



25079 Brush Creek Rd., Sweet Home, OR 97386
(541) 367-1105 · www.adaptiveseeds.com · seed@adaptiveseeds.com

**Letter from Adaptive Seeds to be Considered before the Environmental Subcommittee,
Committee on Energy and Commerce,
U.S. House of Representatives
Hearing on the Discussion Draft of H.R. _____,
The Farm Regulatory Certainty Act of 2017
November 9, 2017**

Dear Chairman Walden, Ranking Member Pallone, Subcommittee Chairman Shimkus, and
Subcommittee Ranking Member Tonko:

Adaptive Seeds is writing to share our grave concern with The Farm Regulatory Certainty Act offered by Rep. Newhouse. As an Oregon farm-based seed company that stewards rare, diverse & resilient seed varieties for ecologically-minded farmers, gardeners, and seed savers, pollution from industrial agriculture is a critical issue for our business, our health, and our livelihood. We are deeply alarmed that the language in this draft bill would limit a citizen's ability to stop an agricultural facility that was mismanaging its waste so much that it endangers our community's health and our environment. Adaptive Seeds relies on our land, our air, and our water to do the work we do, just as all farmers in our community do. Which means that when one of us has poisoned our environment and will not fix the problem, Congress should not take farmer's access to the courts away to get them to change their practices.

Adaptive Seeds was established in 2009 by Andrew Still and Sarah Kleeger near Sweet Home, Oregon. Our farm has been Certified Organic by Oregon Tilth since early summer 2013, and all seeds

that have been grown at Adaptive Seeds are certified organic. We pride ourselves in our use of open pollinated cultivars, which encourages diversity and resilience. It is akin to open source software. Unlike hybrids, open pollinated varieties become adapted to the area in which they are grown and have been shown to outperform imported seed. This approach to production deeply roots us in the land here in Oregon, and requires clean, healthy soil, air, and water to thrive.

We are proud to be in a state with an agricultural landscape that is primarily comprised of small and mid-sized family farms and ranches, though we are aware that there is a shift in industrial production models in our rural communities. There are dozens of CAFOs where we live in rural Linn County, Oregon (population just over 120,000). Broilers are one of the top commodities produced here (6,000,000 birds produced in 2012) – the vast majority of these in CAFOs. Much of our county is within the boundaries of the Southern Willamette Valley Groundwater Management area, which was declared in 2004 after a study found that more than 20% of wells tested have moderate-to-high levels of Nitrate (study available at <http://www.oregon.gov/deq/FilterDocs/gw-swvgwma-nitrates.pdf>). Like many residents of Linn County, we depend on private well water for our household & irrigation needs. We also irrigate with surface water from the creek that runs through our property. Under these circumstances, the Farm Regulatory Certainty Act really hits home, and not in a good way. People in our community need to continue to be able to stand up to protect the water that we depend on for our livelihoods & our lives.

As farmers that are deeply connected to our community and our place, we are careful to ensure that small and mid-sized family farms continue to have say over our local agricultural economies and industry impacts to our shared resources. Part of our job is complying with laws and regulations to make sure that we meet the food needs of our communities, from seed to plate, without harming people or the environment in the process. We know that we meet those requirements and that most of our fellow farmers do the same. But there are exceptions to every rule, and there are currently no other ways than the Resource Conservation and Recovery Act's citizen suit provisions to force a bad actor to

go back and clean up the mess. We are up against a lot in our struggle to survive as small farmers in a food system that is increasingly corporate-controlled and industrialized, and we need every tool we can use to protect our resources and assets. We certainly do not want Congress closing off our access to the courts.

At Adaptive Seeds, we talk about our work of Bringing Biodiversity Back. Part of that, of course, is growing and stewarding seed and providing others with good seed stock for their own gardening and farming efforts. But seed work isn't only done in the field, and this is why we reach out to you today and ask you to maintain the language in this critical environmental law so that farmers like us can protect the resources we need to continue to thrive, and hold polluters accountable. Thank you for your consideration.

Sincerely,

The image shows two handwritten signatures in black ink, each enclosed in a thin black rectangular border. The signature on the left is 'Sarah Kleeger' and the signature on the right is 'Andrew Still'.

Sarah Kleeger, Partner & Andrew Still, Partner

Adaptive Seeds, LLC
25079 Brush Creek Rd
Sweet Home, OR 97386