



University of California Cooperative Extension

Livestock, Range & Watershed

Division of Agriculture & Natural Resources

Counties of San Luis Obispo and Monterey

1734 Paso Robles Street
Paso Robles, CA 93446
(805) 237-3101 PHONE
(805) 237-3088 FAX

August 2004

Inside this issue:

- **Announcements**
 - **Conditional Waiver**
 - **Native Tree Award**
- **Update on the Ranch Water Quality Short Course**
- **Stock Pond Fee**

Announcements

○ **Conditional Waiver**

The Central Coast Regional Water Quality Control Board approved the Conditional Waiver for irrigated lands July 9, 2004. This waiver applies to all irrigated lands used for producing commercial crops. This waiver provides an alternative regulatory option to adoption of Waste Discharge Requirements. Farmers will be required to obtain 15 hours of education, develop a water quality plan, provide a best management practice implementation check list, and have a monitoring procedure, either individually or cooperatively. UC Cooperative Extension offers the Farm Water Quality Short Course to help growers meet the required education units, develop a water quality plan and to set up a monitoring program. The contact for Farm Water Quality Short Course is Mary Bianchi at (805) 781-5949.

○ **Native Tree Stewardship Award**

This year's recipient of the Native Tree Stewardship award goes to Dick Montague. Dick has served as the chairman of the Native Tree Committee until he recently moved. During his tenure, he directed the development of various educational programs, a newsletter, grants, and informational brochures. He has personally gathered acorns, worked with county high school agriculture programs and 4-H groups to grow seedlings. He organized plantings at vineyards, highway off ramps and distributed thousands of oak seedlings to interested county residents. Put simply, when oak issues in the County came up, he stepped forward and did something. The annual award was established by the Native Tree Committee of San Luis Obispo County to honor an individual or group that has demonstrated outstanding and innovative natural resource management, while making significant contributions to the conservation of native oak woodlands.

Update on the Ranch Water Quality Short Course

Royce Larsen, UCCE

Rangelands and irrigated pasture are excluded from the Conditional Waiver that was recently approved by the Central Coast Regional Water Quality Control Board for irrigated agriculture. Rangeland owners will continue to operate under the self determined implementation of best management practices (BMP) to control

non-point source (NPS) pollution so they can comply with the California Rangeland Water Quality Management Plan.

California's range livestock industry began working with the State Water Resources Control Board (SWRCB) to develop a self-determined participation program to protect water quality on privately owned rangelands. The University of California Cooperative Extension and USDA Natural Resources Conservation Service teach the Ranch Water Quality Short Course to meet the requirements of the California Rangeland Water Quality Management Plan. The course has had a significant role in the state, as well as the central coast in helping to improve water quality on rangelands

The following update about the Ranch Water Quality Short Course is summarized from a paper by M.R. George et. al. from the Rangeland Watershed Program at UC Davis. Past studies have shown that ranchers will change range management practices in response to extension education programs and that education programs are crucial to the success of self-determined pollution control in agriculture

The Ranch Water Quality Short Course was developed in the mid 1990's, and was implemented in 1997. During the short course ranchers learn about (1) non-point source pollution associated with ranching; (2) state and federal water quality regulations and regulatory agencies; (3) basin water quality assessments, (4) self-assessment of NPS pollution on their own property; (5) practices that protect water quality; (6) cost-share programs; and (7) how to monitor NPS pollution. Plans developed during the short course include ranch descriptions, ranch goals, ranch maps, basin water quality status, pollution source self-assessments, existing and planned BMP's and monitoring procedures. The short course curricula can be reviewed and downloaded from

<http://agronomy.ucdavis.edu/calrng/range1.htm>

In 2002-2003 producers who had participated in the short course were surveyed to determine their water quality protection activities following the short course. Since 1997, more than 1000 producers have attended 60 short courses in 31 counties. Two-thirds of those attending short courses completed water quality plans for their ranches totaling more than 1.3 million acres. Two-thirds of the survey respondents implemented BMP's. There was a significant relationship ($p < 0.001$) between plan completion and BMP implementation. Ninety percent of those who implemented BMP's had completed plans. The majority of the respondents managed ranches less than 5,000 acres in size. Half of the respondents raised beef cattle. The survey revealed that initially respondents took the course to avoid regulation, but upon short course completion, became more proactively involved in controlling NPS pollution, through BMP implementation, because they found pollution sources during their self-assessment. Fewer respondents implemented a monitoring program than implemented BMPs.

This short course has shown that industry initiated self-determined programs supported by education, can be an effective means for helping owners and managers to address NPS pollution on their properties.

Locally we have had very good support for the short course. Landowners have shown support by taking the class, completing water quality plans and implementing BMP's. Plans have been developed for over 275,000 acres in Monterey and San Luis Obispo Counties. Our regional board has also shown support for the short course as noted by Alison Jones from the Regional Board.

Alison Jones from the Central Coast Regional Water Quality Control Board has

said, “Although the Regional Board recognizes that there may also be water quality impacts from rangeland, the Central Coast Regional Board is not contemplating at this time of adopting a similar waiver for rangeland. Instead, we will rely on implementation of the California Rangeland Water Quality Management Plan. The Regional Board strongly encourages ranchers to continue working to implement this plan by attending short courses, completing ranch water quality plans, and implementing management practices to protect water quality. If the Rangeland Plan is fully implemented on a large portion of the private rangeland in the state, it is unlikely that Regional Boards will feel the need to adopt additional regulations for rangeland. It is possible that in watersheds where Total Maximum Daily Loads (TMDLs) are being developed and implemented, TMDLs may require additional monitoring information or implementation of more specific management practices. Also, in cases where there are clear and egregious water quality violations without attempt to address them, we always have the option to pursue enforcement actions as well”.

Even though the Ranch Water Quality Short Course has been successful it does not meet the education requirements for the new Conditional Waiver for those growers with irrigated agriculture. The FARM WATER QUALITY SHORT COURSE does provide the required education units. If you would like more information about the Farm Water Quality Short Course please contact Mary Bianchi at (805) 781-5949.

Stockpond Fee

Royce Larsen, UCCE

There have been many questions regarding the fees that have been assessed for livestock ponds in California. The following is a short summary of stockpond fees received by personal communications with Victoria Whitney of the State Water Resource Control Board (SWRCB), Division of Water Rights in Sacramento, California.

Historically there were three different ways that water rights for the use of water in stockponds could be obtained from the SWRCB. The first was the application-permit-license procedure; second was the small-domestic-and-stockpond-registration procedure; and third was the certificate-of-validity-of-stockpond-right procedure. The application and annual fees were different for each of these. The certificate-of-validity method expired in 1997. Currently the other two methods are available to obtain additional water rights for stockpond use. A brief description for each of these methods follows:

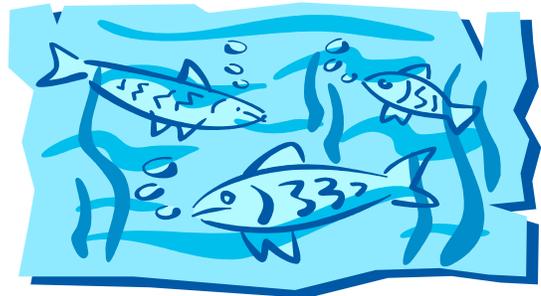
- 1) Appropriating the water right through the **application-permit-license** procedure. This is the long and expensive process and is subject to the California Environmental Quality Act (CEQA). The application fee is the greatest of \$1,000 or \$10 per acre-foot. There is an annual fee of the greater of \$100 or \$0.03/ acre-foot for this “water right”. This is a new fee being charged since SB1049 was signed by Governor Davis in October 2003, with the intent to collect lost revenue due to state budget cuts. There is not a limit of pond size for this water right registration, and you can have up to 5 ponds registered per annum fee. However, any new additions, either an increase in pond size or additional ponds, will require an

additional application and annual fees. If you have a pond that was registered under this procedure you should have received a request (letter) to pay the \$100 or \$0.03/ acre-foot per annum fee to the Board of Equalization. The Board of Equalization is the authorized state entity to collect the fees for the SWRCB.

- 2) Appropriating the water right through the **small domestic and stockpond registration** procedure. This is a shortened process meant for small users and is not subject to CEQA. This is only for livestock or domestic use of ponds that are less than 10 acre-feet in size. The application fee is \$250, plus a \$100 per 5-year registration renewal fee. You can only have one pond per registration with this procedure. In addition, you can only have one pond per every 50 acres of land. If you have a stockpond registered under this procedure, you should not have received a letter of fee payment notification. Currently, you will not be notified when your 5-year registration expires, it is up to your own initiative to pay the fee every 5 years to renew your registration.
- 3) Appropriating the water right through the **stockpond-certification** procedure or **certificate-of-validity-of-stockpond-right**. This registration procedure has expired. This was for ponds that were less than 10 acre-feet and were built prior to 1969, and were certified between January 1, 1975 and December 31, 1997. For this procedure to be valid you must have had your pond registered by December 31,

1997. There were only about 5,000 ponds registered under this procedure in the state during this period. There are no annual fees associated with the stockpond certification procedure. The SWRCB does not see this changing in the near future. If you had your pond certified under this procedure, you do not have to do anything and you should not receive any letter of fee payment notification.

If you would like more information about stockpond registration and fees please visit the SWRCB website. This site is at <http://www.waterrights.ca.gov/>. Once in the web page, click on the Water Rights and Water Quality Certification Fees Program. You can find information pertaining to water rights in California; frequently asked questions regarding water rights fees; SWRCB resolution no. 2003-0077; executive order S-2-03; regulatory review request for exceptions; SWRCB meeting in Sacramento, Dec 15, 2003; the proposed resolution to adopt emergency regulations for fee schedule; fee schedule summary; examples of water right fee bill; notice of determination senate bill 1049; as well as other information. You can also find more information by looking up the Water Code sections 1228.1 & 1228.2.



Note: Trade names may be used to simplify the information presented. No endorsement is intended nor is criticism implied of similar products not mentioned.

The University of California prohibits discrimination against or harassment of any person on the basis of race, color, national origin, religion, sex, physical or mental disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or status as a covered veteran (covered veterans are special disabled veterans, recently separated veterans, Vietnam era veterans, or any other veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized) in any of its programs or activities or with respect to any of its employment policies, practices, or procedures. University policy is intended to be consistent with the provisions of applicable State and Federal laws. Inquiries regarding the University's equal employment opportunity policies may be directed to the Affirmative Action/Staff Personnel Services Director, University of California, Agriculture and Natural Resources, 300 Lakeside Drive, 6th Floor, Oakland, CA 94612-3550, (510) 987-0096.



Royce Larsen
Watershed/Natural Resource Advisor
San Luis Obispo and Monterey Counties



Wayne Jensen
Livestock & Natural Resources Farm Advisor
San Luis Obispo and Santa Barbara Counties

Cooperative Extension
University of California
**LIVESTOCK, RANGE, AND
WATERSHED**
2156 Sierra Way Suite C
San Luis Obispo CA 93401

Non Profit Organization
US Postage & Fees Paid
San Luis Obispo, CA
Permit No. 235

Livestock, Range, and Watershed



Pulling together when the chips are down