



The Cotton Chronicle

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Industry Calendar

**Dec. 12, 2023
CCGGA Board
Meeting
Fresno, CA**

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CARB Mandate Requires Truck Testing

The California Air Resources Board (CARB) has begun sending out notices to fleet owners on updates to the previously titled Heavy-Duty Inspection and Maintenance regulation. Now titled the Clean Truck Check program, the updated regulation aims to ensure that trucks operating in California are controlling emissions to the best of their availabilities. The updated regulation requires that fleet owners conduct annual emission control checks on equipment to ensure that emission control systems are operating as constructed. There are two options for annual testing, pre-2013 model year trucks are required to undergo Periodic Smoke Inspections (PSIP's), while pre-2018 model year trucks utilizing alternative fuel engines must undergo annual visual and functional inspections. 2013 model year and newer engine diesel equipment, as well as 2018 model year and newer alternative fuel engine trucks, must undergo On-Board Diagnostic (OBD) testing at a certified testing facility. For the agricultural industry, trucks are only required to be tested once per year. A passing certificate must be obtained from the licensed testing company, and must be submitted upon renewal of the vehicle's registration.

If the equipment fails the PSIP test, or the OBD testing displays signs of emission control equipment failure, the owner operator will have 75 days to correct the issue and retest the equipment. Prior to the retest, a temporary hold will be placed on the vehicle's registration. Showing a certificate of passage or removing the vehicle from service is the only way

to reinstate the vehicle into your registered fleet. Additionally, fleets are required to pay a per vehicle fee of \$30, as well as report the vehicle into an updated CARB database. More information on the updated requirements can be found at www.arb.ca.gov/truckstop.

Association Co-Hosts Texas Ag Leadership Cohort

The California Cotton Ginners and Growers Association and the Western Agricultural Processors Association co-hosted the latest cohort of the Texas Ag Leadership program consisting of 24 emerging agricultural leaders from the state of Texas. The California Fresh Fruit Association and Fresno County Farm Bureau co-hosted the event. The class attended a dinner at the Association offices and heard presentations from **Daniel Hartwig, Woolf Farming; John Chandler, Chandler Farms; Mandy Critchley, Critchley Farms; Courtney Razor, California Fresh Fruit Association; and Priscilla Rodriguez and Christopher McGlothlin, of CCGGA and WAPA.** The presentations covered growing of the various commodities represented and regulatory and legis-



lative issues covering water, water quality, air quality, labor, safety and food safety.

Association Supports 24c to Shorten Pre-Harvest Interval (PHI) for Assail Insecticide

This past month the Association submitted a letter to the California Department of Pesticide Regulation (CDPR) supporting a Section 24c Special Local Needs (SLN) registration for Assail Insecticide (acetamiprid) to reduce the pre-harvest interval from 28 days to 14 days. With the loss of chlorpyrifos and the inability to sulfoxaflor registered, it has become increasingly important to be able to use products to combat aphid and whitefly in years where these pests are problematic. Given the terrible start this year due to overwhelming lygus pressure, the Association is looking at all possible options and potential solutions to combat these devastating pests. The Association is working with UPL and hopes to have an answer quickly.

Ag Boosters BBQ a Huge Success

A big thank you to those who joined for the 46th annual Ag Boosters BBQ. The evening was one to remember, raising support for the **Jordan College of Agricultural Sciences and Technology** through the **Ag One Foundation** as well as for **California Women for Agriculture (CWA)**. Over 1,000 attendees gathered at George's River Ranch (formerly known as Panoche Creek River Ranch) and enjoyed a live auction, Dog House raffle, silent auction, Country Store and more. **Ag One President, Roger Isom (Association President/CEO)**, was on hand to welcome the guests and give everyone a look to the past and a challenge for the future. "Your attendance tonight makes a difference in some young man or woman's life and just as important, you are working to protect the future of agriculture. Fresno State students are key to this bright future. With that in mind, I'd like to recognize the founders of Ag One who set out 44 years ago to create and fund an endowment of \$1 million for student scholarships and program support. Today this fund

is \$27 million and providing \$920,000 in support. Let's honor the founders by setting a new goal of increasing the endowment fund so that we can instead provide \$1 million in support," said Isom. The final highlight of the night was pulling the winning ticket for this year's Fantasy Vacation. Congratulations to **Jim Malanca**, 1971 agricultural business graduate. After over 40 years in the produce business, Jim stepped back from his role as vice president of sales and marketing at **Westside Produce** this year. Ag One appreciates the continued support from our generous sponsors. Special thanks to the venue sponsor, Valley Children's Healthcare; dinner sponsor, **Zenith Agribusiness Solutions**; Country Store sponsor, **Ultra Gro**; bar sponsor, **OFR - Outdoor Field Recruitment**; Dog House sponsor, **Rabo AgriFinance**; social hour sponsor, **Fermin Campos Farms, Inc.**; and hand fan sponsors, **Dalena/Benik & Assoc., and Rain and Hail Insurance Company as well as the many Harvest Sponsors**. Make sure to mark your calendar for the 2024 BBQ slated for September 8!

Association Challenges SWRCB Fees Increases

Last month, the Association testified before the State Water Resources Control Board (SWRCB) to oppose ongoing fee increases for water quality regulations. Water Quality Fees went up across the board, including the Irrigated Lands Regulatory Program (ILRP) and Waste Discharge Requirement (WDR) fees. **Association President/CEO Roger A. Isom** testified at the hearing and focused on the WDR fees, which had one of the largest increases at 8.5%, which follows a 65% increase in the previous 5 years. Isom stated "this is not sustainable. It must stop now! While we recognize that regulating water quality is expensive and necessary, it does not justify these fee increases. The WDR fees are so out of line, they are 10 to 15 times all other regulatory fees combined! How do you explain that?" The SWRCB has admitted their fees are high, but put the blame on the State legislature, stating the legislature made the agency 100% fee based. At the hearing the SWRCB admitted 40% of the fee went to programs that were not ag discharge related. Isom responded "the problems are twofold. Yes, the State's General Fund should pick up the statewide portion of the costs and not put those on ag stakeholders, but the Board needs to review the staff and the efficiencies of their work. We are going to pursue every angle we can on this issue and have already initiated discussions with the legislature." Other commenters echoed Isom's comments including Bruce Houdesheldt, from the Sacramento Valley Water Quality Coalition.

EPA Resolves Longstanding Litigation to Protect Endangered Species

The U.S. Department of Justice, on behalf of the U.S. Environmental Protection Agency (EPA) resolved longstanding litigation covering over 1,000 pesticide products, allowing EPA to fulfill its obligations to protect





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endangered species while conducting reviews and approvals of pesticides in a safe and protective manner. In 2011, the Center for Biological Diversity and Pesticide Action Network (Plaintiffs) filed a complaint in Federal Court in California against EPA alleging that it was violating the Endangered Species Act (ESA) when it registered or reevaluated the registration of 382 pesticide active ingredients, which was ultimately reduced to 35 active ingredients covering over 1,000 pesticide products containing one or more of these active ingredients. This became known as the “megasuit” because of the number of pesticides it covered. The settlement entered by the Court this week resolves all outstanding claims. “This agreement is a win-win-win to protect endangered species, ensure the availability of pesticides needed to grow food across America, and save considerable time and taxpayer expenses required to further litigate this case,” said **Assistant Administrator for EPA’s Office of Chemical Safety and Pollution Prevention Michal Freedhoff**. “In 2022, EPA issued its ESA Workplan, *Balancing Wildlife Protection and Responsible Pesticide Use: How EPA’s Pesticide Program Will Meet its Endangered Species Act Obligations*, which describes how EPA will address the challenge of protecting ESA-listed species from pesticides. This settlement is consistent with EPA’s ongoing efforts to develop a multichemical, multispecies approach to meeting its ESA obligations under the workplan. EPA’s traditional chemical-by-chemical, species-by-species approach to meeting these obligations has been slow and costly, with ESA work on each pesticide typically taking many years to complete. As a result, EPA has completed its ESA obligations for less than 5% of its actions, creating legal vulnerabilities, the potential for adverse impacts to listed species, and uncertainty for farmers and other pesticide users that use many pesticides. Resolving the remaining claims in this lawsuit and establishing a path forward under the settlement is a significant step to overcoming these challenges. This agreement and the prior partial settlement include obligations for EPA as follows:

- Development of mitigation measures for listed species that are particularly vulnerable to exposures from pesticides and determine how to apply these mitigations to future pesticide actions, as well as whether this Vulnerable Species Pilot should be expanded to more species.
- Development and implementation of an Herbicide Strategy (draft released for public comment), a Rodenticide Strategy, Insecticide Strategy, and Fungicide strategy (the latter three are still under development) which will identify mitigation measures for entire classes of pesticides to address their potential impacts to hundreds of ESA-listed species
- Completion of the ESA work for eight organophosphates and four rodenticides;
- Hosting of a workshop for stakeholders to explore how to offset pesticide impacts on ESA-listed species in situations where eliminating or modifying pesticide use may not be

feasible, and how EPA could incorporate those offsets into its process for registering or reregistering pesticides. Offsets could include restoring wetland habitat or funding breeding programs for affected species.

We will have to see how this plays out, because “the devil is in the details.” What are the mitigation measures and how are the pilot projects impacting farming operations are a couple of questions that immediately rise to the top.

DWR Awards \$187 Million to Improve Sustainable Groundwater Use and Storage Statewide

The Department of Water Resources (DWR) has awarded \$187 million to 32 groundwater subbasins through the Sustainable Groundwater Management (SGM) Grant Program. The funding will support 103 individual projects that enhance groundwater monitoring, water use efficiency, groundwater recharge, recycled water and water quality. “This water year has proved the importance of managing our groundwater to capture and store as much water as possible in our local communities to prepare for future weather extremes, while supporting the implementation of the Sustainable Groundwater Management Act,” said **DWR Sustainable Groundwater Management Deputy Director Paul Gosselin**. “We look forward to working with our local partners to make the necessary investments to better manage, capture and store groundwater for future generations.” California is home to 515 groundwater basins, a critical component of the state’s water supply, and is heavily relied upon by communities, agriculture and the environment, especially during dry and drought years. During the 2023 Water Year, DWR has determined an estimated 3.8 million acre-feet of water has been recharged; a clearer picture of the 2023 water year’s groundwater conditions will emerge after April 1, 2024, when annual reports are due from the local groundwater sustainability agencies to the State. The grant awards are distributed throughout the State, but some regions that will benefit from this funding include:

- In Merced County, the Merced Irrigation-Urban Groundwater Sustainability Agency will receive \$3.4 million to execute two multi-benefit projects that fallow more than 1,300 acres of cropland, resulting in increased groundwater recharge, habitat enhancement and reduced flood risk for nearby underrepresented communities.
- In San Benito County, San Benito County Water District will receive \$11.5 million to expand and update the water treatment plant and construct five aquifer storage and recovery wells, as well as a conveyance pipeline for water. The project will help provide a resilient water supply for nearby underrepresented communities.
- In Stanislaus County, Oakdale Irrigation District will receive \$14.3 million to expand an existing recharge facility and increase storage by 600 percent. The project will

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benefit underrepresented communities in the area.

- In Sutter County, Sutter County Development Services will receive \$8.5 million for improved data collection and reporting while also financing a pilot program to support farmers with irrigation system upgrades and underrepresented communities.

These awards mark the second solicitation offered through the SGM Grant Program. In 2022, the program awarded \$150 million during the first solicitation to 20 agencies responsible for managing critically over drafted groundwater basins throughout the state. Demand for groundwater project funding has been high with the SGM Grant Program receiving nearly \$800 million in requests.

Cal/OSHA Advisory Committee to Revise Walking and Working Surfaces Standard

The Cal/OSHA Standards Board advisory committee will be convening for its third meeting to review and discuss the proposed changes to the General Industry Safety Orders, in order to be at least as effective as the Federal Walking-Working Surfaces standard, which was published in the Federal Register on November 18, 2016. Cal/OSHA is obliged to meet or exceed the comprehensive Fed-OSHA update. This time around Fed-OSHA has led in the standard development, usually it is the other way around. A walking-working surface is defined as any surface on or through which an employee walks, works or gains access to a work area or workplace location. Walking-

working surfaces include but are not limited to, floors, stairways, steps, roofs, runways, aisles, scaffold, dock plates and step bolts. Walking-working surfaces include horizontal, vertical and inclines or angled surfaces but do not include ladders. This revision to the standard will affect every single industry. The Association is following this regulatory process and will provide an update soon.

Thank you for your continued interest in the Cotton Chronicles, the monthly newsletter for the California Cotton Ginners and Growers Association. To help reduce costs, we are asking everyone to consider receiving the electronic version of the Cotton Chronicles instead of paper. If you are willing to switch to the electronic version of the newsletter, please send an email to Michelle at michelle@ccgga.org requesting the change. Thank you for your consideration.