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Water board's Smith River runoff order 'failed on ... very important fronts'

The Siskiyou Land Conservancy founder says passage of an order 'almost a miracle,' but still requires vigilance from activists and neighbors



The town of Smith River is surrounded by lily fields adjacent the area's namesake waterway. A recent California North Coast Regional Water Quality Control Board order will, for the first time, regulate runoff from those fields to the Smith, one of the state's few undammed large rivers. (Greg King/Siskiyou Land Conservancy — Contributed)



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Earlier this month, the California North Coast Regional Water Quality Control Board adopted [discharge requirements for commercial lily bulb growers in the Smith River Plain](#). The [water board's order](#) is a first for a waterway where environmentalists have been struggling for

decades to secure restrictions on pesticide use — which they say has degraded what should be one of the state's most pristine and ecologically significant riparian areas.

That struggle has pitted people like Greg King, the founder, executive director and president of the Siskiyou Land Conservancy, against some of the area's most powerful agribusiness interests, particularly three companies located along the Smith River plain that are responsible for roughly 90% of the nation's Easter lily bulb production.

King says that "it's almost a miracle" that regulators were able to pass discharge requirements — given many years of intransigence on the part of regulators and farmers (residents first documented toxic contamination of downstream wells in the early 1980s). Nonetheless, King and his colleagues are not without misgivings about the order.

"This process began in 2011," King said. "The water board, at that time, convened a technical advisory group consisting of lily growers, three NGOs — EPIC (the Environmental Protection Information Center), CalTrout and Siskiyou Land Conservancy — and tribes and government agencies to put together this order, and it was expected to be done in a few years. But it dragged on; the process fell apart because the water board stopped organizing it. And then in 2018, the staff got the board to abandon the process altogether in exchange for this watershed stewardship program, which really was a lot of nothing."



A sign in Smith River warns neighbors that this field has just been fumigated with 1,3-Dichloropropene, or 1,3-D. According to the Siskiyou Land Conservancy, 1,3-D is a highly toxic and carcinogenic fumigant that is banned in dozens of countries and the EU and is one of the most controversial agricultural poisons allowed for use in the United States; Smith River Easter lily farmers apply more 1,3-D than any other chemical, more than 100,000 pounds annually in a small, concentrated area surrounded by homes. (Greg King/Siskiyou Land Conservancy — Contributed)

King said that stewardship program effectively cut the Siskiyou Land Conservancy and other stakeholders out of the process, allowing farmers on the Smith to operate with impunity along the river despite observed toxic discharge into the watershed.

“And so, only because of a legal petition by Save California Salmon and the Environmental Law Foundation did this process start up again in 2021-22,” King said. “And then it came to fruition (this month), and so it exists. It’s the first time that the state of California has stepped in to regulate and to ostensibly moderate pesticide inundation of the Smith River Estuary — not pesticide use though.”

King said that it’s an important distinction. Lily farmers along the Smith will continue to be able to use copper-based fungicides and other pesticides that have been linked to toxicity for fish — including endangered salmonid populations — in the river. And King said that the timeline to address contamination of the river and the framework for self-monitoring of runoff from lily farms leaves something to be desired.

“The state refuses to step in, even though they have several legal bases to, and require that farmers stop using certain pesticides, especially copper-based, but also 1,3-Dichloropropene, which off-gasses readily from fields,” King said. “Lily growers use more than 100,000 pounds a year of that, you know, on a very small area surrounding, you know, 2,500 people, and it’s been known to cause cancer and birth defects. And so the state is grappling with this now.”

The National Institute of Health, the CDC and the National Pesticide Information Center all concur that 1,3-Dichloropropene, a commonly used soil fumigant, is a likely human and animal carcinogen.

King said that the Siskiyou Land Conservancy is happy that an order exists and provides a mechanism to address pesticide contamination of the Smith River — but said there is substantial work to be done to ensure the Smith River recovers.

“From our perspective, the lily order failed on a couple of very important fronts,” King said. “One was that the mechanisms for reining in pesticide contamination. ... There are allowable thresholds of pesticide contamination, which could extend to 20 years from now. That is, the state, according to various provisions in the order, might not have to take any action to remedy contamination of the estuary, even though it’s been found several times, until 20 years from now, so that’s really a compelling reason to dislike this order.

"The other one is that there are thresholds at all — that there are significant allowable amounts of pesticide residues and contamination in the order. ... There should be no contamination of the Smith River Estuary. It should not be allowed. There are arguments to be made, legal arguments, and we have provided the water board with these legal arguments from our attorney that would allow, and I think require, the state to forbid any contamination of these waters due to the presence of endangered species, notably coho salmon and tidewater goby."



A lily farmer sprays chlorothalonil onto young Easter lilies as a 30-mile-per-hour wind blows the chemical directly into an in-session Smith River Elementary School, the buildings in the background, in 2001, according to Siskiyou Land Conservancy founder Greg King. "Chlorothalonil is a highly toxic fungicide, a carcinogen and reproductive toxin," said King. "It was witnessing this illegal and appalling application of a poison into the lives of young children that got me to understand the perils of these toxins and launched our efforts to stop it." (Greg King/Siskiyou Land Conservancy — Contributed)

The conservancy issued a report, "[Forty Years of State Complicity in the Pesticide Poisoning of California's Wildest River](#)," in 2024, documenting what that report's authors call "40 years of regulatory indifference and delinquency of the California North Coast Regional Water Quality Control Board ... toward prodigious applications of highly toxic pesticides at the Smith River estuary, in Del Norte County, California, and the resulting pesticide contamination of estuary waters, (which) now threaten the survival of at least two aquatic species protected under the federal Endangered Species Act."

For now, King says, the state water board's action provides a framework through which groups like the Siskiyou Land Conservancy can continue to advocate for a cleaner Smith River.

“The lily order removes a significant element of that impunity (that lily growers have operated under), and that is operating in the dark,” King said. “They will no longer be able to operate in the dark — except one of the provisions of the order is that they will get to self-monitor and self-report any contamination, which is ridiculous. ... I think it’s still close to impunity within this regard because the order is set up that way. It just unfortunately gives the lily growers the right to use the chemicals and to tell the state, ‘hey, we haven’t polluted at all; look at these numbers we collected.’

“So that’s what I want people to understand is that this is good that it happened. The state is finally taking notice after 27 years of pressure — 27 years and finally some action. But the people of this state, and especially of the North Coast, cannot rely on the state to get this done at all, and so they need to keep themselves apprised. They need to reach out to people who live in Del Norte County — especially, the supervisors there need to hear from folks, ... and we’re happy to keep the public informed and engaged.”

More information on the Siskiyou Land Conservancy’s efforts along the Smith River can be found at <https://siskiyouland.org/>. The entirety of the California North Coast Regional Water Quality Control Board’s order can be viewed at <https://tinyurl.com/meuu2tyt>.

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