



SEELY FARMING COMPANY INC,

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Dear Water Board,

In 1954, the Seely family moved their farming operation from the Santa Clara valley and purchased our pear and walnut ranch in Upper Lake, which borders Middle Creek on both sides. We could pump irrigation water out of the creek and have two creek crossings for equipment. Many other pear farmers upstream were also pumping out of Middle Creek. The levee system was new and Army Corp of Engineers eradicated all plant growth bank to bank in the stream bed. The fire protection district burned the levees each summer. Gravel extraction permits were granted on a regular basis thereby keeping the stream flows clear and keeping the levees sound. This was the "normal" until the mid-1990's when environmental activism became the norm. Around the same time, the Army Corp of Engineers abdicated its responsibilities of maintaining the levee system, leaving it to the County of Lake. The County has never had the funds to continue maintenance.

The Middle Creek of today is much different than that of the 1950's. Most of the pear farms are gone, reducing the pumping volumes of the creek. A wide variety of vegetation covers both banks and gravel has accumulated in such large amounts that the stream flows are choked off by them, thereby stranding fish in pools to die. Brush removal is prohibited, and gravel extraction is prohibited without a permit which is costly and full of red tape. Our permit process experience in recent years involved multiple agencies who were required to sign off on the permit, which took months. We were told the permit only needed one more signature when the winter rains came in October. This halted the process, as water was now in the creek. This permit costs thousands of dollars and was an expensive financial loss with no cost recovery for the permit fee.

The method used for counting the Hitch could also be scrutinized. In Middle Creek in 2022, the counter was placed upstream of blockages of gravel and branches in the creek that a great number of the Hitch could not get past. This of course affected the true count of fish upstream. It was also placed in late April, toward the end of the Hitch run. With the last rainstorms occurring in December, there was opportunity to place the counters at the beginning of the Hitch run. We observed a decent run of Hitch last year. We have resident pairs of Bald Eagles and Golden Eagles who live and fish in Middle Creek. They were there feeding out of the creek all spring.

For those of us who's families have lived and worked in this Middle Creek ecosystem for 70 years, we feel that our agricultural practices and water usage are NOT the cause of the Hitch decline. The Hitch runs were robust during the decades when hundreds of acres of pear orchards were irrigated by the Middle Creek watershed. With the sharp decline of the pear farming industry in this county since the 1990's, there are fewer farmers using the Middle Creek watershed to irrigate their crops and much of

that acreage is now fallow. Agriculture in our area is not drawing the water it once did and yet agriculture is the industry that seems to take the blame for most environmental issues.

Currently, our farm pumps water from Middle Creek for frost protection and minimal spring irrigation. Water is the only method used for crop frost protection since the industry moved away from burning fossil fuels. This county is made up of small farms. The threat of government limiting or completely removing the water rights which they have enjoyed for the entire farming history of Lake County, the local family farms will become the endangered species along with its contributions to our local economy.

In the Water Boards presentation on 1/19/2023, it was suggested that other methods for frost control such as “heaters” and “wind machines” might be used. The cost of fossil fuels and Air Quality regulations make both of those options financially and environmentally unsound. Farmers used “orchard heaters” and “wind machines” for decades. A few years ago, we refurbished one of our old wind machines, which burns gasoline. During a 1-week span in which we ran the wind machines, we burned \$900.00 in fuel. Gas was half the price then as what it is today.

Orchard heaters are not an option either. Our farm was progressive for its day and had solid set diesel lines in the ground which fed each orchard heater. The diesel tanks which fed the heaters held 40,000 gallons. At the time, diesel cost less than \$1/gallon. At today’s prices, it would cost \$280,000 to fill those tanks. In addition, when the farmers used the diesel orchard heaters, a thick, black cloud would hang over the valleys. The Air Quality Board does not allow those operations.

The only method left to protect crops during a freeze event is the use of water. There are no other alternatives! Ponds are a helpful tool for frost protection, which are kept full by groundwater pumps. When a frost event occurs, water is pumped from the pond. Many vineyards use this method to aid in frost protection measures, but per the current proposal by the Tribes, our groundwater pumps would be curtailed as well, making this option unworkable. If we were not allowed to run our creek AND groundwater pumps in the freeze events of 2021 and 2022, our orchards would all have died like many of the other walnut orchards seen in Lake County. This hard freeze killed hundreds if not thousands of walnut trees in Lake County that will never be replaced.

The most logical fix in my opinion and experience is to fix the congested levee bottoms and remove the naturally occurring barriers of vegetation and gravel. The farmer wants these watersheds to thrive; it is our livelihood that they do. Other methods need to be fully explored before you turn off the farmer’s faucet.

No Water, No Farms-No Farms, No Food.

Sincerely,
Colleen (Seely) Rentsch-5th generation farmer
Owner, Seely Farming Co., Inc.