

AMENDED IN SENATE APRIL 13, 2016

SENATE BILL

No. 1247

Introduced by Senator Jackson

February 18, 2016

An act to ~~amend Sections 564 and 566 of, and to add Section 563 to,~~ *add Part 3 (commencing with Section 1000) to Division 1 of the Food and Agricultural Code, relating to food and agriculture.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1247, as amended, Jackson. ~~Environmental farming: agricultural~~ *Agricultural innovation zones: zones: voluntary incentive program.*

Existing law requires the Department of Food and Agriculture to establish and oversee an environmental farming program that provides incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

~~This bill would also include practices that promote public health, water quality, and soil health and would require the department, as part of that program, to establish agricultural innovation zones, as defined, and to give priority to agricultural innovation zones for incentives to farmers, with special priority for agricultural innovation zones in disadvantaged communities. The bill would state the Legislature's intent relating to environmental farming practices and the establishment of agricultural innovation zones, as specified: would, by January 1, 2018, require the Department of Pesticide Regulation, in consultation with the Department of Food and Agriculture, to establish a voluntary incentive program for farmers who use environmental farming practices, as defined, within an agricultural innovation zone, as defined. The bill would require priority be given to projects in agricultural innovation zones located in disadvantaged communities, as defined. The bill would~~

require the Department of Pesticide Regulation, by January 1, 2021, and by January 1 every 3 years thereafter, to issue a report to the Legislature that details the impacts of the voluntary agricultural innovation zones incentive program and includes successes and challenges regarding the process for distributing incentives and the projects that use the incentives. The bill would require the departments to conduct these activities with existing resources, to the extent they are available.

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. Part 3 (commencing with Section 1000) is added
2 to Division 1 of the Food and Agricultural Code, to read:

3
4 PART 3. AGRICULTURAL INNOVATION ZONES INCENTIVE
5 PROGRAM
6

7 1000. The Legislature finds and declares both of the following:
8 (a) It is the intent of the Legislature to support farmers in
9 adopting environmental farming practices near schools and senior
10 health care centers that are more resilient to the unavoidable
11 consequences of climate change and that offer other societal and
12 ecosystem benefits.

13 (b) It is further the intent of the Legislature that the department
14 establish a voluntary agricultural innovation zones incentive
15 program to provide incentives to farmers to adopt an agricultural
16 innovation zone and employ environmental farming practices
17 within that zone to protect the health and cognition of future
18 California generations. The establishment of agricultural
19 innovation zones in disadvantaged communities should be the
20 highest priority.

21 1001. Unless the context otherwise requires, the following
22 definitions govern the construction of this part:

23 (a) "Agricultural innovation zone" means an area within ____
24 miles of the boundary of a school or senior health care center
25 where farmers follow environmental farming practices.

26 (b) "Department" means the Department of Pesticide
27 Regulation.

1 (c) “School” means any public or private facility used as a child
2 day care facility, as defined in Section 1596.750 of the Health and
3 Safety Code, or for kindergarten, elementary, or secondary school
4 purposes. The term includes the buildings or structures,
5 playgrounds, athletic fields, or any other area of property visited
6 or used by pupils. “School” does not include any postsecondary
7 educational facility.

8 (d) “Senior health care center” means any facility that is a
9 licensed skilled nursing facility or licensed intermediate care
10 facility, as defined in Section 1250 of the Health and Safety Code,
11 or any facility that offers assisted living services, as defined in
12 paragraph (5) of subdivision (a) of Section 1771 of the Health and
13 Safety Code.

14 (e) “Disadvantaged community” has the same meaning as
15 defined in Section 39711 of the Health and Safety Code.

16 (f) “Environmental farming practices” means practices that
17 promote the well-being of ecosystems, air quality, public health,
18 water quality, soil health, biodiversity, and wildlife and their
19 habitat. Environmental farming practices include, but are not
20 limited to, the following:

21 (1) The following federal Natural Resources Conservation
22 Service conservation practices:

23 (A) Integrated pest management, practice code 595.

24 (B) Cover crops, practice code 340.

25 (C) Crop rotation, practice code 328.

26 (D) Reduced tillage, practice code 345.

27 (2) Federal Natural Resources Conservation Service
28 conservation enhancements regarding plantings, soil quality, and
29 water quality.

30 (3) Practices that improve soil health, decrease greenhouse gas
31 emissions, or sequester carbon.

32 (4) Practices that avoid applications of pesticides other than
33 those authorized as part of organic certification pursuant to the
34 federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501
35 et seq.).

36 1002. (a) By January 1, 2018, the department, in consultation
37 with the Department of Food and Agriculture, shall establish a
38 voluntary incentive program for farmers who use environmental
39 farming practices within an agricultural innovation zone and shall

1 give priority to projects in agricultural innovation zones located
2 in disadvantaged communities.

3 (b) The types of incentives available may include, but are not
4 limited to, loans, grants, technical assistance, education, and
5 demonstration projects.

6 (c) The department, in consultation with the Department of
7 Food and Agriculture, shall establish specific criteria for
8 determining which farming practices qualify as environmental
9 farming practices. To be eligible for the program, applicants shall
10 introduce at least one new environmental farming practice that
11 qualifies pursuant to this subdivision.

12 (d) The department shall establish procedures for applicants
13 to access the program and include a ranking system to determine
14 which projects may have the greatest impact toward improving
15 soil health or sequestering carbon.

16 (e) At least 50 percent of any funding available for the program
17 shall be given to projects that avoid applications of pesticides
18 other than those authorized as part of organic certification
19 pursuant to the federal Organic Foods Production Act of 1990 (7
20 U.S.C. Sec. 6501 et seq.).

21 (f) The department may determine whether an applicant may
22 access incentives on the portion of their property that extends
23 beyond the agricultural innovation zone on a case-by-case basis.

24 1003. (a) By January 1, 2021, and by January 1 every three
25 years thereafter, the department shall issue a report to the
26 Legislature that details the impact of the voluntary agricultural
27 innovation zones incentive program and includes successes and
28 challenges regarding the process for distributing incentives and
29 the projects that use the incentives. The report shall include, but
30 not be limited to, data on all of the following:

31 (1) The total number of acres of farmland that have adopted
32 environmental farming practices under the program.

33 (2) The total number of acres of farmland that have adopted
34 each specific environmental farming practice under the program.

35 (3) The counties where projects under the program are located
36 and how many projects are within those counties.

37 (4) The reduction of pesticide use achieved under the program.

38 (b) This report shall be submitted in compliance with Section
39 9795 of the Government Code.

1 1004. *The department and the Department of Food and*
2 *Agriculture shall conduct the activities specified in this part with*
3 *existing resources, to the extent they are available.*

4 SECTION 1. Section 563 is added to the Food and Agricultural
5 Code, to read:

6 563. ~~The Legislature finds and declares both of the following:~~

7 (a) ~~It is the intent of the Legislature to support farmers in~~
8 ~~adopting environmental farming practices near schools and day~~
9 ~~care centers that are more resilient to the unavoidable consequences~~
10 ~~of climate change and that offer other societal and ecosystem~~
11 ~~benefits.~~

12 (b) ~~It is further the intent of the Legislature that the department~~
13 ~~establish agricultural innovation zones and prioritize incentives to~~
14 ~~farmers who maintain or intend to adopt an agricultural innovation~~
15 ~~zone to ensure the health and learning of future California~~
16 ~~generations and that the establishment of agricultural innovation~~
17 ~~zones in disadvantaged communities should be the highest priority.~~

18 SEC. 2. Section 564 of the Food and Agricultural Code is
19 amended to read:

20 564. ~~Unless the context otherwise requires, the following~~
21 ~~definitions govern the construction of this article:~~

22 (a) ~~“Agricultural activities” means those activities that generate~~
23 ~~products as specified in Section 54004.~~

24 (b) ~~“Agricultural innovation zone” means an area within one~~
25 ~~mile of a school or day care center where farmers follow~~
26 ~~environmental farming practices, including organic farming~~
27 ~~practices, that promote the well-being of ecosystems, air quality,~~
28 ~~public health, water quality, soil health, and wildlife and their~~
29 ~~habitat and that do not rely on synthetic inputs.~~

30 (c) ~~“Department” means the Department of Food and~~
31 ~~Agriculture.~~

32 (d) ~~“Panel” means the Scientific Advisory Panel on~~
33 ~~Environmental Farming.~~

34 (e) ~~“Secretary” means the Secretary of Food and Agriculture.~~

35 SEC. 3. Section 566 of the Food and Agricultural Code is
36 amended to read:

37 566. (a) ~~The department shall establish and oversee an~~
38 ~~environmental farming program. The program shall provide~~
39 ~~incentives to farmers whose practices promote the well-being of~~

1 ecosystems, air quality, public health, water quality, soil health,
2 and wildlife and their habitat.

3 ~~(b) As part of the program, the department shall establish~~
4 ~~agricultural innovation zones and shall give priority to agricultural~~
5 ~~innovation zones for incentives to farmers, with special priority~~
6 ~~for agricultural innovation zones in disadvantaged communities.~~

7 ~~(c) The department may assist in the compilation of scientific~~
8 ~~evidence from public and private sources, including the scientific~~
9 ~~community, industry, conservation organizations, and federal,~~
10 ~~state, and local agencies identifying the net environmental impacts~~
11 ~~that agriculture creates for the environment. The department shall~~
12 ~~serve as the depository of this information and provide it to federal,~~
13 ~~state, and local governments, as needed.~~

14 ~~(d) The department shall conduct the activities specified in this~~
15 ~~article with existing resources, to the extent they are available.~~