to the White House Council on Environmental Quality. **Sara Gonzalez-Rothi** has been tapped as the new senior director for water. Gonzalez-Rothi served as senior counsel on the Senate Committee on Commerce, Science, and Transportation, helping lead legislation and oversight relating to ocean, fisheries, weather, climate, clean energy. **Jayni Hein** has been brought on as the new senior director for NEPA and counsel. Hein is an adjunct professor of law at NYU School of Law and is the natural resources director at the Institute for Policy Integrity. **Matt Lee-Ashley** will be the senior director for lands and interim chief of staff. He previously served as a senior fellow at the Center for American Progress. **Andrew Mayock** is now the federal chief sustainability officer. Mayock most recently served as a senior adviser on the Biden-Harris transition team. **Justin Pidot** has been hired as general counsel. Pidot is a professor of law and the co-director of the Environmental Law Program at the University of Arizona James E. Rogers College of Law.



Mike Michener

Mike Michener now serves as the deputy assistant administrator for the Bureau of Resilience and Food Security at USAID. He previously served as the vice president of product policy innovation at the United States Council for International Business.

Former USDA Risk Management Agency Administrator **Martin Barbre** has joined the executive team of MyAgData as chief executive officer. MyAgData founder and current CEO, Deb Casurella, will assume the role of chief operating officer. Barbre was appointed administrator of the RMA in 2018 and before that, served as the president of the National Corn Growers Association. Barbre will officially take on his role with MyAgData on March 1.

Patrick Delaney has moved over to the Senate Ag Committee as the new director of external affairs. Delaney served on the minority and majority staffs of the House Agriculture Committee under former Chairman Collin Peterson since 2018. Before that, he worked for 10 years in policy

communications for the United Fresh Produce Association and the American Soybean Association.

Alejandra Nunez and **Tomás Carbonell** have joined the Environmental Protection Agency in the Office of Air and Radiation. Nunez will be the deputy assistant administrator for mobile sources and Carbonell was named deputy assistant administrator for stationary sources. Nunez previously worked for Sierra Club as a senior attorney and Carbonell was at the Environmental Defense Fund as senior director and director for regulatory policy.

Alex Dunn has joined Baker Botts' environmental, safety, and incident response section of the litigation department. Dunn previously worked in the Trump administration at the Environmental Protection Agency as the assistant administrator for the office of chemical safety and pollution prevention.

Sarah Matthews moved back to Capitol Hill as the Republican communications director for the House Select Committee on the Climate Crisis under Rep. **Garret Graves**, R-La. Matthews previously worked for the Trump Administration in the White House office of communications as deputy press secretary.

Rachel Levitan is now the communications director for the Senate Environment and Public Works Committee under Sen. **Tom Carper**, D-Del. She previously served as the deputy communications director for the House Foreign Affairs Committee.

The National Biodiesel Board selected **Liz McCune** as the new director of communications. McCune previously worked at the University of Missouri, where she served as associate director of media relations.

The National Cattlemen's Beef Association has tapped Kansas cattle producer **Jerry Bohn** as its new president. Bohn is a retired lieutenant colonel in the U.S. Army Reserve and has been a part of the cattle industry his entire life. He has also served 34 years as the manager of Pratt Feeders, a commercial cattle feeding operation in Kansas. **Don Schiefelbein** of Minnesota was named president-elect, and **Todd Wilkinson** of South Dakota was elected vice president.



Jerry Bohn

The International Dairy Foods Association has announced the new members of the organization's executive council and the new directors of the industry segment boards. **David Ahlem**, CEO and president of Hilmar Cheese Company, is the new chair of the executive council. **Patricia Stroup**, senior vice president and chief procurement officer at Nestle S.A., will be vice chair; **Stan Ryan**, president and CEO of Darigold, will be secretary; **David Nelsen**, group vice president of manufacturing at Albertsons Companies, will be the new treasurer; and

Dan Zagzebski, president and CEO of the Great Lakes Cheese Co., will be the immediate past chair. To view the rest of the appointments, click [here](#).

Dairy Management Inc. (DMI), National Dairy Promotion and Research Board (NDB) and the United Dairy Industry Association (UDIA) have announced the newly elected board officers. Elected to the DMI Board are **Steve Maddox**, Calif., as vice chair; **Skip Hardi**, N.Y., as secretary; and **Deb Vander Koi**, Minn., as treasurer. NDB elected **Alex Peterson**, Mo., as chair; **Connie Seefeldt**, Wis., as vice chair; **Arlene Vander Eyk**, Calif., as secretary; and **Jennifer Heitzel**, Pa., as treasurer. UDIA officers elected were: **Neil Hoff**, Texas, as chair; first vice chair is **Allen Merrill** of S.D.; second vice chair of the American Dairy Association is **Tom Woods**, Okla.; second vice chair of the National Dairy Council is **Audrey Donahoe**, N.Y.; second vice chair of UDIA member relations is **Rick Podtburg**, Colo.; secretary is **Charles Krause**, Minn.; and treasurer is **John Brubaker**, Idaho.

The National Cotton Council has re-elected **Mark McKean** of Riverdale, Calif., as chairman of the American Cotton Producers of the NCC for 2021. He was formerly an ACP vice chairman and also currently serves as a NCC director.

Best regards,

Sara Wyant
Editor

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