



Friends of Toppenish Creek

May 5, 2026

Attn: Stephanie Potts
Dept. of Ecology, CPRP Program
300 Desmond Dr. SE
Lacey, WA 98503

Subject: Cap-and-Invest Linkage with California and Quebec

Dear WA Ecology,

Friends of Toppenish Creek is a 501 C(3) nonprofit group in Yakima County with a mission to address the adverse impacts of industrial agriculture. Some have accused us of being anti-farming. This is not true. FOTC actively works to promote agricultural methods that protect the environment.

Friends of Toppenish Creek is pleased to share our thoughts regarding potential impacts of linkage with California and Quebec on the people and environment of Yakima County. Specifically we will address the impact of alignment with California's policies for addressing methane emissions from animal agriculture.

Recent History: In the 1980's Yakima County experienced an economic downturn. At the same time a number of dairymen from California decided to move north to escape tightening environmental regulations in that state. They sold their land for huge profits and came to Washington dripping money. Our officials welcomed them with open arms and promises of little regulatory oversight.

Today over a third of Washington dairy cows are housed in the Lower Yakima Valley. The number of cows per square mile equals the concentration in California's Central Valley. In Yakima fields of asparagus and potatoes for people have been replaced by fields of corn and alfalfa for cows.

In Yakima County farmers can set up dairies right next to each other. There are no requirements to measure and report air emissions. There are no requirements for synthetic manure lagoon liners. Dairies can pump as much groundwater as they like for free while neighboring farmers pull out orchards due to drought and cutbacks on expensive irrigation water.

There is a nice country home on the hills overlooking the town of Outlook. There is a concrete slab of unused patio next to the house. The slab covers a swimming pool that the owners built for their grandchildren years ago. After their dairy neighbor placed a manure lagoon next to the property the grandchildren no longer wanted to visit. Dairy men have advised people in Yakima, “If you don’t like dairies, then move.”

Of course, not all dairy people are so rude. In any group there are bad actors. There are enough bad actors in Yakima to give dairying a bad name. And there are too many cows in too small an area.

Yakima and the CCA: The Climate Commitment Act exempts agriculture from requirements to report greenhouse gas emissions and requirements to participate in cap and invest auctions. If concentrated animal feeding operations (CAFOs) were treated like factories, most would have to participate because they emit over 25,000 tons of CO₂ equivalents per year.

Based on EPA modules for greenhouse gas emissions and data from the National Air Emissions Monitoring Study (NAEMS) we estimate that 100,000 milk cows in the LYV emit over 30,000 metric tons of methane (over 800,000 MTCO_{2e}) and over 2,000 metric tons of ammonia and over 4,000 metric tons of volatile organic compounds every year.

Pollutant	Metric Tons/yr	Tons/yr
Methane*	30,651	33,716
Ammonia **	2,062	2,270
Hydrogen Sulfide **	41	45
VOCs**	4,241	4,665
PM 2.5**	131	144
PM 10**	309	340
* Environmental Protection Agency Models for Washington State available at State Inventory and Projection Tool US EPA		
** Emissions Data from Two Dairy Freestall Barns in Washington – National Air Emissions Monitoring Study available at ASAE Journal US EPA ARCHIVE DOCUMENT		

Washington State gives the dairy industry special favors.¹ Over 90% of WA dairies do not have National Pollutant Discharge Elimination System (NPDES) permits. WA dairies are

¹ Friends of Toppenish Creek. WA gives dairy special favors. [Dairy Washington State gives the dairy industry special favors.pdf](#)

required to have Nutrient Management Plans but they are not required to follow them.² The WA Dairy Federation has the same status as a state agency when the Lower Yakima Valley Groundwater Management Area Implementation Team meets.³

Washington's Environmental Health Disparities Map does not address agricultural impacts. Ecology does not address the impact of industrial dairies on the environment and health in overburdened and underserved communities.⁴ Ecology has actually gerrymandered maps of the LYV overburdened community so that many large CAFOs are outside the borders. This means that these CAFOs are not included as sources within the LYV overburdened community.

Despite these deficiencies, Washington dedicates an outsized percentage of CCA monies to support manure methane biodigesters. By funding biodigesters Washington encourages the production of more manure as feedstock, while knowing the significant adverse impacts of too much manure on air and water. Let us explain.

The dairy industry in the United States does not operate on a system of supply and demand. The dairy industry in the United States has overproduced for years^{5,6} and has relied on the government to purchase excess dairy products and provide low cost insurance to cover times when costs exceed sales. The U.S. dairy industry survives and thrives on taxpayer subsidies.⁷

Because profit margins are low, individual farmers feel obliged to increase the number of milk cows to stay in business. When the opportunity arrives to make money by harvesting methane from manure using biodigestion, dairies see dollar signs. The more manure they produce, the more money they can make from digester subsidies.

Alignment with California: According to FOTC understanding of RCW 70A.65.210(1), alignment leads to mutual use and recognition of compliance instruments issued by

² WSDA (2017) Implementation of Nutrient Management Training for Farmers and Nutrient Management Program Review: Report to the Governor and Legislature. Available at [GetPDF](#)

³ Yakima County. Lower Yakima Valley Groundwater Management Area Meetings and Summaries. [Meetings & Summaries | Yakima County, WA](#)

⁴ WA Ecology. Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution. [Improving Air Quality in Overburdened Communities Highly Impacted by Air Pollution: 2023 Report](#)

⁵ Dairy Herd Management. The Great Rebalancing: Why 2026 Milk Prices are Defying the Supply Tsunami. [The Great Rebalancing: Why 2026 Milk Prices are Defying the Supply Tsunami - Dairy Herd](#)

⁶ Financial Content. Dairy Deluge: Soaring Milk Production Threatens Price Collapse as Supply Outpaces Demand. [Dairy Deluge: Soaring Milk Production Threatens Price Collapse as Supply Outpaces Demand | FinancialContent](#)

⁷ U.S. dairy subsidies equal 73 percent of producer returns, says new report. [U.S. dairy subsidies equal 73 percent of producer returns, says new report - RealAgriculture](#)

California, Quebec and Washington. This means that our rules and regulations must be similar to California's. We must agree to California offset protocols and carbon intensities.

California has struggled with emissions from animal agriculture for decades. Agricultural air and water pollution in the Central Valley threaten public health as well as environmental sustainability.⁸ According to the California Air Resources Board the California dairy and livestock sectors produce more than half of California's methane emissions.⁹ While dairy biogas makes up about 1% of the fuel volume supported by California's Low Carbon Fuel program, it is the most lucrative fuel to produce, generating about a 20% of the credits in the program.⁹

By law, California must find a way to regulate emissions from animal agriculture and have a rule in place by 2030. At that time California is required to reduce animal ag emissions by 9 million CO₂ equivalents. The cost may reach \$3.9 billion with the highest percentage of monies spent on biodigesters.⁹

It is unclear how Washington can align with a policy that has not yet been written.

Is the California model what we want for Washington? Do we want to produce more and more manure so we can spend millions or billions on manure methane biodigesters?

There are better options:

- Washington can develop our own rules for manure management and manure methane.
- Regulations and incentives to promote alternative manure management practices are equally effective and less costly.
- Spending public monies on solar and wind energy instead of biomethane results in energy that does not involve combustion and does not produce CO₂.
- Returning the dairy business to supply and demand restores sanity to the market place.

FOTC recommends a more cautious approach to linking with California and Quebec. Let's keep emissions from agriculture off the table for now so Washington has time to craft rules that are more beneficial for our state.

⁸ Union of Concerned Scientists. Climate Change Threatens Already Poor Air Quality in California's Central Valley. [Climate Change Threatens Already Poor Air Quality in California's Central Valley - Union of Concerned Scientists](#)

⁹ Inside Climate News. California Explores First-Time Regulation on Dairy Methane Emissions. [California Explores First-Time Regulation on Dairy Methane Emissions - Inside Climate News](#)

Sincerely,

A handwritten signature in cursive script that reads "Jan Mendoza". The signature is written in black ink on a white background.

Executive Director, Friends of Toppenish Creek

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White Swan, WA 98952