Rules and Regulations: Dotting the I’s and Crossing the T’s

Gail Delihant
Western Growers Association

Vince Roos
Consultant

Tim Birmingham
Almond Board of California

Gabriele Ludwig
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Consultant
“You ain’t gonna miss your water until your well runs dry”

The late reggae pioneer: Bob Marley
When the well is dry we learn the worth of water”

Benjamin Franklin
When the well is dry we learn the worth of water”

Benjamin Franklin

POINT BEING: CRISIS INFORMS THE FUTURE
**Water Supply Context**

**Water Supply:**
- Reservoirs are greatly depleted
  - Allocations 2014: SWP @ 10% and CVP likely @ ZERO
- Crisis pushes awareness of need for additional storage

**Groundwater:**
- Increasing Focus/Scrutiny – *both supply side & water quality.*
- New groundwater ordinances/regulations being sought
  - Recent focus: almond plantings
- Growing consensus - present practices are unsustainable

**Crisis Proportion**

**Water Bond:**
- Two Water Bond packages are being debated/aired to public – both approx $6.5 Billion apiece.
  - Includes some funding for storage
Water Supply Context

Bay Delta Conservation Program: (Twin Tunnels)
- Cost/Benefit Study – $5 Billion benefit to State over cost
- State’s farmers would greatly benefit from Twin Tunnels
  - Water supply reliability
  - Water quality impacts

State Water Board:
- Flow Requirements – San Joaquin River Tributaries
- Released Groundwater Workplan Concept Paper

Department of Water Resources:
- 2014 Update to California Water Plan nearing completion.
  - Will drive policy/legislative agendas
  - Groundwater issues have taken center stage
- California Water Action Plan draft just released
  - 10 strategies outlined
California Water Action Plan: (WAP) [10 action items]

- Joint Effort – CDFA, CalEPA, Natural Resources Agency
- Make conservation a CA way of life
- Invest in Integrated Water Management [regional self reliance]
- Achieve Co-Equal goals contained in state statute
- Protect/Restore important ecosystems
- Manage & Prepare for Dry Periods
- Expand Water Storage Capacity [capabilities]
- Safe drinking water/waste water treatment to all communities
- Increase Flood protection
- Improve Operational & Regulatory efficiencies
- Identify Sustainable and Integrated Financing Opportunities
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Almond Board of California
Food Safety, Almonds and the Future – High Expectations

- FSMA and Produce Safety – Still uncertain where we will end up
  - Exempt?
  - On or Off Farm Facilities?

- What we do know is:
  - Food safety is not only regulatory driven
  - GAP's will become the norm
  - Water Quality and Testing will be an issue
  - Employee Training and documentation are key
  - Many resources currently exist for growers
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Almond Board of California
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Update on Regulations for Growers
Panelists:

Gail Delihant (Western Growers Association)
- Water Quality

Vince Roos (IntersectLogic)
- Water Availability

Tim Birmingham (ABC)
- Food Safety

Gabriele Ludwig (ABC)
- Air Quality
- International Maximum Residue Limits
Air Resources Board has re-opened the sign-up for exemptions of older trucks used in agriculture if used less than certain number of miles/year

- Extends the deadline by when truck must be retrofitted with cleaner burning motor.

Sign up due by January 31, 2014

Eligible trucks:
- Gross vehicle weight rating greater than 14,000 pounds
- Must be used exclusively in ag or forestry (and bee keeping) (to point of first processing)
- The # of trucks eligible can’t be more than would have been eligible as of Jan 1 2009
- Must report total mileage each year to ARB,
  - If exceed limit then no longer eligible for exemption
- For more information go to: www.arb.ca.gov/dieseltruck.

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<th>Engine Model Year</th>
<th>Annual Limit</th>
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<td>1996 to 2005</td>
<td>20,000 miles</td>
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<tr>
<td>1995 and older</td>
<td>15,000 miles</td>
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San Joaquin Valley Growers: Diesel pump/VOC Rule

**Diesel Pump Motors:**
If still have Tier 1 diesel pump, need to be Tier 4 by December 31, 2014
- Need permit to construct to make the changes
- Talk to local air district for details

**Changes to the VOC Pesticide Rule for the SJV**
As of Nov 1, 2013:

SJV growers can only use low VOC formations of 4 pesticides from May 1 – Oct 31
- Unless a PCA specifically recommends the use of a high VOC formulation
- Applies to **abamectin** (Agrimek), **chlorpyrifos** (Lorsban), **oxyfluorofen** (Goal) and gibberellins.
- Applies only to alfalfa, **almonds**, citrus, cotton, grapes, pistachios, walnuts
- If pesticide VOC emissions exceed a threshold, then the high VOC formations.
Good News from SJV

• In 2013 no exceedance of the 1 hour ozone standard!
• Still exceed 8 h standard, but progress

2013 Cleanest Year on Record

Despite strings of triple-digit temperatures and wildfires, 2013 was the cleanest year on record for Ozone:

1996  281 hours over the standard
2012  7 hours over the standard
2013  0 hours over the standard
International Maximum Residue Limits

Issue is ensuring that pesticide residues on almonds don’t exceed residue limits in export markets.

More testing than 5-10 years ago

Main residues detected include:
1) Compounds used close to harvest
2) Compounds that don’t breakdown quickly in soil
3) Compounds used for pest control in facilities

- EU – often much lower MRLs than the US - moving to disallow certain
- Japan – generally similar, but delay of several years for new products to be registered
- Korea – moving to a positive list system
- Taiwan – limited # of MRLs for almonds
- Hong Kong – moved to positive list system

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