AMENDED IN SENATE MAY 27, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

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 amended, Committee on Higher Education. Sustainable agriculture research: agricultural chemicals.

~~(1) Until~~

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:

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

Article 8. Sustainable Agriculture

550. This article shall be known and may be cited as the ~~"Sustainable~~ *Sustainable* Agriculture Research and Education Act of ~~1986."~~ *1986.*

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

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

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

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

552. The purpose of this article is to promote more research and education on sustainable agricultural practices, such as organic methods, biological control, and integrated pest managements, including the analysis of economic factors influencing the long-term sustainability of California agriculture. This article is intended to foster economically and ecologically beneficial means of soil improvement, pest management, irrigation, cultivation,

harvesting, transportation, and marketing for California agriculture based on methods designed to accomplish all of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~Article 10. Agricultural Chemical Reduction Pilot Demonstration Projects~~

~~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.~~

~~592. (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 article, "program" means the Biologically Integrated Farming Systems (BIFS) program.~~

~~593. 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 592. 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 592, 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.

594. (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.

595. 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.~~

~~596. The Pest Management Advisory Committee of the Department of Pesticide Regulation and the Department of Food and Agriculture shall provide the program advisory review board with a list of cropping systems that would benefit from the pilot demonstration projects. The board shall consider this list when it deliberates regarding which proposals to recommend for funding.~~

~~597. 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.~~

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

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

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

~~(c) The University of California's administrative costs, which shall not exceed 10 percent of the total costs of the pilot demonstration projects.~~

~~599. New pilot demonstration projects may not be commenced on or after December 31, 2010. 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, 2010.~~

~~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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