

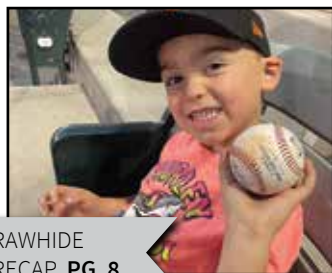
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## Tulare Lake Subbasin Given Probationary Status

By Steve Pastis

At the April 16th Tulare Lake Probationary Hearing, the California State Water Resources Board unanimously voted to designate the Tulare Lake Subbasin as a probationary basin, based on the Sustainable Groundwater Management Act (SGMA), which was adopted in 2014 to protect groundwater resources.

The action, the first ever taken by the board, is intended “to protect the long-term viability of groundwater supplies and critical water infrastructure for communities in Kings and Tulare counties,” according to Edward Ortiz, the board’s public information officer.

As a result of probation, most groundwater pumpers in the basin will be required to record their pumping starting 90 days after it begins. The information will determine the fees that need to be paid.

During the probationary period, board staff will gather groundwater extraction information and, along with groundwater sustainability agencies (GSAs), work to improve the subbasin’s groundwater sustainability plans (GSPs).

More importantly to the farmers of Kings County, the board’s decision comes with a price tag. Farmers in the Tulare Lake Subbasin will be assessed \$300 per well per year and \$20 per acre-foot of water. Many farmers will need to fallow some of their land in order to minimize their new expenses, which will be more of a challenge to small farmers who don’t have extra land to fallow.

“If deficiencies are not addressed within a year, the board could move into the second phase of the state intervention process, called an interim plan,” Ortiz noted.

In a second phase, the board would be able to impose restrictions on pumping, issuing fines for exceeding water allotments. However, this first requires a public hearing.

### The Water Board’s Argument

The board staff shared a PowerPoint presentation illustrating findings from the final report about the Tulare Lake Subbasin. The presentation argued that inadequate measures had been taken “to mitigate negative impacts from groundwater overpumping, including a high number of wells (698) projected to be at risk of running dry during drought.”

Last year, the Department of Water Resources (DWR) found that GSPs in the Tulare Lake Subbasin, were



Dusty Ference



Brian Medeiros



Dino Giacomazzi



Julie Martella



David Stanfield



Garrett Gilcrease

*April 17, 2024 – Kings County Farm Bureau members testified before the State Water Resources Control Board (SWRCB). Their comments encouraged the SWRCB not to place the Tulare Lake Subbasin on probation. This is a great example of grassroots advocacy. No one that testified during the hearing wanted to be there. These folks stepped up and showed up to fight for agriculture in Kings County and did an exceptional job advocating for everyone. KCFB thanks them for their effort and applauds their courage.*

“inadequate under SGMA because they would not bring about sustainable groundwater use by 2040.”

“Groundwater supplies in the Tulare Lake basin are clearly at risk, and we are acting today to protect this resource because communities rely on it for basic needs, in particular drinking water,” said Joaquin Esquivel, chair of the State Water Resource Control Board. “Our goal remains that these basins be managed sustainably at the local level, and we are committed to helping groundwater agencies make that happen by providing data, guidance, and support as they improve their plans.”

### KCFB’s Rebuttal

“Please understand that we in Kings County are fully aware of the importance of protecting groundwater aquifers,” said KCFB Executive Director Dusty Ference in his comments to the California State Water Resources Control Board. “No doubt these aquifers are essential to our future, but in our opinion, and hopefully yours, so is the manner in which protecting them is accomplished.

“With due respect, locals bring an essential perspective to the process in which we are collectively engaged, that is missing in the siloed analysis provided by your staff,” he continued. “More specifically, it is not even close to okay for my membership that the board staff is recommending an economic train wreck of fallowed

*“Tulare Lake Subbasin” continued on page 12*

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Julie Martella	Frank Zonneveld

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# Executive Director Report

By Dusty Ference, Executive Director



Dusty Ference

Dear members,

On April 16th, the SWRCB voted to place the Tulare Lake Sub-basin on probation under SGMA. This monumental decision came despite compelling comments from your friends, neighbors, members of the KCFB Board of Directors, and myself. We are still determining the ins and outs of the Sub-basin being on probation, but I will tell you what we do know.

First, if you farm in a GSA currently charging pumping fees, you will continue to pay the GSA. Additionally, the SWRCB will begin charging \$20 per acre-foot pumped. Yes, you will be charged by both entities. If your GSA adopts pumping fees in the future, you will also be charged by both the GSA and the SWRCB.

If your GSA has adopted a pumping policy or pumping limits, those limits will still apply. The SWRCB has informed the public that it will take one year to implement their interim Sub-basin management plan. KCFB hopes that GSA's create a plan that works for our community and satisfies the SWRCB and DWR before the SWRCB interim plan is required. To that end, KCFB will continue working with GSA's, encouraging the creation of stakeholder advisory committees and ensuring the committee's thoughts are heard by the GSA's Board of Directors.

To learn more about KCFB's thoughts on probation, please listen to the remarks I made on your behalf. We have linked the entire meeting on the KCFB website. Skip to 6:49:11 to hear my comment to the SWRCB.

Rest assured, KCFB is not satisfied with the decision made by the SWRCB or the current status of SGMA in the Tulare Lake Sub-basin. We are actively exploring every possible option to continue fighting for the best possible outcome in the SGMA world. KCFB is committed to protecting your right to farm and preserving your heritage, a responsibility we hold with great honor.

Sincerely,  
Dusty Ference, Executive Director

## GSA MONTHLY BOARD MEETING CALENDAR

**Greater Kaweah GSA**

**Date:** Second Monday

**Time:** 1:00pm

**Location:** 2975 N. Farmersville Blvd.  
Farmersville, CA

**Southfork Kings GSA**

**Date:** Third Thursday

**Time:** 5:30pm

**Location:** 429 C St.  
Lemoore, CA

**El Rico GSA**

**Date:** Second Tuesday

**Time:** 1:00pm

**Location:** 1001 Chase Ave.  
Corcoran CA

**Tri-County Water Authority**

**Date:** First Thursday

**Time:** 1:00pm

**Location:** 944 Whitley Ave.  
Corcoran, CA

**Mid Kings GSA**

**Date:** Second Tuesday

**Time:** 1:00pm

**Location:** 200 North Campus Dr.  
Hanford, CA

**Southwest Kings GSA**

<https://www.swkgsa.org/>

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Stop by our store today to meet the Hanford team and find out more about our farm tires and services.

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## Kings County Supervisors District 5 Race UPDATE

In the March issue of Farm Life, we published results from the 2024 March Primary Election. Unfortunately, that information was published before the County certified the election, and our information was incorrect. The final votes came in with Adam Mederios as the top vote-getter with 30.53%, followed by Robert Thayer receiving 28.92%. We apologize for the confusion. 🙏



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## KCFB WATER FORUM

### Tulare Lake Sub-basin Hearing Recap and Next Steps in Probation Informational Event

Thursday May 30th  
West Hills Lemoore, Room 253

9 am – 10am  
Trade Show, Coffee and Pastries  
10 am – 12 pm  
Panel Discussion

**THIS EVENT IS FREE TO THE PUBLIC!**

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## AG NEWS IN BRIEF

On April 17, the Assembly Labor and Employment Committee considered and rejected Assembly Bill (AB) 3056, Assemblymember James Gallagher (R Yuba City), which would have revised the Labor Code to allow agricultural employees to work up to 8 hours in a workday and 48 hours in a workweek, effectively allowing employees to be employed for up to six full 8 hour days with no overtime liability on the part of the employer. The vote was two aye Assemblymembers Heath Flora (R Modesto), and Juan Alanis (R Modesto) to five no Assemblymembers Liz Ortega (D San Leandro), Chair; Juan Carillo (D Los Angeles); Christopher Ward (D San Diego); Alex Lee (D Milpitas); and Rick Chavez Zbur (D Hollywood). Several of those opposing AB 3056 expressed a willingness to engage the concerns of rural California residents, and the hearing included a robust discussion of interpretation of statistics indicating that agricultural employees have suffered loss of hour and income as a result of the implementation of the most recent revision of agricultural overtime requirements, AB 1066 (2016). Farm Bureau supports AB 3056.

The Assembly Environmental Safety Toxics Materials Committee met on April 9th. California Farm Bureau staff testified in opposition of AB 1864 Assemblymember Damon Connolly (D San Rafael) having to with pesticide use around schools. While there is not a problem with agricultural applications around school sites, we are concerned about the new addition of all applications must submit a Notice of Intent (NOI), even not restricted use materials within a ¼ mile of a school site. This would overwhelm the current NOI restricted use



requirements and impact the ability of the California Agricultural Commissioner to conduct their program in an efficient and effective manner.

The committee also heard AB

2552 Assemblymember Laura Friedman (D Glendale) concerning the elimination of First-Generation Rodenticides. This legislation would expand the definition of wildlife habitat area to include open space land. It would also prohibit use within 5,000 feet of wildlife habitat areas and provide private right of action which effectively would incentivize lawsuits anytime this material is used. Both bills were approved by the committee, Farm Bureau and other related agricultural interests will continue to oppose these as they work their way through the policy committee process

On April 10, the Air Resources Board met to discuss the low carbon fuel standard (LCFS). Staff proposed adding crop-based biofuels sustainability criteria. Information presented at the meeting can be found at CARB's website. Farm Bureau submitted comments expressing the need for continuing the use of avoided methane credits in the program, to ensure the continued viability of existing manure digesters and the development of additional ones that are needed to address California's methane emissions. Farm Bureau also noted that if CARB is going to develop a certification program for crop-based fuels, CAFB should participate in its development

Farm Bureau is supporting AB 2900. AB-2900 would direct the California Air Resources Board (CARB) to establish a Small Agricultural Truck Fleet Assistance Program to provide technical and funding assistance to help owner-operators or owners of small fleets transition to emission-compliant trucks as part of the transition to Advanced Clean Fleet (ACF).

The California Supreme Court has set oral arguments for the court case involving the Taxpayer Protection and Government Accountability Act. This ballot measure, already qualified for the November 2024 ballot, is being sued by Governor Newsom and the Legislature to remove it from being voted on. California Farm Bureau has endorsed this initiative and is part of the coalition working to pass this generational tax protection measure. The campaign is confident we will win this case after making our arguments before the Court. There is a strong legal case that it would violate decades of precedence for the Court to preemptively remove an initiative before voters GOVERNMENTAL AFFAIRS DIVISION, 1127 11TH STREET, SUITE 626, SACRAMENTO, CA 95814, TELEPHONE: (916) 446-4647 can decide its fate. 🗳️



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## SERVICE AREA

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## SERVICE OFFERED

### PUMP TEST

*(Other services MAY be suggested based on pump test results)*

### NUMBER OF PUMP TESTS AVAILABLE:

1 < 100 acres: up to 6 tests  
 101 < 250 acres: up to 6 tests  
 251 < 500 acres: up to 4 tests  
 501+: up to 2 tests

*\*Members of the Socially Disadvantaged Farmers and Ranchers (SDFR) Community are encouraged to apply. SDFR growers may qualify for additional pump tests and services. Pump tests are provided for irrigation wells only.*



## APPLICATION TIMELINE

First two weeks of each month beginning May 2024

## APPLY ONLINE:

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## Ag Commissioner's Compliance Report



Jimmy Hook,  
Agricultural  
Commissioner/Sealer

## County Permit Conditions

Contributed by Janet Eckles

Most counties have pesticide permit conditions that apply to all individuals who have been issued a pesticide Restricted Materials Permit (RMP) or an Operator Identification (OpID). These conditions vary depending on the county and the areas that those counties cover. Kings County provides a copy of these permit conditions to growers when they come in to renew or receive a new permit. They are also included on the RMP and OpID as they apply to your individual sites and pesticides. Not all the conditions that Kings County has will apply to everyone, however they do apply to most. As a permit holder it is important that you know what those conditions are and how they relate to your sites. It is also important for your Pest Control Advisor (PCA) and pest control applicator to be aware of these conditions.

Our general permit conditions are applicable to all of our permittees and one of the requirements in those conditions that we address most frequently is Aerial Applications. This condition states that there are no applications of restricted materials within  $\frac{1}{4}$  mile of any area zoned as residential where people are actually residing, occupied labor camp, a school in session or due to be in session within 24 hours, and any other area designated by the Agricultural Commissioner. Other areas designated by the Agricultural Commissioner include, but are not limited to, the following: 3 or more occupied houses within 2 acres, labor camps, hospitals, rest homes, businesses, recreational areas, and churches when occupied or due to be occupied within 24 hours. The responsibilities section gives a list of things that are required of the permittee and pest control operators, such as, Notice of Intents (NOIs), training requirements, and when Pesticide Use Reports (PURs) must be submitted.

The two foremost permit conditions Kings County has are the herbicide application restriction and phenoxy herbicides restriction. Herbicide application restrictions fall between February 1st and April 30th annually and apply to any field or site that is west of 25th Avenue, from Excelsior Avenue extending south to the Kings/Kern County line. This restriction applies to the following herbicides: 2,4-D, Bromoxynil (Buctril), Carfentrazone (Shark), Dicamba (Banvel, Clarity), Flumioxazin (Chateau), Glyphosate (Roundup, Glyfos, Touchdown), MCPA, Oxyfluorfen (Goal, Firepower, Farmsaver), Paraquat (Gramoxone), Propanil, and Pyraflufen (ET). However, the phenoxy herbicides 2,4-D, Dicamba, and MCPA may be applied up to March 1st. On all applications, air or ground (not including handheld equipment), the permittee shall attend an Agricultural Commissioner approved



education session related to the application of herbicides. We have a free online course available for anyone who is in need of this training. We will also be offering a class if you are wanting an in-person training.

All of the above listed pesticides must be added to your permit before applications and a NOI shall be submitted at least 24 hours prior to the proposed application. A written recommendation, written by a Pest Control Advisor (PCA) or the grower who has attended the herbicide application class shall be submitted with the NOI and identify all susceptible crops located within 1 mile of the proposed treatment site. All applications must take place during daylight hours and no application may take place within an inversion. The wind speed must be a minimum of 3 mph and not more than 10 mph as measured from a height of 4 feet above the ground. All aerial applications and ground applications taking place within  $\frac{1}{4}$  mile of a susceptible crop must have a smoke column employed.

For aerial applicators, no applications shall be made by air during this restriction period unless a waiver has been granted by the Agricultural Commissioner. If a waiver is granted the following will be required. There must be an individual on the ground at the site of the applications who shall monitor conditions and have the ability to waive off the application in the event that conditions are unfavorable for a proper application. There are also requirements for both fixed-wing aircraft and rotary-winged aircraft, which includes nozzle span, size, what it needs to be equipped with, and what height it can be sprayed at.

The phenoxy herbicides takes place from March 1st to October 16th. This restriction applies to 2,4-D, MCPA, Weedar, and Dicamba (Banvel). With the exception of Dicamba (Banvel) no application shall be made by air or ground without the authorization of the Agricultural Commissioner. All of the phenoxy herbicides shall be in the Amine form

*Ag Commissioner's Compliance Report continued on page 14*



# Rawhide Member Appreciation Night

# PHOTO RECAP



On Wednesday, April 10th, KCFB held our second annual **Membership Appreciation Night** at the Visalia Rawhide Baseball stadium. We were able to give away over 400 free tickets to our members, Friends of Farm Bureau, and their staff/families. Thank you to everyone who attended!

*thank you* Lawrence Tractor, for sponsoring our 2024 Membership Appreciation Night!





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**WORLD  
AG EXPO**  
TULARE, CA 2024

# Outreach efforts have made great achievements in 2024

By Breanna Larman



Breanna Larman

*What do you call a pig that practices karate?  
A pork chop.*

On April 10th, KCFB held our second annual Membership Appreciation Night, where we were able to give out over 400 free Rawhide baseball tickets to our members and sponsors. We would like to thank Lawrence Tractor for sponsoring this event again this year. On Tuesday, April 30th, our Annual Meeting committee met for the second time to continue planning our 2024 Annual Meeting in November. We are excited to make this year's meeting another night to remember! Coming up

Thursday, May 30th, KCFB will host a Water Forum at the West Hills Lemoore campus. This event will focus on the outcome of the Tulare Lake Sub-basin's State Water Resources Control Board Hearing that happened in Sacramento on April 16th and what being on probation means to the growers of the sub-basin. We hope to clarify any questions you may have and discuss the next steps for growers as we navigate this probationary status together. Growers that attend the Water Forum will be able to submit questions to the panel and listen to GSA leaders speak about their plans going forward during probation. If you would like to sponsor the Water Forum or participate in the trade show prior the panel discussion, please contact Breanna at the KCFB office for more information. Coffee and a light breakfast will be provided to patrons at the Water Forum. As we are now 6 months into our membership year, I am excited to announce that we have had 57% of our membership renewed. The California Farm Bureau membership year is from November to October putting us on track to our goal of 101% of our membership renewed by October. We continue to add to it! 🙌

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## Mid-Kings River GSA Prop 218 Public Hearing Update

**On APRIL 23<sup>RD</sup>, landowners defeated the per acre assessment and pumping fees proposed by the Mid-Kings River GSA!**

KCFB played a pivotal role in that decision and will keep working for you. We believe the GSA will propose a new Proposition 218 election in the future. KCFB will continue working to ensure the GSA creates a stakeholder advisory committee allowing for substantial grower input on all future plans. Let's celebrate the small victory for today as we prepare for work on the horizon.



*KCFB Director, Julie Martella incorporating the public comments of opposition made by KCFB as her own.*



*KCFB Executive Director, Dusty Ference delivering public comments of opposition for the proposed Prop 218 land based assessment and pumping fees to the MKRGSA board of directors.*

*"Tulare Lake Subbasin" continued from page 1*

farmland, substantially reduced farm income, and greatly inflated unemployment for disadvantaged communities, while seeking to impose millions of dollars of unauthorized taxes on the same communities under the false pretenses of fees for service.

"Said another way, the misapplication of SGMA in this manner, which is where we seem to be headed, will surely drive communities in Kings County over the bankruptcy cliff. This includes the disadvantaged communities that your staff report claims to protect. So that we fully understand the basis of your computations, I request you provide to the Kings County Farm Bureau the data used by the board staff to justify the \$300 per well per year and \$40 per acre-foot initially proposed to charge bumpers for enforcement and other purposes. Also please provide the same relevant information which supports the board's decision to charge \$20 per acre-foot for the same purposes. Otherwise we may be forced to appeal this matter to a higher authority.

"In short, we are challenging that the board's structure as arbitrary and excessive as it is not designed to recover the cost of the state's intervention activities as required by Water Code Section 1529.5.

"In Kings County, agriculture matters in a big way," said Ference. "There is no other industry in our county that comes even close to backfilling the thousands of jobs lost if the board proceeds as staff recommends. So while your staff focuses exclusively on groundwater, I'm asking on behalf of my members what you as the board and the governor intend to do about the people in our county. What about our schools, healthcare, and public safety? Are we all to be victimized while the state celebrates its radical implementation of SGMA?"

"As to relevant background for your consideration over the years, local GSAs have engaged highly qualified engineers and hydrogeologists to develop detailed data regarding the Tulare Lake Subbasin, and GSP's have been developed accordingly," he said. "In keeping with the design of SGMA, those plans were intended to be implemented, analyzed, and adjusted as conditions on the ground during implementations dictate, however, it has become increasingly evident that the board staff disagrees with such data and resulting plans, and is anxious to impose a much more rigid approach to achieving sustainability without the benefit of analyzing and adjusting during the 20-year period of implementation."

"I stand here today to request a delay in the decision to place the Tulare Lake Subbasin on probation," said Helen Sullivan, a farmer in Kings County and a KCFB board member. "This probation status has significant implications for all stakeholders involved, and it is imperative that we afford them the time and resources necessary to adequately prepare for any potential pumping restrictions or costs.

"I ask that you delay a decision on probation of the Tulare Lake Subbasin for at least 120 days,"

she added. "That delay would provide the much-needed breathing room for stakeholders to assess the situation comprehensively, explore alternative solutions, and develop mitigation strategies. This additional time would enable farmers, water agencies, environmental groups, and other concerned parties to work together to share their perspectives and work collectively towards a sustainable solution."

Julia Martella, also a farmer and KCFB board member, said that she supports SGMA, but offered comments focusing on the impact of probation on the more vulnerable people in the San Joaquin Valley.

"The potential impacts are grave, but very real and I'm seeing it already," she said. "We have reduced agricultural productivity, which will lead to economic hardships, job losses, decreased property values, forced family migration, family disruption, and increased vulnerability to predatory purchasing practices by the big foreign investors.

"My question is how will small farmers like me survive?" she continued. "How will our communities survive? We won't and I won't. I have 'a whopping' 40-acre orchard that my husband began and I'm just trying to hold onto. You have powers that will shape the future of California's ag industry and its communities. You have the ability to use these powers for good and not to destroy an entire region of California. Given these stakes, I urge the water board to delay the decision on probationary designation of our subbasin, allowing additional time for comprehensive impact assessments while meeting the goals of SGMA."

"My family has been farming on the same property since 1893, and we now have a fifth generation participating on the farm," said Dino Giacomazzi, KCFB board member and a fourth-generation farmer in Hanford. He added that he is an active participant in the Kaweah GSA and the Delta View Water Association, two organizations that have successfully worked together.

"We've discovered that SGMA presents only very complicated problems, and complicated problems require creative solutions – and it's really difficult to think creatively with a ticking time bomb in the room," he said. "What we've discovered in our relationship, Delta View Water Association with the Greater Kaweah, is that this collaboration between the stakeholders, the landowners, and the regulators (the GSA) has succeeded in developing many useful programs and ideas, one example being a land-fallowing program that we've developed collaboratively, that is in a pilot phase right now, that is going to create the possibility of the Kaweah basin achieving sustainability at a much more rapid rate for a much lower cost.

"These are ideas that have to happen outside of the very confined world of these GSA's," he said. "It's these partnerships with leadership organizations that are making these difficult solutions come into view."

Brian Medeiros, KCFB board member, the son of an

immigrant farmer, a first-generation Californian, and a farmer, also took the podium.

"We are family farm living in the middle of the first piece of land we purchased in 1998," he said. "We sweat and bleed every day in the same dirt soil to grow safe, wholesome, and affordable food and fiber for our community. We are also domestic well users. We see firsthand the negative impacts on our drinking water, quality, and pumping levels when we do not irrigate the fields around our house.

"Much of the conversation these days is around the need to limit agriculture allocation to protect domestic well users," he continued. "I cannot stress enough how important it is to have a multifaceted approach with local stakeholders and their input to solve these incredibly complex problems. Cutting out irrigation alone will not solve the problem in 2024.

"We have to do a better job of incorporating our local stakeholders in our community and the domestic well users, as we try so desperately to save their water," Medeiros continued. "Destruction of our communities cannot be the solution to protecting our aquifers.

"We need time to allow the entire community and local stakeholders to have their say in the current revised plan before coming before the state water board. Therefore, I ask the board to postpone probation until the board members, state staff, and our local community stakeholders have time to work through these substantial GSP revisions... We need the solutions to protect the entirety of our local community.

"I want to continue to be a father to a four-year-old boy who says he wants to be a farmer just like me one day," he added. "I don't want this agency or any other agency to take that dream away from him."

Others speaking against probation during the general public comment part of the hearing included Kings County Supervisor Doug Verboon and Corcoran City Manager Greg Gatzka.

The comments made at the hearing did not seem to change the decision of any of the board members.

"We feel it was a predetermined decision," said Ference, who believes that the words of KCFB members and others who addressed the hearing were still important.

"We've gotten a lot of support from the community," he said. "We've had a lot of people reach out to support what we do."

With the decision made to place the Tulare Lake Subbasin on probation, the board will turn its attention to considering the possibility of placing each of five other basins on probation. The board's next probationary hearing will be in September and focus on the Tule Subbasin. 🙌

# Kings County Rural Crime Report

Contributed by Detective Dakotah Fausnett

The Kings County Sheriff's Office Rural Crime Task Force is currently conducting several investigations. April: Throughout the month of April, the Kings County Rural Crimes Task Force has continued to be busy throughout the county regarding copper wire. Copper theft is staying on the rise. We are continuing to work alongside TCSO and FCSO on several copper wire cases where the same subjects are involved. The thefts are occurring in Kings, Fresno and Tulare County. In addition, we had a case where several fertilizer pumps were stolen from a shop. There were three small utility trailers stolen this month as well. We have had multiple check fraud cases where the suspect(s) steal checks from within the postal system and regenerate the check for the exact amount under a different name. Most checks are being cashed on the east coast.



As always it is imperative that if anyone knows of or hears of any buying or selling obviously stolen equipment, to call the Sheriff's Office. We continue to investigate all Ag related thefts and encourage members to call and report all Ag related crimes. If we do not receive calls from our members and community we may not be aware of certain crimes occurring in your area. If you have any questions feel free to call me or any of our unit members at any time. 🙌

Detective Fausnett : (559) 639-8704  
 Detective Thomas: (559) 530-1701  
 Detective Holt: (559) 362-8928  
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*Ag Commissioner's Compliance Report continued from page 7*

in Kings County and all aerial applications must employ a smoke column. Aerial applications shall not be made within ¼ mile or 1/8th mile by ground of susceptible crops. These crops include but are not limited to sugar beets, tomatoes, grapevines, or deciduous tree fruit with evidence of bud break, and newly planted alfalfa. Wind speed and height of measurement is the same for the phenoxy herbicides as it is for the herbicide restrictions, between 3 mph and 10 mph, and at 4 feet from the ground. No applications shall be made within 2 miles of any commercial grape vineyard after bud break (with the exception of Dicamba), nor may one be made within an inversion.

There are three other permit conditions that may or may not apply to you as a grower. The first one applies to growers who reside in a ground water protection area. Another one applies to cotton defoliation and the last one is for the use of paraquat for pre-plant or pre-emergence weed control.

Ground water protection pesticides require you to be a certified applicator to handle and/or store them. These pesticides are atrazine, simazine, bromacil, diuron, prometon, bentazon, and norflurazon. If a grower is planning on using these they must be added on your pesticide permit and a NOI must be submitted 24 hours prior to the proposed application. You can find a list of the ground water protection areas from our office or at the Department of Pesticide Regulations (DPR) website: [www.cdpr.ca.gov/docs/gwp](http://www.cdpr.ca.gov/docs/gwp). These conditions have restrictions for use inside canals and ditch banks and artificial recharge basins. There are restrictions for the runoff and leaching ground water protection area as well and for wellhead protection.

The conditions that apply to cotton defoliation are for DEF, Folex, and paraquat when used as cotton harvest aids. Applications of these shall not be made within 1/8 mile of any school. Ground applications of paraquat shall not be made within 1/8 mile and DEF or Folex shall not be made within ½ mile of any school, or any area zoned as residential or other inhabited areas designated by the Agricultural Commissioner. NOI is required 24 hours before proposed application and each intended application will be considered on an individual basis. Nozzle size, what they are equipped with, aircraft boom pressure, and the tank mixture all have restrictions under this condition.

The last condition would be for paraquat for pre-plant or pre-emergence. This includes jet nozzle size, boom pressure, wind velocity and height of discharge of spray material. It is a good idea to make sure your PCA is also aware of the condition(s) that apply to your permit. These are all important conditions to be aware of.

The Kings County Agricultural Commissioner's office always has inspectors available to answer questions or give guidance on the permit conditions. If you would like a copy of them please give our office a call at (559) 852-2830 and we will assist you. You can find a copy of them on our website at <https://www.countyofkingsca.gov/departments/agricultural-commissioner/crop-reports-1941-2011/about-us/vertebrae-bait-labels/pesticide-use>.



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