

California Environmental Protection Agency  
State Water Resources Control Board – Division of Water Quality  
Testimony Regarding the Proposed National Marketing Agreement Regulating  
Leafy Green Vegetables  
Presented by  
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California has long been a leader in water quality protection. The California Water Code authorizes the State Water Resources Control Board, in conjunction with the nine Regional Water Quality Control Boards, to regulate water quality by establishing and implementing water quality control plans to ensure that the waters of the State are not contaminated by point and/or non-point sources of discharges.

We support an National Leafy Green Marketing Agreement (NLGMA) which provides for the co-management of food safety goals and environmental goals. We support an NGLMA that reduces conflict with existing conservation, or best management practices, intended to protect water quality, habitat and fish and wildlife. We wish to avoid or prevent food safety practices or metrics which contribute to the degradation of water quality and wildlife habitat and are not scientifically based.

. California has identified discharges from irrigated agricultural lands as a source of impairment to certain waters of California. To correct these impairments, growers in California have implemented soil conservation practices including the installation of riparian vegetation and buffer strips, which have been installed with public and private funds. Growers, however, have in some cases been required by buyers to remove these riparian vegetation and buffer strips based on the assumption that these actions were necessary to improve food safety when this has not been shown to be the case. This bare earth requirement is part of the so-called "super-metrics,".

We recognize that jointly managing food safety and water quality is a complex and challenging issue. Food safety and water quality protection, however, should not be in conflict. To address the "super-metrics" issue, the State and Regional Water Boards and the California Environmental Protection Agency are collaborating with other state agencies (i.e. California Department of Public Health, California Department of Food and Agriculture, California Department of Pesticide Regulation, California Department of Fish and Game, U. S. Environmental Protection Agency Region 9 (U. S. EPA Region 9), University of California Davis Center for Produce and Safety, Western Growers Association, and Resource Conservation Districts). We recommend that these state agencies be involved in direct dialogue to develop unified practices for food safety that are scientifically based and provide for the joint management of food safety and water quality protection. We recommend that, at minimum, the California

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Department of Fish and Game and other similar agricultural agencies be included in the Technical Review Board. We also recommend that agency cross training be included as part of the NLGMA and associated metrics.

We want to ensure that food safety requirements work in conjunction with efforts to protect water quality. Water quality programs that could be affected by the proposed NLGMA include the State Water Board Irrigated Lands Regulatory Program, Non-Point Source Program, Total Maximum Daily Load Program, Recycled Water Program, and Agricultural Grants and Loans Program. We are interested in making sure that food safety programs are compatible with these water quality protection programs. Also, the State Water Board is interested in assuring that adequate research is being developed to address the environmental impacts of food safety practices.

We understand farmers want a single consistent set of metrics to follow rather than multiple food safety programs imposed by different companies. Farmers have a strong commitment to stewardship of the land. Let's help them keep our food safe and our environment protected.