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Code: FAC

Section:

[Up^](#) [Add To My Favorites](#)**FOOD AND AGRICULTURAL CODE - FAC****DIVISION 1. STATE ADMINISTRATION [101 - 1501]** (*Division 1 enacted by Stats. 1967, Ch. 15.*)**PART 1. THE DEPARTMENT OF FOOD AND AGRICULTURE [101 - 894]** (*Heading of Part 1 amended by Stats. 1976, Ch. 1079.*)**CHAPTER 3. Other Powers and Duties [401 - 588]** (*Chapter 3 enacted by Stats. 1967, Ch. 15.*)**ARTICLE 8.5. The Cannella Environmental Farming Act of 1995 [560 - 569]** (*Article 8.5 added by Stats. 1995, Ch. 928, Sec. 3.*)

560. This article shall be known as the Cannella Environmental Farming Act of 1995.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

561. The Legislature finds and declares the following:

(a) California agriculture helps to feed the world and fuel our economy. Agriculture provides one out of every 10 jobs in California, and our state has led the nation in total farm production every year since 1948. During 1993, California's 76,000 farms generated nearly \$20 billion in cash receipts and another \$70 billion in economic activity.

(b) Many farmers engage in practices that contribute to the well-being of ecosystems, air quality, and wildlife and their habitat. Agriculture plays a pivotal role in preserving open space that is vital to the environment. Seventy-five percent of the nation's wildlife live on farms and ranches. Freshwater streams and stockponds on farms and ranches provide habitat to millions of fish. Corn, wheat, rice, and other field crops provide bountiful food and habitat for deer, antelope, ducks, geese, and other wildlife.

(c) Environmental laws should be based on the best scientific evidence gathered from public and private sources.

(d) Best scientific evidence should include the net environmental impact provided by agriculture.

(e) Additional research is necessary to adequately inventory the impact that agriculture has on the environment. Recognition should be afforded to agricultural activities that produce a net benefit for the environment, which is consistent with the growing trend of providing incentives for the private sector to undertake economic activities that benefit the environment.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

564. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) "Agricultural activities" means those activities that generate products as specified in Section 54004.

(b) "Department" means the Department of Food and Agriculture.

(c) "Panel" means the Scientific Advisory Panel on Environmental Farming.

(d) "Secretary" means the Secretary of Food and Agriculture.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

566. (a) The department shall establish and oversee an environmental farming program. The program shall provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

(b) The department may assist in the compilation of scientific evidence from public and private sources, including the scientific community, industry, conservation organizations, and federal, state, and local agencies identifying the net environmental impacts that agriculture creates for the environment. The department shall serve as the depository of this information and provide it to federal, state, and local governments, as needed.

(c) The department shall conduct the activities specified in this article with existing resources, to the extent they are

available.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

568. (a) The secretary shall convene a nine-member Scientific Advisory Panel on Environmental Farming to advise the secretary on the implementation of the Healthy Soils Program established pursuant to Section 569, and the State Water Efficiency and Enhancement Program established by the department from moneys made available pursuant to Chapter 2 of the Statutes of 2014, and to assist federal, state, and local government agencies, as appropriate or necessary, on issues relating to the impact of agricultural practices on air, water, and wildlife habitat to do the following:

(1) Review data on the impact that agriculture has on the environment and recommend to the secretary and appropriate state agencies the best available science on environmental impacts of agriculture, as well as practices and policies based on that information to advance the goals of this article, including Section 569.

(2) Compile the net environmental impacts that agriculture creates for the environment, identified pursuant to paragraph (1).

(3) Research, review, and comment on data upon which proposed environmental policies and regulatory programs are based to ensure that the environmental impacts of agricultural activities are accurately portrayed and to identify incentives that may be provided to encourage agricultural practices with environmental benefits.

(4) Assist government agencies to incorporate policies and practices identified pursuant to paragraph (1) into environmental regulatory programs.

(b) (1) Members of the panel shall be highly qualified and professionally active or engaged in the conduct of scientific research. Of the members first appointed to the panel, two shall serve for a term of two years and three shall serve for a term of three years, as determined by lot. Thereafter, members shall be appointed for a term of three years. The members shall be appointed as follows:

(A) Five members shall be appointed by the secretary as follows:

(i) At least two members shall have a minimum of five years of training and experience in the field of agriculture and shall represent production agriculture.

(ii) At least one member shall have training and field experience in on-farm management practices that reduce greenhouse gas emissions, sequester carbon, or both.

(iii) At least one member shall be certified as a producer pursuant to federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.).

(iv) At least one member shall have technical expertise in agricultural conservation planning and management.

(B) Two members shall be appointed by the Secretary for Environmental Protection. One shall have a minimum of five years of training and experience in the field of human health or environmental science, and one shall have expertise in greenhouse gas emissions reductions practices related to agriculture.

(C) Two members who have a minimum of five years of training and experience in the field of resource management shall be appointed by the Secretary of the Natural Resources Agency. One member shall additionally have expertise in climate change adaptation and climate change impacts in the agricultural sector.

(2) The secretary may also appoint, in consultation with the panel, ex officio nonvoting members to the panel.

(c) The panel may establish ad hoc committees, which may include professionals, scientists, or representatives of nongovernmental entities, to assist it in performing its functions.

(d) The panel shall be created and maintained with funds made available from existing resources within the department to the extent they are available.

(e) The State Air Resources Board shall consult with the secretary and the panel, as appropriate, in developing the quantification methods described in subdivision (b) of Section 16428.9 of the Government Code as it relates to the demonstration and quantification of on-farm greenhouse gas emissions reductions.

(Amended by Stats. 2016, Ch. 368, Sec. 3. (SB 859) Effective September 14, 2016.)

569. (a) (1) The department, in consultation with the panel, shall establish and oversee a Healthy Soils Program. The program shall seek to optimize climate benefits while supporting the economic viability of California agriculture by providing incentives, including, but not limited to, loans, grants, research, and technical assistance, and educational materials and outreach, to farmers whose management practices contribute to healthy soils and result in net long-term on-farm greenhouse gas benefits. The program may also include the funding of on-farm demonstration projects that further the goals of the program.

(2) The department, in consultation with the panel, may determine priorities for the program and give priority to projects that occur in and benefit disadvantaged communities identified pursuant to Section 39711 of the Health and Safety Code, show promise of being replicable in other parts of the state, or provide environmental and agronomic cobenefits, such as improved air and water quality, improved crop yield, and reduced soil erosion.

(3) The panel shall also advise the department on scientific findings, program framework, guidelines, grower incentives, and providing technical assistance.

(4) If the department elects to fund on-farm demonstration projects described in paragraph (1), the department, in consultation with the panel, shall establish a technical advisory committee to review on-farm demonstration project applications for scientific validity and the proposed project's potential to achieve greenhouse gas benefits.

(b) The department shall implement the program and quantify greenhouse gas emissions reductions in accordance with the funding guidelines developed by the State Air Resources Board pursuant to Section 39715 of the Health and Safety Code and the quantification methods developed by the State Air Resources Board pursuant to Section 16428.9 of the Government Code.

(c) (1) The department may pursue public and private sources to support the Healthy Soils Program.

(2) To the extent funds are available, the department may provide support to the program, including, but not limited to, technical assistance, education, and outreach.

(d) For purposes of this section, "panel" means the Scientific Advisory Panel on Environmental Farming.

(e) For purposes of the Healthy Soils Program, the following terms have the following meanings:

(1) "Greenhouse gas benefits" means greenhouse gas emissions source reduction or carbon sequestration.

(2) "Healthy soils" means soils that enhance their continuing capacity to function as a biological system, increase soil organic matter, improve soil structure and water- and nutrient-holding capacity, and result in net long-term greenhouse gas benefits.

(3) "On-farm demonstration projects" means projects that incorporate farm management practices that result in greenhouse gas benefits across all farming types with the intent to establish or promote healthy soils.

(Added by Stats. 2016, Ch. 368, Sec. 4. (SB 859) Effective September 14, 2016.)