

State looks to Flood-MAR as the next hope for the Central Valley

As funding lags for water infrastructure needs and farmers shoulder heavier regulatory burdens, the state is looking to strategic flooding as a solution for everyone.

Curious what this means for water storage, farmers are increasingly coming to the table. This week, several of them showed up for a two-day public workshop for a program known as Flood-MAR (“managed aquifer recharge”). The state hosted the forum to brainstorm strategies for advancing Flood-MAR to a point where the administration can set policy actions and revive flooding practices to some areas of agriculture.



Modesto orchard flooded for recharge.

“In some ways, these innovations are going back to the future,” said CDFG Secretary Karen Ross, in a speech at the forum. “But we have technology and data today to use those kinds of measures in a more precise way.”

Farmers are often the first to point out the irony of flooding as a solution. Mike Wade, executive director of the California Farm Water Coalition, explained in an *Agri-Pulse* interview that a century ago the state faced a similar problem as today with groundwater overdraft and farmland going out of production. This spurred construction of the federal and state water projects. Farmers later experienced surface water cutbacks following the 2008 and 2009 delta smelt and salmon biological opinions. Groundwater pumping then accelerated during the recent drought, as farmers transitioned away from flood irrigation.

Now flooding has returned as viable approach that benefits the environment, farmers and drinking water. Flood-MAR also fits Gov. Gavin Newsom’s support for locally sourced projects, which will be the centerpiece of his much-anticipated Water Resilience Portfolio. Wade explained that water districts are already working to improve stormwater capture and recharge.

Last year, the Department of Water Resources initiated the Flood-MAR program, hosting the first public workshop and producing a white paper on its findings. The California State Board of

Food and Agriculture endorsed the plan. This month, DWR prepared a new research and data development plan based on subcommittee recommendations for advancing the program. That group included dozens of water agencies, conservation groups, research institutions, farmers and commodity groups. The Almond Board was one. It funded a two-year UC Davis study that last year revealed trees “seemed to be pretty well-adapted to these types of conditions,” said the paper’s author, Professor Helen Dahlke. As an added benefit, flooding flushed harmful salts and nitrates from the soil.



CDFA Sec. Karen Ross speaking at the Flood-MAR Forum

Groundwater banking is also one answer to funding gaps in infrastructure upgrades and maintenance. An effort to raise the Shasta Dam for added water storage stalled recently, in part due to Attorney General Xavier Becerra urging an injunction to block the Westlands Water District from performing an environmental review. At the start of his administration, Newsom also trimmed down the scope of the twin tunnels project, which offered additional capacity for moving more water south for storage and flood control during wet years. This happened while the Legislature shelved a bill to fix the Friant-Kern Canal, voters rejected an \$8-billion water bond in

2018 and the proposed Sites and Temperance Reservoir remain in a holding pattern as the projects await more funding.

For farmers, timing is running out. Taryn Ravazzini, DWR’s Deputy Director of Statewide Groundwater Management, pointed out at the forum that the first plans for the Sustainable Groundwater Management Act are due in 95 days.

“I don’t know if that makes you all have butterflies in your stomach, but it definitely does for me,” she said.

Flood-MAR offers a pathway for the required aquifer replenishment under SGMA, while adding storage, resilience to drought and ecosystem benefits. It also supports the administration’s push for safe and affordable drinking water and climate resiliency.

The approach – favoring collaboration over years-long legal battles – is also one the administration has increasingly championed. Newsom vetoed Senator Toni Atkins’ broad environmental protection measure Senate Bill 1 in part to preserve the ongoing negotiations over the Voluntary Agreements for Bay-Delta flows. Newsom, who has rapidly responded to the president’s actions on clean air standards, was noticeably quiet last week when federal agencies unveiled the new report on biological opinions – a plan designed to work in tandem with the VAs, according to U.S. Fish and Wildlife Regional Director Paul Souza. Similarly, the CV-SALTS plan approved by the State Water Resources Control Board recently is the result of a decade of negotiations among stakeholders. The proposed plans for Flood-MAR are based completely on voluntary agreements.

“It cannot just be one set of stakeholders at the table,” said Ross, referencing Newsom’s “one California for all” commitment. “We all need to sit at the table – that tedious, collaborative stakeholder process – and get to those results that will be more enduring.”

Yet Ross noted the numerous hurdles for Flood-MAR to succeed. She mentioned the Portfolio is looking for recommendations on funding such projects, which may include “climate-water

resiliency bonds.” One such bond proposes nearly \$8 billion and is currently in circulation as it gains signatures for the 2020 ballot. Ross said while the state’s cap-and-trade program “has not lent itself well to the biological system of farming,” other market-based mechanisms for carbon capture credits “needs to be a part of this discussion.”

She also addressed the legal uncertainty that surrounds groundwater recharge and water trading.

“If (farmers are) willing to put it underground, where is the reliability of being able bring some of that back up?” she said, adding this should not be decided by the courts either.

Negotiations have yet to begin for the many legal layers involved in trading water locally within basins and across regional boundaries. Until that is resolved, the state cannot develop a regulatory framework for trading.

Flood-MAR also raises numerous questions about land use, conveyance needs, economic impacts and reservoir operations. Farmers are pointing out that flooding on agricultural land is limited to certain crops, soils and locations and depends on careful timing and coordination.



Don Cameron, farmer and president of the California State Board of Food and Agriculture

Don Cameron, a Fresno County farmer and president of the State Board of Food and Agriculture, is known as the “grandfather of on-farm recharge,” according to Ross. Cameron first began flooding his orchards and vineyards in 1996. The long experiment has brought many lessons on oversaturation, mildew and grant writing. He raised concerns at the forum about the lengthy and complex environmental reviews and permitting process now required for flooding under the California Environmental Quality Act.

Also at the forum, Cannon Michael pointed out that negotiating each multi-benefit project is immensely challenging for farmers and environmentalists. Michael takes pride in the sustainability efforts he has incorporated over years of farming tomatoes at the Bowles Farming Company in Los Banos. Yet he faced difficult mindsets along that journey, such as the belief that farmland can only sustain a healthy ecosystem when it’s not farmed. He has also been on the other side, correcting farmers who poked fun at the demise of the delta smelt. Despite the negative views toward farmers – and conventional farming particularly – Michael remained hopeful.

“There are some positive examples out there, and there could be a lot more of them,” he said in his keynote speech. “It needs that approach of going at it with good intentions but also knowing that you don’t know everything and all the ramifications.”

Seven questions for Bakersfield’s Rudy Salas

Assemblymember Rudy Salas is a moderate Democrat representing parts of Kern and Kings counties – one of California’s top agricultural districts.

Since taking office in 2012, Salas has been a strong advocate in water debates, showing support for construction of the proposed Temperance Flat Reservoir Project. Salas worked as a

legislative staffer in Sacramento before launching his own campaign. He also served on the Bakersfield city council and briefly worked for Vice President Al Gore in 2000.

Salas spoke with *Agri-Pulse* on the controversial environmental protection bill SB 1, on his role in Agriculture Committee, and on his work battling valley fever.

1. What's your approach to representing agriculture and the diversity of stakeholders in your district?

My approach is an open-door policy. Usually, I meet with everybody and every group. I talk to everyday people mostly at events. Recently, we did a self-defense class, we did a coat giveaway, and we're gearing up to do our Safe-and-Sane Trunk or Treat events out in Kings and then Kern counties.



My approach is just to meet with everybody and to get their take. What I mostly ask people is how this affects them in their everyday lives. Whether it's a policy proposal or a budget ask, I've always asked people, "How would this affect you and your family?" I take those answers to heart and help that guide my policy and my votes.

2. Can you compare serving on the Ag Committee to the Water, Parks and Wildlife Committee?

In the Agriculture Committee, it's very bipartisan. We look at the issues and the policy implications that come through the committee. Usually we see Democrats and Republicans join together on things that are generally good for agriculture, whether it's tackling Pierce's disease or encouraging people to buy California grown products.

The Water, Parks and Wildlife Committee is a little more interesting. We still have issues where we work in a bipartisan manner. But there are also bigger issues where you'll see some of the Democrats, myself included, who usually will split with some of our urban colleagues. You see that in water policy very specifically. One of the biggest water implication bills that we saw this past session was Senate Bill 1. Luckily, the governor vetoed that bill. I was unable to support that measure. But those are the types of bills we deal with in Water, Parks and Wildlife.

Safe and affordable drinking water, which we talked about in the budget process as well, we were able to allocate a bunch of money towards. We've put over \$12 million in the Safe Drinking Water Act. Over 2 million of that was coming to the valley directly. The rest are applied through grants.

3. You were one of two Central Valley Democrats who voted against SB 1. Why?

There are things not in Senate Bill 1 that should have been included. For instance, when you look at Voluntary Agreements, we should use the latest scientific data. We should not limit ourselves or freeze ourselves to years past without including all the recent data. A number of us signed on to a letter to Pro Tem Senator Atkins asking to address this. Unfortunately, she went in another direction. Fortunately for us, the governor ended up vetoing that piece of legislation.

4. You were a co-author on Senate Bill 559 to fix the Friant-Kern Canal, and you also introduced a similar bill last year for \$7 billion. Is this going to come up again next year?

Senate Bill 559 is a two-year bill. It's something I strongly support and supported measures in the past as well to deal with the flow of water and water conveyance in the entire state. I'm definitely a strong proponent of conveyance and giving people the flexibility to do that through voluntary agreements. The Friant-Kern Canal we know is losing a lot of water just because of subsidence. We need to do something to fix that, not only on the Friant-Kern, but also on the CVP side as well, so that we fix all of California's pipes. That's the way I explain it to my colleagues up here at the capital. Like having an old pipe that's rusted out, it's not delivering as much water anymore when you need to deliver it. We need to do something to fix the infrastructure. I've been a strong proponent of that and will continue to fight. Senate Bill 559 is a two-year bill and we'll continue to push on that.

A lot of it is also educating the governor, the administration and some of my more urban colleagues on what this actually means. For my colleagues down in Los Angeles, I tell them we need to fix the pipes so that the water gets down to their constituents as well. This is something we need to prioritize.

5. What stood out for you for the legislative year overall?

I've been doing this seven years now. I always tell people it's familiar enough, but different enough every single year.

I've been doing a lot on valley fever. We've been pretty successful in that the last couple of years. We've been able to secure \$10 million in valley fever funding in the state budget. That creates the first-ever valley fever institute over at Kern Medical. It's the only one in the entire state. The only other facility I know that does it is in Arizona. We've been able to pass four pieces of legislation based on that – helping workers, making sure that doctors are trained, diagnosing it correctly, money towards public awareness campaigns. We got the UCs \$3 million to do collaboration to hopefully find a vaccine or a cure.

Dairy digesters are the other thing that we've been always pushing for in the state budget – the opportunity where it could be a win-win with agriculture and the state's climate goals. My district has already gotten over \$22 million for digester funding, which is fantastic because you're turning waste into something that can be useful. It's green energy that can be put back into the grid and it's helping all our dairy folks as well.

I'm a big proponent of the Valley CAN (Clean Air Now) program, where we take the old clunkers off the roads and replace them with newer, cleaner burning vehicles. I've been partnering with them for almost 10 years now, even before I was elected. I had a bill on this that we turned into a two-year bill, which is expanding the Carl Moyer (Air Quality) Program, which has been instrumental in cleaning up the air and reducing particulate matter in the valley.

Speaking about the governor, I was really encouraged at the beginning of this year with how much attention he was giving to the Central Valley on what we need to do to make sure that we address those communities that are unable to drink water out of their taps. During this past session's budget, we put over \$12 million directly into the Safe and Affordable Drinking Water

Act and then millions more in competitive grants to help a lot of the smaller communities deal with their safe drinking water issues.

The governor started off well. Hopefully he continues to prioritize the valley.

6. What do you expect for next year?

We definitely have to deal with wildfires. We have to deal with PG&E and the bankruptcy surrounding it. We have to make sure we still provide electricity to all Californians, especially those reliant on electricity for medical reasons.

Affordable housing continues to be an issue. Access to good paying jobs continues to be an issue. Water will always be a recurring issue every single year.

7. Any other things farmers should know about you?

For farmers and for agriculture in general, partnerships are very fruitful. Hosting policymakers and decisionmakers to understand what they go through day-in and day-out is very helpful.

It's been very helpful for me when I bring urban legislators to tour an almond orchard or a dairy farm. I tell them this is how farmers utilize water, for instance, when we're looking at a water drip system that some of these urban legislators have never seen before.

I would just encourage farmers, ranchers and the agriculture community to continue to build those relationships and build those bridges. If you're not at the table, you're on the table.

Hemp rule lays out requirements for producers going forward

States and industry groups are welcoming USDA's new regulations for industrial hemp, but one longtime advocate is raising concerns that department's testing requirements could create a logjam at harvest time.

“Overall, we’re pleased with the regulations coming out,” said Vote Hemp President Eric Steenstra, who has been involved in the industry for more than 25 years. “We’re pleased USDA worked so quickly to try to do this.”

But he also said he is worried about the rule's requirement that hemp must be tested at labs registered with the Drug Enforcement Administration. As defined in the 2018 farm bill, which removed it from the list of federally controlled substances, hemp contains 0.3% or lower of THC, or tetrahydrocannabinol, the psychoactive ingredient in cannabis that provides a “high” at much higher levels.

“That’s just going to be a bottleneck,” said Steenstra, since hemp growers all will be harvesting their crop within 30 to 45 days.

He questioned why DEA labs would be needed considering that hemp is not a controlled substance. “Congress specifically removed hemp from the Controlled Substances Act — they never said anything about DEA labs,” Steenstra said.

The interim final rule, which was released Tuesday and will be official when published Thursday in the Federal Register, reaffirmed an earlier opinion from USDA General Counsel Stephen Vaden that said interstate transportation of hemp is legal, even when the hemp is being shipped through states that have not legalized it.

Since the farm bill was passed in late 2018, some drivers transporting hemp have been detained or arrested. The issuance of the rule is likely to cheer lawyers representing companies and clients caught up in the legal system.

Only four states have not legalized hemp at this point: South Dakota, Idaho, Mississippi and New Hampshire.

Once the rule is published, states and tribes can begin submitting plans for approval by USDA's Agricultural Marketing Service, which took the lead in crafting it. States and tribes that do not want to develop their own plans can use USDA's framework.

USDA sought to "provide a fair, consistent and science-based" regulatory framework for states, tribes and individual producers to follow, Agriculture Secretary Sonny Perdue said Tuesday. Perdue said the rule is being issued, as promised, in time for the 2020 growing season.

Greg Ibach, undersecretary for marketing and regulatory programs, said USDA wants to hear from the public about the interim final rule, which will become effective Oct. 31 but will "sunset" after two years.

"We will use the 2020 growing season as a chance to test-drive the interim rule to make any changes," Ibach said on a conference call with reporters Tuesday.

Once state and tribal plans are in place, hemp producers will be eligible for a number of USDA programs, including insurance coverage through whole farm revenue protection.

Samples for testing "must be collected by a USDA-approved sampling agent, or a federal, state or local law enforcement agent authorized by USDA to collect samples," the rule says.

The rule also says hemp crops must be destroyed by a person authorized under the Controlled Substances Act to handle marijuana if testing shows they exceed the "acceptable THC level" of 0.3% on a dry weight basis, also taking into account a measurement of uncertainty.



Undersecretary Ibach

"For example, if the reported [THC] content concentration level on a dry weight basis is 0.35% and the measurement of uncertainty is +/- 0.06%, the measured [THC] content concentration level on a dry weight basis for this sample ranges from 0.29% to 0.41%," the rule says. "Because 0.3% is within the distribution or range, the sample is within the acceptable hemp THC level for the purpose of plan compliance."

The rule also says a producer is "negligent" if they produce a crop with a THC level exceeding 0.5%. "In cases where a state or tribe determines a negligent violation has occurred, a corrective action plan shall be established," the rule says. "The corrective

action plan must include a reasonable date by which the producer will correct the negligent violation.”

Steenstra questioned the “negligent” level, noting that even hemp with 0.6% or 0.7% could not pass as marijuana. He also said producers may need a longer window than the 15 days before harvest specified in the rule.

In general, statements issued right after the rule was released to the public were positive in nature.

“USDA has established a regulatory framework that will serve as an infrastructure for the U.S. hemp economy,” said Shawn Hauser, partner and chair of the hemp and cannabinoids practice group at the Vicente Sederberg law firm. “These interim rules provide long-awaited clarity, not only for farmers, but also for regulators and service providers like banks and insurance companies, who were hesitant to work with hemp-related businesses without federal guidelines.”

GenCanna, a vertically-integrated producer of hemp and hemp-derived CBD products in Kentucky, welcomed the rule.

“This large step forward bridges the 2014 farm bill's industrial hemp pilot program into the 2018 Farm Bill's commercialization of hemp production,” said Steve Bevan, president and executive chair of GenCanna. “We would expect that GenCanna and Kentucky's hemp farmers are well-positioned because the interim final rule is consistent with KDA's regulatory framework.”

Barb Glenn, CEO of the National Association of State Departments of Agriculture, said, “We appreciate USDA’s objective to evolve hemp regulations as the industry matures. We are all learning as this industry grows. The knowledge we have now will only multiply as the industry secures its place in American agriculture.”

In the rule, USDA estimates that producer returns from hemp-based product sales will go from \$300 million in 2018 to \$600 million by 2022.

“It is difficult to estimate the increase in total returns to producers as a result of this rule,” USDA said in the rule. “AMS estimates that this rule is responsible for as much as 50 percent of the increase in total producer returns from year to year.”

Producers and manufacturers are still waiting, however, for the Food and Drug Administration to weigh in with regulations on the safety of CBD products made with hemp flowers.

“If FDA does not provide clarity about their plans for future regulation of CBD, there will continue to be uncertainty and downward pressure on the CBD portion of the hemp market,” USDA said in the rule.

Lawsuits over WOTUS repeal just the beginning, experts say

A new rule replacing the Obama-era definition of “waters of the U.S.” is expected from the Trump administration in the next few months, but in the meantime federal courts face conflicting lawsuits over the jurisdiction of the Clean Water Act, and there almost certainly will be continued fights over the law's reach for years to come.

Two lawsuits were filed last week following the publication by EPA and the Army Corps of Engineers of a regulation repealing the 2015 rule, often referred to as WOTUS but commonly known by its supporters as the Clean Water Rule.

Those court challenges, and the ones to follow, are certain to extend the confusion long associated with the extent of Clean Water Act jurisdiction.

“It will likely be years before regulated entities are provided the certain and stable regulatory framework they need,” says an analysis from the King & Spalding law firm.

The repeal rule, which goes into effect Dec. 23, would revive 1986 regulations that were in place before the 2015 WOTUS rule was issued. Currently, because of court challenges in different states, the Obama-era rule is in effect in 22 states, the District of Columbia and parts of New Mexico, while the 1986 regulations and attendant guidance are in effect in the rest.

But those regulations, the New Mexico Cattle Growers’ Association asserts, are unconstitutional.

In a lawsuit filed in federal court in New Mexico, the group says the 1986 regs and subsequent guidance goes further than the Clean Water Act’s plain language by regulating interstate waters and wetlands adjacent to tributaries.

Among the problems with the ’86 regs, NMCG claims, is that they “extend federal jurisdiction so far into local land and water resources that it (sic) necessarily undermines state power, in violation of the Tenth Amendment.”

“Because of the 1986 Regulations’ overbroad and illegal definition of the ‘navigable waters’ under the Clean Water Act, plaintiff’s members will now be required to obtain federal approval of new and ongoing land-use projects at a cost of tens to hundreds of thousands of dollars and months, if not years, of delay,” the lawsuit says

NMCG is represented by the Pacific Legal Foundation in California. PLF attorney Tony Francois said the 1986 regulations “would require our clients to get permits from the Army to operate their farms and ranches, including erosion and flood control work, conservation projects, and even some of their plowing, all on their private property.

“These permits take an average of two years, and a quarter million dollars in consulting expenses, to obtain,” he said. “Any nation that requires its farmers to wait for two years for its Army to give them permission to farm will not eat well.”

Asked why his clients didn’t just wait to file suit until after the replacement rule comes out, Francois said, “There is no telling when a new rule will be in place. According to EPA, it will likely not be before the end of the rainy season this winter, which is when EPA’s regulation of intermittent and ephemeral drainages on private property does the most harm.”



Anthony Francois

In addition, there's the potential for environmental lawsuits to obtain injunctions to halt implementation of the replacement rule, so "we cannot presume the new definition will take effect any time soon."

On the opposite end of the spectrum, 11 environmental groups also have sued, challenging the repeal rule itself as administratively invalid. Led by the Southern Environmental Law Center, those groups assert that EPA and the Corps did not provide a rationale for repealing the 2015 rule.

Instead, "the agencies repeatedly, and improperly, introduced conclusions they 'proposed' to reach about the flaws of the Clean Water Rule and asked the public to provide the information to support those conclusions," the groups said in their court challenge.

In their telling, the 1986 regulations and the guidance implementing them provide less protection than prescribed by the Clean Water Act.

"The Final Repeal Rule ... reinstates an illegal regime — the regulations that pre-dated the Clean Water Rule as limited by guidance — that runs contrary to Supreme Court precedent, unlawfully leaving certain waters of the United States unprotected due to the guidance's unduly narrow interpretation of Justice [Anthony] Kennedy's significant nexus test," their lawsuit says. In the 2006 *Rapanos* decision, Kennedy laid out a test that allows the Corps and EPA to assert jurisdiction over waters that have a "significant nexus" to navigable waters.

Wetlands "possess the requisite nexus, and thus come within the statutory phrase 'navigable waters,' if the wetlands either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity of other waters more readily understood as 'navigable,'" Kennedy wrote.

Appellate courts that have considered the issue have sided with Kennedy's interpretation. However, the new rule to be published in the next few months is expected to give more weight to the Supreme Court's plurality opinion in *Rapanos*, penned by late Justice Antonin Scalia, which would interpret the CWA more narrowly.

Asked why they filed suit now, SELC attorney Blan Holman echoed Francois, the Pacific Legal Foundation attorney. "We don't know when they'll finalize the replacement rule," Holman said. "We're not confident they will get the replacement rule done any time lickety-split." The whole legal situation, involving multiple rules and agency interpretations, is a messy one. "All of this is so complicated and interrelated," Holman says.

Former Justice Department Clean Water Act attorney Stephen Samuels noted that if the repeal rule is upheld, the 1986 regs would remain as the law of the land. But if it's overturned, "I still doubt that the Clean Water Rule would come back to life in any form, at least in the current administration."

He also said that at this point, three years into the Trump administration, "it might make more sense simply to wait for the 2020 election, especially if the repeal rule is not overturned."

Holman also mentioned the political ramifications of the WOTUS issue, which has been a high priority for the American Farm Bureau Federation and other farm groups.

“If I were them, I’d definitely want to get it out when the election season is underway,” Holman said.

Once the new rule is out, litigation will follow. And because the Supreme Court has recently clarified that challenges to the WOTUS definition belong in the district court, “We could have conflicting rulings from the courts regarding the replacement rule, both with respect to the merits and any appropriate temporary or permanent relief,” Samuels said.

“Accordingly, different WOTUS definitions could apply in different parts of the country. These conflicting rulings could also exist at the appeals court level, until the Supreme Court reviews the replacement rule. Of course, by then there might be a new administration that could decide to restart the process all over again.”

Asked to comment on the repeal rule, AFBF President Zippy Duvall had a brief comment. “No regulation is perfect, and no rule can accommodate every concern, but the 2015 rule was especially egregious. We are relieved to put it behind us. We are now working to ensure a fair and reasonable substitute that protects our water and our ability to work and care for the land.”

Of course, Congress could step in and clarify the scope of the CWA, but lawmakers have stayed out of the issue. But Samuels said, “I am not at all optimistic that Congress will do so.”

News Briefs:

State offers low-interest loans as wildfire disaster relief. Small farms, nurseries and other ag-related enterprises and nonprofits that have suffered economic losses due to the wildfires can qualify for an IBank program guaranteeing up to \$1 million for small business loans. Gov. Newsom announced the state’s partnership with the program Tuesday, along with several other loan options available to businesses and resources for residents. “My administration is pulling together resources to make sure people have access to their basic needs, and that businesses have resources to help them get back on their feet,” he said in a statement.

Flora recognized as “Almond Champion.” The Almond Alliance of California crowned Assemblymember Heath Flora, R-Ripon, as the 2019 Almond Champion of the Year on Tuesday for “for his leadership in educating his colleagues on both sides of the aisle about issues important to the California almond industry.” The alliance recognized Flora for bringing to life “the informal Almond Caucus” and drawing Legislators to the group’s Almond Movers and Shakers event and the Almond Festival at the State Capitol. Almond Alliance Chairman Mike Curry said in a statement, “We look forward to his continued leadership while helping us expand the knowledge about California almonds within the State Capitol.”

CDFA wants input on Whole Orchard Recycling. CDFA is seeking public comment on the inclusion of the Whole Orchard Recycling practice into its Healthy Soils Incentives Program, in addition to the current 26 management practices. Whole Orchard Recycling is a practice by which orchards are chipped and incorporated back into the soil. As an alternative to burning, it builds soil organic carbon and microbial biomass, which improves soil health, nutrient levels, structure and water retention. The scientific process developed for quantifying carbon

sequestration and reductions of greenhouse gas emissions in agroecosystems has been validated by modeling Whole Orchard Recycling, in partnership with the California Air Resources Board, for more than nine years in an experimental field trial at the Kearney Agricultural Research and Extension station of the University of California Agriculture and Natural Resources Cooperative Extension. “We are excited to propose a new science-based management practice to be added to the existing list of carbon sequestration practices under the Healthy Soils Incentives Program,” said CDFA Secretary Karen Ross. “This will allow growers to put a valuable carbon pool from their fields back into the soil, and further climate change adaptation and resiliency.” A summary of the results and report was presented at the October 17, 2019, public meeting of the Environmental Farming Act Science Advisory Panel in San Luis Obispo. Comments should be submitted to CDFA.OEFI@cdfa.ca.gov no later than November 15, 2019, 5 p.m. PST. For questions, contact CDFA Public Affairs at 916-654-0433.

Beverage companies launch ‘Every Bottle Back’ initiative. As concerns grow over the amount of plastics ending up in oceans and landfills, America’s top beverage companies – The Coca-Cola Company, Keurig Dr Pepper and PepsiCo – announced the launch of the “Every Bottle Back” initiative. The effort involves measuring industry progress in reducing the use of new plastics in the U.S., creation of a new \$100 million industry fund to improve sorting, processing and collection to gather more recycled plastic bottles, and a new public awareness campaign to help consumers understand the value of 100% recyclable bottles. “Our industry recognizes the serious need to reduce new plastic in our environment, and we want to do our part to lead with innovative solutions,” said Katherine Lugar, president and CEO of the American Beverage Association (ABA). “Our bottles are designed to be remade, and that is why this program is so important. We are excited to partner with the leading environmental and recycling organizations to build a circular system for the production, use, recovery and remaking of our bottles. *Every Bottle Back* will ensure that our plastic bottles are recovered after use and remade into new bottles, so we can reduce the amount of new plastic used to bring our beverages to market. This is an important step for our industry, and it builds on our ongoing commitment to protecting the environment for generations to come.” The industry is partnering with The World Wildlife Fund to provide strategic scientific advice to help measure the industry’s progress in reducing its plastic footprint. The Recycling Partnership and Closed Loop Partners will assist in deploying funds for the initiative. “Reaching our goal of “No Plastic in Nature” by 2030 will only happen if business, governments and the NGO community work together to fix a broken plastic material system,” said Sheila Bonini, senior vice president of private sector engagement at WWF.

FSA seeks new county committee members. Farmers and ranchers across the country will soon be receiving ballots from the USDA to vote for local Farm Service Agency county committee members. The department will begin mailing ballots November 4th. FSA Administrator Richard Fordyce said, “the agency values local input of the over 7,000 members nationwide who provide their valuable knowledge and judgment as decisions are made.” County committee members help FSA make decisions on its commodity support programs, conservation programs, indemnity and disaster programs, and emergency programs. Producers must participate in an FSA program to be eligible to vote in the county committee election and do not have to be of legal voting age. They just must supervise or operate a farm. Anyone who is interested in knowing if their local administrative areas are up for election or want to know other eligibility requirements need to contact their local FSA office. Ballots must be returned to the local county office or post-marked by December 2nd. Once members are elected, they serve for three terms in office and would take office in January.

NRCS seeks feedback on updated standards. USDA's Natural Resources Conservation Service is seeking public comments on 13 updated conservation practice standards, which include contour buffer strips, diversion dams and obstruction removal. The 2018 farm bill required USDA to get feedback on 94 practices. Comments on the [13 standards](#) are due by Nov. 21. The standards provide guidelines for planning, designing, installing, operating and maintaining conservation practices. Programs such as the Environmental Quality Incentives Program help cover the costs for planning and implementing the practices. The 13 updated standards also include deep tillage and various irrigation improvements as well as land clearing, surface roughening, waste treatment and water spreading. Changes to the standards were made based on comments gathered earlier in the year.

Farm Hands West

Progressive Produce has hired **Christine Toy** as sales manager and Seth Tillery as sales and grower relations manager. Toy brings over 25 years of industry experience, mostly in grapes and citrus produce. She most recently was with Homegrown Organic Farms where she was the table grape category manager. Tillery also previously worked at Homegrown Organic Farms where he was the sales and grower relations manager for the past 12 years. He brings over 20 years of industry experience.

Matt Fisher is the new chairman of California Citrus Mutual. Fisher is a fourth-generation citrus grower and is involved in his family business located in Bakersfield, Calif. Fisher succeeds Curt Holmes, who served the maximum of three years as chairman. The Board also appointed a new slate of officers for the upcoming year. **Brian Neufeld** will continue serving as the vice chairman. New to the committee is **Zak Laffite**, who will serve as vice chairman and **Keith Watkins**, who will serve as the Secretary/Treasurer.



Matt Fisher

Rodolfo Spielmann is the new president and CEO of NatureSweet Tomatoes. He brings over 23 years of experience, previously working for Procter & Gamble, Heinz, Del Monte and Mars. Most recently, he was president of the Pet Consumer business for Central Garden & Pet.

Hitchcock Farms of Salinas, Calif., hired **Jill Lenz** and **Dan Holt** to its sales team. Lenz will handle sales of the company's full product line, including branded Garden Hearts romaine and Iceberg Babies. She has worked in sales and procurement at Tanimura & Antle and Fresh Express. She most recently was with Classic Salads in sales for 15 years. Holt is Hitchcock Farms' new vice president of sales. He most recently was director of sales at Earthbound Farm, which he joined in 2006.

Stater Bros. Markets has announced **Dennis McIntyre**, current executive vice president of marketing, will assume the additional role of chief marketing officer, effective Nov. 4. McIntyre has over 41 years of experience in the supermarket industry, beginning his career in 1978 as a courtesy clerk. McIntyre recently served as president and chairman of the Western Association of Food Chains (WAFC). Before this role, he served the WAFC as vice president in addition to education chairperson.

Stater Bros. Holdings Inc. has elected **Pete Van Helden** to serve on its board of directors. Van Helden currently serves and will continue to serve as chief executive officer of Stater Bros. Markets. Van Helden joined Stater Bros. Markets as president and chief operating officer in 2013, and in 2016 he was appointed to the position of CEO.

United Fresh Produce Association will present its Lifetime Achievement Award to **Emanuel Lazopoulos**, former senior vice president of Del Monte Fresh Produce, at the 2020 FreshStart Conference's Gala Dinner, on January 15.

Bob Ross is retiring from USDA after a 39-year career with the department. He currently serves as the senior financial economist at USDA and has served as a detailee to the Senate Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies. Ross handled rural development issues for the subcommittee.

Global food retailer Ahold Delhaize has hired **Natalie Knight** as executive vice president of finance, effective March 1. Knight will be nominated by the supervisory board to be appointed as chief financial officer and a member of the management board at the annual general meeting of shareholders in April 2020. She will succeed **Jeff Carr**, who will leave Ahold Delhaize when his current term expires in April.

The Meat Institute has elected officers to lead the organization in 2020 at its Fall Forum in Washington, D.C. last week. **Warren Panico**, president and CEO of Sigma, will serve as chairman; **Brad McDowell**, president of Agri-Foods, will serve as vice chairman; **Steve Van Lannen**, president and COO, American Foods Group, LLC, will serve as treasurer; and **Eric Gustafson**, CEO of Coast Packing Company, has been selected to serve as secretary. **Joe Maas**, co-owner & vice president of manufacturing and production at JTM Food Group, will serve as immediate past chairman.

Scott Starkweather has been promoted to vice president of farmer manager at U.S. Bank. He previously served as the team lead of the agriculture division.

Andrew Earl has left the office of Sen. **Mike Crapo**, R-Idaho, where he served as a legislative assistant covering the agriculture, food, transportation, animal welfare, environmental protection, public lands, and natural resources portfolio. Crapo's office has not yet hired a replacement, but in the meantime **Scott Riplinger** has taken over Earl's portfolio.

Kyle Sharp has left the office of Rep. **Steven Horsford**, D-Nev., where he served as a legislative correspondent covering the animal welfare, energy, environmental protection, public lands and natural resources portfolio. Horsford's office has not yet hired a replacement. The legislative director, **Josie Villanueva**, has taken over his portfolio in the meantime.

Tim Charters now serves as the executive director to Rep. **Paul Gosar**, R-Ariz., on the Congressional Western Caucus. He previously served as the vice president of government and political affairs of the National Ocean Industries Association.

Melissa Guerrero now serves as a legislative aide handling the agriculture, food, and energy portfolio for Sen. **Patty Murray**, D-Wash. She previously served as a legislative correspondent.

JR Kane has moved over to the personal office of Sen. **John Barrasso**, R-Wyo., to serve as a legislative assistant covering the telecommunications, science and technology, economy, and commerce portfolio. He previously served as a legislative assistant to Barrasso on the Senate Environment and Public Works Committee covering the highway infrastructure and general portfolio.

Rebecca Avitia is the chief of staff for Sen. **Martin Heinrich**, D-N.M. She previously served as Heinrich's state director.

Bryan Doyle left the office of Rep. **Pramila Jayapal**, D-Wash., where he served as communications director. **Subhan Cheema** has taken over as communications director for Jayapal. He previously served as the deputy communications director for Sen. **Richard Blumenthal**, D-Conn.

Caren Street departed the personal office of Rep. **Karen Bass**, D-Calif., where she served as the chief of staff. She has moved to the Congressional Black Caucus to serve as the executive director for Bass. **Darryn Harris** has taken over as chief of staff for Bass in the personal office.

Best Regards,

Sara Wyant

Editor

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