



The Cotton Chronicle

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Industry Calendar

December 3—
Board Meeting
Fresno, CA

Visit web calendar
for details

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CCGGA Congressional & Legislative Staff Tour

The California Cotton Ginners and Growers Association (CCGGA) in partnership with Western Agricultural Processors Association (WAPA) had the opportunity to tour California cotton and tree nut facilities in the Central Valley with staff from several congressional and legislative offices. The group included representatives from



offices of **Senator Kamala Harris, Senator Dianne Feinstein, Congressman Jim Costa, Congressman TJ Cox, State Senator Anna Caballero, State Senator Melissa Hurtado** and **Assemblymember Frank Bigelow**. The Association was represented by **President/CEO Roger Isom, Director of Technical Services Chris McGlothlin, and Director of Regulatory Affairs Jodi Devaurs**. The group was able to learn more

about the processes of a cotton gin as well as learn about the various regulatory pressure gins and growers must comply with to operate in California in-



cluding air quality controls and incentive programs, labor, crop protection tools and impacts of the trade issues on the California cotton market. The tour included stops to **CCGGA member Mid-Valley Cotton Growers Gin** as well as WAPA members Summerfield Farms, a walnut huller, and Central California Almond Growers Association, an almond huller/sheller. CCGGA has made an effort to not only build relationships with elected officials, but to provide tours to staff as well to help in better tell the story of the California cotton industry.

Association Testifies at 1,3-D Workshop

The California Department of Pesticide Regulations is beginning the rulemaking process related to Acute Exposure of 1,3-D. This effort was prompted by a recent increase in detections through the Department's Air Monitoring Network. Over the past three years there has been a notable increase in the detection of the fumigant, however, almost all of the detections have been below the health screening level of 110 ppb. In 2017 there was one event where detections were found to be at 111 ppb, just one ppb over the established screening level. The Association, represented by **Director of Regulatory Affairs Jodi Devaurs**, testified that undergoing additional rulemaking and possible interim mitigation measures for an event that barely exceeded the health screening level did not appear to be the most logical or natural path to addressing the issue. The Association, along with other commodity groups, impressed upon DPR the need to fully investigate the situation that caused the exceedance, handle education and mitigation at a local level and avoid creating a blanket regulation that would impact areas who

have not had any incidences. Additionally, the association highlighted that a recent change in the modeling protocol used by the Department should be further evaluated. Devaurs noted that utilizing their new modeling protocol for this rulemaking is the right decision as it is the latest, validated model however if specific meteorological data is not inputted or EPA's Meteorological Data Processing Guidance is not followed, it could lead to overestimation from anywhere to two-four times higher than what it should be. The proposed regulations include widened buffer zones set for as long as six and half days, in some application scenarios, mandatory tarping, higher soil moisture levels and could include limiting amount of product applied. The Department indicated that there will be additional workshops in the beginning of 2020 and will be held throughout the state to receive comment on the proposed regulations.

2020 Beltwide Cotton Conferences Providing Insight on Latest Research, Innovative Technology

The 2020 Beltwide Cotton Conferences (BWCC), set for January 8-10 at the JW Marriott in Austin, Texas, will update attendees on the latest research and technology. Attendees may now register and secure housing for the 2020 Beltwide Cotton Conferences at the BWCC's website, www.cotton.org/beltwide/. The BWCC, coordinated by the National Cotton Council (NCC), annually brings together university and USDA researchers, extension personnel/agents, consultants, and industry sales/support personnel. The forum helps U.S. cotton industry members tailor new products and production/processing systems to their operations for maximum efficiency. The 2020 BWCC will begin at noon on January 8 with the half-day Cotton Consultants Conference – open to all attendees. Among topics selected by the consultant community for consideration on the 2020 program are: an expert panel of entomologists to discuss timely topics ranging from Bt resistance to results of testing Bollgard 4. Among other key issues receiving a focus will be water restrictions, including the status of aquifers across the Cotton Belt; an update on precision agriculture technology; a discussion of EPA's role in the plant protection chemicals' review and registration processes; and a briefing on a multi-state potash study. The 10 BWCC cotton technical conferences, which will provide updates on research and current/emerging technology, will meet concurrently beginning on the morning of January 9 and conclude by noon on January 10. The Engineering-Systems Conference, for

example, will feature presentations on sustainability and contamination prevention while the Economics Conference will cover such topics as crop insurance, disaster assistance and trade. The Ginning Conference will continue to provide a focus on efficient processing/maintaining quality fiber along with updates regarding ongoing ginning research, ginning efficiencies, new equipment, and lint contamination prevention/research. Beginning on the afternoon of January 8, multiple committees of the National Cotton Ginners Association will hold meetings. A schedule of those meetings will be posted at www.cotton.org/ncga/index.cfm. Among other topics to be covered in the technical sessions are results from breeding and variety trials, research looking at the relationship between plants and water; and cotton's competitive advantage over synthetic fabrics. Registration costs for the 2020 BWCC before December 16 are: Registration fees for the 2020 BWCC before December 16 are: \$200 for NCC/Cotton Foundation members, university and USDA researchers, extension personnel, associations and consultants; \$400 for U.S. non-members of NCC or The Cotton Foundation; \$500 for international participants; and \$80 for students.

New Commercial Driver's License Requirements Forthcoming

The Federal Motor Carrier Safety Administration (FMCSA) is establishing the **Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse)** that will include CDL drivers who drive any commercial vehicle. This new database, which will become operational on January 6, 2020, will contain information pertaining to violations of the Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for CDL holders. The Clearinghouse rule requires FMCSA-regulated employers, Medical Review Officers, Substance Abuse Professionals, consortia/third party administrators, and other service agents to report to the Clearinghouse information related to violations of the drug and alcohol regulations by current and prospective employees. Employers will be required to query the Clearinghouse for current and prospective employees' drug and alcohol violations before permitting those employees to operate a commercial motor vehicle (CMV) on public roads. Employers will be required to annually query the Clearinghouse for each driver they currently employ. The Clearinghouse will provide FMCSA and employers the necessary tools to identify drivers who are prohibited from op-

erating a CMV based on DOT drug and alcohol program violations and ensure that such drivers receive the required evaluation and treatment before operating a CMV on public roads. Specifically, information maintained in the Clearinghouse will enable employers to identify drivers who commit a drug or alcohol program violation while working for one employer, but who fail to subsequently inform another employer. More information on the Clearinghouse is at <https://clearinghouse.fmcsa.dot.gov/>.

CalOSHA Releases Revised Draft Nighttime Lighting Standard for Agriculture

In April of this year, CalOSHA held a public hearing to consider specific requirements for lighting standards for working around agricultural equipment at night. The proposed new standard entitled “Outdoor Agricultural Operations During Hours of Darkness” was a result of a request by the Division of Occupational Safety and Health (DOSH) submitted to the CalOSHA Standards Board in 2013 claiming they had investigated a number of accidents occurring in agriculture during nighttime work activities, including serious injuries and one fatality. The proposed regulation required that workers wear reflective safety vests during nighttime activities, to which all parties agreed is a good recommendation. But the more problematic requirement was a provision that required 10 foot-candle light power within a 25 foot radius of all operating agricultural equipment. While most agriculture equipment is equipped with headlights, only some equipment has lights in the rear and it is rare that any equipment has side lighting. This means that supplemental lighting must be brought in to meet the standard. Supplemental lighting is expensive, subject to additional regulatory requirements depending on the air district you are in, and most agricultural operations would have extreme difficulty in meeting the standard. After the hearing in April, CalOSHA considered the comments and in October revised the proposed standard and released it for a 15 day public review. One of the biggest changes is to allow for “task lighting” where the lighting could be provided by a head lamp or other light, as long as it meets the appropriate illumination. However, in some instances the changes make the regulation harder to comply with or has been made too vague to work with. For example the rule now requires lighting of 5 foot-candle illumination to be provided for “general movement throughout the space” during outdoor agricultural

operations. In addition, 5 foot-candle illumination shall be provided for pathways leading to and around restrooms and drinking water, inside restroom facilities and in storage areas accessed by employees. The standard still requires illumination in areas within 25 feet of agricultural equipment where workers are present to be at least 5 foot-candles, while working on exposed point of operation equipment or operationally visible moving parts of machinery must be at 10 foot-candles, and maintenance work on equipment must be at 20 foot-candles. This still requires portable light towers to be brought in to provide the necessary lighting. Comments on the proposed 15 day revisions were due on October 18th, and a number of agricultural organizations, including the Association submitted comments opposing the proposed regulation in general and highlighting the concerns with some of the proposed revisions. The Standards Board is scheduled to hear this sometime in next few months.

CV SALTS Program Approved by State Water Board

The State Water Resources Control Board voted to approve the Central Valley Salinity Alternatives for Long Term Sustainability Program (CV SALTS). The CV SALTS program was developed as a stakeholder driven process to address the threats of accumulating salt within the agricultural areas of the Central Valley. Over time, the program then turned their attention on the issue of rising nitrate levels in subsurface aquifers. The focus of the State Water Board vote was to approve the proposed changes to the Basin Plan Amendment specific to Nitrate Management. The State Water Board authorized the Regional Board to take a regional approach to combatting specific nitrate contamination throughout the Valley. Dischargers in high nitrate contaminated areas can opt into a “Management Zone” where dischargers within that specific region will collectively have to find ways to ensure that discharged water will not exceed specific limitations set through the Basin Plan. Dischargers in those impacted regions also have the opportunity to go about managing their discharges on their own through an individually permitted process. This program, partnered with the signed SB 200, will provide answers. The CV SALTS program has been meeting for the past 11 years with the aims of providing effective solutions for nitrate contamination and salt intrusion onto agricultural lands. The CV SALTS stakeholders will now focus on developing solutions for the salt intrusion over the next several years before coming back to the State Water Board with addition-

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al Basin Plan Amendments. Stay tuned for more updates.

Association Joins Ag Groups in Amicus Filing on Triazines

The California Cotton Ginners and Growers Association joined California Citrus Mutual, California Fresh Fruit Association, Western Agricultural Processors Association, California Apple Commission, California Blueberry Commission, Olive Growers Council of California, California Blueberry Association, Western Growers, California Association of Winegrape Growers and Agricultural Council of California in supporting the Petition for Review submitted by Petitioner, Syngenta Crop Protection, LLC ("Syngenta"). Specifically, the letter supported the request the Court accept the Petition for Review seeking a review of the decision of the Office of Environmental Health & Hazard ("OEHHA") to list triazines without adhering to the regulatory structure of the Authoritative Bodies Listing mechanism. CropLife America and Western Plant Health Association are also participating in this effort. At issue here is the fact that OEHHA listed atrazine/simazine under the Authoritative Bodies ("AB") Listing authorized by Proposition 65 on the basis of nothing more than outdated experimental animal studies in which the chemical is administered at unrealistically high doses *designed* to trigger an effect. The result of this de-

cision, which sanctions OEHHA to ignore its own regulation, will be unnecessary and confusing labels on products that pose no harm to the people of California. As a result of this listing, some registrants have pulled atrazine from the California marketplace. Atrazine is now more difficult to obtain and, when available, it is at a higher cost to farmers, with no margins. Proposition 65 requires OEHHA to examine the effect of exposure to chemicals, and we do not accept that OEHHA is doing its job as intended in evaluating crop protection tools that are thoroughly regulated by another California agency (the Department of Pesticide Regulation), as well as the United States Environmental Protection Agency. It's important to know all of these products have been approved by the U.S. EPA and the California Department of Pesticide Regulation, after concluding that they can be used safely and effectively.

