



Kansas Agricultural Alliance

816 SW Tyler Street, Topeka, Kansas 66612, 785.234.0463



Dear Governor Laura Kelly:



We are thankful for the leadership you, Lieutenant Governor Lynn Rogers and Kansas Department of Agriculture (KDA) Secretary Mike Beam have displayed during these uncertain times. The concerns around the rapid spread of COVID-19 have already had a major impact on our daily routines.



Both you and President Donald Trump have noted our food supply is vitally important and is an essential service. We must recognize our critical infrastructure for food not only includes supermarkets and distribution centers, but also heavily relies on those listed in the supply chain below. Without these integral organizations, there would be no food in those retail establishments.



This infrastructure includes those taking care of livestock, poultry and equine, those producing and processing feed for livestock, poultry, equine, meat, eggs and dairy processing plants, agricultural supply infrastructure (including seed, crop protectants, fertilizer, etc.), planting and harvesting of crops, fruits and vegetables; and transport between all these critical supply points.



Additionally, agricultural and food processors as well as agricultural equipment manufacturers have existing facilities that can be converted to producing potentially lifesaving materials such as sanitizers and emergency medical equipment. It is imperative that these facilities not be subject to burdensome excess taxes or unrelated regulatory barriers that could prevent them from assisting during this pandemic.



We would implore you to designate the agriculture commodity community as an essential service if you decide to deploy a “shelter in place” or “quarantine” order. On March 19th, the Department of Homeland Security Cybersecurity and Infrastructure Security Agency (CISA) released guidance to help state and local jurisdictions and the private sector identify and manage their essential workforce while responding to COVID-19. We would respectfully ask that you reference and follow this guidance should you choose to deploy such “quarantine” orders. This guidance can be located at <https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>. This guidance also recognizes the importance of utility providers in the essential service category as they undergird almost all functions of daily life for farmers, agribusiness, manufacturing, families and communities.



We also ask that such guidance be adhered to by county and municipal jurisdictions and that you support and promote such uniform policies within the state.



We believe the personnel who should be designated as essential in order to continue food production in the state of Kansas include, but are not limited to:



- Farms and Processing employees
- Food safety, safety managers, quality control, maintenance, mechanical crews and human resources



- *Feed mills and feed delivery*
- *Flour mills and bakeries*
- *Feed ingredient suppliers*
- *Sanitation teams*
- *Biofuel Producers*
- *Fuel, lubricants and propane suppliers*
- *Renderers*
- *Veterinarians and other animal/bird health professionals*
- *Live animal and bird, product, and other farm/processing transportation teams*
- *Required inputs transportation teams*
- *Production and distribution of food packaging materials*
- *Manure/poultry litter/waste water removal and distribution*
- *State and USDA food safety inspectors, graders and auditors*
- *Grain graders and testers*
- *Grain operations personnel*
- *Export Terminal Facilities*
- *Seeds sales and delivery staff*
- *Agronomists*
- *Agricultural Researchers*
- *Truck drivers for seed, fertilizer and crop protection products*
- *Farmers who transport their own grain to elevators*
- *Commercial haulers of grain to market*
- *Dairy haulers*
- *Equine Facilities personnel*
- *Logistics staff involved in transport of meat, milk, eggs, grain and grain byproducts to customers in domestic and export markets*
- *Independent contractors and contract employees conducting the above essential services*
- *Domestic farm labor/farm guest workers*
- *Fertilizer and crop protection (ag chemical) manufacturing, transport, distribution, and custom application personnel*

Here are some of the additional major agricultural issues with which you should consider and which we will remain engaged:

- *To get ahead of any transportation sector disruptions, waiving truck weight limitations is prudent, not just for the agricultural industry but perhaps other industries as well.*
- *Ensuring Law Enforcement Personnel is up to date on waivers and exemptions for the industry, and is informed of the U.S. Department of Homeland Security guidance indicating the agricultural industry is considered a part of the America's critical infrastructure.*
- *Ensuring dairy, eggs, meat and processing inspections will continue as normal*
- *Ensuring all KDA labs are open and testing is on-going*
- *The U.S. Consulate in Mexico as well as several additional U.S. embassies have suspended or dramatically reduced visa services, including nonimmigrant visas. This likely includes H-2A and H-1B visa processing for the upcoming crop year.*
 - *With many agricultural guest workers typically en route to the U.S. this time of year, this could create a very serious labor issue where farms across Kansas and the country would not have the labor to plant their crops.*

- *If major H-2A visa disruptions continue and a labor shortage ensues, immediate assistance will be needed to help find any available labor to keep these essential farms producing.*
- *Such disruptions may also warrant the need for waiving truck weight limitations.*
- *Assistance with cash flow – keeping as much cash/credit in the hands of farmers that are seeing major disruptions.*
- *The typical Hours of Service exemptions for agriculture as well as the weight limit exemptions beginning April 1 must remain in place. However, again, if any order limiting transportation is issued, we need to ensure it does not apply to the transport of feed, seed, supplies, or agricultural commodities, etc.*
 - *FMCSA has waived Hours of Service for livestock hauls until April 15. Continuing this waiver if necessary, will be important.*
 - *It may also be necessary to increase trucking weight limitations to keep the flow of commerce. Especially if the transportation sector is hit with COVID-19*
- *Farmers, farm workers, food supply chain employees and the people transporting these components related to our food supply must remain identified as critical so as to not restrict them going to and from their respective jobs or farms.*
- *Livestock auctions are a critical point of distribution in the food supply chain to help get food to the market and must remain able to operate as normal. While vital food/medical supplies have PUCO and Federal Motor Carrier Safety Administration (FMCSA) waivers it is currently understood that farm supplies (feed, livestock, fertilizer, etc.) are not included. If transportation restrictions are put in place, we need to make sure that farm supplies and agricultural products are considered essential.*

One thing is certain as we all navigate short term disruptions in the food and agricultural industry, we will remain a resource to help identify solutions, help spread needed messaging, or highlight areas of concerns to make sure our farmers in Kansas will continue to help deliver a safe and abundant food supply.

Sincerely,

Kansas Agribusiness Retailers Association
 Kansas Association of Conservation Districts
 Kansas Cooperative Council
 Kansas Corn
 Kansas Dairy Association
 Kansas Electrical Cooperatives, Inc.
 Kansas Farm Bureau
 Kansas Grain and Feed Association
 Kansas Grain Sorghum
 Kansas Livestock Association
 Kansas Pork Association
 Kansas Soybean Association
 Kansas Veterinary Medical Association
 Kansas Wheat
 Renew Kansas Biofuels Association