



STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE

NRB, 2<sup>nd</sup> Floor, 1111 Washington ST SE · PO Box 42560 · Olympia, Washington 98504-2560 · (360) 902-1800 · <http://agr.wa.gov>

May 13, 2022

Via E-Mail

Dear Ms. Mendoza:

Thank you for providing background information on your concerns with the Washington State Department of Agriculture (WSDA) Dairy Nutrient Management Program's investigation into the complaint (ERTS# 712851) you submitted regarding Riverview Ranch (Dairy) in Mabton, WA. I've reviewed your letter, discussed this issue with the Dairy Nutrient Management Program Manager, and have completed WSDA's review of the investigation. The review found the following:

- WSDA Dairy Nutrient Inspector Kristina Gibson (Inspector Gibson) received your complaint from the ERTS coordinators on February 18, 2022 and responded within three working days on February 22, 2022 after Presidents Day (a state holiday).
- Inspector Gibson reviewed the photos you provided, as well as conducted her own investigation, including along Vance Road which leads to the Dairy, as well as the easement that is shared between the Dairy property and adjacent properties.
- Inspector Gibson determined through interview with the Dairy operators that the "track out" was caused by their practice of cleaning solid manure from their animal pens, the timing of which coincided with the date the complaint was received. Any manure spilled on Vance Road would have been solid manure dropped from tractor wheels.
- Inspector Gibson determined that solid manure track out would not be susceptible to runoff into a surface water drainage, as there are no storm water drainages present in the area, as well as found only minimal evidence of manure track out that could create a potential to pollute groundwater from nitrate-N leaching.
- Inspector Gibson provided an investigation report to the ERTS coordinators on February 23, 2022.
- On February 25, 2022 at 4:37 p.m., Inspector Gibson forwarded her ERTS investigation report to your email, which was provided with the ERTS complaint:  
[jeanmendoza@icloud.com](mailto:jeanmendoza@icloud.com)

In this case, the evidence did not establish a potential to pollute, therefore WSDA did not consider enforcement. Furthermore, the Dairy was prompt in cleaning up spilled manure and track out voluntarily, preventing neighbor conflicts, blocking the roadway or nuisance.

I understand your frustration with complaint response timeliness and consistent application of regulations under state law, and apologize if you did not received the ERTS investigation report

sent by Inspector Gibson. I've found that a balance of quality technical assistance and enforcement is best to encourage good agricultural practices. WSDA is committed to its mission of protecting the environment and supporting agriculture. With this communication, WSDA considers this matter closed.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

A handwritten signature in black ink, appearing to read 'R. Schoen-Nessa', written in a cursive style.

Robin Schoen-Nessa, Assistant Director  
Pesticide Management Division