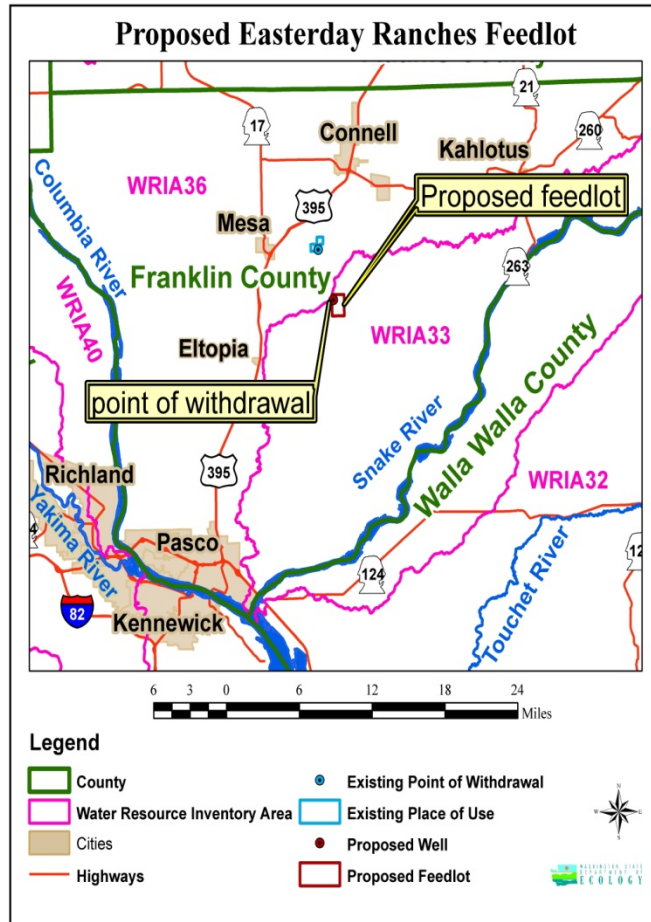


### Ecology has water right, air quality roles in regulation of Franklin County feedlot

The Washington Department of Ecology has approved with modifications the decision of the Franklin County Water Conservancy Board to allow the transfer of the Pepiot water right to Easterday Ranches, Inc.

The 316-acre-foot water right is for a feedlot Easterday is developing for as many as 30,000 head of cattle on 960 acres of land in Franklin County.



In addition to approving the water-right transfer, Ecology is developing an air quality permit to control dust and releases of ammonia and hydrogen sulfide from the Easterday feedlot and expects to issue a draft permit for review later this summer.

Ecology has no role in the local land use decisions surrounding the siting and operations of the feedlot.

#### **Q: How much water is Easterday acquiring with its new water right?**

**A:** Easterday is acquiring up to 316 acre feet of water each year under the former Pepiot water right. This right has historically been used for the irrigation of potatoes, blue grass and winter wheat.

#### WHY IT MATTERS

Ecology reviewed the decision of the Franklin County Water Conservancy Board to ensure senior water rights would not be impaired by approval of a water right transfer for Easterday Ranches, Inc.

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To view Ecology's letter of modifications on the Franklin County Conservancy Board's decision, go to:  
<http://www.ecy.wa.gov/program/wr/rights/images/pdf/20090611EasterdayLetter.pdf>

#### Special accommodations:

To ask about the availability of this document in a version for the visually impaired call the Water Resources Program at 360-407-6872. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

This amounts to more than 100 million gallons of water each year. (One acre-foot equals 325,851 gallons of water.)

**Q: How will the water be used at the feedlot?**

**A:** Groundwater use authorized under the water right allows up to 66 acre feet of groundwater per year for stockwatering purposes, primarily for drinking water, and up to 250 acre-feet per year will be used for cooling the cattle, dust control and associated feedlot uses.

**Q: Will additional water be required for the feedlot and if so, how does Easterday plan to supplement its water right?**

**A:** Easterday Ranches plans to withdraw an additional 505 acre-feet of groundwater for stockwatering purposes under the stockwatering permit exemption provided by RCW 90.44.050 of Washington state's groundwater code.

**Q: Does Ecology agree that the exemption for stockwatering under RCW 90.44.050 can be used at the Easterday feedlot?**

**A:** Ecology believes that water used for "stockwatering purposes" at the Easterday feedlot is exempt from water right permitting as defined in RCW 90.44.050. (See Attorney General's Opinion issued Nov. 18, 2005.) Water for feedlot operations such as dust control, cooling and processing milk or meat products and watering of vegetation are not considered by Ecology to be "stockwatering purposes," and thus require a water right permit. Easterday has acquired the Pepiot water right to use primarily for non-stockwatering purposes.

**Q: Can RCW 90.44.050 be amended to clarify the quantity of water allowed for stockwater purposes and to define what "stockwater purposes" include?**

**A:** Several bills to amend and clarify RCW 90.44.050 were introduced in the 2009 session of the Washington Legislature. All of these bills died in session. An interim working group comprised of legislators and representatives of the dairy and livestock industries and Ecology staff will convene later this year in an attempt to draft a statutory amendment to be considered during the 2010 session of the Legislature.

**Q: How will Ecology monitor Easterday's water use?**

**A:** Easterday will be required to meter and report water use at the feedlot. Multiple meters will be required to measure the quantity of water used for "stockwatering purposes" separately from the quantity of water used for dust control, cattle cooling and associated feedlot activities.

**Q: Will the decision to approve the Pepiot water right transfer to Easterday Ranches impair any existing water users?**

**A:** The quantity of water pumped from the new Easterday well will be the same quantity of water as historically pumped from the Pepiot well only three miles away. Therefore, the water

right transfer will not increase aggregate pumping from the Columbia River Basalt Group aquifer in the area, and will not cause impairment of any existing water rights.

### **Air Quality**

#### **Q: How will Ecology protect people who live nearby from all the dust stirred up by a cattle operation?**

**A:** Ecology's air quality program is developing what is called a Notice of Construction (NOC) permit for the feedlot to make sure the dust is adequately controlled. However, the permit depends on the Easterday feedlot securing enough water to do the job.

#### **Q: Is dust the only air pollutant to be concerned about?**

**A:** In addition to controlling dust, the feedlot will need to control emissions of ammonia and hydrogen sulfide, both toxic byproducts of animal waste.

### **Water Quality**

#### **Q: A maximum of 30,000 head of cattle is a lot of livestock. What will the Easterday feedlot do to the water quality of the area's groundwater? Will Ecology regulate that?**

**A:** No water quality permit is needed for the feedlot because Easterday Ranches has reported there will be no wastewater discharge. If there are no wastewater discharges, a water-quality permit is not needed. If the company anticipated a discharge to surface water, such as lake or stream, it would need a Confined Animal Feeding Operation (CAFO) permit. If wastewater was anticipated to reach groundwater, the facility would need a state waste discharge permit.

#### **Q: How can Easterday avoid sending wastewater to the groundwater?**

**A:** Easterday Ranches can protect groundwater by properly managing their waste and wastewater to avoid any contamination to groundwater. A lined lagoon does not guarantee there won't be a leak or a discharge, but it is designed to do just that. At this point, Easterday Ranches have not applied for a discharge permit.