

CALIFORNIA CATTLEMEN'S ASSOCIATION

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Matt St. John, Executive Officer
North Coast Water Quality Control Board
5550 Skylane Blvd Ste
Santa Rosa CA 95403-1072

Dear Mr. St. John,

The California Cattlemen's Association (CCA) appreciates the opportunity to comment on both the Water Quality Management Plans document, as well as the Ag Lands Conditional Waiver Overview, as presented by the North Coast Regional Water Quality Control Board at the Sonoma meeting on October 15, 2012. CCA represents over 2,000 members statewide, and many hundreds who live within Region One who will be affected by this Irrigated Agricultural Lands Program. While CCA certainly supports the efforts to maintain and improve water quality, CCA contends that irrigated pasture ought to be excluded from this program based on the negligible threat to water quality posed by irrigated pasture.

While CCA is pleased to see that staff is now considering that, given the variations of land and production type within Region One, Water Quality Management Plans might be a more appropriate regulatory method, we firmly believe that the time frame of this project will have to be expanded in order to accommodate this change of direction. As was discussed at the Santa Rosa meeting, there are numerous water quality programs currently in existence in which many ranchers already participate. If the Board staff does want to look at the creation of water quality management plans, then it is incumbent upon staff, with help from stakeholders, to assess the variety of programs already being used. To start from scratch in creating water quality management plans would not only be a duplicative effort, but would undermine the immense amount of work that has already been done by many on a voluntary and proactive basis. Should Board staff wish to implement water quality management plans, CCA would recommend that staff prepare a list of qualifications for existing programs so that these programs will have a clear understanding of whether or not they fulfill all of the requirements. While some of these qualifications are already listed under "contents of water quality management plans," both stakeholders and staff know that these qualifications need additional refinement and detail.

Additionally, given the variety of water quality management plans already in existence, the staff and Board should allow for layering of these plans to ensure that all requirements are met and that farmers and ranchers do not have to enroll in additional programs unnecessarily.

In developing water quality management plans, the staff and Board should give serious consideration to using TMDLs and irrigation districts' water quality management plans as components of a larger water quality management plan, if necessary, and also using them as third party certifiers. As many farmers and ranchers are already enrolled in TMDLs throughout the region, programs which are already approved by the Board, this seems like a very easy first step to insure compliance with a variety of the suggested requirements.

As it relates to the refinement of the suggested water quality management plan contents, CCA suggests that the Board narrow their scope by ensuring measurable outcomes.

Under item number three, which reads, “description of physical hydrological features and local water quality conditions,” staff should consider revising “local water quality conditions” to more clearly state what information is needed. In its current form, this implies that an overall assessment of local water quality is required. If the Board wishes to know which streams run dry in the summer, and which are prone to flooding, then these should be exemplified.

As was discussed in the Santa Rosa meeting, both livestock management and riparian and stream management, under item number 4, need clarification. The riparian and stream management is of particular concern, as it is difficult to tie actions related to those activities to results in improved water quality. CCA would caution the Board and staff against expanding the scope of this program too far beyond reasonably measured means. If the staff and Board intend to include riparian and stream management as part of a water quality management plan, then they must be able to prove that certain actions result in improvements to water quality. Specifically, if temperature is considered to be a pollutant, the Board and staff should bear the responsibility of ensuring that certain management practices yield the results they are looking for. CCA sees this particular charge as extraordinarily difficult to accomplish, and would encourage staff and the Board to revise the qualification to deal more specifically with erosion, which is already expressed under “contents of water quality management plans.”

Under the section titled “Water Quality Performance Standards,” staff has listed “prevent livestock from entering surface waters except when crossing.” During the Santa Rosa meeting, it was mentioned, and staff acknowledged, that this language would result in ranchers having to fence all riparian area. As this is clearly an unworkable ask, CCA suggests that staff and the Board clarify the intent of this language. It seems duplicative to include both managing livestock in riparian areas as well as “manage riparian areas in a manner than maintains their essential functions...” In requiring certain management practices, such as fencing riparian area, the Board is over stepping their bounds and authority, and CCA strongly encourages a review of this prescriptive performance standard.

In the same vein, CCA would also encourage the Board to ensure that the performance standards which are included in the document are proven to have measurable effects on water quality. If the Board is to require certain water quality performance standards, it should be able to prove that these standards result in improvements to water quality before they are imposed on the regulated community.

CCA appreciates the opportunity to comment on these two documents, and hopes that the Board and staff will consider them in their revisions.

Sincerely,



Margo Parks
Director of Government Relations

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