



The Cotton Chronicle

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Industry Calendar

Board Meeting
December 7, 2022
Fresno Office

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Association's Own Christopher McGlothlin Selected for Class 52 of California Agricultural Leadership Program

It is with huge excitement and pride that we announce WAPA's own Director of Technical Services, **Chris McGlothlin**, has been selected as a member for **Class 52 of the California Agricultural Leadership**

Program, an advanced leadership development experience for emerging agricultural leaders. Through dynamic seminars during an intensive 17-month program, fellows will study leadership theory, effective communication, motivation, critical and strategic thinking, change management, emotional intelligence and complex so-

cial and cultural issues. Seminars are delivered by four partner universities: **Cal Poly Pomona, Cal Poly San Luis Obispo, Fresno State and UC Davis**. Fellows will participate in 55 seminar days, including and ten-day national travel seminar and a 14-day international travel seminar. "The California Ag Leadership Foundation (CALF) grows leaders who make a difference and go on to make a positive impact in agriculture, their businesses, communities and families," said **CALF President and**



CEO Dwight Ferguson. "We assemble a diverse and inclusive class of fellows who represent a broad cross section of the California ag industry and the state's population." CALF invests approximately \$55,000 per fellow to participate in the program, which is underwritten by individual and industry donations.

Ag Leadership is considered to be one of the premier leadership programs in the United States. Since it was first delivered in 1970, more than 1,300 men and women have participated in the program and have become influential leaders and active volunteers in the agriculture industry and other areas. **WAPA President/CEO Roger Isom** commented "**Chris McGlothlin** is a perfect candidate for this program. He is a hard worker who has grown to an outstanding advocate and representative for the cotton and tree nut industries and all of California agriculture. We couldn't be more proud of him and look forward to the growth the Ag Leadership Class 52 will bring. Congratulations to Chris and all the Class 52 participants!"

California Supreme Court Turns Down Ag's Bumblebee Petition

In a surprising and disappointing decision, the California Supreme Court denied a petition to hear the case of including bumblebees under

the California Endangered Species Act (CESA). The Association is one of eight (8) agricultural groups behind the effort to defeat the inclusion of insects under CESA. Association President/CEO **Roger Isom** stated “this is a major disappointment. We felt strongly our case had merit, and we are going to continue to explore all options in moving forward”. Interestingly, it should be noted that one of the seven Supreme Court justices voted to grant review and three signed on to a statement of explanation of their decision as follows. This is noteworthy, because the Court went out of its way not to endorse the panel decision and also to suggest that the legislature could address the issue. Associate Justice Patricia Guerrero stated she would have granted the petition for review. And in a statement by Chief Justice Cantil-Sakauye, she commented “Our denial of a petition for review does not communicate any particular view regarding the merits of the issues presented in the petition. Thus, all should understand that our decision to deny review in this case is not an endorsement (nor is it a rejection) of the statutory analysis undertaken by the Court of Appeal, which determined that bumble bees, a nonaquatic invertebrate, are susceptible to being listed as endangered under the California Endangered Species Act because that statute applies to fish, and ‘invertebrates’ are included within what the Court of Appeal deemed to be the applicable definition of ‘fish’.” The Chief Justice further explained “Yet if experience is any guide, our decision not to order review will be misconstrued by some as an affirmative determination by this court that under the law, bumble bees are fish. A better-informed observer might ask: How can the court pass up this opportunity to review the Court of Appeal's interpretation of the Fish and Game Code, which seems so contrary to common knowledge that bumble bees are not a type of fish? These kinds of seemingly illogical outcomes can in fact best capture the enacting legislature's intent in a variety of circumstances. Even if the Court of Appeal arrived at what might superficially seem like a counterintuitive result, that alone does not establish that it erred. Moreover, our decision not to order review here does not prevent us from considering the CESA's reach in some future case, at which time we may

agree or disagree with the Court of Appeal's analysis. In the interim, the Legislature is in a position to make whatever statutory amendments it may regard as necessary or useful.” With all of that in mind the Association and other seven agricultural organizations involved in this case are considering our next move.

NCC's Robbie Minnich Selected to Lead Washington Operations

The **National Cotton Council (NCC)** has announced that **Robbie Minnich** has been selected to lead its Washington Operations. Minnich previously held the position of Senior Government Relations Representative for the NCC. In that position, he spent 19 years working with members of Congress, Administration officials and opinion leaders on behalf of the U.S. cotton industry. He was instrumental in the planning and implementation of three Farm bills, assisted with general policy development for the industry and directed activity on behalf of the industry's PAC – ***The Committee for the Advancement of Cotton***. Robbie also represents NCC on several committees and initiatives, including serving as Chairman of the Coalition to Promote U.S. Agricultural Exports. Prior to his work at the NCC, Minnich served as Legislative Assistant for **Senator Tim Hutchinson**.

Clarification from Bayer on Roundup Announcement by EPA

The EPA recently announced the withdrawal of its interim decision for registration review of glyphosate. To ensure confusion is avoided, please understand this decision by EPA **does not** have any impact on the current registration of glyphosate. In announcing its withdrawal, EPA stated that “**Pesticide products containing glyphosate continue to remain on the market and be used according to the product label and are unaffected by this action.**” EPA is simply withdrawing its most recent human health assessment in compliance with the Circuit's Court of Appeals' decision that the assessment presented needed “further analysis and explanation.” The new human health assessment will be incorporated into EPA's final registration of glyphosate that will not be completed until 2026. Bayer released a

statement on the issue and indicated “EPA’s withdrawal of its interim registration review decision has no effect on the registration of glyphosate or Roundup™ products, nor does it change the conclusions the EPA has repeatedly reached regarding the safety and non-carcinogenicity of these products. The interim decision was a discretionary action taken by the agency and, as a result, EPA was free to withdraw it. The withdrawal also was expected, as the EPA indicated it was considering this action in its petition for rehearing. The EPA confirmed it is conducting additional work consistent with the 9th Circuit’s June ruling. We remain confident, based on the extensive science supporting its safety, that the agency will again conclude that glyphosate is safe for use and not carcinogenic as they have for decades, consistent with the findings of other expert regulators worldwide.”

Update on the Sites Reservoir

Sites Reservoir reached a critical milestone in May of this year when the Sites Project Authority submitted its water right application to the State Water Resources Control Board. A requirement for the Project to advance, the water right permit process is complex and sometimes iterative. It requires careful analysis and deliberate consideration. The Authority recently received a response letter from the State Board indicating they had accepted the application and determined that the Authority needed to supply additional information as part of the permitting process. It is fairly common for the State Board to request additional information from applicants. Sites Reservoir is currently working on the response to the State Board and are confident they can provide the information needed to secure the Project’s water right permit. The State Board has asked Sites to provide additional detail demonstrating that water will be available to divert into Sites Reservoir, and they are in the process of preparing the requested materials. Each of the analyses conducted to date have determined water is available to support the Project. In fact, the average annual estimated quantities of available water exceed Sites Reservoir’s average annual needs by 3 to almost 4.5 times, based on highly conservative

methodologies in analyzing the data and after considering the effects of a changing climate and other anticipated future changed conditions. Sites Reservoir encourages stakeholders to stay informed and to visit sitesproject.org for updates and current information.

State Revises Cotton Acres Slightly

The California Cotton Pest Control Board just released updated cotton acreage numbers for California for 2022. In the case of Pima, we are now up to 113,858 acres statewide, and there is 17,943 acres of upland. Total cotton acres for 2022 is 131,801 statewide.

CALIFORNIA COTTON ACREAGE			
2022			
<u>San Joaquin Valley</u>	Pima	Upland	TOTAL
Kern	9,126	465	9,591
Kings	42,638	4,350	46,988
Tulare	3,565	1,577	5,142
Fresno	30,676	2,009	32,685
Madera	196	58	254
Merced	27,657	1,310	28,967
San Joaquin	0	0	0
Subtotal =	113,858	9,769	123,627
<u>Southern California</u>			
Imperial	0	1,517	1,517
Riverside	0	5,716	5,716
Subtotal =	0	7,233	7,233
<u>Sacramento Valley</u>			
Sutter	0	0	0
Colusa	0	180	180
Yolo	0	7	7
Glenn	0	754	754
Tehama	0	0	0
Subtotal =	0	941	941
	Pima	Upland	TOTAL
Total =	113,858	17,943	131,801

Association Testifies in Opposition to Latest SWB Fee Increase

Last month, the Association’s Director of Technical Services, **Chris McGlothlin**, testified in opposition to a staff proposal to raise fees at the State Water Board

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(SWB). Board members heard various program presentations, detailing a need to increase fees across most SWB run programs to meet costs. The proposal in front of the Board, was an increase of 3.9% to the Irrigated Lands Regulatory Program (ILRP) to meet projected expenditures as well as incorporating a 5% addition to their fund reserve. Staff explained that program revenue from fees paid during the 2021-2022 fiscal year exceeded expenditures, however, staff's desire to build a reserve warranted the increase to rate payers. Over the last 3 years alone, WDR permit holders have experienced a 15% increase to program costs, resulting in thousands of dollars in increased fees.

The addition of a reserve fund request was challenged by several commenters at the hearing, with many questioning what authority staff had to incorporate a "slush fund" beyond what is required for program costs. Unfortunately, the Board moved to approve the proposed increases, but noted that further evaluation is necessary for next year's proposals. The Association will continue to fight back on this issue, and explore avenues to reduce costs associated with these programs or have these programs audited.

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