

CALIFORNIA CATTLEMEN'S ASSOCIATION

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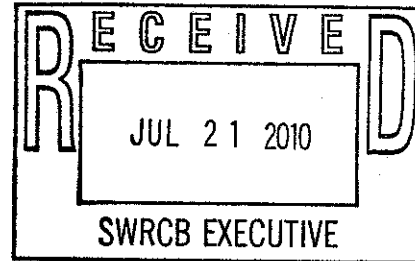
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July 21, 2010

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



Sent via email: commentletters@waterboards.ca.gov

RE: PROPOSED APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE KLAMATH RIVER TOTAL MAXIMUM DAILY LOADS

Dear Chair Hoppin,

The California Cattlemen's Association (CCA) appreciates the opportunity to comment on the Proposed Approval of an amendment to the Water Quality Control Plan for the Klamath River Total Maximum Daily Loads (TMDL) and the corresponding Implementation Plan. CCA represents California ranchers and beef producers who are committed stewards of our nation's natural resources and own or manage nearly 34.1 million acres of California rangeland.

CCA is concerned with many of the long-term impacts the adoption of the proposed amendment to the TMDL in its current form will likely have on ranchers within the North Coast region, specifically the adoption of a region-wide waiver of waste discharge requirements for grazing activities. CCA respectfully requests the State Water Resources Control Board (State Water Board) not approve proposed amendment at this time and provide direction to the North Coast Regional Water Quality Control Board (North Coast Regional Board) staff to continue to work with CCA and ranchers within the region to address issues of concern relative to the Implementation Plan and the adoption of a regional grazing waiver which staff indicates will include grazing on non-irrigated rangeland in addition to irrigated lands.

First and foremost, CCA and ranchers support the use of best management practices based on sound science and research developed by range specialists. Over the years, the University of California Cooperative Extension (UCCE), with the support of the industry, have been working to better demonstrate the effectiveness of rangeland best management practices focused on preventing or minimizing water quality impacts where they exist from grazing activities. CCA has also supported outreach and educational efforts by UCCE, the Natural Resources



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Conservation Service, Resource Conservation Districts and others to help ranchers develop ranch management plans and successfully implement best management practices on the ground. As such, ranchers have proactively worked to participate in educational short courses, implement sound best management practices and are always actively striving to improve the lands they depend on to produce food for California, our nation and the world.

Table 4-18 of the Implementation Plan outlines the North Coast Regional Board's intention to adopt a region-wide agricultural waiver by 2012 that would cover irrigated agricultural and grazing activities. It also outlines activities for ranchers in the interim to complete including the formation of watershed groups to report to the North Coast Regional Board in the future as part of the grazing waiver program.

The use of watershed groups, also expressed as coalitions, used by Regional Boards to manage costs associated with water quality monitoring should not be used for grazing activities on non-irrigated rangeland, and in most cases, irrigated pasture. Economic return per-acre from beef production on rangeland is typically minimal since it takes large tracts of land to produce and raise cattle appropriately. Economic returns from grazing activities should not be compared to those of intensive agriculture who bring a much larger return per acre and may be better suited to bear the costs of watershed groups or coalitions.

Likewise, CCA firmly believes that ranchers should not be responsible for water quality monitoring associated with the adoption of a grazing waiver largely because the costs will be unbearable. Research has demonstrated that photo monitoring is effective and feasible and has been demonstrated to be an effective alternative to water quality monitoring in order to document, track and correct known discharges of sediment or pathogens on rangeland.

A region-wide grazing waiver associated with the adoption of the proposed amendment should also be clear not to presume that all grazing activities discharge sediment, waste or impact stream temperature. As stipulated by the law, only activities that discharge or propose discharge waste are required to be covered by one of the various regulatory mechanisms outlined by the California Water Code. Ranchers are proactive in implementing various best management practices that prevent the discharge of waste and sediment, therefore grazing near riparian areas does not definitively demonstrate that waste or sediment is being discharged. Ranchers are also the experts in addressing potential areas of discharge on their lands, and any regulatory program should respect a ranchers' ability to determine where and when best management practices should be used. CCA urges the State Water Board and North Coast Regional Board take this into account when considering the implementation of this TMDL and the development of other TMDLs or waivers throughout the state related to grazing.

Other sources of pathogen and sediment discharge are prevalent within watersheds as well, both from human activities and wildlife. The proposed amendment should effectively address these others sources, including a realistic and well established background baseline for pathogens contributed from unregulated sources. Ranchers should not be required to implement costly mitigation measures for water quality impacts they may have no control over.

Once again, CCA appreciates the opportunity to comment on the proposed amendments to the Klamath River TMDL and would respectfully request the State Water Board hold a decision to advance the proposed amendments at this time. CCA will continue to work closely with the State Water Board and North Coast Regional Board with the intent to rectify issues of concern. Should you have any questions, please don't hesitate to contact me.

Sincerely,

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

Justin Oldfield
Director of Regulatory Affairs