



Tree Nut Times

February 2025

Volume 17, Issue 2

Industry Calendar

WAPA Board Meeting
March 6, 2025

Labor Law Update
Webinar
February 24, 2025 at
10:00 am

Aerial Lift Train-the-
Trainer Workshops
March 13, 18, 25, 2025

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Annual Submission of Work-Related Injuries and Illnesses (Cal/OSHA Summary 300A)

It's that time of the year again! This is a reminder to electronically submit your **2024 Form 300A data** by **March 2, 2025**, through the Federal OSHA Injury Tracking Application (ITA) website. Additionally, the **Cal/OSHA Summary 300A** must be completed and posted on your bulletin board from **February 1 to April 30, 2025**. Refer to federal OSHA's Injury Tracking Application website for information and instructions on electronic submission, visit: <https://www.osha.gov/injuryreporting/ita/>.

CARB Withdraws Waiver Request for Electric Truck Fleet Rule

In a stunning development, the California Air Resources Board (CARB) has withdrawn its request for a federal waiver to implement the state's Advanced Clean Fleets rule. In a brief letter to **Jane Nishida, acting administrator of the Environmental Protection Agency, Steven Cliff, executive officer of the California Air Resources Board**, said CARB was withdrawing the waiver request that it made in late 2023. Historically, CARB has been granted waivers to implement regulations on engines, and most thought this was a slam dunk. But President-Elect Trump won the recent Presidential election. **Liane Randolph, the CARB chair**, was quoted stating "Frankly, given that the Trump administration has not been publicly supportive of some of the strategies that we have deployed in these regulations, we thought it would be prudent to pull back and consider our options." in the New York Times. Some further explanation is needed here though. The Advanced Clean Fleets (ACF) rule would have required drayage trucks and certain fleets to replace their trucks with zero emission trucks by certain dates. The Advanced Clean Truck (ACT) rule is an OEM mandate on new trucks coming into the marketplace and that rule has already been granted a waiver. Furthermore, the ACF rule and other rules that have waiver requests

into EPA have NOx emissions reductions associated with them. If those are withdrawn those emissions reductions will have to be made up somewhere. And that is a concern as to what other emissions sources may be brought into focus. Stay tuned!

Association Submits Comments Opposing More Restrictions on 1,3-Dichloropropene

The Western Agricultural Processors Association submitted comments on the California Department of Pesticide Regulation's (CDPR) proposed health risk mitigation for 1,3-dichloropropene (1,3-D) for occupational bystanders. The Association expressed concerns with the overly conservative assumptions made by CDPR will lead to unworkable proposed mitigations in the form of overly restrictive buffer zones and potential calls for additional mitigation in the form of reduced application rates or changes in application conditions. One of the primary areas of concerns are the assumptions made by CDPR in the assessment. Assumptions that farmworkers are exposed to 1,3-D multiple times throughout the year is simply overstated. This is especially true now with reduced plantings of tree nuts in the last several years. We are also concerned with the assumption that the workers are onsite for 8 hours for 3 days per week at the edge of the application site. This grossly overestimates the actual exposure for occupational bystanders and inappropriately inflates any potential exposure and corresponding risk. The assumptions have led CDPR to consider 100-foot buffer zones and potential additional restrictions on application rates and method.

Welcome New Regular Member!

Martinez Ag Services

Welcome New Associate Members!

Holt of California

By Products Group

Association Opposes Updated Water Quality Control Plan

The Association submitted comments this past month on the Draft Sacramento/Delta Updates to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Watershed as proposed by the State Water Resources Control Board (SWRCB). The Association is greatly concerned with the economic impacts that will come because of the unimpaired flows proposed by the SWRCB. It is our understanding that substantial agricultural land would be fallowed including as much as 330,000 acres in the Sacramento Valley and an additional 260,000 acres of agricultural land in the San Joaquin Valley would need to be fallowed in dry years, on top of 700,000 acres already fallowed for groundwater management because of the Sustainable Groundwater Management Act (SGMA). From a statewide perspective the value of crop production would decline by more than \$2.7 billion. This will lead to significant job losses, potentially leading to unemployment rates as high as 40% in agriculture-dependent communities. Impacts from agricultural water supply cuts would create long-term economic hardship, especially for rural and disadvantaged communities reliant on agriculture. A 2020 UC Berkeley study (Sunding, Roland-Holst) said that a total of 84,000 San Joaquin Valley jobs would be lost annually due to the combined effects of the 2014 Sustainable Groundwater management Act (SGMA) and anticipated surface water reductions. The Association expressed support for the more favorable outcome with the Healthy Rivers and Landscapes alternative for the Water Quality Control Plan (WQCP) offers better environmental benefits and less disruption to California's economy than the SWRCB staff's unimpaired flow alternative. Improved instream flow and timing (functional flows), coupled with ecosystem restoration projects not included in the unimpaired flow alternative will reduce the negative economic impacts from unimpaired flows. This option will create reduced water supply impacts on communities, better solutions for rural jobs and the economy, and will protect disadvantaged communities and avoids further harming quality of life and economic opportunity in California's most burdened communities.

Available Grant Funding Deadline Extended for Zero-Emission Cargo Handling Equipment, Heavy-Lift Forklifts, Ferries, Tugboats, and Towboats

The [California Volkswagen \(VW\) Zero-Emission Freight and Marine \(ZEFM\) Program](#) is open, offering up to \$25 million in funding to owners of equipment based in California. The following zero-emissions projects are eligible:

- Repowering marine vessels, including ferries, tugboats, and towboats to zero-emission;
- Replacing heavy-lift forklifts (with a lift capacity of 8,001 lbs. or greater) with zero-emission alternatives; and
- Replacing cargo handling equipment including terminal tractors with zero-emission alternatives.

Applications are being accepted on a first-come first-served basis and deadline has been extended until further notice. Once the program becomes oversubscribed, applications will be placed on a waitlist and will be considered as funding becomes available. Start your [application](#) today at Zero-Emission Freight and Marine Projects (californiavwtrust.org).

Cal/OSHA's Rulemaking Plan for 2025

Cal/OSHA has numerous rulemaking projects planned for 2025. Here's a summary of the most significant issues that can impact the tree nut industry, set for resolution this year.

Ultra-High Heat Standards and Wildfire Smoke - Under AB 2243 (2021), Cal/OSHA must consider adding an "ultra-high heat" provision to its heat illness prevention standard and require employers to distribute their heat illness prevention plans to employees. Additionally, Cal/OSHA is tasked with considering revisions to the wildfire smoke standard to lower the air quality threshold for mandatory respiratory protection from 500 to 301.

Walking Working Surfaces - Cal/OSHA is actively working on updates to the Walking Working Surfaces regulation, which intends to enhance safety standards for workplaces across various industries. The Association is playing a key role in this process, participating in the Advisory Committee as the sole representative from the agricultural industry. Two advisory committee meetings are set for 2025 in March and October of this year.

First Aid Kit - Efforts to simplify first aid kit requirements, dating back to 2006, are anticipated to progress this year. The revisions aimed to allow kits to meet national standards, such as ANSI, rather than requiring sole approval by a physician. The board plans to publish this proposal by June for a public hearing. A new proposal is expected to be presented for a public hearing in June 2025.

Autonomous Tractors - One key area under consideration is the regulation of autonomous agricultural equipment. Historically, Cal/OSHA required driverless tractors to have an operator present in the vehicle. However, as of October 2024, the agency has indicated a shift in this stance, expressing openness to regulatory reforms that would allow autonomous vehicles to operate without an onboard operator. The advisory Committee meeting is anticipated for June 2025.

Permissible Exposure Limit (PEL) Revisions - The board plans a September public hearing on a proposal to significantly lower the permissible exposure limit (PEL) for trichloroethylene, a chemical used in refrigerants and solvents, from 25 ppm to 2.2 ppm. This reduction aims to decrease cancer risk from 106 to 1 per 1,000 workers.

Workplace Violence - Cal/OSHA plans an advisory hearing to be held in 2025 to gather input on a proposed workplace violence prevention standard for general industry, as required by SB 553. The goal is to collect feedback from stakeholders on the draft workplace violence prevention standard currently being developed by Cal/OSHA. Cal/OSHA must submit the proposed workplace violence prevention standard to the Board by December 31, 2025 and the Board must adopt the standard by 2026.

The Association will closely monitor the progress of these proposed rulemaking initiatives as they move forward.

Sites Reservoir to Receive Additional \$129 Million in Federal Funding

Recently, the Department of the Interior awarded the Sites Reservoir Project \$129 million in federal funding to bring clean, reliable drinking water to communities across the West through water storage and conveyance projects. This new commitment builds on the \$67.5 million announced in May 2024 to Sites Reservoir, increasing the current total to \$646.15 million in federal funding committed to the Project in exchange for federal benefits. As a beneficiary pays project, this funding would secure additional benefits for the Bureau of Reclamation's water operations, which include supporting ecosystem objectives. The state of California conditionally awarded \$875 million to the Project through the Proposition 1 Water Storage Investment Program for public benefits. "Sites Reservoir would not be possible without the continued support of our federal partners, who share our commitment to increasing California's water resiliency amid a changing climate," said **Fritz Durst, Chair of the Sites Project Authority Board of Directors**. "We've made significant progress in the last few years and this funding is an exciting start to what will be another monumental year for Sites Reservoir." Sites Reservoir will increase water supply throughout California and provide, for the first time, environmental benefits by storing water specifically to support native wildlife and their habitat during drought periods. The Project will provide an additional 1.5 million acre-feet of storage capacity, substantially improving the state's water flexibility, reliability, and resiliency in drier years.

2025 Regional Training Workshops

A new year is here, and the Association is gearing up for the 2025 regional Train-the-Trainer workshops! This year the Western Agricultural Processors Association along with California Cotton Ginners and Growers Association, African American Farmers of California, California Citrus Mutual, California Fresh Fruit Association, Fresno County Farm Bureau, Nisei Farmers League and The Zenith are partnering to provide **Aerial Lift Train-the-Trainer**. Beginning in March, the trainings will be covered in English and Spanish and will hold seven on site Aerial Lift workshops in the following areas: Fresno, Tulare, Wasco, Le Grand, Turlock, Woodland, and Chico. These workshops are for owners, managers, supervisors, safety personnel or **those who are responsible for training**. Each workshop attendee will be provided with a binder that includes the information needed for understanding the rules, regulations and conducting effective safety training. Each attendee will also receive a certificate of completion for those that participate in the full class.

In addition, the association will be conducting **Hazard Communication, Workplace Violence Prevention and, Indoor & Outdoor Heat Illness Prevention** webinars in the spring. Details will follow on those special events.

The cost per training is \$65 per person for members and \$85 for non-members. For information on registering for the workshops and/or webinars please see flyer or visit our website at <https://www.agprocessors.org/>.

Trump Issues Executive Order Pushing for More Water from CVP

Among his many actions within his first week in office, President Trump recently signed an Executive Order that would increase the flows provided through the Federal Water Project for the State of California. President Trump directed the Secretary of Commerce as well as the Secretary of the Interior to begin working with the various federal agencies in charge of water allocation, to begin the process of discharging water for use throughout the state. The President also took his opportunity to call out the Newsom Administration for several actions he felt undermined his previous actions as president. President Trump cited the Newsom Administration's challenge to increase flows through the Federal Water Project, all on the basis of protecting the Delta Smelt, a spe-

SAFETY TRAINING WORKSHOPS

Aerial Lift Train-the-Trainer:

- Tulare March 13th
- Turlock March 18th
- Wasco March 25th
- Le Grand April 1st
- Fresno April 3rd
- Woodland April 8th
- Chico April 9th

Webinars:

Hazard Communication

- March 15th

Workplace Violence Prevention

- April 10th

Indoor & Outdoor Heat Illness Prevention

- May 19th

Cost per trainings:

\$65 Member

\$85 Non-member

Subject to changes

The Western Agricultural Processors Association and California Cotton Ginners and Growers Association, are providing **Safety Training Workshops** to assist our members. These workshops are designed to be both basic and refresher knowledge, that are focused on fundamental effective safety training skills. Our workshops are participant-centered, interactive and encourage full participation.





Topics:





Train-the-Trainer Aerial Lift
Hazard Communication Training (webinar)
Workplace Violence Prevention Training (webinar)
Indoor & Outdoor Heat Illness Prevention Training (webinar)

These Train-the-Trainer workshops are for **owners, managers, superintendents, supervisors, safety personnel and for those who are responsible for training** on equipment. The Train-the-Trainer class does not "certify" or authorize the participants to operate equipment. Official training must be provided by the employer on their specific equipment and documented as such. Each attendee will receive a binder with training tools on how to conduct effective safety training, trainer guide materials, quizzes and certificate of completion.

These workshops will be offered as regional workshops throughout the valley and via webinars conducted in English and Spanish. Please note, COVID-19 conditions and State and local guidance are constantly evolving, WAPA and CCGGA will provide all registered attendees with COVID-19 updates and requirements as they become available.

Aerial Lift Train-the-Trainer Presented by the following Organizations:

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cies on the Endangered Species list. Additionally, the President highlighted the catastrophic wildfires that have recently ravaged areas Los Angeles, as well as the limited water availability in some of those areas to adequately battle the infernos.

WAPA Activities for January:

- Submitted comments on 1,3-D to CDPR
- Met w/ UCANR about UCCE Westside Research Station
- Met w/ CDFA on Navel Orangeworm
- Met w/ CDPR on 1,3-D and Paraquat
- Met w/ CARB on Waiver Issues and State Implementation Plan Matters
- Met w/ Assemblywoman Dr. Jasmeet Bains
- Met w/ Assemblywoman Lori Wilson
- Participated in Meeting w/ CDFA on Critical Issues for 2025
- Conducted 10 membership meetings to discuss proposed by-law changes
- Submitted request to CDPR for 30-day extension of comments on Paraquat
- Participated in mtg. w/ CARB and CEC on electric infrastructure
- Participated in Citizens Advisory Group of Industry Meeting
- Attended SJVAPCD Governing Board Meeting
- Met w/ Staff of US Senator Adam Schiff
- Conducted an noise survey for an almond processor
- Participated and spoke to fellows at California Ag Leadership's Class 53 seminar
- Participated in the San Joaquin Valley Water Blueprint Board

meeting

- Participated in the San Joaquin Valley Water Blueprint Technical workgroup meeting
- Participated in CDFA Produce Safety Program -Virtual PSP Portal Training Workshop
- Participated in the Cal/OSHA Advisory Meeting - Proposed Workplace Violence Prevention
- Conducted Indoor Heat Illness Assessment for two members
- Participated in a regenerative ag certification audit for a client
- Assisted with organic certification for a walnut grower
- Developed six safety programs for an almond huller
- Developed two food safety programs for a walnut huller
- Developed ATC application for a walnut huller
- Attended Fall Protection Training
- Attended 2025 Updates with Farm Bureau and Fels Webinar
- Attended Fresno Madera Young Farmers & Ranchers Meeting
- Attended Hazard Communication Webinar
- Attended Ag Workforce Meeting with Assemblywoman Soria
- Attended Governor Newsom Budget Proposal Announcement
- Participated in the Naval Orangeworm Project Update Call
- Participated in the San Joaquin Valley Air District Permit Stakeholder Meeting