

LIVESTOCK WATERING REGULATIONS PROPOSALS

In January 2018 the Ministry of Environment & Climate Change (MOE) issued an Intentions Paper for proposed new livestock watering regulations and asked for comments to the Ministry by Feb 16th 2018.

Boundary Alliance (BEA) has had long term concerns with cattle contamination of streams and riparian zones, particularly on Public Land (Range-land). Links to our own water testing results are in the submissions.

The review process does not appear to be credible nor undertaken in good faith. The numerous misleading statements in the Intentions paper are commented on in our submissions.

We see no reason to expect that the Intentions Paper will result in an end to the use and abuse of the public water resource.

We have submitted comment to MOE and made comment as well on a blog set up by the Ministry at:

<http://engage.gov.bc.ca/watersustainabilityact/2018/01/12/blog-post-24-proposed-livestock-watering-regulations-what-do-you-think/>

The articles that follow are:

PART 1 our Submission to MOE

PART 2 our comment on the above blog

PART 1

LIVESTOCK WATERING REGULATIONS

Submission by Boundary Environmental Alliance. www.boundaryalliance.org
Rock Creek. Feb 2018

While we normally appreciate the opportunity to comment on issues affecting the environment, we have concerns that this call for public input, with its narrow scope, avoids the bigger issues relating to cattle grazing and effects on public lands and waters and the associated public and environmental costs. In addition, this intentions paper, although issued by the Ministry of Environment & Climate Change, appears to have been written by the cattle industry or Range Branch (MFLNRO) and contains so many misleading statements that we doubt that this is a credible process that has been undertaken in good faith. Despite the emphasis on the objectives of protection of the environment, this process comes

about from the demands of the cattle industry to provide easy access and effective ownership of a public resource. A way to bypass requirements of the new Water Sustainability Act.

We note that there is no indication that submissions will be published as was the case for the recent Professional Reliance review, AWCR review and others. That suggests further, that this process may not be credible.

In the following we will detail the:

- ◆ Bigger Issues
- ◆ Misleading Statements
- ◆ Why Existing and Proposed Regulations fail to serve the Public Interest
- ◆ Conclusions and Recommendations

BIGGER ISSUES

Before providing special access to a public resource, it is long past time for an honest evaluation of the public and environmental costs of cattle grazing on public lands. Government has carefully avoided these questions just as it has avoided water quality issues and water quality monitoring. The proposal is yet another gift to a commercial enterprise whose societal benefits are misleadingly touted as beneficial to the Province.

A partial list of problems associated with cattle grazing:

grassland and riparian degradation.....

absurd water consumption raising low value crops.....

water contamination.....

cattle contribution to weed spread, cheat grass and other invasives.....

public fencing costs (decaying infrastructure which will result in huge public cost.).....

ecological-restoration costs (millions in public funds spent to repair damage, without removing the primary root cause, cattle).....

lost opportunity costs.....

increased fire risk (and fire season) from cattle induced cheat grass infestations.....

forest regrowth damage.....

conflicts with wildlife, habitat, food.....

growing awareness of cattle contribution to global warming.....

See our Report::

THE PROBLEM WITH RANGE CATTLE

Why Government and Public support for cattle range use on Public Lands, should cease.

<http://www.boundaryalliance.org/rangecattleproblem.pdf>

MISLEADING STATEMENTS: from Intentions papers, shown in italics

“Cow/calf pair in southern interior require about 45 litres of water daily”

Our comment: As numerous Gov’t and Cattlemen Guides show, in these largely dryland areas, cow/calf needs are 68 Litres per day or more. This is 51% or more than claimed. We won’t spend more time on this misleading issue, as the real issue is the overall water use by cattle, as provided in our expanded comment:

CATTLE IMPACTS, GLOBAL AND LOCAL.

http://www.boundaryalliance.org/cattle_impacts.pdf

“Summer water needs of livestock grazing on Interior Range Land are less than 1% of average summer precipitation, and less than 0.5% of evaporation.”

Our comment: These claims are intended to suggest that range cattle consumption is insignificant. It ignores the reality of ephemeral streams and reduced stream flows that occur when grazing cattle are on range. It ignores the cattle damaged streams and degraded water sources that result from the inclination of cattle to spend more than 80% of their time in riparian areas. It ignores the reality that summer precipitation very rarely is sufficient to recharge or re-activate streams. It ignores the fact that most water sources including dugouts, diminish and degrade progressively over summer with effects on water quality and quantity that also affect other wildlife. The evaporation number is simply a red herring.

“Water use by livestock is considered insignificant when compared to demand from irrigation and other uses”

Our comment: The reality is that the irrigation use (in support of one of the most inefficient energy conversion rates) is largely to support cattle raising which enables and promotes the use and misuse of public lands.

“Report indicates beef production requires 28 times the land of the other food groups (dairy, poultry, pork and eggs) 11 times the irrigation water and produces 5 times green house gasses.” See our link above, Cattle impacts, Global & Local for quoted report links and for UBC info on cattle related water use and consumption in the Okanagan.

“Provisions will apply where there is low livestock density and well distributed livestock on the land.”

Our comment: The above implies that this condition applies to most rangeland. It ignores the previously mentioned preference of cattle to spend 80% or more of their time in sensitive riparian zones. It ignores the behaviour of cattle which are not well distributed on the land and it ignores developments in recent years where ranchers appear to have abandoned long established guidelines for moving cattle in range pastures according to mostly fixed schedules. Not that we suggest a return to previous practices which as we will show, resulted in degraded riparian zones and contaminated water. It is just that monitoring of damage has become more difficult as cattle numbers continually change. See following for water contamination reports.

“The livestock industry has identified a need to secure access to water to maintain healthy livestock.”

Our comment: When cattle are frequently watering from dugouts, stagnant seeps and waterways, all damaged because of the presence of cattle, maintaining healthy cattle is an unlikely result of present, past and future oversight by ranchers or regulators. As our articles on water quality show, tenure holders all too often fail to maintain, service or otherwise provide oversight of various water sources, dugouts, works, waterers that have been installed over the years, largely at public expense.

The sad consequences of this can be seen in our series of articles:

E. coli in Public Streams related to Range Cattle. 2016

<http://www.boundaryalliance.org/e.colireport2016.pdf>

“While this report deals primarily with water quality impacts, degradation of water quality is frequently associated with degraded riparian zones, grasslands and pastures. Clearly, Range Management Objectives that require water and forage and other “resources be maintained or improved” are failing and that failure is evident in numerous range tenures.”

Patterns of E. coli Contamination in Public Land Streams related to the presence of range-cattle. Sept 2013

http://www.boundaryalliance.org/e.coli_report2013.pdf

“These new results further reflect patterns shown in the previous report that indicated that E. coli counts are almost entirely related to range-cattle presence or absence and that E. coli counts attributable to wildlife (in this and similar dry-land areas) are negligible or nil.”

E. coli Counts in Local Streams: before during and after arrival and departure of Range Cows.

<http://www.boundaryalliance.org/ecolireport2009.pdf>

Additional results from stream testing in 2017 will be posted soon. To summarize, despite some fencing and waterer initiatives by Range Branch, 2017 results show E. coli persisting in streams. In one case a stream exceeding the kinds of counts that can be found in dugouts, 13,200 cfu/100ml and others of significance in two Provincial Parks.

“Manage construction of in-stream works and water use by livestock with clear requirements to minimize any adverse effects on aquatic ecosystems and habitat.”

Our comment: Range Branch (MFLNRO) ranchers, Water Acts, Range Acts and other levels of Government have failed to protect public lands in the past and we see nothing in the proposals that will be effective in preventing unwarranted damage and degradation to public lands and waters.

WHY EXISTING & PROPOSED REGULATIONS FAIL TO SERVE THE PUBLIC INTEREST

Many other reports on our website detail the failure of various entities, Range Branch, FREP, FPB, Ministry of Environment, ranchers, to prevent wide ranging degradation of public lands. We see nothing to indicate that any of these entities will change.

FPB lack the authority to enforce or penalize.

FREP fails to monitor water quality despite claiming to be a “results” based evaluator.

MOE generally hands-off responsibility for oversight/interventions to the “extractive” industries.

Range Branch, has shown itself to be primarily interested in advancing the interests of ranchers rather than the interests of protecting public assets. Serving what they perceive as their “clients” interests at the expense of the public good. Their failures to prevent damage, their inability to plan and install effective fencing, waterers, while creating hazards to wildlife, can be seen in a series of articles and videos on our website.

Gilpin Grasslands Saga 2016

http://www.boundaryalliance.org/gilpin_saga2016.pdf

Lost Lake Revisited

<http://www.boundaryalliance.org/lostlakerevisited.pdf>

Our Fencing Project on Nature Trust Land.

http://www.boundaryalliance.org/naturetrust_fencingvid.pdf

Nature Trust Spring in Gilpin Protected after 42 years.

http://www.boundaryalliance.org/naturetrust_fencingvid.pdf

Cattle as Invasive Species.

<http://www.boundaryalliance.org/invasives.pdf>

Lost Lake, Gilpin Grasslands and a Random Act of Public Good

<http://www.boundaryalliance.org/lostlake.pdf>

Grasslands Conservation Award : Beyond Baffling

<http://www.boundaryalliance.org/lostlake.pdf>

other relevant reports can be accessed on the website main page and the issues/ Range cattle Issues page.

AWCR has failed to be effective for years.

See our submission to AWCR

<http://www.boundaryalliance.org/awcrcomments.pdf>

Extract: “Since 2006 Boundary Alliance has documented damage and pollution created by ranching operators in the Boundary area. The primary focus has been on damage to public lands, so called range land, made available to ranching operators at an absurd rental.”

“The notion that Best Management Practices will effectively address any range use problems is only possible if one ignores all earlier criticisms of range practices by Forest Practices Board, FREP and other observers who have noted that **Range Branch and rancher oversight is insufficient to protect public resources**. There are compelling reasons, including economics and attitudes that that will remain so.”

“The AWCR update/review of July 2015, footnoted (8) on Section 10, page 9 that “Management Plans for grazing leases do not consider water quality and that dispersed grazing for low intensity well distributed livestock on grazing leases generally poses a low environmental risk to water quality”. Our articles and links show this claim to be utterly unjustified.”

CONCLUSIONS & RECOMMENDATIONS

We see no reason to expect that the Intentions paper will result in an end to the use and abuse of the public water resource.

We therefore recommend that this defective and narrowly focused process be shelved until a comprehensive and independent economic analysis of public land (Range) use is completed. An analysis that would include public and environmental costs including lost opportunity costs.

It is our expectation that an independent, objective analysis would show that the public cost of Range use greatly exceeds the Public benefits, even before the inclusion of lost opportunity costs. Similar analysis in the US (with a similar range use regime) shows that public costs far exceed benefits, to the

increased fire risk (and fire season) from cattle induced cheat grass infestations.....
forest regrowth damage.....
conflicts with wildlife, habitat, food.....
growing awareness of cattle contribution to global warming.....

An extended version of our submission to Government will be posted soon on our website above.
Our recommendation in that submission is that these proposals should be shelved pending a full comprehensive and independent economic analysis of public land (Range) use to include public and environmental costs including lost opportunity costs.

It is our expectation that an independent, objective analysis would show that the public cost of Range use greatly exceeds the Public benefits, even before the inclusion of lost opportunity costs. Similar analysis in the US (with a similar range use regime) shows that public costs far exceed benefits, to the point that it would be cheaper in the mid to long term to pay ranchers to relinquish grazing permits, for payment. Paying ranchers in effect for grazing rights that they do not in fact "own."

Proposal of a full economic/environmental assessment/study then poses a difficult question.
No Ministry in our experience could be relied upon to produce or commission such a study without inserting the usual bias in favour of the ranching industry.

Perhaps it is a job for the Auditor General

Above posted Feb 16 2018 to

<http://engage.gov.bc.ca/watersustainabilityact/2018/01/12/blog-post-24-proposed-livestock-watering-regulations-what-do-you-think/>