

DAVE WOOD RANCHES
652 W. Cromwell, Suite 103
Fresno, CA 93711



RESPOND TO:
William J. Thomas
400 Capitol Mall, Suite 1650
Sacramento, CA 95814

July 25, 2011

VIA EMAIL

Gaylon Lee
Division of Water Quality
State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814
Email: forestplan_comments@waterboards.ca.gov

Re: *Comments re USFS Waiver*

Dear Mr. Lee:

We graze cattle on the Inyo National Forest and otherwise run cattle in each the Lahontan Region 6, Central Valley Region 5 and Central Coast Region 3, and therefore are very familiar with those agricultural waivers and increasing regulatory authority of the Regional Water Boards.

We have regarded our operations on the National Forests to be the business of the United States Forest Service (USFS) and we comply with those Forest plans, Water Quality Management Plans and Handbooks of the USFS. We are, therefore, concerned with this overlay of regulatory agencies where a Regional Water Board can put regulatory demands on the federal agency which may affect our operations.

Most waivers clarify if they cover irrigation return flows or storm water; however, this proposal does not make that clear, and seems to deal with all runoff regardless of its source.

We are particularly concerned with the “riparian zones of 100-300 feet” bordering streams. It is also unclear how this waiver will dovetail with the existing Regional Board waivers, which often encompass federal lands (§46).

We are concerned with §50, which references “on-the-ground prescriptions”. This is unclear and seems subject to administrative abuse.

July 25, 2011

Page 2

We appreciate the ¶51 reference that permittees would not have to apply or directly deal with the Water Boards.

We believe the most important feature is ¶12, page 23, which states, “the USFS maintains exclusive authority to determine whether grazing permittees are complying with the terms.” Hopefully, the USFS will aggressively use this shield in fending off over aggressive actions by the Water Boards.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. J. Thomas', with a long horizontal line extending to the right.

William J. Thomas
on behalf of Dave Wood Ranches

WJT:lmg

cc: Dave Wood
California Cattlemen's Association