



The webinar will begin shortly

Note: this webinar will be recorded

Regulatory Alignment Study Update Informational Webinar

California Department of Food and Agriculture
California Environmental Protection Agency
State Water Resources Control Board

May 29, 2024

Webinar Guidelines

- As a participant:
 - You are muted and not broadcasting video
 - Select the “Q&A” function to ask questions about webinar content
- Questions will be addressed at the end of the presentation, as time allows

Opening Remarks

Christine Birdsong, CDFA Undersecretary



Today's Speakers



Wendy Pratt

Managing Director, Crowe LLP

Wendy.Pratt@crowe.com



Tommy Abeyta

Senior Manager, Crowe LLP

Tommy.Abeyta@crowe.com



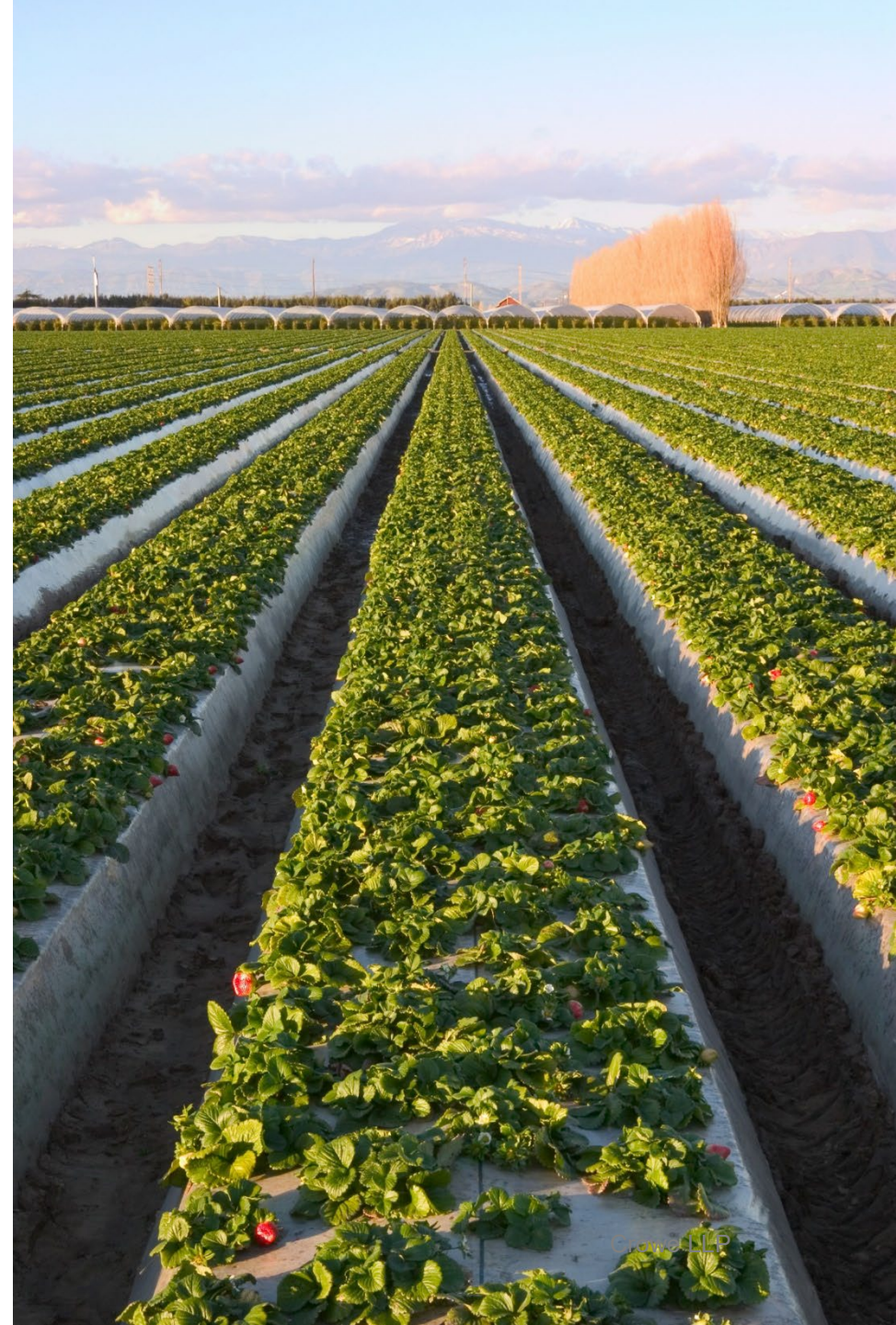
Jamey Hammond

Senior Analyst, Crowe LLP

Jamey.Hammond@crowe.com

Agenda

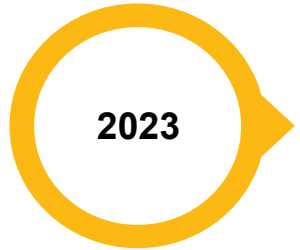
- Study Background and Objectives
- Concept Paper Overview
- Upcoming Workshops
- Study Roadmap
- Next Steps



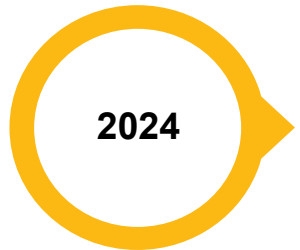
Regulatory Alignment Study Background



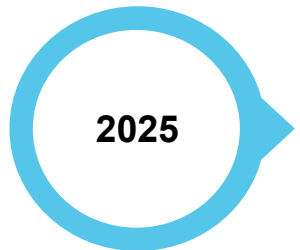
CDFA contracted with Crowe LLP (Crowe) to identify opportunities for regulatory alignment and improved reporting processes.



Crowe evaluated and mapped 80 distinct regulatory requirements and processes. Crowe conducted over 70 listening sessions with members of the agricultural community and CDFA and Water Boards staff.



Crowe released the Regulatory Alignment Concept Paper in May 2024. Crowe will hold workshop sessions with interested parties throughout the summer of 2024.



By November 2025, Crowe will provide CDFA, CalEPA, and Water Boards with proposed implementation plans along with technological enhancement recommendations for regulatory alignment.

Scope of the Study



Food Safety Regulatory Requirements in Scope of Study

Produce Safety Program (PSP)

As it relates to covered products in the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR, 21 Code of Federal Regulations, Part 112):

- *Subpart A: General Provisions*
- *Subpart B: General Requirements*
- *Subpart C: Personnel Qualifications & Training*
- *Subpart D: Health & Hygiene*
- *Subpart E: Agricultural Water*
- *Subpart F: Biological Soil Amendments of Animal Origin and Human Waste*
- *Subpart I: Domesticated and Wild Animals*
- *Subpart K: Growing, Harvesting, Packing, and Holding Activities*
- *Subpart L: Equipment, Tools, Buildings, and Sanitation.*
- *Subpart O: Records*

Water Quality Regulatory Requirements in Scope of Study

Irrigated Lands Regulatory Program (ILRP)

- Includes Regional Water Boards' ILRP Waste Discharge Requirements (WDRs) and Waivers of Waste Discharger Requirements (Waivers) as covered under the Clean Water Act § 13263 and 13269.

Confined Animal Facilities (CAF) Program

- Includes Regional Water Boards' CAF Program National Pollutant Discharger Elimination System (NPDES) permits (Clean Water Act, 33 USC § 1251), WDRs, and Waivers (Clean Water Act § 13263 and § 13269).

State Winery Order (SWO)*

- Refers to the State Water Boards' State Winery General Order, WQ 2021-002-DWQ (Clean Water Act § 13263).

*For discussion purposes, Crowe identifies the State Winery Order as a "program."

Regulatory Alignment Study Objectives



Evaluate state regulatory requirements within the areas of water quality and food safety for the agricultural community and identify protections to public health and the environment.



Conduct listening sessions to gather input from the agricultural community relating to their experiences with the reporting requirements and process in these areas.



Convene the agricultural community and regulators to review and map existing regulatory pathways for water quality and food safety to identify opportunities to improve efficiency and information sharing.



Identify and prepare implementation plans for recommended process improvements to streamline reporting requirements.



Provide recommendations to CDFA, CalEPA, and the Water Boards for technological enhancements to streamline regulatory administrative and reporting processes for the agricultural community.

Recognizing the Full Spectrum of the Agricultural Community

- Crowe recognizes the full spectrum of the agricultural community.
- The agricultural community includes a broad range of interested parties.
- Crowe encourages participation and input from all interested parties as part of this study.



Not an exhaustive list

*In context of the study

Regulatory Alignment Concept Paper

- Crowe prepared the Regulatory Alignment Concept Paper (Concept Paper) on behalf of CDFA, in collaboration with the CalEPA and Water Boards.
- The Concept Paper provides Crowe's initial proposed regulatory pathways (i.e., proposals) for the four programs in scope of the study.
- The proposed regulatory pathways represent a starting point to obtain additional input from interested parties.
- The proposed regulatory pathways do not include implementation plans and final recommendations.
- Crowe will provide implementation plans and final recommendations in subsequent project milestones.

Development of the Regulatory Alignment Concept Paper

Preliminary Evaluation of Regulatory Requirements

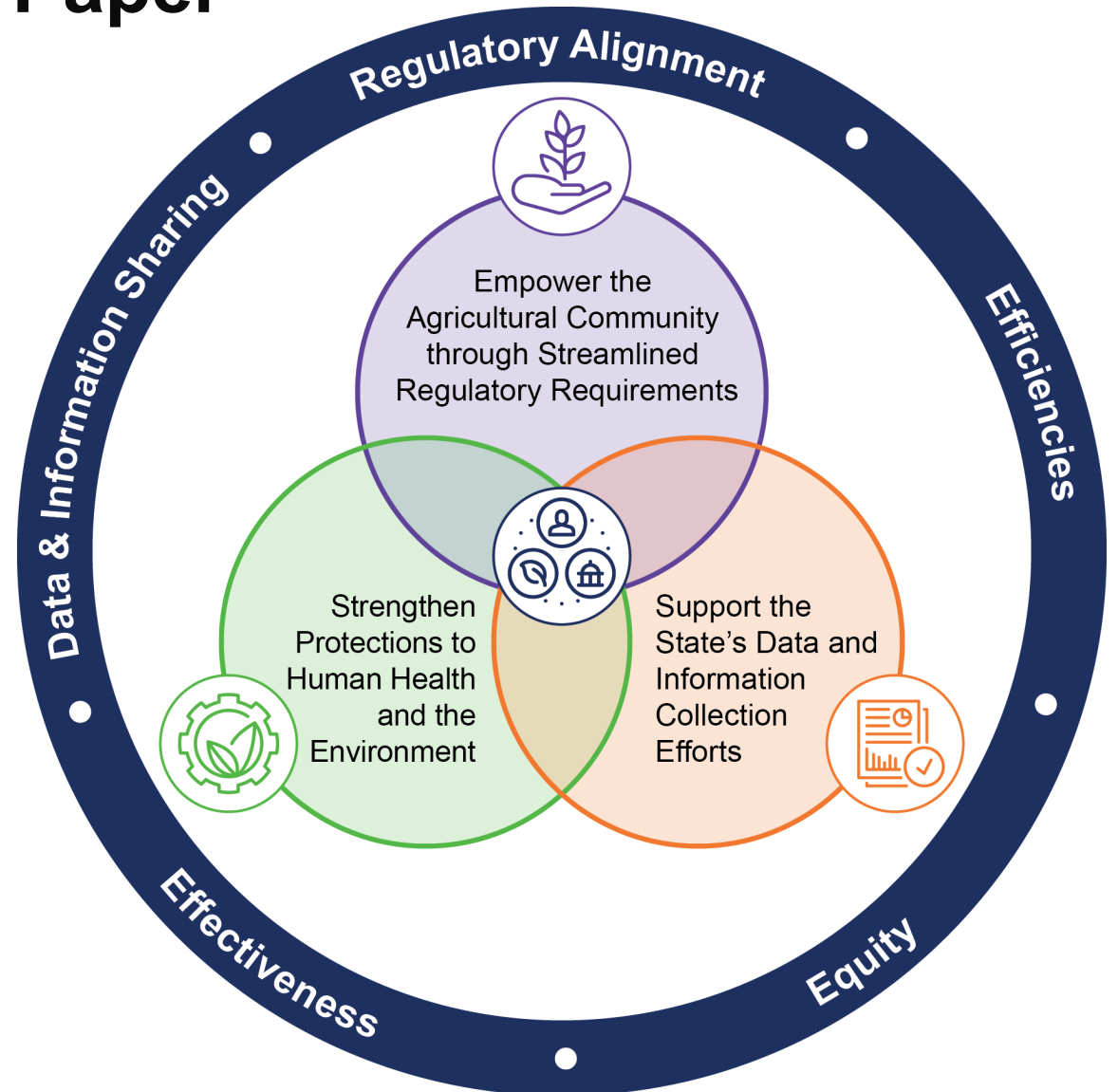
- **In-Depth Sessions with Program Staff:** Crowe conducted nearly 30 sessions with CDFA and Water Boards staff
- **Mapping Regulatory Requirements and Processes:** Crowe mapped 80 distinct processes across the programs in scope of the study

Listening Sessions with Agricultural Community

- **Understanding Experiences and Opportunities:** The primary aim of these sessions was to gain insights and perspectives of the agricultural community and identify streamlining opportunities
- **Ground-Level Insights:** These interactions provided a ground-level view of how regulations are implemented and experienced
- **Continued Engagement with Program Staff:** In addition to these listening sessions, Crowe conducted roughly 10 additional sessions with CDFA and Water Boards staff

Regulatory Alignment Concept Paper

- **Three Goals:**
 - Empower the Agricultural Community through Streamlined Regulatory Requirements
 - Support the State's Data and Information Collection Efforts
 - Strengthen Environmental and Human Health Protections
- **Four Focus Areas:**
 - Data and Information Sharing
 - Efficiencies
 - Effectiveness
 - Equity



Focus Areas



Data and Information Sharing

Opportunities to improve the exchange of selected data and information between state regulatory agencies and programs.



Efficiencies

Opportunities to simplify and expedite regulatory administrative, reporting, and compliance processes.



Effectiveness

Opportunities to measure regulatory performance objectives and goals.



Equity

Opportunities to ensure the inclusion of socially disadvantaged communities, farmers and ranchers* in the development, implementation, and enforcement of regulations.

*As defined by the [Farmer Equity Act of 2017](#).

Regulatory Alignment Proposals

- The Concept Paper details nearly 50 proposals across the four program areas, including specific opportunities, options, and rationale on how each proposal supports regulatory alignment
- Many of the proposals detailed in the Concept Paper enhance or advance the work that CDFA and Water Boards have already started:
 - The **Produce Safety Program (PSP)** section outlines 12 proposals
 - The **Irrigated Lands Regulatory Program (ILRP)** section outlines 16 proposals
 - The **Confined Animal Facilities (CAF) Program** section outlines 10 proposals
 - The **State Winery Order (SWO)** section outlines eight proposals

Produce Safety Program

12 Proposed Regulatory Pathways

Examples of regulatory pathways being proposed aim to facilitate the streamlining of:

- Outreach and Education
- Development of a Comprehensive Farm Inventory
- Farm Verification and Re-Verification Processes
- Risk Prioritization Model
- Inspection Process
- Coordination with Third Parties, CDFA Programs, and Water Boards' Water Quality Programs

Irrigated Lands Regulatory Program

16 Proposed
Regulatory Pathways

Examples of regulatory pathways being proposed aim to facilitate the streamlining of:

- Outreach and Education
- Database Integration and Functionality
- Reporting and Data Collection Processes
- Data Analysis and Program Evaluation Processes
- Inspection and Feedback Processes
- Coordination with Coalitions, CDFA Programs, other Water Boards' Water Quality Programs, and Regulatory Agencies

Confined Animal Facilities Program

10 Proposed Regulatory Pathways

Examples of regulatory pathways being proposed aim to facilitate the streamlining of:

- Outreach and Education
- Management of Excess Nutrients
- Reporting and Data Collection Process
- Data Analysis and Program Evaluation Process
- Inspection and Feedback Process
- Coordination with Third Parties, CDFA Programs, other Water Boards' Water Quality Programs, and Regulatory Agencies

State Winery Order

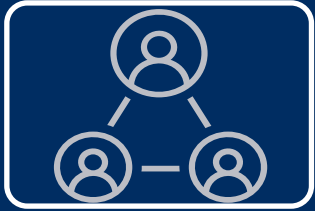
Eight Proposed Regulatory Pathways

Examples of regulatory pathways being proposed aim to facilitate the streamlining of:

- Enrollment Process and Transition to SWO
- Reporting and Data Collection Process
- Data Analysis and Program Evaluation Process
- Coordination with CDFA Programs, other Water Boards' Water Quality Programs, and Regulatory Agencies

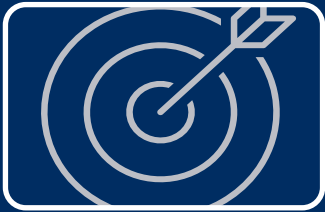
Moving Forward: 2024 Summer Workshops

Public Workshops to Review Concept Paper Proposals



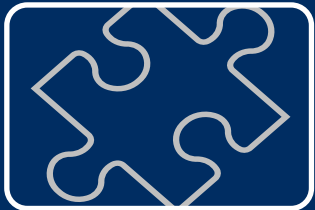
Who?

Crowe invites all interested parties, including program staff, to participate.



What?

Crowe will gather input on the proposals outlined in the Concept Paper.



Why?

Your input will support the development of recommendations, process improvements, and implementation plans.



When?

Crowe will facilitate workshops from June to July 2024.

Workshop Discussion Objectives

Crowe aims to obtain input on the following:

- Effectiveness of the Proposals
- Implementation Challenges and Opportunities
- Unaddressed Needs or Gaps
- Equity and Inclusivity
- Suggestions for Improvement

Planning for the Workshops

The workshops are interactive forums for interested parties to discuss and provide input on the proposals outlined in the Regulatory Alignment Concept Paper.

Before the workshop:

- Attendees Review Regulatory Alignment Concept Paper
<https://www.cdfa.ca.gov/RegulatoryAlignment>

During the workshop:

- Review Study Objectives
- Review Regulatory Pathways for the session topic
- Interactive Discussion/Q&A

Post workshop:

- Provide additional input by July 31, 2024, to: RegulatoryAlignmentStudy@crowe.com.

Workshop Schedule

June Workshops

- **6/4, 3-5PM:** Produce Safety Program
- **6/12, 2-5PM:** Irrigated Lands Regulatory Program
- **6/20, 3-5PM:** Confined Animal Facilities Program
- **6/26, 3-5PM:** State Winery Order

July Workshops

- **7/11, 4-6PM:** Produce Safety Program
- **7/16, 3-6PM:** Irrigated Lands Regulatory Program
- **7/24, 4-6PM:** Confined Animal Facilities Program
- **7/30, 3-6PM:** State Winery Order

All times shown in PST

Workshop Registration

Steps to Register:

1. Go to Regulatory Alignment Study Website on CDFA webpage:
<https://www.cdfa.ca.gov/RegulatoryAlignment>
2. Click the Workshop Registration Link you would like to attend
3. Complete Registration Information
4. Add Meeting to your Calendar

Regulatory Alignment Study Timeline



Interested Party Outreach

Regulatory Alignment Study Timeline

By November 2025: Present Solutions and Recommended Implementation Plans

- Project team to present final report detailing solutions and regulatory alignment recommendations resulting from the study
- Project Team to develop a detailed implementation plan including detailed timelines, mechanisms, strategies, and actions that CDFA, CalEPA, and Water Boards can employ to implement recommended process improvements and related technological solutions (e.g., data system improvements and other IT systems)

How to stay involved?

- Monitor the Regulatory Alignment Study webpage for updates:
<https://www.cdfa.ca.gov/RegulatoryAlignment>
- Provide all written input on the Regulatory Alignment Concept Paper to RegulatoryAlignmentStudy@crowe.com by 5:00 PM on **July 31, 2024**
- Participate in workshops to be held in June and July
- Review public reports and attend public presentations

Questions



Thank you

Reach out to us anytime.

RegulatoryAlignmentStudy@crowe.com

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