



The National Agricultural Law Center

# Quarterly Newsletter

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## Fourth Quarter 2024



The Nation's Leading Source of  
Agricultural and Food Law  
Research and Information

[NationalAgLawCenter.org](http://NationalAgLawCenter.org)

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the NALC?  
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Greetings,

Happy New Year! It never ceases to amaze me how quickly the weeks, months, and years go by. 2024 was certainly an eventful year for legal developments in the agricultural and food industries. 2025 promises to be another big year as many state legislatures come into session, and a new administration and Congress approach the 2025 starting line.



As we start 2025, the first webinar in our "Every Third Wednesday" webinar series is right on point. Hunt Shipman, Principal and Director, Cornerstone Government Affairs will present "**Looking Ahead: Impacts of the 2024 Elections on Ag Law & Policy**". The webinar is tomorrow – January 15 – and you can register right up until start time at 12 EST. Be sure to read about our other upcoming webinars below, as well as the webinars we hosted last quarter.

If you're interested in following the latest developments throughout the year, be sure to sign up for **The Feed**. The Feed issues every two weeks year-round (except December) and quickly highlights recent developments along with links to NALC, partner resources, and other key relevant information.

Registration is now open for both of our 2025 Conferences! And, I'm very, very pleased to announce that both conferences will be co-hosted with the National Association of State Departments of Agriculture (NASDA) Foundation. The **12th Annual Mid-South Agricultural & Environmental Law Conference** will be June 5-6 in Memphis, TN. The **3rd Annual Western Water, Ag, & Environmental Law Conference** will be June 19-20 in Reno, NV. Both conferences are great networking and learning opportunities for attorneys, students, and other ag industry professionals. Both conferences will be in-person but also have a livestream option.

We currently have an opening for a Staff Attorney position. This position would focus on Ag Finance & Credit. This is a hugely important area to stakeholders throughout the nation's agricultural community, especially given the current overall trends in the ag economy. If you're interested or know someone who might be, additional details are available [here](#).

Thanks to everyone who has taken the **NALC Stakeholder Survey**. If you have not taken the survey yet, I hope you will do so as well as share with others. We'll conclude the survey in the coming days. If you're a producer, a trade association leader or member, legislative staffer, student, attorney, or anyone else in the ag community, we want to hear from you. We will take this input to identify research and information areas as well as generally improve NALC operation.

Finally, let's stay connected. If you haven't already, check out our other NALC direct communications [here](#). And, follow us on **X**, **Facebook**, and **LinkedIn**. Reach out anytime we can be of any assistance to you in any way.

Respectfully,

Harrison M. Pittman, NALC Director

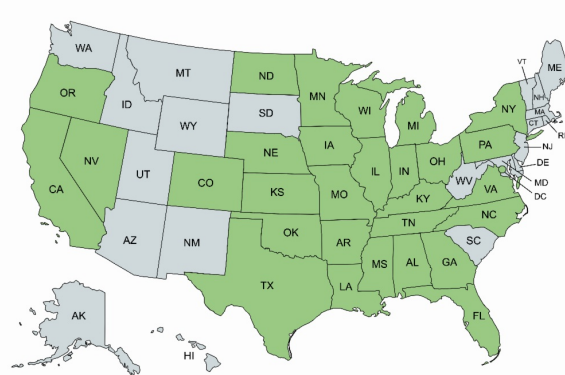
## A Glance at FY24

The NALC continued its mission as the nation's leading source of ag and food law research and information in FY24, growing in scope and reach.

A primary method of reaching NALC stakeholders is the **NALC website**. In FY24, the NALC website saw an increase in sessions and users, with numbers higher than ever before for the platform. Sessions grew almost 20% while users increased 10% in FY24.

Speaking events requested by stakeholders also

continue to grow to new locations. In FY24, NALC staff spoke to at least 88 different audiences across the country. The green states (right) reflect states with speaking events attended by NALC staff during FY24. It does not include remote conferences, virtual presentations, appearances on podcast recordings or other speaking events without a physical presence. Audiences of these presentations vary, from a group of 10 or less at a country extension office to over 1,000 at a national conference or annual meeting. All utilize NALC staff expertise and contribute to the overall mission.



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NALC's digital outreach is also vital to its mission. In FY24, the NALC hosted 16 webinars, with over 2,400 live attendees. Webinar recordings are always archived on the **Webinar Series** page and available to watch anytime. We look forward to continued growth in FY25 and beyond!

## 2025 NALC Conferences

**Registration is open!** We hope you can join us in Memphis or Reno for practical insight from experts in ag, environmental and water law, as well as plenty of networking opportunities. The Mid-South Ag & Environmental Law Conference and the Western Water, Ag, and Environmental Law Conference each have in-person and livestream options. Both conferences will also offer continuing legal education credit, as well as credit from the **American Society of Farm Managers and Rural Appraisers**. Read more about each conference below. For information on all NALC educational opportunities and conferences, past and present, click [here](#).

### Mid-South Ag & Environmental Law Conference

The 12th Annual Mid-South will be on June 5-6 in Memphis, Tennessee. The program provides valuable presentations and content, fostering dialogue regarding a wide range of issues impacting the Mid-South region of the country and beyond. We'll continue the tradition with our annual "Beer & BBQ" networking dinner at **The Rendezvous** on the evening of June 5 before the main conference program at the **University of Memphis Cecil C. Humphreys School of Law** on June 6. An "Early Bird" online program featuring bonus CLE will be held on May 14. **Wes Ward**, Arkansas Secretary of Agriculture and NASDA President (2024-2025), will present the conference keynote address as part of the "Early Bird."

Some session topics at this year's program include ag lands and transactions, solar leases and development, groundwater competition, state and federal agency deference post-*Chevron*, and dealing with ag debt and bankruptcy. Former Arkansas Governor **Asa Hutchinson** will present our legal ethics session. We hope to see you there (or online)!

[Registration and Info for the 2025 Mid-South](#)

### Western Water, Ag, & Environmental Law Conference

The 3rd Annual Western Water, Ag, and Environmental Law will be on June 19-20 in Reno, Nevada at the **Peppermill Resort Spa Casino**. The event is designed for both attorneys and non-attorneys ag professionals involved in public and private aspects of the Western ag industry.

The Western features an excellent lineup of speakers discussing topics and issues relevant to the West and beyond, including the Fourth Amendment and agriculture, perspectives from state departments of agriculture, Waters of the U.S. ("WOTUS"), an update from the Potomac, considerations for living and operating on stock-raising Homestead Act lands, water banking and leasing in the West, and more. See you in Reno (or online)!

[Registration and Info for the 2025 Western](#)

## There's Still Time – National Stakeholder Survey

Thank you to all who participated in our national stakeholder survey so far. The survey will be closing soon, but if you have not participated, there's still time! The results from the survey will inform how we continue to fulfill our mission as the nation's leading source of ag and food law research and information.



## Rollins speaks at American Ag Law Association symposium



In November, Staff Attorney **Brigit Rollins** spoke at the **American Agricultural Law Association ("AALA")**'s 45th Annual Educational Symposium in Memphis, Tennessee. During her session, she provided an update on WOTUS, discussing ramifications of the Supreme Court's decision in *Sackett v. EPA*.

"The ruling in *Sackett* has and will have a tremendous impact on how WOTUS is defined going forward," Rollins said. "In 2024, the decision in a case out of Florida was one of the first court opinions to interpret the *Sackett* ruling, and may indicate how courts will address *Sackett* in the future."

Rollins.

For more information on that case, check out this [article](#) from

## Rusty Rumley speaks at American Society of Ag Consultants Conference

Senior Staff Attorney **Rusty Rumley** spoke at the **American Society of Agricultural Consultants** Conference in Fort Myers, Florida in November. Rumley presented a legal and policy update, reviewing the biggest topics in ag law that will continue to have an impact, including the Corporate Transparency Act and the Supreme Court's decision regarding *Chevron* deference.



"The ASAC Conference is always a great event that the NALC is proud to be a part of," Rumley said. "It features top-notch presenters discussing topics that matter to the world of agriculture and beyond."

## Pittman speaks at National Pork Board meeting



In November, NALC Director **Harrison Pittman** presented to agricultural industry leaders as part of the **National Pork Board** Strategic Planning Task Force. Director Pittman discussed recent, emerging, and potentially long-term agricultural law issues relevant to the pork industry and other sectors of the ag economy. Issues covered included recent Supreme Court decisions, regulatory developments, and state level activity.

## Webinar Series

Our webinar series offers a variety of presentations relating to agricultural law and policy. All webinars are recorded and archived on [our website](#). See below for a list of recent and upcoming webinars.

### Recent Webinars



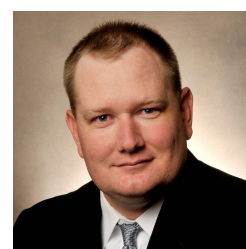
### Growing Careers in Ag & Food Law: USDA Deputy Secretary Xochitl Torres Small

Our Oct. 2 "Growing Careers" webinar for students was presented by USDA Deputy Secretary **Xochitl Torres Small**. During the webinar, Torres Small discussed her background, path to and through law school, how being an attorney factors into the various unique positions she has held, career and professional advice, and more.

[Watch the Recording](#)

### Equine Activity & Agritourism Statutes: Strategies for Risk Management

NALC Senior Staff Attorney **Rusty Rumley** and **Dr. Tim Potter** of Potter Consulting, LLC discussed states' statutes and other strategies for risk management, including implementing comprehensive safety protocols, obtaining appropriate insurance coverage, and clearly communicating potential risks to participants that are unavoidable. They also worked through real-world scenarios on how business owners can take steps to limit their risk exposure.



[Watch the Recording](#)

## State Approaches to Clearing Title to Heirs Property



"Heirs property" has disproportionately affected BIPOC communities, especially in the southern United States. An heirs property situation often occurs when a landowner passes away "intestate," without a will or other estate plan. As generations pass, the number of owners for a single property can increase significantly, and methods to clear title are often difficult to implement. **Jesse Richardson**, professor of law and lead land use attorney at West Virginia University College of Law, and **Jill Apter**, NALC research fellow and student at Michigan State University College of Law, discussed the results of their 50-state survey of different approaches to the issue, as well as some best practices.

[Watch the Recording](#)

### Upcoming Webinars

#### Looking Ahead: Impact of the 2024 Elections on Ag Law and Policy

Our Jan. 15 webinar will be presented by **Hunt Shipman**, Principal and Director, Cornerstone Government Affairs. Hunt will discuss the impact of the 2024 elections and discuss the people who have and may join the Trump Administration, the path forward for farm bill reauthorization, and other changes across government that will influence food, agricultural and environmental law for years to come.



[Register](#)



#### Western Water Law in Action: A Primer on Basic Concepts of the Prior Appropriation Doctrine and How Utah is Modifying Water Law to Meet Modern Demands

Our Feb. 12 webinar is an installment in our "Western Water" Webinar Series. Presented by **Emily E. Lewis** of Clyde Snow & Sessions, the presentation will provide an overview of the development and basic concepts of the Prior Appropriation Doctrine, which governs western water law. It will also take a look at the state of Utah, which has made widespread modifications to its water law to meet the state's pressing and critical water needs.

[Register](#)

#### Proposed for Listing: Overview of Proposed Decision to List the Monarch Butterfly Under the ESA

On Feb.19, NALC Staff Attorney **Brigit Rollins** will cover what is in the proposed ESA listing decision for the monarch butterfly and go over which aspects of the proposal are expected to impact agriculture.



[Register](#)

### Publication Highlights

As part of its mission, the NALC continues to deliver webinars, articles, fact sheets, and state compilations on numerous agricultural and food law topics. These resources are free to the public and serve as a research tool for both attorneys and non-attorneys.

The NALC publishes weekly posts about current issues in agricultural and environmental law. Posts from the past quarter are outlined below.

#### October 2024

- **Focusing on Foreign Investments: Congress Aims to Add Agriculture to CFIUS**
- **Food Labeling: The Regulation of Food Allergen Labels**
- **EPA Releases Vulnerable Species Action Plan**
- **Focusing on Foreign Investments: Congressional Considerations on Evaluating Foreign Acquisitions in U.S. Agriculture**
- **Date Labels and the New California Law**
- **WOTUS Update: Judge Recommends Resolving CWA Dispute in Favor of Landowner Following Sackett Decision**

#### November 2024

- **States' Animal Cruelty Statutes (Updated)**
- **Texas Files Suit Against FWS For Decision to List Mussels As Endangered**

- **Community Supported Agriculture: A Field Guide for Producers and Consumers (Formation and Contracting with Members)**
- **D.C. Circuit Rules CEQ Lacks Rulemaking Authority**
- **Community Supported Agriculture: A Field Guide for Producers and Consumers (Limiting Liability)**

## December 2024

- **States' Animal Identification Statutes (Update)**
- **Regulation of Grain Sales & Storage (Update)**
- **Federal Court Upholds Treated Seeds Exemption**
- **Recent Federal Proposals affecting Meat & Poultry Processing**
- **Solar Smarts for Landowners: Payment Structures**
- **Federal Judge Halts Enforcement of Arkansas' Foreign Ownership Restrictions**
- **Can I Shoot Down Drones Flying over my Property?**
- **Community Supported Agriculture: A Field Guide for Producers and Consumers (Labor)**

## Outreach

NALC attorneys speak and present at events in order to provide agricultural and food law research and information to the public. If you are interested in having an attorney from the NALC speak to a group, either in person or virtually, please do not hesitate to contact us. Learn more about the NALC staff and find our contact information [here](#).

Below are some outreach activities from the past quarter.

### October 2024

- **Harrison Pittman, NALC Director**

- October 1 – In-person presentation on the ag industry post-*Chevron* at the Agribusiness Association Administrators meeting in New Orleans, LA
- October 2 – In-person presentation on the ag industry post-*Chevron* at the 2024 Barnes & Thornburg Fall Harvest Conference in Indianapolis, IN
- October 20 – In-person meeting with Congressional staffers to discuss NALC in Fayetteville, AR
- October 23 – In-person presentation titled "Agriculture, Finance, and Risks Related to Crops and Climate" at the National Science Foundation CORE Workshop at University of California, San Diego

- **Rusty Rumley, Senior Staff Attorney**

- October 3 – Online overview of the Rancher's Ag Leasing Handbook for the 14th Annual Cooperative Extension Program's Landowners Conference
- October 9 – In-person presentation on business entities, zoning, and landowner liability/agritourism statutes at Urban Armed to Farm in New Orleans, LA
- October 15 – Phone interview with KFRE (Lubbock, TX) on Armed to Farm and call in questions
- October 20 – In-person meeting with Congressional staffers to discuss NALC in Fayetteville, AR
- October 31 – In-person presentation on business entities, zoning, and landowner liability/agritourism statutes at Armed to Farm in Fayetteville, AR

- **Elizabeth Rumley, Senior Staff Attorney**

- October 20 – In-person meeting with Congressional staffers to discuss NALC in Fayetteville, AR

- **Brigit Rollins, Staff Attorney**

- October 2 – Online presentation for Illinois Soy titled "EPA's Herbicide Strategy Unveiled"
- October 8 – Online presentation for Western Growers on the ESA, pesticides, and the Monarch butterfly
- October 18 – Online presentation for Midwest Soybean Collective on the ESA and the Monarch butterfly
- October 20 – In-person meeting with Congressional staffers to discuss NALC in Fayetteville, AR

- **Emily Stone, Staff Attorney**

- October 20 – In-person meeting with Congressional staffers to discuss NALC in Fayetteville, AR
- October 24 – In-person meeting with the University of Arkansas Food & Ag Law Society to introduce the Center as a research resource
- October 30 – In-person presentation on the center at Ag Career Day in Conway County

For the full October Monthly Roundup, click [here](#).

### November 2024

- **Harrison Pittman, NALC Director**

- November 5 – In-person presentation on the latest legal and policy issues affecting the ag sector at the National Pork Board Strategic Planning meeting in Minneapolis, MN
- November 6 – In-person "NALC & Ag Law Update" in Memphis, TN ahead of 45th Annual AALA Educational Symposium
- November 19 – Webinar to Farmland Capital Alliance on corporate farming laws, co-presented with Marisa Bocci, Partner, K&L Gates

- **Rusty Rumley, Senior Staff Attorney**

- November 4 – In-person presentation on the latest legal and policy issues affecting the ag sector at the American Society of Ag Consultants 2024 Annual Conference in Ft. Myers, FL

- **Brigit Rollins, Staff Attorney**

- November 4 – Online presentation on Swampbuster legal challenges to Ducks Unlimited.



- November 9 – In-person presentation on the latest updates pertaining to WOTUS at 45th Annual AALA Educational Symposium in Memphis, TN
- November 11 – In-person presentation to students at Fayetteville Public Schools on environmental issues

For the full November Monthly Roundup, click [here](#).

## December 2024

- **Harrison Pittman, NALC Director**

- December 9 – In-person presentation in Little Rock, AR for USA Rice Annual Meeting. Spoke on the Farm Bill, key judicial and regulatory developments and as part of a panel covering issues in ag labor
- December 12 – Online presentation on *Chevron* deference and the food industry for the International Association for Food Protection
- December 13 – In-person presentation on Federal Regulatory Outlook in 2025 at Agricultural Council of Arkansas Annual Meeting in Little Rock, AR

- **Brigit Rollins, Staff Attorney**

- December 13 – In-person presentation to discuss Monarch butterfly listing decision with Midwest Soybean Collaborative meeting in St. Louis, MO

- **Emily Stone, Staff Attorney**

- December 7 – In-person presentation on ag law and policy to students at the 2024 NYFEA Association for Educating Agricultural Leaders Institute in Albuquerque, NM

For the full December Monthly Roundup, click [here](#).

### Share This Quarterly Newsletter:



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