

Talking Points for Public Workshop:

DRAFT General Waste Discharge Requirements for Commercial Lily Bulb Operations in the Smith River Plain and DRAFT Environmental Impact Report

4:00pm Wednesday, February 18, 2026

*Elk Valley Rancheria
Sam Lopez Community Room
2332 Howland Hill Road
Crescent City, CA 95531*

and via Video and Teleconference

WATER QUALITY AND COPPER CONTAMINATION

Key point:

Surface waters are already impaired for copper, and storm events mobilize contaminants.

Supporting reference:

The Draft EIR acknowledges 303(d) listings for copper and exceedances during major storm events .

Talking points:

- The Draft EIR confirms copper exceedances in Tillas Slough and Delilah Creek. What specific numeric reductions will this Order achieve, and by when?
- How will the Board ensure compliance with Basin Plan objectives during large storm events?
- Where is the cumulative watershed-level copper loading analysis?
- What happens if adaptive management fails to reduce exceedances?

WET-SEASON PESTICIDE USE

Key point:

This watershed receives approximately 75 inches of rain annually , and exceedances occur during storms .

Talking points:

- Why does the Order not prohibit pesticide application during major storm periods?
- Has the Board modeled pesticide transport during peak rainfall events?
- What specific storm thresholds will trigger compliance actions?

- How does this Order account for increasing storm intensity due to climate change?

ENDANGERED SPECIES AND SALMON RECOVERY

Key point:

The Draft EIR acknowledges the ecological sensitivity of coho salmon and other listed species .

Talking points:

- How does continued pesticide discharge align with federal and state salmon recovery goals?
- What biological thresholds define success under this Order?
- Has the Board evaluated a zero-discharge standard for waters critical to juvenile salmon?
- How will the Order prevent cumulative extinction risk in this watershed?

HUMAN HEALTH AND DRINKING WATER

Key point:

Groundwater monitoring detected nitrate exceedances in some wells .

Talking points:

- Has the Board conducted a cumulative human health risk assessment for multiple pesticides?
- How are low-dose chronic exposure risks being evaluated?
- How will residents be notified of contamination in real time?
- What additional protections exist for homes, schools, and domestic wells near fields?

RELIANCE ON SELF-REPORTING AND ADAPTIVE MANAGEMENT

Key point:

The Draft EIR relies heavily on adaptive management and monitoring .

Talking points:

- What independent third-party oversight will verify monitoring data?
- How quickly will enforcement occur after a violation?
- What is the contingency plan if monitoring shows continued exceedances?
- Why is compliance based on reporting rather than enforceable numeric discharge limits?

CUMULATIVE IMPACTS

Key point:

CEQA requires analysis of cumulative environmental effects.

Talking points:

- Where is the full cumulative impact analysis combining pesticide use, sediment, nitrate, and climate change?
- How does this Order address long-term ecological decline rather than short-term compliance?
- Has the Board evaluated phased reduction of high-risk pesticide use?

WETLANDS AND ESTUARY PROTECTION

Key point:

The Smith River estuary and coastal wetlands are highly sensitive ecological areas .

Talking points:

- Has the Board evaluated whether certain estuary-adjacent areas are unsuitable for continued chemical-intensive agriculture?
- What safeguards prevent runoff into estuarine rearing habitat?
- Why was phased retirement of high-risk fields not analyzed as an alternative?

PERFORMANCE STANDARDS AND ENFORCEMENT

Key point:

The Order establishes regulatory mechanisms but does not clearly present enforceable watershed-level performance standards.

Talking points:

- What measurable performance targets define success?
- What are the deadlines for achieving water quality objectives?
- What happens if water quality does not improve in five years?
- Will the Board commit to strengthening the Order if monitoring shows continued harm?

ALTERNATIVES ANALYSIS

Key point:

The Draft EIR evaluates limited regulatory scope alternatives .

Talking points:

- Why was a zero-discharge alternative not fully evaluated?
- Why was a seasonal spraying prohibition not analyzed?
- Why was a copper phase-out not modeled?
- CEQA requires rigorous analysis of reasonable alternatives. Have all reasonable alternatives been evaluated?

TRIBAL BENEFICIAL USES

Key point:

The Draft EIR acknowledges tribal beneficial uses and cultural resources .

Talking points:

- How will the Order ensure protection of tribal beneficial uses of water?
- Are tribal consultation commitments enforceable?
- How are cultural food sources and fisheries being protected through measurable standards?

CLOSING COMMENT OPTION

“The Smith River is one of California’s last undammed coastal rivers. The Draft EIR confirms existing contamination during storm events. The Board must adopt enforceable, performance-based protections that eliminate ongoing pesticide discharge into critical salmon and community waters. Adaptive management alone is not enough. Clear thresholds, seasonal protections, independent monitoring, and stronger limits are necessary to protect this watershed.”