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## A Conversation about Water in the West: Ted Sheely

By Julie Murphree, Arizona Farm Bureau Outreach Director

I recently connected with the Sheely family of California and Arizona to talk about water in the west and some of the unique issues we face out here where the Sagebrush and Saguaro stand tall.

Ted Sheely is a lettuce, cotton, tomatoes, onions, wheat, wine grapes, garlic and pistachio farmer in California's San Joaquin Valley and is a board member of the Truth About Trade and Technology, a farming-advocacy nonprofit. Sheely is also the son-in-law of Cecil Miller, Arizona Farm Bureau President from 1971 to 1992.

In a July 29, 2015 editorial published in the *Wall Street Journal*, Sheely said, "We grow crops to feed people. We don't consume water as much as invest it. Our return on investment is the food supply that benefits everyone, including reporters who wolf down takeout lunches at their desks inside the D.C. Beltway. Nobody eats delta smelt, by the way."

He went on to say that the "best long-term solution to California's drought is to build more reservoirs, dams and desalination plants. We haven't done enough of this in the recent past and we aren't doing enough of it today."

So, I knew Sheely would have some interesting insights for us and certainly give us an update on where California is with their water issues.

**Arizona Agriculture:** Because we can have pinpoint accuracy to our agriculture water application in the west, we can produce so much more per acre than anywhere else in the country. How do we translate this truth to a public that's skeptical of agriculture's modern practices and especially its use of water?

**Sheely:** In California, we especially like to say that we grow more pounds of cotton or tomatoes or onions per acre-foot of applied water because of buried drip we use for irrigation. We in agriculture have to keep presenting the facts on water usage in the west not only to the press but to elected officials.



Because of costs, farmers maximize efficiencies. Instead of spraying water on fields, like a sprinkler does on a suburban lawn, I send it through an underground irrigation system. It trickles to precise locations beneath the soil. Rather than evaporate in the summer heat, it satisfies the needs of our plants and nothing else.

I have a huge economic incentive to conserve. When I started farming in the 1970s, an acre-foot of water cost about \$8. Today, I pay an average of \$2,500 per acre-foot.

**Arizona Agriculture:** Your 2015 article in the *Wall Street Journal* was an instructive piece on the deceptive nature of some environmentalists' misuse of water. Do we ever get to a place when we've overcome the propaganda perpetrated by some in this group?

**Sheely:** The environmental community continues the myth that agriculture in California uses 80% of the water. The actual number for California agriculture use is 40%. Urban or residential uses 10% and special environmental projects use 50%. I'm not against water for environmental reasons but the species that water is being taken for, the Delta Smelt and Salmon, in the last two decades have shown "no" improvements in the species' numbers. In 2017, 90% of all delta water flows to the ocean and 10% covers 100% of all agriculture and urban uses.

Excess water use by farmers is a fabrication of environmentalists who want to disguise that they "use" even more

water than farmers.

**Arizona Agriculture:** Despite current challenges to western agriculture's water issues, what can we get really excited about?

**Sheely:** Well, after the last three years in California of a 0% to 5% water allocation, going back to 100% allocation is wonderful. And, as a result of the last three critically dry years, the state of California is looking to build new storage facilities and funding.

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## It's Time for Tax Reform

By Chelsea McGuire, Arizona Farm Bureau Government Relations Director

*If it ain't broke, don't fix it.* It's one of those clichés that became a cliché because of its deep-rooted truth – when something is working, changing it is almost never the way to make it more effective. But when it comes to our federal tax code, most farmers and ranchers would say the inverse of the statement needs to become the cliché: *it's broke, and we've gotta fix it.*

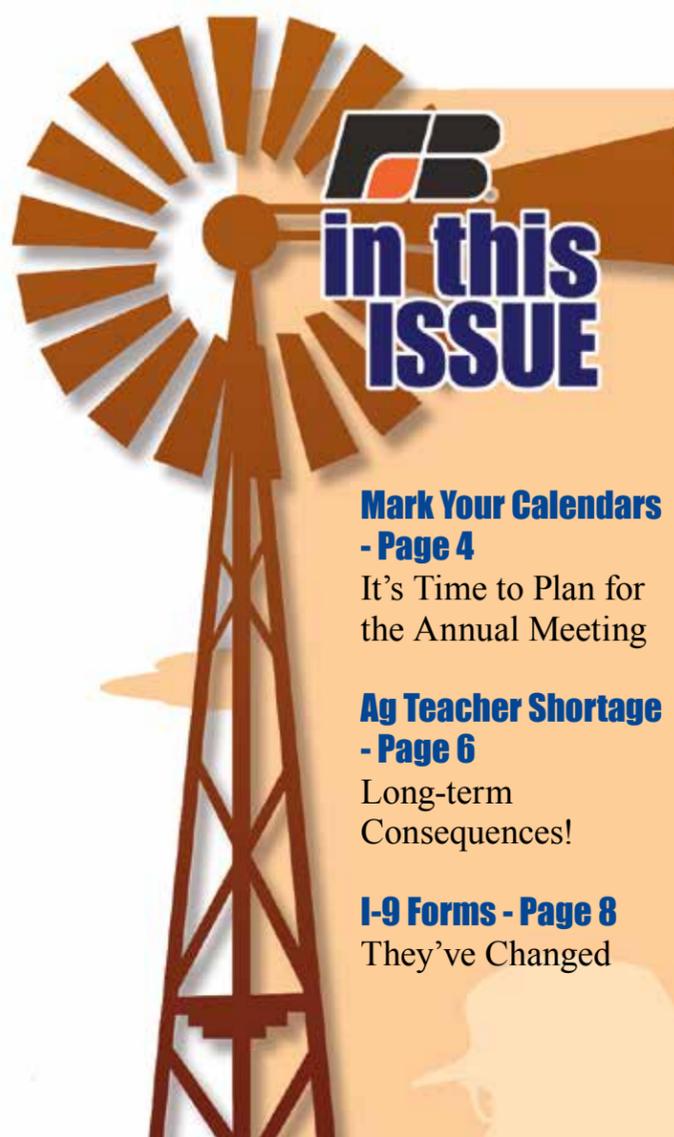
As it turns out, we're not the only ones who feel like our tax code needs some serious overhauling. American Farm Bureau recently released the results of a poll conducted by Morning Consult. The survey specifically asked U.S. registered voters questions about agriculture and tax reform. The nationwide survey showed, consistently and with certainty, that voters support sweeping changes in tax structures to benefit American agriculture.

For example, 72 percent of those polled support lower tax rates for farmers, and 77 percent of those polled who support lower tax rates for family-owned businesses. (And, after learning that 98 percent of farms and ranches are family-owned, four in five U.S. voters agreed they should be extended the same favorable tax treatment offered to small businesses.) A 64 percent majority of the voters polled support repealing the estate tax. Three in five voters say farmland should be exempt from capital gains taxes when it's sold to a member of the next generation, and

the same number of voters say farmland should be exempt from taxes on equipment sales, if the money generated goes toward replacing the equipment. In short, tax reform for agriculture isn't just an industry priority – it's a nationwide priority with wide-reaching support from both sides of the political spectrum.

What's more, there's hope that Congress is starting to recognize this fact, too. In a [joint statement](#) released this July, leadership from the House, Senate, and Treasury came together to express their commitment to reforming the tax code to make it work for American families and businesses. Calling tax reform a "once-in-a-generation opportunity," the group expressed its unified belief that "the single most important action we can take to grow our economy . . . is to fix

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Long-term  
Consequences!

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They've Changed

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These are hopeful outcomes for our future.

Despite all this, the governor's recent signature on the climate change bill will hurt agriculture in California. Our industry has reduced its carbon footprint but we get no credit for the annual crops we grow. We do get some carbon credits for the permanent crops, like almonds and pistachios. However, our biggest concern going forward under these new regulations will be the time, effort and cost it will take to be in compliance with the climate change bill.

Watch what happens in California. If it rolls to the rest of the country, agriculture is in trouble.

We always have to remember the time and money it takes to be in compliance with new regulations. A horrible example is our air quality standards in California. For example, we have to water our roads during the drought. If we don't the fine is \$10,000 per incident.

**Arizona Agriculture:** Is there a case for California and Arizona agriculture to work together more on the water issue? If so, how?

**Sheely:** Arizona and California must work together to keep reminding consumers that the water agriculture uses in food and fiber production is ultimately being used by them, the consumers. They have to be reminded no matter where their food and fiber comes from it takes water to produce these crops.

The engagement with consumers, to me, is as important as any lobbying and work we might be doing with lawmakers.

**Arizona Agriculture:** What modern technology will do the most to help us with our water issues out west?

**Sheely:** I believe in the next 10 years that the transgenic drought tolerant seed varieties hold the most promise for improving agriculture yields with less water use. Growing more per acre with even less water seems impossible but it becomes possible because of biotechnology.

**Arizona Agriculture:** What are your predictions about the future of agriculture?

**Sheely:** People cannot stop eating nor will they give up wearing natural fibers for clothing. The future is bright for agriculture. That being said, the affordability of food and fiber, I think, will continue to be a major factor in future years, especially for developing countries that are unable to produce the supplies of food that the United States is able to do.

**Arizona Agriculture:** Your family farms in Arizona and California. Talk about this. What compliments do you give Arizona and California agriculture?

**Sheely:** Yes, my family does farm in Arizona and California. In Arizona, we enjoy only working with one EPA, at the federal level. CalEPA or California Environmental Protection Agency, a state cabinet-level agency within the government of California, adds another layer of regulations onto business. Arizona also has fewer environmental laws and regulations.

In California, we enjoy the larger number of crops that can be grown here. But Arizona and California combined are the top producers of all the leafy greens the rest of America enjoys 365 days out of the year. Without these two states, Americans wouldn't be eating the amount of leafy greens we enjoy.

**Arizona Agriculture:** The outlook for the cotton crop for the 2017 season looks promising. Talk a little about this. What's making the outlook more positive than in recent years?

**Sheely:** The 2017 California cotton crop looks to be a great crop of Upland and Pima varieties. The availability of higher quality surface water, higher consumption numbers and potentially lower carryovers, equate to more stable to upward prices. Continuing good weather through October would increase yields.

**Arizona Agriculture:** How is your family planning for the future and succession of the next generation of Sheely agriculturalists?

**Sheely:** In my family, we are planning for the future company management with my three children and my nephew focusing in three areas.

1. Day-to-Day Management.
2. Marketing (Pistachios).
3. Technology development.

My wife and I look to what each young man or woman enjoys doing and encourage them into that segment and hope they get as much enjoyment in what they do that we have had. 🚗

**Tax Reform** *continued from page 1*

our broken tax code for families, small business, and American job creators."

For Arizona Farm Bureau, all of this information boils down to another familiar cliché: it's time to strike while the iron is hot. A delegation of our State Farm Bureau Board members are travelling to D.C. in September, where we will discuss our broken and unfair tax codes with Arizona's congressional delegation. We have our finger on the pulse of legislation that will make the tax code fairer for farmers and ranchers, such H.R. 246's proposal to repeal the Health Insurance Tax for small businesses.

And, because there's no more powerful voice than the voice of our members, our Government Relations team has provided you with an easy way to reach out to your elected officials to tell them that it's time for a simpler, more transparent tax structure. We've set up a message that you can send to your Congressional members with just the click of a button – or, you can make the message far more powerful by personalizing it to include a story of how your operation has been impacted by an unfair, unclear, and unworkable tax structure. Just visit our Action Center under the Public Policy tab on azfb.org to make your voice heard today.

**Your Comments Are Your Story**

While we will always provide standard comments about the issue, we hope you'll customize to tell your story. Here are tips from a few advocacy experts for personalizing your message to lawmakers.

1. Make sure you are registered to vote. Lawmakers check.
2. Lawmakers don't care about people outside of their district. So, if you're writing to a legislative or congressional representative, make sure your letter is to your elected representative.
3. Personalize your communication, email, letter, phone call or office visit. It helps to establish your credibility by sharing your background and expertise.
4. Know where your legislator stands on the issue you are writing about.
5. Always be gracious with your words and actions.
6. Always remember to say thank you in your email, letter, phone call or office visit.

For years, Arizona Farm Bureau has worked to fix what's broken. We have consistently advocated for comprehensive reform including repealing the estate tax and lowering capital gains taxes. And now, we're working harder than ever, because we have evidence that our work isn't in vain. It may still be broke, but we're starting to see it fixed. 🚗

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Use the form at right to register for the convention by Oct. 20, 2017

## HIGHLIGHTS



#### Wednesday, Nov 1:

- YF&R Annual Convention & Workshops 12:30 p.m.
- Registration opens 5:00 p.m.
- County Farm Bureau Appreciation Dinner 5:45 p.m.

#### Thursday, Nov 2:

- Registration Opens 6:30 a.m.
- Trade Show Opens 7:30 a.m.
- Auction Block Opens 7:30 a.m.
- General Session Begins & Resolutions 8:00 a.m.
- Keynote Speaker 11:00 a.m.
- President's Luncheon 12:00 p.m.
- Service to Agriculture Awards Banquet and Dance 6:15 p.m.

#### Friday, Nov 3:

- Early Bird Breakfast 7:00 a.m.
- General Session Reconvenes with informative speakers 9:00 a.m.
- Meeting adjourns 11:00 a.m.
- State Board Meeting 11:30 a.m.



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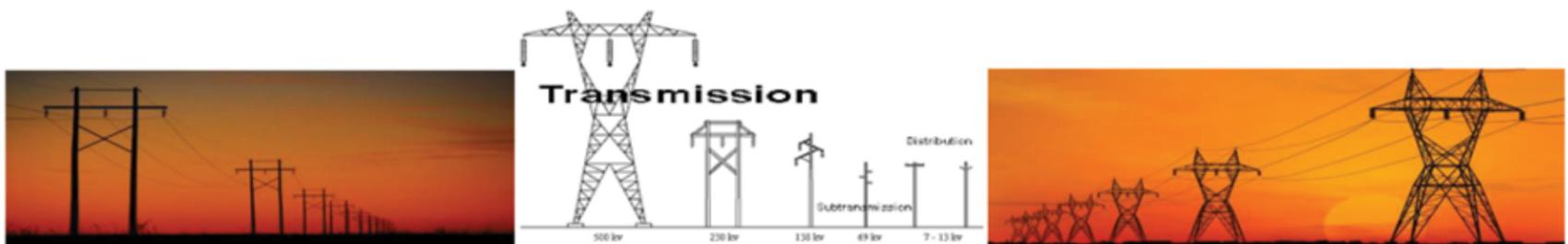
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# Shortage of Ag Teachers Will Have Long-Term Consequences

By Joyce Lobeck, Agriculture writer investigating the agriculture education issue on behalf of Arizona Agricultural Education / FFA Foundation and Arizona Farm Bureau

Arizona has been facing a shortage for several years of agriculture teachers that has officials concerned about its lingering impact on the industry that helps feed the nation.

"Absolutely," the state faces a shortage of qualified and certified agriculture teachers, maintains Dr. Robert Torres of the University of Arizona. And Arizona isn't alone in the problem, one that has existed for several years around the nation, said Torres, Neely Family Endowed professor and department head who is the president-elect of the American Association for Agricultural Education.

The shortage of quality agriculture teachers impacts agricultural education. Schools may be unable to expand or add desired programs and in some cases are forced to close existing programs. This is particularly true for smaller, rural schools that find it more difficult to attract teachers.



Or a school may experience a turnover of teachers that results in a lack of stability in a program and adversely impacts the quality of instruction agriculture students receive.

"Every time we fail to get a qualified, highly motivated person, it's a critical issue," said Torres. "It has a long-term effect on the program. It's a multiplier effect ... if we don't have quality teachers in the classroom, it affects agricultural education and the ability to attract students to the agriculture career field and preparing them to function through that career."

Others share his assessment of the challenge facing agricultural education and its worrisome impact on the industry.

Equally adamant about the shortage is Jeremy Plumb, a former agriculture teacher and FFA advisor who now serves as superintendent of the Mountain Institute JTED in Yavapai County. "Absolutely, there is a shortage nationwide and there has been since I entered the profession 20 years ago."

He estimates there's a 15 to 20 percent shortage nationwide, with far more positions opening each year than new ag teachers to fill them.

This is a critical concern to the agriculture industry on several fronts, said Katie Aikins, director of education for the Arizona Farm Bureau.

With the average age of farmers 59, there's a need to prepare the next generation's work force for the production of the nation's food and fiber, she said. "We need students coming out of school who are able to go right to work."

There's also a need to raise consumer knowledge of where food comes from and support for policies that benefit the farming industry, Aikins said.

"At the very basic level, we need people making policy and decisions who have some experience with agriculture."

The teacher shortage is a case of supply and demand, said Ellen Thompson, National Teach Ag Campaign project director. The campaign is an initiative of the National Council for Agricultural Education, led by the National Association of Agricultural Educators (NAAE) and sponsored by the CHS Foundation, DuPont Pioneer, Growth Energy and BASF as a special project of the National FFA Foundation.

"The demand is encouraging ... wonderful," Thompson said. Programs are being expanded and 94 new ones have been added to meet a growing interest by students in the subject.

However, she continued, "We just don't have the supply (of teachers) to meet the demand."

Nationwide, there is a shortage of between 200 and 400 agriculture teachers a year that impacts tens of thousands of students, she said. In Arizona, there was a shortage of about 20 positions last year that directly impacted 1,600 students.

That year, 23 ag teachers left the profession while there were only six graduates from the UA agricultural educator-training program - although

that number is projected to increase in coming years. Meanwhile, the state added five new agricultural teaching positions.

Some 50 to 100 of the vacant positions nationwide don't get filled on an annual basis and 25 to 30 are closed for lack of an agriculture teacher, Thompson said. In Arizona, two positions were closed for lack of an agriculture teacher in the 2016-17 school year.

This has been a trend for several years, she noted. The saving grace is that many of those vacant positions are filled by alternatively certified teachers, either those with an agriculture background who don't have education degrees or by teachers from other content areas such as science who transition to the agriculture program. Over the years, these people often go on to become certified agriculture teachers.

Thompson attributed the shortage of qualified, certified agriculture teachers to a variety of factors.

Even as new positions are being added, hundreds of agriculture teachers leave the classroom each year due to retirement, moving into non-teaching education positions or leaving the education profession entirely for other opportunities.

While some 30 states are struggling with a shortage of agriculture teachers, Arizona has a higher loss rate even as it has a large interest by students in agriculture programs, Thompson said. "Schools want to add programs but they just can't get teachers. And the state has about a 22 percent loss rate."

Torres said the challenge of filling ag teaching positions is part of a wider problem facing education. "Teachers in general have a high attrition rate. They tend to stay three to five years in the profession."

Kevin Rogers, president of the Arizona Farm Bureau, summed up the farming organization's concern about the shortage: "This is a huge problem that puts the future of our industry at risk. It has been sitting on the back burner far too long and I challenge the agriculture industry to join Farm Bureau in tackling this head on."

He concluded: "The time is now to act on what is important to us, and our common ground has always been our youth - the students of agricultural education and the FFA." 🚗

**Editor's Note:** Watch for a future article on solutions to resolve our state's agriculture teachers' shortage.



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## New I-9 Form Must Be in Use This Month

By Julie Pace, Attorney with Cavanagh Law specializing in employment-related issues

As you may be aware, immigration enforcement is a major priority for the Trump Administration. Work site enforcement and I-9 audits and inquiries by ICE will continue to increase. And in the midst of all this, a new I-9 form was issued.

Your agriculture business needs to make sure that it is completing the new Form I-9 for every newly hired employee, auditing its I-9 forms, complying with the E-Verify requirements as applicable, and otherwise review and follow the immigration compliance strategies we have previously taught, including on how to respond to SSA and identity theft inquiries. As part of your compliance, you should implement the new I-9 as soon as possible.

### What to Know and Do

On July 17, 2017, USCIS issued a revised Form I-9. **All employers must use the new Form I-9 by September 18, 2017.** The newest version of the Form I-9 is dated 07/17/17 in the bottom left corner, with the expiration date of 08/31/2019 in the top left corner. Make sure the new I-9 is fully complete and section 1 must be completed on the first day an employee works for you.

There were changes made to both the Form I-9 instructions and the Form I-9 itself. Make sure to post the new Form I-9 instructions on the wall where you have your required employment posters. And, have the List A, B and C page available for employees when they complete the I-9 form. Do not ask employees for specific types of documents to complete the I-9 form. Always let the employee choose one document from List A or one document from List B and C.

### Details about the New Form

The changes to the new Form I-9 are minimal. One change is that the old sentence that read employee must complete the Form I-9 "no later than the end of the first day of employment" was changed to read that Section 1 must be completed "no later than the first day of employment."

Another change is that on the Form I-9 instructions, the DOJ Office of Special Counsel for Immigration-Re-

lated Unfair Employment Practices was changed to the Immigrant and Employee Rights Section to reflect the new name of the Office of Special Counsel ("OSC OF DOJ") that was changed on January 18, 2017. This is the government agency that handles discrimination charges if a company is considered overzealous in asking for specific or additional documents, or is discriminatory in how it handles SSN mismatches, or if a company targets or singles out individuals with EAD authorizations or permanent resident cards differently than others.

And, another change is that on the Form I-9, List C on the List of Acceptable Documents, it was revised to add the Form FS-240 Report of Consular Birth Abroad and all the certifications or reports of birth issued by the Department of State were combined into one number on the List of Acceptable Documents. The other List C documents (with the exception of List C) were then renumbered.

### September 19 is Your Key Date to Know

Please ensure that the Company implements the new Form I-9 before September 19, 2017. It may also be a good time to conduct an internal I-9 audit and I-9 training to help ensure proper compliance with the immigration, employment verification, and E-Verify requirements, as applicable. Let us know if you want us to complete any I-9s training with booklets and certificates or do any I-9 audits of I-9 forms etc. Please stay vigilant on your internal I-9 audits and ensure your team is trained on completing I-9 forms, avoiding discrimination, know how to re-

spond to government investigations, and are following protocols on responding to police, DES or other third party inquiries about identity issues. Keep safe in the hot summer and take time now to audit your I-9 forms.

The fines have increased significantly. Companies who previously had one audit are likely on the list for a second audit. Those companies who already experienced a second I-9 audit and violations were noted, are likely to see a third audit so it pays to take the time to ensure your I-9s are in compliance. Please let us know if you have any questions or if there is anything we can do to assist you.

Watch for Arizona Farm Bureau and Cavanagh Law to host another webinar on this and other important employee topics in the coming days and months. 📧

**Editor's Note:** Julie Pace's practice handles employment law, handbooks, drug and alcohol policies, I-9 and E-Verify compliance, OSHA, independent contractor and alleged misclassification issues and defends claims of sexual harassment, employment discrimination, retaliation, whistleblower, wrongful discharge, and defends against charges by the EEOC or ACRD. She handles matters involving confidentiality and anti-solicitation of customers and OSHA, ICE, E-Verify, DOL, Davis-Bacon, FAR, SCA, OFCCP, EBSA, NLRB, ADA and healthcare, ADA, FMLA, ERISA, government contracts and wage and hour audits and issues. She regularly provides training to companies and assists with investigations. Julie can be reached at 602.322.4046 or [jp@cavanaghlaw.com](mailto:jp@cavanaghlaw.com).



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