



May 30, 2014

The Honorable Felicia Marcus  
Chair, State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



**Re: Comment Letter—Lahontan Basin Plan Amendments**

Dear Chair Marcus,

The California Cattlemen's Association (CCA) and California Farm Bureau Federation (CFBF) appreciate the opportunity to comment on the State Water Resources Control Board (State Board)'s proposed adoption of the Basin Plan Amendment previously adopted by the Lahontan Regional Water Quality Control Board (Lahontan Board). As organizations with members throughout the state, including the Lahontan region, we have a significant interest in the water quality goals set by Regional Boards and adopted by the State Board. Our members pride themselves on being responsible stewards of the land, and seek to incorporate into their ranching and farming operations responsible management practices, informed by the best available science, in order to ensure that our land and water remain healthy for Californians and sustainable for future generations of agricultural producers.

CCA and CFBF are concerned with the Lahontan Basin Plan Amendment as written, and we are specifically opposed to the Lahontan Board's failure to address its restrictive and unattainable fecal coliform standard of 20/100mL. CCA and CFBF have strongly objected to this unreasonable standard in the past, and appreciate this opportunity to renew our objections to the overly-restrictive standard. We ask that the State Board defer approval of the Lahontan Basin Plan Amendment at this time, and remand the Amendment back to the Lahontan Board to revise its fecal coliform standard.

The Lahontan Board is the only regional board throughout the state to adopt a fecal coliform standard of 20/100mL—all other regional boards have adopted a standard of 200/100mL, which is also the standard adopted by the U.S. Environmental Protection Agency. The Lahontan Board's standard does not appear to be justified by the best scientific evidence available, as no scientific data has been advanced by the Lahontan Board to support the use of such a restrictive fecal coliform limit.

Additionally, there is ample evidence to suggest that the fecal coliform limit set by the Lahontan Board is unachievable under any circumstances. The objective was apparently originally based upon the unique purity of Lake Tahoe, but water data from 1966-1971 suggests that this has been an unattainable standard even for Lake Tahoe itself. Depending on lakeshore development and

distance from shore, Lake Tahoe at that time had fecal standards varying from 32, 64, 240, and 700/100mL—even the lowest of which would have exceeded the Lahontan Board’s restrictive standard by more than 50%.

Research on the ground confirms that this standard cannot be realistically and reasonably achieved. For instance, over much of the past decade, members of the Bridgeport Ranchers Organization have worked with Regional staff to institute best management practices to reduce levels of fecal coliform in the waters of the Lahontan Basin. Despite this cooperation with staff and adherence to best management practices, testing data has confirmed that the high standard of 20 fec col/100mL is simply unachievable.

This high standard, permitting no more than a tenth of the fecal coliform level allowed throughout the rest of the state, puts ranchers within the Lahontan Basin at a significant disadvantage to ranchers throughout the rest of the state and country. This standard threatens the very livelihood of ranchers in the Bridgeport Valley; if the restrictive fecal coliform level stands, it will undoubtedly force ranchers and future generations to abandon their work on the land despite years of data which demonstrate that water quality is *actually improved* by passing through ranch property.

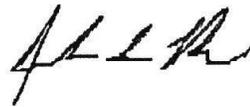
The California Water Code requires that regional water boards establish water quality objectives which reflect “a reasonable protection of beneficial uses,” and directs regional boards to consider whether the standards they set “could reasonably be achieved.” The Water Code further directs regional water boards to examine economic considerations in setting its standards. Here, it is evident that the Lahontan Board’s restrictive fecal coliform level cannot be *reasonably* achieved (if indeed it can be achieved at all), and that adherence to the standard would be economically devastating to ranchers in the region. As such, this restrictive standard does not comport with the intent of the Water Code.

CCA and CFBF believe that the Lahontan Basin fecal coliform standard should be amended or clarified such that, in agricultural areas of the region, the fecal coliform objective is set to 200/100mL to conform to all other areas of the state. To this end, we ask that the State Board defer approval of the Lahontan Basin Plan Amendment and remand the Amendment to the Lahontan Board with instructions to revise the fecal coliform standard.

Sincerely,



Kirk Wilbur  
Director of Government Relations  
California Cattlemen’s Association



Jack L. Rice  
Associate Counsel  
California Farm Bureau Federation