

SEP 23 2015

WATER QUALITY PROGRAM

MAPLE GROVE DAIRY LLC / SPRING CANYON RANCH LLC

3620 INDEPENDENCE RD

SUNNYSIDE, WA 98944

Mr. John Jennings  
Washington Department of Ecology  
P.O. Box 47696  
Olympia, WA 98504-7696

Dear Mr. Jennings,

We appreciate this opportunity to provide you with our thoughts on the proposed General Permit. We have not made an exhaustive study of all the permit provisions, but only wish to draw your attention to those major issues which we believe merit further study and discussion.

Any exemptions from permit coverage should be narrowly and very clearly defined. It is important that all producers are subject to the same rules. The specific standards or targets can be location specific (East vs West of the Cascades) and even size specific (considering the potential total risk to the environment), but the soil and manure testing procedures and reporting requirements should be applied across the board to all producers. The past is ample evidence that voluntary permit coverage does not work.

We believe there should be options for lagoon liners. Double liners are extremely expensive and are designed for highly toxic materials. Manure lagoon seepage will only marginally add to the nitrogen load naturally in the soil and can be detected by other means. Contamination from manure stored in lagoons is much more likely to result from over application to crop fields or a catastrophic failure of the lagoon structure. We have lined our lagoons with a 60 mil synthetic liners, which carry a 20 year warranty, and concrete access ramps and bottoms, over soil compacted to NRCS standards. We believe this adequately protects the environment.

We believe the soil monitoring matrix present several practical problems. First, the matrix relies too heavily in a single test. We have found significant and unexplained variations in the results of our testing at both the 1<sup>st</sup> and 2<sup>nd</sup> foot level. Our testing is done by an outside firm and a protocol which samples at the same field locations after both the summer and winter crops. We believe this also merits further study.

The matrix should be location specific, taking into consideration both climate and the crops which can be grown in specific areas. Different crops use different amounts of nutrients and typically root to different soil depth.

We do not believe the permit should prescribe action to be taken in response to soil test results. This is better left to the producers and their consultants. It would seem better only to require a plan which addresses the specific soil tests. Subsequent tests, after the next harvest, should prove (or disprove) the effectiveness of the plan. The department should only step in if the subsequent test results are

unsatisfactory and continue to exceed the standards. We believe the producers and their agronomists are best qualified to make specific decisions, but should be held accountable. Consistent enforcement of results is a key element of a successful program.

Many of the requirements of the MPPP appear to be a duplication of the DNMP. Would it be possible to combine these into one required plan and eliminate the duplication?

It appears that many of the provisions of the permit are based on the recent litigation. It should not be assumed that the conditions encountered by Judge Rice are typical of the 500 dairies in the state. A well designed program which is consistently enforced will be accepted by producers. A program which by its terms evidences distrust by regulators and interferes with the operation of their farms, will meet with resistance from producers.

We appreciate the opportunity to present these comments and also the visit with you and Bill Moore at our Maple Grove Dairy in August.

Sincerely,

John Bosma  
Maple Grove Dairy LLC