

**Proposed Statewide Grazing Regulatory Action Project (GRAP)
Stakeholder Focused Listening Session (FLS)
November 3, 2014**

Ranching and Related Industries Stakeholders (IND)

Stakeholders invited to participate in this session included representatives from: California Cattlemen's Association; California Cattlewomen; California Wool Growers Association; California Highland Cattle Association; California Farm Bureau Federation; California Forestry Association; Sierra Pacific Industries, Central Coast Agriculture Water Quality Coalition; Sacramento Valley Water Quality Coalition; Bridgeport Ranchers Association; Mendocino Redwood Company; Horse and Livestock Watershed Alliance; W.M. Beaty and Associates and five ranches.

Note: The following bullet points summarize the range of opinions and concerns expressed by the invited stakeholders, and are not intended to reflect the position of the Water Boards or staff on any issue. Because they summarize all responses, any individual bullet point is not intended to reflect the opinions of any one stakeholder(s). The bullet points are not presented in any particular order.

How should we define grazing for the purposes of GRAP?

- Grazing should be defined as a commercial operation placing livestock on land and should not require information about herd size, breeds, rotation of livestock, or management techniques. The Water Boards do not have authority to request confidential business operation information under the Porter-Cologne Act.
- The definition should be based on risk.
- The Water Boards should consult with rangeland academia to determine the definition.
- The definition for rangeland should not be based on whether it is grazed. Fecal and pathogen loading can come from feral hogs, feral horses, or squirrels. The definition should not focus on domestic livestock.
- Water quality impairments can exist on non-grazed lands also from human or wildlife influences.
- Any regulation should also apply to US Forest Service (USFS) BLM, CA State Parks and County parks departments.
- The definition must have a nexus between activity, habitat, and impact.
- The definition of grazing should be limited only to that in wet meadows next to blue line streams.
- Season of use should be considered in the definition.
- Consider what type of animal is being grazed. Different animals have different impacts.
- Management will influence function of landscape. Humans can manage landscape for benefit or detriment regardless of size of herd.
- Not everything in a grazing operation is controllable.

- Consideration of rangeland science is important for the definition. “Wet”, as in riparian or meadows, does not automatically translate to delivery of pathogens.
- The definition must be clear on who needs to be regulated (e.g., 4-Hers, equestrians)
- Commercial grazing must be regulated.
- Commercial should not be the trigger for regulation, but rather where water meets soil.
- Size of the operation should not be a consideration as water quality problems exist on small operations with bare dirt.
- Small horse operations not regulated by confined animal facility operations (CAFO) regulations should be regulated by GRAP.
- Determination of a grazing *de minimis* size operation where regulation would not apply is difficult.
- The focus of the definition should be on habitat type impacted (e.g., wet meadows)

What would a successful regulatory program look like to you? In your experience, what types of management practices have been effective in protecting or improving water quality? How can we incentivize use of effective management practices?

- The program should not be duplicative, not overlapping, and must be in concert with other agencies.
- Grazing can help accomplish fuels management goals. Board of Forestry and Cal Fire approved fuel breaks may be maintained with grazing. Thus, a successful program should focus on the symbiotic relationship between different land managers.
- The program should not punish “good” operators by trying to regulate “bad” operators.
- The program should recognize that cattle grazers provide many benefits.
- The program should look at past efforts such as the Rangeland Management Advisory Committee. There is no need for a regulatory approach.
- The program should focus on the nexus between grazing and water quality. For example, in the Bridgeport Valley area, grazing occurs in wet areas, so management practices are being implemented (e.g., bridges, fencing setbacks) A different focus is needed in dryer areas (e.g., such as in the Tehachapi Mountains with ephemeral drainages that do not connect to larger streams). Triggering this nexus between grazing and water body is the key to developing a reasonable regulatory approach. Grazing sites must be evaluated for possible impacts and regulated only if the nexus exists.
- The Lahontan Region has an objectionably low pathogen water quality standard that is not consistent with the rest of the state.
- Statewide bacteria water quality standards should be considered in the GRAP process. .
- The program should include incentives (e.g., participation in rancher short courses would provide access to grant monies).
- The program should promote the use of/provide incentives for using management practices that improve water quality.

- A successful program should “Do no harm”— ranchers should bear no costs where water quality standards are being met and where the water cycle is properly functioning.
- An unsuccessful program would be one where ranchers incur costs where no water cycle impacts exist.
- Sensitive areas can be grazed with proper management (e.g., change time of grazing, manage livestock differently).
- As rancher awareness of the water cycle leads to better management and ranch management plans lead to heightened awareness of water quality issues, a successful program would include ranch management plans.
- Setbacks from streams are important part of a successful program.
- Self-monitoring for dairies in Region 1 is working. Open communication has led to level of trust between producers and regulatory agency staff.
- The monitoring focus should be where issues really exist. Do not punish good actors for non-existent problems.
- The Public Utilities Commission requires grazing
- The question itself is premature—it asks “what would a successful regulatory program look like” without first asking *whether* a regulatory program is necessary in the first place.

In your experience, what types of monitoring have been effective in assessing water quality?

- Monitoring should focus on assessing compliance with water quality standards. The fecal indicator bacteria (FIB) used should be *E. coli*. If monitoring is required, it must be to Water Quality Control Plan (Basin Plan) standards.
- In the Bridgeport Valley area, water coming into valley exceeds bacteria standards—baseline water quality must be considered in any GRAP monitoring.
- Studies show that movement 90% of FIB stops within one yard of the source. A measurement of residual dry matter (RDM, or forage left after grazing) specification of 500-800 lbs. per acre should be met.
- Duplicative monitoring should not be required as monitoring is very expensive (\$200-\$300 per sample for surface water and groundwater samples respectively).
- Monitoring should not be required unless Water Board staff is aware of a problem.
- Existence of a Ranch Water Quality Management Plan (Plan) shows that grazer is aware of ranch conditions (a good sign). Verification that the Plan is implemented should be used to determine if any monitoring is even necessary.
- Past monitoring efforts should be used as a proxy for requiring new monitoring.
- Economic analysis of regulatory programs is required – Is the Water Board exempt from this requirement due to the federal mandates of the Clean Water Act?
- Cost of monitoring is important because there are not high profit margins in the cattle industry.

What are the unusual or extreme circumstances that GRAP should consider as part of its regulatory program (e.g. weather, market conditions, wildfire, livestock diseases)?

- Drought and fire are totally disruptive events that cause management to dramatically change. Ranches may need many years to recover.
- Nitrate analysis is part of irrigated lands policy, so should not be considered as part of GRAP.

How can we best collaborate with all stakeholders regarding grazing and water quality?

- Separating stakeholders by interest groups has the potential to bifurcate partnerships and input.
- Engage with both academia and the USFS at same time.
- Where do public lands fit into the GRAP effort?
- The GRAP needs to capture work from 2011/2012 USFS NPS Waiver that what not adopted by the Water Board.
- The GRAP team needs to create and use a listserv (email subscription service) for future notification of GRAP activities.
- “Invitation-only” sessions are objectionable.
- Broader outreach is needed and sessions should include state and regional government representatives (e.g., Agriculture Commissioners, elected officials).

General Comments and Questions

- Why is GRAP making a distinction from irrigated lands programs?
- Is the GRAP duplicating the State’s efforts in the late 1990’s to look at grazing (i.e. the CA Board of Forestry’s Rangeland Management Advisory Committee or RMAC)?
- The Ranchland short courses taught by University of California Cooperative Extension should be continued – a voluntary program is key to the success of any grazing effort.
- The CA Rangeland Conservation Coalition developed a Resolution that declared it was the goal of the Resolution’s signatories to provide incentives and reduce burdens to proactive stewardship on private ranchlands, encourage voluntary conservation practices, and educate the public on the benefits of grazing and ranching upon rangelands. This resolution was signed by State Water Resources Control Board and 128 other entities. This Resolution emphasizes the importance of reducing regulatory burdens by supporting proactive environmental stewardship from the ranching community.