

Dinah Reed

JAN 10 2017

From: Hutton, Trevor (ECY) <thut461@ECY.WA.GOV>
Sent: Tuesday, January 10, 2017 9:55 AM
To: Byron Gumz
Cc: Dinah Reed; Walker, Kurt (ECY)
Subject: RE: Hydrogeological Impact Assessment for Frysflan Ranch Calf Yard (CUP2016-00019/SEP2016-00007)
Attachments: Technical Review for Frysflan Ranch Calf Yard.docx

Vern _____ Gary _____ Don _____ Lynn _____
 Dave _____ Lisa _____ (initials) _____

Hi Byron,
 As we discussed moments ago, I am forwarding on the technical review for the above referenced project.

Consistent with our earlier conversations, in order to be truly neutral with respect to water availability in the Basin, there would need to be either a suitable source of mitigation water or a discontinuation of use at the existing facilities. If you would like to discuss this in detail, we would be happy to meet with County staff to get us all on the same page. Please review the document and let me know if there are any questions.

Regards,

Trevor Hutton
 Water Resources Program
 WA Department of Ecology
 509.454.4240
 trevor.hutton@ecy.wa.gov

From: Byron Gumz [mailto:Byron.Gumz@co.yakima.wa.us]
Sent: Tuesday, December 20, 2016 11:56 AM
To: Hutton, Trevor (ECY) <thut461@ECY.WA.GOV>
Cc: Dinah Reed <dinahr@co.yakima.wa.us>
Subject: RE: Hydrogeological Impact Assessment for Frysflan Ranch Calf Yard (CUP2016-00019/SEP2016-00007)

Good morning Trevor,
 I was wondering if you've been able to review the report and have any findings for us.
 Thank you!

Byron J. Gumz
 Yakima County Public Services, Planning Division
 Senior Project Planner, Environmental and Natural Resources Section
 128 North 2nd Street
 Fourth Floor County Courthouse
 Yakima, WA 98901
 (509)574-2300 - phone
 (509)574-2301 - fax

From: Byron Gumz
Sent: Monday, October 31, 2016 3:51 PM
To: 'Hutton, Trevor (ECY)' <thut461@ECY.WA.GOV>
Cc: 'Dinah Reed' <aspecteye@gmail.com>
Subject: FW: Hydrogeological Impact Assessment for Frysflan Ranch Calf Yard (CUP2016-00019/SEP2016-00007)

Good afternoon Trevor,

We've received a Hydrogeologic Impact Assessment on behalf of the Fryslan Calf Yard. Yakima County lacks the technical staff in-house to review the document. Can you assist us in reviewing the document and its conclusions? Please let me know if you have any questions.

Sincerely,

Byron J. Gumz
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Senior Project Planner, Environmental and Natural Resources Section
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From: Kevin Freeman [<mailto:kfreeman@inlandearth.com>]

Sent: Monday, October 31, 2016 3:11 PM

To: Byron Gumz <Byron.Gumz@co.yakima.wa.us>

Cc: Office <Office@windmillestates.net>; Dustin Yeager <Dustin.Yeager@stokeslaw.com>; tim@B7engineering.com

Subject: Hydrogeological Impact Assessment for Fryslan Ranch Calf Yard (CUP2016-00019/SEP2016-00007)

Dear Mr. Gumz –

On behalf of Wind Mill Estates, Inland Earth Sciences (IES) submits the attached Hydrogeological Impact Assessment for the proposed Fryslan Ranch Calf Yard (CUP2016-00019/SEP2016-00007). This document is prepared in response to your letter to B7 Engineering, dated July 1, 2016, requesting additional information regarding potential water quantity issues related to the proposed facility. Two (2) hard copies of the document were provided to Yakima County Public Services.

I would be happy to discuss any questions you might have regarding the information or methods of analysis presented in the document. Please contact me at 509-981-4747. Thank you.

Kevin M. Freeman, PG | *Principal Geologist*
Inland Earth Sciences Corporation
8704 E. Dalton Avenue | Spokane, Washington 99212
M: (509) 981-4747
kfreeman@inlandearth.com

Technical Memorandum

Date: January 6, 2017
To: Trevor Hutton, Tom Perkow, and Yakima County Public Services
From: Kurt Walker, LHg (Technical Unit)
RE: Review and Comment Regarding Proposed Fryslan Ranch Calf Yard CUP2016-00019

Background

On October 31, 2016, Yakima County Public Services requested technical assistance from the WA Department of Ecology (Ecology) regarding a proposed Confined Animal Feeding Operation (CAFO) near the city of Mabton in Section 17, T 8 N., R. 23 E.W.M. The Fryslan Ranch Calf Yard (Fryslan Ranch) aka Wind Mill Estates project consists of consolidating and relocating four current operations located west of Grandview into a central facility. Yakima County is evaluating the impacts of the proposed CAFO including impacts to water resources and water users. On behalf of Fryslan Ranch, Inland Earth Sciences submitted a "Hydrogeologic Impact Assessment", dated October 31, 2016, to Yakima County. Ecology has offered to review the technical report at the request of Yakima County.

Groundwater Source Review

The Inland Earth Sciences (IES) report provides a general overview of the hydrogeology of the existing and proposed sites. Wells for the existing operations and the new well for the proposed CAFO were identified. All the existing wells are completed into an unconsolidated alluvial aquifer. The proposed well is completed into a confined basalt (Saddle Mountains) aquifer. These two aquifers are considered to be separate bodies of public groundwater (aquifers).

Potential for Impacts to Groundwater Users

The IES report describes the current and proposed water uses and attempts to quantify the water needs for the animals. Current water use estimates along with local hydrogeologic conditions were considered in an evaluation of potential pumping impacts to neighboring groundwater users. IES suggests that pumping interference is expected to be approximately 5 feet or less to nearby groundwater users. This analysis did not include all water uses for the project, only the water needed for direct animal consumption.

Water Use Authorizations

The current operations withdraw water under the authority of the permit-exemption described in RCW 90.44.050. The proposed CAFO also proposes to rely on the permit-exemption as the legal authority to withdraw groundwater.

Summary of Findings and Limitations of IES Report

- The current and proposed sources (aquifers) are separate regulated bodies of public groundwater.
- Animal water consumption needs are identified (3-4 gallons per day per head).

- Several key technical elements of the proposal were not fully evaluated including, net impacts to surface waters, and the total quantity of water to be withdrawn (dust control, husbandry, industrial, domestic needs, etc.).
- Consideration of how water right authorizations may or may not transfer to the site was not included in the scope of work.

Conclusions and Recommendations

The quality of work provided in the Inland Earth Sciences report is better than average in addressing area hydrogeology and potential for well-to-well pumping interference. However, the report does not fully address how groundwater withdrawals under the proposed CAFO would be net neutral with respect to impacts to the total water supply available in the Yakima River Basin.

The IES report states that the proponent wishes to consolidated and move four existing operations. These operations apparently utilize the permit-exemption under RCW 90.44.050. 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.

Ecology would be happy to assist in providing any necessary clarity to our review as well as information regarding mitigation options available to offset the new consumptive uses associated with the proposed CAFO.