NMFS

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
777 Sonoma Ave., Room 325
Santa Rosa, CA 95404-6528

December 13, 2006

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Dear Sirs and Madame:

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) is concerned with potential environmental impacts from food safety practices

occurring along the Salinas River, Monterey County, California. The U.S. Food and Drug Administration's (FDA) Center for Food Safety and Applied Nutrition (CFSAN) and the leafy greens industry response to the September 2006 *E. coli* 0157:H7 outbreak within the Salinas Valley has heightened our concerns.

The Salinas River supports Federally threatened South-Central California Coast (S-CCC) Distinct Population Segment steelhead and their designated critical habitat. The Salinas River is an important watershed for the recovery of steelhead. Any adverse impacts occurring along the Salinas River will affect the recovery of S-CCC steelhead.

Food safety guidelines recommended by, funded by, or at the request of the FDA that reduce or remove riparian vegetation or non-crop vegetation may harm steelhead or adversely affect their habitat. Riparian vegetation protects stream banks from erosion and impedes the rate of surface runoff. Riparian vegetation also provides important substrates for aquatic invertebrates (food for steelhead), cover for predator avoidance, and resting habitat. Removing non-crop vegetation may increase sedimentation in the Salinas River leading to habitat degradation for steelhead. Increased suspended solids from runoff also have a damaging physical and biological effect to steelhead.

We are concerned industry and FDA guidance documents are directing landowners and/or growers towards food safety practices that are environmentally harmful. For example, Salinas Valley landowners and/or growers propose to fence the Salinas River in an attempt to segregate wildlife from food crops to minimize the perceived threat of wildlife contaminating their fields. We expect this will cause more harm and destruction to the environment than the potential food safety benefits it might provide. Industry-led guidelines now call for "clean" fields (removing non-crop vegetation for some distance around their fields) which will increase runoff of nutrients, pesticide residues, and sediment leading to water pollution and habitat degradation. Ironically, the widespread removal of non-crop vegetation may potentially increase the presence and transport of pathogenic bacteria to food crops. We believe environmental practices (*e.g.*, non-crop vegetation) to reduce water pollution can be used to reduce food crop contamination while protecting habitat and water quality. The guidance documents should incorporate the best available science which demonstrates environmental practices reduce erosion and improve water quality without minimizing food safety. Such practices also benefit listed species.

We are confident the two missions – public health protection and listed species protection – can be achieved simultaneously. Before any food safety guidance documents turn into mandatory requirements, we urge you to meet with us to discuss these missions. NMFS stands ready to help develop food safety guidelines that are not in conflict with efforts to recover the threatened Salinas River steelhead population.

I look forward to working with you on food safety practices that protect steelhead and their designated critical habitat. Please contact Mr. Bill Stevens at (707) 575-6066 or via email at William.Stevens@noaa.gov if you have any questions concerning this letter.

Sincerely,

Dick Butler
Santa Rosa Area Office Supervisor
Protected Resources Division

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