



The Cotton Chronicle

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December 2023

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Industry Calendar

Dec. 12, 2023
CCGGA Board Meeting
Fresno, CA

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Association Meets w/ CDPR and CDFA on Key Pesticides

Following the disastrous season impacted by an onslaught of lygus, the **Association's President Roger A. Isom, Assistant Vice President Priscilla Rodriguez, and 1st Vice Chairman Gary Martin** traveled to Sacramento to meet with officials from the California Department of Food and Agriculture (CDFA) and California Department of Pesticide Regulation (CDPR). The primary topics were the status of the registration of sulfoxaflor (Transform) and Pyrifluquinazon (PQZ). PQZ is an excellent product for aphid and whitefly and it is currently registered at the federal level by EPA. Unfortunately, California has stricter standards, and currently it has been unable to pass the tougher California groundwater standards. CDPR confirmed it is still held up on that issue, but they are meeting with Nichino officials in December to discuss further. Meanwhile, CDPR informed us that at the state level Transform is held up due to a CEQA lawsuit despite a stricter label negotiated between the Association and CDPR. At the Federal level EPA is reviewing the latest proposed mitigations for the Endangered Species Act (ESA) from Corteva. There seemed to be an indication that they are close but would most likely be ready for approval in 2025, and not 2024. The Association shared pictures of impacted fields, as well as preliminary yield data that indicated statewide average yields less than 2 bales per acre. CDPR held fast to their position. In response the Association is renewing its discussion with both the state and federal legislature as we fight to get these important tools in the hands of California growers.

CARB Sending out Heavy Duty Maintenance Notice

Earlier this month, the California Air Resources Board (CARB) sent out notices to heavy-duty diesel truck fleet owners informing them of updates to the Heavy-Duty Inspection and Maintenance regulation (HDIM). The updated rule is requesting the applica-

ble businesses to register their diesel trucks over 14,000 Gross Vehicle Weight Rating into a new CARB HDIM truck database. Beginning in 2024, these registered trucks will have to be inspected by a certified mechanic shop once per year. Trucks made before 2013 are still allowed to test equipment through the Periodic Smoke Inspection Program (PSIP) process. 2013 and newer equipment must now be tested through the On-Board Diagnostic equipment at a licensed mechanic shop. Both processes will certify that your equipment meets the updated HDIM standard, and you will be awarded a certificate. If the vehicle has any equipment or opacity failing during the inspection, the fleet owner will have 60 days to repair the failing equipment and retest without a DMV hold being placed on your registration. Once passage of equipment is determined, fleet owners will have to update the CARB database with their passing certificate in order to maintain compliance with the rule. Non-compliance with the regulation results in a registration hold with the DMV. Additionally, fleets are required by CARB to pay \$30 per vehicle in order to maintain compliance. CARB currently has resources and informational documents available online at https://ww2.arb.ca.gov/resources/documents/clean-truck-check-outreach-kit?utm_medium=email&utm_source=govdelivery.

CDPR Proposes Statewide Advance Pesticide Application Notification System

The California Department of Pesticide Regulation (CDPR) has noticed a proposed regulation for a statewide system that will provide the public with information prior to intended applications of restricted material pesticides in California. Currently, applicators must be licensed, obtain a permit and provide notice to the county agricultural commissioner prior to applications of restricted material pesticides. The proposed regulation would require information about restricted material applications

for the production of an agricultural commodity to be submitted electronically to DPR for public posting through a new statewide information system 24 hours prior to intended restricted material pesticide applications except for soil fumigant restricted materials, which would be posted 48 hours before an intended application. DPR is holding three public hearings on the regulation: Dec. 13 in Clovis, Dec. 14 in Ventura and Dec. 19 in a virtual setting. The department is additionally accepting written comments on the proposed regulation between Nov. 3, 2023, and Jan. 12, 2024. The proposed regulation follows a two-year period of outreach conducted by DPR to inform development of the statewide information system, including four focus groups and eight public meetings held between 2021-2022 and a series of pilot projects hosted by four counties to test elements of system design in 2022. DPR is hosting three public hearings to collect oral and written comments on the proposed regulation.

- **Wednesday, Dec. 13, 2023, at 4:30 p.m.** Clovis Veterans Memorial District Memorial Auditorium 808 4th Street Clovis, California 93612
- **Thursday, Dec. 14, 2023, at 4:30 p.m.** Ventura County Fairgrounds Santa Rosa Hall 10 West Harbor Boulevard Ventura, California 93001
- **VIRTUAL Tuesday, Dec. 19, 2023, at 4:30 p.m.** Held on Zoom Webinar ID: 873 2837 5612 Passcode: 221172 [Zoom join online](#) Join via mobile phone by calling: +16699009128,,87328375612#,,,,*221172# Join via landline by calling: +1 669 900 9128 and enter the Webinar ID and Passcode when prompted

CDPR Adopts Regulations to Limit Neonics

The Department of Pesticide Regulation (DPR) has adopted regulations to limit neonicotinoid pesticide product use in the production of certain agricultural commodities. The new regulations apply to soil and foliar applications of products containing clothianidin, dinotefuran, imidacloprid, and thiamethoxam. CDPR is doing this, because they believe neonicotinoid pesticide products may present hazards to honeybees and other pollinators. Pollinators can be exposed to neonicotinoids, through contact with residues or by ingesting contaminated pollen or nectar since neonicotinoids are systemic pesticides that move through the plant’s tissue. DPR adopted these regulations to protect pollinators from risks from exposure to neonicotinoids in agricultural crops. To mitigate these identified risks to pollinators, these new regulations have crop-specific rate and application timing restrictions. Statewide, the regulations are expected to reduce the amount of neonicotinoid pesticides used and acres treated. Here are the top neonicotinoid products used in cotton for each active ingredient. This information was compiled using publicly available data by products with the highest number of applications in 2020.

1. **Clothianidin: Belay Insecticide (EPA Reg. No.59639-150-AA)**
2. **Dinotefuran: Venom Insecticide (EPA Reg. No.59639-135-AA)**
3. **Imidacloprid: Wrangler Insecticide (EPA Reg. No.34704-931-AA), Leverage 360 (EPA Reg. No.264-1104-AA)**
4. **Thiamethoxam: Centric 40WG (EPA Reg. No.100-1147-AA)**

Active Ingredient	Soil Application		Foliar Application	
	Maximum Application Rate	Required Timing	Maximum Application Rate	Required Timing
Clothianidin	Prohibited	Prohibited	Prohibited	Prohibited
Dinotefuran	Prohibited	Prohibited	Prohibited	Prohibited
Imidacloprid	Prohibited	Prohibited	0.3 lbs ai/A/season	Apply only from pre-planting until bloom
Thiamethoxam	Prohibited	Prohibited	Prohibited	Prohibited

CalOSHA Standards Board Releases 2nd 15 Day Notice on Indoor Heat Illness Standard

Still hell bent on adopting a new standard for Indoor Heat Illness, the CalOSHA Standards Board released a second notice for a 15-day comment period on additional changes to the proposed Indoor Heat Illness standard. Most of the proposed changes are minor and the regulation remains overly burdensome and potentially problematic for many agricultural buildings. One change has to do with accessing shipping containers even if for only a brief time. Many industries are commenting on that provision, as well as another change that deleted the provisions addressing employees who may be going from outdoors to indoors or vice versa. CalOSHA previously had included a provision that addressed that issue, but now has removed it causing some confusion. The Association is part of a large coalition, led by the State Chamber of Commerce, on the matter.

CARB’s Latest Proposed ZEV Forklift Regulation

Last month, the California Air Resources Board (CARB) released the latest draft of the proposed Zero-Emission Forklift Regulation. It subsequently announced the CARB Board will conduct a public hearing on June 27, 2024 to consider the proposed Zero-Emission Forklift Regulation. The Proposed Regulation would eliminate the use of Class 4 and Class 5 internal combustion forklifts and convert fleets over the zero emission vehicle forklifts. Certain types of forklifts, such as rough-terrain forklifts and diesel forklifts, would not be addressed by the Proposed Regulation. Our efforts over the past couple of years against

this proposed regulation have been reflected in certain aspects of this latest draft. For instance, agricultural operations have a delayed timeline for compliance that will begin in January 1, 2029. Today, the statewide electrical infrastructure is not prepared for the load the conversion to electric will require, CARB has now recognized this barrier and is allowing for an infrastructure extension of up to 2038 if the utility provide is not able to provide power for the charging of your fleet. Equipment delays extensions remain in the latest draft, if you are unable to secure a ZEV forklift prior to your compliance date. There are many sections of the proposed regulation we strongly oppose such as the reporting requirements. The information requested to be reported is onerous and unnecessary. As proposed, the phase out schedule could require a fleet to convert over a large number of their forklifts depending on the model years of the fleet, which can cause an overburden on any business. CARB released the Standardized Regulatory Impact Assessment (SRIA) which uses data that is not reflective of our businesses. They suggest the cost of electricity to be an average of \$0.17 kwh and expect it to decrease over time. We highly disagree as PG&E and SCE have recently requested a 45% increase in the latest general rate case. CARB stated “The Proposed Regulation has been identified in the 2016 State Strategy for the State Implementation Plan, the 2016 Mobile Source Strategy (MSS), the 2020 MSS, and the Sustainable Freight Action Plan as one of several measures necessary for California to achieve its established air-quality and climate goals.” The public comment period for the regulatory action began on November 10, 2023. Written comments are due by December 26, 2023. The Association is coordinating a joint effort with other agricultural organizations to compile joint comments against the Proposed Regulation. The Notice, Initial Statement of Reason, and all subsequent regulatory documents are available on CARB's Rulemaking page. We will keep you posted.

Ag Meets Tractor Replacement Goal for Clean Air!

Last week, representatives from the San Joaquin Valley Air Pollution Control District (District), California Air Resources Board (CARB), Natural Resources Conservation Service (NRCS), and United States Environmental Protection Agency Region 9 (US EPA) came together in Modesto to sign a historic proclamation lauding the successful efforts to reduce agricultural-related air quality emissions in the San Joaquin Valley. The proclamation stated, ***“that through the emissions reductions achieved by the District, CARB, and NRCS grant program partnerships, the agricultural industry has met their commitment to accelerate turnover of agricultural equipment in the San Joaquin Valley to cleaner equipment and achieved over 11 tons per day of NOx emission reductions in 2024”***. According to the District, in order to meet the emission reduction commitment, through the Carl Moyer, FARMER, DERA, TAG, and EQIP incentive programs, the agricultural industry turned over and destroyed

over 12,800 pieces of older agricultural equipment in the San Joaquin Valley, of which over 7,300 were the oldest Tier 0 agricultural equipment with no emissions controls.

“The agricultural sector in the San Joaquin Valley is an economic powerhouse for the state. Moving towards the cleanest available technology in this sector continues to be critical to improving the air in the Valley,” said **Liane Randolph, Chair of the California Air Resources Board**. “We all have a role to play in building a healthier, more sustainable California, and today's event shows what we can achieve when we work together.”

“NRCS California is proud to have helped our farmers replace more than 6,000 old, polluting tractors since 2008, with an emission's reduction equivalent of removing 1.5 million cars off California's roads,” said **NRCS California State Conservationist Carlos Suarez**. “But we didn't do this alone – a robust partnership of agriculture and governmental partners have teamed with us for more than a decade working together to make our air cleaner and healthier for Central Valley communities.”

“The District applauds the leadership of local and state legislators, as well as Valley farmers in recognizing the public health and climate benefits provided throughout California from clean air investments,” stated **Samir Sheikh, Executive Director/Air Pollution Control Officer for the Valley Air District**. “The San Joaquin Valley agricultural sector feeds the world and coordinated multi-agency efforts like this must continue to support farmers' ongoing transition to sustainable and air-friendly practices.”

In a District press release, they commented “While the San Joaquin Valley has some of the most challenging fine particulate matter and ozone air quality issues in the nation, the Valley has a long history of collaboration with Valley agricultural stakeholders, partner agencies, state and federal legislators, and the California Governor. This collaboration has led to the accelerated turnover of older agricultural equipment to lower-emitting equipment through significant funding under the federal Diesel Emission Reduction Act (DERA), Targeted Airshed Grant (TAG) funding programs, and the state Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program. CARB, the District, and NRCS also partnered with the Valley agricultural industry for decades through the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program), and the NRCS Environmental Quality Incentives Program (EQIP). The total public (District, CARB, NRCS, and U.S. EPA) and private investment in agricultural equipment in the San Joaquin Valley since 2015 has equated to over \$1.6 billion, more than half of which was spent by farmers and others in the agricultural industry.” On hand for the event was **Association President/**

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CEO Roger A. Isom. Isom commented "The Association spent a lot of time, effort and political capital over the past several years to make sure this day happened, and to stave off any type of mandatory replacement rule like the CARB Truck Rule that would have ultimately put farmers out of business."

Association Part of Two Panels at the 2023 SJVAPCD Governing Board Study Session

Association President/CEO Roger A. Isom represented agricultural interests on two important panels at the 2023 San Joaquin Valley Air Pollution Control District Governing Board Study Session. The two-day Study Session is held every year to allow the Governing Board to take a deeper dive into major issues facing the District. The issue for the first panel was the topic of "**Continued Efforts to Partner with Valley Agriculture to Reduce Nut Harvest Emissions**". Isom kicked off the panel and focused on highlighting the existing incentive programs for "low dust harvesters", as well as a need to expand the programs to include conditioners and "low dust conditioners". Isom further highlighted the need for research to support these efforts, while emphasizing the importance of incentives as the key to any successful and meaningful replacement of this equipment, especially given current commodity pricing. Joining Isom on the Panel were representatives from the Almond Board of California and the USDA NRCS. On the second day, Association President/CEO Isom opened up the panel on the issue of "**Zero-Emission Heavy Duty Vehicle and Equip-**

ment Infrastructure Challenges and Opportunities." Isom focused on major issues with the lack of infrastructure for both electric and hydrogen fuel sources, as well as major cost implications. Isom commented that compliance dates need to be adjusted once we truly understand our infrastructure needs including how much, when and where the demand will be for either electricity or hydrogen. He also stated that two rules are impacting agriculture in this matter, including the new truck rules and the proposed forklift rule, and stated incentives were needed to assist agriculture on both of these regulations. Joining Isom on the panel were representatives from the California Air Resources Board, California Energy Commission, California Public Utilities Commission, Go-BIZ and the California Transportation Commission.

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.