

TAHOE CATTLEMEN'S ASSOCIATION

REPRESENTING THE BEEF CATTLE PRODUCERS OF PLACER AND NEVADA COUNTIES

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May 16, 2016

Ms. Jeanine Townsend
Clerk of the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812



Re: Opposition to proposed Order for E. San Joaquin which would affect ranchers in Placer and Nevada counties if implemented regionally or statewide

The Tahoe Cattlemen's Association (TCA) has been in existence since 1964 and is dedicated to perpetuating the cattle industry while maintaining a relationship with the land that is environmentally friendly and based on sound and demonstrated science. Irrigated pasture is an important forage management component for many of our members within the largely foothill watershed of Placer and Nevada Counties. Ranchers from these two counties comprise the majority of TCA's membership. Past practices of trailing cattle to alpine meadows for summer feed have greatly changed to a dependence on irrigation to provide the necessary balance of green forage with the seasonal dry material found in the foothills in the summer.

Irrigation of pasture in the two counties is predominately by sprinklers and some side hill and flood irrigation. There is minimal application of nitrogen fertilizer on an annual basis due to low returns per acre for livestock enterprises. Use of pesticides and herbicides except around farmsteads is unusual. According to the 2012 Census of Agriculture, the average beef cattle herd size in Placer and Nevada Counties was 25 head. The average acreage of pastureland that was irrigated was 13.8 acres. Average gross sales of beef cattle in the two counties average \$17,879. The gross sales must pay the production costs [feed, water, stocker cattle, veterinary care, taxes, the mortgage, hauling, utilities, labor], as well as subwatershed and other regulatory costs, and still yield a profit to justify all of the effort.

Ranchers in Placer and Nevada Counties generally belong to the Placer Nevada South Sutter Northern Sacramento (PNSSNS) subwatershed group. PNSSNS states there is absolutely no need to increase-reporting, certify all plans, increase monitoring sites, increase regulations, test private wells, release private information, etc. Both the State Water Resources Control Board and Central Valley Regional Water Quality Control Board need to recognize and designate "low threat subwatersheds" based on all the scientific data PNSSNS has presented. PNSSNS applied for a Reduced Monitoring/ Management Practices Verification Plan as allowed through the current Order R5-2014-030. This Plan recognizes low threat/ low vulnerability subwatersheds that have demonstrated good water quality results, low intensity agriculture and minimal pesticide use and no reported toxicities.

These are costly regulations based on assumptions rather than the data coalitions have provided over the last

12 years. There is a failure to account for the differences between grazing and cultivated crops, variations in farming practices, the types of crops, low intensity farming, minimal to no pesticide use, soil types, fractured rock groundwater system, efficient irrigation practices and all the dollars invested implementing good management practices already in place.

Livestock producers have a long history of improving management practices as education and outreach are available; especially the good scientific work presented by our academic institutions, UC Cooperative Extension, USDA NRCS, County Agricultural Commissioners and the Resource Conservation Districts as well as using a multitude of private technical consultants.

The Economic Analysis Reports by both the State Water Resources Control Board and the central valley regional board are extremely flawed and do not reflect the high cost already paid by ranchers, let alone the increased costs proposed by this new Waste Discharge Order. The costs of certifying plans, reporting, testing private wells, paying for additional surface water monitoring sites, analyzing and reporting could increase the cost to EACH small rancher by approximately \$7,000 per year for small acreage if consultants have to be hired.

The State Water Board's Proposed Order (p. 54) says, **"We find that the additional costs and burden associated with these revisions are not substantial"**. They absolutely ARE. The water boards have completely disregarded the costs and financial burden placed on ranchers, especially those with small acreage. California's small scale rural grazers are an economically disadvantaged community living in remote areas which hampers their access to information and decision makers. They are a group which will be disproportionately affected by the proposed waste discharge requirements which would be applied to them without a rational basis as shown by years of coalition monitoring. It should be noted that the cattle market has been in near free fall for the past year, with profound financial impacts on our small producers. The following is list of some of the current and proposed requirements each grower would have to comply with:

- Growers pay membership fees and a per acreage fee that go to the State Water Board already. These costs increased 375 % since 2003.
- Certify irrigation plans annually, estimate average cost of \$1,000
- Certify nitrogen management plans annually, average estimate of \$1,000
- Certify Sediment and Erosion Control Plans, average estimate of \$5,000 (\$3-10,000/ grower)
- There are few if any California Certified Crop Advisors in Placer and Nevada Counties and none associated with irrigated pasture.
- Submit annual Farm Evaluation Plans per parcel and have private information made public
- Attend at least one annual Education and Outreach plus travel times and costs from rural locations for a centralized meeting
- Increased monitoring sites means a substantial cost for PNSSNS that is shared by each grower (\$35,000 plus analysis and reporting costs= \$50, 000 approx. for an additional site/ year)
- Cost for two sample minimum and have private well water analyzed and reported, depends on the scope of what is required to test for, estimated at \$300
- Pay staff or increase your time to report and coordinate all requirements monthly, seasonally and annually
- Increased reporting costs growers pay subwatersheds to work with local farmers and ranchers, develop databases to track and report information,
- Waterboard's estimate suggests the need to hire 99 new positions for the new requirements, which in turn would dramatically increase the cost on a per grower basis through acreage fees

Beef cattle ranches in Placer and Nevada Counties are small with an average herd size of 25 head and producing \$17,879 in GROSS sales. The average pastureland irrigated acreage is 13.8 acres. A \$4,000 cost for the irrigated lands program would be 22.3% of gross sales and likely exceed the total property tax on the land. The per acre cost of irrigating the average pastureland of 13.8 acres would be \$289. Current costs are approximately \$10-12 per acre. The economic consequences would be to reduce or remove profitability in beef cattle operations. The financial consequences to cash flow would mean difficulty in paying the increased fees along with other production and overhead costs. These economic and financial consequences would result in people getting out of the cattle business and / or eliminating any irrigated pasture acreage. Without green feed in summer a year around operation is not possible. The consequences are increased fire threat through fuels accumulation, loss of wildlife habitat, subdivision of ag parcels which are no longer economically sustainable and a loss of a significant portion of California's original sustainable industry.

There are many sections of the Water Code which require attention to economic impact. For instance, Water Code section 13267 states that "the burden, including costs, of [monitoring and reporting] shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports." Neither the proposed regulations nor any of the three alternatives show a reasonable need nor a clear relationship to the need. Placer and Nevada counties are low threat watershed. This needs to be addressed appropriately for small livestock producers, low intensity agriculture, and producers with irrigated pasture unique to the foothills of the Sierra Nevada. At the May 5, 2016 meeting of the Range Management Advisory Committee of the Board of Forestry and Fire Protection even the representative of the Lahontan board noted that irrigated pasture for beef cattle was totally different from irrigated crop land and should not be treated in the same way.

TCA challenges the State Water Board to explain all the high costs associated with the implementation and reporting of the proposed waste discharge requirements and to address the small acreage and/or low intensity producer. To date, members from these groups have paid millions of dollars to support a government program without a need, and now we have the data to prove it. There should be a benefit/cost analysis performed.

TCA feels that "one size fits all" regulations are without merit, costly, cumbersome and fail to meet any goals other than to regulate. All of this dis-incentivizes people for the good work they are so proud of being good stewards of the land.-We sincerely hope you record our comments and provide your full consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Moss", written in a cursive style.

Bob Moss
President, Tahoe Cattlemen's Association
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