



SIERRA CLUB MARIN GROUP

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California Certified Organic Farmers

Attn: Jessica Hamburger

jessica@ccof.org

Dear Jessica: On behalf of the Sierra Club's 7,000 Marin County members, I've reviewed California Certified Organic Farmers (CCOF) proposed Salmon-Safe Criteria and congratulate CCOF for forward thinking on this issue. It is entirely appropriate for organic farming to broaden and make more explicit its concerns about the environment. However, the Club does have several concerns with the details of the proposed criteria and could not support it in its current form. We have also reviewed the comments of SPAWN, an organization we work with on salmonid issues in Marin County. The Sierra Club concurs with SPAWN in their comments and adds the following comments on the respective sections noted. We receive your draft only two days ago; if we had more time before your comment deadline, our comments would have been more extensive.

Standard 1.1: Stream channels are in good condition for providing salmonid habitat. This standard applies to a) known and potential fish-bearing streams and b) non-fish bearing perennial or intermittent streams greater than two feet in bankfull width that are connected to fish bearing streams.

Comment: There are many other threatened and endangered creatures and habitats besides salmon and streams that deserve equal considerations and protections from organic farmers with a deeper interest in the land. Wetlands and ponds, as distinct from streams, deserve habitat protection with similar buffer/setback requirements. Your glossary appears to recognize this by its definition of "riparian zone" as "an ecological zone of varying width adjacent to a waterway or wetland that, in a natural condition, provides critical wildlife habitat and is essential for maintaining the healthy functioning of the adjacent stream, pond, or wetland." However, "riparian" may not be the best or most appropriate term to use, maybe "ecological zone?"

Furthermore, the standards appear overly focused on salmonids. Other fish such as the tidewater goby, aquatic invertebrates, such as the freshwater shrimp, amphibians such as the red-legged frog and riparian vegetation associated birds such as willow flycatcher all deserve species protection from organic farming operations. It may be that this broader perspective can be accomplished by full consideration of the phrase in the 3/1/04 CCOF cover letter which notes that the Salmon-Safe program "will certify organic farms in California with respect to the protection of water quality and salmon habitat," but this broader perspective should

be made more explicit and moved from the over letter into the body of the standards. Therefore we suggest that Standard 1.1 should apply under a) to known and potential salmonid-bearing streams and their perennial, intermittent and ephemeral tributaries (because all tributaries provide habitat or refugia under certain conditions); under b), this standard should also apply to non salmonid-bearing streams that are perennial or intermittent (regardless of bankfull width) and also to non-salmonid bearing streams that are ephemeral with 100 feet or more of riparian vegetation; under c) this standard should apply to ponds and wetlands.

- 1.1.2 Channel conditions – existing channels are in good condition for providing salmonid habitat, with naturally protected stream banks, meandering channel, and large and small wood structure.

Comment: It is not clear what is meant by “naturally protected stream banks.” Does that mean no rip-rap or other hard surfaces? Or does it mean only the natural berms created through flooding events; ie no man-made earthen berms. If this definition allows man-made berms, then it must be recognized that these are constructed specifically to inhibit a “meandering channel” so the specified channel criteria are contradictory unless they specify some sinuosity vs gradient standards, similar to the riparian setbacks vs slope standards.

- 2.1.2 Riparian zone width – Riparian zones or cultivation setbacks are an average of 50-100 feet.

Comment: This should be renamed “cultivation setback widths” to include both riparian and wetland setbacks. In any case, the phrase “setbacks are an average of 50-100 feet” makes no sense; perhaps intended is that “setback range from 50-100 feet.”

- 2.2.2...a minimum width of 25 feet between the top of the bank and the edge of the field or road.¹ As the slope of the adjoining field increases, the width of the riparian buffer zone must be increased to adequately protect area from erosion and run-off. On slopes of 10% or greater, riparian zones should be no less than 50 feet.

Comment: The minimum setbacks noted should be only for existing cultivated or grazed lands and only if there is a program in place to increase these setbacks to more protective buffer widths. These more protective buffers should apply to all new cultivation and also when there is a change in use from grazing to cultivation (because fences are required to exclude livestock from buffers but are not required for excluding cultivation). Furthermore, these minimum buffers should only apply if the County where the organic farm is located has weaker buffers. For example, Marin County for development has a minimum setback of 100 feet from bank edge plus 50 feet from the edge of riparian vegetation). We would suggest that Marin’s buffer also be adopted by CCOF for new cultivation and that no cultivation should be allowed on slopes over 18%, which is generally considered to be “steep.”

¹

2.1.2The buffer zone size will also be affected by the width and depth of the waterway to be protected.

Comment: There is no further reference to how and to what extent the buffer will be affected by the width and depth of the waterway. It may make more sense to increase the buffer for streams and wetlands that are habitat for listed species than simply increase protections based on a mechanical measure.

2.1.3 Vegetation – Riparian zones are dominated by vegetation that provides riparian functions of bank stability and shade, at a minimum. There should be good canopy cover (>50%) of a diverse mix of multi-aged, native and non-invasive non-native species.

Comment: removal of riparian vegetation either directly by a farmer or indirectly by rancher's allowing livestock to browse or trample should be prohibited.

Standard 3.1: The selected source of irrigation water results in the least potential impact to instream flows of fish-bearing streams.

Comment: Unaddressed is the issue of cumulative impact. While recognizing that cumulative impacts are difficult to address absent a watershed approach, there should nevertheless be some recognition that the "straw that breaks the camel's back" in a highly appropriated watershed could well be the next organic farmer regardless of how water conserving their irrigations system.

7.1.4 Permanent or temporary (e.g., electric) fences are utilized to limit direct livestock access to streams and other fish-bearing water bodies. The use of farm ponds for watering livestock is allowed and encouraged.

Comment: Fences should be used only to limit livestock crossing points on streams to those appropriately conditioned for crossings, not to provide access for watering purposes. Farm ponds can function as important natural habitats as well as for collection and storage of agricultural water (in PRNS, farm ponds account for the healthy populations of red-legged frogs). Livestock water should be diverted from farm ponds or streams into troughs located outside buffer areas.

Thank you for the opportunity to comment. The Sierra Club – Marin Group supports this CCOF effort and is willing to continue to participate in formulating standards that would be useful and acceptable. Please include us in any discussion groups on this issue and include us in the comment list for future drafts.

Sincerely,

Gordon Bennett, Vice-Chair