Cal/OSHA Provides New Guidance for California Employers to Comply With COVID-19 Emergency Temporary Standards

By: The National Law Review

Tuesday, January 19, 2021 - The California Occupational Safety and Health Standards Board adopted its Emergency Temporary Standards (ETS) on COVID-19 prevention in the workplace on November 19, 2020, which we covered here. Shortly after their adoption, the ETS became binding and enforceable against nearly all California employers effective November 30, 2020. The next day, California’s Division of Occupational Safety and Health (“Cal/OSHA”) published frequently asked questions to provide guidance to employers on compliance with the extensive requirements under the ETS. In light of significant pushback from employers finding themselves needing to deal with complications arising from near-immediate compliance, Cal/OSHA recently published additional guidance and clarifications to impacted employers. The complete and comprehensive set of is available here, but key takeaways are below:

Enforcement
Cal/OSHA indicated that it will provide a brief period of relief from monetary penalties to permit employers to focus on obtaining compliance with the ETS. Cal/OSHA will cite but not assess monetary penalties for violations of the ETS through February 1, 2021, provided the following conditions are met:
• The employer made a good faith effort to comply with the ETS;
• The violation would not have been considered a violation of the employer’s Injury and Illness Prevention Program (e.g., the requirement to identify and address hazards, use of face coverings, and physical distancing), respiratory protection program or other applicable Cal/OSHA standard in place prior to the date the ETS became effective, i.e., November 30, 2020;
• The employer does not fail or refuse to abate the ETS violation; and
• The violation does not involve an imminent hazard.
This clarification on enforcement

Western farm groups urge immigration reform

By: Tim Hearden, Western Farm Press

January 20, 2021 - Western farm organizations are ubiquitous among a wide swath of agriculture, business and human rights groups urging incoming President Joe Biden and Congress to quickly pass comprehensive immigration reform.

The California Farm Bureau Federation, the Idaho Dairymen's Association, the Oregon Association of Nurseries and Western Growers were among more than 180 organizations that issued a joint statement Tuesday calling for reforms.

The groups described immigration laws as “decades overdue for an overhaul” and urged lawmakers to create a “modern, humane and effective immigration system.” Such an overhaul should include a quicker pathway to citizenship for so-called "Dreamer" immigrants, who were brought to the United States as children.

"Strong leadership and bipartisanship from Congress and the administration, starting on day one, are critical to build an immigration system that works for U.S. families, grows our economy, and strengthens communities across our nation while welcoming immigrants who seek to contribute as critical partners in our society," the groups stated.

Biden to move quickly

Biden has said he'll move quickly today to send Congress an extensive immigration reform bill that includes an eight-year pathway to citizenship, according to ABC News. Republican lawmakers and conservative groups spoke out against it Tuesday, deriding the proposal as as massive amnesty for people in the U.S. illegally, The Associated Press reported.

In their statement, the pro-
Happy New Year from your Merced County Farm Bureau! I hope this finds you and your family well. I am optimistic that 2021 will be a great new start to our crop year.

With the current weather and the lack of rain this year, water storage is going to be on everyone’s priority list. We will be turning to groundwater, putting more stress on our aquifer. We all will be paying close attention to this issue as the year progresses. Water, and all that comes with it, is one of the major issues that our organization monitors regularly.

The Merced County Farm Bureau office is still open during the mandatory stay at home order. We are assisting members virtually, by phone and maintaining COVID-19 guidelines for our office staff. Hopefully we will be out of this soon and back to some sense of normalcy. That being said, hang in there with us through these difficult and frustrating times.

I write this on the evening of Inauguration Day, and with doing my best not to flare up a political debate, I will say that the next four years may be difficult on the legislative end for California agriculture. Water will remain our focus above all else and the outcomes on topics such as biological opinions and Voluntary Settlement Agreements may result in a large pendulum shift. As much as one can find complexities in water, the same can be said for labor. Changes to various reporting guidelines, safety measures due to COVID or other issues, wage requirements, etc. – are all regular discussion items in California however are now seeing more talk at the nationwide level as well.

As Eric mentioned in his column, we are still here for you. It may be remotely at times, but we will remain in operation with your support. We are still attending meetings as they come and voicing concern for agriculture where necessary. Given the current state of the Governor’s orders, it is best to call to ensure our office is open as we do have days where we are all rotating for some reason or another.

Unfortunately, while we have received calls on a few issues, nothing is as big as Novel Coronavirus (COVID). It seems like we are just on COVID 2.0 these days. Vaccines are being distributed however that has not come without complications. This week, Merced County launched www.vaccinatemercedcounty.com to allow for vaccination sign ups. We are currently in Phase 1A of the governor’s plan. We will inform you of the opening of Phase 1B when we hear of it. For that to happen, 1A would have to work through the process and we would need to ramp up in availability of vaccines. Please understand that farmworkers are in Phase 1B and we hope to have more information on how this will work soon. We have fielded a few questions on the matter so please call our office as we can only be as good and up to speed as you continue to feed us questions and concerns.

Our organization and partners are in prep mode for the Nolan Pedretti Fundraiser, however this will hit your mailboxes the day following the event. On behalf of the Pedretti Family, Pedretti Ranches, our partners and our organization, thank you from the bottom of your hearts on this. The outpouring of support for this family has been nothing short of amazing.

Speaking of amazing, coming to your mailboxes shortly will be our Merced County Farm Bureau Sweepstakes. I’ll admit, I am a little behind in what I promised our original timeline to be, but I do believe that this will be something to hopefully look forward to each month. Please watch for a mailer in the coming weeks regarding this new venture for us.
From the Archives

By: Emily Lin, UC Merced Library

Among the observances taking place in the month of January is National Apricot Day. California produces over 95% of the nation’s commercially grown apricots. According to the 2019 Report on Agriculture, apricots were grown on 328 acres in Merced County. This photograph from the Merced County UC Cooperative Extension records is from 1923 and shows the results of a fruit thinning demonstration. Apricot thinning tests that year demonstrated that thinned trees produced a greater tonnage of marketable fruit, evidenced by their larger size.

Merced County apricot orchard in 1923.

Calendar of Events

January 28
SCFB/SFS Winter Agronomy Session (pg. 3)

February 1
Hilmar Cheese Company Scholarship Applications Due (pg. 13)

February 1
California Farm Bureau Scholarship Applications Due (pg. 17)

February 18
SCFB Sexual Harrassment Training (pg. 15)
Vie-Del Company Completes Acquisition of Constellations Brands’ High-Color and Standard Grape Concentrate Business Lines Solidifying Position as Leading North American Supplier

A multi-million-dollar, state-of-the-art facility expansion will support this extensive growth.

By: Vie-Del Company

Fresno, California, December 30, 2020 - Vie-Del Company (Vie-Del), the oldest family-owned grape processor and supplier of bulk juices, concentrates, brandy, wine and spirits in California, announced today the completion on December 29, 2020 of the acquisition of the Canandaigua Concentrate High-Color Concentrate (HCC) and standard grape concentrate business lines from Constellation Brands U.S. Operations, Inc. (CBUSO), a wholly-owned subsidiary of Constellation Brands, Inc. (Constellation). The transaction was approved by the Federal Trade Commission on December 23, 2020. Terms of the deal were not disclosed.

The acquisition is comprised of the Canandaigua Concentrate MegaNatural HCC, Mega Purple and Mega Red, and standard grape concentrates, which will be incorporated under the Vie-Del Company brand. Additionally, the acquisition included certain intellectual property, inventory, goodwill, interests in certain contracts and other assets.

“The Canandaigua Concentrate acquisition enhances our already expansive lines of grape juice concentrates and takes Vie-Del into the High-Color Concentrate business with immense opportunity for growth,” said Dianne S. Nury, President of Vie-Del. “Our team of specialists will continue to serve our industry partners, existing and new, with quality products to fuel their growth and the same personalized business approach our family-owned company has delivered for the past 70 years.”

The acquisition expands Vie-Del’s product offerings and solidifies the company as a leading supplier of High-Color and standard grape concentrates in North America. Together with Vie-Del’s existing concentrate business, these new capabilities will further enhance the company’s ability to serve the needs of the marketplace – domestically and internationally. This is complemented by Vie-Del’s other products that include wine, brandy, grape and fruit spirits, purée and custom fruit concentrates, natural wine flavors and wine reductions.

To support this growth, Vie-Del is embarking on a multi-million-dollar, state-of-the-art facility expansion in the heart of California’s agribusiness region, Fresno County.

Vie-Del Company Chairman of the Board Mike Nury pictured with President Dianne S. Nury, two generations who have led the company to be the leading North American supplier of grape concentrates, among other product offerings.

Vie-Del Company is embarking on a multi-million dollar, state-of-the-art facility expansion in the heart of California’s agribusiness region, Fresno County, to support the extensive growth from the acquisition of Canandaigua Concentrate.

Happy New Year!

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Cal/OSHA continued from page 1

provides welcome breathing space to employers struggling to implement the ETS while simultaneously dealing with and managing the surge of COVID-related illnesses and absences in the workplace.

Physical Distancing and Other Controls

The ETS require employers to ensure that employees maintain at least six feet of distance from other persons at all times possible, but do not specify a method of measuring six feet of physical distance. Through their FAQs, Cal/OSHA clarified that it would accept: (1) measuring the space between two peoples' bodies; or (2) measuring the distance between two peoples' breathing zones (i.e., the distance between their heads).

The FAQs also provide that employers with “fixed work locations” must install cleanable solid partitions that reduce the risk of aerosol transmission, such as Plexiglas barriers. A “fixed work location” means a workstation where a worker is assigned to work with minimal movement from that location for extended periods of time, such as cashiers, greeters, receptionists, workers at desks or in cubicles, and food production line workers. A fixed work location does not include construction or maintenance work. Cal/OSHA does not specify a size requirement for partitions, but they must be large enough to reduce the risk of aerosol transmission. Because a violation of this requirement may constitute a “serious violation,” employers should ensure they comply with this requirement or take steps to spread employees out further in their fixed work locations.

Ventilation

The ETS require employers to maximize outdoor air and increase filtration efficiency of the ventilation system to the extent feasible. Answering a common question, Cal/OSHA indicated that if an employer does not have control over the building or building workspace in which they operate (for example, because the employer leases the building or workspace), then employers should request that the building operator assist with compliance with the ETS.

Vaccines

Cal/OSHA has indicated that the availability of the COVID-19 vaccine will not affect employers’ current obligations to comply with the ETS. While employers must continue to comply with the regulations for vaccinated employees, at least for now, the FAQs state that the impact of vaccines will likely be addressed in a future revision to the ETS.

Testing Requirements

One of the most significant obligations imposed on employers by the ETS were the new testing requirements, which oftentimes proved costly and difficult to enforce. The FAQs provided helpful guidance on the following points:

• Employers may provide testing to employees at a testing site separate from employees’ work location, and need not provide on-site testing unless desired.

• Employers can send their employees to a free public testing site as long as employees incur no out-of-pocket costs to be tested, including costs incident to testing, such as mileage, parking, etc.

• Although the ETS mandates that testing be provided during working hours, the FAQs clarified that the employer only must provide testing during employees’ paid time. In other words, employers will meet their obligations under the ETS so long as the employee is compensated for their time spent obtaining testing, including travel to and from a testing location.

• There will be no violation of the ETS if an employee declines or refuses to take a test required or provided by the employer. If an employee declines or refuses to be tested, the employer also is not required to obtain a signed declination or other similar proof of refusal from the employee. Notwithstanding this guidance, it would be advisable for employers to maintain their own records identifying any employees who refused to be tested, especially following an outbreak.

• Cal/OSHA will accept (1) tests approved by the United States Food and Drug Administration (FDA); and (2) tests that have an Emergency Use Authorization (EUA) from the FDA to diagnose current infection with the SARS-CoV-2 virus. These currently include both PCR and antigen tests. The test must be administered in accordance with the FDA approval or FDA EUA.

Outbreaks and the “Exposed Workplace”

Another new significant requirement under the ETS is employers’ obligations when faced with an outbreak (three or more COVID-19 cases) in an “exposed workplace.” Employers have struggled with implementing Cal/OSHA’s one-size-fits-all definition of “exposed workplace,” particularly in non-traditional facilities or workplace set-ups. The FAQs have clarified that an outbreak is analyzed against a defined “work location,” not necessarily the employer’s entire building or facility. The FAQs further clarified that an “outbreak” has not occurred for purposes of the ETS if a positive COVID case merely briefly passed through an area frequented by other employees while wearing a face covering.

Cal/OSHA additionally confirmed that employers are permitted to separate employees into cohorts or “pods” to reduce the size of the “exposed workplace” and provided assistance in how to count cases for outbreak purposes by instructing employers to look to the testing dates of the cases to determine if there has been an outbreak or major outbreak.

In addition, the new guidance states that employers only need to continue testing employees on a weekly basis until the workplace no longer qualifies as an outbreak (i.e., three or more cases in the exposed workplace over the preceding 14-day period). Previously, employers had to continue weekly testing until there were no new cases detected for a 14-day period. However, that requirement now only exists for a major outbreak (twenty or more cases within a 30-day period). For employers operating within a large “exposed workplace,” this is a welcome change, especially given the difficulty of avoiding a single case for two weeks during the recent surge.

Exclusion Pay and Benefits

One of the largest clarifications from Cal/OSHA came with respect to their updated guidance on exclusion pay. As set forth in the ETS, an employee with work-related COVID-19 close-contact exposure or who tests positive for COVID-19 may be eligible for exclusion pay and benefits for the period the employee is quarantined or isolated. However, Cal/OSHA clarified that an employer is not required to provide exclusion pay and benefits if the employee is unable to work because of the employee’s COVID-19 symptoms. In other words, a symptomatic employee out due to his or her own illness need not receive exclusion pay under the ETS.

Rather, exclusion pay is limited to the circumstances where an individual is able and willing to work, but for his or her exposure and risk of developing and/or spreading COVID-19. The guidance further states that if an employee is out of work for more than a standard quarantine period based on a single exposure or positive test, but still does not meet the ETS requirements to return to work, that extended quarantine period may be an indication that the employee is not able and available to work due to illness. In such cases, the guidance notes the employee may, however, be eligible for temporary disability or other benefits.

Cal/OSHA also answered a common question of how to determine whether exposure was “work-related” such that an employee may be eligible for exclusion pay. The FAQs now indicate that an employer must show evidence to show that it is “more likely than not” that an employee’s COVID-19 exposure did not occur in the workplace. Regarding enforcement of the exclusion pay obligation, the guidance only states that, as with any violation, Cal/OSHA has the authority to issue a citation and require abatement, and that whether employees or another agency can bring a claim in another forum is outside the scope of Cal/OSHA’s authority.

Final Takeaway

While the FAQs are helpful in clarifying and elaborating on employers’ obligations under the ETS, there are still many remaining unresolved questions. For this reason, and given the fast-approaching February 1, 2021, end-date for relief from monetary penalties for violations, employers with any questions or concerns are strongly encouraged to consult with experienced employment counsel to ensure compliance with the ETS.

The legal landscape continues to evolve quickly and there is a lack of clear-cut authority or bright line rules on implementation. This article is not intended to be an unequivocal, one-size fits all guidance, but instead represents our interpretation of where applicable law currently and generally stands. This article does not address the potential impacts of the numerous other local, state and federal orders that have been issued in response to the COVID-19 pandemic, including, without limitation, potential liability should an employee become ill, requirements regarding family leave, sick pay and other issues.
By: Austin Bell, Gustine FFA Reporter

On Thursday, January 7th the Gustine FFA chapter held a Job interview contest in preparation for the upcoming sectional Super Saturday. Students Moving on to the sectional contest include Savanna Barcellos, Lalanie Brace, Garret Gomes, and Christina Moitozo. On Thursday, January 14, a local contest was held for the FFA creed participants. Mr. Baffunno said “it was a success and I’m excited to see how they do at sectionals.”

To welcome the freshmen in the FFA chapters of Gustine High School, and Los Banos High School, the two officer teams got together to put on a virtual Greenhand Conference. It was held on Tuesday, January 12. This conference gave greenhands or first year ag students the opportunity to learn more about themselves along with exploring all the benefits the FFA has to offer. There were three different workshops in the conference. The first one was “What is Ag Ed,” this workshop taught students about the different classes available in the FFA along with informing them on what the FFA teaches them outside of the classroom. This includes things like public speaking, and communication skills. The next topic was “Where Can I Go?” In this workshop, students learned about where the FFA can take them in terms of making a name for themselves in the ag industry, scholarships, and other opportunities. The final topic was “How We’ll Get There?” In this workshop students took the knowledge they gained from the second station, and learned how they can get to that point. It was about things such as planning and goal setting. The sectional officer team even made an appearance to help welcome our freshmen. Gustine FFA Greenhand, Mikayla Silveira says, “It was nice to see our chapter officers as well as interacting with other greenhands.” Overall, it was a great success and the officer teams enjoyed being able to see their members.
Farmworkers lose out on $1.5B COVID-19 safety funding after USDA springs surprise spending

By: Katie Cimini, CALMATTERS

January 13, 2021 - Farmworkers lost out on up to $1.5 billion in grants and loans for COVID-19 safety needs after the USDA committed funds earmarked as such for a food box program.

The USDA announced on Jan. 4 that it planned to spend $1.5 billion in a fifth round of the Farmers to Families Food Box Program. It has yet to commit additional funding for farmworker safety.

“We had over 3.3 billion meals distributed to families across this nation, I am proud to say that thanks to the Trump administration’s efforts, the Farmers to Families Food Box Program has an additional $1.5 billion to continue to feed families in need, provide employment and support our small farmers,” Ivanka Trump said in the USDA release. “During these unprecedented times, this Administration will continue to fight for American families and will always put them first!”

The reaction from ag, labor and congressional leaders was swift.

Dozens of congressional leaders signed a letter urging the USDA to prioritize funding for farmworker safety.

The bipartisan letter points out that the Consolidated Appropriations Act of 2021 directed the Secretary of Agriculture to use at least $1.5 billion to purchase and distribute agricultural products as well as to provide grants and loans to protect workers from COVID-19.

More than 70 members of Congress signed the letter urging the USDA to prioritize significant funding for agricultural worker safety, including California Reps. Jimmy Panetta (D-Carmel Valley) and Jim Costa (D-Fresno).

“As the pandemic exploded over the past few months, farmers and farmworkers continued to show up, do their jobs, and put food on our tables,” stated Panetta in a release. “…My colleagues and I will continue to work together on a bipartisan basis, not just to secure that funding, but also to ensure that the USDA does its job and uses that funding to keep our agriculture workers safe and our food supply secure.”

“The United States has historically relied on the backbreaking work of people of color to bring food to our tables…To safeguard our food supply chain and address racial inequities, farmworkers must be at the center of national agricultural policy and COVID-19 packages,” said Teresa Romero, United Farm Workers Union (UFW) President.

“We were shocked”

The announcement from the USDA in its final days under Secretary Sonny Perdue took legislators, advocates, farmers and laborers alike unawares, who had worked together on language that farmers hoped would help reimburse them for costs incurred in 2020 for PPE, social distancing strategies, testing farmworkers and safety engineering.

All expected incoming Secretary of Agriculture Tom Vilsack to administrate the funds, and worry that this will mean far less for growers and ag employees.

Some, speaking on background, pointed to a quote by Trump Administration advisor Ivanka Trump as evidence this was part of outgoing President Donald Trump’s efforts to improve his image in the final days of his presidency.

“We were shocked by this development, to be quite honest,” stated Sara Neagu-Reed California Farm Bureau Federation (CFBF) Federal Policy Associate Director in an email to The Californian.

CFBF immediately contacted their congressional delegation to pen the letter to the USDA requesting that any additional dollars be put towards the worker safety purpose, Neagu-Reed said.

“It was outlined in the provisions so it must be done on behalf of our growers and farm employees,” she added.

Dennis Nuxoll, Western Growers Association Vice President of Government Affairs, said his organization was very surprised by the outgoing administration’s decision to commit the funds, pointing out that the language itself made clear that the money was to go to both food assistance and worker safety.

“Obviously we have a great need for food assistance, but this language was written to split this need and also look at any unallocated money,” he said. “This was not meant to be exclusive.”

Providing some relief and sharing the burden with producers for costs is something WGA had been advocating for since April 2020, he added.

According to Nuxoll, contracts for the Food Box program will be awarded Jan. 19, the day before President-elect Joe Biden is inaugurated, which likely means the $1.5 billion commitment cannot be undone by Vilsack.

“This makes it more complicated for Secretary Vilsack,” he said. “He’s going to have to do that analysis with a much smaller pot.

“From our perspective, our growers are incredibly interested in making sure their workforce is safe,” Nuxoll continued. “We’re very happy that Congress acknowledges that and is trying to help us share that load and that burden, and we look forward to working with Secretary Vilsack so we can accommodate our need with any funds that are leftover.”

The money prioritized for the Food Box program will toward meat, dairy, fresh fruit, and vegetables, hitting significant chunks of the agriculture industry and feeding millions across the nation.

However, it leaves farmworkers and employers who counted on that money to balance their books from unexpected expenses in 2020 out in the cold.

‘Disappointing’

“It’s really disappointing,” said UFW Secretary-Treasurer Armando Elenes. “They’re trying to take money away from farmworkers that we (the UFW) fought for. To try to assign that somewhere else when farmworkers need more money, not less?”

Elenes pointed out that the 80 hours or two weeks of paid sick leave farmworkers were entitled to under the CARES act expired Dec. 31. With that gone, he said, farmworkers who were lucky enough to find work during the leaner winter months were more likely to report to work sick instead of taking time off to rest and recover.

Elenes hoped the $1.5 billion could be put to use in a similar fashion, paying sick farmworkers to stay home.

“If there’s financial assistance or safety implication, they’re less likely to get (others) sick,” Elenes said.

Maria Elena Manzo, a leader with grassroots leadership organization COPA in Monterey County said she believed additional funding for paid sick leave would be helpful, citing cases of farmworkers who continued to work despite knowing they had been exposed to the virus.

One man, she said, feared losing his job and potential retaliation at work that he continued show up, even though his wife had tested positive for the virus.

“The foreman kept telling him he had to come back to work, and if he didn’t, they’d have to stop the whole crew,” Manzo said. “He was undocumented and really concerned about his job security and about being blamed for the crew stopping. If there was more support, that might not have been a problem. The risk of losing his job was too high.”

PPE, vaccine clinics and reimbursement

Panetta Legislative Aid Riya Mehta said that although she was unsure, she believed the USDA could use the money to cover paid sick leave for farmworkers.

“My understanding is that the USDA has very broad jurisdiction on how to spend the money,” Mehta said. “It could spend (it) on personal protective equipment or vaccine clinics in areas for rural farmworkers. They don’t necessarily have to stick to USDA jurisdiction, but I think it will come down to where USDA has capacity.”

Mehta said the money could potentially be spent retroactively — for items that had already been

See ’USDA’ Page 11
Newsom administration gave far less COVID-19 relief cash to smaller communities, audit finds

By: John Myers, Sacramento Bureau Chief, The Los Angeles Times

January 19, 2021 Sacramento - Gov. Gavin Newsom’s finance department may have shortchanged some California communities in distributing federal COVID-19 relief funds, according to a state audit released Tuesday that criticized both the implementation and outcome of a process that was supposed to fairly divvy up the money on a per-person basis.

The report issued by State Auditor Elaine Howle concluded that the methodology used by the Newsom administration was overly generous to 16 counties, “resulting in them receiving nearly double the total per person amount of [federal] funding” compared with California’s 42 other counties. The audit recommends that if state officials are again tasked by Congress with the job this year, they “should more equitably distribute that future COVID 19 related funding.”

Auditors also found shortcomings in the process used by the Governor’s Office of Emergency Services to determine whether cities had defied state public health orders and should be stripped of their share of COVID-19 relief funds. The agency “could not demonstrate that it used a consistent process for conducting such evaluation” of all of the state’s 476 cities, auditors wrote in their report.

H.D. Palmer, a spokesman for the governor’s budget staff, said all funds were distributed as required under the budget signed by Newsom in June.

“If the Auditor’s office has concerns over this process, they should take their policy recommendations directly to the Legislature — which voted to approve the specific mechanism that governed our actions,” Palmer said.

How funds are shared between state and local governments could be a key component of relief efforts this year in Sacramento and Washington. President-elect Joe Biden unveiled a $1.9-trillion assistance program last week that includes significant help for state and local governments struggling to pay for pandemic response programs while also still providing traditional services. The state’s current budget was drafted with the hope that as much as $14 billion in additional relief would arrive for state programs — an expectation that fizzled after opposition by congressional Republicans to the idea.

The relief package signed into law by President Trump last spring earmarked $15.3 billion for government assistance in California. The state’s most populous cities and counties received $5.8 billion of that amount directly from the federal government. State officials were given the task of handing out the remaining $9.5 billion and the Legislature adopted a budget that allocated almost half of that amount to public schools with the next largest portion directed toward reimbursing state government COVID-19 expenses.

Auditors focused their investigation on the $1.8 billion that state officials shared with all California cities and counties. Their report is critical of the methodology used by Newsom’s finance team to determine how much each community would receive. The audit found that federal coronavirus relief for 16 of the state’s most populous counties totaled at least $190 per resident — a combination of what they received directly from Washington and what was subsequently rationed out by state officials — while 42 counties with fewer residents received only $102 per person.

We stand ready to work together with you on this urgent, national imperative.”

Groups sign on

Other Western groups who signed on to the statement included the Agriculture Coalition for Immigration Reform, the Arizona Chamber of Commerce and Industry, Dairy Producers of New Mexico, the Idaho Nursery and Landscape Association, the Monterey County Farm Bureau, the Oregon Dairy Farmers Association, United Fresh Produce Association, and the Utah Nursery and Landscape Association.

Companies signing on included Tyson Foods, Inc., Chobani, the Oregon Milk Co., and Driscoll's.

Immigration reform is one of numerous key ag policy issues that will likely be under consideration during the next session of Congress, or by executive action from the new administration. Others include dealing with COVID-19, trade policy, climate change, rural health care and broadband issues, farm financial stress and development of the next Farm Bill, which is due after the 2023 crop year.

The groups’ statement comes after more than 200 arm and water organizations from 15 states sent a letter last week urging Biden and congressional leaders to address aging Western water infrastructure in any economic recovery package. Beyond financial support, the groups want the federal government to ensure the timely construction of water projects by streamlining the regulation and permitting processes, they said.

We sell land

Agriculture Coalition for Immigration Reform

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See ‘Relief’ Page 10
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continued from page 10

The audit finds fault with an explanation provided by the California Department of Finance that large counties had higher virus transmission rates and therefore needed more money, pointing out the dire pandemic conditions in places such as Imperial County and Kings County.

“Based on the COVID-19 case data for all counties, the needs of many small counties, as reflected in case rates, were at least the same if not greater than the needs of large counties, which is contrary to Finance’s reason for allocating additional state [federal relief] funds to the large counties,” auditors wrote.

Using population data and recommendations from the federal government issued last year, the auditors estimated that California’s less populous counties should have received $77 more per person in relief funds.

The audit released Tuesday also found little clarity in how state officials chose which communities to sanction for the enactment of local rules in apparent defiance of California public health orders.

In July, Newsom’s emergency services director told elected officials in the Central Valley cities of Atwater and Coalinga that they would need to “rescind” resolutions allowing all businesses to remain open — and that failure to so would mean the cities would forfeit their share of coronavirus relief funds. Neither city did so and the state blocked $212,358 earmarked for Coalinga and $387,428 for Atwater. The money was later spent by the state on coronavirus testing programs in those communities.

But auditors reported that Newsom administration officials could provide no proof of a formal process for evaluating local coronavirus-related ordinances.

“Because [the Governor’s Office of] Emergency Services was unable to demonstrate that it reviewed all 476 cities, we question whether other cities may have passed similar resolutions and may not have been eligible” for federal relief dollars.

The auditors found at least one city — Imperial — that enacted its own rules for opening businesses and wasn’t punished. And they disagreed with an explanation by the Newsom administration that Imperial city leaders had made only a “symbolic gesture” in defiance of state rules.

Any effort to impose sanctions affecting future federal relief funds, the auditors wrote, should include “a formal process to evaluate all cities’ adherence to the Legislature’s requirements, and that this evaluation is documented and retained.”

Newsom Appoints Three New Members to California Water Commission

By: California Water News Daily

January 20, 2021 - Governor Gavin Newsom announced last week three appointees to the California Water Commission. The Commission provides a public forum for discussing water issues, advises the Director of the Department of Water Resources about water issues, and advises the Director of the State Water Project.

The new appointees are: Amy Cordalis, 40, of McKinleyville. Cordalis, a member of the Yurok Tribe, has been General Counsel for the Yurok Tribe since 2016 and served as a Staff Attorney for the Tribe from 2014 to 2016. She was Staff Attorney at Berkey Williams LLP from 2012 to 2014 and at the Native American Rights Fund from 2007 to 2012. Cordalis is a member of the Klamath River Renewal Corporation Board of Directors. She earned a Juris Doctor degree from the University of Denver College of Law. This position requires Senate confirmation and the compensation is $100 per diem. Cordalis is a Democrat.

Kimberly Gallagher, 45, of Davis. Gallagher has been Farm Operations Manager at Erdman Farms since 2014 and Owner and Operator of Gallagher Farming Company since 2009. She was a Science Teacher for the Davis Unified School District from 2012 to 2014 and an Independent Study Teacher for the Elk Grove Unified School District from 2004 to 2011. Gallagher is a member of the Colusa County Resources Conservation District, Colusa Glenn Subwatershed Program and the California Rice Commission. She earned a Master of Arts degree in Christian leadership from Fuller Theological Seminary. This position requires Senate confirmation and the compensation is $100 per diem. Gallagher is a Democrat.

Fern Steiner, 71, of San Diego. Steiner has been an Attorney at Smith, Steiner, Vanderpool APC since 1987 and a Shareholder there since 1993. She was an Attorney at Richard D. Prochazka APC from 1984 to 1987 and an Attorney at Karmel and Rosenfeld from 1977 to 1984. Steiner is a member of the San Diego County Water Authority Board of Directors and a trustee for San Diego Youth Services. She earned a Juris Doctor degree from John Marshall Law School. This position requires Senate confirmation and the compensation is $100 per diem. Steiner is a Democrat.

The GSAs for the Merced Groundwater Subbasin are seeking volunteers to participate on a Stakeholder Advisory Committee during implementation of the GSP. During the development of the GSP, the Stakeholder Advisory Committee provided valuable community input to the GSA governing boards; the GSAs seek to continue this type of stakeholder engagement during GSP implementation. The Stakeholder Advisory Committee members will be solicited through a public application process and approved by the GSA governing boards. An application with further description of the role can be downloaded at www.mercedsgma.org (due back 2/1/2021).
NPPC, AFBF claim California’s Prop 12 impact ‘severe’

By Jacqui Fatka, Farm Progress

Jan 19, 2021 - In a U.S. appeals court brief filed Jan. 14, the National Pork Producers Council and the American Farm Bureau Federation emphasized that California’s Proposition 12 violates the Commerce Clause of the U.S. Constitution by imposing arbitrary animal housing standards that reach outside of the state’s borders to farms across the country.

In December 2019, NPPC and the American Farm Bureau Federation filed a lawsuit with the U.S. Court of Appeals for the Ninth Circuit, asking the court to strike California’s Proposition 12 as invalid. That lawsuit is currently pending before the U.S. Court of Appeals for the Ninth Circuit. NPPC says it anticipates oral arguments in the case this spring.

“Essentially all—99.8%—of the pork Californians consume is imported from out of state. Hundreds of thousands of out-of-state pigs are needed to supply that pork every year. And every pig from which any cut of pork reaches California necessarily bears Proposition 12’s substantial costs, meaning that farmers and consumers everywhere pay for California’s preferred animal-housing methods,” the joint filing explains.

Beginning Jan. 1, 2022, Proposition 12 requires all sows producing pork for the California market to be raised according to California’s highly prescriptive production standards. The proposition applies to any uncooked pork sold in the state, whether raised there or outside its borders.

“The blow to out-of-state farmers will be severe, with some certainly going out of business,” the filing adds.

Plaintiffs allege that the costs those farmers bear apply to huge quantities of pork sold outside California, which will reduce the supply of pork in interstate commerce, and will increase pork prices nationwide.

In addition, because segregation and tracing throughout the complex pork-production chain is not possible, even pigs whose meat is sold entirely outside California will have to come from Proposition 12-compliant facilities and will carry those same costs. “Inevitably, the per-pig costs of complying with Proposition 12 are borne by the suppliers and consumers of pork sold nationwide,” the filing states.

The amicus brief submitted by Indiana and 19 other states confirms that the risk of “Balkanization of the Nation’s pork market through enactment of conflicting state laws is not mere speculation,” the brief adds.

Differentiating from NAMI case

Throughout their briefs, the defendants try to lump the NPPC and AFBF challenge in with the plaintiffs and claims in North American Meat Institute v. Becerra, in which the Court recently affirmed the denial of a motion to preliminarily enjoin Proposition 12.

Related: Court will not rehear Prop 12 challenge from Meat Institute

“But NAMI was a challenge to Proposition 12 in its entirety and not, as here, solely its provisions addressing pork,” the NPPC and AFBF explain.

NAMI represents primarily packers, which are slaughterhouse operators who purchase market hogs from farmers and then process them into cuts of meat that are sold to retail. This court filing from the National Pork Producers Council and American Farm Bureau Federation, mainly represent the farmers who operate sow farms.

“It is Plaintiffs’ member farmers who will bear the costs of retrofitting or building new Proposition 12-compliant farms and implementing Proposition 12-compliant farming methods; whose sows and workers will be endangered by the law’s requirements; whose herd sizes will be reduced as a practical result of the law; and who are being told by packers that, because of the impossibility of tracing and segregating California-bound pork, all of their sows must be Proposition 12-compliant. It is the reduction of these farmers’ productivity—from the increased space-per-sow requirement, the increased sow mortality that comes with it, and pregnancy losses because Proposition 12 bans the use of individual breeding stalls that will disrupt the national pork market, reduce the supply of pork, and drive up consumer prices,” the brief explains.

Declarant Phil Borgic, for example, an Illinois sow farmer, explains that his options under Proposition 12 are cost-prohibitive: to spend $3 million retrofitting his farm or reduce his herd size by a third, destroying his farm’s productivity and making him unable to meet his contractual commitments to deliver hogs.

Greg Maher, a sow farmer in Missouri, explains that his inability to bear the construction costs and productivity losses from complying with Proposition 12 means that he may have to exit the business. “Maher had converted to group housing with 16 square feet per sow, using individual stalls only during breeding and gestation, but is in the process of going back to individual housing because his sow-mortality rate skyrocketed along with his production costs,” the brief explains.

USDA continued from page 7

purchased in 2020 — or it could be focused on future initiatives.

Although agricultural areas across the United States have different needs, vaccine clinics in rural areas were a top priority for many, as well as continued supply of masks and gloves, among other things.

Mehta said she expected to see a united front from growers and laborers.

“This is one of those unique issues like the Farm Workforce Modernization Act where you’re going to get labor and ag together to push the USDA to do this,” she said.
SBA and Treasury Announce PPP Re-Opening; Issue New Guidance

By: U.S. Small Business Administration

WASHINGTON – The U.S. Small Business Administration (SBA), in consultation with the Treasury Department, announced today that the Paycheck Protection Program (PPP) will re-open the week of January 11 for new borrowers and certain existing PPP borrowers. To promote access to capital, initially only community financial institutions will be able to make First Draw PPP Loans on Monday, January 11, and Second Draw PPP Loans on Wednesday, January 13. The PPP will open to all participating lenders shortly thereafter. Updated PPP guidance outlining Program changes to enhance its effectiveness and accessibility was released on January 6 in accordance with the Economic Aid to Hard-Hit Small Businesses, Non-Profits, and Venues Act.

This round of the PPP continues to prioritize millions of Americans employed by small businesses by authorizing up to $284 billion toward job retention and certain other expenses through March 31, 2021, and by allowing certain existing PPP borrowers to apply for a Second Draw PPP Loan.

“The historically successful Paycheck Protection Program served as an economic lifeline to millions of small businesses and their employees when they needed it most,” said Administrator Jovita Carranza. “Today’s guidance builds on the success of the program and adapts to the changing needs of small business owners by providing targeted relief and a simpler forgiveness process to ensure their path to recovery.”

“The Paycheck Protection Program has successfully provided 5.2 million loans worth $525 billion to America’s small businesses, supporting more than 51 million jobs,” said Treasury Secretary Steven T. Mnuchin. “This updated guidance enhances the PPP’s targeted relief to small businesses most impacted by COVID-19. We are committed to implementing this round of PPP quickly to continue supporting American small businesses and their workers.”

Key PPP updates include:
- PPP borrowers can set their PPP loan’s covered period to be any length between 8 and 24 weeks to best meet their business needs;
- PPP loans will cover additional expenses, including operations expenditures, property damage costs, supplier costs, and worker protection expenditures;
- The Program’s eligibility is expanded to include 501(c)(6)s, housing cooperatives, direct marketing organizations, among other types of organizations;
- The PPP provides greater flexibility for seasonal employees;
- Certain existing PPP borrowers can request to modify their First Draw PPP Loan amount; and
- Certain existing PPP borrowers are now eligible to apply for a Second Draw PPP Loan.

A borrower is generally eligible for a Second Draw PPP Loan if the borrower:
- Previously received a First Draw PPP Loan and will or has used the full amount only for authorized uses;
- Has no more than 300 employees; and
- Can demonstrate at least a 25% reduction in gross receipts between comparable quarters in 2019 and 2020.

The new guidance released includes:
- PPP Guidance from SBA Administrator Carranza on Accessing Capital for Minority, Underserved, Veteran, and Women-owned Business Concerns;
- Interim Final Rule on Paycheck Protection Program as Amended by Economic Aid Act; and
- Interim Final Rule on Second Draw PPP Loans.

For more information on SBA’s assistance to small businesses, visit sba.gov/ppp or treasury.gov/cares.

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IMPORTANT REMINDERS
- Corn, Cotton, ELS Cotton, Rice and WholeFam Revenue Insurance application deadlines are February 28, 2021

See ‘TRUCRS’ Page 15

2021 TRUCRS Online Reporting Guide

By: California Air Resources Board

This user guide is intended to help vehicle owners report online to meet the reporting requirements of the California Air Resources Board’s Truck and Bus and Solid Waste Collection Vehicle regulations. The Truck Regulation Upload, Compliance, and Reporting System (TRUCRS) allows you to report and update your company, vehicle, and engine information to meet the reporting requirements. The next open reporting period is January 1, 2021 through January 31, 2021.

Beginning January 1, 2021, private utilities will be subject to Truck and Bus regulation and reporting in TRUCRS may be required. Please visit the programs website to determine if this applies to your fleet: https://ww2.arb.ca.gov/resources/factsheets/public-agencies-and-utilities-factsheet

The Three Day Pass option will no longer be available starting January 1, 2021. Affected vehicles will be denied registration by the California Department of Motor Vehicles (DMV) if they are not compliant with the Truck and Bus Regulation. For the Truck and Bus Regulation, every affected vehicle must comply with the upgrade requirements of the applicable Engine Model Year Schedule unless the vehicle is reported in TRUCRS as currently in compliance with a flexibility option offered by the regulation. Diesel vehicles classified as Solid Waste Collection Vehicles or Heavy Cranes as defined in the Solid Waste Collection Vehicle regulation are required to report in TRUCRS. DMV will use the vehicle identification number (VIN) reported in TRUCRS for vehicles taking advantage of regulatory flexibility.
Hilmar Cheese Company Scholarship Applications Due February 1, 2021

Hilmar Cheese Company is accepting applicants for its annual scholarship program. College and trade school scholarships are available to high school seniors and college students with an agricultural major and living in the counties where the company is located – Merced and Stanislaus counties, California; and Dallam and Hartley counties, Texas. The company also offers scholarships to children of employees and to the children of the dairy farm families who ship their milk to Hilmar Cheese Company pursuing any major.

Selection of recipients is based on academic performance, financial need, community activities and future ambitions.

The scholarship program was created to reflect Hilmar Cheese Company’s continued support of higher education and its commitment to employees, dairy farm families and the California and Texas agricultural industries.

Qualifying students are encouraged to apply online now through February 1, 2021. For more information and to apply visit: https://www.hilmarcheese.com/about_us/scholarship-

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NOLAN PEDRETTI

NOLAN IS THE 4 YEAR OLD SON OF GINO AND MICHELLE PEDRETTI. HE IS CURRENTLY UNDERGOING TREATMENT FOR ACUTE MYELOID LEUKEMIA.
Flush with surplus, California government could gain billions more in Biden’s COVID-19 plan

By: Sphonia Bollag & David Lightman, The Sacramento Bee

California Governor Gavin Newsom introduces his proposed state budget for the upcoming fiscal year, and tells how the state went from the onset of the coronavirus pandemic to a 2021 fiscal plan.

California state and local government could benefit from billions of dollars in new federal financial support if President-elect Joe Biden can convince Congress to pass a $1.9 trillion stimulus plan he unveiled Thursday.

Biden’s economic relief plan avoids a big aid package for state and local governments to use as they want. Republicans blocked that idea throughout 2020, complaining that the money would too often be spent irresponsibly.

Instead, Biden would designate the money would too often be spent irresponsibly.

It’s not clear yet exactly how much California would get from the proposal, but the massive spending plan includes hundreds of billions of dollars in aid for state and local governments, public health departments, and schools, all of which could directly benefit the Golden State.

If approved, the money would go to Gov. Gavin Newsom and California lawmakers additional breathing room as they craft the state’s 2021-22 budget, which is already expected to benefit from a $15 billion surplus because of higher-than-expected state tax revenue. At the same time, Newsom’s proposal anticipates higher spending on social services because of massive needs related to the pandemic.

Biden’s plan would build on the $860 billion COVID-19 relief law that Congress passed in December. Newsom’s plan for the budget, which he unveiled last week, doesn’t yet account for money expected to come to California through that package.

Biden’s proposal would send $350 billion to state, local, and territorial governments so they can employ enough workers to distribute the vaccine, increase testing, reopen schools and maintain other public services.

**Funding National Vaccine Program**

It also includes $20 billion for a national vaccination program “in partnership with states, localities, Tribes and territories.” The effort would include launching community vaccination centers and deploying mobile vaccination units to hard-to-reach areas. Newsom had already planned to spend an estimated $372 million in state funding on accelerating vaccinations.

Biden wants to hire 100,000 additional public health workers nationwide to help with vaccinations and contact tracing.

County health departments were already pushing Newsom and lawmakers for more public health funding, so Biden’s proposal could make those negotiations easier.

Newsom has repeatedly pointed to testing as an area where the state could use more help from the federal government. Biden is proposing $50 billion to purchase rapid tests, expand lab capacity and otherwise increase testing with the goals of reopening schools, quickly identifying outbreaks at prisons and nursing homes and providing every American with free tests when they need them.

**Reopening Schools**

Biden also wants Congress to approve $130 billion to help schools reopen safely. That money could be used to reduce class sizes, modify classrooms, hire more janitors and purchase protective equipment.

Newsom’s administration is negotiating with school districts over a reopening plan he unveiled late last month aimed at getting students back into classrooms as quickly as possible. Part of districts’ concerns centers on the amount of money, which Biden’s proposal could help address. But superintendents have also raised concerns about the short timelines and lack of statewide safety standards in Newsom’s plan.

Biden’s plan has $35 billion for public higher education institutions, and would provide what Biden estimates to be millions of students up to an additional $1,700 in financial aid from their college.

Biden’s proposed aid package would also more than double the emergency funding Congress already passed to help renters and small businesses through the pandemic. It also includes $5 billion in emergency assistance for homeless housing, enough for 200,000 homeless individuals and families to get stable housing, according to Biden’s transition team.

Newsom and lawmakers are currently negotiating to get California’s $2.6 billion share of the rental assistance money out the door quickly. Some lawmakers have also argued Newsom’s budget plan doesn’t include enough to help homeless people in California, where more than 150,000 are homeless, according to the most recent official count.

Biden’s plan also includes $20 billion for public transit agencies that have been hurt by the pandemic.
Commentary: Proposition 19 complicates farm property transfers

By Robert Spiegel, California Farm Bureau

January 20, 2021 - Known as The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act of 2020, and passed by California voters last November, Proposition 19 affects taxes on homes and inherited property—and poses significant challenges for family farmers and ranchers.

As state agencies implement the new measure, the California Farm Bureau has been the only agricultural organization challenging interpretations and guidance the agencies have been using.

So far, Proposition 19 implementation is clear as mud, and property owners urgently need clarification from the state Board of Equalization. New guidance will be provided to county assessors and we expect legislative efforts will occur in 2021. In addition, Proposition 19 will likely face multiple legal challenges from California property owners.

So, what are the most pressing components of the measure that family farmers and ranchers should know?

Prior to the passage of Proposition 19, parents or grandparents could transfer their primary residence and $1 million per parent of other real property to their children without triggering a reassessment of those properties. After Feb. 15, Proposition 19 significantly narrows that exclusion.

Beginning Feb. 16, a transfer of a personal residence or family farm to a child is only exempt if the residence becomes the primary home of the child, or the family farm continues to be used for agricultural purposes.

However, even the transfer of a family farm or personal residence is limited, and may still face a partial property tax reassessment. The exclusion only applies as far as a certain, specified value—a new formula included within Proposition 19. Should a property exceed that specified value, anything above that would be assessed at fair market value—leading to a higher property tax bill.

Proposition 19 provides that if the fair market value of a family home or family farm is less than the sum of the factored base year value plus $1 million, the new factored base year value would not be adjusted. In that case, a child could assume the family home or family farm with the property taxes paid by their parents.

However, if the fair market value is equal to or more than the sum of the factored base year value plus $1 million, an amount equal to the fair market value of the family home or family farm—minus the sum of the factored base year value plus $1 million—is added to the original base year value of the transferred property.

Make sense? Thought not.

Let's try an example:

A farm has been held by a family for several years and has a factored base-year value of $425,738. The last surviving parent passes away, and the property is inherited by the only child. The child intends to continue the operation of the family farm and, at the time of the parent’s death, it has a fair market value of $1,750,000. To determine the value under Proposition 19:

- Calculate the sum of the factored base-year value plus $1 million:
  $425,738 + $1,000,000 = $1,425,738.
- Determine whether the fair market value exceeds the sum of the factored base-year value plus $1 million: $1,750,000 is greater than $1,425,738.
- Calculate the difference:
  $1,750,000 - $1,425,738 = $324,262.
- Add the difference to the factored base-year value: $425,738 + $324,262 = $750,000.
- That leaves a new combined base-year value of $750,000.

Farm Bureau members should be aware that if the family farm was treated as all other real property under Proposition 19, the taxes paid would be based on the actual fair market value of the farm, or $1,750,000, as compared to the new combined base-year value of $750,000 based on the example provided. That would equate to $17,500 in new property taxes paid by the child upon transfer, instead of $7,500.

Many questions remain related to Proposition 19. Farm Bureau members looking to pass their farm or personal residence should seek advice immediately from those familiar with estate and intergenerational transfers.

The Board of Equalization has said the filing of a notice of transfer is not acceptable for utilizing the earlier transfer benefits, and that the transfer itself must take place before Feb. 15—or anything after will be calculated based on Proposition 19.

There are many nuances that make this challenging. Farm Bureau continues discussions to soften any known impacts this may have on family farmers and ranchers.

TRUCRS
continued from page 12

options to confirm the vehicles’ compliance status. To ensure you will not experience DMV registration denial for your affected vehicle, it is crucial that the VIN reported matches the vehicle registration to prevent delays registering your vehicle with DMV. It is important that the information reported to the California Air Resources Board (CARB) is accurate.

Please visit the TruckStop Website to determine any other regulations that may apply to your fleet: https://ww3.arb.ca.gov/msprog/truckstop/truckstop.htm

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COVID-19 Vaccination Distribution: Phases 1
As of January 13, 2021

The supply of COVID-19 vaccine is limited, which means that the vaccine will be offered to different groups of people in different phases, starting with our healthcare workers. As more vaccines become available, it will be offered to everyone. Below is a list of groups that will be offered the vaccine in phases, according to their risk of exposure.

Key:  
- Green circle indicates that the group has been offered the vaccine.
- Yellow circle indicates that the group is waiting to be offered the vaccine.
- Red circle indicates that the vaccine is not yet available at this time.

### Phase 1A

#### Tier 1:
- Acute care, psychiatric and correctional facility hospitals
- Skilled nursing facilities, assisted living facilities, and similar settings for older or medically vulnerable individuals
- Residents in long-term care settings
- Paramedics, EMTs and others providing emergency medical services
- Dialysis centers

#### Tier 2:
- Intermediate care facilities for persons who need non-continuous nursing supervision and supportive care
- Home health care and in-home supportive services
- Public Health field staff
- Primary care clinics, including federally qualified health centers, rural health centers, correctional facility clinics, and urgent care clinics
- Community health workers, including promotoras

#### Tier 3:
- Specialty clinics (i.e. optometry, cardiology, neurology, outpatient, surgery, physical therapy, etc.)
- Laboratory workers
- Dental and other oral health clinics
- Pharmacy staff not working in settings at higher tiers
- Veterinarians

### Phase 1B

#### Tier 1:
- Persons 65 years and older
- Frontline Essential Workers  
  Sectors: education, childcare, emergency services, and food and agriculture

#### Tier 2:
- Frontline Essential Workers  
  Sectors: transportation and logistics; industrial, commercial, residential, and sheltering facilities and services; critical manufacturing
- Congregate settings with outbreak risk  
  Incarcerated
  Homeless

### Phase 1C

#### Tier 1:
- Persons 50-64 years old
- Persons 16-49 years old with high risk health conditions

#### Other essential workers
- Water and Wastewater
- Chemical and Hazardous Materials
- Finance Services
- IT and Communication

### Other groups not included may be added to a comparable phase.

These proposed allocations are based on recommendations by the CDC and ACIP.

For more information, visit www.countyofmerced.com/coronavirus
California: OK to use Moderna vaccine after illness reports

By: Don Thompson, Associated Press

January 20, 2021 - California on Wednesday said it's safe to resume using a batch of Moderna coronavirus vaccine after some people fell ill and a halt to injections was recommended.

The decision frees up more than 300,000 doses to counties, cities and hospitals struggling to obtain supplies. The state Department of Public Health on Sunday urged a pause in the use of a specific lot after fewer than 10 people who received shots at a San Diego vaccination site needed medical care, possibly due to rare but severe allergic reactions.

But after a safety review and consultation with Moderna and local and federal health agencies, the state “found no scientific basis to continue the pause” and said vaccinations can “immediately resume,” state epidemiologist Dr. Erica Pan said in a statement.

“These findings should continue to give Californians confidence that vaccines are safe and effective, and that the systems put in place to ensure vaccine safety are rigorous and science-based,” Pan said, adding that some of her own family members had received it.

About 330,000 doses from the lot had been distributed to nearly 300 providers in California this month. Most had halted using it until receiving the all-clear.

Cheryl Brennan of Fallbrook was among those who fell ill shortly after being injected last week at Petco Park, home of the San Diego Padres.

“At 18 minutes, it was like my throat started closing,” she told KSWB-TV. “My blood pressure went to 185 over 125, which I guess is very life-threatening.” Help came immediately.

“They hooked up electrodes. They put ice packs on me. I had four EMTs and two nurses helping me and they brought my blood pressure back down within 45 minutes,” Brennan said.

Brennan also said despite the reaction, she plans to return next month for a second dose. The vaccine requires two shots for full immunization.

“I will still absolutely, positively go,” Brennan said. “My opinion, if I get COVID, I would probably have a lot worse reactions than just having those issues … And my husband has underlying health conditions, so it’s worth taking that chance.”

The release of the Moderna doses comes as California officials struggle to meet the challenge of vaccinating all those awaiting them, including millions of people 65 and older who were added to the eligibility list behind health care workers and people in nursing care homes.

California, with 40 million people, is only getting 400,000 to 500,000 doses of vaccine in a good week and it could take four to five months just to complete vaccinations for those 65 and older, Pan said during a state vaccine advisory committee meeting, according to the Sacramento Bee.

Despite such concerns, large counties have been opening up more mass vaccination sites as they struggle with an unprecedented demand. Officials are pinning their hopes on President Joe Biden’s promise to ramp up resources for vaccination.

“Under a Biden administration, our country has a fighting chance at defeating this virus,” California state Sen. Scott Wiener said Wednesday.

Providers place vaccine orders that are reviewed by the state and submitted to the federal government, which can authorize the order and submit the request to the vaccine manufacturer. Counties have complained about lag times and unpredictability in distribution.

More than 4 million doses had been shipped and about 1.5 million had been administered as of Tuesday, according to figures from the state public health department. Health officials have said the delay may be due in part to some doses not actually having arrived in the state yet.

With the all-clear for Moderna’s vaccine, San Francisco will be able to use 8,000 doses it had put on hold and no longer expects to run out of vaccine on Thursday as previously feared, the San Francisco Chronicle reported. Health officials had received fewer than 2,000 additional doses this week for city hospitals and community clinics.

The city hopes to have an estimated 900,000 people who live or work in the city to be vaccinated by June 30, although it would have to double or triple its vaccination rate to 10,000 a day.

“The chief obstacle we are facing is not enough doses,” said Roland Pickens, director of San Francisco’s public health care system, at a supervisors’ hearing Wednesday. “You only get it one way; you get it for free and you get it from the federal government.”

Los Angeles County, with a quarter of the state’s population, was straightening out early problems with online and call-in systems that residents over 65 can use to make a reservation for vaccination, said Barbara Ferrer, director of the county Department of Public Health.

But the real problem was supply. Ferrer said more than 70% of the doses received for next week are already earmarked for people who are getting their second shots.

Former Gov. Arnold Schwarzenegger put in a pitch for vaccination, posting a Twitter video of himself getting a shot in his right bicep at the drive-through site at Dodger Stadium.

“Today was a good day,” he wrote. “I have never been happier to wait in a line. If you’re eligible, join me and sign up to get your vaccine. Come with me if you want to live!”

Meanwhile, California reported its second-highest number of COVID-19 deaths Wednesday but also a dip in hospitalizations below 20,000 for the first time since Dec. 27.

The total of 694 new deaths is second to the record 708 reported Jan. 8, according to the state Department of Public Health.

California this week surpassed 3 million COVID-19 cases since the pandemic began early last year. Nearly 35,000 people have died, according to data compiled by Johns Hopkins University.

Most of the state’s population still was under stay-at-home orders triggered by a lack of intensive care beds to handle COVID-19 patients.

The spike was blamed on people ignoring social distancing and mask-wearing while gathering for the holidays.

Only a couple of weeks ago, it was feared hospitals in hard-hit areas might have to begin rationing care. But statewide hospitalizations have dipped 8.5% over 14 days, with the number of intensive care patients also easing.

In another bit of good news, the statewide positivity for the virus over a seven-day period has fallen below 10% for the first time in weeks — meaning statistically that each infected individual was now infecting less than one other person.

The 2021 Scholarship application is available on our website

DEADLINE to apply is Feb 1, 2021
UC Merced Announces Prestigious Biennial Grant Program Includes Funding for Ag-labor and Wildfire Research

By: Lorena Anderson, UC Merced

January 19, 2021 - Two new projects designed and led by UC Merced researchers will address challenges facing many Californians — wildfire recovery and agricultural labor — but will also have global reach.

Both are funded through the University of California’s prestigious Multicampus Research Programs and Initiatives (MRPI) Awards. In addition to these two projects, six UC Merced faculty members are co-primary investigators on projects led by other UC campuses and about a dozen more UC Merced faculty members are participating in the eight MRPI-supported projects.

Awarded every two years, the highly competitive MRPI program seeks to leverage the world-renowned research capabilities of the UC system to develop real-world solutions to significant problems facing the state and the world.

This year’s competition garnered 94 proposals that spanned the breadth of UC’s expertise, from computer science and particle physics to anthropology and human rights. Fifteen projects — totaling $19 million — were selected based on their compelling approaches to advancing research areas that are important to UC and the state.

“The MRPI competition funds discoveries that improve the lives of Californians and draws world-class student, faculty and staff talent to the University,” said UC President Michael V. Drake, M.D. “UC programs like this help keep California at the forefront of breakthrough research and technological innovation.”

Civil & Environmental Engineering Professor Tom Harmon, director of the Sierra Nevada Research Institute, leads the $3.1 million, four-year Labor and Automation in California Agriculture (LACA) team, an interdisciplinary group comprising UCs Merced, Berkeley, Davis and Riverside, as well as UC Agriculture and Natural Resources (ANR).

“I’ve been thinking a lot about the future of agricultural labor and smart farming technology,” Harmon said. “California is an agriculturally diverse and productive state, and yet its food system is vulnerable to climate change, regulatory change, water availability and unexpected disturbances. Agricultural workforce shortages are also negatively affecting our food system."

By partnering with farmers, workers, environmentalists and agriculturalists, LACA aims to create a new model for agricultural technology that is farmer- and worker-friendly while enhancing productivity and environmental sustainability.

“It won’t take away jobs, but it will require new skill sets, such as data analysis and working alongside automation, which will open up new and equitable career paths,” Harmon explained. “The future of California agriculture is less about back-breaking labor and more about enhancing productivity and quality, while creating a more work-friendly, resilient and sustainable agri-food system.”

The LACA team features professors Joshua Viers, Colleen Naughton, Stefano Carpin, Erin Hestir and Josue Arias, the John D. and Catherine T. MacArthur Endowed Chair, is a co-PI in the California Policy Lab project, developing data-driven solutions for some of California’s most complex issues, such as homelessness, poverty, criminal justice reform, education inequality and the future of work.

Chemistry professors Son Nguyen and Christine Isborn are co-PIs on the California Interfacial Science Initiative, which is designed to leverage novel experimental and theoretical capabilities for interfacial science and make these available to a large group of UC researchers. Research enabled by this project will provide new insights into environmental challenges relating to green energy production, waste reduction, energy storage and ocean cleaning, all of which are of pressing importance for the State of California as well as local industries.

Humanities Professor Arturo Arias, the John D. and Catherine T. MacArthur Endowed Chair, is a co-PI on the Global Latinidades Project. Scholars will take Latinx studies beyond North America to examine the global reach and impact of Latinx people in Africa, Asia and Europe, as well as Central and South America. Spiritual and cultural transformations, along with human rights and political struggles in worldwide Latinx communities, will also be explored. These discoveries will inform new
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Merced County Business Member Directory

Businesses Supporting the Farm Bureau

To be included in the directory, join Merced County Farm Bureau as a business member by calling 723-3001.

REPAIRS & SERVICES

AC King ........................................ 722-3552
Atwater Radiator & Muffler, Inc ...... 358-2638
Car Plus ...................................... 722-3552
Freitas Auto Wreckers .................. 722-7086

CONSTRUCTION CONTRACTORS

Allison Sierra, Inc. ......................... 966-4082
Dias Construction, Inc. ................. 634-9601
M-Mig Construction, Inc. ............. 631-6017

LANDSCAPE

Bergman Landscape ....................... 669-9138

FARM EQUIPMENT

Garton Tractor, Inc. ...................... 726-4600
Holt Ag Solutions ......................... 723-2021
J M Equipment Co Inc ................. 386-1979
Kirby Manufacturing ................... 723-0778
Laird Mfg LLC ............................ 722-4145
N&S Tractor ................................ 383-5888

REAL ESTATE

Flanagan Realty ............................. 723-4337 (Merced)
Flanagan Realty, (559) 665-1313 (Chowchilla)
Property Team .............................. 769-4698
Dick Templeton Property Team ...... 761-4441
Rucker Real Estate ...................... 722-6532
Valley Real Estate Sales, Inc. ....... 854-1000

GROUPS & ORGANIZATIONS

Blue Diamond Growers .......... (559) 474-2996
California Sweet Potato Growers .... 394-7935
California Women for Agriculture .... 723-5878
Central CA Irrigation District .... 826-1421
Cortez Growers Association .......... 632-3118
Dos Palos Co-op Gin ................. 387-4151
Farmers Rice Cooperative .......... (916) 923-5100
Gustine Drainage District ......... 854-6782
Hilltop Ranch Inc ....................... 874-1875
Livingston Farmers Assc ........... 394-7941
Merced Boosters ....................... 761-0815
Merced Irrigation District ....... 722-5761
Turlock Irrigation District ....... 883-8205
Merced College Ag Division ...... 384-6250

FARM SERVICES

A-Bar Ag Enterprises ................. 826-2636
Caddy Shack Rodent Servc, (559) 363-3315
Cal Ag Safety ..................... 351-0321
Cal Corn Growers Inc .............. (559) 665-5775
Chipponeri Electric ............... 634-4616
Chosen Few Ranches .............. 585-8633
Dutch Door Dairy .................. 648-2166
Far Management Inc ................. 667-1011
Guerrero Farm Labor ............ 492-0408
Horizon Farms, Inc ................. 383-5225
J & F Fertilizer .................... 854-6325
La Follette Enterprises, Inc .... 632-1385
Machado Feed Company ......... 658-5943
Marceli & Co .......................... 777-0911
Mid Valley Ag Service .......... 394-7981
Modern Dairy ....................... 722-7452
Modesto Dairy Supply ........... 669-6200
Silva & Sons Custom Spreading .... 667-2566
Silva’s Hay Source .............. 777-7440
The Pollination Connection ...... (877) 970-BEES (2337)

FOOD PROCESSING

A V Thomas Produce .......... 394-7514
Del Rio Nut ............................ 394-7945
Minturn Huller Co-op (559) 665-1185
Parreira Almond Processing Co ........ 826-1262
Sensient Natural Ingredients (800) 558-9892
Yosemite Farms ..................... 383-3411

HARVESTING & HAULING

Bertuccio Hay ...................... 761-6247
Castillo Brothers Hay ............ 392-3817
Diamond J Farms ................. 564-0870
Minturn Huller Co-op (559) 665-1185
Northern Merced Hulling ....... 667-2308
Wallace & Son ..................... 382-0131

IRRIGATION, WELLS, & SEPTIC

Allison Sierra, Inc ............... 966-4082
Agri-Valley Irrigation ........... 384-8494
Dickey’s Pump Service .......... 394-3112
Frasier Irrigation Company ...... 387-4202
Irrigation Design & Construction, LLC .... 387-4500
Precision Aqua .................... 756-2025
Quality Well Drillers ............ 357-0675
Rain for Rent/Westside Pump (559) 693-4315
Robal Inc ............................. 826-4540
Shannon Pump Company ....... 723-3904

INSECT & WEED CONTROL

Environmental Spraying Service .... 667-1038
Malm Ag Pest Management ...... 392-6905
Star Creek Land ..................... 704-1790

FARM SUPPLIES

Ag Flag .................................. 357-3424
Cal Farm Service ................. 358-1554
Kelloggs Supply ................ 722-1501
Livingston True Value
Hardware & Farm Supplies ....... 394-7949
Marfab .................................. 826-6700
Modesto Dairy Supply .......... 669-6200
Stanislaus Farm Supply ......... 723-0704

FUEL SERVICES

W.H. Breshears, Inc ............ 522-7291
Western States Petroleum Assoc  (661) 321-0884
Valley Pacific Petroleum ........ 948-9412
Van De Pol Petroleum ............ 667-0236

INSURANCE

Barlocker Insurance ................. 383-0220
Fluetsch & Busby Insurance ...... 722-1541
Diane Norton Insurance .......... 357-3626
Rico, Pfitzer, Pires and Associates 854-2000
Walter Mortensen Insurance .... 353-2700
Western Valley Insurance ........ 826-5667
Winton Ireland Insurance ...... 394-7925

FINANCIAL SERVICES

Alice B. Contreras CPA .......... 722-6778
American Ag Credit .......... 384-1050/826-0320
Farmers & Merchants Bank ... 626-4100
Grimpleby Coleman CPAs ........ 527-4220
Trans County Title Company .... 383-4660
Yosemite Farm Credit .......... 383-1116

SOLAR

Coldwell Solar .................. 259-9260

MISCELLANEOUS

Amarants Propane Service ...... 358-2257
Berliner Cohen LLP ............ 385-0700
California Farmland Trust .... (916) 544-2712
EAC Engineering Inc ............... 664-1067
The Hat Source ..................... 357-3424
Merced County Fair ............ 722-1506
P. B. Iyer, M.D. ................. 854-1120
Queen Anne’s Garden Nursery .... 358-3875
Santa Fe Pet Hospital .......... 383-5050
SS Blue .............................. 722-2583
Unwired Broadband .......... (559) 336-4157
God Bless America

surprising, chaotic days in political history. The day began with so much hope and patriotism, and ended with such chaos and confusion, with so many unanswered questions. As I write this, there are only eight days until the Presidential Inauguration. This has been the most controversial “election” in my lifetime, and I doubt the Inauguration will be any different.

With so much unrest and uncertainty in our country, it can be very difficult to focus on anything other than politics. I know that I have been following the news channels and social media platforms more than I would care to admit. It is hard to weed through the facts and fictions that are being thrown at us from all angles and find the truth. It feels as though our freedom is being threatened, and our rights have begun to slip away. I know I’m not alone when I say that I treasure my country, freedom, and family more than anything on earth.

As the nation seems to be spinning out of control, we must keep our local communities our priority. The Mariposa County Farm Bureau will continue to support the youth in our county through these unpresented times. One large component in supporting our youth programs is our fundraiser dinners. We are looking forward to our Annual Rib Dinner in Hornitos again this spring (with Covid restrictions lifted.) The date may have to change, but the delicious rib recipe will remain the same. Stay tuned my agriculture supporting friends!

As always, and more than ever, I encourage farmers, ranchers and conservators to invite friends, neighbors and family members to join the collective voice of the Farm Bureau. Together, we can make our organization stronger than ever, one member at a time. God bless you and God bless America!

from the Mariposa CFB
Danette Toso

“ But a constitution of government once changed from freedom can never be restored. Liberty once lost is lost forever.” John Adams

As Americans jubilantly bid 2020 goodbye and were enthusiastically ringing in the new year, no one could have imagined what January would have in store for us. January 1st began as a bright and shiny new year, full of optimism and opportunities. Well, fast forward to just a few days later and all bets were off! I believe that January 6th will go down in history as one of the most exciting,
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Keep an eye out for a mailer with more information soon!