

Assembly Bill No. 1998

CHAPTER 434

An act to amend Sections 592, 593, 594, 596, and 597 of, to add Section 591.5 to, and to repeal and add Sections 591, 599, and 600 of, the Food and Agricultural Code, relating to agricultural chemicals.

[Approved by Governor September 12, 1998. Filed
with Secretary of State September 14, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1998, Thomson. Agricultural chemical reduction pilot demonstration projects.

Existing law requests the University of California to establish a program of pilot demonstration projects designed to provide extension services, training, and financial incentives for participating farms to reduce their use of chemicals for agricultural production. If the program is established, existing law requires the university to prepare a biennial report concerning the pilot demonstration projects and requires that the report include an analysis of the monitoring activities, summary and assessment data on pesticide and fertilizer use on each pilot demonstration project, and an analysis of the success of each project in meeting the standards for integrated farming systems. Existing law also declares the intent of the Legislature that a program advisory review board be appointed by the President of the University of California to consult with the program director in implementing the program. Under existing law, these provisions do not apply to the University of California unless the Regents of the University of California, by resolution, make them applicable.

This bill would establish within the University of California a program of pilot demonstration projects designed to provide extension services, training, and financial incentives for participating farmers to implement biologically integrated farming systems. The bill would establish a program advisory review board to consult with the university to carry out the duties related to the program. The bill would provide for a contract for a pilot demonstration project for a period of up to 5 years and would prohibit the commencement of new pilot demonstration projects on or after December 31, 2005. These provisions would not apply to the University of California unless the Regents of the University of California, by resolution, make them applicable.

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

SECTION 1. Section 591 of the Food and Agricultural Code is repealed.

SEC. 2. Section 591 is added to the Food and Agricultural Code, to read:

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

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

(2) California’s farmers and ranchers face increasing pressure to modify their use of water and agricultural chemicals, resulting from, among other things, implementation of the federal Food Quality Protection Act of 1996 (Public Law 104-170), the federal Central Valley Project Improvement Act (Public Law 102-575), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and other state and federal rules.

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

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

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

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

SEC. 3. Section 591.5 is added to the Food and Agricultural Code, to read:

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



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

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

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

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

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

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

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

SEC. 4. Section 592 of the Food and Agricultural Code is amended to read:

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

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

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

(c) Pilot demonstration projects should be selected through a competitive process that supports the goals specified in Section 591.5. The proposals for the projects selected should include a description of the project’s objectives, a workplan for the project’s implementation, and a component for monitoring and evaluating the project’s findings and results. The proposals should demonstrate the applicant’s experience in the farming systems described in



subdivision (a) of Section 591.5, should contain documented financial and technical support, and should provide for a breadth of private sector cost sharing.

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

(e) Funding for the program should consist of a combination of federal, state, and private sector funds. The Department of Pesticide Regulation shall provide fiscal oversight and shall allocate all program funds received, less 2 percent for administrative costs, to the University of California for purposes of implementing the pilot demonstration projects. The program may allocate up to 10 percent of program funds to support research related to biologically integrated farming systems.

SEC. 5. Section 593 of the Food and Agricultural Code is amended to read:

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

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

(A) Two representatives from the University of California.

(B) Two representatives from relevant federal agencies.

(C) Three growers.

(D) Two representatives of nonprofit organizations.

(E) One licensed pest control adviser.

(2) One member from each of the following:

(A) The Department of Pesticide Regulation.

(B) The Department of Food and Agriculture.

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

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

SEC. 6. Section 594 of the Food and Agricultural Code is amended to read:

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

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



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

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

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

SEC. 7. Section 596 of the Food and Agricultural Code is amended to read:

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

SEC. 8. Section 597 of the Food and Agricultural Code is amended to read:

597. Not later than January 1, 2001, and biennially thereafter, the University of California shall report to the Pest Management Advisory Committee, appropriate policy and fiscal committees of the Legislature, and, upon request, any Members of the Legislature on the status of each of the pilot demonstration projects. The report shall include, but shall not be limited to, an analysis of the monitoring activities, summary and assessment data on pesticide, fertilizer, and water use on each pilot demonstration project, and an analysis of the success of each project in meeting the standards for integrated farming systems set forth in this article.

SEC. 9. Section 599 of the Food and Agricultural Code is repealed.

SEC. 10. Section 599 is added to the Food and Agricultural Code, to read:

599. New pilot demonstration projects may not be commenced on or after December 31, 2005. Until all funds available for the projects are encumbered, the University of California may continue to use available funds for projects that it commenced prior to December 31, 2005.

SEC. 11. Section 600 of the Food and Agricultural Code is repealed.

SEC. 12. Section 600 is added to the Food and Agricultural Code, to read:

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

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