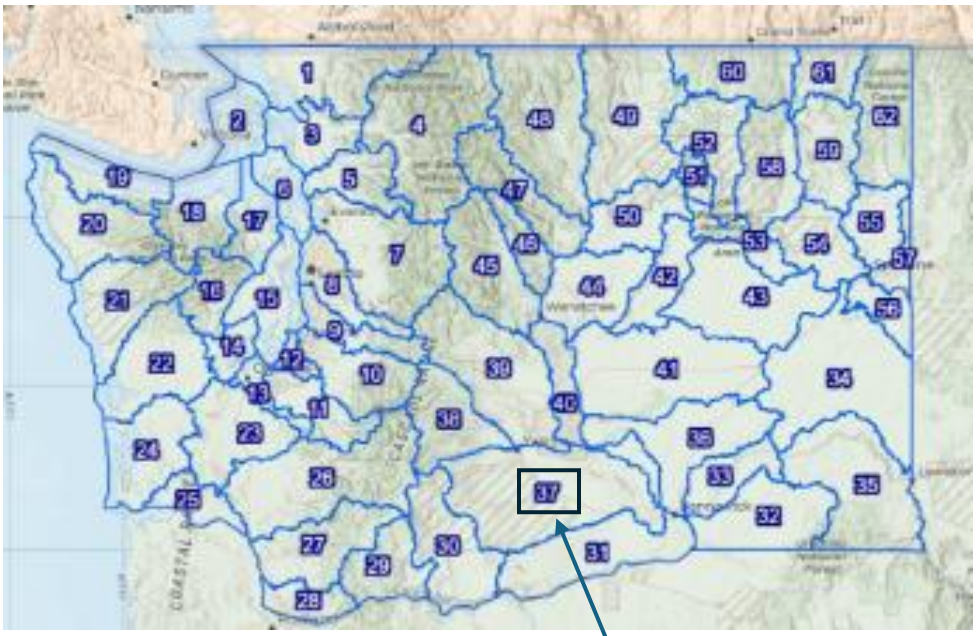
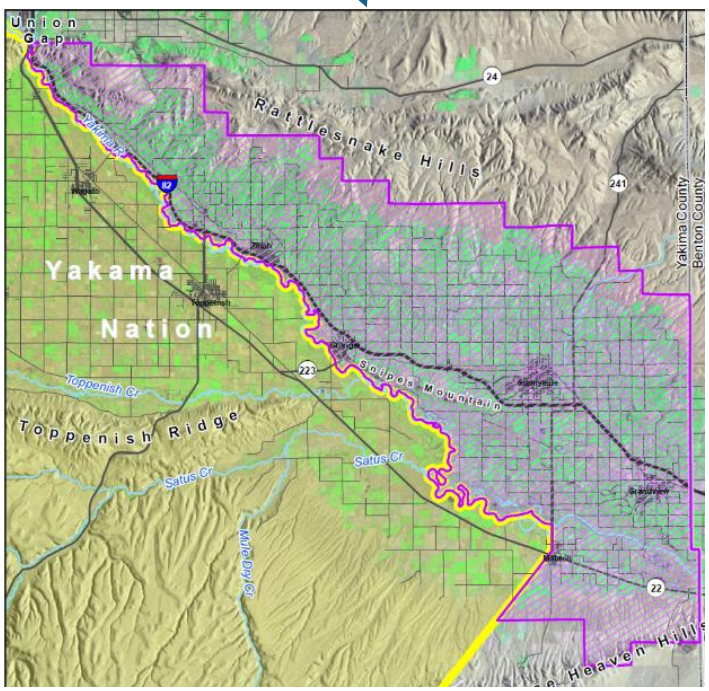
Issues of Concern for Meeting with Office of the Columbia River Director Larry Mattson - July 7, 2025

Our Goal: Impress on Director Mattson the grave significance of groundwater withdrawals by concentrated animal feeding operations (CAFOs) in the Lower Yakima Valley (LYV) Groundwater Management Area (GWMA) where a third of all WA dairy cows are housed.





Yakima Groundwater Withdrawal and the *Columbia River Basin Long Term Supply and Demand Forecast*

The Lower Yakima Valley Groundwater Management Area covers about 273 square miles in Water Resource Inventory Area (WRIA) 37. This is about 4.5% of the Yakima River Basin that includes WRIAs 37, 38, and 39.

LYV dairies estimate they need 85 gallons of water per cow per day to water milk cows, wash the cows and flush manure from barns.

There are about 95,000 milk cows in the LYV Groundwater Management Area. LYV dairies pump 95,000 x 85 = 8,075,000 gallons or 24.8 acre feet of groundwater every day or 9,945 acre feet per year, just for the milk cows. This does not include water for heifers, calves, and other farm animals or for crops to feed the cows.

The Friends of Toppenish Creek believe this amount of groundwater withdrawal impacts aquifers and reduces groundwater flow to the Yakima River. We would like to see confirmation from authorities.

In Washington, under the 1945 stock watering law, RCW 90.44.050, farmers can take as much groundwater as they like without permission. There are exceptions under WA water laws related to first in time, first in right, but those exceptions have not been applied to CAFOs so far in the Yakima Valley.

The Friends of Toppenish Creek believe that pumping 8 million gallons of groundwater per day from a small area should be documented in the 2026 *Columbia River Basin Long Term Supply and Demand Forecast.* Although we are a small percentage of the nearly 8 million people who live in Washington, this is our home. We want to protect and preserve the water and the land in the LYV.

The 2021 OCR report said that groundwater modeling is a high priority for 2026. We are eager to learn how this is progressing.

Concerns about Yakima County's ability to regulate groundwater withdrawal by Yakima CAFO dairies

The Friends of Toppenish Creek believe that some LYV CAFO dairies abuse the 1945 Stock Watering Law and willfully fail to comply with agreements they sign with regulatory agencies. The Fryslan Calf Ranch south of Mabton is a striking example.

In 2017 Yakima County issued Fryslan Calf Ranch a conditional use permit for 1,500 calf hutches on 30 acres. Today the ranch has about 7,000 calf hutches on 100 acres. Yakima County does not inspect permitted facilities and would have been unaware except for a complaint by Friends of Toppenish Creek in February of this year.

According to our interpretation of the Yakima County Code, officials should have issued a Notice of Violation. Instead, Yakima County is working with Fryslan to submit a revised application for a conditional use permit.

Prior to issuance of the 2017 CUP, Fryslan was required to submit a hydrogeological assessment. Yakima County did not have staff qualified to evaluate that assessment so the county asked Ecology to do so. Ecology found:

> *There is no direct legal mechanism to transfer water use established under the permit-exemption. Water use would stay appurtenant to the current properties, similar to a domestic home using the same permit-exemption authority. In other words, the authorization to use water would remain even if the ownership changes. If the current operations were to relocate, a clear path would be left for the water use to continue at the existing facilities/properties under new ownership. This would result in a negative impact to the total water supply available in the Yakima River Basin.*
>
> *If the proponent wishes to be net neutral with respect to the total water supply available in the Yakima River Basin, mitigation from or a transfer of a suitable existing right would be necessary. For instance, the proponent could fully estimate the consumptive water needs of the proposed CAFO including stock water, industrial, husbandry, dust control, and domestic needs, etc. and provide an equal amount under a water right transfer or mitigation plan.*

It appears to FOTC that both Fryslan Calf Ranch and Yakima County ignored this observation by Ecology. Recent investigation found that the parent company for Fryslan has pumped large amounts of water from at least one of the wells that was supposedly restricted.

Yakima County is now requiring Fryslan to complete another hydrogeological assessment for their new CUP application. We hope that Ecology will evaluate this assessment as well. We are smarter now, and we will do our best to ensure that the county pays attention.

Sincerely,

Friends of Toppenish Creek

From the 2021 *Columbia River Basin Long Term Supply and Demand Forecast* - page 64

Next Steps—Building Towards the 2026 Forecast

Integrating Groundwater into Water Supply Forecasting: A high priority improvement is to initiate groundwater modeling to produce forecasts of declining groundwater levels, capture surface-groundwater connectivity, and explore the effects of potential groundwater-related projects and regulation. This improvement may be piloted over an aquifer subarea where a groundwater model has already been implemented or is in development, such as the Columbia Plateau Regional Aquifer System, the Spokane Valley Rathdrum Prairie, the Yakima Basin, or the Walla Walla watershed. Improvements may also include filling data gaps, such as developing more accurate estimates of the relative contribution of surface water vs. groundwater for irrigation and residential uses. Finally, there is a need to expand the database of groundwater level measurements and ensure these data are accessible and useable.

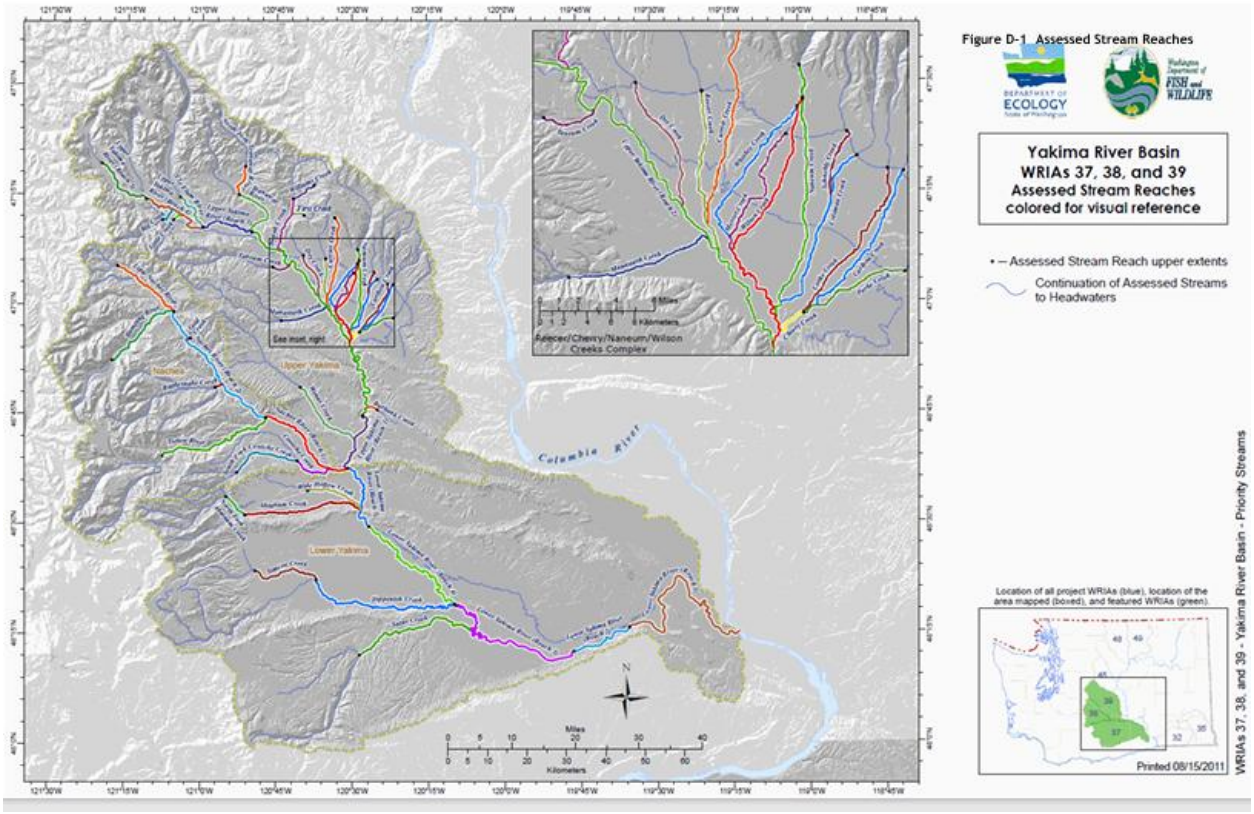
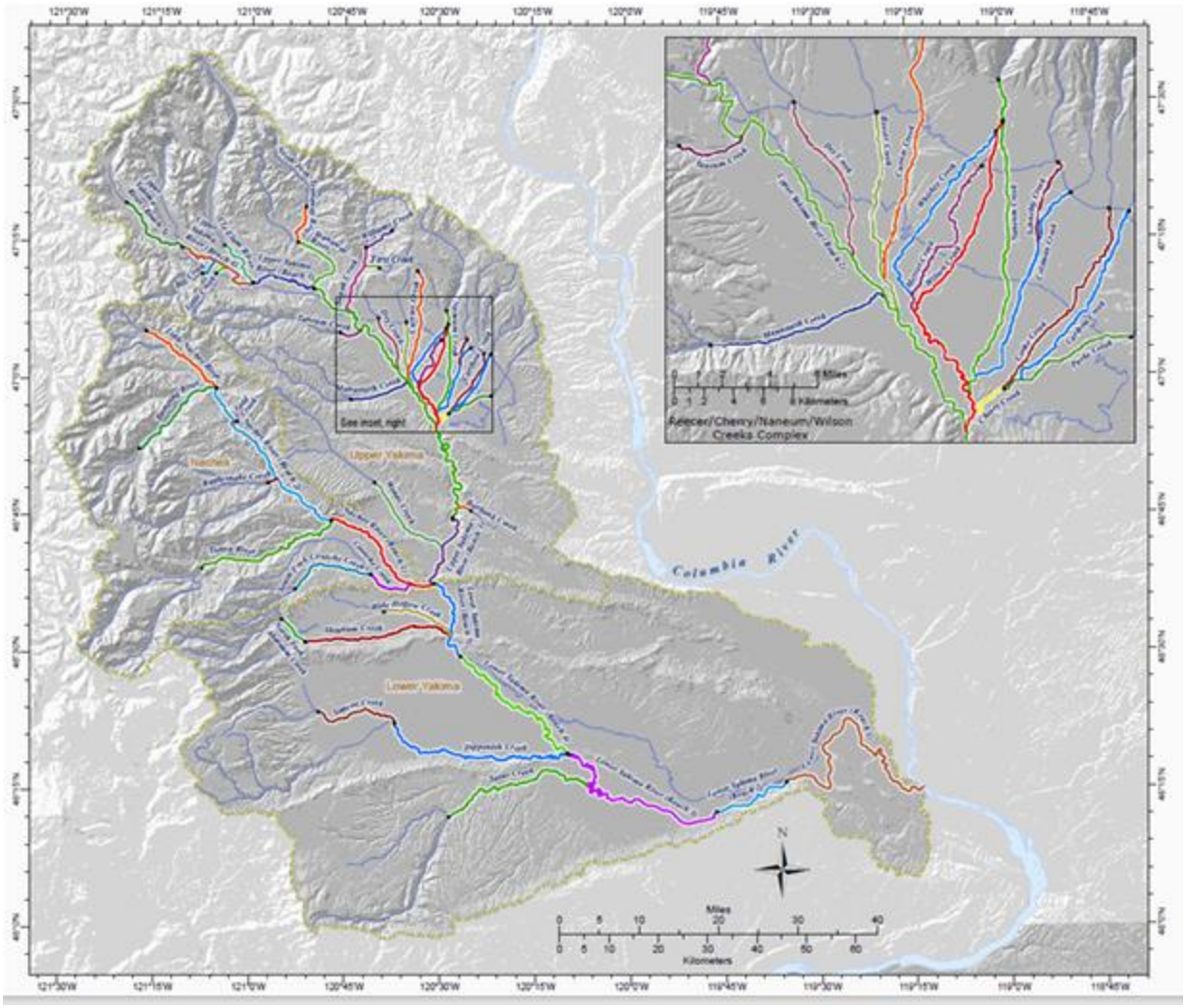


Figure D-1. Assessed Stream Reaches
DEPARTMENT OF ECOLOGY
Yakima River Basin
WRIAs 37, 38, and 39
Assessed Stream Reaches
colored for visual reference
• – Assessed Stream Reach upper extents
Continuation of Assessed Streams to Headwaters
Columbia River
Upper Yakima
Lower Yakima
Naches
Ahtanum/Cherry/Naneum/Wilson Creeks Complex
See inset, right
Miles
Kilometers
N
Location of all project WRIAs (blue), location of the area mapped (boxed), and featured WRIAs (green).
Printed 08/15/2011
WRIAs 37, 38, and 39 - Yakima River Basin - Priority Streams


Columbia River
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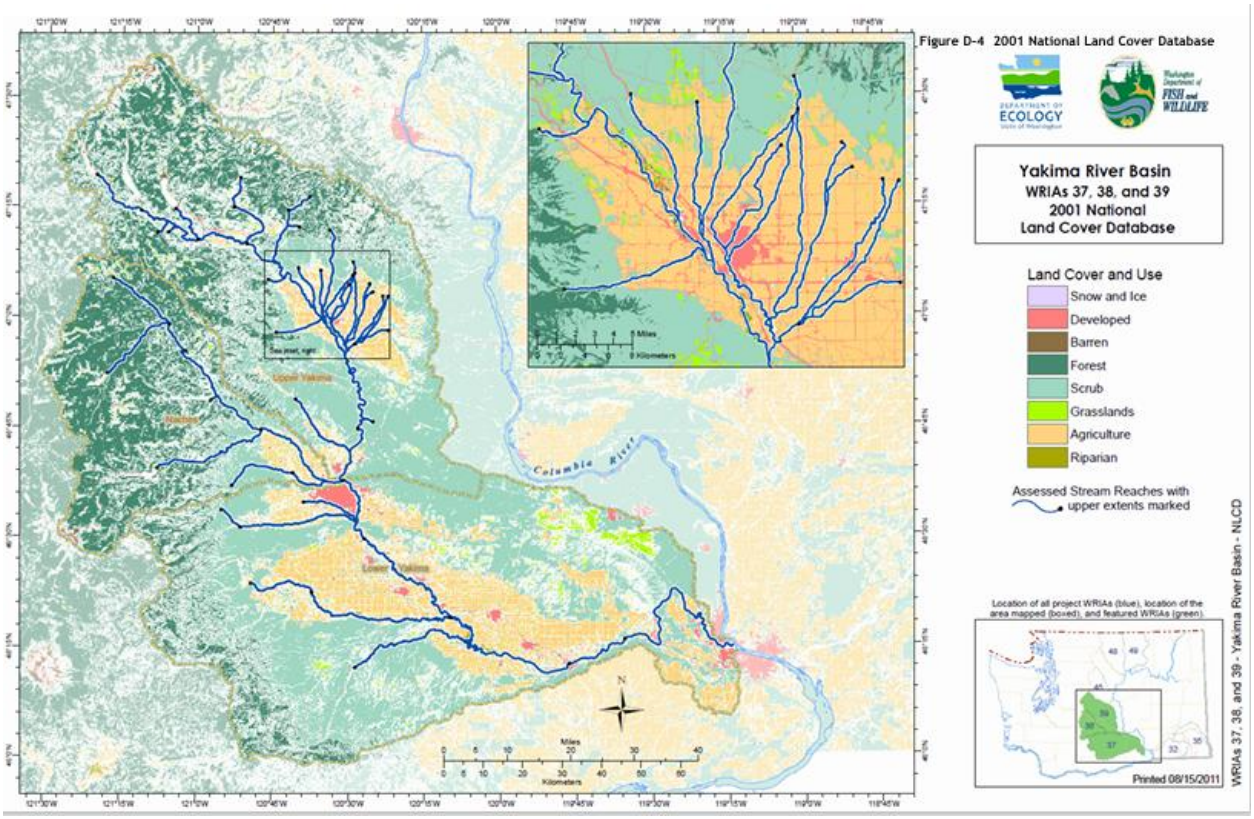

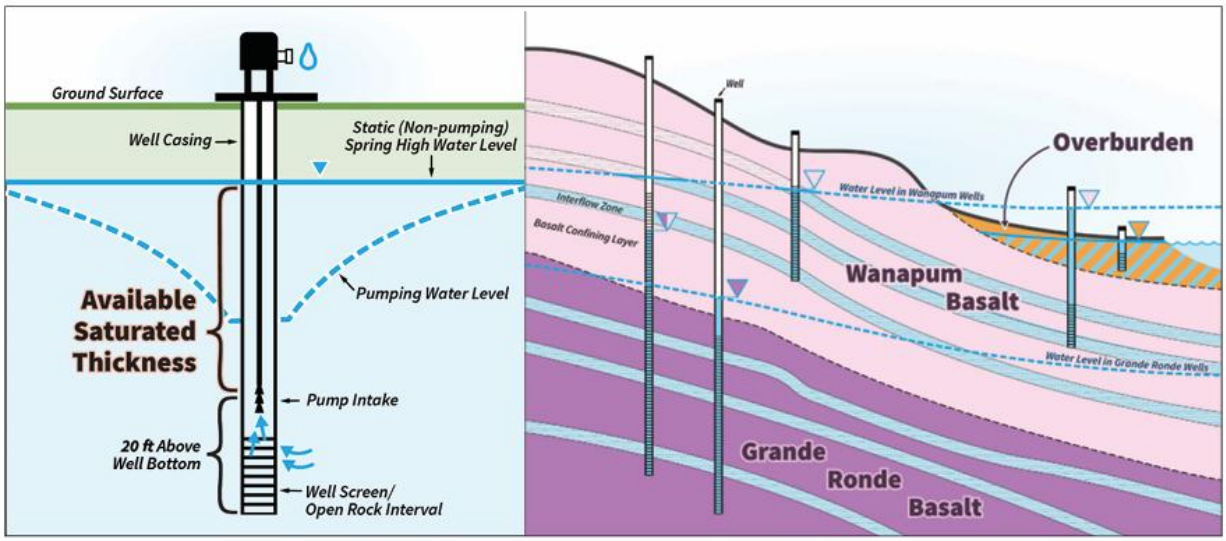

Figure 8. Diagrams representing a well pumping groundwater in eastern Washington (right), and the four main basalt aquifer layers of the Columbia Plateau Regional Aquifer System (CPRAS), with examples of how wells access those aquifer layers (right). The data used in the trend analysis represent the spring high water level, and trends were summarized within each aquifer layer (that is, using wells that access the same aquifer layer, shown by the color of the downturned triangle beside each well). The vulnerability assessment is based on the available saturated thickness.

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