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Jack Tuckwiller, Deputy Administrator
United States Department of Agriculture
Agricultural Marketing Service
1400 Independence Avenue, SW
Room 2055-S, STOP 0201
Washington, D.C. 20250-0201

SUBJECT: APPEAL OF THE TERMINATION OF LOCAL FOOD PURCHASE ASSISTANCE 2025 COOPERATIVE AGREEMENT (LFPA25), AGREEMENT NO. AM25LFPA0000C066

Dear Jack Tuckwiller:

Since 2022, California has utilized more than \$88.5 million in Local Food Purchase Assistance (LFPA) Program funding to support local farmers, strengthen the State's food supply system, and distribute high quality nutritious food to food insecure communities and families. Despite the significant benefits to both farmers and communities in need throughout the state of California, on March 7, 2025, the U.S. Department of Agriculture (USDA) abruptly and inexplicably terminated LFPA funding for Fiscal Year 2025 (LFPA25).

The sole basis for the termination of LFPA25 was that "AMS [USDA's Agricultural Marketing Service] has determined that this agreement no longer effectuates agency priorities, and that termination of the award is appropriate." This decision will cause irreparable harm to the farmers and communities that have participated in and benefitted from California's LFPA Program. Even if the USDA's priorities no longer include supporting California's farmers and aiding hungry children and families, for the reasons discussed below, the decision to terminate is ill-advised and potentially unlawful. Accordingly, the California Department of Social Services (CDSS) urges USDA to reconsider and immediately reinstate the \$47,284,232 in Congressionally approved funding committed to California for LFPA25. In the absence of that action, the California Department of Social Services (CDSS) appeals the USDA's decision.¹

¹ If the USDA AMS maintains additional written procedures for processing objections, hearings, and appeals pursuant to 2 C.F.R. § 200.342, CDSS requests that it be provided with information regarding the applicable procedures.

The mission of the USDA includes fostering opportunity and economic security for America's farmers, reducing food insecurity and improving nutrition security, and promoting locally driven economic development.² Similarly, the purpose of the LFPA as described in the LFPA25 Cooperative Agreement between the USDA and CDSS, is "to maintain and improve food and agricultural supply chain resiliency through the procurement of local, domestic and unprocessed or minimally processed agricultural commodities." To that end, the LFPA has proven to be a remarkable success for the USDA and the participating states, territories, and Tribes. Since 2022, this funding has been used to buy locally and regionally produced food for distribution to children and families through schools, food banks, and other community organizations, while also enhancing the food supply network. These efforts to make local and minimally processed foods available support the Administration's "Make America Healthy Again" agenda, particularly by "work[ing] with farmers to ensure that United States food is the healthiest, most abundant, and most affordable in the world," "Establishing the President's Make America Health Again Commission," Sec. 2(c) (Feb. 13, 2025), making the termination of this program even more inexplicable.

In December 2024, USDA announced the availability of \$1.13 billion for LFPA and Local Food for Schools Program, which included California's approximately \$47M—all of which has now been terminated.³ In its announcement, USDA proclaimed that the Local Food Programs were fundamental to its mission, saying "USDA believes that a healthier future for our country starts with our children."⁴ Despite this statement and the clear economic and humanitarian benefits, the USDA determined, without any factual basis to support its decision, that the LFPA25 Program "no longer effectuates agency priorities."

I. Reduced Availability of Healthy Foods in Direct Contradiction to the President's Order

California is the nation's agricultural leader, producing nearly half of the Country's fruits and vegetables. The local food production sector faces mounting pressures, including climate change, labor shortages, and market fluctuations, all impacting food availability and affordability. Strengthening farm-to-table initiatives, expanding local food distribution networks, and investing in sustainable agricultural practices help bridge the gap between food production and consumption. In 2024 alone, California's LFPA Program allocated the California Association of Food Banks, CDSS' largest LFPA partner, over \$22.3 million to provide local healthy food and 18,647,546 meals to food-insecure Californians.

Moreover, the termination of the LFPA25 Program by the USDA is in direct conflict with the President's order that Federal agencies "...work with farmers to ensure that United

² <https://www.usda.gov/about-usda/general-information/mission-areas>

³ <https://www.nytimes.com/2025/03/13/business/farmers-food-bank-budget-cuts.html>

⁴ [USDA Announces Availability of \\$1.13 Billion for Local Food Programs | Home](#)

States food is the healthiest, most abundant, and most affordable in the world...⁵ Many low-income urban and rural areas lack full-service grocery stores, leaving residents dependent on fast food chains, convenience stores, and gas stations for their daily nutrition. Nearly one million Californians – 45% of whom are low-income – lack nearby supermarkets, making it harder to obtain fresh, nutritious food.⁶

Programs supported by the LFPA Program tackle the scarcity of healthy food in communities through innovative practices and partnerships. For example, the Farms Together Program, a program administered by the California Association of Food Banks has:

- Supported 533 farms,
- Engaged 35 participating food hubs,
- Distributed to 55 food banks and community food partners,
- Assembled 575,676 boxes for families,
- Distributed 8,757,962 pounds of food,
- Provided 7,298,302 meals, and
- Spent \$20,724,336 on local food.

As another example, Everyone's Harvest which operates the Farms Together program at the Seaside Farmers' Market in Seaside, CA, and the Alisal Farmers' Market in East Salinas, CA, reports that from April to December 2024, it purchased \$305,082 worth of fresh produce from 14 local farmers and distributed 285 food boxes weekly for a total of 11,350 boxes distributed to low-income residents. Participants in the program have been able to supplement the items in their boxes by purchasing additional items directly from the farmers and vendors at the farmers' market either with cash or by using CalFresh (SNAP) benefits and Market Match nutrition incentives.



Cindy, pictured here, has been picking up a weekly box at the Seaside market since April 2024 and has mentioned that these boxes have helped her afford to add produce to her diet, which she could not previously afford. She has lost 45 pounds in the six months since she started participating in the program. Cindy exemplifies how creative farming solutions and community partnerships with farmers' markets enhance the health and well-being of local residents.

⁵ Presidential Executive Order titled “Establishing the President’s Make America Healthy Again Commission”, dated February 13, 2025. Pursuant to the Order, the Secretary of Agriculture is a member of the Commission.

⁶ Yoshida, S. (2016). California FreshWorks Food Access Report: An Examination of Three Northgate González Grocery Store Investments. The California Endowment.
https://www.gih.org/files/AudioConf/Freshworks-Food-Access-Report_WEB2_FINAL.pdf

II. Impact on Local and Family Farms

California farmers have expressed concern about the significant negative economic impacts and health consequences that the USDA's termination of the LFPA25 Program will create for their communities and livelihoods. The USDA's unnecessary interruption of LFPA and LFPA Plus program funding in February 2025 resulted in significant negative impacts to farmers, which will only be heightened by the termination of the LFPA25 Program. Without the promised LFPA25 funding, California's ability to meet agricultural demand will be disrupted, resulting in serious consequences such as weakening the State's food supply system and restricting access to fresh produce for millions of low-income Californians.

The testimonies below highlight just a few examples of the devastating impact that the interrupted LFPA and LFPA Plus payments, and termination of the LFPA25 Program has, and will continue to have, on California farms, including family-operated farms.

- "As both a small farmer and director of our local food hub, I can't underscore enough how brutal this contract breach is to our operations. It's devastating. We have crops in the ground that were destined for Farms Together over the next few months and given the parameters of the program--that is, the need for diversified fruits and vegetables in each box--it's very difficult to pivot to other market channels. We should be able to trust a government contract, not be broadsided by politicians that are playing games with our future." - Ellee Igoe, Solidarity Farm, San Diego, CA.
- "Raúl & Family depends heavily on the farm together program as we were delivering to two different food hubs anywhere from 700 - 3,000 items weekly. Not only is the lack of income devastating to our farm, it brings a massive uncertainty to the future of farming for our family." - Mariela Buenrostro, Raul & Family Farms, Riverside, CA.
- "Farms Together really gave us hope for the future of our farm. It took so much to get our farm started and Farms Together was really the push that helped us make ends meet. All work was done manually as we just didn't have the funds to purchase big equipment or hire help. Farms Together helped us grow our business to where we could purchase a work vehicle and supplies to sustain the farm. With this freeze, we're uncertain how we can finish paying off the vehicle we purchased to make these deliveries. Farms Together has been such a great help for our farm. We are a husband and wife duo and started this journey with both of us working full time jobs while also working on the farm. While one of us was able to leave their job and focus on the farm, the other was not. Expenses were just too great to get the farm started due to issues with drought and then flooding. With Farms Together, we were finally looking forward to both of us leaving our jobs to focus solely on the farm. Our parents' generation of farmers are too elderly now to farm and bring fresh vegetables to local markets so we

really hoped that we could take over that role as farming is not a popular occupation among our generation. With this freeze, the future is uncertain for our farm. Will we make any profit to continue without Farms Together? The answer is - not likely. We are worried this will push us to abandon our hopes of taking over farming from our parents.” – Kao Youa Moua, Vang Farming Ventures

- “The pause for LFPA funding is causing a huge dilemma for the farmers I work with and my whole operation system for the program. There are over 50 farmers that I work with specifically for the Farms Together program, and farmers have planted several crops just for the program because the program meant guaranteed income for them. Now they are worried that their crops will not have a home and I am also worried because I don't want to lose their trust that I've worked so hard for, over the past 4 years. Farmers are constantly calling me about what's going to happen and they need this. There are some farmers who are depending on this program because their farmers' markets are not opened yet or their market has been super slow with little consumer attendance. I also started a relationship with a local truck driver who has been delivering these weekly loads to the food banks in Stockton who is now worried that he will lose the route and is worried he won't be able to find loads to cover for the lost route.” – Keng Vang, Fresno BIPOC Produce
- “Dickinson Family Farms is a bulk aggregator for the LFPA Program, working with our local food bank to deliver fresh, local produce weekly. Each weekly load is an average of 15,000 lbs. of fruit and vegetables purchased at fair market value from farmers who are integral producers in the local agriculture community. We have supported over 25 farms in our home county of San Diego and surrounding CA counties through the LFPA program. The recent freeze placed on funding for the program has impacted all of our farms overnight. They have crops on the trees and planted in the ground counting on distribution through this program. We stand ready to aggregate and distribute their produce but are powerless to compensate them without the substantial funding of the contract we have in place with our local food bank. It is in our farmers' best interest to reinstate the funding as soon as possible to avoid crop or margin loss.” - Andrew Dickinson, Dickinson Family Farms, Fallbrook, CA.

III. Impact on Food Banks

In addition to the economic impact which will be felt by local farmers, food banks that play a critical role in combating food insecurity by providing access to nutritious food for individuals and families facing hunger will be less likely to meet the needs of food insecure Californians. Across California, hundreds of food banks operate to serve communities in need, sourcing food through donations from grocery stores, food manufacturers, farmers, and individuals. The rising cost of food and transportation, coupled with inconsistent donation levels, makes it difficult for food banks to maintain

stable inventory. This challenge is especially critical during times of crisis, such as natural disasters, economic downturns, or sharp increases in food insecurity.

The LFPA funding has increased production of local produce available to food banks across California. The LFPA funds pay local, small business farmers to grow crops to meet the needs of food bank recipients. Without LFPA funding, food banks will have to drastically cut their programs, decreasing the quantity of food available and limiting access to vital, nutritious options.

IV. Lack of a Reasonable Basis or Authority to Unilaterally Terminate California's LFPA25 Award

The USDA has failed to provide a reasoned explanation for the unilateral termination of California's LFPA 25 award, suggesting its actions are arbitrary, capricious, and an abuse of discretion.⁷ The boilerplate recitation that the LFPA Program "no longer effectuates [USDA] priorities and that termination of the award is appropriate" is legally insufficient to justify its actions, particularly in light of the negative consequences to the health and well-being of millions of Californians, and the Administration's own stated priorities to expand access to and availability of healthy food from farms, which necessarily includes a robust and resilient network of small farms able to meet local needs.

The termination of the LFPA25 Program is not only damaging to California's farmers, thousands of food insecure families and children, and economy; it also appears to be unlawful and must be reversed.

Sincerely,



ALEXIS FERNANDEZ GARCIA, Deputy Director
Family Engagement and Empowerment Division
California Department of Social Services

cc: Elizabeth Lober, Assistant to the Deputy Administrator, Elizabeth.lober@usda.gov

⁷ 5 U.S.C. § 706(2)(A)