

# The Cotton Chronicle

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## Industry Calendar

December 11—  
Board Meeting  
Fresno, CA

Visit web calendar  
for details

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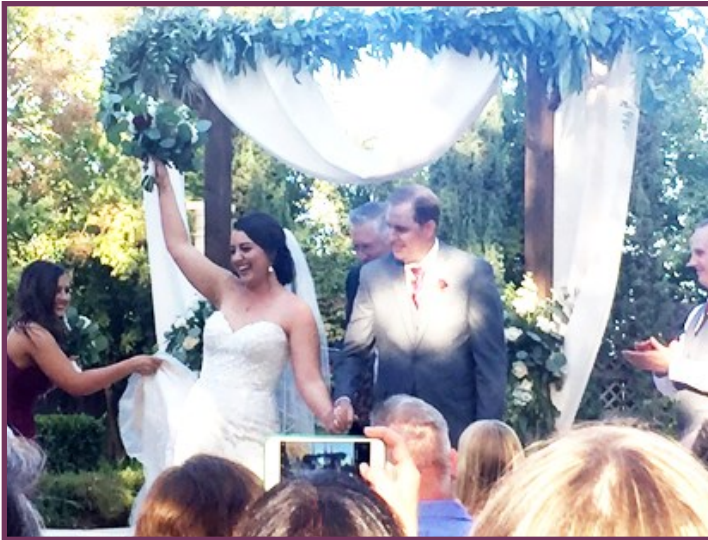
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## Congratulations to the former Ms. Jodi Raley



This past month the Association's own **Director of Regulatory Affairs, Ms. Jodi Raley**, became **Mrs. Jodi Devaurs** when she married **Mr. Nick Devaurs** in a beautiful wedding ceremony in Fresno. On behalf of all of us here at the Association we wish Jodi and Nick a lifetime of love and happiness as they embark on this wonderful new journey in their life together!

## State Water Board Granted More Oversight Over Groundwater

Last month, California's Third Appellate District Court issued a decision that further empowers the State Water Board in regard to groundwater pumping in interconnected aquifers supplied by surface water. The case concerns the Scott River, a tributary of the Klamath River, in Siskiyou County. It was discovered through research that several aquifers in the area are all interconnected. Farmers and ranchers rely on groundwater in the area, and in some years of heavy groundwater use the Scott River has been completely dewatered. Environmental

groups such as the Pacific Coast Federation of Fishermen's Association filed suit, arguing that the groundwater is interconnected with the surface water flows of the Scott River. They argue that due to the interconnection with surface water, the river must fall under the State's public trust doctrine. The trial court concluded that the public trust doctrine does apply to the groundwater resources. While Siskiyou County was appealing the ruling, SGMA was enacted. The County then tried to argue that SGMA's comprehensive regulatory scheme should supersede the public trust doctrine, and therefore render public trust not applicable. The Court of Appeal agreed with the trial court citing that groundwater extractions in hydraulically connected waterways that result in negative impact of the navigable waterways makes the public trust doctrine the preferred regulatory oversight. What does this mean going forward? It means that the State Water Board now has an increased interest in groundwater pumping near major surface waterways and interconnected aquifers. In those areas, the SWRCB and the counties involved have a duty to ensure groundwater pumping is not having an adverse effect on the waterways. The remaining question, is how much will a ruling like this bolster the impending SGMA regulations? Stay tuned for more updates.

## USDA APHIS Lifts the Domestic Quarantine for Pink Bollworm

Effective immediately, USDA's Animal and Plant Health Inspection Service (APHIS) is lifting the pink bollworm domestic quarantine in Arizona, California, New Mexico, and Texas,



and is removing all restrictions on the movement of pink bollworm host material from these states. Over the last 18 years, APHIS and its partners have conducted rigorous control and regulatory activities aimed at pink bollworm in these states. After extensive survey, USDA APHIS has found all areas in these states free of this pest. As a result, APHIS is lifting the domestic quarantine for pink bollworm. This action allows for unrestricted movement of cotton plant parts and other host commodities from these areas. Pink bollworm is a significant pest of cotton, okra, and kenaf. This pest was first detected in Texas in 1917. In 1955, APHIS established domestic pink bollworm regulations (7 CFR 301.52 *et seq.*) and designated Arizona, Arkansas, California, Louisiana, New Mexico, Oklahoma, and Texas as pink bollworm-regulated areas. APHIS later placed Nevada, Mississippi, and Missouri under quarantine. By 2003, only Arizona, California, New Mexico, and Texas remained under regulation. Since 2000, APHIS has worked closely with the state departments of agriculture in Arizona, California, New Mexico, and Texas; the California Cotton Ginners and Growers Association; Arizona Cotton Research and Protection Council; the South Central New Mexico Cotton Boll Weevil Control Committee; the Texas Boll Weevil Eradication Foundation; the National Cotton Council Pink Bollworm Action Committee; the Pink Bollworm Technical Advisory Committee; and other stakeholders. This announcement is the result of their cooperative efforts.

#### **Ratepayers Left Holding the Bag for Wildfire Damages**

This past month, the legislature passed, and the Governor has now signed, SB 901 (Dodd) that will without a doubt

increase our members' electric bills for those located in the PG&E territory. Despite Association pressure and the fact this adds thousands of dollars per month to electricity rates, the legislature gave PG&E the blank check they were looking for. The legislature put this legislation together in less than a week, with little notice and even less transparency, in typical "last week of session fashion". It was developed by a legislative conference committee tasked with addressing the wildfire and utility liability issue, and they jammed through a massive bailout for PG&E standing with their shareholders over ratepayers, including businesses and homeowners in California who will experience skyrocketing energy bills. The legislation SB 901 requires ratepayers to cover whatever damages are beyond the cap placed on PG&E, even if PG&E is found negligent in the massive 2017 fires. At \$10 billion in liability, customers will pay an additional ½ cent per kWh for every kilowatt hour for **the next 20 years!** The Association fought the bill vigorously alongside many ag groups, such as Western Growers Association, Ag Energy Consumers Association, California Citrus Mutual and others. **Association President/CEO Roger A. Isom** stated "Our members cannot afford any more rate increases to the already highest industrial electricity rates in the country. To put this on our backs is unequivocally unacceptable. We refuse to pay for their negligence and wholeheartedly oppose this legislation."

#### **New Categories Approved for FARMER Air Quality Funding!**

The California Air Resources Board's (CARB) Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program provides incentive funding for agricultural har-

vesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural opera-



tions. Through several public work group meetings, CARB staff have developed additional project categories and

modifications to an existing project category. These additional project categories allow air districts greater flexibility in project funding, help to streamline program implementation, and include:

- **Additional Category for Heavy-Duty Agricultural Trucks** - Providing up to 65 percent of the cost of a new or used truck that meets the 2010 emission standard of 0.20 g/bhp-hr NOx.
  - **Additional Category for Equipment Unavailable with Similar Horsepower Ratings** - Providing up to 80 percent of the cost of replacement equipment, regardless of horsepower rating and allowing multiple pieces of equipment to be scrapped, if necessary, to make the project cost-effective.
- Modified Zero-Emission Agricultural Utility Terrain Vehicle (UTV) Project Category** - Allowing a streamlined administrative process for air districts to implement the zero-emission agricultural UTV project category and reducing the minimum towing capacity of replacement UTVs to 500 pounds.

**These project categories will now become available for funding by air districts through the FARMER Program.** Eligibility criteria and other requirements for these project categories are available on the FARMER Program website at [www.arb.ca.gov](http://www.arb.ca.gov).

### **Board Nomination Time**

It's time for nominations to be submitted for the upcoming election of directors for open positions on the Board of Directors of the California Cotton Ginners and Growers Association. There are four (4) Grower Director terms expiring this year, including **Jim Neufeld and Bryan Bone in Kern County and Cannon Michael and Robert McDonald in Merced County.** The positions are for these specific counties. There are also four (4) Ginner Director terms expiring this year, including **John Colbert, Stan Creelman, Adriane Carbonel and Matt Toste.** Nomination forms have been mailed to each member. For those that are interested in running, the forms must be completed and returned to the Association office by **Friday, November 16, 2018.** Please take time to nominate one or more Grower or Ginner candidates in good stand with the Association (and yourself if you intend to be a candidate) and make sure that each person you name agrees to being nominated and files the **Candidate Statement** form required to be placed on the ballot for the upcoming election. The form must be completed for each nomination, so please copy the form if you nominate more than one person and provide the form to each person you nominate. Thank you for your participation in the process. Please feel free to contact me at (559)252-0684

or via email at [roger@ccgga.org](mailto:roger@ccgga.org) if you have any questions.

### **Assemblymembers Cooper & Rubio Tour Pistachio Processor**

The Western Agricultural Processors Association hosted **Assemblymember Jim Cooper (AD-9) and Assemblymember Blanca Rubio (AD-48)** on a tour of Wonderful



Pistachio last week. The assemblymembers came to the Central Valley as part of a two-day agricultural tour event. Both legislators have previously toured a tree nut facility but wanted to further understand the issues the industry is facing and struggles of compliance with regulations such as the Sustainable Groundwater Management Act. Throughout the two-days, both members were educated on how agricultural businesses are adapting to labor costs, stricter groundwater regulations, food safety compliance, and air quality laws. In addition, on several of the tour stops they were able to share the different efforts of their companies to give back to employees and their surrounding communities. This included highlighting many of the programs and facilities that Wonderful has undertaken such as a fitness center, health clinic, charter school, and community development. Both of these assemblymembers have taken active steps to collaborate with the agriculture industry and we look forward to continuing this relationship in the future!

### **EPA Requests Rehearing of Chlorpyrifos Court Decision**

The Department of Justice has requested a rehearing of a court decision that would have forced the Environmental Protection Agency to revoke all tolerances and ban all registrations of chlorpyrifos. Secretary Sonny Perdue praised the DOJ for this action stating, "The decision appears to be based on a misunderstanding of both the available scientific information and EPA's pesticide regu-

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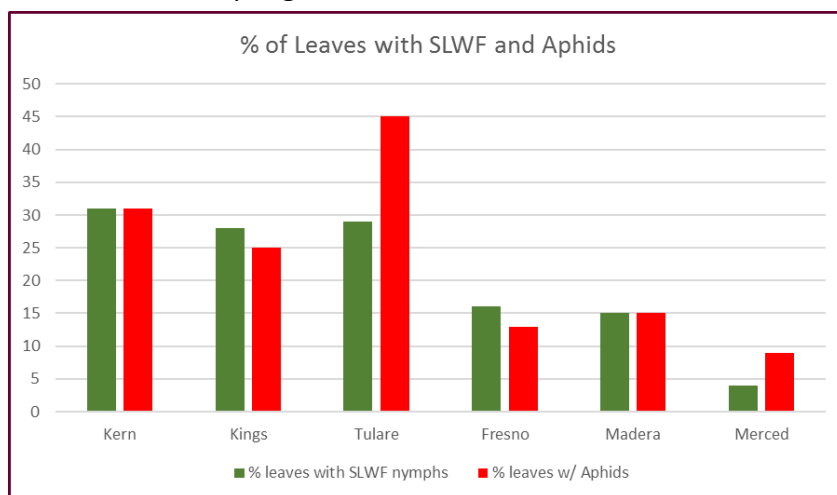
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latory system.” The Western Agricultural Processors Association submitted written requests to EPA to push for this rehearing, highlighting the significant flaws with the chlorpyrifos assessment that was based on a study that had data gaps and lacked transparency. EPA continues to urge that based on the available, sound scientific data that there is no need for a total ban on the use of the product. WAPA will continue to keep you informed as this develops.

## Latest Silverleaf Whitefly Report for San Joaquin Valley

Responding to industry requests to survey cotton acreage throughout the San Joaquin Valley, California Department of Food and Agriculture (CDFA) personnel have been performing sampling of cotton fields where the pink bollworm traps are located in order to provide pertinent information on the presence of aphid and whitefly to keep growers throughout the cotton growing area aware of trends of these critical insects as we continue the fight against sticky cotton. The sixth round of sampling for the silverleaf whitefly (SLWF) surveys began on Monday, September 10, 2018. Program personnel collected samples from designated sites at 10% of all cotton fields

in each county of the San Joaquin Valley. The Program has a total of 204 SLWF sampling sites with 19 sites in Kern County, 40 sites in Kings County, 21 sites in Tulare County, 60 sites in Fresno County, 2 sites in Madera County, and 62 sites in Merced County. At each site 1 leaf sample from 10 different cotton plants was collected for a total of 10 leaves/site. Here are the results from this latest sampling:



**These numbers should be a reminder to all growers to remain vigilant in the fight against sticky cotton.** Thanks to CDFA for their hard work in collecting these samples and compiling these important reports!