



California Association of Wheat Growers

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## Newsletter

April 29, 2011

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Truck and Bus Regulation Reporting Date Today, April 29, 2011 for agricultural fleets and fleets with street sweepers with Tier 0

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The March 31, 2011 reporting date for agricultural fleets and fleets with street sweepers with Tier 0 auxiliary engines has been postponed until today April 29, 2011 to give fleets more time to report.

The date that agricultural fleets have to report January 1, 2011 odometer readings for limited use agricultural trucks or information about specialty agricultural trucks to be eligible for the agricultural vehicle extensions has been extended to April 29, 2011. In addition, the date that fleets with street sweepers must report hour meter readings for the Tier 0 auxiliary engines has been extended to today, April 29, 2011. California Air Resources Board staff is preparing an advisory to reflect the change and will be updating related documents in the near future.

All other fleets do not have to begin reporting until next year.

Fleets that plan to use the phase-in option, want to take advantage of credits, or to use other provisions in the Truck and Bus regulation, would need to report by January 31, 2012.

Because the amendments considered by the Board in December 2010 will not become effective for at least several months, the delay in the deadline is being changed administratively pending approval by the Office of Administrative Law.

Additional information about the regulation is at:

<http://www.arb.ca.gov/dieseltruck>

**Background**

On December 11, 2008, the Board approved for adoption the Truck and Bus regulation to control emissions from nearly all existing diesel powered heavy-duty trucks and buses operating in California. The regulation became effective under California law on January 8, 2010. The regulation applies to diesel fueled trucks and buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds that are privately owned, federally owned, and to publicly and privately owned school buses. Local and state government owned diesel fueled trucks and buses are already subject to other ARB regulations. Reducing emissions from in-use trucks and buses is necessary to meet federally imposed clean air standards and to reduce the adverse health effects from truck and bus pollution.

On December 17, 2010, the staff recommended amendments, which are presently pending adoption, that would delay the initial requirement to install particulate matter (PM) retrofit filters by one year to January 1, 2012 and extend the time before a vehicle equipped with a PM filter would have to have an engine that meets 2010 model year emission standards. The amendments would also defer engine replacements for vehicles without PM filters two years until January 1, 2015. Prior to 2020, replacements would be limited to 20 year old or older trucks that are not equipped with PM filters. By January 1, 2023, most vehicles would still need to be equipped with an engine meeting 2010 model year emission standards.

**"Card Check" Final Stop before Governor's Office**

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The "Card Check" for agriculture legislation is resting on the Assembly floor, its final stop before being sent to Governor Jerry Brown.

Advocates supporting SB 104 (Steinberg) have been demonstrating and implementing a public relations strategy while the bill awaits action.

It is unclear whether the author, Senator Darrell Steinberg, will hold the bill and look for an opportunity to leverage other issues such as the budget, or if he will move the bill down to the Governor in the near future.

The association has been actively opposing the bill and working with a broad coalition of agricultural and business organizations in opposition.

Hundreds of Bills Impacting Agriculture and Business are Being Heard in Committee Next Week

Legislative rules require all bills that have a fiscal impact on the state (which is most of them) to move out of policy committees by next Friday, May 6th. For the last few weeks hundreds of bills have been heard in committees. We have been working diligently opposing anti business and anti agriculture bills as well as supporting sponsored legislation. Bills strictly altering the pesticide regulation process, increasing penalties on employers for wage and hour violations, mandating additional paid leave, raising fees for environmental compliance and potentially impacting water supplies have all been heard in Committees. Some have been defeated but most have moved out of committees on party line votes. Next stop for many of these bills is the Appropriations Committee in the legislative house of origin.

More from the State Legislature: Bill Preventing State Subsidies for Ethanol Passes Committee

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A bill authored by Hanford Assembly member David Valadao that would prohibit the state from providing ethanol subsidies has passed its' first legislative hurdle.

AB 523 (Valadao) passed the Assembly Natural Resources Committee on a narrow 5-4 vote.

The bill has an eclectic group of support including livestock associations such as the Pacific Egg and Poultry Association, Western United Dairymen and California Cattlemen's as well as the Sierra Club and Union of Concerned Scientists and union support from the United Food and Commercial Workers.

The bill would eliminate state subsidies that were funded out of legislation that collects fees on tires and vehicle registration intended to promote carbon reducing technologies.

Last year during the budget a little known provision was included that allowed \$6 million dollars annually to be used as a production incentive for in state ethanol production.

This bill would reverse that action.

The bill will be heard in Assembly Transportation Committee on May 2

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### **HSUS in Group Demanding EPA Ammonia "Endangerment" Finding from CAFOs**

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The Humane Society of the U.S. (HSUS), the Johns Hopkins University Center for a Livable Future, Sierra Club, Waterkeeper Alliance and Food & Water Watch are among 21 activist organizations calling itself the "Environmental Integrity Project (EIP), petitioning EPA to consider an "endangerment" find for ammonia gas and request EPA list ammonia as a Clean Air Act (CAA) pollutant.

It was EPA's endangerment finding for carbon dioxide as a threat to human and animal health which led to the agency's greenhouse gas regulation process.

"Factory farms are the nation's leading source of ammonia pollution, which causes respiratory health problems even at very low levels, yet air emissions from CAFOs, including toxic ammonia, have escaped CAA act regulation for decades," the group wrote in its press release accompanying the petition.

Saying its membership "represents many rural Americans and family farmers who are directly affected by ammonia pollution from factory farms, " the group contends EPA has "an affirmative obligation to exercise its authority to regulate sources of ammonia emissions."

The full petition can be found at: www.environmentalintegrity.org/04_06_2011.php

House Ag Ramps Up Hearing Schedule; Senate Ag Sets May 31 Farm Bill Hearing

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The House Agriculture Committee announced this week it will hold four full and subcommittee hearings next week, beginning with a full committee hearing held jointly with the House Committee on Natural Resources on "the costs of regulatory dysfunction" and the impact on jobs, ag, health and species.

That hearing will be held Tuesday, May 3 at 10 a.m. The Senate Agriculture Committee announced it will hold its first 2012 Farm Bill field hearing on May 31 at Michigan State University in East Lansing, MI. The hearing, "Opportunities for Growth: Michigan and the 2012 Farm Bill," will focus on agriculture, energy, conservation, rural development, research, forestry and nutrition policies affecting Michigan. The hearing is set for 9 a.m. to 12 p.m., and will be held in the Kellogg Center at Michigan State. Other House committee hearings include Wednesday, May 4, when a full ag committee business meeting will be held at 10 a.m. to review the Dodd-Frank

Wall Street Reform & Consumer Protection Act, with a livestock subcommittee hearing that afternoon at 2 p.m. to review the state of the pork industry.

Thursday, May 5, at 9:30 a.m. will be a hearing by the subcommittee on conservation, energy and forestry on the U.S. Forest Service's forest planning rule. Many, if not all of these hearings, can be viewed online by going to [www.agriculture.house.gov](http://www.agriculture.house.gov) and following the prompts to hearing broadcasts.

**Reid to "Test" House GOP FY2012 Plan with Vote, Wants "Deficit Cap"**

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Senate Majority Leader Harry Reid (D, NV) this week said he plans to call for a vote on the House-passed FY2012 budget, saying the bill lacks public support, adding he wants to see a "deficit cap" enacted to force Congress to balance spending and revenue.

With media reports indicating the House proposal to take on entitlements, including Medicare, along with cuts in discretionary spending, is generating voter concern - recent polling shows Americans are nearly split 50% versus 46% in favor of leaving Medicare alone - Democrats see ground to be gained in their portrayal of the House budget plan as decimating health care for the elderly, poor and disabled.

In proposing his deficit cap, Reid addressed the pending May vote on raising the federal debt ceiling, a move the GOP said is impossible without material spending cuts as part of the deal.

Treasury Secretary Timothy Geithner told a hearing this month if the debt ceiling is not raised, the U.S. is at risk of defaulting on international loans.

Reid said his approach is different from a separate proposal being shopped around the Senate to set statutory spending caps.

By capping the deficit - expected to hit \$1 trillion for the third year in a row - "it automatically brings down the debt," Reid said, adding a cap would force spending cuts, revenue increases or both. Sens. Claire McCaskill (D, MO) and Bob Corker (R, TN) said last week it's smarter to put legal limits on all discretionary and mandatory spending - including defense, Medicare and Social Security programs - than to simply cut programs.

Under the plan, caps would be put in place beginning in 2013, with gradual reductions in those caps over the next decade until federal spending is less than 21% of the gross domestic product (GDP).

If Congress failed to hit the reduction target, the Office of Management & Budget (OMB) would make the cuts, with a 2/3 vote of the House and Senate needed to override OMB.