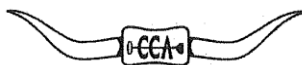


CALIFORNIA CATTLEMEN'S ASSOCIATION

1221 H STREET • SACRAMENTO, CALIFORNIA • 95814-1910

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PHONE: (916) 444-0845
FAX: (916) 444-2194
www.calcattlemen.org

August 20, 2012

Mr. Charles Hoppin
Chair, State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



RE: Comment Letter—Santa Maria FIB TMDL

Dear Chair Hoppin,

The California Cattlemen's Association (CCA) appreciates the opportunity to comment on the proposed amendment to the Central Coast Basin Plan to adopt a Total Maximum Daily Load (TMDL) for Federal Indicator Bacteria in the Santa Maria River Watershed and to add the Santa Maria River Watershed to the Domestic Animal Waste Discharge Prohibition. CCA is a statewide trade organization representing ranchers and beef producers in the state, including cattlemen and women operating in Santa Barbara County who will be affected by the proposed regulation.

CCA is opposed to the adoption of the proposed regulation as drafted and would request the State Water Resources Control Board (SWRCB) remand the regulation back to the Central Coast Regional Water Quality Control Board (CCRWQCB) for further work and revisions to more adequately address stakeholder concerns. CCA believes that comments submitted by the Santa Barbara Cattlemen's Association and the University of California, Agriculture and Natural Resources, San Luis Obispo County Cooperative Extension were not properly incorporated into the final draft submitted to the SWRCB.

The Santa Maria River Watershed is a complex watercourse that includes several creeks, lakes, canals and estuaries that are surrounded by multiple land uses including agriculture, open space, urban and industrial development. As such, impacts to the watershed and sources of fecal coliform impairment will originate from multiple sources, not just livestock. The source analysis section of the Staff Report clearly indicates that discharges are occurring from urban septic systems, urban storm water management systems and other human sources.

However, in rural areas where livestock grazing is more prevalent, particularly Alamo Creek, Bradley Canyon Creek, the Cuyama River, La Brea Creek, Little Oso Flaco Creek, Oso Flaco Creek and the Santa Maria River, the CCRWQB has identified the source of fecal impairment to originate solely from livestock. Ranching and the vast expanses of rangeland that are needed to support livestock production also provide a prime source of wildlife habitat. The Staff Report acknowledges that "Natural, uncontrollable sources of fecal coliform in all the listed water bodies are present..." however it does not quantify or attempt to predict the degree to which wildlife contribute to fecal coliform impairment.

The CCRWQB attempts to provide some clarity on this issue by including Appendix C – Bacteria Source Load Calculator. Although this spreadsheet strives to establish the numbers of domestic animals in each watershed, it still lacks any credible water quality data or source testing to certify that discharges of fecal coliform and contributions to impairments are actually occurring from livestock. Appendix C also

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uses surveys conducted in 2001 to assume today's population of deer, squirrels, beavers and other mammals and waterfowl. In addition, the Appendix does not include feral pigs which are demonstrated to populate much of the Central Coast and have been proven to contribute to water quality impairment in other Central Coast watersheds. Since the implementation of the SWRCB Non-Point Source Pollution Policy in 2004, CCA and the regulated community continue to advocate that a survey of the landscape and land uses surrounding an impaired watershed will determine the source of impairment and thus any potential solution to achieve desired water quality standards. There are numerous examples, namely in the Lahontan Water Basin, where watersheds that are void of grazing or other human impact continually exceed the basin plan standard and the 200 MPN per 100 ml standard adopted by other regions for fecal coliform including the CCRWQCB.

Therefore, CCA does not believe the use of the Appendix C or a comparable land use survey meets the threshold required under Section §13267 of the California Water Code to warrant the adoption of a waste discharge prohibition for domestic livestock. Section §13267 specifically states that "The regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports." We strongly believe more specific evidence that includes source testing is necessary to achieve the level evidence necessary to warrant the filing of a waste discharge report, or in this case the adoption of a domestic animal discharge prohibition.

For these reasons, we do not believe the regulation adopted by the CCRWQCB provides the necessary evidence nor accurately captures the contributions of wildlife to fecal coliform impairment. We urge the SWRCB to remand this regulation back to the CCRWQCB for further consideration.

Sincerely,

A handwritten signature in cursive script that reads "Justin Oldfield".

Justin Oldfield
Vice President, Government Relations