



February 17, 2017

Commodities:

The Assembly Committee on Agriculture introduced AB 1126 this week at Farm Bureau’s request. The bill will allow the continued use of carbon monoxide to control burrowing rodent pests. In 2011, Farm Bureau sponsored legislation to legalize the use of carbon monoxide for rodent control. However, that bill included a sunset that eliminated the use January 1, 2018. AB 1126 will extend the allowance indefinitely.

Assembly Member Anna Caballero (D-Salinas) introduced [AB 822](#) at Farm Bureau’s request this week. The bill requires state agencies and institutions to purchase California grown agricultural products as long as the price is no more than five percent higher than outside products. School districts and state universities would be required to purchase California grown products as long as they do not cost any more than outside products. California farmers have significantly higher costs of production due to California’s stringent regulations and our state should support our farmers by purchasing products from farmers meeting those high regulatory standards.

Land Use:

[SB 435](#) (Bill Dodd, D-Napa) would provide funding of the Open Space Subvention program at 50 percent of the previous per acre formula for prime farmland (\$2.50 instead of \$5), nonprime farmland (\$0.50 instead \$1) and for land subject to a Farmland Security Zone (FSZ) contract within 3 miles of the outside boundary of a city’s sphere of influence (\$4.00 instead of \$8). This funding backfills a portion of the counties’ foregone property tax revenue due to their participation in the Williamson Act. County funding was cut from approximately \$37 million to \$1,000 at the height of California’s Great Recession in 2009 when former Governor Arnold Schwarzenegger reduced the appropriation to the lowest figure possible in a budget measured in \$1000 increments. SB 435 will be welcomed by counties, who with the exception of Imperial County, have maintained their participation in the farmland protection program despite the state’s lack of funding. The Department of Finance (DOF) will no doubt maintain its opposition due to its continued concern about new or increased appropriations from the state’s general fund (GF). DOF also likes to point to the fact that the state has continued to backfill school districts for their foregone revenue, as required by law. Farm Bureau looks forward to working with Senator Dodd on this \$18.5 million proposal that must be considered in the context of the overall \$129 billion GF budget. Despite being as small as 0.014 of one percent of the overall GF, history has shown it will be an uphill battle.

Water:

More than a dozen water measures have been introduced with minimal specificity about their intent and are called “spot bills.” We will report on these bills as the authors amend them with substantial language and the intent and impact on agriculture becomes clear.

A measure was introduced this week that would exempt large solar or wind energy generation projects from preparing a water supply assessment if they would demand no more than 50 acre feet of water annually. [AB 594](#) (Jacqui Irwin, D-Thousand Oaks) indefinitely exempts these projects from identifying their water supply under the California Environmental Quality Act. Assembly Member Irwin introduced a similar measure ([AB 2561](#)) at the very end of the legislative session last year. Farm Bureau was opposed unless the measure was amended to extend the sunset for only one year in order to allow time to work with the sponsors on a solution. Farm Bureau is working with the sponsors and the author to address concerns that large scale projects could compete with agricultural water supplies as a result of AB 594.

A Farm Bureau sponsored measure was introduced this week that would add clarifying language to Section 1601 of the Fish and Game Code. [AB 947](#) (James Gallagher, R-Yuba City) would clarify that “streambed, bank, or channel” only means the land containing the river, stream, or lake during its ordinary course. This change would narrow when a streambed alteration agreement would be required to activities only in the bed, bank, or channel rather than the entire floodplain.

The State Water Resources Control Board’s Division of Water Rights issued a notice this week regarding surface water measurement and reporting requirements. The division issued a reminder notice that those who divert more than 10 acre feet of water each year are required to measure their diversions using equipment which meets specified accuracy requirements. The measurement requirement is being phased in with larger diverters required to measure first. A chart to determine when you must start measuring your diversions is available online at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml

The annual water use reports for the 2016 calendar year are due by April 1, 2017 for persons diverting under water right permits, licenses, stockpond certificates, registrations for livestock stockponds and small domestic or small irrigation uses. Supplemental Statements of Water Diversion and Use reports are due by July 1, 2017. Reporting forms are available online at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml