



PO Box 424 | Everson, WA 98247

March 1, 2024

Robin McPherson, Manager
Water Resources Program - Adjudications Unit
PO Box 47600
Olympia, WA 98504-7600

Dear Ms. McPherson:

Save Family Farming since its formation in 2016 has united family farmers around the state to build public support for the future of farming in our state. Our primary focus has been opposing activists in the organized labor or environmental community who have made numerous false accusations against farmers and farming practices and have promoted public action that threatens the future of Washington as a productive farming state.

It is with deep regret that we need to recognize our own state government, primarily in the form of the Washington State Department of Ecology, is now a primary concern for those seeking to preserve family farming. We hope you have had the chance to review the short documentary recently released by our own Whatcom Family Farmers called "Losing the Farm." It has received over 200,000 views to date on various channels with an exceptional number of positive comments. These viewers cannot miss the message that of all the pressures driving medium size family farms out of business, in Whatcom County the state adjudication is the straw that is breaking the camel's back. Many viewers are asking how they can support farmers.

We have communicated with you on many occasions that the insistence on pursuing adjudication in our farming area represents an existential threat to farmers. It appears clear to us that the Department has consistently attempted to minimize the significant potential for negative political fallout from this ill-advised effort. Initially, the discussion was to leave Lake Whatcom and the City of Bellingham out of it, knowing that threats to the city water supply could harm your efforts. Now, it is your efforts to drive a wedge between different classes of water rights holders using different instructions and different forms.

As noted in the Ag Water Board response, these efforts ignore the law and the principle of equal treatment under the law. Attempting to reassure smaller water users that they will not be subject to the same processes or treatment under the law as farmers is, while patently political, unjustified and will not go unchallenged. Further, your attempt at redefining stockwater in blatant disregard for existing law demonstrates the obvious animosity that this Department has to farmers. To say that water can only be used for animals to drink and cannot be used for the care and maintenance of animals is absurd.

We have repeatedly asked the Department to proceed as the legislature has directed and supported and as nearly every other water rights dispute in the nation has proceeded with negotiations rather than litigation. You have consistently rejected this, and as the record shows, have actively asked the tribes to oppose this far more reasonable and effective approach.

From a political perspective you may believe that the voters in Whatcom County will have little impact on a future administration supportive of current Department policies. However, we would like to point out that Save Family Farming is a state-wide organization with deep connections in the farming communities across the state. We have recently begun promoting a detailed analysis of the salmon recovery efforts that shows that actions threatening farmers are founded on a deeply flawed diagnosis. Dam removal, massive buffers, infrastructure maintenance, irrigation water interruptions, and adjudication all are founded on the false belief that habitat is the constraining factor in salmon recovery, specifically endangered Chinook. Science reports show how false this is.

Please review the clear evidence at www.savefamilyfarming.org/misdiagbnosis.

Destroying farms in Whatcom County under the presumption that farms are harmful to fish will not result in improved salmon runs, but instead will accelerate conversion of farms to urban sprawl. The legacy of this administration will be not protection of the environment as is your charge, but contributing to the loss of one of the few remaining viable farming areas in Western Washington.

The misguided attack on farms on the basis of salmon recovery is a unifying issue for farmers and farm supporters across the state. As the removal of dams threaten the viability of farms in southeast Washington, adjudication in northwest Washington threatens the viability of farms in that region.

In summary, we see the Draft Instructions Document as yet another example of the Department of Ecology waging war on farmers. The consequences are already becoming clear as more farmland is lost to development. By attempting, against the law, to create different classes of water rights defendants, you are demonstrating the intent to focus the adjudication on farmers. This will not stand either in the public or legal arena. By attempting to redefine stockwater, again in contravention of the law, you are exposing your goal of ending animal agriculture at any reasonable commercial scale — that means family farmers who earn their living producing food.

Our task at Save Family Farming is to work for the future of our farms. We are committed to exposing the efforts of all those intent on harming farming for future generations. We will do our best to motivate farmers and farm supporters against these actions by this department and administration.

Sincerely,



Larry Stap
President, Save Family Farming



Jason VanderKooy
Board Member, Save Family Farming