

3098 Stewart Court  
Marina, CA 93933  
831.883.4159  
exec@montereycoastkeeper.org



**MONTEREY**  
**COASTKEEPER®**  
www.montereycoastkeeper.org

December 3, 2007

Docket Clerk, Marketing Order  
Administration Branch,  
Fruit and Vegetable Programs, AMS, USDA, 1400  
Independence Avenue SW., STOP 0237,  
Washington, DC 20250-0237

Via fax

Re: Docket No. AMS-FV-07-0090; FV07-962-1 AN  
Federal Register / Vol. 72, No. 192 / Thursday, October 4, 2007, Pg. 56678

To Whom It May Concern:

Thank you for the opportunity to comment on the handling regulations / marketing agreement for leafy greens.

We cannot currently support the proposed rulemaking.

Monterey Coastkeeper lives and works in the heart of the leafy green industry, in Monterey County, California. Our community was badly hurt by the E. coli outbreak this past year. But our community is also badly hurt by the legacy chemicals still washing into our rivers and ocean, and ultimately accumulating in the tissues of our wildlife. We are also badly hurt by pesticides currently in use that - due to poor or inadequate farm practices - are impairing our streams and rivers.

We are all familiar with the problem this handling agreement faces us with: Taking farm 'sanitation' to the extreme, detrimentally impacts the producer's ability to retain and treat chemical pesticides and nutrients.

When we read the exact wording of the audits currently being performed on farms in the Salinas Valley they seem well intentioned enough; farmers are even referred to the State Water Resources Control Board or the Regional Board for guidance on vegetated buffers and stream setbacks.

But what is happening on the ground is entirely different. Hundreds of linear miles of vegetated buffers are being cleaned and sterilized. Ditches are being entirely defoliated. I recently personally watched as a crew sprayed defoliant over open water in an effort to sanitize a ditch bank. Many of our fields are littered with PVC Ts, spiked



with rodent poison. Eight foot fences are lining our streams. Decades of soil conservation practices are being rolled back.

At the same time, common sense actions are being ignored. I can fly you over the Salinas Valley to a cattle feeding operation immediately (separated by a few feet) upslope of a leafy green field. After a good rain, effluent from the feedlot floods the field. Wildlife has become the scapegoat while other ag commodities are sometimes given a wink and a pass.

Fundamentally we agree there may be a need to implement stricter and mandatory farm and handling best management practices. But we feel we must find a balance between pathogen and chemical BMPs. If left to interpretation, as is currently being done, we will end up addressing the media-spectacular outbreaks of pathogens and ignoring the longer term, more subtle and insidious, impacts of chemical pollution.

We urge you to rethink your ideas for handling regulations for leafy greens under a marketing agreement. The unintended consequence of these agreements is the chemical pollution of our streams, wildlife, and human population.

Sincerely,



Steve Shimek  
Monterey Coastkeeper