

Brennan Ranch  
20540 Shangri La  
Sonora CA 95370  
(209) 532-4225  
bsbrennan@mlode.com

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Mr. Jay Simi  
Central Valley Regional Water Quality Control Board  
Jay.simi@waterboards.ca.gov

Re "303"(d) list revisions

Brennan Ranch would like to thank the water board for the opportunity to comment on the proposed additions to the 303(d) impaired water body list for creeks on grazing allotments on the Stanislaus National Forest including Bell Creek, Bull Meadow Creek, Jawbone creek, Niagara Creek, and Rose Creek from fecal coliform. Brennan Ranch is the cattle grazing permittee on the Eagle Meadow allotment, which includes the Niagara Creek listing. For each of the proposed listings livestock grazing is identified as the contributing factor. Under the Environmental conditions or QAPP section for each identified water body, these statements can be found

1. "The samples were collected after cows were present in the area"
2. "samples were collected under the Bacteria Contamination of Surface Waters due to Livestock Grazing in the Stanislaus National Forest."

These statements reveal the bias assumptions of Central Sierra Environment Center (CSERC) and align with their public statements of restricting cattle grazing on public lands. The current evaluation guideline for determining indicator bacteria is from the US EPA Ambient Water Quality Criteria for Bacteria - 1986. The guidelines used in this document do not account for species identity for fecal coliform and e. coli. Cattle are present in the area as well as wildlife and people. The

timing for cattle entering the allotment is closely aligned with wildlife coming out of hibernation, and the forest opening to a multitude of public uses. Both the wildlife population and the human population on the allotment far exceed the cattle numbers. Until DNA based molecular markers are used to screen species, livestock cannot be identified as the sole factor.

The data used to propose these listings was gathered and submitted by a single source that has been actively engaged in restricting cattle grazing on public lands. They have submitted numerous documents to the USFS BEH Environmental Assessment Report for the last decade. CSERC is attempting to use these erroneous statements as factual evidence of why cattle numbers should be reduced immediately. However in 2013 researchers from the University of California Davis published a peer-reviewed study titled "Water Quality Conditions Associated with Cattle Grazing and recreation on National Forest Lands", with substantially different findings including but not limited to;

1. using USEPA's national E coli fecal indicator bacteria (FIB) benchmarks over 90% of the 743 samples collected were below the recommended criteria values.
2. FIB concentrations were higher when stream flow was low or stagnant, and water was turbid. (not the site locations I would allow my family to recreate at, under any circumstance.)
3. Developed recreation sites had the lowest mean FIB, total nitrogen, and soluble reactive phosphorus concentrations with no significant differences in FIB and nutrient concentrations between key grazing areas and non-concentrated use areas.

Brennan Ranch strongly believes the results of this study indicate grazing, recreation and clean water can be achievable goals across the national forest system lands. The California Water Board should not be a tool utilized by extreme environmental groups to dismantle an important sector of California Agriculture, grazing on public lands. Unfortunately per direction from the State Water Resources Control Board, data for these listings can only include monitoring samples collected prior to 2010, allowing dubiously collected samples from CSERC to drive the listing while excluding peer reviewed science, conducted by UC Davis.

Brennan Ranch fully supports the efforts by the UC Cooperative Extension to form a water quality partnership to address site-specific management practices to enhance water quality. USFS, water board staff, UC Davis, UC Cooperative Extension along with local stakeholders is the most effective productive collaborative vehicle to accomplish meaningful solutions for any real water quality issues with respect to cattle grazing on USFS lands. Thank you for the opportunity to comment on the proposed 303d impaired water body listing.

Sincerely,

Bob and Sherri Brennan  
Brennan Ranch