

Ag Working Group Meeting Notes August 25, 2011 Final Meeting Notes

HST Section: Fresno to Bakersfield and Fresno to Merced

Meeting Date: August 25, 2011

Location: [REDACTED] Fresno, CA 93720

Purpose: To assist the CHSRA in addressing the key issues raised by the agricultural community

Participants: John Diener, Chairman, Carol Hafner, Fresno County Agriculture Commissioner; Louie Guerra, Fresno County Assistant Agriculture Commissioner; John DeRuiter, Rabobank. By Phone: Gerald Higginbotham, Fresno and Madera County University of California Extension Service; Shannon Mueller, Fresno County University of California Extension Service.
CHSRA: Jeff Abercrombie, Area Program Manager, Central Valley
URS: Cheryl Lehn, Public Outreach

Prepared by: Cheryl Lehn

Action Items:

1. Higginbotham will get information regarding noise and vibration as it may relate to dairies.
2. Abercrombie will check on the Authority interaction with Cal EPA or DPR.
3. Mueller will get research paper re bees, alternate pollinators, flight and wind.
4. Fresno County Agricultural Commissioner's Office will get regulations for fumigation.

Decisions: To meet on September 7, 2011 at 9:00 a.m.

Discussion of Issues:

Jeff Abercrombie opened the meeting with a review of the objective of this committee. The CHSRA appreciates the assistance and research data being offered by the experts that have attended or participated in this Agricultural Working Group.

Abercrombie reported that Senator Canella asked for the participant's names of this group. The CHSRA has only provided the names of the invitees to the Senator.

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Abercrombie and Diener reviewed the following:

1. Meeting Notes: send any adjustments, clarifications or edits to the Meeting Notes by email to Cheryl Lehn. The group's input for the Meeting Notes is welcome and requested. The Meeting Notes for the July 29, 2011 and the August 12, 2011 meetings were sent by email to the group. In addition, the hard copy was distributed at the meeting today.
2. Diener noted that he asked Fresno County Agricultural Commissioner Carol Hafner to participate today in regard to any impacts the spraying of pesticides may have due to the HST. Carol asked her Assistant Commissioner, Louie Guerra to also attend, as Louie works on this issue.

DAIRIES AND LIVESTOCK

Abercrombie introduced the topic of dairy and livestock (there is one hog farm and one poultry farm that may be impacted.) The issue of permitting of dairies comes to his attention over and over. The CHSRA has tried to avoid dairy impacts by avoiding milking barns, feed barns, waste management lagoons, etc. In the Merced to Bakersfield section the HST could go over the top of two facilities. If we separate dairies from the nutritional fields, there is an estimated 8 to 10 dairies affected. Once a farm is split, there is the hauling of nutrients back and forth. Then there is the permit issue. If the CHSRA (Authority) takes land from a dairy operation, it affects the amount of land needed per acre, as defined by each county. Can the Authority mitigate by aiding in the permitting of the lagoon? Splitting of property, access, etc. are all questions that need to be answered.

Diener said that the area involves at least 8 of properties that will be cut in a linear fashion.

Abercrombie said the number of cows per acre in each operation is one factor and how that will be mitigated needs to be discussed. In most cases less than 5% of property is needed. Abercrombie asked the group if there a way for a dairyman to stay on his property even though he has less land and continue to have a successful dairy operation.

The group had the following input as to what factors need to be considered:

1. If vibration is found to be a factor in breeding, that needed to be discussed. He gave an example of a rotary parlor barn, as he stated that the carousel method creates lots of noise. There will be no noise created by horns, as the HST has none
2. Vibration and noise (one member commented that cows will get acclimated after awhile to issues such as noise, fear of strangers, etc.) Cows will withhold their milk for awhile. Higginbotham offered to provide research on this subject, as he is not sure if train noise has been found to affect milk production.
3. Lagoon facilities can be hard to permit due to the Water Quality standards by both the regional and state boards

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4. The Group discussed the availability of there are vacant dairies available for sale in the area and if an impacted dairy could move their operation. (Some come with the necessary permits and for some they could end up with a more efficient dairy.)
5. The dollars invested in dairies are great. A dairy may have spent hundreds of thousands of dollars in regulations and permits. Suggestion of HSR working with the Governor's office on permitting.
6. The operation of roads was discussed. Due to the speed of the HST, roads will have to be grade separated. Due to safety, county roads will be over or under the HST. There will be no train whistles. If a road is along the current freight train route, they won't be using their horns any more either, as where there is a grade separation, the current road will be grade separated with the HST, and therefore it creates an improvement.

Abercrombie asked if anything would be different for hogs or other animals, like poultry.

The group offered that hogs are raised totally confined, inside buildings. Poultry could be affected as birds scare more easily, especially turkeys. Birds are also sensitive to light. Right of Way fencing with slates may be a consideration for train lights.

The discussion moved to split parcels.

1. If a property is split, small, and bought in entirety the remaining piece can be offered to the neighbor.
2. Abercrombie said that the Authority doesn't want to be a landlord. It does not want to hold land, and would rather sell to return to ag production.
3. When there is a landowner that doesn't want to sell a remainder; a "cost cure" could be used. For example a private over or under crossing may be built as mitigation. The Authority could do this if it makes more economical sense.
4. Higginbotham said there could be lots of factors in determining the amount of acres required for a dairy operation. For instance, if the manure is hauled off of the property.
5. There are two components when shipping waste. There is the liquid waste and the dry waste. The liquid is harder to get rid of.

Discussion of factors that could determine or change how many cows per acre. There are a variety of dairy practices; dry lot, free stall, etc. Good management is the main key. There is no "new" technology that could change dairy waste efficiency, thus adding more cows per acre

Economic viability is the key. The number of facilities is a factor of economic viability.

Abercrombie summarized saying there is not a simple way to change the numbers of cows/acre or otherwise change efficiency of a dairy's operation to tell one how to determine how many cows per acre as it is dependent on good management procedures.

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Each dairy site must be appraised on an individual basis. It's style, age, capacity, all may be different, and economics are probably different on each site.

PESTICIDE USEAGE

1. You must follow the label—can't drift on even your own animals. Aerial spraying doesn't seem to bother cows.
2. The fly direction for spraying is determined by what's around you—example if you are near lettuce or a dairy.
3. The liability is too great not to comply, as the violation of the label if misused is high. Some labels require a buffer zone.
4. A grower determines if he will aerial or ground spray depending on what's around, including water ways.
5. The drag is very small. Planes are only seven to ten feet off the ground with the Ag commissioner's office over-seeing and spot checking. Restricted materials and non-restricted, there are random checking by the Ag commissioner.
6. There are already protocols in place regarding pesticide spraying. The right of way width of the transportation corridor will only be expanded where the HST is along a railroad or road.
7. Discussed the buffer zone definition. It varies according to the product being used. That determines how it will be applied. Fumigants have different rules and would have to get permission from the neighbor if it extends into the property owner's buffer zone. (That's doing dirt to dirt—no road separates you and the neighbor) A buffer zone shrinks if you are spraying smaller blocks of land.
8. HSR may need to accommodate a farmer if the buffer zone is impacted.
9. Spraying wouldn't generally be any different than dealing with Amtrak or the freeway.

A question was asked about train frequency. Out in the future (maximum), the capacity of two track trains could be 24 trains per hour, 12 trains each way. He also explained that the trains will be fully enclosed like an airplane—sealed and body contained.

A question was also asked regarding HSR interaction with Cal EPA and the Department of Pesticide Regulation. Abercrombie said he would check on this.

Hafner shared she asked the local DPR district if there was any intent to change regulations due to the HST. They told her that would be handled by labeling restrictions. The group recognized there is confusion on this issue and DPR in Sacramento needs involvement.

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There was some discussion of the roles of the different county departments. When it comes to bees the County Ag Commissioner keeps the map regarding spraying and notifies the bee keepers. The County Public Works Department handles the zoning issues, coding enforcement and where hives can be placed. The UCCE has lots of research.

The next meeting will include:

1. Dairy – Higginbotham will expand on the research
2. Irrigation systems, over crossings
3. Property evaluations (how property owners and CHSRA can negotiate)

Diener will review the meeting notes with the Fresno County Agricultural Commissioner's Office to be sure we have the policies written correctly. They will help with definitions of regulations regarding fumigation.

Abercrombie asked if the group would be willing to agree to one page fact sheets, best practices, etc. If each expert could help with this task, these fact sheets (White Papers) could be reviewed by the group prior to each meeting.

Abercrombie thanked everyone for their time and effort.

Next Meeting: September 7, 2011 9:00 – 11:00 a.m. URS Office