

Between the Furrows

A Santa Cruz County Farm Bureau Monthly Publication

MAY 2024
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Between The Furrows is a monthly publication of the SCoCFB. Members receive a subscription as part of their membership investment.

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Join Us In The Forest



The 2024 Annual Dinner/Meeting will be a very special event and a first location for the Santa Cruz County Farm Bureau. The event on Saturday, June 15th, will be held at Big Creek Lumber's property on Swanton Road in Davenport from 4:00 p.m. to 7:30 p.m. A special VIP "Forestry Tour" will be given to sponsors prior to the event. The dinner/meeting will be in the forest meadow, named "Barley Patch". Get your tickets now for this special event. You don't want to miss it! See details on Page 11 and read the President's Message on Page 2.

Santa Cruz County Farm Bureau **CULTURE**

- The SCCFB is firm in its **COMMITMENT** to provide responsive and effective services to its members, and to be a positive and integral part of the broader community through collaboration, education and social interaction.
- The SCCFB grows on a foundation of **TRUST**, bringing expertise, experience and good faith action to bear on topics related to agriculture, which can be relied upon by farmers, the agricultural community, and the community at large.
- The SCCFB honors and keeps its **TRADITION** of service to the diverse people, commodities and production systems that comprise the unique and complex agriculture community in Santa Cruz County and the Pajaro Valley.



President's Message

Dennis Webb, President



An Event To Remember!

The Santa Cruz County Farm Bureau's Annual Meeting is just around the corner. This year's event will be held on Saturday, June 15th from 4 to 7:30 p.m. at Big Creek Lumber's property on Swanton Road in Davenport. The site of this year's event is in a large meadow we call the "Barley Patch." It's a special place to me, not just because I grew up just up the road, but also because of the many events that have been hosted there before.

Most years, the Barley Patch is visited only by grazing cattle, but it has hosted quite a few events over the many years my family has lived in the Swanton area. Here are just a few of the events that have taken place there:

- Levi's World Championship Ride and Tie. "Ride and Tie" is a little-known sport in which teams race through a cross-country

course (often 50 miles or more). Teams are made up of one horse and two people, who take turns riding and running the course. Every so often, the rider dismounts, ties the horse to a nearby tree, and starts to run. The horse then waits for the other runner, who catches up, unties the horse, and rides on until they have overtaken the first rider. Levi Strauss & Co. of San Francisco sponsored a world championship of this event at the Barley Patch in the 1970's.

- Swanton-Pacific 100-mile Endurance Race. After the Ride and Tie, my grandparents Barbara and Lud McCrary started hosting 100-mile horse races on

Continued on Page 5



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107th Annual Meeting Saturday, June 15, 2024

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ASK MARK

Mark Bolda, Farm Advisor, UCCE,
Santa Cruz County

Cost and Return Study for Strawberries

Q. Could you tell us more about the recently released **Cost and Return Study for Strawberries grown on the Central Coast published by UC Cooperative Extension and the UC Davis Department of Agricultural and Resource Economics?**

A. Yes, I am glad you asked about it, there has been quite a response to this important work. The 2024 Cost of Production Study for Fresh Market Strawberries on the Central Coast is a tool that can help growers and other readers estimate costs and potential returns for growing strawberries in our area.

According to Brittney Goodrich, UC Cooperative Extension Specialist and a co-author, this study provides growers with a baseline to estimate their own costs, which can help when applying for production loans, projecting labor costs, securing market arrangements, or understanding costs associated with water and nutrient management and regulatory programs.

The cost study models a management scenario for a 50-acre farm, 45 acres of which are planted to strawberries, located in Santa Cruz, Monterey or San Benito counties. The remaining acres are for the irrigation system, roads and buildings. The study describes the cultural practices used in strawberry production and harvest, including land preparation, soil fertility and pest management, irrigation and labor needs.

The 19-page study shows costs for each operation, material inputs and costs, and cash and non-cash overhead costs in a variety of formats for one production and harvest cycle. A ranging analysis is also

included and shows potential profits or losses over a range of prices and yields.

The new study, titled "[2024 Sample Costs to Produce and Harvest Strawberries](https://coststudies.ucdavis.edu)" can be downloaded from the UC Davis Department of Agricultural and Resource Economics website at <https://coststudies.ucdavis.edu>.

For a detailed explanation of the assumptions and calculations used to estimate the costs and potential returns for each crop, readers can refer to the narrative portion of each study.

For more information, contact Mark Bolda, University of California Cooperative Extension farm advisor, at mpbolda@ucanr.edu, or Jeremy Murdock in the Department of Agricultural and Resource Economics at jmmurdock@ucdavis.edu.

Sample cost of production studies for many other commodities grown in California are also available at <https://coststudies.ucdavis.edu>. ■



Remember and Honor
All Those Who Have
Served!

THE WATER NANNY

Pajaro Diet

Monterey County is going out of its way to help Pajaro, well maybe to spend a \$700,000 grant for traffic improvements that will make everyone avoid driving through Pajaro. There used to be an old dirt wagon track going south from Watsonville to Monterey. Over time the rail road and a new paved highway arched south. While the Del Monte Express steamed quickly through Watsonville Junction, road travel was very slow. A romantic view of circa 1900 transportation is the vision for the new Pajaro Road Diet.

For the longest time, before the Highway 1 freeway was built, traffic on 1 traveled directly through Watsonville on Main St. as a four lane highway, on into Pajaro, up the hill, all four lanes until the famous Loma Linda restaurant. After the new freeway the Main / Salinas Rd. remained mostly four lanes. This seemed to work well, for heavy trucks, produce and cars, even during the flood and cleanup last year.



I was wrong. There is a new vision of an improved roadway through Pajaro proposed by Monterey County, solely so they can qualify for a state grant. For the road from the Pajaro Bridge to Elkhorn Rd., it proposes, among other things, "to reduce travel lanes from four (4) to two (2) and include Class II bike lanes" with limited parking and access restrictions for cars and semis. All this to improve safety based on a traffic survey in 2015. Historically, when inter-city traffic increased, highways were widened to accommodate. After covid traffic has changed. Driving from Castroville on Highway 1 is gridlocked both ways with weekday commuters and Salinas/Hall/San Miguel have traffic backed up toward Pajaro and Hill Top on Highway 1. Monterey County realigned the Werner Rd. to Elkhorn Rd. to keep traffic flowing, but slowly, while causing major backups toward the railroad tracks on Salinas Rd. Historically this would cry out for road widening to aid the traffic flow.

Monterey County transportation, with short notice, held a meeting last month in Pajaro to reveal the road diet, er lane reduction, to the citizenry. The project was presented as complete, a fait accompli, like Venus leaping from the head of Zeus full grown, a mature idea ready to be built. Glossy

handouts were prepared, more than 50 people attended, six staffers stood in front of the room, without even a PowerPoint prop. Ten minutes into greeting, a local asked a question and the wheels fell off the presentation. Staff did not even know or review the map handout (which later they said was incorrect), did not know the information from the 2015 study, yet were committed to two lanes, trucks and commuters be damned. They did not know the evening traffic turning left on Elkhorn backs up to the railroad tracks in the left lane, allowing cars traveling to Highway 1 in the right lane, which would be closed backing traffic up to the bridge and onto Main St, and limiting emergency vehicles. Left turn lanes from Porter onto San Juan were eliminated on their map. Then there is a question about excess exhaust from all the idling cars, a real health hazard. There is no way after a CEQA analysis that the project could ever be finished by 2026, so the grant would be lost. This presentation was not ready for prime time much less an accomplished project.



If you do not like the road diet, write each of Monterey's five Supervisors to explain your disdain. Maybe our comedians at the transportation department should adopt wit from Will Rogers: *"If everybody (traded his car for a horse) they would be out of debt in a couple of years. Just think, no gas, no tires, no roads to pay for."* ■

Strange But Impossibly True!

A woman was elected to Congress before women's suffrage. Montana's Jeannette Rankin was sworn in as the first female member of Congress in 1917; all American women were given the right to vote in 1920.

Excerpts from the Readers Digest



FAVORITE RECIPES

Luscious Lemon Pie

This recipe was published in a cookbook published by the YMCA back in 1975, "Some of the Best Cooks in the Nation Live In Santa Cruz County". It was submitted by Iku Yamaguchi.

Crust:

1 cup sifted flour
1/2 teaspoon salt

1/3 cup shortening
3 - 4 Tablespoons cold water

Sour Cream Lemon Filling:

1 cup sugar
3 Tablespoons cornstarch
1/4 cup butter
1 Tablespoon grated lemon rind
1/4 cup lemon juice

3 egg yolks, unbeaten
1 cup milk
1 cup dairy sour cream
Whipped Cream
2 Tablespoons walnuts, chopped

Crust: Sift flour and salt into bowl. Cut in shortening until particles are fine. Sprinkle water over mixture while stirring with fork, until dough is moist enough to hold together. Form into a ball. Roll out dough to fit into a 9-inch pie pan. Fold edge to form rim. Flute and prick the shell with a fork. Bake at 450°F for 10-12 minutes, until golden brown. Cool.

Filling: Combine sugar and cornstarch in saucepan. Add butter, lemon rind, juice and egg yolks. Stir in milk. Cook over medium heat, stirring constantly until thick. Cool. Fold in sour cream. Spoon into the baked shell. Chill at least 2 hours. Serve with whipped cream and walnuts. ■



President's Message - Continued from Page 2

an epic course through the Santa Cruz Mountains.

- Filming of "Bumblebee." The 2018 movie "Bumblebee" was set in a fictional California town loosely modeled after Santa Cruz. Big Creek and other local businesses worked with Paramount Pictures to provide some filming locations for the film. For two weeks in 2017, the Barley Patch served as a headquarters for about 200 actors, producers, special effects crews, and other personnel involved in the making of the film.
- Weddings. A number of family weddings were held at this location, including my own. Michelle and I

were married under a grove of redwood trees next to the meadow, and our reception in the meadow was attended by many of the very people who are expected at this year's Annual Meeting.

I hope to see you at the Barley Patch in Davenport on Saturday, June 15. This year's event is expected to be one of our Farm Bureau's largest events ever. Whether you have never been to a Farm Bureau event, or if you have been coming for the last 50 years, this is one you will not want to miss! ■

"Agriculture, the Original Green"

BECOME A FARM BUREAU MEMBER

Join the Santa Cruz County Farm Bureau



The Santa Cruz County Farm Bureau is an important voice for the Santa Cruz County and Pajaro Valley agriculture industry. Everyone is eligible to be a member and receive the many benefits and services available. By joining the Santa Cruz County Farm Bureau you help support agriculture in Santa Cruz County and the Pajaro Valley.

How to Join

Go to www.cfbf.com and click on the "JOIN" button. No need to log in on this page. Go to the bottom of the page and click on NEVER BEEN A MEMBER to set up a new account.

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I am a Member/Supporter of the Farm Bureau because...

I am a Farm Bureau member/supporter because "it helps support agriculture and keeps the farmers going; otherwise, we don't eat."

Lowell Webb, Owner
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Save the Date

Santa Cruz County Farm Bureau

SCCFB 107th Annual Meeting

Saturday, June 15, 2024
Big Creek Lumber Property, Swanton

31st Annual Golf Tournament

Friday, July 12, 2024
Pajaro Valley Golf Club

California State Fair

Friday, July 12, 2024 to Sunday, July 28, 2024
Cal Expo, Sacramento

Santa Cruz County Fair

Wednesday, September 11 to Sunday, September 15, 2024
Santa Cruz County Fairgrounds

Annual Directors' Dinner

Thursday, November 7, 2024
Location to be determined

CFBF Annual Meeting

Saturday, December 1 to Wednesday, December 4, 2024
Monterey

Agri-Culture

16th Annual Down to Earth Women Luncheon

Thursday, May 9, 2024
Driscoll's Rancho Corralitos

16th Annual Testicle Festival

Saturday, August 24, 2024
Estrada Deer Camp

28th Annual Farm Dinner

Saturday, October 18, 2024
Land Trust Little Bee Barn

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David Sanford

I mentioned our department's coming move to the new South County Service Center in my January article, but with the actual date finalized and very near on the horizon I thought it would be beneficial to discuss it one final time!

The primary (Watsonville) Office of the Agricultural Commissioner/Sealer of Weights & Measures for Santa Cruz County is moving from our current and longtime location of 175 Westridge Drive to the **new South County Service Center located at 500 Westridge Drive**. This move is scheduled to take place during the beginning of May 2024, and should be essentially complete by Monday, May 20th, at which point our staff will be permanently working from the new location.

While all our services, functions and phone numbers will remain the same, the interface at the new office location will be different. If you are coming in person to our department, there will be a central lobby area you will enter in order to get to our office reception. There will also be several phone kiosks in the lobby with a directory of County staff names and extensions so that you have the option of calling a specific staff member directly upon arrival should you have an appointment.

If you need to bring scales or meters to the office for testing and sealing, we will need to coordinate with you on the drop-off/pickup process. **Prior to bringing any scales and/or meters for testing to our 500 Westridge Dive location, please call 831-763-8080 to arrange a drop-off time.** Scales/meters will need to be dropped off at the rear of the building where our new warehouse and testing facility will be located.

For other department services such as annual business/license registration (Pest Control Businesses, Farm Labor Contractors, Pest Control Advisors, etc.), permit renewals or updates, or certified producer certifications, **please call 831-763-8080 to arrange an appointment prior to coming to the office.** Alternatively for registrations (PCB, FLC, PCA, etc.), you can now log into your **CalAgPermits account** (calagpermits.org) and register/pay online without coming into the office. Look for another communication from us on CalAgPermits soon.

Thank you and we look forward to serving you beginning May 20th, 2024 from our new office located in the South County Service Center, 500 Westridge Drive in Watsonville. ■

**FOOD FOR
THOUGHT**

**"Tell me and I forget, teach me and I may
remember, involve me and I learn."**

Unknown



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CAN THE RIGHT TO A JURY TRIAL BE WAIVED?



On February 26, 2024, in *TriCoast Builders, Inc. v. Fonnegra* (S273368), the California Supreme Court determined the trial court did not abuse its discretion in denying Plaintiff's motion for relief from its waiver of a right to have its case decided by a jury. The Supreme Court said that

Plaintiff failed to prove actual prejudice resulting from having the case decided by a judge instead of a jury.

The case was about a house repair. Defendant hired Plaintiff to repair his house but was unhappy with the work, so he fired Plaintiff and hired a new contractor. Plaintiff then sued Defendant for damages to pay him for his work and to enforce a mechanics lien against the property.

The trial court set the case for a trial after four years of pretrial proceedings, including Defendant's demand for a jury trial and posting jury fees. Plaintiff did not demand a jury trial and did not post jury fees. On the morning of trial, Defendant announced it was waiving a jury. Plaintiff immediately objected and said it wanted a jury trial and would post jury fees that same day. The trial court denied Plaintiff's request for a jury trial because Plaintiff failed to post jury fees earlier. The trial judge said Plaintiff could challenge the ruling by seeking a writ in the Court of Appeal. Plaintiff however did seek a writ.

After the judge trial and judgment, Plaintiff asked for a new trial, saying the judge abused his discretion to deny its request for relief from waiver of its jury right. Plaintiff contended it had prepared for a jury trial and that neither the trial court nor Defendant described any prejudice from Plaintiff's request for a jury. The trial court denied the motion, again pointing to Plaintiff's failure to pay jury fees.

Plaintiff then appealed. Plaintiff lost again in the Court of Appeal. The Court of Appeal rejected its arguments holding that Plaintiff failed to show actual prejudice from the bench trial as required by California Code of Procedure § 631. The Court of Appeal also criticized Plaintiff for waiting until after the court trial and judgment rather than seeking immediate

review of the decision. Plaintiff then sought review in the California Supreme Court.

The California Supreme Court agreed to hear the appeal to consider two questions related to deciding requests for relief from jury waiver under subdivision (g) of § 631: (1) whether a trial court must always grant relief from a jury waiver if proceeding with a jury would not cause hardship to other parties or to the trial court, and (2) whether a party must show actual prejudice to win when challenging the denial of relief from a jury waiver for the first time on appeal of the judgment of the trial court, or will prejudice be presumed.

The Supreme Court first said § 631(g) does not limit a trial court's discretion to grant or deny relief from waiver without showing hardship to the trial court or the opposing party. The Court said § 631(g)'s text gives courts an "open-ended grant of discretion" that disfavors any single factor and that trial courts "should consider all factors relevant to whether granting relief in the particular situation before them would be just." The Supreme Court said that the primary consideration is "whether granting relief from waiver would result in any hardship by other parties or to the court, such as delay in rescheduling the trial for a jury or inconvenience to witnesses." Other things regularly considered by courts include "the timeliness of the request [for relief]; whether the request is willing to comply with applicable requirements for payment of jury fees; and the reasons supporting the request."

The Supreme Court then agreed with the Court of Appeal that the trial court was not required to grant Plaintiff's request for relief from waiver after it established that no hardship would result from a jury trial. The Court said that Plaintiff deliberately chose not to pursue its jury right and only later changed its mind after Defendant suddenly waived a jury. Plaintiff then waited until after the trial court's judgment, rather than seek writ review of the trial court's denial.

The Supreme Court distinguished waiver of a jury by Plaintiff versus waiver by a party who is deprived of their constitutional right to a jury. Once a party has validly waived its right to a jury trial, that party no longer has that right because it affirmatively waived it or chose not to invoke it.

Continued on Page 9

SWEEP returns!



After the premature closing of its direct-to-grower solicitation back in December, the State Water Efficiency and Enhancement Program (SWEEP) is coming back online through a new pilot strategy of regional 'block grants' that were not impacted by state budget cuts. The new block-grant strategy allows clusters of partner organizations to distribute SWEEP funding and provided targeted assistance to farming operations in a particular region. Fortunately for those of you in the Pajaro Valley, the RCD of Santa Cruz County was a recipient of one of those block grants. Partnering with our neighboring RCDs we will be administering a total of \$4 million dollars for farm projects that can save both water and energy in Monterey, San Benito, Santa Cruz, and San Mateo Counties.

Under the Pilot Block Grant model, your proposal will compete within a much smaller applicant pool (compared to the statewide competition in the traditional direct-to-grower solicitation). However, the program demand is high within our region, and will likely exceed the funding availability. All operations are encouraged to apply, but keep in mind this is a competitive solicitation, and it prioritizes assistance to socially disadvantaged farmers and ranchers.

The request for applications will be open from April 10th to June 10th. The CDFA-SWEEP program offers agricultural operations an opportunity to receive financial support (up to \$200,000 per operation) for implementing projects and investing in irrigation system upgrades and energy supply systems that BOTH conserve water and reduce greenhouse gas (GHG) emissions. Some typical requests include soil moisture sensors, flowmeters, irrigation automation equipment that will lead to decreased water use, VFD's, solar panels at the pump, electric pumps to replace diesel, etc. These are just examples. Anything that can improve water use efficiency and reduce greenhouse gas emissions is eligible.

Each local RCD will be ready to assist interested growers in applying for the funds and designing your project to be as competitive and climate beneficial as possible. All projects will be evaluated and ranked based on a third party vetted scoring rubric and selected projects will be awarded later this year.

For more information, visit the RCDSCC website: www.rcdsantacruz.org and/or call Sacha Lozano (831-205-3758) or Dan Hermstad (831-205-3739). ■

Legally Speaking - Continued from Page 8

Under these circumstances, it is appropriate for courts to require parties like Plaintiff to show actual prejudice before reversing a judgment and ordering a new trial.

This decision will guide parties challenging a trial court's denial of a request for relief from waiver of jury trial. Writ review is the preferred to correct an erroneously denied jury trial because it allows resolution before trial begins. This minimizes litigation and promotes judicial economy. And jury fees should have been posted at the beginning of the case to protect the right to a jury trial.

Unless they seek a writ, the party seeking to set aside the jury waiver would have to show both error in the conduct of proceedings and prejudice by the error if the litigant foregoes a writ review and instead seeks direct review of the court's judgment. And this opinion emphasizes that lack of hardship to the court or to other parties, though generally controlling absent other factors, is not decisive and is not the only relevant consideration under section 631(g).

The right to a jury trial is an important legal right. It should be exercised early and carefully guarded. ■

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The Santa Cruz County Farm Bureau presents

107th Annual Dinner/Meeting

Big Creek Property

Swanton Road, Davenport, CA

Saturday, June 15, 2024 • 4:00 p.m. - 7:30 p.m.

Please RSVP by June 5, 2024



Tickets: \$100 per person

Reception: 4:00 p.m. • Dinner: 5:15 p.m.

Program also includes:

- ◆ 2024 Farmer of the Year
- ◆ Election of Officers & Directors



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Between the Furrows

A Santa Cruz County Farm Bureau Monthly Publication

CALENDAR

THURSDAY - MAY 2
Policy & Resource
Committee meeting

WEDNESDAY - MAY 9
Down to Earth Women
Luncheon

FRIDAY - MAY 10
Focus Agriculture, Class 33
Session 3

MONDAY - MAY 27
Memorial Day Observed
Office Closed

THURSDAY - MAY 30
Board of Directors' meeting

THURSDAY - JUNE 6
Policy & Resource
Committee meeting

FRIDAY - JUNE 7
Focus Agriculture, Class 33
Session 4

SATURDAY - JUNE 15
107th Annual Dinner/Meeting
Big Creek Lumber, Davenport
4:00 p.m. - 8:00 p.m.



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