

## State Water Resources Control Board

**Proposed Statewide Grazing Regulatory Action Project (GRAP)  
Stakeholder Focus Listening Session  
November 3, 2014  
1:00 p.m. to 4:00 p.m.**

**Cal/EPA Headquarters Building, Training Room 1 East/West  
1001 I Street, Sacramento, CA 95814**

Please arrive by 12:45 p.m. as you will need to check in at the first floor. For more information on travel to the Cal/EPA building, please refer to: <http://www.calepa.ca.gov/EPABldg/location.htm>

**Attendees:** Ranching and Related Industries Stakeholders, by invitation only

**Meeting Format and Purpose:** Obtain early input concerning the proposed GRAP

### AGENDA

- I. Welcome and Introductions** (1:00 p.m. - 1:15 p.m.)  
Patty Kouyoumdjian, Executive Officer, Regional Water Quality Control Board, Lahontan Region
- II. Background: Grazing Regulatory Action Project (GRAP)** (1:15 p.m. - 1:30 p.m.)  
GRAP Water Board Staff  
10-minute break (1:30 p.m. - 1:40 p.m.)
- III. Issues Discussion with Stakeholders** (1:40 p.m. - 3:40 p.m.)  
Moderated by Esther Tracy and Gita Kapahi, Office of Public Participation, State Water Resources Control Board  
Key Questions:  
  1. How should we define grazing (e.g., herd size, range size, duration/intensity, water source, type of animal, open range, irrigated pasture)?
  2. What would a successful regulatory program look like to you? In your experience, what types of management practices have been effective in protecting or improving water quality? How can we incentivize use of effective management practices?
  3. In your experience, what types of monitoring have been effective in assessing water quality?
  4. What are the unusual or extreme circumstances that GRAP should consider as part of its regulatory program (e.g., weather, market conditions, wildfire, livestock diseases)?
  5. How can we best collaborate with all stakeholders regarding grazing and water quality?
  6. Who else should we be talking with? Are there other key stakeholders with whom we should coordinate?
- IV. Closing, Next Steps, Action Items** (3:40 p.m. - 4:00 p.m.)

We invite the submittal of grazing related current science, reports and analyses.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

# GRAZING REGULATORY ACTION PROJECT (GRAP)

[http://www.waterboards.ca.gov/water\\_issues/programs/nps/grap.shtml](http://www.waterboards.ca.gov/water_issues/programs/nps/grap.shtml)

## FOCUSED LISTENING SESSIONS

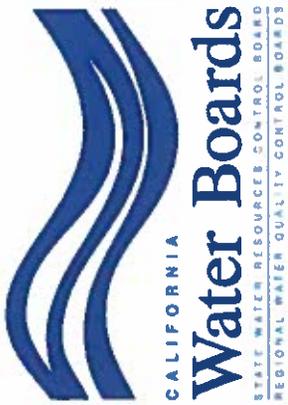
State Water Resources Control Board  
Regional Water Quality Control Boards

# Purpose and Overview of Today's Session

## Purpose:

- Water quality impacts of grazing
- Input on effective practices
- Listen

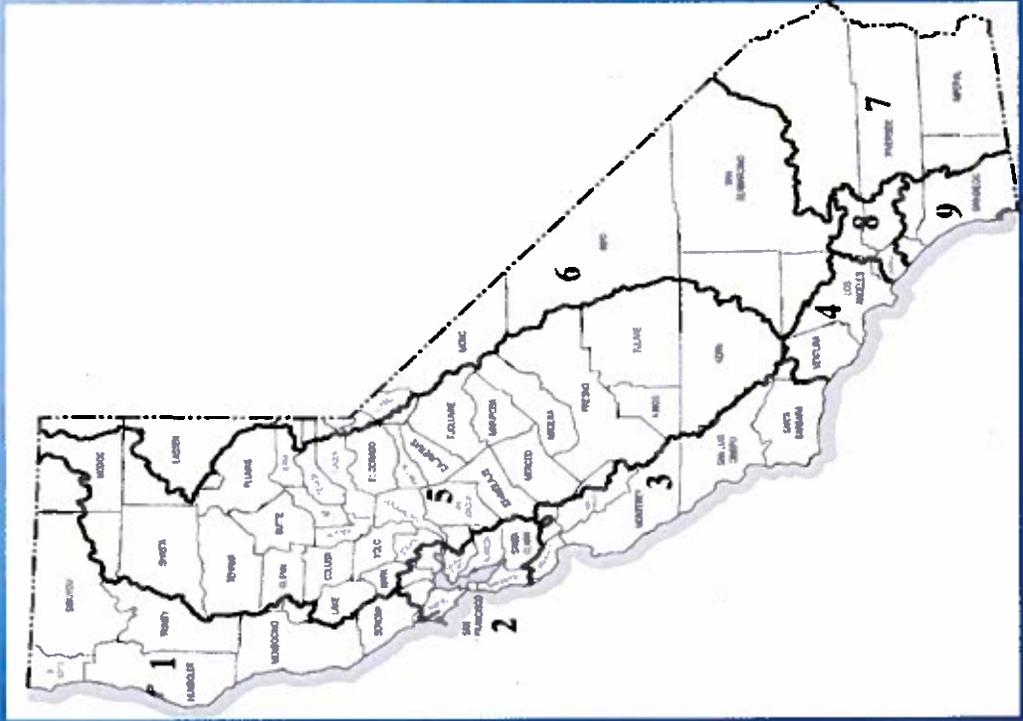
## Overview: Who What When Where Why How

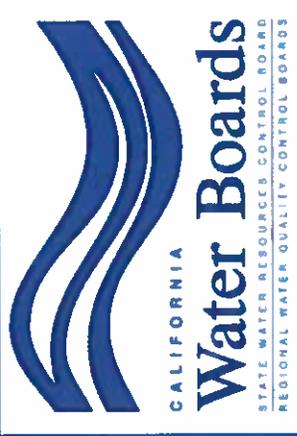


# Who

## The California Water Boards

- State Water Resources Control Board
- Nine Regional Water Quality Control Boards





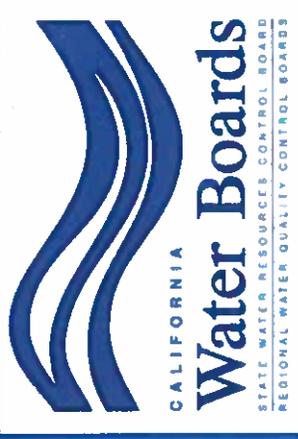
# What

## Grazing Regulatory Action Project (GRAP)

Enhance environmental benefits from grazing, protect beneficial uses and address water quality impacts related to grazing.

Facilitate efficiency and consistency while accounting for regional differences.

Collaborative efforts to more efficiently and consistently address impaired waters.



GRAP will not include:

Overlapping regulations with

Confined Animal Feeding Operations (CAFOs)

or

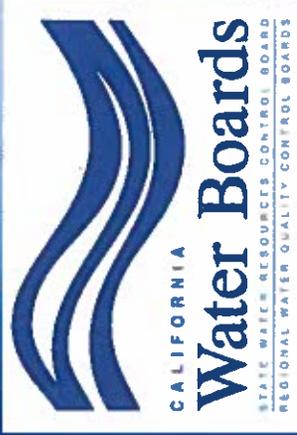
Irrigated Lands Regulatory Programs



When

## GRAP Schedule

Milestone	Estimated Date
<ul style="list-style-type: none"> <li>• Focused Outreach Listening Sessions</li> </ul>	2014
<ul style="list-style-type: none"> <li>• Development of Initial Proposal</li> <li>• CEQA Scoping and Broader Outreach</li> <li>• Public Comment on Proposal</li> </ul>	2015
<ul style="list-style-type: none"> <li>• Final Drafts of Proposal and Environmental Document</li> <li>• Consideration of Adoption by the State Water Board</li> <li>• Begin Implementation</li> </ul>	2016



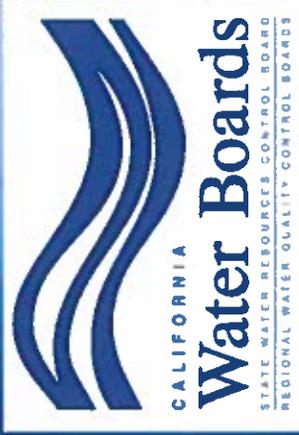
# Why

Well-managed livestock grazing operations can provide benefits to the environment, the economy, and California consumers.

Grazing operations can contribute to impairments of water quality and impact beneficial uses.

# Impaired Waters

Regional Board	Number of Impaired Waters	Number of Listings	Estimated Size Affected	
			Miles of Rivers or Streams	Acres of Lakes or Bays
1	20	40	9,894	199
2	16	30	261	74,500
3	55	55	628	3,104
4	2	3	17	0
5	6	9	166	40,070
6	21	39	162	108,846
7	0	0	0	0
8	1	1	0	653
9	1	1	0	925
<b>TOTAL</b>	<b>122</b>	<b>178</b>	<b>11,128</b>	<b>228,297</b>



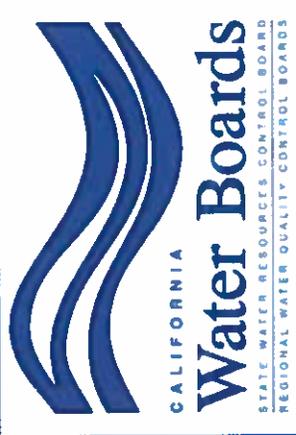
Why

It's the Law

Section 303(d) of the Clean Water Act -  
Impaired Waters

Porter-Cologne Water Quality Act

State Nonpoint Source Policy



# How

## State Nonpoint Source Policy- Permitting Authorities

- Basin Plan Prohibitions
- Waste Discharge Requirements
- Waivers of Waste Discharge Requirements

# PROHIBITIONS

- Application-
  - To prohibit a discharge or type of discharge
- Contents
  - Prohibitions (e.g., no discharge to surface water)
  - Conditions (e.g., implement management practices)
- Types
  - As part of a Waste Discharge Requirement
  - Amendment to Basin Plan

## WASTE DISCHARGE REQUIREMENTS (WDRs)

- Application-
  - If discharging or proposing to discharge waste (including pollutants off land, such as sediment)
- Contents
  - Prohibitions (e.g., no discharge to surface water)
  - Conditions (e.g., implement management practices)
  - Monitoring (must be included)
- Types
  - Individual for single facility
  - General for a group of similar facilities

# WAIVER OF WASTE DISCHARGE REQUIREMENTS (WAIVERS)

- Application-
  - Specific discharger or type of discharge (including pollutants off land, such as sediment)
- Contents
  - Prohibitions (e.g., no discharge to surface water)
  - Conditions (e.g., implement management practices)
  - Monitoring (must be included)
- Types
  - Individual for single facility
  - General for a group of similar facilities

## Similarities

- Compliance with specific conditions
- Water quality management measures
- Reporting on implementation
- Monitoring- individual or cooperative

## Differences

- Timing- Approval Process/Term
  - Prohibition longer; does not need renewal
  - WDRs or Waivers shorter
  - WDRs need 5-, 10- or 15-year renewal
  - Waivers need 5-year renewal
- Fees
  - Prohibitions- none
  - WDRs- set fee schedule
  - Waivers- set fee schedule, lower than for WDRs

# Tools Currently Used

Regional Board	Number of Impaired Waters	Number of Listings	Regulatory and Other Tools Currently Used to Address Grazing-Related Water Quality Impacts								
			TMDLs	General WDRs	WDRs	Waivers	ILRP or other Certification Programs	Basin Plan Prohibitions	Grants	Other	
1	20	40	16	1		4				6	1
2	16	30		1		3					
3	55	55	12					2	2	1	
4	2	3	1					1			
5	6	9		1				1			
6	21	39	6			1				1	
7	0	0									
8	1	1	1								
9	1	1									
<b>TOTAL</b>	<b>122</b>	<b>178</b>	<b>36</b>	<b>3</b>	<b>0</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>1</b>



## Public Input

- Key stakeholder sectors:

Ranching and related Industries; Government and Local Agencies; Tribes; Environmental and Environmental Justice Organizations; and Academia)

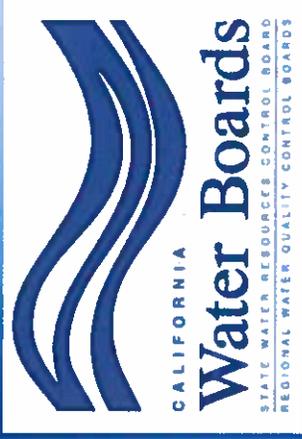
- Outreach Listening Sessions in 2014 and early 2015

Sacramento (Five Sessions in November & December)

San Luis Obispo Friday January 9

Redding Tuesday January 13

Bishop Wednesday January 28



## Consider the Science

Online submittal of related science –  
opportunity to submit scientific studies and  
reports related to grazing for our  
consideration as we begin to develop our  
GRAP options



## In Summary

Who: California Water Boards

What: Grazing Regulatory Action Project

When: 2014-2016

Where: Statewide

Why: Laws directing actions for impaired waters

How: Public input, Science, and our Permitting Options (WDRs, Waivers, Prohibitions)

## Next Steps

- Stakeholder Input from Eight Sessions  
Sacramento - November & December  
San Luis Obispo, Redding - January
- Online submittal of related science
- Share summary of input and science on our website  
[http://www.waterboards.ca.gov/water\\_issues/programs/nps/grap.shtml](http://www.waterboards.ca.gov/water_issues/programs/nps/grap.shtml)
- Develop Options

Let's Get Started.....

Six Questions

How should we define grazing  
(e.g., herd size, range size,  
duration/intensity, water source,  
type of animal, open range,  
irrigated pasture)?

What would a successful regulatory program look like to you? In your experience, what types of management practices have been effective in protecting or improving water quality? How can we incentivize use of effective management practices?

In your experience, what types  
of monitoring have been  
effective in assessing water  
quality?

What are the unusual or extreme circumstances that GRAP should consider as part of its regulatory program (e.g., weather, market conditions, wildfire, livestock diseases)?

How can we best collaborate  
with all stakeholders regarding  
grazing and water quality?

Who else should we be talking  
with? Are there other key  
stakeholders with whom we  
should coordinate?

For questions about the process of developing the GRAP, please contact:

Steve Fagundes    Division of Water Quality, State Water Resources Control Board  
(916) 341-5487    [sfagundes@waterboards.ca.gov](mailto:sfagundes@waterboards.ca.gov)

Cindy Wise    Lahontan Regional Water Quality Control Board, South Lake Tahoe Office  
(530) 542-5408    [cwise@waterboards.ca.gov](mailto:cwise@waterboards.ca.gov)

Ben Letton    Central Valley Regional Water Quality Control Board, Redding Office  
(530) 224-4129    [bletton@waterboards.ca.gov](mailto:bletton@waterboards.ca.gov)

The State and Regional Water Boards' Executive Sponsor for GRAP:

Patty Kouyoumdjian    Executive Officer, Lahontan Regional Water Quality Control Board,  
South Lake Tahoe Office (530) 542-5412    [pzkouyoumdjian@waterboards.ca.gov](mailto:pzkouyoumdjian@waterboards.ca.gov)

For questions related to stakeholder meeting schedule or locations, please contact:

Esther Tracy    Office of Public Participation, State Water Resources Control Board  
(916) 341-5908    [esther@waterboards.ca.gov](mailto:esther@waterboards.ca.gov)



## Statewide Grazing Regulatory Action Project Outreach Document

### **i. Introduction**

The State Water Resources Control Board (State Water Board) is proposing a statewide action to enhance environmental benefits from grazing, protect beneficial uses of surface and groundwater, and address water quality impacts related to livestock grazing in California. This Grazing Regulatory Action Project (GRAP) aims to facilitate efficiency and statewide consistency in developing and implementing requirements to meet these goals, while at the same time accounting for regional differences in hydrology, topography, climate, land use, and microeconomics. A cornerstone of the GRAP will be thoughtful consideration of the costs of compliance to the regulated grazing community.

In California, there are more than 40 million acres of rangeland (approximately 38 percent of the state's surface area), with about half of this acreage in public and half in private ownership. Well-managed livestock grazing operations provide benefits to the environment, the economy, and California consumers. In some instances, however, grazing operations contribute to impairment of water quality and impact beneficial uses. Approximately 120 water quality impairments (including fecal bacteria, temperature, sediments or nutrients) identified on the 2010 Clean Water Act (CWA) List of Impaired Waters for California are on lands with active grazing operations. Under existing law, Total Maximum Daily Loads (TMDLs) are required for all waters and pollutants on the CWA list, including waters impacted by grazing operations.

Developing a TMDL for each impaired water body is not a practical solution. To date, the Water Boards have chosen to regulate livestock grazing through Water Board orders, grazing waivers, Water Quality Control Plan (Basin Plan) prohibitions, TMDLs and enforcement actions. These approaches have varied in their application and effectiveness, and have resulted in inconsistencies statewide. GRAP is one of several collaborative efforts established by the Water Boards directing staff to work with interested stakeholders on ways to more efficiently and consistently address impaired waters.

In addition to meeting the requirements of the CWA, the Water Boards must meet the requirements of the California Porter-Cologne Water Quality Control Act, which obligates the Water Boards to address all discharges of waste that could affect the quality of the waters of the State, including all nonpoint sources of pollution. This means that not only must the Water Boards address water bodies impaired by grazing activities, but that they must also protect the numerous high-quality streams within public lands, including federally managed wilderness areas, from water quality degradation caused by livestock grazing. Grazing in California is a nonpoint source of water pollution that is not currently regulated statewide. Examples of nonpoint source pollution that may be associated with grazing include discharges of sediment

from the erosion of stream banks, discharges of bacteria from livestock feces that get into the surface water, and increased temperature of streams caused from trampling of riparian habitat.

## **II. Grazing and the Environment**

Grazing is an important economic commodity in California, resulting in over \$3 billion in food and fiber annually. Over 85 percent of California's drinking water supply is generated and/or stored within watersheds that include rangelands. Environmental benefits from grazing on rangelands can include vegetation management, fire management; invasive species control and carbon sequestration. In California, many of the private rangelands are under intense pressure for conversion to residential, commercial, or other agricultural land uses.

Improperly managed livestock grazing degrades riparian habitat by trampling soils, reducing shade-producing cover, degrading the structure of streamside vegetation, and destabilizing stream banks. This can result in shallow, wide streams and increased water temperatures. Grazing in riparian zones also causes substantial amounts of stream bank and stream bed erosion causing sediment increases, resulting in the loss of spawning beds and overall habitat degradation for riparian wildlife species. Pollution, including by fecal coliform bacteria from animal waste, can reach high levels and impact beneficial uses of the water, including uses for recreation, domestic and municipal supply.

Our challenge is to support well-managed grazing while still protecting water quality and its beneficial uses.

## **III. Public Outreach**

The participation of interested stakeholders in the development of a statewide grazing regulatory strategy is crucial to its success. Thus, the Water Boards will actively engage stakeholder groups by soliciting early public comments during focused outreach listening sessions in 2014 and early 2015. The listening sessions will be held in Sacramento and in other more remote locations throughout the state. These listening sessions will be the first of many opportunities for stakeholder participation.

The purpose of the first series of outreach meetings is to discuss the statewide issue of water quality impairments associated with grazing, solicit input on what types of management practices have been effective, and hear concerns and suggestions or other feedback on the approach for this project.

The initial outreach sessions will invite input from five key stakeholder sectors: Ranching and related Industries; Government and Local Agencies; Tribes; Environmental and Environmental Justice Organizations; and Academia. In the sessions, stakeholders will be invited to share their thoughts on several questions including:

1. How should we define grazing (e.g., herd size, range size, duration/intensity, water source, type of animal, open range, irrigated pasture)?
2. What would a successful regulatory program look like to you? In your experience, what types of management practices have been effective in protecting or improving water quality? How can we incentivize use of effective management practices?

3. In your experience, what types of monitoring have been effective in assessing water quality?
4. What are the unusual or extreme circumstances that GRAP should consider as part of its regulatory program (e.g., weather, market conditions, wildfire, livestock diseases)?
5. How can we best collaborate with all stakeholders regarding grazing and water quality?
6. Who else should we be talking with? Are there other key stakeholders with whom we should coordinate?

Water Board staff will compile all input from these initial outreach sessions and consider it in the development of the GRAP proposal during 2015. As the proposal is developed, there will be additional opportunities for stakeholder input.

#### IV. State and Regional Water Board Contacts for the GRAP

For questions about the process of developing the GRAP, please contact:

Steve Fagundes Division of Water Quality, State Water Resources Control Board  
(916) 341-5487 [sfagundes@waterboards.ca.gov](mailto:sfagundes@waterboards.ca.gov)

Cindy Wise Lahontan Regional Water Quality Control Board, South Lake Tahoe Office  
(530) 542-5408 [cwise@waterboards.ca.gov](mailto:cwise@waterboards.ca.gov)

Ben Letton Central Valley Regional Water Quality Control Board, Redding Office  
(530) 224-4129 [bletton@waterboards.ca.gov](mailto:bletton@waterboards.ca.gov)

For questions related to stakeholder meeting schedule or locations, please contact:

Esther Tracy Office of Public Participation, State Water Resources Control Board  
(916) 341-5908 [etracy@waterboards.ca.gov](mailto:etracy@waterboards.ca.gov)

#### V. Proposed Schedule for GRAP Development

Milestone	Estimated Date
<ul style="list-style-type: none"> <li>• Focused Outreach Listening Sessions</li> </ul>	2014
<ul style="list-style-type: none"> <li>• Development of Initial Proposal</li> <li>• CEQA Scoping and Broader Outreach</li> <li>• Public Comment on Proposal</li> </ul>	2015
<ul style="list-style-type: none"> <li>• Final Drafts of Proposal and Environmental Document</li> <li>• Consideration of Adoption by the Water Boards</li> <li>• Begin Implementation</li> </ul>	2016