



STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

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June 1, 2017

Jake N DeRuyter  
DeRuyter Brothers Dairy 1 & 2  
PO Box 338  
Outlook, WA 98938

**RE: DeRuyter Bros Dairy 1 & 2 Dairy Investigation Outcome**

Jake DeRuyter:

On March 1, 2017 Washington Department of Agriculture Dairy Nutrient Management Inspector, Dan McCarty (WSDA) responded to a complaint (ERTS 671054) that several homes in Outlook had been flooded as a result of a field berm breach . The field is owned and operated by DeRuyter Brothers Dairy.

WSDA determined that a berm breach from the southwest corner of Field 2 under the management of DeRuyter Brothers Dairy (dairy) resulted in water running off the field, crossing Nichols Road, and running through a neighboring dairy's production area where manure solids were being composted. At the time of the investigation on March 1, 2017, the dairy had already repaired the berm.

Water quality results for fecal coliform, collected on March 1, 2017, indicated that state water quality standards were exceeded. See enclosed sample results from Lab Test.

On March 2, 2017, WSDA walked the flow path of the water from Field 2, through the neighboring dairy's composting area, and to the edge of the town of Outlook, WA. Visual evidence suggested that water from the dairy's Field 2 berm breach may have contributed to flood waters that accumulated in the town of Outlook, located approximately 0.5 miles southwest from the field. WSDA collected water samples at the point of the berm breach and at points where the water from Field 2 had flowed. Sample results indicated that water quality standards for fecal coliform had been exceeded. See enclosed sample results from Lab Test.

On March 3, 2017, WSDA collected water samples to test for Nitrate, Ammonia, Total Kjeldahl Nitrogen, and Total Phosphorus. See enclosed sample results from Lab Test.

WSDA reviewed the dairy's manure application records, 2016 fall soil samples for Field 2, and manure nutrient analysis for the manure that they had applied. Dairy records showed that the last

manure applications to Field 2 were made between November 1, 2016 and November 29, 2016. During that time, manure was applied to three of five management areas within Field 2, covering 121 acres. The manure application included the southwest corner of the field where ponding occurred. WSDA determined that agronomic manure applications were made in accordance with WAC 16-611, nutrient management rules, and with the dairy's Confined Animal Feeding Operation Permit.

Information collected between March 1, 2017 and March 15, 2017 indicates that DeRuyter Brothers Dairy was in compliance with their CAFO Permit. The dairy also immediately repaired the berm, and continued to monitor and improve the berm to prevent any additional release of water from Field 2. While the Field 2 berm breach exacerbated the flooded conditions in Outlook, Washington, the release of water from the Field 2 was not due to human activity. WSDA considers this to be an agricultural stormwater event.

WSDA recommends that the dairy continue to monitor all field berms during winter months to ensure structural integrity and prevent run-off.

Thank you for your ongoing attention to nutrient management and water quality protection. If you have any questions about this letter or the enclosures included with this letter, please contact me at 509-969-7140 or [dmccarty@agr.wa.gov](mailto:dmccarty@agr.wa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan McCarty', with a stylized flourish at the end.

Dan McCarty  
Dairy Nutrient Management Program

Enclosures:

- Investigation report 2017-03-01
- Investigation FU report 2017-03-02
- Investigation FU report 2017-03-08
- Investigation FU report 2017-03-15
- Sample results 2017-03-01
- Sample results 2017-03-02
- Sample results 2017-03-03
- Photos 2017-03-01 through 2017-03-15