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NEWS RELEASE

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PUBLIC DEMANDS STATE WATER BOARD ELIMINATE ILLEGAL EXEMPTIONS FOR POLLUTION

Public-Interest Groups Appeal Decision to Allow Farm Pollution to Continue

SACRAMENTO, CA (August 11, 2003) – Today, seven public-interest organizations representing hundreds of thousands of Californians filed an appeal to the State Water Resources Control Board to overturn a decision last month that allows farm runoff to go unregulated. The appeal by public-interest groups identified at least three laws, including California's clean water act, which the exemption clearly violates. Under the law, the exemption is only legal if it will not harm the California public or degrade water quality. The appeal documents overwhelming evidence that toxic pollution from farms is harming the public and degrading waters. In fact, the groups point to over 50 scientific studies and the opinions of six independent scientists to demonstrate that the exemption's inadequate requirements are likely to exacerbate water quality problems.

"Exemptions should be reserved for truly de minimis, inconsequential pollution, not the largest source of pollution causing widespread pollution throughout the waters of the Central Valley," said Earthjustice's Mike Lozeau, attorney for the environmental groups. "The Regional Board's decision is based on wishful thinking and politics rather than an objective review of the evidence."

On July 11, 2003 the Central Valley Regional Water Quality Control Board ignored the pleas of over 200 organizations representing millions of Californians asking for stronger regulations of irrigated return flows and stormwater discharges, which pollute hundreds of miles of California waterways every year. Against the advice of staff and scientific experts, the Regional Water Board decided to adopt another exemption to take the place of twenty-year old exemptions that expired in January.

"We'll never reverse the rising tide of pollution to degraded waterways if agricultural polluters are not required to abide by reasonable controls long applicable to virtually every other segment of society," said DeltaKeeper Bill Jennings. "Contrary to the Regional Board's belief, pollution control requirements cannot be based upon the willingness of farmers to comply with the law."

The impaired Central Valley waters are the primary source of drinking water for over 20 million Californians across the state. The State and US EPA, however, have declared that most of these waters are unsafe for drinking, swimming, and fishing. Yet the Regional Water Board has stated that the adoption of the exemption is "not against the public interest" because, among other faulty reasons, "it provides reasonable flexibility for the Dischargers [farmers]..."

"The Board's pandering to agricultural special interests does not consider the interests of California's millions of other residents who are entitled to pollution free waters," said Linda Sheehan of The Ocean Conservancy.

The text of the public-interest groups' appeal and the Regional Water Board's exemption can be found at www.cleanfarmscleanwater.org/resources.htm. ###



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The groups have asked the State Water Board to consider the real harm to the public as required by law, vacate the July 11th exemption, and issue general permits for farmers that are similar to the permits currently issued to almost every other industry discharging pollutants into California waters.