

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

2019-04-02

2. Department

Food and Agriculture

3. Organizational Placement (Division/Branch/Office Name)

Inspection Services Division

4. CEA Position Title

Assistant Division Director

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The California Department of Food and Agriculture (CDFA) requests the establishment of a CEA A (CEA) to serve as the Assistant Division Director within the Inspection Services Division (ISD). The CEA will have oversight for policy development and implementation of Food Labeling, Food Waste, Safe and Affordable Drinking Water, Antimicrobial Use and Stewardship (AUS) and the California Nutrition Incentive Program (CNIP) in order to protect the health and safety of the citizens of California and the environment; promote and protect a safe and healthy food supply; and enhance local and global agricultural trade through efficient management, innovation, and sound science with a commitment to environmental stewardship.

6. Reports to: (Class Title/Level)

Division Director, CEA B

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st 2nd 3rd 4th 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The CEA will serve as the Assistant Division Director of ISD; formulate and develop policies, procedures, and regulations related to Senate Bill (SB) 27, Livestock: Use of Antimicrobial Drugs; SB 1383, Short-lived Climate Pollutants, Methane Emissions, Dairy and Livestock, Organic Waste, and Landfill; proposed SB 623, Water Quality: Safe and Affordable Drinking Water Fund; Assembly Bill (AB) 954, Food Labeling: Quantity and Safety Dates; and AB 1321, Nutrition Incentive Matching Grant Program; and ensure the policies, procedures, and regulations are in compliance with the requirements established by proposed legislation. The CEA A will also serve as a policy advisor to the Division Director; oversee ISD's Administration Unit, Office of Farm to Fork (Office), and ISD's workforce, succession, and strategic planning; and direct and oversee the ISD's Information Technology projects.

The CEA will work closely with several industry associations and advocacy groups to understand the work that has been done, summarize grocer and retail measurable changes based on voluntary implementation, and in turn aggregate this information as reportable on CDFA's webpage to demonstrate state progress of AB 954. This requires careful navigation because of parallel initiatives at a federal level and requires the CEA A to help connect the state and federal policy conversations for one workable program across the whole of industry.

The CEA will work closely with the Executive office, CDFA program staff, and CalEPA in order to quantify and capture reportable CDFA data on Food Waste through feed tonnage reports. Currently, the Feed Inspection Program within ISD does not gather this level of data, but under the leadership of the CEA A, ISD will be able to identify categories and off-sets of this tonnage to help CalEPA report on landfill waste diversion reduction goals. The CEA A will work closely with program and CalEPA to determine the criteria necessary to determine the waste reduction goals are being recorded by the feed industry to help achieve critical policy reduction goals (25%) through state government data and industry reporting by 2024.

The CEA will initiate and carefully track progress of the database project for the Safe and Affordable Drinking Water Program. This requires working closely with California Department of Technology to meet very specific time lines for deliverables and form template obligations under Stage Gate model. Once the program begins, the CEA A will track the monthly progress of the system, ensure it is designed to meet the intent of the policy initiative, monitor the total expenditures of the project, estimate future projections for level of effort, and ensure that CDFA meets the time lines as laid out by the intent of the bill. Beyond the build out of the database, the CEA A will help construct a template in coordination with the Water Board for the funds gathered by CDFA and deposited with SWRCB. This will require coordination with leadership and will likely receive quite a bit of public interest as this is a landmark policy initiative.

Other duties include but are not limited to:

Policy Development and Management:

Develop, formulate, and implement statewide policies, procedures, best practices, and legislative and regulatory laws, rules, and regulations to ensure compliance with the requirements established by SB 27, SB 1383, SB 623, AB 954, and AB 1321. Provide expert consultative advice to the Division Director, Secretary, Undersecretary, Deputy Secretary, department management staff, other state agencies, the industry, universities, and stakeholders. Provide guidance, oversight, and leadership to ISD staff to ensure environmental compliance with laws and regulations. Direct, oversee, and supervise the Administration Unit and Office including CNIP, California Refrigeration Grant Program, and the development, policy support, and guidance of the California Farm to School Network.

Administrative Management:

Conduct strategic planning, lean 6 sigma review, and/or establish documented standard operating procedures to optimize state government operations. Serve as a mentor to ISD Branch Chiefs and other management/supervisory staff on a wide range of administrative and technical matters. Oversee, coordinate, and provide guidance for the implementation of ISD's Information Technology projects. Initiate new methodology in the review of difficult policy decisions, analysis of proposed legislation and regulations that affect ISD; develop innovative approaches and solutions to issues affecting ISD and CDFA.

Division Oversight and Representation:

Provide information on policy direction and interpretation for the Governor's Office, Legislature, other administrative and regulatory bodies, media, and public regarding issues that affect California agriculture. Testify as an expert at administrative and legislative hearings. Attend meetings and conferences with governmental agencies, industry groups, and university officials to address and anticipate new issues. Serve on special task force in order to provide input and further policy initiative on behalf of ISD.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description:

The CDFA's mission is to serve the citizens of California by promoting and protecting a safe, healthy food supply, and enhancing local and global agricultural trade, through efficient management, innovation, and sound science, with commitment to environmental stewardship. CDFA will ensure that only safe and quality food reaches the consumer; protect against invasion of exotic pests and diseases; promote California agriculture and food products both at home and abroad; ensure equitable and orderly marketplace for California's agricultural products; and build coalitions supporting the state's agricultural infrastructure to meet evolving industry needs. This proposal is consistent with CDFA's mission statement and strategic plan to optimize resources through collaboration, innovation, and process improvements.

The CEA A is responsible for planning, organizing, directing, and overseeing state-wide policy functions related to Food Labeling, Food Waste, Safe and Affordable Drinking Water, AUS and CNIP. These programs align with the CDFA's primary mission.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The CEA will ensure the development and implementation of statewide policies, procedures, best practices, and legislative and regulatory laws, rules, and regulations to ensure compliance with the requirements of newly established legislation for Food Labeling, Food Waste, Safe and Affordable Drinking Water, AUS and CNIP which includes but is not limited to: SB 27, SB 1383, SB 623, AB 954, and AB 1321.

Food Labeling, AB 954 - Provide a messaging platform and clearing house of resources in cooperation with the California Department of Public Health, retailers, and supporters to establish consistent labeling nomenclature and guidance for food labeling across California.

Consumers contribute 40% of food wasted in today's society and this amount is often greatest when food is discarded from home refrigerators because of ambiguous best if used by, use by, or sell by dates. This policy initiative takes a closer look at food labeling with an aim at waste reduction. The ISD is leading a state-wide effort to bring food system stakeholders, scientists, policy advocates and state agencies to the table to identify the best and most impactful messaging campaign for consumers with the ultimate goal that this will reduce the volume of food waste coming out of commercial and residential locations and may provide a future platform upon which to build impactful policy initiatives upon. Absent this collaboration, the industry continues to develop retailer-specific standards for consumers to navigate only to arrive at the current ineffective and confusing messaging.

Food Waste, SB 1383 - Reduction of short-lived climate pollutants, such as methane from products that are currently disposed of in landfills.

Products that are treated as waste (food, food processing by-products, greenwaste, etc) have traditionally been re-purposed to a limited extent as animal feed or compost. With a concerted effort underway to reduce waste from all aspects of the food system, waste streams are being evaluated for incremental and measurable reduction goals over the next decade in California. There continues to be a developing need for policy-level engagement so that longstanding traditional re-purposing modules are not cast aside for short-term gains to meet measured goals. Examples of this include re-purposing longstanding feed co-products such as almond hulls, citrus pulp, brewer's grains, cull vegetable and many other food processing co-products away from feeding animals in California and diverted to a less-effective alternative such as compost or digestion which generates potent methane greenhouse gas emissions. Feeding animals affords future opportunities to feed people – with meat, milk, and eggs, - and if the policy development is not effectively managed early on, California is at risk for losing these diversion opportunities and thus more grain must be shipped into this state to feed our livestock population: this would not align with the intent of the law and California's future policy direction.

Safe and Affordable Drinking Water, SB 623 - Creating safe drinking water for all communities in California. Legacy nitrate contaminates from fertilizer and manure have been identified as contributing sources and have percolated into California's ground water supply over the years rendering whole communities without a safe supply of clean water.

In the recent legislative sessions there have been multiple attempts to secure a safe and affordable supply of clean drinking water throughout the state. In order to address this issue head-on, the fertilizer industry is being looked to as one source of funding through mill assessments in order to build the infrastructure to provide clean drinking water to these affected communities. Absent this policy effort Californian's are continuing to see the detrimental effects from years ago, surface in our water supply today. These effects have long term health consequences. This is a top priority area of Governor Newsom and requires thoughtful participation and direction by ISD and CDFA.

Antimicrobial Use and Stewardship (AUS), SB-27 - Prohibits the administration of medically important antimicrobial drugs to livestock unless ordered by a licensed veterinarian through a prescription or veterinary feed directive pursuant a veterinarian-client-patient relationship.

This bill was signed into law in 2014. On January 1, 2018, the new law prohibited administration of antimicrobial drugs to livestock solely for the purpose of promoting weight gain and improving feed efficiency. The law requires the Department in consultation with the Veterinary Medical Board, the California Department of Public Health, universities, and cooperative extension, to develop antimicrobial stewardship guidelines and best management practices on the use of antimicrobial drugs and requires the department to gather information on drug sales and usage, resistant bacteria, and livestock management data. In addition, the program requires the tracking of violators, fines, and education for offenders. ISD will serve as the enforcement arm of the program.

California Nutrition Incentive Program (CNIP) within the Office of Farm to Fork (Office) encourages the purchase and consumption of healthy, California grown fresh fruits and vegetables. The CNIP is and expanding and currently manages approximately \$8 million in General and Federal funds.

Due to the success of CNIP, an additional \$15 million was appropriate in 2018. The CEA will provide thoughtful guidance and policy direction to the Office on the implementation of new program mandates of this program. The goal of the program is to reach the broadest audience in California of undeserved and nutritionally disadvantaged population and to support the bounty of California Agriculture and its farmers.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The CEA will develop and implement policies, procedures, best practices, and guidelines impacting the following areas within ISD:

Food Labeling, AB 954:

The CEA will lead a state-wide effort to bring the food systems, stakeholders, scientists, policy advocates, and state agencies together to identify the best and most impactful messaging campaign for consumers with the ultimate goal of reducing the volume of food waste coming out of commercial and residential locations and provide a future platform to build impact policy initiatives upon.

Through a series of meetings, interviews, and stakeholder engagements, the CEA will aggregate information from public and private sources into navigable reports and issue guidelines to the general public and those within the food system. As new information becomes available these resources will be updated. The reports are designed to bring awareness and reduce food waste coming out of consumers homes. Absent these guidelines the amount of food waste that ends up in landfills will continue to climb.

Food Waste, SB 1383:

The CEA will lead the effort to reduce waste from all aspects of the food system. Waste streams must be reduced with incremental and measurable reduction goals over the next decade in California. The CEA must review current policy and develop and implement new policy so that longstanding traditional re-purposing modules are not cast aside for short-term gains to meet measured goals.

The CEA will focus policy efforts to identify and define how the co-products generated in California are quantified as waste diversions away from landfills and into animal feed. Policy implemented will result in the collection of data to be used by CalRecycle's waste characterization study that was initiated in 2014, updated in 2018, and is on-going to meeting the 2024 landfill diversion goals. Absent this data creates a gap in information for the state as it relates to the EPA hierarchy of diverted material.

Safe and Affordable Drinking Water, SB 623:

As a top priority of Governor Newsom the CEA will serve as an advisor and influence statewide policy related to safe drinking water. In addition, the CEA A will oversee and manage the development of a database project to provide a means for collecting funds associated with the initiative.

The CEA A will create the guidelines, including a Memorandum Of Understanding, that identifies and defines how funds are to be transferred between CDFA and the State Water Board for the purposes of fee collection for drinking water assessments. This is critical for the project success of new drinking water infrastructure that brings clean water to thousands of Californians, and also to ensure fund projections and solvency of programs that rely on these fund structures.

Antimicrobial Use and Stewardship Program, SB-27:

The CEA will work in collaboration with the CEA A within the Animal Health and Food Safety Services Division (AHFSS) to develop and implement statewide policy prohibiting the use of antimicrobial drug without a prescription and for the sole purpose of promoting weight gain and feeding efficiency. The ISD serves as the enforcement arm of SB 27. The CEA will develop appropriate enforcement measures and policy including the tracking of violators, the fines assessed for violations, and the potential for an education program for violators with proof of completion within 90 days of the violation.

California Nutrition Incentive Program (CNIP) within the Office of Farm to Fork (Office) encourages the purchase and consumption of healthy, California grown fresh fruits and vegetables. The CNIP is expanding and currently manages approximately \$8 million in General and Federal funds.

Due to the success of CNIP an additional \$15 million was appropriated in 2018. The CEA will provide thoughtful guidance and policy direction to the Office on the implementation of new program mandates for this program. The goal of the program is to reach the broadest audience in California of under served and nutritionally disadvantaged people and to support the bounty of California Agriculture and its farmers. The CEA is directing the development of policy guidelines for eligible grant applicants and recipients focusing on low-income populations.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The CEA will have full responsibility and independent decision-making authority for the oversight, development, and implementation of policies, regulations, rules, and laws regarding Food Labeling, Food Waste, Safe and Affordable Drinking Water, AUS, and CNIP; serve as one of the ISD's key policy advisors to the Division Director, Secretary, Undersecretary, Deputy Secretary, Office of Public Affairs, Legislature, Governor's Office, and other State agencies; and participate in the identification and resolution of executive level policy issues affecting the areas of responsibility within California.

The CEA has independent decision-making authority in the planning, developing, and organizing of ISD's activities. The CEA mentors Branch Chiefs and other managers/supervisors and ultimately provides solutions for a wide range of difficult management and administrative problems, represents the Director with governmental agencies, industry groups and at legislative hearings, and independently meets with representatives to acquire information, determine solutions, and gather consensus on a variety of issues.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CEA will develop and implement new policies regarding Food Labeling, Food Waste, Safe and Affordable Drinking Water, AUS, and CNIP. The CEA will collaborate with Department management, Executive Office, industry, USDA, FDA, stakeholders, and other State agencies to discuss and promulgate policy, best practices, and guidelines for the new areas of responsibility. The CEA serves as a leader for ISD and is responsible for the interpretation and application of existing policy as well as the ongoing development and implementation of new and updated policies and regulations.