



## *Friends of Toppenish Creek*

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Dear Administrator Wheeler:

Once upon a time, we are told, there was a Congressman filled with passion for the legislative processes and love for his family. He had a young son who struggled to understand the mathematical constant  $\pi$ , approximately equal to 3.14159. The Congressman introduced a bill that would change the value of  $\pi$  to 3.

This is the flawed type of reasoning that Congressman Dan Newhouse from Washington State's 4<sup>th</sup> Congressional District invokes when he asks you to void the study, *Relation between Nitrate in Water Wells and Potential Sources in the Lower Yakima Valley, Washington*. If you don't like the science, simply change the data to fit your preferred world view. Congressman Newhouse has a relative, a dairy farmer, who has actually argued in public that nitrates in drinking water are good for human health. (Yakima Public Television, 2019).

The study in question is one of the most comprehensive pieces of scientific water research ever done in the United States. It directly addresses major pollution problems that threaten our dear country nationwide – and cost us billions of tax payer dollars. For people in the Yakima Valley and most of the arid western United States the issues are especially pressing. For us water is the new gold.

Here are some facts:

1. The Yakima River is one of the most important tributaries to the Columbia River, the largest in the Pacific Northwest and the source of our economic prosperity. The United States has spent billions over the years developing an irrigation system in the Yakima

Basin that makes us a leading agricultural community. Water rights in the Yakima Basin are over allocated and adjudication has raged in this part of Washington State for decades. We suffer from frequent droughts.

2. A peculiarity in Washington law allows the people of our state to withdraw as much groundwater as we need to water livestock. In 2019 farmers with junior water rights will receive about 67% of the water they need for crops. But dairymen can pump as much water as they want for their cows. They take this free water, not only from the shallow aquifers that receive recharge from irrigation, but more importantly from the deeper aquifers that receive little recharge and are dropping, often at dramatic rates. Inattention to best management practices by Lower Yakima Valley dairies has contaminated the shallow aquifers that humans use as our only source of drinking water. This is clearly documented in the EPA studies.
3. Congressman Newhouse served four terms in the Washington State House of Representatives from 2003 to 2009. He served as Director of the Washington State Department of Agriculture from 2009 to 2013. He was at the center of the action while partisan interests in our state watered down the laws and enforcement of the Clean Water Act to such a degree that the EPA was finally asked to investigate. WSDA's own data gathering found that, under Newhouse's watch, 11.9% of the dairy managed cropland in Yakima County suffered from over-application of manure (WSDA, 2015, page 9). This only improved after the EPA enforced an administrative order on consent (AOC) on three large dairies and citizens sued the dairies to enforce compliance.
4. Since 2012 stakeholders in the Lower Yakima Valley have struggled to address LYV problems with groundwater pollution through a groundwater management area (GWMA). Congressman Newhouse and his family have farmed in this area for years. The Friends of Toppenish Creek asked Mr. Newhouse to participate in the work. He ignored us and did not offer his cropland for GWMA research.

And here is opinion, based on facts:

The dairy industry in the United States is in trouble. In recent years a convergence of practices and policies has reduced profits per gallon of milk. As a result the only way for individual dairymen to improve their bottom line, or often to stay in business, is to increase the number of milking cows. This results in over-production and a new twist on the Tragedy of the Commons.

The dairy industry has become adept at speaking to lawmakers and policy people. The dairy industry has become increasingly reliant on government to solve their problems. The result is that, according to a 2019 report (Grey, Clark, Shih & Associates, 2019), U.S. dairies are subsidized at a rate of \$12.06 per hundred weight of milk produced, or 45% of production costs.

This corporate welfare comes at a high price. Subsidized agriculture is crowding out farms that are more self-sustaining. People who live in areas with polluted drinking water, such as the LYV, pay out millions per year to purchase bottled water. People who live next to mis-managed concentrated animal feeding operations suffer high rates of disease and chronic health problems.

Myopic approaches that focus only on dairy economics blind us to long term problems that result from environmental degradation, costs to taxpayers and worsening public health. Unlike Congressman Newhouse, the EPA is obligated to analyze environmental issues from many perspectives.

The Friends of Toppenish Creek are happy to provide you with more in-depth information. In fact, we would consider it an act of irresponsibility on your part if you only meet with the Congressman. On this issue, he does not speak for all of his constituents.

Sincerely,

*Jean Mendoza*

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#### References:

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Washington State Dept. of Agriculture (2016) *Implementation of Nutrient Management Training Program for Farmers: Report to the legislature and Other Stakeholders*. Available at [https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=533-DNMPReportToLegJune2016\\_e9a85fda-7303-4899-a2fb-c30aea1728df.pdf](https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=533-DNMPReportToLegJune2016_e9a85fda-7303-4899-a2fb-c30aea1728df.pdf)

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