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Dept of Ecology
Central Regional Office

TO: David Bowen, Washington State Dept. of Ecology
Central Regional Office
1250 W. Alder St.
Union Gap, WA 98903-0009

FROM: Yakima County Farm Bureau

RE: Comments on Lower Yakima Valley Groundwater Management Plan

March 12, 2019

Yakima County Farm Bureau represents over 3,000 Yakima County members on agricultural related issues in Yakima County, and is the largest agricultural organization in Yakima County. It is a voluntary, grassroots advocacy group representing the social and economic interests of farm and ranch families at the local, state and national levels. Yakima County produces over $1 billion farm gate value in agricultural products annually and is one the most diversified agricultural producing counties in the country.

We would like to take this opportunity to thank DOE staff for their willingness to review and rewrite the Yakima GWMA report. This was the fourth rewrite. Overall, we found it to be much more succinct and technical. It is also more concise and does not contain as much controversial opinionated material as previous draft versions. Since Yakima County did not retain a professional water quality contractor to write this report as other Ground Water Management Areas have done, but instead hired a retired attorney to do it, made this process take almost an extra year to complete.

There are still a number of items that are expressed improperly, show a considerable bias or do not provide all of the information related to the particular topic being discussed. *For these reasons that are explained in further detail below, Yakima County Farm Bureau voted against accepting this report.*

Unnecessary verbiage is quite evident when one reads through the Benton County Groundwater report. Benton County originally was part of Lower Yakima GWMA effort. They opted out after about a year and went on their own contracting directly with the DOE, with the Benton County Conservation District as Lead Entity. While both Yakima and Benton Counties were dealing with the exact same issue, the Benton County Groundwater report released a few months ago, is approximately 40 pages long, while the Yakima report is over 130 pages long. This is very compelling as to the nature of the Yakima report. In summary, the Yakima report is too long and focuses on items that have nothing to do with the subject.

In particular, there is still a biased focus on how depressed the Yakima Groundwater area is, and the number of so-called poor people of color without means. The lower cost of living in our area was not factored into the report. Nor was the fact that many people who came here to work, while not highly educated by today's standards, did have the skills necessary to perform needed tasks and make a living. This depiction paints a false picture. Job opportunities abound in our region and people have flocked here to get them. The number of farm workers coming from other countries expands by thousands

every year. People from the south are clamoring to get into our country. Our public and private schools are second to none and every child has an opportunity to attend. These points paint a very different picture than what the report is trying to imply.

The report also has a major focus on animal agriculture, primarily dairies in the area. This focus ends up being a bias that is not backed up with true data or facts, and is contrary to reports from other areas. Maps depict dairy facilities in red which makes them appear to be a larger contributor, when in actuality, engineering, regulations and regulatory inspections negate most of that potential.

Maps in the report depict that many of the high N concentrations are where there are higher rural population, but there is little focus on this, nor is there a focus that septic drain fields are designed to leach. Information and focus from other sources about nitrates leaching from drain fields into the groundwater is lacking.

The report does not focus enough on legacy nitrates from former crops grown in the area and former growing practices that were likely contributors to it such as furrow and rill irrigation practices. This was no fault of producers as they were using the best information and technology at the time. However, the report's slant is that current ag practices are to blame, which is contrary to what the data tells us. In fact, recommendations in the report are for agriculture to implement new irrigation technologies such as sprinkler and drip systems, much of which has already been implemented in the Groundwater area.

Particular items of concern:

1. The report is too long. Few rank-and-file citizens will take the time to read it.
2. Pg 1 – third paragraph, citing that the GWAC had contentious discussions and whether or not they were respectful, is not relevant to the report or summary. This statement furthers the divisions of the group.
3. Pg 3 – bullet point to "enhance" regulations. There was not an agreement to recommend to enhance or add to regulations.
4. Pg 4 – Formation of the Lower Valley GWMA. Environmental groups were not the first to identify the problem. It was known by government agencies for a number of years. It was also brought to DOE's attention by the dairy industry before there was any talk about formally addressing the problem. Giving so-called environmental groups credit for identifying the issue is biased and not true.
5. Pg 10 – There is no mention of DOH responsibility to act on WAC 246-272A-015(5) which states "shall develop a written plan that will provide guidance to the local jurisdiction regarding development and management activities for all OSS within the jurisdiction". This has NOT been done.
6. Pg 15 – Nitrate leaching section is negatively biased toward ag as it does not mention anything about other sources of N. Health effects section does not mention anything about new evidence concerning how nitrates may not be the primary influencer on the very young.
7. Pg 17 - MDL of .03mg/L is misleading and not explained as some areas can have background levels much higher that .03mg/L.

8. Pg 19 - Citing the median N use scenario as most likely may not be accurate. Farmers do not buy any more N than is necessary because it is expensive, so a more accurate scenario could be the low use amount.
9. Pg 20 – The N sources graph is very misleading. Different potential agricultural sources are treated equal, when they should not be. Sources on dairies are subject to regulatory constraints and engineering requirements that serve to contain materials. Having a position that these materials have the same potential to migrate, is not accurate. In addition, there is information available from California that pens and lagoons have less than one percent contribution (0.7 percent), significantly lower than the 31 percent noted in the report.
10. Pg 22 – fifth paragraph left out when describing benefits of using organic fertilizer also include "adding soil structure which enhances moisture holding capacity and soil biological communities."
11. Pg 23 – While farming fruit I rarely applied *high* amounts of nutrients, especially nitrogen, to producing trees because it makes the tree grow vegetatively. Vegetative growth does not allow for good fruit production. Citing that fruit growers apply high amounts of nitrogen to producing orchards is not accurate.
12. Pg 25 – The term "Waste" should be taken out of the title. It should be changed to "Water Storage, Process Water Storage, or Nutrient Water Storage." The term "Contribute" in the first paragraph is misleading. It should be modified to say "can contribute" because there is no evidence that all pens or lagoons do contribute. Again, there is no mention of the engineering that is installed to prevent contamination. Very mis leading report writing.
13. Pg 26 – There are discussions about lagoons. But, there is no mention of why lagoons came into existence which was a mandate from DOE to help with nutrient distribution throughout the year, mitigating winter applications.
14. Pg 30 – Why is there an emphasis on highly regulated bio applications? There was no evidence presented that bio solids play any role.
15. Pg 31 – Legacy N section does an incomplete job of describing past uses on N on crops such as potatoes and sugar beets, and the amount of N left in the soil profile 20 to 50 years ago. The current description makes it sound like the problem is with current applications on a current annual basis. For the most part, this is not accurate.
16. Pg 37 – Third paragraph states that natural groundwater flow may be influenced by irrigation practices, structures and dairy structures. However, it does not explain that lagoons are engineered to contain what they hold, therefore they do not have the same "potential" as the others. The lack of this information being provided presents a bias toward a particular structure that has been shown to be a benefit.
    The term "potentiometric surface" should be explained as the more common term, "static level"
17. Pg 40/41 – Groundwater recharge appears faulty or not clearly defined – Little of the irrigated land in the GWMA area recharges groundwater 12 to 48 inches of water. This is not accurate for the farmed lands.
18. Pg 64 – Needs clarification. Is the term fertilizers used in the first paragraph "commercial fertilizer?" Forth paragraph terminology should be changed. The term "manure" should be changed to more accurately reflect the product that is being applied. It is mostly liquid or other nutrients that have had some sort of treatment, either from solids being separated from the liquid or composting and drying.

19. Pg 64 – The Yakima River is not the "source" of irrigation water for the Yakima Valley. The Yakima River is the conduit for irrigation water. The source of the water is the five storage reservoirs filled by either snow or rainfall precipitation, or natural flow before storage control is implemented.
20. Pg 69 – Income comparisons very biased, compared to overall state incomes. Education section is biased and misleading. No mention of past or recent immigrants coming here to better themselves. Ethnicity section paints a false picture and is divisive. Aren't we all Americans?
21. Pg 83 – ID of N sources is not complete. No mention of wholesale commercial N supplies. Only refers to what is "produced" in the GWMA area, not what is imported. Very confusing and negatively biased toward the natural nutrients produced by animal agriculture operations.
22. Pg 85 – Graph is biased against certain locations depicted in red (likely dairy lagoons). It does not explain the engineering that these lagoons have and their minimal potential to negatively affect groundwater.
23. Pg 93 – Rec 1 needs to be better explained. What does 42 mean, 42 out of what?
24. Pg 95 – Recs 11 and 13 are very similar
25. Pg 97 – Rec 23 needs to be voluntary
26. Pg 98 – Rec 27 needs terminology change. "Waste" should be changed to "nutrients."
27. Pg 98 – Rec 28 needs to be voluntary
28. Pg 99 – Rec 35 "waste" should be changed to "nutrients"
29. Pg 100 – Rec 37 should be voluntary
30. Pg 100 – Rec 39 Incorporation of fertilizer cannot be done on established crops. Irrigating in can take longer than 24 hrs.
31. Pg 102 – Rec 49 Oppose, regulatory. DNM plans extended to all lands
32. Pg 103 – draft recs should be deleted as there was not an agreement on moving them forward. They should not be in the report.

<u>In addition, minority reports should not be part of the GWMA report. They are someone's opinion that should be separate from the report.</u>