

## CALIFORNIA CATTLEMEN'S ASSOCIATION

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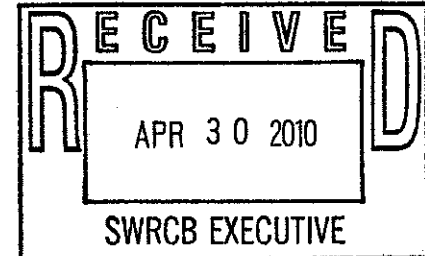
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April 30, 2010

Mr. Charles Hoppin  
Chair, State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



Submitted Via Email: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

### RE: Comment Letter – AB 2121 Revised Policy

The California Cattlemen's Association (CCA) appreciates the opportunity to comment on revisions to the Proposed Policy for Maintaining Instream Flows in Northern California Coastal Streams (Proposed Policy). CCA represents California ranchers and beef producers who are active stewards of California's water and natural resources and own or manage working landscapes that provide wildlife habitat, open space and numerous other environmental benefits.

In accordance with comments submitted prior to the April 27 special board hearing, CCA is still concerned that the Proposed Policy does not fairly or properly balance beneficial uses. We believe the proposed policy is overly-protective prioritizes fishery resources over other beneficial uses. We would encourage the board to direct staff to revise the policy in order to balance beneficial uses as required by the California statutes and the California Constitution.

With respect to revisions proposed following the April 27 special board hearing, CCA supports the inclusion of language that would not subject the renewal of an existing stock pond to the Proposed Policy. Unlike other permits to divert water, stock pond registrations must be renewed on a five year basis even if the rancher is not proposing to change any provision agreed to in the original registration. Since the Proposed Policy is intended to only apply to new water right applications or change petitions, including the renewal of stock pond registrations would be inappropriate.

CCA also advocates removing sections 8.3, 8.4 and 8.5 from the Proposed Policy prior to adoption. These sections re-state already existing authorities of the State Water Resources Control Board, however CCA remains uncomfortable that they are included. Maintaining these sections in the Proposed Policy generates some concern that the board intends to expand the Proposed Policy to existing water right permits and stock pond registrations in the future.



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CCA also remains extremely concerned regarding the proposed monitoring requirements outlined in section 10, notably section 10.2 "Monitoring and Reporting Streamflows" and section 10.3 "Reporting and Publication on the Internet." Requiring electronic monitoring that is updated in a real time format to the internet presents a huge cost burden for farmers and ranchers. While potentially feasible for municipal permittees, the expense associated with purchasing and maintaining electronic monitoring systems will be a direct cost burden for farmers and ranchers who have no way to pass on regulatory compliance costs. Reporting information real time on the internet is also duplicative of current statutes and regulations that allow the public to access non-confidential public information and is unnecessary.

Once again, CCA appreciates the opportunity to comment on revisions to the Proposed Policy. CCA is committed to working closely with the board and your staff to find solutions to concerns raised by both parties. Should you have any questions, please don't hesitate to contact me directly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Justin Oldfield".

Justin Oldfield  
Director of Regulatory Affairs