



## **Legislative Update – April 11, 2024**

With the spring hearing calendar in full swing in the State Legislature, Ag Council is working in multiple policy categories on behalf of our members, including in the areas of water, energy, labor, and pesticides.

The bills below are pending in the State Legislature’s committee hearing process. Please do not hesitate to contact Ag Council with any questions.

Note: this is not a list of all bills pending in the Legislature that impact food and agriculture.

### **WATER**

AB 2079 (Bennett) – Oppose, unless amended

Prevents local agencies from approving a permit for a large diameter, high-capacity groundwater well (*defined as over eight inches in diameter that draws over two-acre feet annually*): 1) if the well is located within ¼ mile of a domestic well or 2) if it is within ¼ mile from an area that has subsided more than six inches since 2015.

AB 2060 (Soria) - Support

Exempts diversions of flood flows from lake and streambed requirements if flows are used for groundwater recharge if certain conditions are met.

SB 1390 (Caballero) - Support

Extends the ability under existing law to divert floodflows for groundwater recharge from the year 2029 to 2034, if certain conditions are met including that a local or regional agency has a local flood control plan or has considered flood risks in its general plan.

### **PEST PREVENTION**

AB 2827 (Reyes) - Support

Declares that invasive species prevention and suppression is a primary goal of the state. Requires state agencies to work with stakeholders to detect, control, monitor and eradicate invasive species to protect agriculture, the environment, and natural resources.

### **PESTICIDES**

AB 1864 (Connelly) - Opposed, unless amended

Mandates that an ag commissioner require a notice of intent to be submitted before a person applies a pesticide within ¼ mile of a school, including non-restricted pesticides, among other provisions.

AB 1963 (Friedman) – Opposed, unless amended

Prevents the manufacture, sale, delivery, holding, offering and use of a pesticide that contains the active ingredient paraquat dichloride beginning January 2026. Also, bans a person or entity from manufacturing, selling, delivering, holding, or offering for sale a product containing paraquat dichloride.

AB 2552 (Friedman) - Oppose

A person who sells or uses a first-generation anticoagulant rodenticide or second-generation anticoagulant rodenticide is liable for a civil penalty of up to \$25,000 per day, per violation. The bill contains a private right of action, as well, among other provisions.

## PACKAGING

SB 1231 (Allen) - Support

Provides an on-ramp for entities to petition CalRecycle to continue to make recyclability assertions, such as using the chasing arrows symbol on packaging complying with SB 54.

AB 2761 (Hart) - Oppose

Bans the use of certain materials in packaging, such as PVdC, which is used because some foods need protection from oxygen to maintain product color and prevent microbial spoilage during storage. This bill is unnecessary given regulatory implementation of the statewide packaging statute, SB 54, is underway.

## DAIRY

AB 2870 (Muratsuchi) - Oppose

Removes Low-Carbon Fuel Standard (LCFS) incentives for fuels produced from livestock manure. AB 2870 would remove the financing for dairy digesters, which are recognized by CARB as the most productive and cost-effective mechanism to lower carbon emissions in California.

AB 2316 (Gabriel) - Oppose

Prohibits public schools from providing food containing titanium dioxide as a color additive, which the Food and Drug Administration finds to be safe as an additive given studies do not demonstrate safety concerns.

## ENERGY

AB 2528 (Arambula) - Support

Gives farmers the option to cancel Williamson Act contracts to more quickly site energy infrastructure on former agricultural parcels. Under the Sustainable Groundwater Management Act (SGMA), a significant amount of land must be repurposed. AB 2528 gives landowners an economic opportunity to utilize their land for renewable energy projects, instead of fallowing the land and leaving it idle.

AB 2083 (Berman) - Oppose

Mandates the Energy Commission to assess the potential to reduce greenhouse gas emissions from state industrial (incl. food processing) facilities' heat application equipment and processes by at least 85 percent below 1990 levels by January 2045.

#### SB 1374 (Becker) - Support

Allows residential customers to benefit from lower rates if they generate renewable energy. The bill does not extend to assist agriculture in using a single renewable energy installation to offset onsite load across multiple meters and contiguous parcels, which is needed due a decision by the Public Utilities Commission (PUC) to effectively eliminate on-farm renewable energy aggregation. The decision is hampering the ability to further develop renewable energy projects on agricultural land. Though agriculture is not included, SB 1374 is a step in the right direction to help residential customers.

#### ORGANIC WASTE

#### AB 2658 (Bains) - Support

Exempts food processors that do not divert organic waste to landfills from Short-Lived Climate Pollution (SLCP) regulations (regarding methane emissions).

#### AIR QUALITY

#### AB 1857 (Jackson) - Oppose

Requires CARB to adopt and impose air quality standards in population centers located in valleys and requires local air districts to implement those regulations relating to stationary sources.

#### LABOR

#### SB 1299 (Cortese) - Oppose

Implements a disputable presumption that a heat related injury arose out of the course of employment if an injury develops within a specified timeframe after working outdoors in agriculture for an employer who fails to comply with heat illness standards.

#### AB 3056 (Gallagher) - Support

With recent amendments to AB 3056, the ag overtime rate of pay would be applicable after eight hours in a workday or after 48 hours in a workweek, allowing for a six-day workweek.