



NAPA COUNTY FARM BUREAU

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July 25, 2011

San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
Attn: Rico Duazo

RE: Proposed Conditional Waiver of Waste Discharge Requirements for Grazing Operations in the Napa River & Sonoma Creek Watershed

Dear Mr. Duazo,

Thank you for the opportunity to comment on the proposed conditional waiver of waste discharge requirements for grazing operations in the Napa River and Sonoma Creek Watersheds. As we stated at the adoption of the Napa River Pathogen TMDL in 2005, Napa County Farm Bureau supports the efforts of the Regional Board to understand the source of the Napa River watershed's pathogen impairment and to find sustainable solutions to improve the health of the watershed.

These sustainable solutions must recognize the importance of balancing the environmental and economic impacts of the TMDL implementation as well as an equitable sharing of the cost burden of reaching the TMDL goals. With this perspective, we offer the following comments with the hope of reducing the bureaucratic reporting and landowner compliance cost of the grazing waiver.

To preface our comments, we reference the Water Board's "Project Report for the Total Maximum Daily Load for Pathogens in the Napa River Watershed", dated June 30, 2005. The report identifies cattle grazing as one of four likely sources contributing to the watershed's pathogen load. The other three are faulty sanitary sewer lines, faulty septic systems, and municipal runoff. The report states that cattle grazing does not appear to constitute a major, widespread pathogen source in the watershed.

***Cattle grazing.** These do not in general appear to constitute a major, widespread pathogen source in the watershed. However, high levels of pathogen loading from cattle grazing was observed at one location, and pathogen loading from additional sites may be identified with further monitoring.¹*

¹ Project Report for the Total Maximum Daily Load for Pathogens in the Napa River Watershed, SFRWQCB, June 30, 2005, pg. 26

The one observed site with pathogen loading from cattle grazing was a leased grazing property, and the site is no longer grazed.

The report goes on to recommend voluntary compliance with Rangeland Water Quality Management Plans as a logical implementation action to reduce pathogen loading from cattle grazing.

***Cattle grazing.** The State Water Board and the California Coastal Commission have identified management measures to address nonpoint source pollution from grazing activities. In response to nonpoint source pollution concerns, the Range Management Advisory Committee composed of livestock industry representatives and public members was formed. The Committee developed a California Rangeland Water Quality Management Plan which concludes that ranches should complete rangeland Water Quality Management Plans for their respective ranches. Three approaches for voluntary compliance with the plan include: letter of intent with local Resource Conservation District office, development of a nonpoint source management plan; or adoption of a recognized nonpoint source management plan.²*

Given the limited staffing of at the Water Board, di minimus impact of grazing in the watershed (20,000 grazing acres within a 250,000 acre watershed) and ongoing education regarding Best Management Practices to protect water quality conducted by UC Cooperative Extension, Napa County Resource Conservation District, Natural Resources Conservation Service and Napa County Farm Bureau, we urge the Regional Board to adopt a less rigorous reporting and monitoring requirement.

NCRS and UC Cooperative Extension have conducted a Rangeland Water Quality Management course and education on Best Management Practices is ongoing. For the last six years, Farm Bureau has supported a countywide Livestock Commodity Group and we remain available to assist with education and info sharing on rangeland BMPs.

Beyond this primary request to reduce the regulatory burden of the proposed grazing waiver, we offer the following additional comments:

1. The CEQA analysis of the proposed grazing waiver identified estimated costs to ranchers within the Napa River watershed for implementation. With already razor thin margins for cattle production, the 10 year cost analysis of \$2,579,040 to \$683,809 is certainly much too high. We fear that these additional costs to the small group of 20 ranchers will simply force them out of cattle production in Napa County.³
2. The CEQA analysis estimates the need for 500,000 linear feet of fencing cattle from blue line streams. With other more cost-effective water quality management practices available, we question the need for this high cost requirement (\$1.2 million).
3. The proposed grazing waiver requires a new Ranch Water Quality Plan, which includes extensive assessment of the land and management practices. Please consider waiving this

² Project Report for the Total Maximum Daily Load for Pathogens in the Napa River Watershed, SFRWQCB, June 30, 2005, pg. 36

³ Initial Study and Mitigated negative Declaration for Conditional Waiver of Waste Discharge Requirements for Grazing Operations in the Napa River & Sonoma Creek Watershed, June 2011, pg. 64

requirement, if a rancher has already completed the California Rangeland Water Quality Management Plan.

4. Page 8 of the proposed waiver references Attachment B, a "Checklist Form for Assessing Grazing Operations in the Napa River/Sonoma Creek Watershed." But a copy of Attachment B has not been made available for review.
5. Please clarify the timeline and deadline for completion of the Ranch Water Quality Plan.
6. Please clarify that the proposed conditional grazing waiver is the guiding document which integrates the pathogen and sediment TMDL compliance requirements for ranchers.
7. Page 9 of the proposed conditional waiver references an implementation schedule for road-erosion control and prevention actions to avoid increases in erosion of existing unstable areas due to grazing practices. Please explain further what this entails and how ranchers will be assisted in this task.

In conclusion, we urge the Regional Board to reconfigure the proposed conditional waiver of waste discharge requirements for grazing operations in the Napa River watershed. A simplified conditional waiver based on existing voluntary programs regarding rangeland Best Management Practices to protect water quality would provide the necessary framework to achieve the goal of protecting and restoring beneficial uses in the Napa River Watershed.

On behalf of the 1,000 members of Napa County Farm Bureau, we offer our support for the efforts of the Regional Board to find sustainable solutions to improve the health of the Napa River watershed.

Sincerely,



Jim Lincoln
President



Dan McQueeney
Livestock Commodity Group Chairperson

cc: NCFB Directors

Morgan Doran, UCCE Livestock Advisor

Leigh Sharp, Napa County Resource Conservation District

Rita Steiner, USDA Natural Resources Conservation Service, Napa County office

Patrick Lowe, Planning & Conservation Department, County of Napa

Dave Whitmer, Napa County Agricultural Commissioner

Chris Scheuring, California Farm Bureau Federation, Managing Counsel