



CLEAN, FLOWING WATERS FOR THE WEST

The Center for
Environmental Law & Policy

April 7, 2011

Grant Pfeifer
Regional Director

Keith Stoffel
Water Resources Program

Jim Bellatty & Mike Hepp
Water Quality Program

Karen Wood & Robert Koster
Air Quality Program

Washington Department of Ecology, Eastern Regional office
4601 N. Monroe, Spokane, WA 99205

Re: Easterday Ranches, Inc.

Dear Mr. Pfeifer, Mr. Stoffel, Mr. Bellatty, Mr. Hepp, Ms. Wood, and Mr. Koster:

I am writing on behalf of the Center for Environmental Law & Policy, Five Corners Family Farmers and Sierra Club Upper Columbia River Group to lodge complaints about the environmentally harmful and potentially illegal activities occurring on the Easterday Ranches cattle feedlot, near Mesa, Washington. Our organizations request that you investigate and regulate to protect the environment and public health.

(1) Request for investigation and enforcement of noxious odors.

Easterday Ranches has constructed its feedlot and populated it with up to 30,000 head of cattle. The stench is exceptionally bad. We request that your offices monitor air quality in and around the feedlot and take action to control noxious odors and toxic emissions.

(2) Request for investigation and enforcement regarding lack of best management practices.

As documented in the attached photos, the feedlot is stockpiling manure in large quantities. Because your offices declined to require Easterday to obtain a water quality permit, the feedlot also lacks a nutrient management plan. We are concerned that the manure piles are contributing to the noxious stench, will not be properly managed, and further may be spread on adjacent fields. We request that you investigate manure management on the feedlot and direct Easterday Ranches to haul manure off the feedlot, as its representatives indicated it would do in public hearings.

(3) Request for issuance of water quality permit.

Because Easterday Ranches is not managing manure and may spread large quantities of manure on adjacent fields, assurances by its representatives that no discharge of water pollutants will occur are no longer credible. We request that Ecology's water quality

program require the feedlot to obtain a water quality permit that imposes conditions and controls on manure management.

(4) Request for water right investigation.

Easterday Ranches has recently constructed two center pivot irrigation systems. In prior discussions with Mr. Stoffel, we were informed that it is Ecology's belief that Easterday plans to use wastewater to irrigate a triticale crop, an activity outside the purview of the Water Resources Program. However, as is shown in the third attached photo,¹ a water line has been installed between the Easterday well and the center pivots. Easterday's claim of use of a permit-exempt well does not extend to irrigation as a purpose of use. Easterday's water right, No. G3-00101C, also does not include irrigation as a purpose of use. Moreover, the information set forth in Easterday's 2010 water metering report indicates full utilization of the water right for stockwater purposes.

We therefore request that the Water Resources Program investigate Easterday Ranches' existing and imminent water usage to determine whether such uses are consistent with water code requirements. If Easterday Ranches lacks the rights to irrigate crops, we request that Ecology direct the facility to cease using water for irrigation until such time as it does obtain lawful and valid water rights.

Thank you for your prompt attention to these matters. We look forward to hearing the results of your investigations.

Yours very truly,



Rachael Paschal Osborn, Executive Director, Center for Environmental Law & Policy
25 W. Main, Suite 234, Spokane, WA 99201

And on behalf of

Sheila Poe, President, Five Corners Family Farmers
P.O. Box 3157, Pasco, WA 99302

Shallan Knowles, Conservation Chair, Upper Columbia River Group, Sierra Club
P.O. Box 413, Spokane, WA 99210

Cc: Ted Sturdevant
Ken Slattery & Maia Bellon
Kelly Susewind
Stuart Clark

¹ The Easterday well is directly to the right of the pick-up truck in the attached photograph. The long white strip running up the center from foreground to background is dirt covering a trench in which lies the new water mainline. Close inspection shows that trench ends at the center of the new crop irrigation sprinkler.