

Please acknowledge receipt of this formal opposition and confirm that it has been entered into the administrative record for the 2027 CAFO General Permit reissuance

To the Presiding Agency,

We, Martin and Vanessa Cervantes, owners and operators of Whispering Wires Ranch Custom Butchery, formally submit this opposition to the re-issuance of the CAFO General Permit as it pertains to the proposed Sunnyside RNG facility.

Our facility is a 50-year legacy food processing operation located at 2561 Sunnyside Mabton Rd, Sunnyside, WA 98944. The proposed industrial manure plant poses a direct and catastrophic threat to our WSDA-licensed facility, our primary residence, our livestock operations, and the health of our children with diagnosed (BAV) bicuspid aorta valve .

Our opposition is based on the following critical, unaddressed impacts:

1. Regulatory and Operational Incompatibility

As a WSDA-licensed plant currently transitioning to federal USDA/FSIS Grant of Inspection status, we are legally mandated to maintain a sterile environment free from pests, dust, and bioaerosols. The placement of a massive manure-handling facility immediately adjacent to a food processing plant creates an "uncontrollable hazard" under food safety laws. This facility would effectively make it legally impossible for us to comply with sanitation standards, forcing the closure of a 50-year-old local business.

2. Uncontrollable Health & Safety Hazards

The anaerobic digestion and manure management process generates significant bioaerosols and attracts heavy pest activity (rodents and flies). Because these hazards originate from the adjacent property, they cannot be mitigated at our site. This constitutes a direct threat to food safety and the biosecurity of our commercial cow-calf operation located 1.5 miles away.

3. Direct Threat to

Vulnerable Residents

Our family home is situated approximately 265 feet higher in elevation than the proposed RNG site. Our children have been diagnosed with Bicuspid Aortic Valve, a congenital heart condition that increases their vulnerability to degraded air quality. The current permit fails to account for terrain-driven airflow (the "chimney effect") that will carry concentrated manure-related pollutants directly into our living space.

4. Evidence of Administrative Bad Faith

During an in-person meeting on March 31, 2026, the Port's project developer explicitly admitted that the project was "not great" and "not growing flowers," yet confirmed that \$12 million in grants had been secured without accounting for our adjacent food business in the planning process. Proceeding with this permit despite known site-specific conflicts constitutes administrative negligence.

Formal Notice of Constitutional Taking

If this permit is approved, it will constitute a "regulatory taking" of our property rights. By authorizing an industrial waste source adjacent to a food processing plant, the State and the Port are effectively depriving us of our livelihood and the use of our property.

Requested Action

We request that this permit be denied or, at minimum, that a Supplemental Environmental Impact Statement (SEIS) be ordered to study these specific site conflicts.

REQUEST FOR RECEIPT

Please acknowledge receipt of this formal opposition via return email and confirm that this statement has been successfully retrieved and entered into the administrative record for the 2027 CAFO General Permit reissuance.

We, Martin and Vanessa Cervantes, and/or our attorney, Roger W. Bailey, hereby reserve all rights to appeal any final decision, permit issuance, or adequacy of the environmental review to the Washington Pollution Control Hearings Board (PCHB). This includes the right to submit supplemental comments, expert testimony, and evidence of regulatory conflict throughout the duration of this administrative process.

Sincerely,

Martin Cervantes

Vanessa Cervantes

Owners, Whispering Wires Ranch Custom Butchery

Cervantes Electric Service LLC

