

ASSEMBLY BILL

No. 1891

**Introduced by Committee on Higher Education (Portantino (Chair),
Block, Cook, Fong, Galgiani, Huber, Ma, and Ruskin)**

February 16, 2010

An act to add Article 8 (commencing with Section 550) and Article 10 (commencing with Section 591) to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1891, as introduced, Committee on Higher Education. Sustainable agriculture research: agricultural chemicals.

(1) Until January 1, 2010, existing law requested the Regents of the University of California to establish the Sustainable Agriculture Research and Education Program to support competitive grants to promote more research and education on sustainable agricultural practices, and to support the giving of instructions and practical demonstrations in agriculture.

This bill would reestablish this program, except it would not require the regents to biennially report to the Legislature on the program.

(2) Until January 1, 2010, existing law requested the Regents of the University of California to establish a program of pilot demonstration projects designed to provide extension services, training, and financial incentives for participating farmers to implement biologically integrated farming systems.

This bill would reestablish this program, except it would not require the regents to biennially report to the Pest Management Advisory Committee of the Department of Pesticide Regulation and the Legislature on the status of each of the pilot demonstration projects.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 8 (commencing with Section 550) is added
2 to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural
3 Code, to read:

4
5 Article 8. Sustainable Agriculture
6

7 550. This article shall be known and may be cited as the
8 “Sustainable Agriculture Research and Education Act of 1986.”

9 551. The Legislature finds and declares all of the following:

10 (a) There is a growing movement in California and the nation
11 to change farming techniques by adopting more
12 resource-conserving, energy efficient systems of agriculture. The
13 objective of these changes is to produce agricultural products that
14 may reduce the use of petrochemicals, improve means of biological
15 pest management, improve soil productivity, improve erosion
16 control, and improve irrigation, cultivation, and harvesting
17 techniques.

18 (b) Over the long term, adoption of more efficient resource
19 conserving systems of agricultural production can benefit both the
20 producing and consuming public.

21 (c) The resolution of many agricultural problems depends on
22 immediate efforts to provide farmers with practices that are both
23 resource-conserving and economical for food producers, and to
24 foster food production and distribution methods that reduce
25 dependence on petroleum-based inputs.

26 552. The purpose of this article is to promote more research
27 and education on sustainable agricultural practices, such as organic
28 methods, biological control, and integrated pest managements,
29 including the analysis of economic factors influencing the
30 long-term sustainability of California agriculture. This article is
31 intended to foster economically and ecologically beneficial means
32 of soil improvement, pest management, irrigation, cultivation,
33 harvesting, transportation, and marketing for California agriculture
34 based on methods designed to accomplish all of the following:

1 (a) The control of pests and diseases of agricultural importance
2 through alternatives that reduce or eliminate the use of pesticides
3 and petrochemicals.

4 (b) The production, processing, and distribution of food and
5 fiber in ways that consider the interactions among soil, plant, water,
6 air, animals, tillage, machinery, labor, energy, and transportation
7 to enhance agricultural efficiency, public health, and resource
8 conservation.

9 553. (a) It is the intent of the Legislature that the Regents of
10 the University of California establish the Sustainable Agriculture
11 Research and Education Program to support all of the following:

12 (1) Competitive grants for research on topics described in
13 Section 552.

14 (2) The giving of instructions and practical demonstrations in
15 agriculture and imparting information through demonstrations,
16 publications, and otherwise, and for printing and distribution of
17 information in connection with the Sustainable Agriculture
18 Research and Education Program. Where feasible, these
19 demonstrations shall include field research conducted on cooperator
20 farms.

21 (3) Planning for and management of University of California
22 farmlands committed to supporting long-term continuous research
23 in sustainable agricultural practices and farming systems.

24 (b) Those eligible to apply for competitive grants under
25 subdivision (a) shall include individuals affiliated with public and
26 private institutions of higher education and with nonprofit
27 tax-exempt organizations.

28 (c) All grant applications shall be subject to peer review for
29 scientific merit.

30 (d) In awarding grants, preference shall be given to projects that
31 include field evaluation and offer the greatest potential for
32 measurable progress toward attaining the long-term goals pursuant
33 to Section 552.

34 554. (a) If the Sustainable Agriculture Research and Education
35 Program is established by the regents, the President of the
36 University of California shall establish and appoint a Program
37 Advisory Committee and a Technical Advisory Committee.

38 (b) The duties of the Program Advisory Committee shall include
39 recommending goals and priorities for this program, including,
40 but not limited to, reviewing the priority of grant applications.

1 (c) The Program Advisory Committee shall be composed of a
2 majority of individuals representing agriculture, as well as
3 representatives from government, public organizations, and
4 institutions of higher education all of whom are knowledgeable
5 regarding the issues and practices of sustainable agriculture.

6 (d) The duties of the Technical Advisory Committee shall
7 include making recommendations about the scientific merit of
8 grant applications submitted pursuant to Section 553.

9 (e) The Technical Advisory Committee shall be composed of
10 faculty and staff of the University of California and other experts
11 from outside the university.

12 (f) Members of the Program Advisory Committee and Technical
13 Advisory Committee who are not employed by the University of
14 California shall be appointed for a period not exceeding three years
15 and receive compensation for expenses incurred in the performance
16 of their duties according to applicable university regulations and
17 guidelines.

18 555. If the Sustainable Agriculture Research and Education
19 Program is established by the regents, it shall be established from
20 existing resources.

21 SEC. 2. Article 10 (commencing with Section 591) is added
22 to Chapter 3 of Part 1 of Division 1 of the Food and Agricultural
23 Code, to read:

24

25 Article 10. Agricultural Chemical Reduction Pilot
26 Demonstration Projects

27

28 591. (a) The Legislature finds and declares all of the following:

29 (1) Successful farmers and ranchers adapt to changing
30 circumstances through innovation and the incorporation of new
31 information and practices, in order to improve their economic
32 productivity and maintain the long-term sustainability of farmland
33 and other natural resources.

34 (2) California’s farmers and ranchers face increasing pressure
35 to modify their use of water and agricultural chemicals, resulting
36 from, among other things, implementation of the federal Food
37 Quality Protection Act of 1996 (Public Law 104-170), the federal
38 Central Valley Project Improvement Act (Public Law 102-575),
39 the California Endangered Species Act (Chapter 1.5 (commencing

1 with Section 2050) of Division 3 of the Fish and Game Code), and
2 other state and federal rules.

3 (3) In 1995, the University of California established, pursuant
4 to Chapter 1059 of the Statutes of 1994, a program of pilot
5 demonstration projects called Biologically Integrated Farming
6 Systems (BIFS), to demonstrate and expand the use of integrated
7 farming systems as a means of building soil fertility while
8 attempting to modify or reduce the use of agricultural chemicals.

9 (4) Biologically integrated farming systems provide some
10 pollution prevention results, including reductions in surface water
11 and groundwater contamination, air contaminant emissions, and
12 particulate matter; and also promote practices that decrease erosion
13 and improve habitat for wildlife.

14 (5) Farmers and ranchers who are accomplished in managing
15 biologically integrated farming systems are often willing and able
16 to act as mentors for other farmers.

17 (b) It is the intent of the Legislature to expand and improve the
18 BIFS program so that integrated farming systems can be applied
19 to a greater number of crops and regions and to more widely
20 disseminate information on how to implement integrated farming
21 systems through science-based technical assistance and
22 farmer-to-farmer information sharing.

23 592. (a) For the purposes of this article, biologically integrated
24 farming systems help provide soil fertility, pest control, pollution
25 prevention, and environmental improvements through integration
26 of some or all of the following elements:

27 (1) Relying on biological and cultural controls to protect crops
28 from pest outbreaks and increase beneficial insect populations.

29 (2) Creating on-farm habitats and restoring riparian zones to
30 harbor beneficial insect populations, reduce movement of pests to
31 susceptible crops, and improve habitat for migrant birds and upland
32 game species.

33 (3) Using cover crops to provide some or all of the nitrogen
34 needed by crop plants, increase water infiltration of the soil, and
35 decrease erosion and flooding.

36 (4) Directing overall attention to soil building practices, to
37 improve crop nutrition, reduce soilborne pests, reduce reliance on
38 chemical pesticides and fertilizers, and to provide additional
39 scientific research and information on pest management and soil
40 fertility.

1 (5) Using pest monitoring and decision thresholds for chemical
2 applications, to avoid uneconomic applications of pesticides and
3 fertilizers.

4 (6) Improving livestock management, reducing erosion, restoring
5 native bunch grasses and other native plants, protecting riparian
6 zones, and improving fish and wildlife habitat.

7 (b) For the purposes of this article, “program” means the
8 Biologically Integrated Farming Systems (BIFS) program.

9 593. There is established within the University of California
10 a program of pilot demonstration projects designed to provide
11 extension services, training, and financial incentives for
12 participating farmers to implement biologically integrated farming
13 systems. In implementing the program, it is the intent of the
14 Legislature that all of the following occur:

15 (a) The program should be designed to extend integrated farming
16 systems through the proven technique of farmer-to-farmer
17 communication, with technical support provided by farm advisers,
18 scientists, pest control advisers, and certified crop advisers.

19 (b) The structure of each pilot demonstration project should be
20 patterned, to the degree feasible, after the successful collaboration
21 between the University of California and the Biologically
22 Integrated Orchard Systems (BIOS) Program coordinated by the
23 Community Alliance with Family Farmers in Merced, Stanislaus,
24 Colusa, Madera, San Joaquin, Solano, and Yolo Counties.

25 (c) Pilot demonstration projects should be selected through a
26 competitive process that supports the goals specified in Section
27 592. The proposals for the projects selected should include a
28 description of the project’s objectives, a workplan for the project’s
29 implementation, and a component for monitoring and evaluating
30 the project’s findings and results. The proposals should demonstrate
31 the applicant’s experience in the farming systems described in
32 subdivision (a) of Section 592, should contain documented
33 financial and technical support, and should provide for a breadth
34 of private sector cost sharing.

35 (d) The program should make all feasible efforts to select
36 projects involving a variety of commodities and cropping systems
37 located in different counties.

38 (e) Funding for the program should consist of a combination of
39 federal, state, and private sector funds. The Department of Pesticide
40 Regulation shall provide fiscal oversight and shall allocate all

1 program funds received, less 2 percent for administrative costs, to
2 the University of California for purposes of implementing the pilot
3 demonstration projects. The program may allocate up to 10 percent
4 of program funds to support research related to biologically
5 integrated farming systems.

6 594. (a) There is established at the University of California a
7 program advisory review board consisting of 13 members,
8 appointed by the President of the University of California, or his
9 or her designee, as follows:

10 (1) Ten members who are knowledgeable regarding the farming
11 systems described in subdivision (b) of Section 591, as follows:

12 (A) Two representatives from the University of California.

13 (B) Two representatives from relevant federal agencies.

14 (C) Three growers.

15 (D) Two representatives of nonprofit organizations.

16 (E) One licensed pest control adviser.

17 (2) One member from each of the following:

18 (A) The Department of Pesticide Regulation.

19 (B) The Department of Food and Agriculture.

20 (C) The Pest Management Advisory Committee. This member
21 shall be a public member who is not a government employee.

22 (b) The members of the review board shall serve without
23 compensation but shall be paid necessary and proper expenses
24 incurred in the performance of official duties.

25 595. In order to administer and implement the program, the
26 University of California, in consultation with the program advisory
27 review board, shall perform the following duties:

28 (a) Develop policies and procedures to guide the implementation
29 of the pilot demonstration projects. These policies and procedures
30 shall include, but shall not be limited to, a mechanism for
31 monitoring and summarizing pesticide and fertilizer use for each
32 project with an assessment of overall environmental impacts,
33 including improvements in environmental quality on each project.

34 (b) Develop and issue requests for proposals for the pilot
35 demonstration projects.

36 (c) Review and select the proposals to be funded.

37 (d) Annually review pilot demonstration projects and determine
38 which projects shall be renewed.

39 596. The Pest Management Advisory Committee of the
40 Department of Pesticide Regulation and the Department of Food

1 and Agriculture shall provide the program advisory review board
2 with a list of cropping systems that would benefit from the pilot
3 demonstration projects. The board shall consider this list when it
4 deliberates regarding which proposals to recommend for funding.

5 597. The contract for a pilot demonstration project shall be for
6 a period of up to five years and shall be evaluated annually by the
7 director of the program and the program advisory review board.
8 The evaluation shall be based on an annual report submitted by
9 the pilot project supervisor that documents changes in agricultural
10 practices, agrichemical and water use, crop yields, environmental
11 impacts, and monitoring data resulting from the pilot project.
12 Funding for subsequent years of the contract shall be contingent
13 upon adequate progress in those documented criteria, as determined
14 by the director with the advice of the board, and continued grower
15 participation in the pilot project.

16 598. All moneys allocated by the Department of Pesticide
17 Regulation to the University of California for facilitating this
18 program shall be used for the following purposes:

19 (a) Contracting with pilot demonstration project supervisors.
20 No member of the program advisory review board shall participate
21 in such a project.

22 (b) Rebates to project participants for materials used to
23 implement the alternative systems composing the pilot
24 demonstration projects, and assistance with purchasing or leasing
25 equipment.

26 (c) The University of California’s administrative costs, which
27 shall not exceed 10 percent of the total costs of the pilot
28 demonstration projects.

29 599. New pilot demonstration projects may not be commenced
30 on or after December 31, 2010. Until all funds available for the
31 projects are encumbered, the University of California may continue
32 to use available funds for projects that it commenced prior to
33 December 31, 2010.

34 600. No provision of this article applies to the University of
35 California unless the Regents of the University of California, by
36 resolution, make that provision applicable.