

July 30, 2025

Dear Tua Vang,

Thank you for telling me how Yakima County sees this situation. I see things somewhat differently and I will elaborate in the interest of finding solutions that are best for Yakima County.

It appears that Code Enforcement is trying to help Fryslan make corrections that will allow the calf ranch to continue operating as usual. While this may be admirable from a business perspective, it is not obvious to me that business as usual can be done in ways that protect groundwater and surface water.

In 2015 when Ecology commented on the first conditional use permit (CUP) application for Fryslan that requested withdrawal of 50,000 gallons of water per day, Ecology stated:

*The project's capture of groundwater (shallow or deep) that would, in time, otherwise discharge to the Yakima River system affects and will impair water availability for existing Federal Yakima River Basin Water Enhancement Project (YRBWEP) rights, Time Immemorial Federal rights and State instream rights held in perpetuity . . . .*

In 2017 when Ecology reviewed the Inland Earth Science hydrogeological assessment for Fryslan, Ecology stated:

*There is no direct legal mechanism to transfer water use established under the permit-exemption. . . . . 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.*

Given the fact that Fryslan now has many more calves on site than allowed in their CUP, Friends of Toppenish Creek is very concerned that the calf ranch is taking too much groundwater illegally and that this will have serious negative impacts for years to come.

In your email you stated,

*In accordance with YCC 21.03.020(1)(a)(v), a Notice of Violation and Order to Correct (NOV) "is only issued when other notices or actions have failed to correct a violation and/or the violation is serious or extensive..."*

FOTC believes that the violation is both serious and extensive, and that failure to take strong action will prolong and increase damage to the aquifers and the river.

You also quoted YCC 21.04.020(2) that states,

*In order to further the corrective purposes of this Title, the County will not issue a building or development proposal permit unless the requested permit remediates and corrects the violation or property conditions creating the violation with regard to the site or project for which the permit application is submitted. This includes all payments and/or any civil or monetary penalty imposed for the violation. Any building or development proposal permit that does not correct the violation will be denied.*

According to our reading of this section of the YCC, Fryslan must downsize the operation to the permitted 30 acre calf yard with 16 acres of corrals, 4 acres of hutch yard with about 1,500 calf hutches and a calf population of about 1,300 animal units. This must be accomplished before any further permits are issued.

This will be logistically very difficult. Fryslan cannot simply move the operation to another site and transfer thousands of calves overnight. However, I argue that Fryslan knew very well what they were doing when they violated conditions in the CUP. This corporation has a long history of violating rules, regulations, and terms of agreements. Now Fryslan asks for sympathy and special consideration as they address a difficult situation of their own making.

I fear, based on material received from public records requests, that Yakima County plans to ignore the previous permit and simply issue a new permit for an expanded operation, one that would have prompted an Environmental Impact Statement in 2015. It makes no sense whatsoever to have a code if authorities void permits for convenience. It makes no sense whatsoever for Yakima County to allow those who violate the law to repeatedly thumb their noses at the rules and regulations that most citizens respect.

Please remember that in addition to the Veldhuis corporation, others depend on you to protect water resources and public health. The City of Mabton depends on you. The Yakima River depends on you.

Best wishes.

Jean Mendoza