CALIFORNIA FOOD POLICY COUNCIL 2015 REPORT ON LEGISLATION RELATED TO FOOD AND FARMING **CALIFORNIA FOOD AND FARMING INDEX** — Total farm gate value of California agriculture in 2013: \$46.7 billion

Estimated amount of California's water supply that comes from groundwater in a drought year: 60 to 75 percent

Depth to which one Central Valley farmer's land sank in 2014 due to collapsing aquifers: 18 inches

Number of years the US Geological Survey estimates it will take for the Central Valley's overtapped aquifers to recharge naturally: 50 years — Acres of critical farmland lost in California between 2006 and 2010: 230,000 Amount of fruits, nuts and vegetables consumed in the United States that are produced in California: 50 percent

Amount of money members of the California Assembly Health Committee who voted against a sugar sweetened beverage fee received from interest groups versus those who voted in favor: 2.6 times more (average of \$10,235) versus \$3,892) Percentage of Californians living below or near the poverty line according to the Public Policy Institute of California: 41.8 percent Percentage of California teens and adults defined as obese in 2014: 14.6 percent and 27 percent respectively Number of farmers markets in California: 788
Number of California farmers markets that offer incentives for nutrition benefit recipients to buy fresh fruits, nuts and vegetables: 153 markets in 23 counties

Number of farmers who directly benefited from increased sales due to nutrition incentives in 2014: 773 • Of the \$2 billion raised by AB 32 (Cap and Trade funds) this year, percentage used to incentivize farming practices that capture carbon: \$0 Number of bills introduced in California in 2015 related to issues of food and agriculture: 241 Number of the 18 bills tracked by the California Food Policy Council (CAFPC) that became law: 8 • Number of organizations represented by the CAFPC: 647 Percentage of California's registered voters represented by the CAFPC regions: 82 percent



We live at a decisive moment in a pivotal state. California's declining water quality, rising hunger, warming climate, and crisis levels of obesity and poverty all demand monumental policy shifts. That is why the California Food Policy Council (CAFPC) exists, and why we issue this annual legislative report.

California sits at the epicenter of food politics and the food movement. We are the largest agricultural state in the nation, and have a culture of technological, social and culinary innovation. California can, if our policymakers take tough stands, make wholesome and fresh food more accessible; offer economic opportunity in historically oppressed communities; deliver cleaner water and air; create living soil that captures carbon; forge labor policies that are fair and respectful; and enforce livestock practices that are safe and humane.

Still, we struggle against established mindsets and powerful interests. The food movement must offer realistic yet system-changing ideas to legislators who are willing to author bills based on those concepts. Those authors must then shepherd the bills through as many as six committees within the Assembly and Senate. Once a bill is passed out of the Legislature it must go to the Governor for his signature to become law. Achieving all of these steps is made immeasurably easier when constituents vigorously express their support. That is the core power of the CAFPC, which represents 29 important areas in California.

The people and organizations that created this report represent multiple streams within the food movement. It is a challenge for such diversity to coalesce into one voice. It takes time and the careful crafting of words, this year aided by noted food issue author, Dan Imhoff. So please witness their hard work. Note the Bills Tracked and their correlation to the CAFPC's Guiding Principles. Read the Analysis that critiques the recently completed legislative session. Review the Record of Votes to identify the politicians who can be our champions. Enjoy the new Food Policy Index that offers context-setting data points.

These all add up to an indicator of how the food movement is faring. We are making encouraging progress in some areas. Less in others. But we are gathering momentum and more success lies ahead if we, Californians, remain committed to accelerating change within the halls of the state capitol.

Michael R. Dimock

President of Roots of Change, Strategic Advisor to the California Food Policy Council



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CAFPC'S TEN GUIDING PRINCIPLES



Ensures access to nutritious, culturally appropriate food as a basic **human right.** The CAFPC supports policies and practices that contribute to the establishment of food production and distribution systems that ensure easy access to healthy, sustainable, and affordable food and potable water in all communities.



2. Reduces health and income disparities and the concentration of resources, while upholding the dignity, security, and self-determination of all the communities it serves. The CAFPC supports **equity** enhancing policies and practices that strengthen opportunities and benefits for disadvantaged farmers, workers, businesses and communities that experience disproportionate environmental, economic and health hardships.



3. Makes the healthiest choice the easiest choice. The CAFPC supports policies and practices that promote **health** and result in food environments that provide access to an abundance of affordable, fresh food choices, incentives to consume healthy, humane, local and California grown foods.



4. Protects and restores our **environment** and vital natural resources, such as air, water, soil, biodiversity, climate, and wildlife and eliminate waste wherever possible. The CAFPC supports policies and practices that prevent resource degradation, encourage waste reduction and composting, promote conservation farming and reduce chemical inputs and energy use, while taking into consideration the need to ensure abundant production and economically viable farm and food businesses.



5. Supports a vibrant and diverse food and agriculture **economy** comprised of businesses of multiple scales that sell into local, regional, state, national and international markets, while creating strong linkages and benefits for our local and regional economies.

The CAFPC prioritizes policies and practices that strengthen local and regional food and agriculture businesses as an effective way to deliver widespread economic benefits to small- and mid-scale producers, while achieving greater equity, health, access, consumer awareness and long term connections between farmers and consumers.





6. Recognizes that a fair food system requires **functional immigration and labor policies** that uphold the dignity, safety, and quality of life for all who work to feed us. The CAFPC supports policies and practices that ensure living wages for all food system workers, including opportunities for advancement and ownership and that expand employment in the food sector.



7. Recognizes the vital role of **education** in preparing our youth to become the next generation of informed eaters, producers, and food chain workers.

The CAFPC supports policies and practices that build school food environments that are based on healthy, sustainably produced, California grown food. We support curriculum that incorporates food literacy and garden-based education, promotes the links between producers and consumers, health, food, and the environment and gives children, families and community leaders the resources they need to learn about food production, nutrition, cooking and food economics.



8. Values our **farmland and fisheries** and the hard work and commitment of our farmers, fisherfolk, and ranchers. The CAFPC supports policies and practices that will protect agricultural land, rivers and oceans and provide the necessary incentives, resources, technical support and outreach to help beginning and existing producers to thrive economically while delivering healthy, affordable and sustainably produced food.



9. Operates within a **global** food system that generates economic, political, and market realities that impact the choices of California producers, food businesses, policymakers and consumers. The CAFPC recognizes the need to reform global policies in order to remove barriers to a healthy, equitable, vibrant and sustainable California food system.



10. Requires that all food system stakeholders are engaged in the political process and in vigorous dialogue with each other at the local, regional, state and national level. The CAFPC encourages and actively engages in this dialogue with members of government, community organizations, academia, public health organizations, food producers, labor, food industry representatives, business, policy advocates and the public to create meaningful and effective **collaboration**.

EIGHTEEN BILLS TRACKED BY THE CAFPC

Green = signed into law

Bills that are "held in Committee" may at the author's discretion be resubmitted to the Legislature in the second year of a two-year session.

AB 1045 ("Organic Waste: Composting," Irwin, Thousand Oaks) requires the California Environmental Protection Agency, with

other state agencies, to develop and implement policies to aid in diverting organic waste from landfills for appropriate compost applications on working lands throughout the state. It also requires the Department of Resources Recycling & Recovery to lead the development of a policy that promotes the coordinated permitting and regulation of composting facilities while protecting the environment. It includes a sunset date of January 1, 2021, and requires stakeholder and public input.

Passed by the Legislature and signed by the Governor.



SB 367 ("Agricultural Lands: Greenhouse Gases," Wolk, Davis) would revise the existing Environmental Farming Science Advisory Panel at California Department of Food and Agriculture (CDFA) and authorized it to appropriate \$25 million in grants from the Greenhouse Gas Reduction Fund to incentivize greenhouse gas emission reductions in agriculture through on-farm best practices, such as building soil health. It also would dedicate additional funding for farmland conservation on land at risk to development as part of the Sustainable

Agricultural Lands Conservation Program. Held in Assembly Appropriations Committee.









AB 761 ("Carbon Sequestration: Working Lands," Levine, San Rafael) would require CDFA, with other state departments, to develop a proposed grant program that supports implementing a land management strategy for the purposes of reducing, sequestering and mitigating greenhouse gas emissions (i.e. carbon farming) on working lands. **Held in Senate Appropriations Committee.**







AB 876 ("Compostable Organics," McCarty, Sacramento)

requires each county or regional agency, starting August 1, 2017, to include in its existing annual report to the state an estimate of the amount of organic waste generated over a 15-year period, an estimate of the additional facility capacity needed to process the waste and locations to safely meet the additional need for organic waste recycling facilities.

Passed by the Legislature and signed by the Governor.



SB 32 ("California Global Warming Solutions Act of 2006: Emissions Limits," Pavley, Agoura Hills) would require the Air Resources Board (ARB) to increase the state's greenhouse gas emission reduction goals equal to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. It would include consideration of short-lived pollutants, and increase the Legislature's and public's oversight of the ARB's plan. *Failed Assembly Floor Vote and re-referred to and held in Assembly Natural Resources Committee.*





AB 1288 ("Air Resources," Atkins, San Diego) was amended into a bill that increases the membership of ARB. Initially, this bill would have ensured that disadvantaged communities continue receiving dollars from California's cap-and-trade system, as required by existing law, should the ARB continue to run it beyond the year 2020.

Passed by the Legislature and signed by the Governor.







AB 156 ("California Global Warming Solutions Act of 2006: Disadvantaged Communities," Perea) would have required the ARB to create a technical assistance program to help disadvantaged communities in proposing specific projects for the Greenhouse Gas Reduction Fund investment plan, and to publish a publicly available report regarding projects that were funded.

Held in Senate Appropriations Committee.









SB 623 ("Public Health: Health Workforce Projects," Lara, Bell Gardens) clarifies existing law where citizenship or immigration status cannot be used as the sole reason to prohibit an employee from receiving compensation through the Uninsured Employers Fund or the

Subsequent Injuries Benefits Trust Fund.

Passed by the Legislature and signed by the Governor.









SB 3 ("Minimum Wage: Adjustment," Leno, San Francisco & Leyva, Chino) would increase the minimum wage to \$13 an hour by July 1, 2017, and require an annual indexing of the minimum wage starting January 1, 2019 to adjust for inflation. It would also prohibit the Industrial Welfare Commission from reducing the minimum wage if the average percentage of inflation for the previous year was negative. *Held in Assembly Appropriations Committee.*









AB 561 ("Agricultural Labor Relations," Campos, San Jose)

would have required the Agricultural Labor Relations Board and general counsel to process a make-whole award, backpay or other monetary award within one year of an order of the board finding liability. It would also have required an employer who appealed or petitioned for a writ of review of a board order to post a bond in the amount of the entire economic value of the order, which could have been be forfeited under specified conditions.

Passed by the Legislature and vetoed by the Governor.





SB 27 ("Livestock: Use of Antimicrobial Drugs," Hill, San

Mateo) prohibits the administration of medically important antibiotics to livestock unless prescribed by a veterinarian, and not for the sole purpose of promoting weight gain or improving feed efficiency. It also creates a monitoring program in the CDFA as well as stewardship quidelines and best management practices.

Passed by the Legislature and signed by the Governor.









SB 334 ("Pupil Health: Drinking Water," Leyva, Chino)

would have required schools to provide access to free, fresh and clean drinking water during meal times in food service areas, including meeting the U.S. Environmental Protection Agency's drinking water standards for lead. It also would have included provisions for the Department of Public Health to do a sample survey of schools and evaluate cost-effective lead abatement technologies, and for school districts to notify its stakeholders if its test results required the provision of alternative drinking water sources.

Passed by the Legislature and vetoed by the Governor.







AB 1321 ("Nutrition Incentive Matching Grant Program,"

Ting, San Francisco) creates the Nutrition Incentive Matching Grant Account, administered by CDFA's Office of Farm to Fork, to collect matching funds from the federal Food Insecurity Nutrition Incentive Program (FINI) and other public-private sources. This program increases the purchasing power of nutrition benefits (e.g. CalFresh) when used to buy California-grown fruits, nuts and vegetables under CDFA as the primary FINI grant applicant. **Passed by the Legislature and signed by the Governor.**











AB 515 ("Environmental Quality: California Environmental Quality: Writ of Mandate," Eggman, Stockton) would have expanded the existing state tax credit to 15 percent of the value of qualified donated items from California growers, harvesters, packers or processors of agricultural products to qualified nonprofits (e.g. food banks). It also would have expanded the list of eligible products to include additional fresh items and a limited set of shelf-stable items, extending the credit to January 1, 2021 and renaming the State Emergency Food Assistance Program to the CalFood Program.

Passed by the Legislature and vetoed by the Governor.







SB 20 ("California Water Resiliency Investment Act," Pavley, Agoura Hills) was amended into a bill of findings and declarations regarding the need to develop funding for a number of currently unfunded and underfunded water programs. Initially, this bill would have required the Department of Water Resources to make reports about completed well projects available to the public, upon request.

Held in Assembly Water, Parks & Wildlife Committee.







SB 208 ("IRMWP Grants: Advanced Payment," Lara, Bell

Gardens) requires a regional water management group, within 90 days of being awarded a Prop 1 (i.e. 2014 water bond) grant for integrated regional water management, to provide a list of projects to the Department of Water Resources. If the project proponent is a nonprofit or disadvantaged community, there will be an advanced payment of the grant of 50 percent if certain criteria are met.

Passed by the Legislature and signed by the Governor.







AB 226 ("Retail Food Safety: Fishermen's Markets," Atkins, San Diego) creates a new type of nonpermanent food facility, defined as a "fishermen's market," in California's Retail Food Code. It defines who will be an authorized permit holder, and respective food safety and sanitation requirements.

Passed by the Legislature and signed by the Governor.







AB 1357 ("Children and Family Health Promotion Program," Bloom, Santa Monica) would create a two-cent per ounce health impact fee on sugar-sweetened beverage distributors, and use funds to support existing school- and community-based programs that provide nutrition and healthier food and beverage options, clean and accessible drinking water at schools, and programs seeking to prevent, detect, and treat diet-related chronic health problems (e.g. Type II diabetes).

Held in Assembly Health Committee.











ANALYSIS

Overview

Only bold leadership can shift California's priorities and laws to address over-allocated water resources, a changing climate, income inequality, and an obesity epidemic. These complex issues require more than minor legislative adjustments. And yet, even with an innovative governor, Democratic majorities in both legislative houses, and a budget surplus, it remains hard to win meaningful reforms.

Still we have seen encouraging developments over the 2015 legislative session. Coalitions are emerging among diverse groups: environmental organizations, food security advocates, faith-based communities, public health practitioners, and promoters of local economies. Conceptually groundbreaking bills were introduced this year, such as AB 1357 ("Children and Family Health Promotion Program"), AB 1321 ("Nutrition Incentive Matching Grant Program") and SB 367 ("Agricultural Lands: Greenhouse Gases"). AB 359 ("Grocery Workers") brings unions to the table with a policy that will protect grocery workers from unfair job dismissal. SB 27 ("Livestock: Use of Antimicrobial Drugs") establishes an important precedent by restricting the use of antibiotics in livestock production. These kinds of visionary efforts may start to tackle some of the urgent challenges to California's natural resources and food systems.

Yet opposition to these bills is formidable. Industry arguments that new regulations will "kill jobs" or restrict the need for "flexibility" in economic policy continue to be used to sidetrack bills as they proceed through committees. Targeted lobbying and political contributions from corporations and trade groups also heavily skew discussions concerning food and farm policy.

AB 1357, for example, would have levied a fee on sugar-sweetened beverages to fund healthy food access, nutrition education, dental care and more. It was defeated in the Assembly Health Committee this session. According to the nonprofit organization MapLight, committee members who voted against AB 1357 received 2.6 times more money in campaign contributions from CalBev, a trade association for the soft drink industry, and the California Chamber of Commerce than those who voted in favor. A silver lining is that the bill can be reconsidered next year and is therfore still alive.

California is a world leader with a chance to demonstrate forward-thinking approaches and solutions to water regulation, healthy food access, worker and farmer protections, and environmental steward-ship incentives. But that will demand substantial action from the Legislature and more focused attention from the Governor. Although Jerry Brown has demonstrated remarkable innovation around climate change issues, his budget priorities fall short in many areas the California Food Policy Council deems urgent.

Water

No issue is more integral to as many of the CAFPC Guiding Principles as water. It's also the most controversial. California's four-year drought has highlighted an allocation system that promises far more water than it can deliver. Many agricultural operations are tapping into groundwater reserves at unprecedented rates, exacerbating aquifer depletion and land subsidence. In many areas, farmlands are literally sinking. The Governor's Drought Task Force is working with local governments to form sustainable groundwater agencies to regulate pumping and recharge, an action required by the 2014 Sustainable Groundwater Management Act. But surface water resources — already strained in normal rainfall years - simply cannot meet the needs of farmers, residents, and the natural world during drought. In more than half of the state's large river basins, water rights now exceed the average supply. Scientists Ted Grantham and Joshua Viers report that in the San Joaquin River, for example, water rights exceed flows by 800 percent. Escalating demands will certainly challenge the existing system of allocation rights.

Confirming the complexity of the issue, the Legislature was unable to carry forward the momentum of the 2014 Sustainable Ground Water Management Act even in the face of a crippling drought. Numerous bills were killed prior to floor votes. If there is water reform in California's future, 2015 would suggest that the process will be long and drawn out. Swift and decisive action is needed now to halt damage to groundwater quality and storage capacity, as well as infrastructure and agricultural operations across the state.

"There seems to be near universal agreement in the farmer community that growers should have the right to protect existing permanent plantings on land that historically has been irrigated. Opposition is building, however, to a near out-of-control trend to establish orchards by drilling new deep wells on dryland acres that were never before irrigated."

- Tom Willey, T and D Willey Farms, Madera, CA

"If California farmers, who produce almost half of all the fruits, nuts and vegetables grown in the United States, stopped pumping groundwater, it almost certainly would send food prices soaring.

And what happens when food prices go up?"

- Fred Crowder, San Mateo County Agricultural Commissioner

Poverty and Food Access

Poverty is the primary cause of hunger and malnutrition. Enhanced economic opportunity and access to healthy food are fundamental to numerous CAFPC Guiding Principles and touch on values of equity, human rights, public health and education.

In California, the world's seventh largest economy, nearly a quarter of our 38 million residents live in poverty. According to Feeding America, this includes more than 4 million food-insecure adults and 2.3 million food-insecure children. The lack of a statewide living wage, combined with cutbacks in programs to help low-income families, have pushed California's poverty rate to among the highest in the nation. The state's recently adopted Earned Income Tax Credit does not substitute for programs and investments in social services to alleviate poverty, although some policy makers might argue otherwise.

Senator Holly Mitchell, D-Los Angeles, was recently quoted as saying it is "frankly beyond me" how Governor Brown can propose far-reaching carbon-reduction measures "and not understand that the state can play an equally critical and pivotal role in setting such goals for itself to reduce the number of kids in California who live in poverty."

One CAFPC-endorsed bill, AB 1321 ("Nutrition Incentive Matching Grant Program") was signed into law but awaits state funding until at least 2016. Championed by Assemblyman Phil Ting (SF), the bill expands a program that helps low-income families purchase more fruits, nuts, and vegetables at farmers markets and local stores. The State's farmers also benefit from these programs through these food purchases. AB 1321 enjoyed a broad base of support that included Roots of Change, Latino Coalition for a Healthy California, the Public Health Institute and the Ecology Center. Passing laws, however, isn't always enough. Although the bill became law this year, its full potential cannot be achieved until the state provides funding.

Climate Change and Agriculture

Mitigating the impact of climate change and protecting the environment are intertwining goals in the CAFPC agenda. This arena of public policy, more than any other, holds promise for important reforms and the possibility of substantial funding to incentivize farmers and landowners to find ways to reduce greenhouse gas emissions and land degradation through best practices. SB 32 ("California Global Warming Solutions Act of 2006"), which failed to win sufficient votes in the Assembly, would have set ambitious greenhouse gas reduction goals through the year 2050 and furthered California's role as a global leader on climate policy.

Another bill supported by the CAFPC, SB 367 ("Agricultural Lands: Greenhouse Gases") introduced by Senator Lois Wolk (Davis) and sponsored by the California Climate and Agriculture Network (Cal-CAN) and Community Alliance with Family Farmers, proposed incentivizing landowners for building healthy soils, revitalizing grasslands, protecting on-farm habitats and improving water and energy conservation and renewable energy production. Unfortunately that bill was held on suspense in the Assembly Appropriations Committee. Certainly one of the biggest disappointments of the 2015 legislative session is that there will be a delay in allocating cap-and-trade funds to farmers for soil building, carbon capture and wildlife habitat protection.

Measuring Progress

To be sure, 2015 was a year in which some positive food and agriculture legislation became law. However, given the scale of our problems and the importance of the California legislature in shaping the food system at all levels — from local to global — the progress this year is only a fraction of what is needed. California's legislators must do more in the coming years. Additionally, advocates for a better food system must broaden their base in order to effectively hold legislators accountable when they fall short.



RECORD OF VOTES - ASSEMBLY

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RECORD OF VOTES - SENATE

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AyeNayNVRNo Vote Recorded



WHAT IS THE CALIFORNIA FOOD POLICY COUNCIL?

The California Food Policy Council (CAFPC) is comprised of 29 local food policy councils from across the state. The CAFPC represents diverse food system stakeholders that develop and promote statewide policies and practices that produce healthy, safe, humane and abundant food in ways that protect our environment and ensure the prosperity of our workers, farms, and food businesses.

As the CAFPC, we provide broadly supported guidance and assistance to decision makers as they develop new policies, regulations, programs, funding, technical support and research priorities affecting food and agriculture in our state. Roots of Change, a program of the Public Health Institute, provides strategic advice, financial and staff support for the CAFPC.

The CAFPC formed a policy work group in March 2015 to create this report. It included CAFPC members and other food system policy experts. Of the 241 bills introduced or reintroduced in 2015 that related to CAFPC food system priorities, the work group identified 57 of critical significance and in need of analysis. The policy working group tracked 18 of these because they had potential to create systemic change aligned with CAFPC principles, would aid in unifying California's food movement, and reached the floor vote of its house of origin.



CALIFORNIA FOOD POLICY COUNCIL RATIFIED MEMBERS

ADVOCATING MEMBERS

Berkeley Food Policy Council

Community Food Council for Del Norte and Adjacent Tribal Lands

Food Policy Advisory Council serving San Bernardino County

Humboldt Food Policy Council

Kern Food Policy Council

Long Beach Fresh

Marin Food Policy Council

Mendocino Food Policy Council

North County Food Policy Council (San Diego)

Oakland Food Policy Council

Orange County Food Access Coalition

Plumas-Sierra Community Food Council

Sacramento Food Policy Council

San Francisco Food Security Task Force

San Francisco Urban Ag Alliance

San Mateo Food System Alliance

Solano County Food Policy Council

COLLABORATING MEMBERS

Ashland Cherryland Food Policy Council

Central Coast Healthy Food Access Committee

Growing Local (Shasta)

Los Angeles Food Policy Council

Nevada County Food Policy Council

Richmond Food Policy Council

Riverside Food Systems Alliance

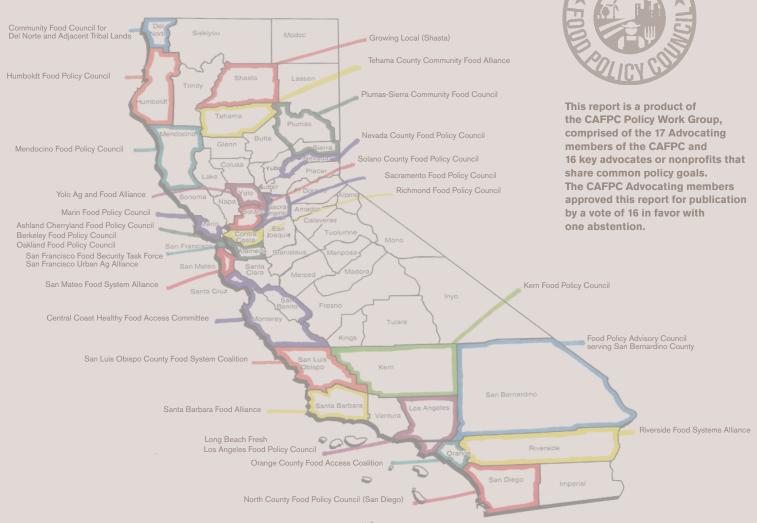
San Diego Food System Alliance

San Luis Obispo County Food System Coalition

Santa Barbara Food Alliance

Tehama County Community Food Alliance

Yolo Ag and Food Alliance



CAFPC POLICY WORKING GROUP

EXECUTIVE COMMITTEE

Food Projects Director, Building Healthy Communities-Del Norte & CAFPC member **Angela Glore Brenda Ruiz**

Sacramento Food Policy Council, Slow Food Sacramento & CAFPC member **Christina Hall** Executive Director, Orange County Food Access Coalition & CAFPC member **Christina Oatfield** Policy Director, Sustainable Economies Law Center & CAFPC member

Jill Egland Vice President, United Way of Kern County & CAFPC member Policy Director, Roots of Change & CAFPC policy adviser **Justin Rausa**

Keith Tanner Co-coordinator San Francisco Urban Agriculture Alliance & CAFPC member

Kristi Jamason Plumas-Sierra Community Food Council & CAFPC member Michael Dimock President, Roots of Change & CAFPC strategic adviser Peter Ruddock San Mateo Food System Alliance & CAFPC member

Alexis Fernández former Legislative Affairs Director, California Food Policy Advocates

Associate Director, PolicyLink Allison Hagey

Audrey Lieberworth Food Policy Coordinator, Mandela Marketplace & CAFPC member Ben Feldman Food and Farming Program Director, Ecology Center & CAFPC member

Carla Rosin Santa Barbara Food Alliance & CAFPC member

Charity Kenyon Central Valley Governor, Slow Food USA

Connie Stewart Director of California Center for Rural Policy, Humboldt State University

Elizabeth Velten State and National Policy Manager, California Center for Public Health Advocacy

Esperanza Pallana Director, Oakland Food Policy Council & CAFPC member

Jen Dalton Program Coordinator, North Coast Opportunities, Inc. & CAFPC Member

Jessy Gill former Policy Specialist, Community Food & Justice Coalition

Kari Hamerschlag Senior Program Manager, Friends of the Earth U.S.

Kelly Damewood Director of Policy & Programs, California Certified Organic Farmers Lynn Silver Senior Adviser for Chronic Disease & Obesity, Public Health Institute

Food Not Lawns & CAFPC member Mariah Gayler

Mei Ling Hui Urban Forest & Urban Agriculture Coordinator, San Francisco Department of the Environment & CAFPC member

Nina Ichikawa Policy Director, Berkeley Food Institute

Poppy Davis Program Director, Sustainable Agriculture Education

Rebecca DeLaRosa Director of Legislative Affairs, Latino Coalition for a Healthy California

Rebecca Gershon Policy & Advocacy Associate, SF-Marin Food Bank

Renata Brillinger Executive Director, California Climate and Agriculture Network **Ronald Coleman** Government Affairs Manager, California Immigrant Policy Center

Steve Schwartz Founding Executive Director, Interfaith Sustainable Food Collaborative & CAFPC member

Tom Willey Co-Owner, T & D Willey Farms

Doris Meier Roots of Change Program Coordinator Watershed Media Design, Editing and Production

To learn more about the California Food Policy Council go to www.rootsofchange.org

