

Between the Furrows

A Santa Cruz County Farm Bureau Monthly Publication

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

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President's Message

The Importance of Agriculture



ARNETT YOUNG, PRESIDENT

capable of abstract thought and storing past memories to name a few things. Although the brain is an amazing organ, it is not infallible. This was evident when talking with an old friend about how much agriculture was still active in and around Cupertino when we were kids.

Let's step back. There are two major categories of memory, short-term and long-term. Short-term, often called "working" memory is good for shopping lists. However, it is not perfect (anyone who has forgotten the milk can attest to this). One classic experiment on working memory is the "Invisible Gorilla". Participants are asked to watch a video of people passing a ball to one another. The goal

The human brain is an amazing construct of human evolution. It is 2% of our body weight but it is essential for regulating body emotions, language development,

is to count how many times the ball is passed. At the end of the video, participants are asked for the number of passes but they are also asked, "Did you see the gorilla?" During the video a person in a gorilla suit walks through the middle of the frame. Surprisingly, 50% of the people never saw it (look the video up and try it with a friend).

Long-term memory is the second major category of memory. This is where we store our knowledge of the world, past events or

procedures. As time goes on, these memories can change. We unintentionally add or subtract things, kind of like the telephone game we played as children. The message might start off as "The duck in the pond is brown" and by the last person the message would be "Duck, Mr. Brown is jumping the fence". Some of the original components are there but the story is quite different.

So now back to discussion with my friend. I had recently noticed houses being built at the location of one of the last orchards I knew of (right off Hwy 17 in Los Gatos). Using Google Earth, I had located one other orchard in our old stomping grounds but that was all (I can't say if it is actively

"Seeing agriculture quietly disappearing where I grew up reminds me of how lucky we are in Santa Cruz County. We still have a productive and vibrant agricultural community. However, if we do not actively protect agriculture in our county, this can quickly change."

Continued on Page 2

Thank You

Thank you to the many contributors for financially supporting the Farm Bureau's effort to vaccinate farmworkers the past few months!

Please consider making a donation to the Santa Cruz County Farm Bureau so we can continue this important work. You may send a check to Farm Bureau, 141 Monte Vista Avenue, Watsonville, CA 95076, or with a credit card go to the Santa Cruz County Farm Bureau website, www.sccfb.com, and click on the general donation button. Be sure to add a note it is for Farm Bureau vaccines.

President's Message Continued from page 1

being farmed). I shared this with my long-time friend, which lead to us discussing how much agriculture was in operation in the mid 70's. My memory was of orchards scattered throughout the area, yet my friend remembered very few. However, we agreed that by the 1970's, agriculture was dying as the new housing market was exploding.

Seeing agriculture quietly disappearing where I grew up reminds me of how lucky we are in Santa Cruz County. We still have a productive and vibrant agricultural community. However, if we do not actively protect agriculture in our county, this can quickly change.

"Crayons can teach us a good lesson. They are different colors, have strange names, but all of them learn to live together in the same box"



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ASK MARK

**Mark Bolda, Farm Advisor,
Strawberries & Caneberries UCCE**

Strawberry Runners

Q. Could you write a little bit about runners in strawberry?

A. Runners in strawberry are an important topic for all strawberry growers to understand.

Strawberry runners, also known as stolons, are actually stems originating out of the axillary buds of the fleshy crown. Each strawberry plant produces on average a dozen runners over a growing season. The small plants emerging from these runners are genetically identical "daughters" of the plant from which they come. As time goes on, a runner grows out the daughter plant already rooted and established to produce another daughter plant and if left to grow, these will produce a chain of successive daughter plants. This form of asexual propagation is in fact the way almost all the planting stock for California strawberry fruit production is grown.

Since runners are a vegetative part of the strawberry plant, they are influenced by conditions which promote or detract from vegetative growth. Generally speaking, for strawberries an excess of cold conditioning, especially that which occurs after harvest in Northern California in the fall, results in more runners, while a deficiency of the same will result in less.

Growers should not let their fruit production strawberries grow too many runners. Strawberry runners represent a commitment of resources to the plant, and subsequently their growth, especially when in excess, will detract from fruit yield. It is suggested to remove them by regular cutting, and indeed this is what most strawberry growers do.

Strawberry runners and their management in the production of fruit are a significant issue for some growers here on the Central Coast. As my agricultural economist colleague and I are currently working on the revision of the 2016 Strawberry Cost and Return study for UC Cooperative Extension, we are finding that there is a great deal of variation in the cost of cutting these runners. In the main, UC varieties such as Monterey, San Andreas and Fronteras produce many runners and growers spend a lot of money to cut them, often citing costs well above \$1000 per acre to keep them down for the whole year. Conversely, many of the proprietary varieties do not runner very much at all and therefore grower costs are much lower, most often quoting with us a cost of one or two hundred dollars per year.

The above has been a discussion of runnering in strawberry, both the plant physiological aspects and also the facets of dealing with them in the fruit production field. For questions about this topic and others in berries, please contact Mark Bolda at UC Cooperative Extension, mpbolda@ucanr.edu or telephone 831 763 8025.

True or False: The largest freshwater lake in the world is in the United States.
See Answer on page 4



"Agriculture, the Original Green"

THE WATER NANNY

Stories

I will be the first to concede that I have not posted my daily dance routine to TikTok, you won't find me on Instagram or OkCupid, but I can regal farmers around the cracker barrel with fanciful tall tales. Success on TikTok and Instagram, although I am not sure about OkCupid, as well as any well told tale depends on the quality of the story and a fit for the audience.

Some professions attract good story tellers, indeed it is a necessary skill for a sales person. Engineers not so much, and accountants are rumored not to even be able to tell a good joke. Not all stories, like movies, are well told. If you recall the story, that is good, if you can only remember the stumbling sad sack who told it, but not the tale itself, that is not. As much as farmers will tell you farming is an art, we are closer to engineers in focus and discipline. We have to plan and execute with scientific precision through the season to be successful, it is described as an art because we have no words to fill in the story. We may tell great stories about our last fishing trip, but seldom can keep people awake with accounts of the first budding of the crop in spring.

Stories, anecdotes, movies and legends all have similar elements, an enticement to start, substance and a memorable end. So I present you with two coins, one marked George I and one marked George IV. One is genuine the other is a forgery. Which is the forgery? So far so good, but it needs a wrap-up, and thus leaves you wanting, or questioning my English heritage.



This is the problem Ag faces with bureaucrats, regulators and political leaders. It is unlikely that any know how to farm, only 2% of the U.S. are farmers. Many seem to think that lettuce is grown in the back room at Safeway. Yet, when we go meet with them, which fortunately is seldom resulting in little practice, we wow them with observations of bud break and little more. YF&R has an annual competitive Discussion Meet (national winner gets a tractor) to "simulate a committee meeting". Participants are judged on understanding and "discussion skills". (I believe most farmers think committees are forced short term confinement, to be avoided.) These skills are far short of good story telling, much

less effective advocacy.

A good example of poor thematic development is the evolution of Santa Cruz cannabis regulations. What a captivating subject. All the element were there, generations of hippies growing pot in the mountains, Monterey County jumping ahead and reaping high tax revenue, and empty greenhouses. This should tell itself. It didn't. Somehow during the "discussion" no story line was developed. A mash of cottage grows, angry neighbors and a historically intransigent planning department prevented a simple sexy story from becoming the focus of the Board of Supervisors. Part of this was growers pointing out the tax benefits while simultaneously complaining about high taxes. It became a committee discussion, not promotion of a clear goal. There was no concluding scene where the cowboy rides off into the sunset, only mixed reviews and no beneficial decisive action.



Farmers need to find better story tellers among our peers. We need to learn to recognize a convincing story line so we can evaluate if those we hire are capable of success. Too often we hire techno geeks who precisely describe budding and lose the audience. The presentation should hold the attention of the listeners until the end, whether through suspense or elucidating facts in a way city folks will understand. We need to seek out advocates, or develop "representative farmers," who can complete the story magnificently. So to end our suspenseful tale, any good counterfeiter would know that no mint would press a coin for George I as it was then unknown if there ever would be a George II.



Answer: True! Sort of. Lake Superior is the largest freshwater lake in the world and is on the border between the United States and Canada.



FAVORITE RECIPES

Raspberry Tiramisu

This recipe comes from California Giant Berry Farms website at <https://www.calgiant.com/recipes/raspberry-tiramisu>. Check it out for more fun berry inspiration!!

INGREDIENTS:

10 egg yolks
1 $\frac{3}{4}$ cups sugar
16 oz mascarpone
2 cups heavy whipping cream
1 tsp vanilla

2 packages lady fingers
 $\frac{1}{2}$ cup cocoa powder
2 cups brewed coffee
12 oz raspberries
Red food coloring

DIRECTIONS:

Whisk together the egg yolks and $\frac{3}{4}$ cup sugar until light yellow in color and fluffy.

Lightly simmer a small pot of water and place a bowl that fits tightly into the pot. The bowl should not be touching the water, just set above it. This is your double boiler. Add your sugar and egg yolk mixture to the bowl and whisk continuously for approximately 10 minutes or until thickened. Let slightly cool.

Beat together the egg yolk mixture and mascarpone until no clumps are left. Let cool in refrigerator.

Meanwhile, simmer 6 oz raspberries and $\frac{1}{4}$ cup sugar on low for 5 minutes. Blend until smooth. Let cool completely.

Using the whisk attachment, whip heavy cream, $\frac{3}{4}$ cup sugar, and vanilla until stiff peaks form. To do this best, beat on low until cream starts to thicken, then turn up the speed and beat the rest of the way.

Gently fold in $\frac{1}{3}$ of the whipped cream into the mascarpone mixture at a time. Fold in raspberry puree and 5 drops of red food coloring (or until your desired color).

Quickly dip both sides of each lady finger into the coffee and then line them up in two long rows in a 9x13 glass baking dish. If needed, you can break the last few ladyfingers to make fit in the pan.

Gently spread half of raspberry mascarpone mixture over top of the lady fingers. Using a sifter or fine mesh strainer, dust the top with cocoa powder.

Repeat dipping the second package of lady fingers in coffee and lay out on top of raspberry mascarpone. Top with remaining raspberry mascarpone mixture and dust again with cocoa powder. Top with fresh raspberries and chill in refrigerator for at least 2 hours or overnight.

Serve chilled.

Interesting Trivia

The Pinto Lake area was part of a 15,400 acre land grant from Spain to Jose Amesti who, in 1844 deeded the land to his wife, Prudencia de Vallejo. The lake was named for Rafael Pinto, son of Serafin Pinto, the Chief Civil Officer, or Alcalde, of Branciforte, who married Maria Amesti. The north portion of Pinto Lake passed into the hands of Charles Ford in 1861 who sold it to George SP. Cleveland the next year. Cleveland constructed the buildings and developed this 164 acre parcel as a ranch. In 1974, the County of Santa Cruz purchased the north portion of Pinto Lake "to protect the lake while providing recreation."

Pinto Lake lies close to the south west end of Santa Cruz County, in the Pajaro Valley, halfway between the Pacific Ocean and the crest of the Santa Cruz mountains. Pinto Lake itself covers 110 acres and is one of the few natural fresh water lakes of its size on the Central California Coast. Pinto Lake City Park consists of 78.52 acres of parkland of which about 70 acres are water.

Pinto Lake County Park consists of approximately 180 acres of which 40 acres are water. It is fed by several creeks, including Pinto Creek, and drains into Corralitos Creek.

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KEY REMINDERS TO PROTECT FIELDWORKERS WHEN PESTICIDES ARE USED



Spring is here and agricultural activities will continue to ramp up as we head into Summer. These activities include determining which fields to harvest, coordinating the best timing of pesticide applications and protecting fieldworkers and others.

As you take on this important work you must keep in mind that **communication** with your own employees and those of neighboring agricultural growers is absolutely essential.

It is strongly recommended that you inform your neighbor of any planned pesticide application at least two (2) days ahead of time so that they can plan their harvesting or other agricultural activities accordingly. Take time to assess any neighboring fields that have recently been treated before you direct your employees to harvest adjacent to those areas. Remember that certain pesticides can have offending odors even after the application has been completed.

It is essential that you and your pesticide handlers remain alert while conducting pesticide work and take a **proactive** approach to keep fieldworkers and other bystanders safe. Remember to continually monitor the weather and wind direction and be familiar with the application equipment you are using. If you or your pesticide handlers see fieldworkers within 100 feet of the application site, **STOP** the application until you can assess the situation and can determine if it is safe to continue. Keep in mind that thanks to the type of commodities we have in our county, rarely do fieldworkers remain in one location for more than one hour. Fieldworker crews are constantly moving from one part of a field to another. It is best to stop an application and wait until fieldworkers have moved to a safe distance. Remember that protecting the well-being of fieldworkers is everyone's priority.

If you are not sure who your neighbors are, please let us help. Call our office at (831)763-8080 and we will be glad to provide you with that information. Remember that it takes all of us working together to have a safe harvest season and to protect one of our most valuable assets: the **fieldworkers** that play a key role in bringing food from farm to table.



The California Legislature is considering a bill that will hamstring farmers using the H-2A temporary agricultural worker visa program. California farmers are turning increasingly to the H-2A as the aging workforce makes it more and more difficult to hire U.S. workers. AB 857 (Kalra) requires new and duplicative disclosures of information H-2A workers already receive, likely causing worker confusion and encouraging litigation. Worse, AB 857 requires the Labor Commissioner to create and distribute a template for that disclosure that misstates California law by saying H-2A employers must pay employees voluntarily using

employer-provided transportation their regular rate of pay, when voluntary transportation time is not compensable, and if an employer chooses to compensate employees for that time, they are required to do so only at a rate at least the minimum wage. As a result, AB 857 mischaracterizes state law, imposes needless costs on H-2A program employers and invites litigation against employers.

Please act today to stop AB 857. Click: [Oppose Costly H-2A Changes](#)

Staff contact: Bryan Little, blittle@cfbf.com or 916-561-5622.

Letters of Intent and Contracts



In the real estate market, sometimes when a deal falls through, one of the parties tries to enforce a "letter of intent" (LOI) or "memorandum of understanding" (MOU) as the parties' binding contract.

One court described an LOI as a writing documenting the preliminary understanding of parties who intend in the future to enter into a contract. However, courts do not always look at the LOI as an agreement to later agree. Sometimes they enforce the LOI or MOU. To avoid being bound by incomplete or imprecise terms of an LOI or MOU, the parties should draft them carefully. Otherwise, the risk is having a court construe their LOI or MOU to be a binding contract requiring the parties to comply with what at least one party believed were just "proposed" terms. Overall, the intention of the parties in signing the LOI controls whether the document is binding. If the document is unambiguous concerning whether it is enforceable, California courts will look to the actual written words to determine whether the parties intended the document to be a binding final contract.

Labeling a document, a "letter of intent" may not be enough to preclude a court from finding that a document is an enforceable contract. In one case, a buyer of machinery signed a "letter of intent" in which the buyer agreed to pay to acquire (for resale) certain machinery, structures and supplies. After approving the "letter of intent," the seller later told the buyer the "deal was off." Notwithstanding that the document was called a "letter of intent," the court found that aside for one provision in the letter of intent which concerned the removal of a hoist, the letter of intent embodied all the terms and understandings of the parties and was, therefore, fully enforceable.

Instead of just labeling a document a "letter of intent," the document should say clearly that it is not an enforceable contract. Some examples of provisions which have been upheld by California courts include:

"There is no agreement until the parties enter into a formal written agreement;" or

"The validity of said proposed agreement is subject and conditioned upon the parties agreeing upon and reducing to writing all terms and conditions necessary and incidental to the validity of said proposed agreement."

In the commercial leasing, one California court held that a LOI was not an enforceable lease where it said that if "a lease upon the above terms and conditions has not been executed within 30 days from the date hereof, both parties reserve the right at any time hereof, but prior to the execution of such a lease, to terminate this offer."

Even when the LOI contains the necessary language to avoid an enforceable contract, a party who, after signing an LOI, negotiates in bad faith may still be subject to a potential claim. In one case, the LOI said, among other things, that the defendant, an ice-cream supplier, would agree, subject to a separate co-packaging agreement and negotiated price, to provide an ice cream maker with a three-year co packaging agreement for the sale of ice cream. After the parties entered into the letter of intent, the parties continued negotiating the terms of the co packaging agreement. However, two months after the parties entered into the letter of intent, the ice cream supplier wrote the ice cream maker to end the negotiations over the co-packaging arrangement.

The ice cream maker sued, alleging breach of contract against the ice cream supplier for "unreasonably and wrongfully refusing to enter into any co-packaging agreement" with the ice cream maker. The California Court of Appeal held that while there was no cause of action for breach of the co-packaging contract, the parties had entered into a "contract to negotiate the terms of the agreement." In other words, the court construed the LOI as requiring the parties to negotiate in good faith. Because the LOI properly reflected that it was not the final agreement, damages were limited to the ice cream maker's reliance on the "agreement to agree" rather than the profits the ice cream maker hoped

Letters of Intent and Contracts - Continued on Page 9

Letters of Intent and Contracts - Continued from Page 8

to have earned though the co-packing agreement and other ice cream sales.

So, California courts look at the LOI or MOU taken as a whole to determine whether the parties intended a binding final contract. So, parties should clearly say whether or not it is intended to create a binding contract. Parties should still be cautious because even where they do not intend a final contract and the proper cautionary language is used in the letter of intent, under California law, a party may still be held to a duty to negotiate in good faith. So, care must be taken to make sure no contract is created or breached before the final documents are signed.

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a smile can be a good deed, especially
for those who need it the most.**

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Tiffany Pedulla, Alta Vista Farms



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HOW TO JOIN

To join the Farm Bureau, complete the Agricultural Member Application or the Associate Member Application

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.

Questions? Contact the Santa Cruz County Farm Bureau at 141 Monte Vista Avenue, Watsonville CA 95076

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- JJ Scurich, Creekside Farms



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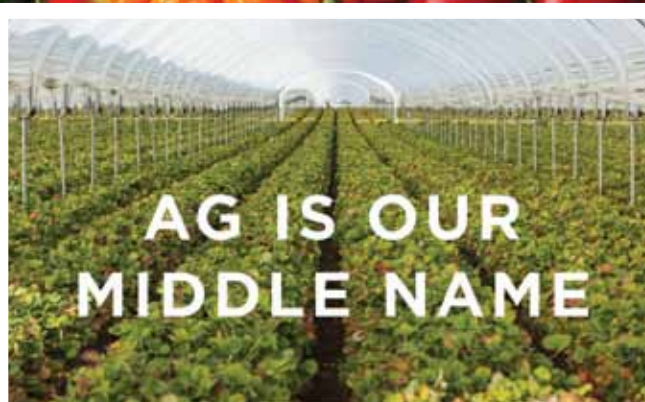
CALENDAR

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National Agriculture Day
Spring Luncheon
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THURSDAY - MAY 27
Board of Directors' meeting

MONDAY - MAY 31
Memorial Day Observed
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