

Environmental groups, Outlook ranch await approval of consent decree on water pollution issues

Donald W. Meyers, Yakima Herald Republic, November 15, 2019

Outlook-based Spring Canyon Ranch has settled with two environmental groups that alleged its dairy operations had polluted local drinking water.

In a proposed consent decree recently filed in U.S. District Court in Yakima, Spring Canyon Ranch agreed to close all but one of its manure storage lagoons, not reinstate its dairy operations for three years unless it gives three months' notice to the environmental groups and pay \$60,000 to a program that provides free water testing and filtration systems for Lower Valley residents affected by nitrate pollution.

"It's yet another one of the dozen polluting dairies in the Yakima Valley that is being held accountable for its past practice," said Charlie Tebbutt, the attorney representing Outlook-based Community Association for Restoration of the Environment and Friends of Toppenish Creek, which initiated the action almost three years ago. "My clients will continue to bring actions to seek justice against the other dairies as well."

As part of the settlement, which has yet to be approved and signed by U.S. District Judge Thomas O. Rice, Spring Canyon Ranch's owners deny the allegations and do not admit liability. In the decree, both sides said the agreement was "fair, reasonable and in the public interest."

Attempts to contact Lori Terry, Spring Canyon Ranch's attorney, were not successful. Calls placed to her Seattle office were not returned by press time. Calls to a number listed for the ranch were not answered.

CARE and Friends of Toppenish Creek have taken on major dairy operations in the Lower Valley, alleging that the widespread use of cow manure as fertilizer and the storage of manure at the feedlots contributed to increased nitrate levels in local drinking water.

While Spring Creek Ranch ceased operating its concentrated animal feeding operation before Tebbutt filed his intent to sue, he said the company's past practices contributed to overall nitrate pollution in aquifers.

In March 2016, the ranch had 2,376 cattle on 596 acres, according to the court documents. The ranch also generated 18 million gallons of liquid waste and 45,300 tons of solid waste a year, the court documents said.

In the lawsuit that was filed the same day as the consent decree, CARE and Friends of Toppenish Creek allege that the ranch's handling of manure, including composting it, storing liquid waste in unlined lagoons and spreading it on fields contributed to nitrate levels that exceeded the federal standard of 10 parts per million in aquifers.

In 2015, a similar federal consent decree with three Yakima Valley dairies set up the funding mechanism for the Clean Drinking Water Project, which offers free water testing and installation of reverse osmosis filters for households affected by nitrate pollution.

Those dairies contribute \$2,000 a month each to the program, while Spring Canyon Ranch's consent decree calls for a one-time contribution, Tebbutt said.

"Everyone is different, and Spring Canyon Ranch is different," Tebbutt said. "They stopped (dairy operations) shortly after we filed our intent to sue. Most of their lagoons have closed, and the one that they are keeping will be lined."

Anyone who wishes to have their water tested may call 509-831-9430 or email cleandrinkingwaterproject@gmail.com

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