

Washington Cattlemen's Association Comments on Ecology's Draft 2025 Nonpoint Plan

Date: August 2025

Submitted via Ecology's public comment portal

Re: The Department of Ecology's Draft 2025 Water Quality Management Plan to Control Nonpoint Sources of Pollution

Thank you for the opportunity to comment on the Draft 2025 Water Quality Management Plan to Control Nonpoint Sources of Pollution. While we appreciate the chance to participate in the public process, we cannot support the current draft due to its serious flaws and potential negative impacts on cattle ranchers and rural communities across Washington State.

1. Regulatory Overreach Disguised as "Voluntary"

Although the plan is presented as "voluntary," it clearly sets the stage for regulatory mandates by:

- Establishing non-binding "expectations" that will be used as de facto requirements in funding eligibility, conservation district programs, and county permitting.
- Linking the plan to TMDL enforcement and other regulatory tools, meaning producers who do not adopt Ecology's preferred practices could face penalties or loss of operating flexibility.
- Attempting to dictate on-the-ground management choices without direct legislative authority.

2. One-Size-Fits-All Approach Ignores Operational Realities

The draft assumes that broad, generic Best Management Practices (BMPs) can be applied equally across all livestock operations, regardless of:

- Regional climate differences (e.g., dry rangelands vs. high-rainfall Puget Sound lowlands).
- Topography and infrastructure constraints.
- Seasonal cattle movement and grazing patterns.

Many of the proposed BMPs are impractical, cost-prohibitive, or counterproductive in certain landscapes — yet the plan makes no meaningful allowance for these differences.

3. Lack of Scientific Evidence Linking Cattle Operations to Statewide Impairments

The plan leans heavily on general EPA nonpoint source language without providing Washington-specific scientific data proving that livestock operations are the primary driver of targeted water impairments.

- The draft does not differentiate between localized issues and statewide trends, which results in blanket measures applied to all producers.

- Peer-reviewed, site-specific studies are absent, replaced with assumptions that livestock access to waterways is the dominant cause of fecal coliform or nutrient levels in all agricultural watersheds.

4. Economic Harm to Rural Communities

The draft is silent on the cost burden to producers, which will be substantial if these measures are implemented, even “voluntarily”:

- Fencing, off-stream watering, manure management systems, and riparian buffers require tens of thousands of dollars per ranch, with no guarantee of adequate funding assistance.
- Increased operational costs threaten the viability of family ranches, leading to loss of open space and conversion of rangeland to development — which often worsens water quality.
- Ecology has failed to perform an economic impact analysis as required under state law when developing rules or programs that affect small businesses.

5. Federal Funding Leverage as Coercion

The plan makes repeated reference to maintaining EPA Section 319 funding eligibility, which effectively weaponizes federal grants against producers:

- This ties access to cost-share and conservation programs to compliance with Ecology’s untested BMP mandates.
- Producers who decline to implement costly or impractical measures will be effectively blacklisted from funding and technical support — further marginalizing independent operations.

6. Failure to Acknowledge Existing Stewardship

Washington ranchers have a decades-long record of voluntary stewardship:

- Rotational grazing, riparian protection, and off-stream watering systems are already in place across many operations.
- The draft plan ignores these successes, implying that ranchers are broadly noncompliant and must be brought into line with Ecology’s model.

This alienates the very producers whose cooperation is essential for genuine, lasting water quality improvement.

7. Lack of Legislative Oversight

Ecology is proposing a sweeping statewide framework without clear legislative authorization or approval:

- The plan bypasses the Washington State Legislature’s role in establishing environmental and agricultural policy.
- There is no indication that elected officials representing rural and agricultural constituencies were substantively involved in drafting this plan.

8. Unclear Implementation Timeline and Scope

The draft is vague on when, where, and how these measures would be implemented:

- It references “priority watersheds” without listing them explicitly, leaving producers uncertain whether they are immediately affected.

- It does not define how “voluntary” measures will be tracked, enforced, or escalated to regulatory action — creating uncertainty for long-term planning and investment in ranch infrastructure.

Conclusion

The 2025 Draft Nonpoint Plan is unacceptable to Washington’s cattle producers in its current form. It imposes unproven, costly, and often impractical measures under the guise of “voluntary” participation, without adequate scientific justification, economic analysis, or legislative oversight.

We urge Ecology to withdraw the current draft and engage in a transparent, data-driven process that:

- Prioritizes watershed-specific science over blanket prescriptions.
- Fully accounts for economic impacts on family ranches.
- Respects the role of the Legislature in setting agricultural and environmental policy.
- Recognizes and builds upon existing voluntary stewardship efforts rather than dismissing them.

Until these fundamental flaws are addressed, the Washington Cattlemen’s Association cannot support this plan. We value the public dialogue on water quality issues and hope that future versions of the plan will be developed in genuine collaboration with those most directly affected. The Washington Cattlemen’s Association stands ready to engage in discussions that respect both environmental goals and the economic realities of cattle ranching in Washington.

Sincerely,

Branden Brink

President

Washington Cattlemen’s Association