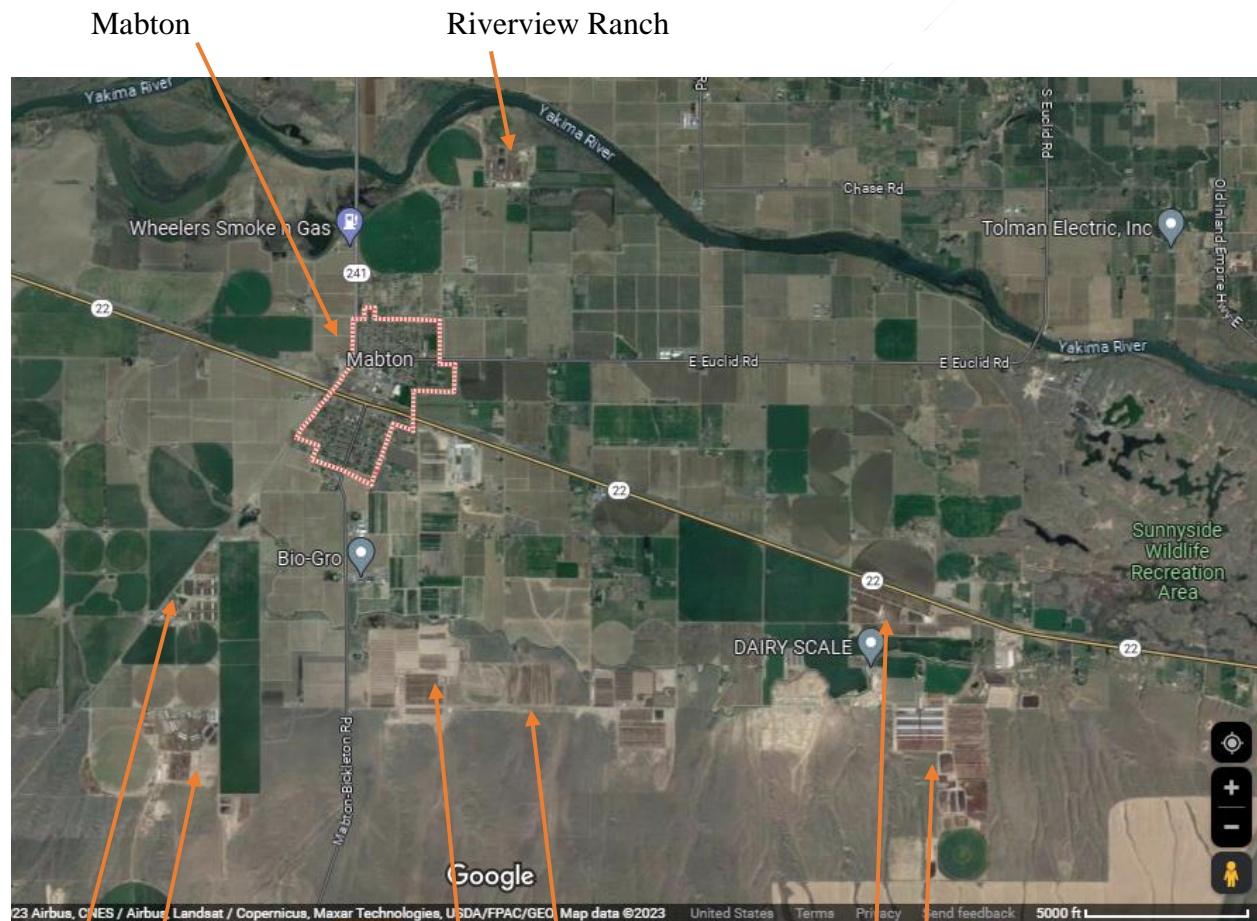


“It’s not a health issue” – Just hydrogen sulfide in your water

Once again, in this summer of 2023, people in Mabton, WA draw water from their faucets that is undrinkable. The costs to families are high. But the WA State Dept. of Health (DOH) says there is no health risk. It is only hydrogen sulfide.¹

It is likely that nearby concentrated animal feeding operations (CAFOs) contribute to Mabton’s water quality problem. Mabton is surrounded by seven large CAFOs.



Sunny Dene Dairy Van Boven Calf Feeding Operation Veldhuis Dairy
Hidden Valley Dairy Fryslan Ranch Calf Feeding Operation Mensonides Dairy

¹ Mabton Drinking Water, Yakima Herald Republic July 21, 2023 at https://www.yakimaherald.com/news/local/lower_valley/mabton-residents-push-for-answers-to-foul-smelling-tap-water/article_db87610a-2729-11ee-8a6a-b7f459afbea3.html

DOH proposes that hydrogen sulfide comes from a deep aquifer. This article says nothing about hydrogen sulfide from cow manure.

Here are the numbers of animals in these seven operations²:

- Riverview Ranch: 700 to 1,699 milk cows
- Sunny Dene Dairy: 2,700 to 3,699 milk cows
- Veldhuis Dairy: 3,700 to 4,699 milk cows
- Hidden Valley Dairy: 1,700 to 2,699 milk cows
- Mensonides Dairy: 4,700 to 5,699 milk cows
- Van Boven Calf Feeding: up to 5,000 calves in hutches
- Veldhuis Calf Feeding: up to 6,000 calves in hutches

These are not nice little dairies. A farmworker drowned in a manure lagoon at Riverside Ranch in 2015. The dairy argued the fine for his death down to \$2,200³. Mensonides Dairy has been sued by workers for withholding wages⁴ and for sexual harassment⁵. The only U.S. case of mad cow disease occurred on Sunny Dene Farm⁶. Abuse of baby calves is self-evident.

None of these facilities have National Pollution Discharge Elimination System (NPDES) permits that authorize them to discharge pollutants to groundwater – but they discharge a lot. Each milk cow produces around 125 lbs of manure per day. The manure is stored in lagoons, many of which only have clay liners that leak.

The City of Mabton began addressing drinking water problems in 2006 when nitrate levels in municipal well #3 came back high. In 2011 nitrate levels reached 24.6 mg/L, over twice safe

² WA law says that dairies are only required to report animal numbers in a range. They do not have to report the exact number of animals. Although dairies state that dairy nutrient management plans (DNMPs) protect the air and water, the dairies are not required to share their DNMPs with the public.

³ Yakima Herald Republic. 2015. https://www.yakimaherald.com/opinion/editorials/public-deserves-to-know-details-of-tragic-death-at-mabton-dairy/article_9514aabe-a5ec-11e5-bb4f-5309b7dee563.html

⁴ Yakima Herald Republic. 2019. https://www.yakimaherald.com/news/business/local/dozens-of-dairy-workers-demand-1-million-in-alleged-unpaid-wages-from-mabton-farm/article_ffbf00b4-bc04-561d-8597-320caa163916.html

⁵ Yakima Herald Republic. 2020. https://www.yakimaherald.com/news/local/lawsuit-accuses-mabton-dairy-employee-of-sexual-harassment-against-8-workers/article_72f00dbb-6f7b-58c8-8df1-e2393a894664.html

⁶ Washington Post. 2004. <https://www.washingtonpost.com/archive/politics/2004/01/01/nine-cows-from-ill-animals-herd-are-tracked-to-washington-ranch/69088c0d-00f5-4864-92ae-778dbc3e38d1/>

drinking water standards. Some of the city wells went dry. Mabton has drilled three new wells in recent years. Costs are in the millions, and this creates significant economic problems for residents who mostly live pay check to pay check.⁷

Here are basic demographics for zip code 98935 that encompasses Mabton⁸:

- Population 4,367
- 33.5% are under the age of 18
- 88.2% are Hispanic
- 77.3 % speak a language other than English
- 46.3% speak English very well
- 58.4% over the age of 18 are citizens
- 50.2% have less than a high school education
- Median income is \$25,130

This is not a population well equipped to defend themselves. The people of Mabton pay high rates for water and then purchase bottled water. The city is burdened with debt from drilling new wells. There is not much that a man or woman can do when he or she earns \$25,130 per year, has a high school education, and does not speak English well. People may not believe the DOH when the department says that hydrogen sulfide in drinking water is not a health issue, but the department is judge and jury.

Because these CAFOs do not have NPDES permits, there is no monitoring of groundwater. No one even looks for evidence of leakage from the lagoons or monitors runoff from the pens and corrals.

Aquifers in the Mabton area are dropping.

- In April 2015 Windmill Estates submitted a conditional use application to expand their calf and heifer feeding operations to land near Mabton.⁹ Windmill planned a facility with up to 6,000 calf hutches that would require 50,000 gallons of water per day.

⁷ Census Data at <https://data.census.gov/table?q=98935&tid=ACSDP5Y2021.DP05> and <https://data.census.gov/table?q=98935&tid=ACSST5Y2021.S0601>

⁸ Census Data at <https://data.census.gov/table?q=98935&tid=ACSDP5Y2021.DP05> and <https://data.census.gov/table?q=98935&tid=ACSST5Y2021.S0601>

⁹ See Attachments 1 & <http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%201%20Windmill%20CUP%2015-036%20Complete%20Application.pdf>

- The WA State Department of Ecology (Ecology) submitted a letter that described the falling aquifers¹⁰. Ecology stated:

The closest Ecology (“deep”) monitoring well (SID 204119) completed in the Wanapum Formation aquifer shows 104 feet of decline over a 29 year period of record, a persistent average of approximately 3.6 ft/yr. If the proposed wells are constructed into the Wanapum aquifer, it will further contribute to the persistent state of decline in that aquifer.

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 July 2015 Yakima County issued a Determination of Significance¹¹ but did not require an Environmental Impact Statement (EIS).
- In August 2015 the Western Environmental Law Center (WELC) submitted comments on behalf of the Center for Law and Policy and the Friends of Toppenish Creek.¹² WELC stated:

In the Yakima basin, there is no water available for this feedlot to operate. The Yakima basin is effectively closed to all new appropriations of groundwater because the water is simply not there to be allocated. In fact, “Ecology has not issued surface water rights within the Yakima Basin since the beginning of the adjudication over 30 years ago. Groundwater rights haven’t been issued for almost 20 years. Before a new water right permit is issued, Ecology must determine water is available and that the new permitted use will not have a negative impact on existing water rights.”¹³ Water is not available, and the feedlot will negatively impact existing water users.

And attachment 2

<http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%202%20Wind%20Mill%20SEP%2015-015%20Complete%20Application.pdf>

¹⁰ See Attachment 3

<http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%203%20Windmill%20letter%20from%20DOE.pdf>

¹¹ See Attachment 4

<http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%204%20SEP%2015-015%20%20Windmill%20Estates%20DS.pdf>

¹² See Attachment 5

<http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%205%20Wind%20Mill%20Estates.Cmt.Ltr.Final.8.31.15.pdf>

¹³ Ecology, Pending Water Right Applications in Subbasins of the Yakima River Basin, available at <http://www.ecy.wa.gov/programs/wr/cro/yakima-sb31.html>

- Windmill Estates submitted a revised conditional use application in 2016¹⁴. This time Windmill proposed 1,500 calf hutches and withdrawal of 25,000 gallons of water per day. Yakima County did not ask for an EIS. Yakima County issued a Mitigated Determination of Non-Significance in 2017¹⁵ and the project went forward.
- Today, aerial photos from Google Earth show over 6,000 calf hutches on the property.
<https://www.google.com/maps/place/Mabton,+WA+98935/@46.1866185,-119.9650264,322m/data=!3m1!1e3!4m6!3m5!1s0x5497f5adc25e475d:0x9aadc0a7392189a3!8m2!3d46.2148534!4d-119.9967079!16zL20vMDEwdzJy?entry=ttu>



And so we have a worsening situation in which relatively poor people and the river pay the price for industrial dairies that reap huge profits from abuse of the land and the laws.

¹⁴ See Attachment 6

<http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%206%20Windmill%20CUP%2016-019%20Complete%20Application.pdf>

¹⁵ See Attachment 7 <http://www.friendsoftoppenishcreek.org/cabinet/data/Mabton%20Attachment%207%20CUP16-019%20SEP16-007%20Fryslan%20Ranch%20MDNS.pdf>

Thank you for reading.

Friends of Toppenish Creek

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