UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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DEC 13 2006

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Dear Sirs and Madam:

We are writing to encourage effective, inclusive partnerships among agencies and with industry to ensure that measures developed to meet USFDA food safety guidelines in California are also protective of water quality and based on sound science.

We fully support the public-private partnership that has been initiated to respond to FDA's guidelines, and are asking that water and environmental quality expertise be included at the table. In the urgency of developing enhanced food safety practices before next season, this could be most effectively achieved through invitation to the Central Coast Regional Water Quality Control Board, Natural Resources Conservation Service, Resource Conservation Districts, and the California Department of Fish and Game, to participate in that process.

During this time of heightened food safety concern, we are witnessing in California concern among producers and our partners in conservation that new food safety measures may require or motivate changes in resource and wildlife management practices that result in the removal of water quality protections and other stewardship measures.

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US EPA Region 9 has regulatory responsibilities pertaining to water quality. For example, many of the analyses being prepared by the State to address water quality impairments address pollutant sources associated with agricultural activities. Simply put, we're concerned that FDA guideline interpretations may conflict with stewardship practices needed to address these water quality concerns. We are concerned that an inevitable result may be increased regulatory burden on producers if less effective options are employed.

We have invested significant public resources in the past 20 years, with the State Water Quality Control Board and nine Regional Boards, to support partnerships and innovation in water quality and environmental stewardship in agriculture. We recognize that producers are accountable to many local, state and federal agencies' regulatory requirements, and that successful agricultural land management has often only been accomplished through a combination of regulatory and voluntary stewardship measures. We share the concern, as expressed by our colleagues also working to protect water quality, that the current food safety practice development process might not adequately consider the producers' need to sustain the practices that also support water quality, and their compliance with environmental regulation.

We suffer a dearth of field data regarding the effectiveness of practices that support both food safety and water quality, and would like to adopt this as a joint priority among our agencies. A consortium of 35 agencies, industry organizations, and academic institutions are already organizing a research symposium in April 2007 to support this joint research priority. We believe that a demonstrable commitment to furthering understanding of comprehensive, beneficial practices for food safety and water quality would restore much confidence among industry partners and the public in general.

In closing, in the near-term, as practices are outlined and codified as Best Management Practices and through guidelines, we would encourage fuller consideration of impacts and benefits. Our partnerships with agricultural producers have delivered such important gains in the last 15 years. We are confident that if we work together, we will discover and support the most effective and viable path to address food safety concerns while sustaining support for water quality protection and environmental stewardship.

Please let me know how we can best support these efforts. I can be reached at (415)972-3572, or by email: strauss.alexis@epa.gov

Sincerely,

Alexis Strauss

Alexis Strauss, Director
Water Division

cc:

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