

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

COW PALACE, LLC, *et al.*,

Defendants.

Civil No. 24-cv-03092-TOR

DECLARATION OF GREGORY
SCHNAAR IN SUPPORT OF
PLAINTIFF UNITED STATES'
MOTION FOR PRELIMINARY
INJUNCTION

I, Gregory Schnaar, hereby declare:

1. My name is Gregory Schnaar.

2. I am over 18 years of age and I am competent to make this

Declaration on behalf of Plaintiff United States.

3. I am a Principal Hydrogeologist with Daniel B. Stephens &
Associates, Inc. I received a B.S. degree in Environmental Science and Policy
(magna cum laude) from the University of Maryland, College Park in 2002 and a

1 PhD in Soil, Water and Environmental Science, with a minor in Hydrology, from
2 the University of Arizona in 2006. I specialize in watershed-scale hydrologic
3 studies, groundwater and vadose zone modeling, contaminant transport, and carbon
4 capture and storage (“CCS”). I have managed a variety of environmental and
5 water resource investigations throughout the United States. I am an Associate
6 Editor of the peer-reviewed journal *Groundwater*, and have taught courses in
7 Environmental Science and Water Resources as a faculty member (2014 to 2017)
8 and adjunct faculty member (2021) at the University of Maryland, College Park
9 and an adjunct faculty member at George Washington University. I am a Certified
10 Professional Geologist in Virginia.

11 4. I have been retained by the United States Department of Justice and
12 offer this Declaration in support of the United States’ Motion for Preliminary
13 Injunction in the above-captioned matter.

14 5. I have previously evaluated nitrogen transport in groundwater and the
15 vadose zone from concentrated animal feeding operations (“CAFOs”), septic
16 systems, agricultural operations, food processing facilities, and other sources. For
17 example, I previously developed a regional-scale linked watershed/groundwater
18 model of the Ventura River watershed in California and an associated nitrogen
19 loading and transport model to assess impacts of various land uses and operations
20 on nitrogen loading to groundwater and surface water. I also previously evaluated

1 nitrogen transport in the vadose zone, groundwater, and groundwater discharging
2 to surface water at an equestrian facility (CAFO) in southern California.

3 6. My previous expert witness oral testimony (deposition, trial and
4 arbitration hearings) has included the following:

- 5 • Commonwealth of Pennsylvania, etc. v. Exxon Mobil Corporation, et al. In
6 Re: MTBE Products Liability Litigation MDL 1358, Case No. 14-cv-06228.
7 United States District Court, Southern District of New York. Deposition
8 July 2022.
- 9 • Santa Barbara Channelkeeper, Petitioner, vs. State Water Resources Control
10 Board, City of San Buena Ventura, Respondents; City of San Buena
11 Ventura, Cross-Complainant vs Duncan Abbott et al., Cross Defendant. Case
12 No. 19STCP01176. Superior Court of the State of California for the County
13 of Los Angeles, Complex Civil Division. Deposition February 2022.
- 14 • BASF Corporation, Claimant vs. Ferro Corporation, Respondent.
15 Arbitration, CPR – International Institute for Conflict Prevention and
16 Resolution. April 2021 Deposition, July 2021 Arbitration Hearing.
- 17 • Clean Harbors, Inc., Plaintiff, vs. Union Pacific Corporation, Defendant.
18 Case No. C.A. No. N15C-07-081 MMJ CCLD. Superior Court of the State
19 of Delaware. January 2017 Deposition, May 2017 Trial.

Questions Posed

1
2 7. I was asked to answer the following questions regarding certain
3 Dairies in the Lower Yakima Valley (“LYV”):

4 8. Where is the groundwater nitrate contamination in the vicinity of “the
5 Dairies” (as defined in Paragraph 17) coming from, are the Dairies likely a
6 significant source, and what is the likelihood that there are sources other than the
7 Dairies?

8 9. What is the likely spatial extent of nitrate contamination emanating
9 from the Dairies?

10 10. Based on available data, can you discern any trends in the
11 concentrations and/or areal extent of groundwater nitrate contamination since the
12 Dairies’ implementation of the 2013 Administrative Order on Consent (Consent
13 Order; EPA, 2013a)?

14 11. Are you able to quantify or otherwise evaluate the effects on
15 groundwater nitrate contamination, if any, of source control and other measures the
16 Dairies were required to implement pursuant to the 2015 Consent Decrees
17 resolving the Community Association for Restoration of the Environment
18 (“CARE”) litigation?

19 12. What ongoing nitrate groundwater monitoring activities should be
20 performed at the Dairies and downgradient areas?

1 *Information Reviewed*

2 13. I reviewed documents provided to me by the Department of Justice,
3 including the 2013 Administrative Order on Consent (“Consent Order”) related to
4 the Dairies (EPA, 2013a), quarterly and annual Dairies monitoring reports, CARE
5 litigation consent decrees, U.S. Geological Survey (“USGS”) reports, the EPA
6 (2013b) investigation of nitrate contamination in the LYV, and a residential well
7 sampling report (Arcadis, 2014). In addition, I independently obtained separate
8 USGS studies of the Yakima Valley, and coordinated with USGS staff to obtain
9 USGS modeling files (discussed below). I obtained nitrate concentration and well
10 information data from the Washington State Department of Ecology
11 Environmental Information Management (“EIM”) database. Data and studies I
12 have relied on in forming opinions in this matter are cited within this declaration
13 and are listed in the references section.

14 14. I received MODFLOW modeling files from the USGS corresponding
15 to the report *Numerical Simulation of Groundwater Flow for the Yakima River*
16 *Basin Aquifer System, Washington* (Ely et al., 2011) and MODPATH modeling
17 files corresponding to the report *Particle Tracking for Selected Groundwater Wells*
18 *in the Lower Yakima River Basin, Washington* (Bachmann, 2015). The
19 MODFLOW model of the Yakima River Basin encompasses the entire Yakima
20 River Valley including groundwater in shallow basin fill aquifers and basalt flows.

1 On a regional basis, the MODFLOW model met industry standards for adequate
2 model calibration as documented in Ely et al. (2011). The relevant area
3 surrounding the Dairies is a small portion of the larger regional Yakima River
4 Basin and MODFLOW model. Based on my review of the USGS MODFLOW
5 files, model-simulated groundwater levels in the vicinity of the Dairies are
6 significantly lower than observed values (reported in groundwater elevation
7 monitoring data provided by the Dairies and from Vaccaro et al., 2009), and the
8 model calibration is not adequate for the model to be used for detailed site-specific
9 groundwater flow and transport predictions in this particular area. Therefore, I
10 have not relied on the USGS numerical modeling results or model files to form the
11 basis of my opinions.

12 15. My opinions are based on the data that were available to me at the
13 time these opinions were rendered. As additional reports or information become
14 available, I may supplement or modify the contents and opinions in this declaration
15 or add other opinions.

16 *Background Hydrogeology*

17 16. The Dairies are located within the LYV, which is a portion of the
18 larger Yakima River Valley in central Washington State (Exhibit 1). Several
19 groundwater basins are present within the Yakima River Valley that overlie basalt
20 flow geologic units. The Dairies are located within the Extended Toppenish Basin

1 (Vaccaro et al., 2009), which consists of unconsolidated coarse and fine-grained
2 sediments (“basin fill”) that are thin near the basalt outcrops and as thick as several
3 hundred feet in the vicinity of the Dairies. Groundwater is present in the basin fill
4 and underlying basalt geologic units that is used for domestic and irrigation supply.

5 17. The Dairies consist of Cow Palace, LLC (“Cow Palace Dairy”),
6 George DeRuyter and Son Dairy, L.L.C., George & Margaret, L.L.C., and D and J
7 Dairy, L.L.C. (f/k/a D and A Dairy, L.L.C.) (“DeRuyter Dairy”), and Liberty
8 Dairy, LLC and its associated Dairy Facility H&S Bosma Dairy (“Bosma Dairy”),
9 and include land parcels used in connection with the Dairies’ operations. As
10 reflected in the attached Exhibits, reports by the Dairies’ consultant, Anchor QEA,
11 refer to DeRuyter Dairy as: “George DeRuyter & Son/D&A Dairies” or “George
12 Dairy/D&A Dairy” or “GDS/D&A”; and Bosma Dairy as “Liberty/H&S Bosma
13 Dairies” or “Liberty/Bosma Dairy.” The approximate boundary of the Dairies, as
14 given in Anchor QEA (2023c), is displayed on Exhibit 2, and the approximate
15 Dairies boundaries modified based on geographic data provided by EPA (2024) is
16 displayed on Exhibit 3.

17 18. The Dairies are located 4 miles north of the Yakima River. Land
18 surface generally slopes toward the south from the basalt outcrops north of the
19 Dairies toward the Yakima River, and groundwater in the basin fill units generally
20 also flows toward the south. Exhibit 3 displays groundwater elevation contours

1 from Vaccaro et al. (2009) at the Dairies and surrounding area, and shows that
2 groundwater flows toward the south, southwest, and south-southwest with an
3 approximate hydraulic gradient ranging from 0.001 to 0.01 (unitless, or feet per
4 feet; groundwater flows perpendicular to elevation contour lines). Groundwater
5 elevation surface maps developed by Dairies' consultants similarly show
6 groundwater flows to the south-southwest (Exhibit 2). Depth to groundwater
7 generally ranges from 20 to 230 feet below ground surface at the Dairies and
8 occurs at an elevation of 850 to 1,050 feet above mean sea level (Anchor QEA,
9 2023c).

10 19. Basin fill sediments where groundwater occurs beneath the Dairies are
11 generally described as sands and gravels. For example, Exhibit 4 is a cross section
12 location map for cross sections developed by Arcadis (consultants to the Dairies),
13 and Exhibit 5 displays one Arcadis cross section (G-G') that is oriented north-to-
14 south in the center of the Dairies. On the Arcadis cross section, the groundwater
15 table (upper surface of the water saturated zone) is interpreted to occur within
16 weathered basalts/basalts to the north and sands and gravels throughout the
17 remainder of the section. Anchor QEA (2023a) reports that approximately 0.5
18 miles south of the Dairies the basin-fill aquifer transitions from unconfined (no low
19 permeability silt/clay layer present above the aquifer) to confined/semi-confined.

20

1 20. I developed two additional cross-sectional diagrams to display the
2 thickness of basin fill sediments, groundwater surface elevation, observed nitrate
3 concentrations, and well locations at the Dairies and downgradient. Cross section
4 A-A' extends from north of the Dairies to 3 miles south of the Dairies (Exhibit 6),
5 and cross section B-B' is oriented from west-to-east along the Dairies' southern
6 boundary (Exhibit 7). These cross sections demonstrate that land surface elevation
7 and groundwater elevation slope from north to south toward the Yakima River.
8 Basin fill thickness increases moving southward, to a maximum of approximately
9 340 feet at the southern extent of the Dairies, and then thins somewhat moving
10 farther south toward the Yakima River. The Dairies' monitoring wells and several
11 supply wells are plotted on the cross sections that are screened within the basin fill.

12 ***Opinion 1: The Dairies are a source of nitrate to groundwater in the LYV in***
13 ***addition to other sources that are present.***

14 21. Sources of nitrate at the Dairies have included lagoons, animal waste
15 storage facilities, and liquid manure sprayed on fields. High-nitrogen facility
16 wastewater has historically been held or disposed of in settling ponds and lagoons,
17 where it recharges groundwater. The Dairies' manure typically exceeds 500
18 milligrams per liter (mg/L) total nitrogen in lagoon water, and 5,000 milligrams
19 per kilogram (mg/kg) total nitrogen in solid compost (Anchor QEA, 2023c). As
20 recently as Fall 2022, total nitrogen was as great as 2,055 mg/L in lagoon water

1 (Bosma Lagoon 7, see Anchor QEA, 2023c Table 8a). Nitrogen is carried
2 downwards past the ground surface into the soil in percolating wastewaters,
3 irrigation waters, and precipitation that contacts high-nitrogen solids (Exhibit 8).
4 Nitrogen that infiltrates into the soil is present in various inorganic and organic
5 forms. Some nitrogen in the vadose zone (i.e., the vertical interval below the
6 ground surface and above the groundwater table) is converted to the nitrate
7 inorganic form via a process referred to as nitrification. Some nitrogen will be
8 immobilized in the vadose zone by plants or microbial uptake and some will be
9 converted to nitrogen gas and emitted to the atmosphere (“denitrification”).
10 However, it is typically assumed that only 10 to 25% of nitrogen in wastewaters
11 will be lost from the subsurface due to denitrification and uptake by plants and
12 microbes is minor (e.g., Hantzsche and Finnemore, 1992). Nitrate will percolate
13 downwards and discharge to groundwater if no continuous low-permeability lenses
14 are present in the vadose zone to restrict downwards migration. Nitrate does not
15 sorb on to the solid soil fraction and is therefore considered to be highly mobile in
16 soils and the vadose zone, leaching readily into groundwater (Brady and Weil,
17 1999).

18 22. Once in the groundwater, nitrate is transported in the direction of
19 groundwater flow and is spread throughout portions of the aquifer forming
20 groundwater plumes. Nitrate is highly mobile in groundwater, with no sorption

1 onto aquifer solids (Rivett et al., 2008) and typically only minor denitrification
2 occurs within unconfined groundwater aquifers (e.g., Green et al. 2008).

3 Therefore, nitrate emanating from the Dairies migrates downgradient and
4 contaminates off-site groundwater.

5 23. In addition to the Dairies, other potential sources of nitrate in the LYV
6 include separate dairy operations, septic systems, irrigated agriculture, residential
7 fertilizer, compost areas, and atmospheric deposition (WSDA, 2017).

8 24. Exhibit 9 displays a map of the Dairies overlaid with known locations
9 of residential and commercial septic systems, settling ponds, lagoons, CAFOs and
10 compost areas. I developed Exhibit 9 using GIS data created by the Washington
11 State Department of Agriculture (“WSDA”) from review of 2013 aerial imagery,
12 known dairy locations registered by WSDA, and random sampling via windshield
13 surveys (Yakima County, 2020). Facility locations mapped on Exhibit 9 may not
14 be current, and other nitrate sources may be present. However, Exhibit 9 shows
15 that the Dairies are in an area that has historically included other potential nitrate
16 sources, including lagoons that are not on the Dairies’ property. Where multiple
17 nitrate sources are present and contaminate groundwater, the resulting nitrate
18 contamination from each of the facilities will blend together and form commingled
19 plumes.

1 25. I further evaluated the locations of nitrate sources by compiling
2 available nitrate groundwater data and developing maps of nitrate concentrations in
3 groundwater. Source areas are identified on nitrate concentration maps as areas
4 that exhibit relatively higher concentrations than the surrounding areas (“hot-
5 spots”). Nitrate data were obtained from Dairies’ quarterly monitoring reports
6 (Anchor QEA, 2023a; 2023b) and from Washington Department of Ecology’s
7 Ambient Groundwater Monitoring Network (EIM database). Exhibit 10 provides a
8 map of maximum nitrate concentrations in groundwater for 2022. Data on Exhibit
9 10 indicate higher nitrate concentrations at the Dairies (greater than 50 milligrams
10 per liter nitrate as nitrogen [mg/L-N]) than in surrounding areas, which supports
11 that the Dairies are a source of nitrate to groundwater. Nitrate concentrations
12 upgradient of the Dairies and at the Dairies’ upgradient (northern) property
13 boundary are generally low (less than the maximum contaminant level [MCL] of
14 10 mg/L-N), indicating that the Dairies are the predominant source of nitrate
15 within the Dairies’ properties themselves and at the Dairies’ downgradient
16 (southern) boundary. The highest nitrate concentration observed is at DC-03,
17 which is located at the Dairies’ southern property boundary downgradient of Dairy
18 sources and exhibits nitrate on average more than 15 times greater than the MCL.

19 26. Exhibit 11 displays nitrate concentration contours interpolated by
20 kriging from the 2022 data (kriging is an interpolation technique in which the

1 surrounding measured values are weighted to derive a predicted value for an
2 unmeasured location [ESRI, 2024]). Concentration contours assist with visually
3 identifying hot-spots. Nitrate concentration contours are highest (greater than
4 50 mg/L-N) at the Dairies, and higher concentration contours (greater than 10
5 mg/L-N) extend south-southwest from the Dairies in the direction of groundwater
6 flow. This also supports that the Dairies are a source of nitrate contamination that
7 spreads outside of the facility boundary in the downgradient direction. Additional
8 nitrate contamination (greater than 20 mg/L-N) is present east and west of the
9 Dairies that is likely not associated with the Dairies given the direction of
10 groundwater flow to the south-southwest. Nitrate concentrations decrease moving
11 southward from the Dairies to concentrations between 10 and 20 mg/L-N, and then
12 increase again to concentrations greater than 20 mg/L-N (this is also shown in
13 cross-section view on Exhibit 6). These data indicate that additional nitrate
14 sources are likely present south of the Dairies, and that the plumes from the Dairies
15 and other facilities are commingled.

16 ***Opinion 2: Contamination emanating from the Dairies encompasses an area***
17 ***within the Dairies' properties and areas downgradient.***

18 27. As described above, the Dairies are a source of nitrate to groundwater,
19 and are located in an area that also includes other nitrate sources. Plumes from all
20 nitrate sources are commingled. For this reason, observed nitrate plume extent in

1 the vicinity (Exhibit 11) may not be attributable solely to the Dairies. I therefore
2 employed analytical contaminant fate and transport modeling to estimate the
3 present-day size and orientation of nitrate plumes emanating solely from the
4 Dairies. Analytical contaminant transport modeling is a standard methodology for
5 estimating groundwater plume size (e.g., Aziz et al., 2000).

6 28. I used the code ATRANS to conduct analytical contaminant transport
7 modeling (Neville, 2005), which is recommended for groundwater contaminant
8 fate and transport modeling in peer-reviewed scientific literature (West et al.,
9 2007) and regulatory guidance (PADEP, 2014). ATRANS is an analytical solution
10 for three-dimensional solute transport from a “patch source,” which is an assumed
11 rectangular source zone oriented perpendicular to the groundwater flow direction.
12 Exhibit 12 shows the ATRANS conceptual model. ATRANS simulates the
13 following transport processes:

- 14 • Advection, which is the process of contaminants migrating with
15 groundwater in the direction of groundwater flow.
- 16 • Dispersion, which is the spreading of contaminants along the direction of
17 groundwater flow (longitudinal dispersion), perpendicular to the direction of
18 groundwater flow (transverse dispersion), and vertically (vertical
19 dispersion).

- 1 • Transformation, which in this case relates to denitrification (nitrate
2 transformation to nitrogen gas) and is represented as a first-order decay
3 reaction.
- 4 • Sorption, which is binding of contaminants on the aquifer solid phase that
5 slows contaminant migration in groundwater. Nitrate does not sorb to
6 aquifer media (e.g., Rivett et al., 2008), and therefore sorption was not
7 simulated in the nitrate analytical modeling.

8 Boundary conditions are specified for the ATRANS patch source, including the
9 width and thickness of the source and the source concentration. ATRANS model
10 results for a single patch source consist of estimates of groundwater plume
11 concentrations downgradient of the source and how that changes over time.
12 Cumulative impact from multiple patch sources is determined based on the
13 principal of superposition, wherein the concentrations estimated from multiple
14 sources are added to each other. I used the software TS-CHEM to run the
15 ATRANS model and assist in plotting model results (McLane Environmental,
16 2022).

17 29. I performed ATRANS modeling to estimate groundwater plume
18 migration emanating downgradient from the Dairies' southern property boundaries.
19 The model timeframe was specified to be 25 years. Dairies' operations began in
20 the 1970s, and therefore they have been present for approximately 50 years. Based

1 on review of historical aerial imagery, the Dairies' operation footprint, including
2 the presence of animal housing and lagoons, expanded from the early 1980s to
3 present day (Exhibits 13a through 13f and Exhibits 14a through 14e). By 1996
4 lagoon and animal housing footprints were similar to present day. ATRANS
5 modeling was therefore performed for a 25-year period (corresponding to source
6 loading beginning in 1998 and running through 2022).

7 30. I assumed thirteen separate patch sources as shown on Exhibit 15
8 based on the location of groundwater monitoring wells along the Dairies' southern
9 boundary. Twelve of the thirteen source locations were assumed approximately at
10 the location of cross section B-B' on Exhibit 7, and one was specified further south
11 at the location of monitoring well YVD-29 (well location shown on Exhibit 10).
12 Patch source dimensions and source concentrations were based on monitoring well
13 locations, depths, and observed nitrate concentrations.

14 31. Patch source concentrations were assumed to increase over time,
15 consistent with the Dairies' liquid manure, solid manure, and wastewater volume
16 increasing from the late 1990s to present (Winiecki Decl. at ¶¶ 16-19; Winiecki
17 Exs. E, G). For shallow monitoring wells, simulated concentrations for 2013
18 through 2022 were taken as the average observed nitrate concentration from 2013
19 to 2023 at each location. For deeper patch sources, 2013–2022 source
20 concentration was also taken as the average of observed concentration where

1 deeper wells are present (YVD-18, DC-03D, DC-05D), other than for YVD-29
2 discussed below. Where deeper wells are not present, 2013–2022 source
3 concentration was assumed to be 48% of the observed shallower concentrations
4 (based on the average ratio of the deeper concentrations to the shallower
5 concentrations where shallow and deep wells are present). For all wells other than
6 YVD-29, source concentrations were assumed to be 50% of the average 2013–
7 2023 value in 1998, increase to 75% of the average 2013–2023 value after 7.5
8 years, and then increase to the average 2013–2023 value after 15 years
9 (corresponding to year 2013). YVD-29 is unique among the source-areas because
10 data for this well was available beginning only in 2017 and since that time nitrate
11 concentrations have steadily increased from less than the 10 mg/L-N MCL to
12 greater than 30 mg/L-N. Therefore, YVD-29 simulated source concentrations
13 were assigned to approximately match the observed trend at that location (a
14 concentration of zero was assigned prior to 2017). Exhibit 16 displays model
15 assumed source concentrations time-series charts for YVD-29 and DC-03, and the
16 observed values at each well.

17 32. Contaminant fate and transport modeling results are dependent on
18 several assigned parameters, and in particular the average groundwater flow
19 velocity. Average aquifer flow velocity is in turn dependent on several attributes
20 of the aquifer including the aquifer media type (e.g., silts, sands, or gravels).

1 Anchor QEA (2023b), consultant to the Dairies, reports a range of aquifer media
2 types corresponding to average linear groundwater velocity ranging from 0.6 to 3.8
3 feet per day (ft/d; Exhibit 16). I performed four separate ATRANS model runs,
4 designated as Runs A through D, to test model sensitivity to the Anchor QEA
5 (2023b) reported values. Model input parameter values were otherwise obtained
6 from standard scientific references and site-specific data where available.
7 ATRANS Run A was assumed as the base-case scenario with an average
8 groundwater velocity that falls within the middle of the reported range and is
9 representative of medium sands to fine gravels. Sensitivity runs tested higher and
10 lower average groundwater flow velocities. Exhibit 16 summarizes the assumed
11 model parameters for each run. The following parameter values were assumed:

- 12 • Hydraulic conductivity represents properties of the aquifer sediments, and is
13 used along with several other parameters described below to assign
14 groundwater flow velocity in the model (Fetter, 1999). Anchor QEA
15 (2023b) assume hydraulic conductivity values that range from 53 to 267 ft/d.
16 Vaccaro et al. (2009) reports average hydraulic conductivity for the larger
17 Yakima River basin aquifer system basin fill deposits from aquifer test data
18 of 167 ft/d. I assumed the base-case ATRANS hydraulic conductivity value
19 to be 131 ft/d (within the middle of values reported by Anchor QEA, 2023b),
20 and additional runs were conducted testing a range of 53 to 267 ft/d.

- 1 • Effective porosity describes the fraction of the aquifer media where
2 groundwater flows and is also used to calculate groundwater velocity. A
3 base-case value of 0.32 (unitless, or cubic foot per cubic foot) was assumed
4 based on Anchor QEA (2023b).
- 5 • Hydraulic gradient is the slope of the potentiometric surface elevation (also
6 referred to as groundwater table elevation) and is also used to calculate
7 groundwater flow velocity. Anchor QEA quarterly reports (e.g., Anchor
8 QEA, 2023b) list hydraulic gradients along the southern Dairies area ranging
9 from 0.003 to 0.0048, and most frequently report a value of 0.004. Vaccaro
10 et al. (2009) groundwater elevation contours for the area (Exhibit 3)
11 correspond to a range of 0.001 to 0.01 south of the Dairies. A value of 0.004
12 was assumed.
- 13 • First-order degradation rate dictates the modeled denitrification (nitrate loss)
14 in the aquifer. The range of first-order rate constants for Yakima Valley
15 groundwater from Green et al. (2008) was 0 to $3.8 \times 10^{-5} \text{ day}^{-1}$. In general,
16 the upper range of denitrification rate constants is more representative of
17 groundwater with relatively lower dissolved oxygen concentrations (<1.6
18 mg/L-N). The majority of groundwater samples reported in Anchor QEA
19 (2023a, 2023b) had higher measured dissolved oxygen concentrations (range
20 of 0.2 to 13.4 mg/L-N, average of 5.6 mg/L-N) corresponding to lower

1 denitrification rates. Dissolved oxygen data available for areas south of the
2 Dairies and north of the Yakima River in the EIM database (2021–2022)
3 range from 0 to 11.4 mg/L-N, with an average of 2.5 mg/L-N.

4 Denitrification rate was assumed to be $1.9 \times 10^{-5} \text{ day}^{-1}$, the midpoint of the
5 range reported by Green et al. (2008). Model testing indicated that model-
6 estimated nitrate plume size was similar assuming larger or smaller
7 denitrification rates within the range reported by Green et al. (2008).

- 8 • Dispersion (see Paragraph 28) is governed in the model by the parameter
9 “dispersivity.” Larger values of dispersivity result in more spread-out
10 plumes (i.e., plumes that have a smaller peak concentration but cover a
11 larger area). Dispersivity is given in units of length (feet), and is constant
12 over the model timeframe. Dispersivity values are specified in three
13 directions: in the direction of groundwater flow (“longitudinal”),
14 perpendicular to the direction of groundwater flow (“transverse”) and in the
15 vertical direction. Longitudinal dispersivity was assumed to be 197 feet
16 based on standard methods (Xu et al., 1995; Al-Suwaiyan, 1996).
17 Transverse dispersivity and vertical dispersivity were assumed to be 20 and
18 10 feet, respectively, based on standard methods (Aziz et al., 2000).

19 33. All environmental models include limitations based on data gaps and
20 mathematical simplifications necessary to represent complex systems. ATRANS

1 analytical modeling is subject to the limitations listed below. Notwithstanding
2 these limitations, ATRANS model results represent a reliable estimate of
3 groundwater plume sizes from the Dairies based on available data and standard
4 scientific methods.

- 5 • Aquifer media are assumed to be homogenous; therefore, average properties
6 representative of the heterogeneous environment are assumed. Model
7 results are representative of nitrate transport in the basin-fill sands and
8 gravels.
- 9 • Source concentration data are based on observations from monitoring wells
10 and are assumed to be representative of a time period longer than that for
11 which data have been collected in order to fill historical data gaps.
- 12 • Analytical groundwater models assume steady-state conditions, and do not
13 incorporate variability in groundwater flow and contaminant concentrations
14 due to aquifer recharge, pumping, and other factors.
- 15 • Hydraulic conductivity is a particularly sensitive model parameter, and
16 reported ranges for the Dairies and the LYV range significantly, with limited
17 reliable aquifer test data to constrain model estimates. This represents a data
18 gap, and a middle value reported by the Dairies' consultants (Anchor QEA,
19 2013b; 131 ft/d) that is similar to the average from Vaccaro et al. (2009)

1 representative of medium sand to fine gravel aquifer media was assumed for
2 the base-case model run.

- 3 • In some areas, monitoring wells are absent; this represents another data gap.
4 For example, no monitoring wells are present along the southeastern
5 boundary (see Exhibit 10). Residential well sampling data are available for
6 this area from Arcadis (2014) indicating elevated nitrate concentrations (see
7 wells RW-1227 and RW-1141). The Dairies' nitrate groundwater plumes
8 may be wider than modeled if additional sources are present that are not
9 accounted for in ATRANS modeling.

- 10 • Groundwater flow direction south of the Dairies was based on available
11 data, but may vary somewhat within a range from southwest to south-
12 southwest. Variation in groundwater flow direction would result in plumes
13 oriented more to the west or south than those estimated.

14 34. ATRANS results are presented in Exhibit 17a for the base-case run
15 (Run A). Results are presented as a contour map of simulated nitrate concentration
16 emanating from the assumed patch contaminant sources at the end of the model run
17 (25 years), and at a depth of 38 feet below the groundwater table (which is within
18 the deeper portion of the aquifer monitored by the Dairies' monitoring wells;
19 Exhibit 17c displays results at various depths ranging from 12.5 feet to 175 feet
20 and shows that the model simulated plume extent does not vary significantly with

1 depth). Within the 10 mg/L-N contour lines in Exhibits 17a-c, the model estimated
2 that the Dairies have contributed nitrate in concentrations greater than 10 mg/L-N
3 to the groundwater. Between the 1 mg/L-N and 10 mg/L-N contour lines, the
4 model estimated that the Dairies contributed nitrate in concentrations between 1
5 and 10 mg/L-N.

6 35. Model-estimated areas with nitrate concentrations attributable solely
7 to the Dairies greater than 10 mg/L-N extend farther downgradient (1 mile or
8 more) from patch sources at DC-03 and YVD-19 as compared to the other patch
9 sources, which is expected given they exhibit higher observed nitrate
10 concentrations. Model estimated areas with nitrate concentrations greater than 1
11 mg/L-N attributable solely to the Dairies extend a distance of approximately 3.5
12 miles from the Dairies' southern boundary, and incorporate an area of 7.4 square
13 miles.

14 36. Exhibit 17b presents results from ATRANS sensitivity analysis model
15 runs with greater and smaller average linear groundwater flow velocity. A smaller
16 linear groundwater velocity results in a smaller affected area (Run B), while a
17 larger linear groundwater flow velocity (Runs C, D) results in a larger estimated
18 affected area. As described above, the base-case run (Run A) used aquifer
19 parameter values and average linear groundwater velocity within the middle of
20 reported values by the Dairies' consultant Anchor QEA (2023b), and represents a

1 reliable estimate of the groundwater plume length. However, as shown in the
2 sensitivity runs, there is uncertainty regarding the estimated plume lengths within
3 the range of the tested parameters. If further information becomes available
4 indicating average groundwater velocity is greater or less than that assumed in the
5 base case run the resulting estimated nitrate plumes solely attributable to the
6 Dairies may increase or decrease accordingly.

7 37. I used ATRANS modeling results and other information (e.g., nitrate
8 concentration data, facility locations) to delineate areas where the Dairies have
9 contributed nitrate to groundwater. Specifically, I delineated four separate areas
10 (Exhibit 18):

- 11 • Area A: The Dairies are estimated to contribute nitrate to groundwater at a
12 concentration greater than 10 mg/L-N.
- 13 • Area B: The Dairies are estimated to contribute nitrate to groundwater
14 between 1 and 10 mg/L-N.
- 15 • Area C: Lack of nitrate data on the Dairies' boundaries to estimate
16 groundwater plume extents; within 1-mile hydraulically downgradient of the
17 Dairies.
- 18 • Area D: Dairies and parcels surrounded by Dairies' properties where nitrate
19 concentrations in groundwater are estimated to exceed 10 mg/L-N based on
20 interpolation, or where there is a lack of data.

1 38. Areas A and B were delineated based on ATRANS modeling
2 results—specifically, the outermost contour of the 1 and 10 mg/L-N contour lines
3 from Run A (Exhibit 17a). Reported typical background groundwater nitrate
4 concentration ranges from less than 0.3 to 1.1 mg/L-N (EPA, 2013b; WSDA et al.,
5 2010).

6 39. Area C represents areas hydraulically downgradient and within 1 mile
7 of the Dairies where there is little or no source data to estimate plume lengths.
8 Nitrate has exceeded the 10 mg/L-N MCL in portions of these areas (see Exhibits
9 19a and 19b). A 1-mile boundary has previously been used to inform the extent of
10 residential well sampling and water treatment downgradient of the Dairies (e.g.,
11 Arcadis, 2014). Modeling results indicate that plume lengths (greater than 10
12 mg/L-N) solely attributable to the Dairies can exceed 1 mile from larger
13 concentration sources (i.e., at DC-03 and YVD-19 see Exhibit 17a). Lack of
14 monitoring well data at the Dairies' western and southeastern boundaries to
15 estimate plume lengths is a data gap, and additional data should be collected in
16 these areas to inform source concentration assumptions and conclusions regarding
17 the areal extent of contamination.

18 40. Area D represents areas within or completely surrounded by the
19 Dairies' properties where nitrate concentrations in groundwater are estimated to
20 exceed the MCL based on nitrate concentration contours interpolated by kriging or

1 there is a lack of data. The kriging interpolation used 2022 well data (see
2 Paragraph 26). Given that upgradient boundary nitrate concentrations are typically
3 less than 10 mg/L-N (e.g., at YVD-03, YVD-04; see Exhibit 10), the Dairies are
4 likely the predominant source of nitrate contamination exceedance within the
5 Dairies' property boundaries. There are parcels within Area D that are not
6 operated by the Dairies but are completely surrounded by the Dairies (see Exhibit
7 3). Given those properties' limited size within the area relative to the Dairies'
8 sources, it is likely that Dairies nitrate sources predominate. The extent of Area D
9 is defined based on the area greater than 10 mg/L-N interpolated by kriging that
10 overlies the Dairies' properties or areas completely surrounded by the Dairies'
11 properties (see Paragraph 26, Exhibit 11), with the exception of areas with no
12 recent data to inform the kriging interpolation. Dairies' properties with no recent
13 data include the two non-contiguous northern parcels in the vicinity of well YVD-
14 02 that has not been sampled since 2020 (see Exhibit 19a).

15 41. In summary, analytical modeling was performed to estimate the extent
16 and concentrations of nitrate plumes downgradient of the Dairies. Model results
17 are consistent with available nitrate data (e.g., Exhibit 11) indicating that the
18 Dairies are a source of nitrate to downgradient areas. Estimated plume length for
19 nitrate concentrations greater than 1 mg/L-N attributable only to the Dairies is 3.5
20 miles. Exhibit 18 displays areas where I estimate that the Dairies contribute nitrate

1 to groundwater and is based on the analytical modeling results and other
2 information reviewed as described above. Areas A, B, and D comprise the
3 “Affected Area,” where residential wells are at risk of exceeding the nitrate MCL
4 from either the Dairies’ contribution alone or commingled with other nitrate
5 sources. Area C comprises the “Potentially Affected Area,” where residential
6 wells are hydraulically downgradient and within 1 mile of the Dairies, but nitrate
7 groundwater concentration in these areas cannot be estimated due to lack of data.

8 ***Opinion 3: Groundwater nitrate concentration trends at the Dairies are stable or***
9 ***increasing in several areas that exceed the MCL.***

10 42. Contaminant concentration at a given monitoring well typically varies
11 over time due to seasonal fluctuation and/or longer-term changes in contaminant
12 loading rates and other factors. Increasing or stable trends above the MCL indicate
13 that source loading from the surface and vadose zone to groundwater are ongoing,
14 whereas decreasing trends indicate that corrective actions have been effective in
15 reducing contaminant loading. I used standard statistical methods to evaluate
16 contaminant trends at the Dairies’ monitoring wells over the available data time
17 period.

18 43. I applied Mann-Kendall statistical analysis for the presence of trend,
19 an objective statistical test to determine if nitrate groundwater concentrations are
20 increasing, decreasing, or steady at a specified confidence level of 95%. Mann-

1 Kendall analysis is commonly applied at contaminated sites as a component of
2 evaluating contaminant trends (EPA, 2009). Mann-Kendall analysis was
3 conducted for 2013 to 2023 (or a shorter period based on data availability). I
4 compiled the Dairies' nitrate monitoring data through September 2023 from
5 Anchor QEA quarterly monitoring reports (Anchor QEA, 2023a, 2023b, 2023d,
6 2023e).

7 44. Mann-Kendall analysis results are displayed graphically on Exhibit
8 20a and are overlaid with selected time-series charts in Exhibits 20b and 20c.
9 Increasing or stable trends at concentrations greater than the MCL are observed in
10 the western half of the Dairies (YVD-12, YVD-08, YVD-13, YVD-18, YVD-09,
11 YVD-14R, DC-03, DC-03D, and DC-14). Decreasing trends (concentrations still
12 greater than the MCL) are observed in a portion of the south-central area (YVD-
13 10, YVD-15, and DC-04). Increasing or stable trends above the MCL are observed
14 at several wells in the eastern portion of the Dairies (DC-05D, YVD-16, and YVD-
15 11). Directly downgradient (south) of the Dairies, increasing trends are observed
16 to the west (YVD-24, and YVD-23), and decreasing trends are observed in the
17 central area (YVD-19, and YVD-22).

18 ***Opinion 4: Contaminant trends are decreasing in the Dairies' central area***
19 ***following corrective measures; however, stable or increasing trends are***
20 ***otherwise observed downgradient of former lagoon areas.***

1 45. Several corrective measures at the Dairies have been required and
2 implemented, including lagoon lining and abandonment. Exhibit 21 provides an
3 Anchor QEA summary of the lagoon lining and abandonment timeline at each
4 facility as of the end of 2022. Cow Palace Dairy implemented lagoon lining and
5 abandonment from 2016 to 2020, and Bosma and DeRuyter Dairies implemented
6 lagoon lining and abandonment from 2017 to 2022 (with some work ongoing as of
7 the end of 2022).

8 46. Exhibits 22a through 22c display time-series charts and maps of the
9 facility lagoons prepared by Anchor QEA. Cow Palace Dairy lagoons in the
10 central area of the Dairies are shown on Exhibit 22a. Nitrate concentrations are
11 increasing at DC-14, which is located at the lagoons; however, the nearest
12 downgradient (south) monitoring well YVD-10 exhibits decreasing trends
13 following the beginning of lagoon lining/abandonment in 2016. Note that although
14 nitrate concentrations are decreasing at YVD-10, they are still elevated above the
15 MCL (70.3 mg/L-N in September 2023 sampling; Anchor QEA, 2023d). YVD-09
16 is also located downgradient (south-southwest) of the Cow Palace Dairy lagoons
17 and several Bosma Dairy lagoons and has exhibited an increasing trend.

18 47. DeRuyter Dairy lagoons in the eastern area of the Dairies are shown
19 on Exhibit 22b. The nearest downgradient well is YVD-11, which has exhibited a
20 stable trend overall since 2017 (with nitrate concentrations greater than the MCL),

1 with a decreasing trend from 2017 to 2019 and an increasing trend from 2019 to
2 2022.

3 48. DeRuyter Dairy lagoons are also shown on Exhibit 22b, labeled as
4 “George Dairy/D&A Dairy.” Although no time-series charts are shown
5 downgradient of the DeRuyter Dairy lagoons, the nearest downgradient monitoring
6 well is YVD-30 (Exhibit 20a). YVD-30 is a shallow monitoring well with nitrate
7 concentrations below the MCL and has shown an overall stable trend. YVD-30 is
8 located directly adjacent to the Sunnyside Canal, and nitrate concentrations at this
9 location may be decreased by recharge from the canal that has lower levels of
10 nitrate that mixes with shallow groundwater. Nitrate concentrations in deeper
11 groundwater are less likely to be decreased by canal recharge, and therefore deeper
12 nitrate concentrations may be higher; lack of a deeper monitoring well at the
13 DeRuyter Dairy lagoons and downgradient is a data gap.

14 49. Bosma Dairy lagoons in the western area of the Dairies are shown on
15 Exhibit 22c, labeled as “Liberty/Bosma Dairy.” Monitoring wells downgradient of
16 the lagoons include YVD-08, YVD-9, YVD-12, YVD-18, YVD-13, YVD-14R,
17 DC-07, DC-03, and DC-03D. Nitrate concentration trends at each of these wells
18 are stable or increasing over the time frame of the lagoon lining, and nitrate
19 concentration is greater than the MCL (except at DC-07).

1 more likely to capture the higher nitrate concentrations than less frequent
2 sampling.

- 3 • Additional groundwater monitoring wells along the Dairies’ property
4 boundary would provide data on potential nitrate sources and downgradient
5 plumes. Currently no wells are present along the south-eastern and western
6 property boundaries (e.g., see Exhibit 10).
- 7 • Nitrate is the primary contaminant of concern. Field parameters (dissolved
8 oxygen, specific conductance, pH, temperature, turbidity, oxidation-
9 reduction potential) and total organic carbon data is useful for general
10 understanding of contaminant fate and transport and should be collected
11 during all sampling events. Nitrite, ammonia, and Total Kjeldahl Nitrogen
12 (“TKN”) are also useful for general understanding of nitrogen fate and
13 transport.
- 14 • Sampling protocols should improve to ensure that samples are analyzed
15 within the designated holding time requirements. Analytical results for
16 samples analyzed after the designated holding time provide only estimated
17 values. Holding-time exceedance errors have become common in recent
18 sampling at the Dairies. For the fourth quarter 2023 sampling event, the
19 majority of nitrate samples were analyzed outside of acceptable holding
20

1 time, and for several wells (e.g., DC-03) holding times were exceeded in
2 June, September, and December 2023 sampling (Anchor QEA, 2024).

3 52. Several high-concentration nitrate hot-spots (greater than 50 mg/L-N)
4 are present at the Dairies, including:

- 5 • DC-03 (maximum 2022 concentration 183 mg/L-N; see Exhibits 10 and
6 11), downgradient and near to Bosma Lagoons 2 and 3 (see Exhibit 22c),
- 7 • YVD-19 along the southern boundary,
- 8 • DC-14 downgradient and near to Cow Palace Lagoon 1 (see Exhibit 22a),
- 9 • YVD-10 south of the Cow Palace Dairy lagoons,
- 10 • YVD-14R, YVD-08, YVD-09, at the Bosma Lagoons, and
- 11 • YVD-11 at DeRuyter Dairy (see Exhibit 22b).

12 High-concentration source zones at the downgradient facility boundary (e.g., at
13 DC-03 and YVD-19) pose a particular risk of downgradient nitrate migration at
14 concentrations exceeding the MCL, as demonstrated by the analytical modeling
15 results discussed above. Estimated plume lengths from the higher-concentration
16 source areas are significantly longer than those from source areas with
17 concentrations less than 40 mg/L-N. Ongoing monitoring is particularly important
18 downgradient of the nitrate hot-spots.

19 *Conclusion*

20 A summary of my opinions is as follows:

1 (1) **Opinion 1:** The Dairies are a source of nitrate to groundwater in the LYV in
2 addition to other sources that are present.

3 (2) **Opinion 2:** Contamination emanating from the Dairies encompasses an area
4 within the Dairies' properties and areas downgradient.

5 (3) **Opinion 3:** Groundwater nitrate concentration trends at the Dairies are
6 stable or increasing in several areas that exceed the MCL.

7 (4) **Opinion 4:** Contaminant trends are decreasing in the Dairies' central area
8 following corrective measures; however, stable or increasing trends are
9 otherwise observed downgradient of former lagoon areas.

10 (5) **Opinion 5:** Monitoring should continue to assess nitrate presence and
11 distribution in groundwater.

12
13 I declare under penalty of perjury that the foregoing is true and correct.

14
15 Executed on: 6-25-24



16 Date

Gregory Schnaar, PhD

1 *References*

2 1. Al-Suwaiyan, M.S. 1996. Discussion on “Use of weighted least-
3 squares method in evaluation of the relationship between dispersivity and field
4 scale,” by Moujin Xu and Yoram Eckstein, November-December 1995 Ground
5 Water 33(6):905-908.

6 2. Aziz, C.E., C.J. Newell, J. Gonzales, P. Haas, T. Clement, and Y. Sun.
7 2000. BIOCHLOR Natural Attenuation Decision Support System, Version 1.0.
8 EPA/600/R-00/008.

9 3. Anchor QEA. 2023a. Fourth Quarter 2022 Yakima Valley Dairies
10 Consent Decree Groundwater Monitoring Data Transmittal. Prepared for Law
11 Offices of Charles M. Tebbutt, PC. February 27, 2023.

12 4. Anchor QEA. 2023b. First Quarter 2023 Groundwater Monitoring
13 Data Report, Yakima Valley Dairies, SDWA-10-2013-0080. Prepared for U.S.
14 Environmental Protection Agency. May 5, 2023.

15 5. Anchor QEA. 2023c. Yakima Valley Dairies 2022 Annual Report.
16 Prepared for Cow Palace, LLC, George DeRuyter & Son Dairy, LLC; D&A Dairy
17 LLC, George & Margaret LLC, Liberty Dairy, LLC, H&S Bosma Dairy. March 1,
18 2023.

1 6. Anchor QEA. 2023d. Third Quarter 2023 Groundwater Monitoring
2 Data Report, Yakima Valley Dairies. Prepared for U.S. Environmental Protection
3 Agency. November 9, 2023.

4 7. Anchor QEA. 2023e. Third Quarter 2023 Yakima Valley Dairies
5 Consent Decree Groundwater Monitoring Data Transmittal. Prepared for Law
6 Offices of Charles M. Teutt, P.C. November 9, 2023.

7 8. Anchor QEA, 2024. Fourth Quarter 2023 Groundwater Monitoring
8 Data Report, Yakima Valley Dairies, SDWA-10-2013-0080. February 5, 2024.

9 9. ARCADIS. 2014. Provision of Water - Residential Well Sampling
10 Report. Prepared for Yakima Valley Dairies. March 6, 2014.

11 10. Bachmann, M.P. 2015. Particle tracking for selected groundwater
12 wells in the Lower Yakima River Basin, Washington. U.S. Geological Survey
13 Scientific Investigations Report 2015-5149.

14 11. Brady, N.C. and R.R. Weil, 1999. The Nature and Property of Soils,
15 12th Edition.

16 12. Ely, D.M., M.P. Bachmann, and J.J. Vaccaro. 2011. Numerical
17 Simulation of Groundwater Flow for the Yakima River Basin Aquifer System,
18 Washington. U.S. Geological Survey Scientific Investigations Report 2011-5155.

19 13. ESRI, 2024. GIS Dictionary. URL: [https://support.esri.com/en-us/gis-](https://support.esri.com/en-us/gis-dictionary)
20 dictionary

1 14. Esser, B.K., H.R. Beller, S.F. Carle, G.B. Hudson, S.R. Kane, R.N.
2 Leif, T.E. LeTain, W.M. McNab, J.E. Moran. 2009. California GAMA Program:
3 Impact of Dairy Operations on Groundwater Quality. Lawrence Livermore
4 National Laboratory Report UCRL-TR-223509. August 17, 2009.

5 15. Fetter, C.W. 1999. Contaminant hydrogeology. Prentice Hall.

6 16. Green, C.T., L.J. Puckett, J.K. Böhlke, B.A. Bekins, S.P. Phillips, L.J.
7 Kauffman, J.M. Denver, and H.M. Johnson. 2008. Limited occurrence of
8 denitrification in four shallow aquifers in agricultural areas of the United States. J.
9 Environ. Qual. 37: 994–1009.

10 17. Harter, T., H. Davis, M.C. Mathews, R.D. Meyer. 2002. Shallow
11 groundwater quality on dairy farms with irrigated forage crops. J. Contaminant
12 Hydrology, v.55 p.287-315.

13 18. Hantzsche, N.N. and E.J. Finnemore, 1992. Predicting Ground-Water
14 Nitrate-Nitrogen Impacts. Groundwater, v.30, p.490 – 499.

15 19. Huffman, R.L. 2018. Concentrations of Nitrate in Drinking Water in
16 the Lower Yakima River Basin, Groundwater Management Area, Yakima County,
17 Washington, 2017. U.S. Geological Survey Data Series 1084.

18 20. Hutchins, S.R., M.V. White, and S.C. Mravik. 2012. Case Studies on
19 the Impact of Concentration Animal Feeding Operations (CAFOs) on Ground
20 Water Quality. U.S. EPA Report 600/R-12/052. September 2012.

1 21. Inland Earth Sciences. 2016. Quarterly Groundwater Monitoring Data
2 Report - Fourth Quarter 2014. Prepared for Yakima Valley Dairies. April 21, 2016.

3 22. King, A.M., D. Boyle, V.B. Jensen, G.E. Fogg, and T Harter. 2012.
4 Groundwater Remediation and Management for Nitrate. Technical Report 5 In
5 Addressing Nitrate in California's Drinking Water with a Focus on Tulare Lake
6 Basin and Salinas Valley Groundwater. Prepared for the State Water Resources
7 Control Board Report to the Legislature. Center for Watershed Sciences,
8 University of California, Davis.

9 23. McClane Environmental LLC, 2022. TSCHEM User Guide, Transport
10 Studio for Chemical Solutes and Contaminants.

11 24. McWhorter, D.B. and D.K. Sunada. 1977. Ground-water Hydrology
12 and Hydraulics. Water Resources Publications.

13 25. Neville, C.J. 2005. ATRANS Analytical Solutions for Three-
14 Dimensional Solute Transport from a Patch Source, Version 2.

15 26. Pennsylvania Department of Environmental Protection (PADEP),
16 2014. User's Manual for the Quick Domenico Groundwater Fate-and-Transport
17 Model. Ver. 3b, February 28, 2014.

18 27. Rivett, M.O., S.R. Buss, P. Morgan, J.W.N. Smith, C.D. Bement.
19 2008. Nitrate attenuation in groundwater: A review of biogeochemical controlling
20 processes. Water Research 42, p.4215-4232.

1 28. Robertson, W.D., D.W. Blowes, C.J. Ptacek, and J.A. Cherry. 2000.
2 Long-Term Performance of In-Situ Reactive Barriers for Nitrate Remediation.
3 Ground Water, Vol.38 No.5.

4 29. Robertson, W.D., C.J. Ptacek, and S.J. Brown. 2007. Geochemical
5 and hydrogeological impacts of a wood particle barrier treating nitrate and
6 perchlorate in ground water. Ground Water Monitoring and Remediation, v.27
7 no.2.

8 30. Schipper, L.A., G.F. Barkle, J.C. Hadfield, M. Vojvodic-Vukovic, and
9 C.P. Burgess. 2004. Hydraulic constraints on the performance of a groundwater
10 denitrification wall for nitrate removal from shallow groundwater. J. Contaminant
11 Hydrology, v.69 263 – 279.

12 31. U.S. Environmental Protection Agency (EPA). 2009. Statistical
13 analysis of groundwater monitoring data at RCRA Facilities Unified Guidance.
14 Publication EPA 530/R/09-007. March 2009.

15 32. U.S. Environmental Protection Agency (EPA). 2013a. Administrative
16 Order on Consent. In the Matter of: Yakima Valley Dairies: Cow Palace, LLC;
17 D&A Dairy, LLC; George DeRuyter & Son Dairy, LLC; and George and
18 Margaret, LLC; Liberty Dairy LLC, and its associated Dairy Facility H&S Bosma
19 Dairy. Docket No. SDWA-10-2013-0080. March 19, 2013.

20

1 33. U.S. Environmental Protection Agency (EPA). 2013b. Relation
2 Between Nitrate in Water Wells and Potential Sources in the Lower Yakima
3 Valley, Washington. Publication EPA-910-R-13-004. March 2013.

4 34. U.S. Environmental Protection Agency (EPA). 2024. GIS shapefile
5 "ClusterDairies_May_2024".

6 35. Vaccaro, J.J., M.A. Jones. D.M. Ely, M.E. Keys, T.D. Olsen, W.B.
7 Welch, and S.E. Cox. Hydrogeologic Framework of the Yakima River Basin
8 Aquifer System, Washington. 2009. U.S. Geological Survey Scientific
9 Investigation Report 2009-5152.

10 36. Washington State Department of Agriculture (WSDA), Washington
11 State Department of Ecology, Washington State Department of Health, Yakima
12 County Public Works Department and U.S. Environmental Protection Agency.
13 2010. Lower Yakima Valley Groundwater Quality: Preliminary Assessment and
14 Recommendations Document. February 2010.

15 37. Washington State Department of Agriculture. 2017. Estimated
16 Nitrogen Available for Transport in the Lower Yakima Valley Groundwater
17 Management Area. April 13.

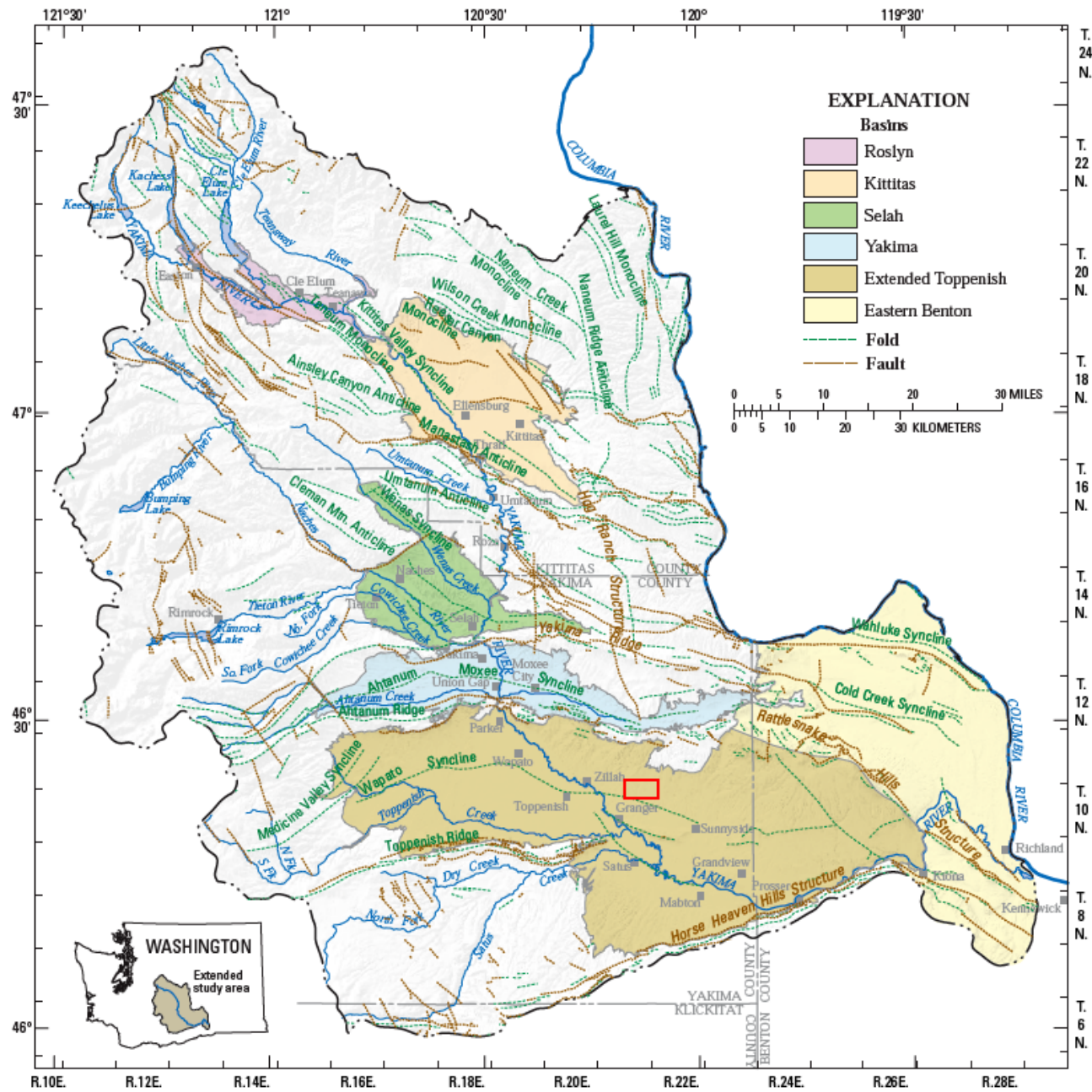
18 38. West, M.R., B.H. Kueper, and M.J. Unga. 2007. On the Use and
19 Error of Approximation in the Domenico (1987) Solution. *Groundwater*, v.45
20 p.126-135.

1 39. Xu, M. and Y. Eckstein. 1995. Use of weighted least-squares method
2 in evaluation of the relationship between dispersivity and field scale. Ground
3 Water 33(6):905-908.

4 40. Yakima County, 2020. Yakima County GIS – Groundwater
5 Management Area. URL: <https://arcg.is/CzmTa0>.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

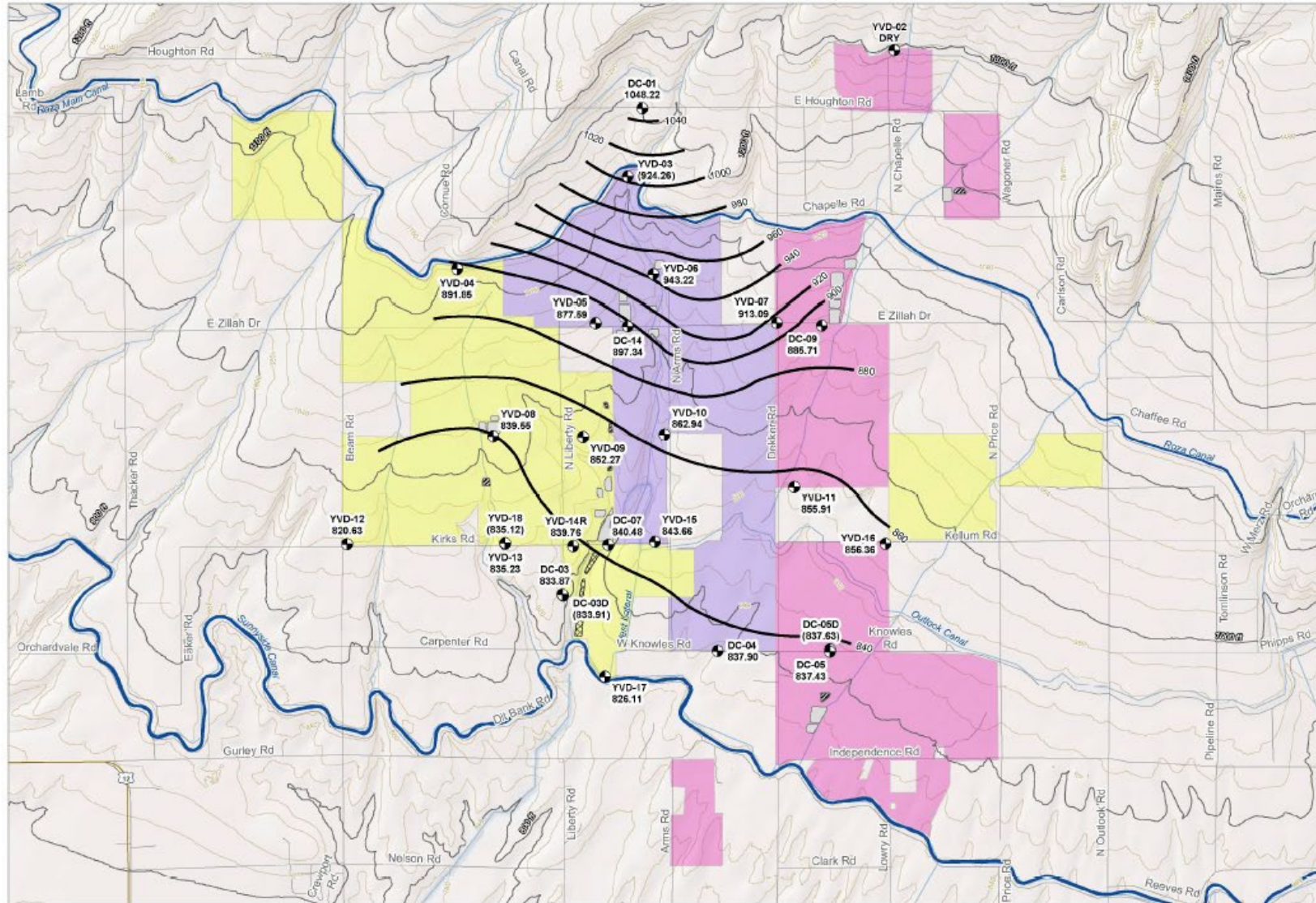
Exhibits



Note: Approximate Dairies location shown at red box
 Source: Vacarro et al., 2009

YAKIMA VALLEY DAIRIES
Dairies Location and Yakima River Basin Aquifer System

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



- LEGEND:**
- AOC Monitoring Well
 - Line of Equal Groundwater Surface Elevation, March 14, 2022
 - Line of Equal Ground Surface Elevation (feet NAVD88; contour interval 100 feet)
 - ▭ Lagoon Lined
 - ▨ Lagoon Abandonment in Progress as of Sep 30, 2022
 - ▩ Abandoned Lagoon
 - ▭ Cow Palace Dairy
 - ▭ George DeRuyter & Son/D&A Dairies
 - ▭ Liberty/H&S Bosma Dairies
 - ▬ Irrigation Canal

- NOTES:**
1. Elevations listed in parentheses indicate groundwater elevation was not contoured.
 2. Basemap Source(s): World_Shaded_Relief; Copyright:(c) 2014 Esri
 3. AOC: Administrative Order on Consent
 4. NAVD88: North American Vertical Datum of 1988
 5. YVD-03 is screened in the underlying basalt aquifer. Its groundwater elevation is not representative of the surficial aquifer and is not contoured.



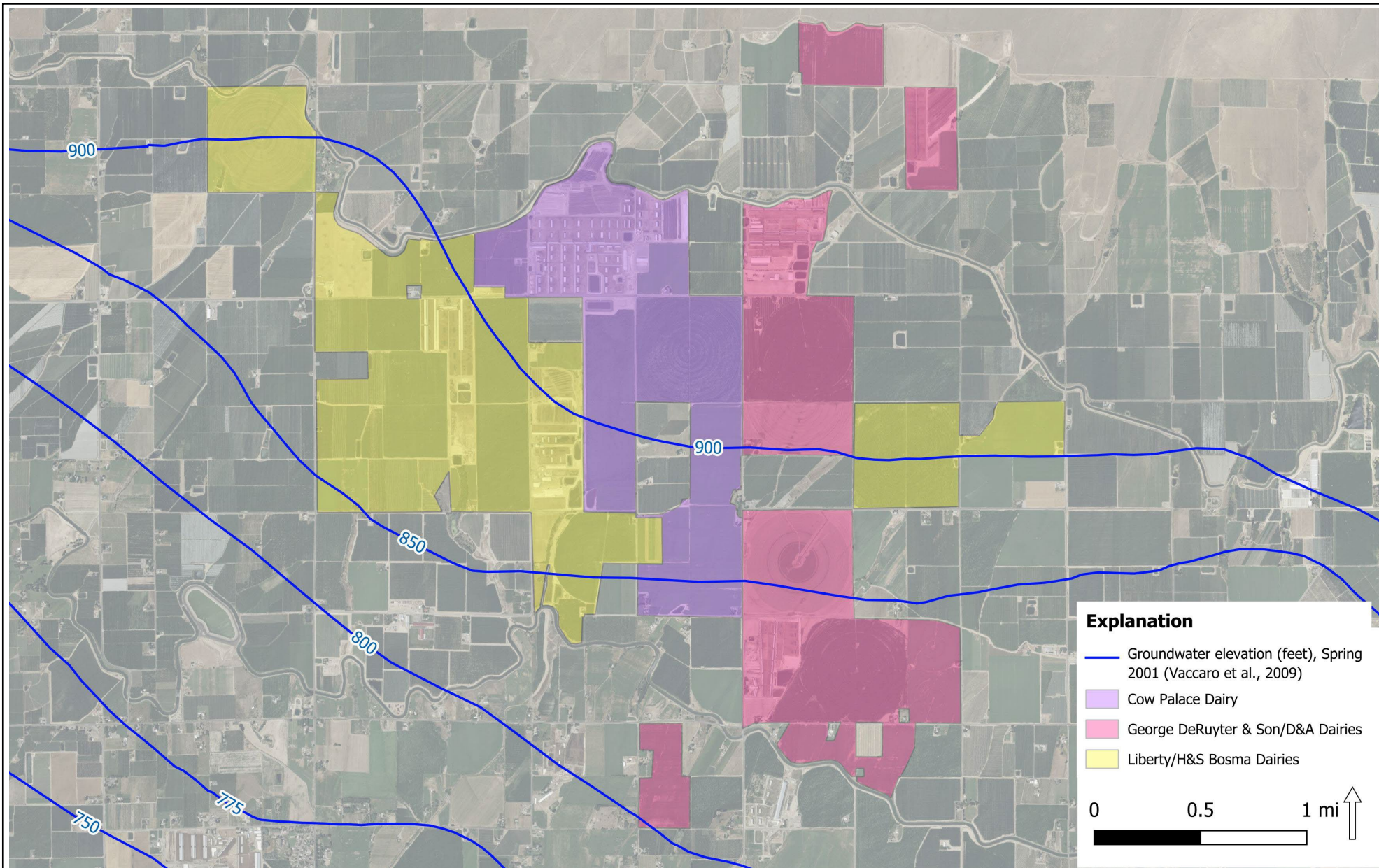
Publish Date: 2023/02/20, 7:29 AM | User: ahesaur
 Filepath: \\srs\gis\Jobs\Perkins\Case_0906\YakimaDairies\Maps\Annual\pt_2022\YVD_Annual\pt_2022.aprx



Source: Anchor QEA, 2023

YAKIMA VALLEY DAIRIES Surficial Aquifer Groundwater Elevation Contour Map, First Quarter 2022

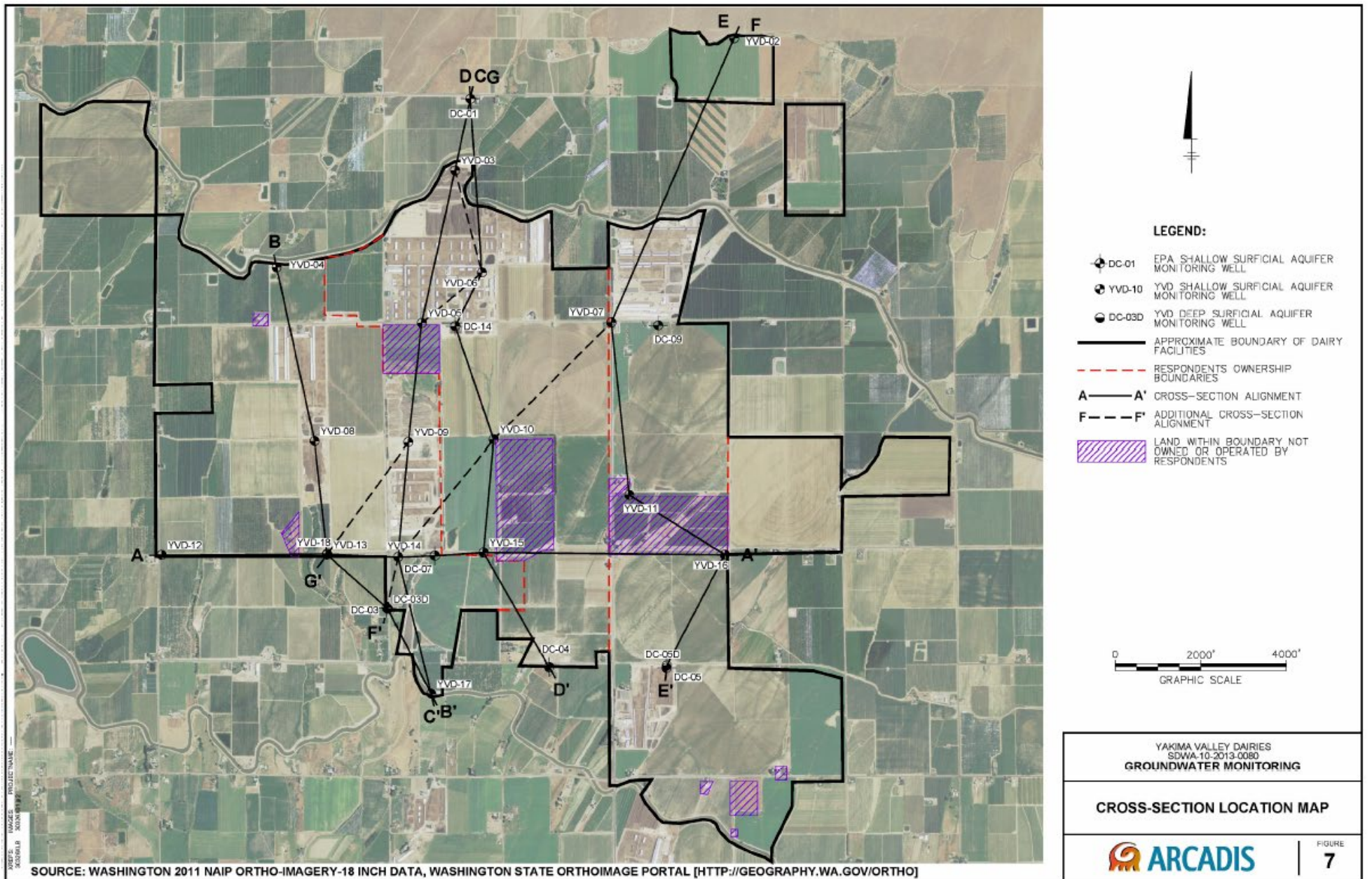
Q:\Projects\DB23-1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Vaccaro et al. (2009). Dairies boundaries from Anchor QEA (2023c) and EPA (2024).

YAKIMA VALLEY DAIRIES Spring 2001 Groundwater Elevation Contours

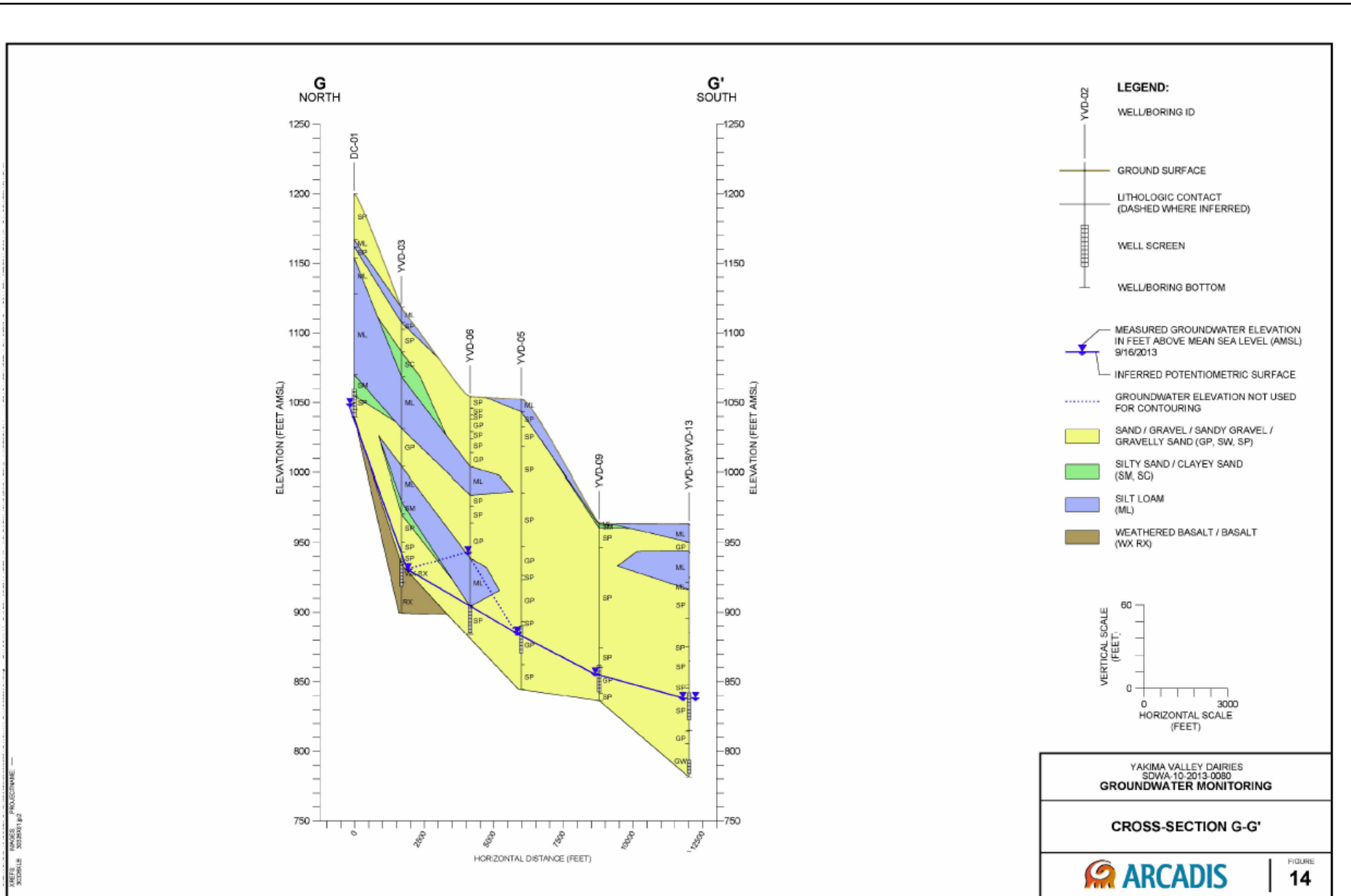
Q:\Projects\DB23-1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Inland Earth Sciences, 2016

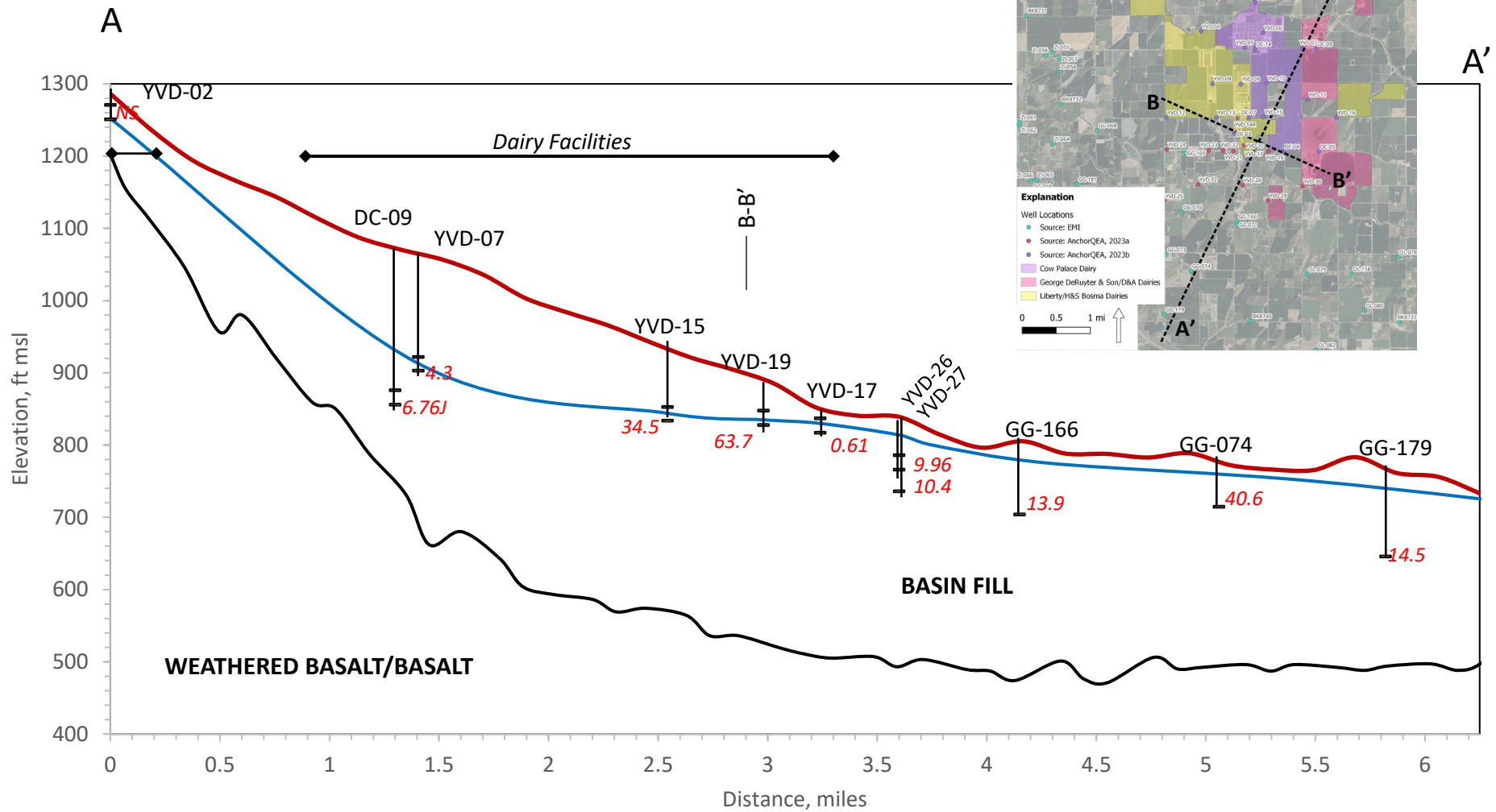
YAKIMA VALLEY DAIRIES
Arcadis Cross Section Location Map

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Inland Earth Sciences, 2016

YAKIMA VALLEY DAIRIES
Arcadis Cross-Section G-G'



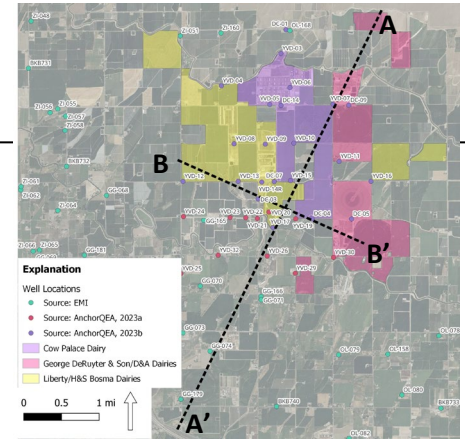
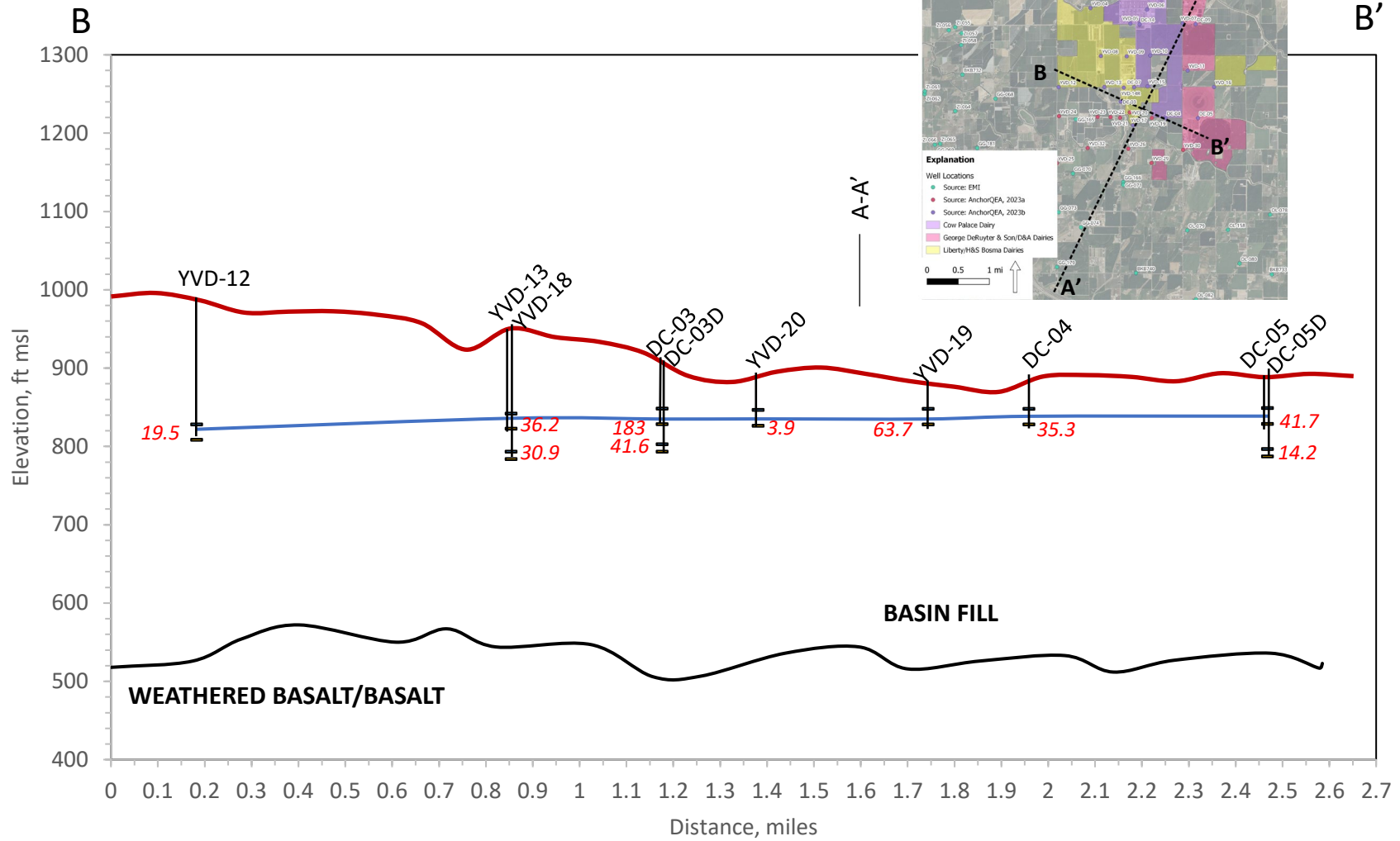
— Ground surface
— Potentiometric surface
Nitrate-as-N (mg/L), 2022 maximum
 Well depth and perforated interval; if perforated interval is unknown, completion depth is shown

Sources: Potentiometric surface and nitrate concentrations from Anchor QEA (2023) for facility monitoring wells; potentiometric surface from Vaccaro et al. (2009) for downgradient locations; basalt unit elevation from USGS (2011); nitrate concentrations for supply wells from Washington State EIM database (reported in nitrate + nitrite as N).

Note: Vertical exaggeration 18x

**YAKIMA VALLEY DAIRIES
Cross-Section A-A'**

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

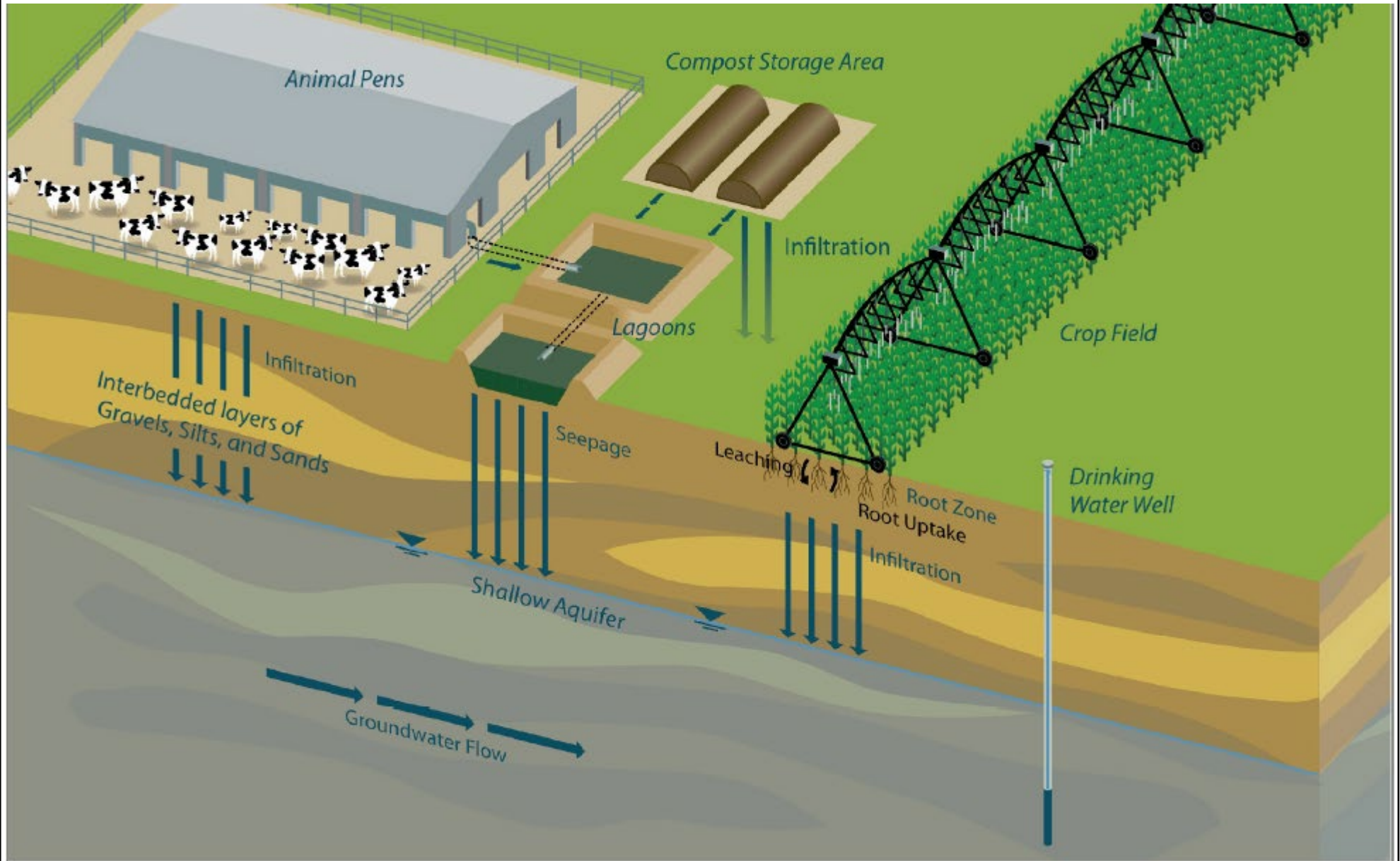


— Ground surface
 — Potentiometric surface
Nitrate-as-N (mg/L), 2022 maximum
 | Well depth and perforated interval

Sources: Potentiometric surface and nitrate concentrations from Anchor QEA (2023) for facility monitoring wells; basalt unit elevation from Ely et al. (2011)
 Note: Vertical exaggeration 9x

**YAKIMA VALLEY DAIRIES
 Cross Section B-B'**

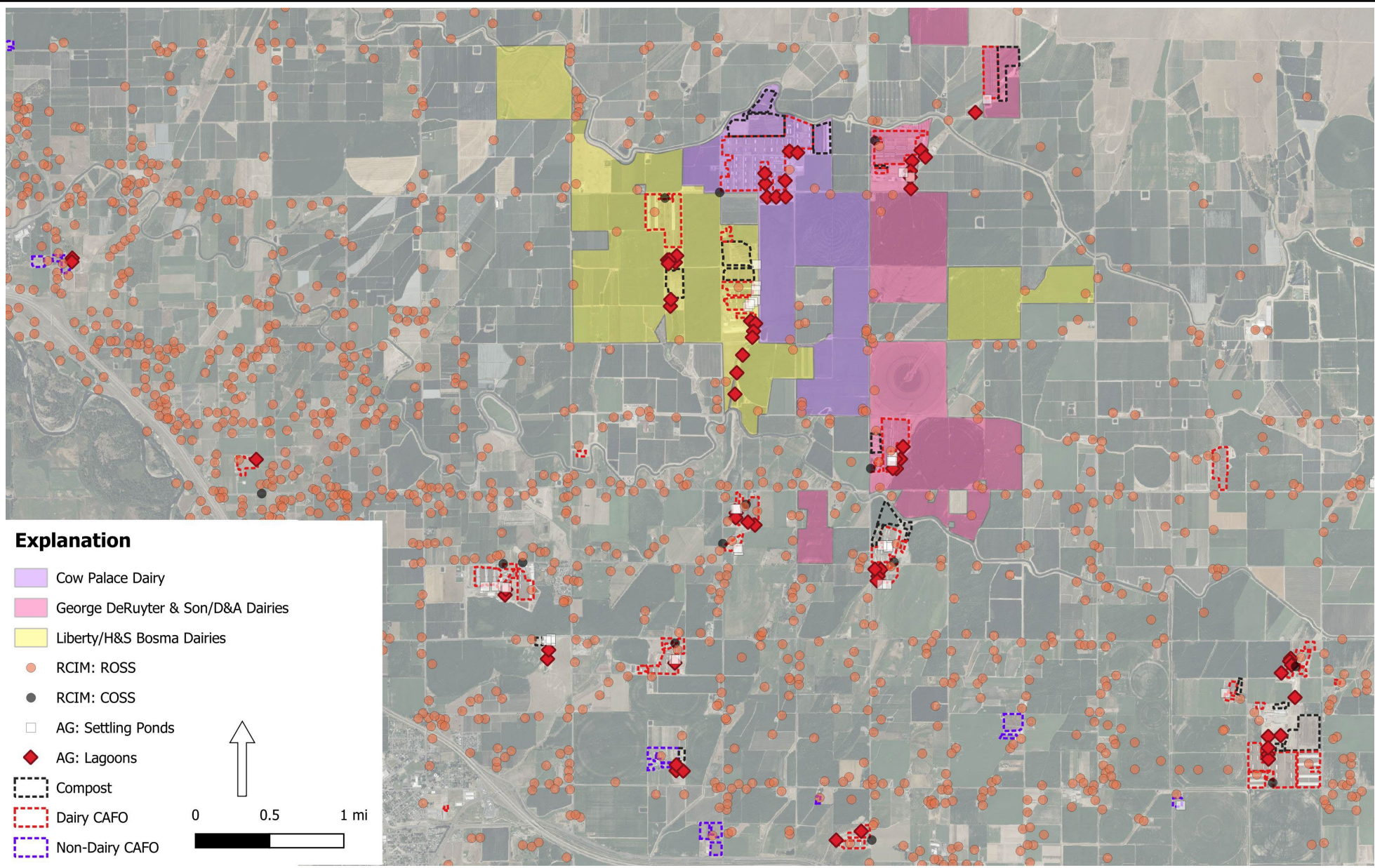
Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Anchor QEA, 2023c which states that figure is conceptual in nature and identifies potential nitrogen transport pathways identified by EPA for a typical dairy facility

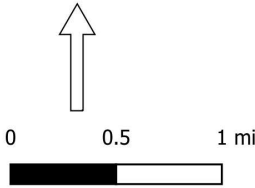
YAKIMA VALLEY DAIRIES

Anchor QEA Conceptual Model, Nitrogen Transport Pathways



Explanation

- Cow Palace Dairy
- George DeRuyter & Son/D&A Dairies
- Liberty/H&S Bosma Dairies
- RCIM: ROSS
- RCIM: COSS
- AG: Settling Ponds
- AG: Lagoons
- Compost
- Dairy CAFO
- Non-Dairy CAFO

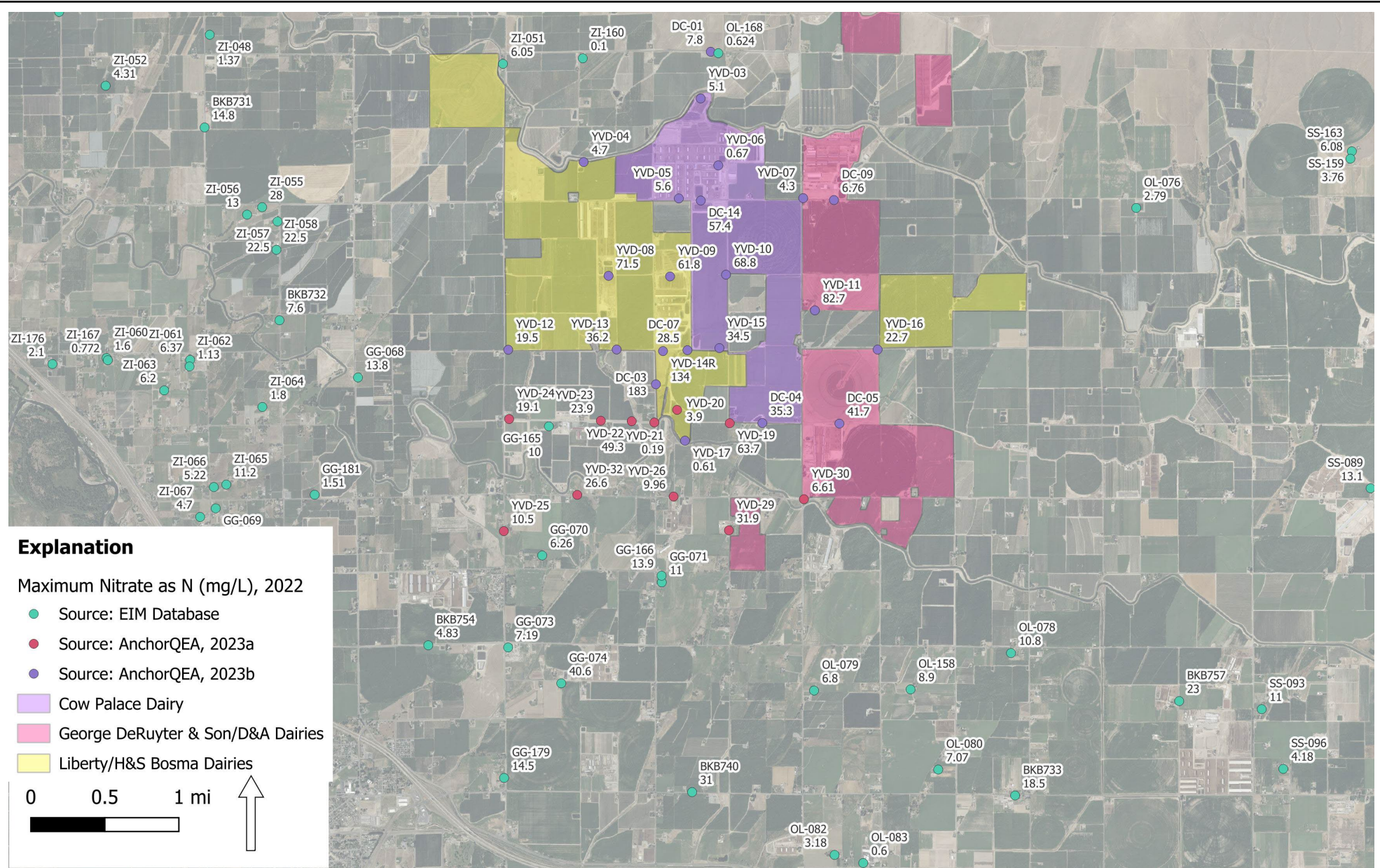


Source: Yakima County (2020). Notes: RCIM = Residential, Commercial, Industrial, Municipal Working Group; ROSS = Residential Onsite Septic Systems; COSS = Commercial Onsite Septic Systems; AG = agricultural; CAFO = concentrated animal feeding operation; Feature locations may not be current; other nitrate sources may be present.

**YAKIMA VALLEY DAIRIES
Dairies and Potential Nitrate Sources to
Groundwater**

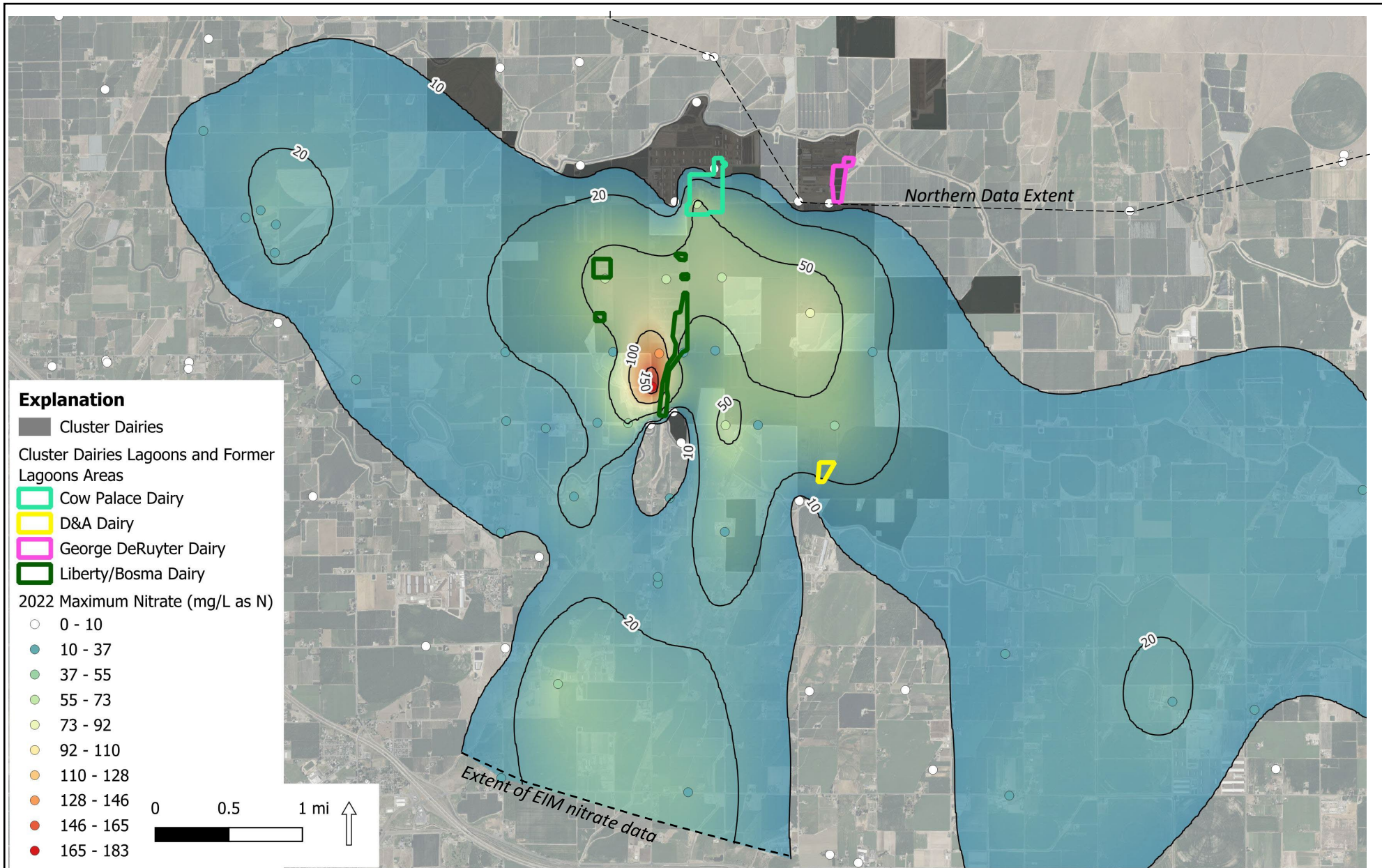
Q:\Projects\DB23-1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Notes: Wells not posted (co-located with other wells) include DC-03D, DC-05D, YVD-31, YVD-27, YVD-18, YVD-28; OL-081 not posted (greater than 200 feet deep); nitrate concentrations from EIM reported as Nitrate + Nitrite as N

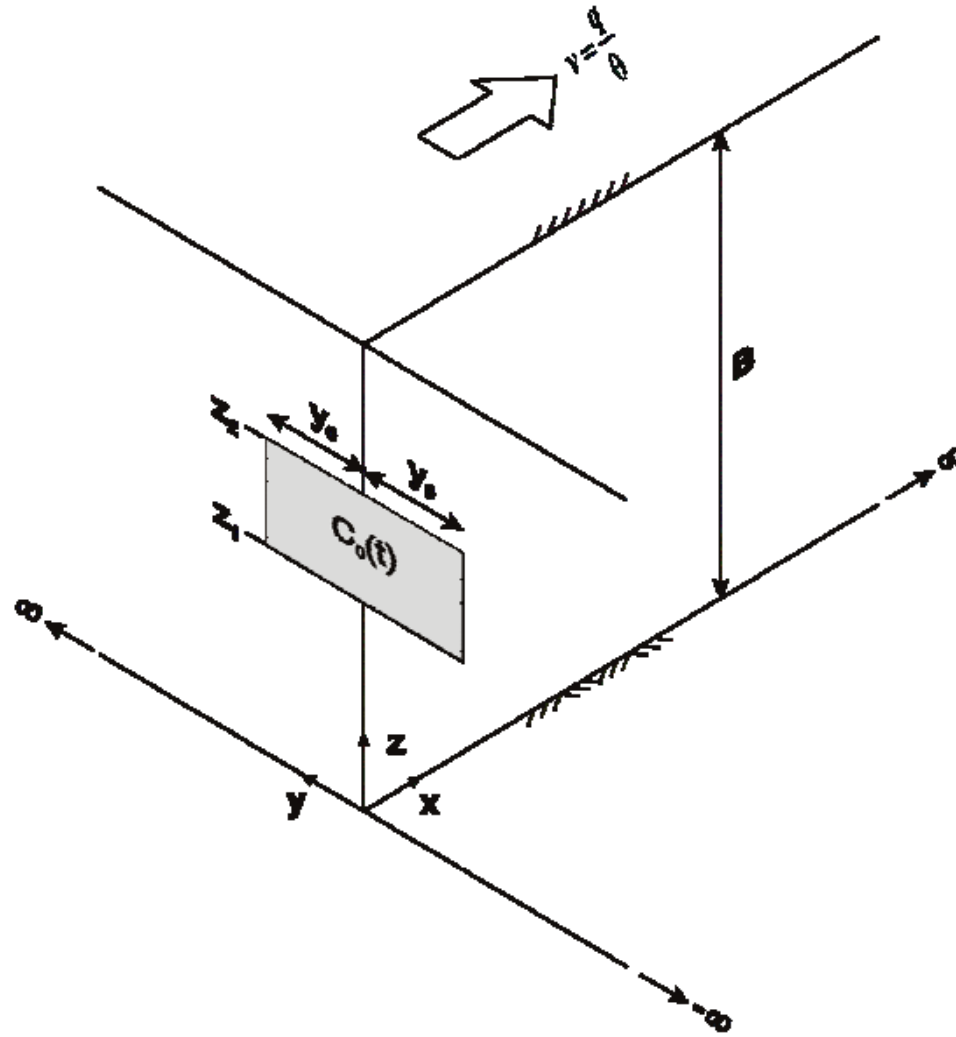
YAKIMA VALLEY DAIRIES
Maximum Nitrate in Groundwater, 2022



Data sources: Anchor QEA, 2023a, 2023b; EIM database
 Notes: Interpolation by kriging (Golden Software Surfer); wells not posted (co-located with other wells) include DC-03D, DC-05D, YVD-31, YVD-27, YVD-18, YVD-28; OL-081 not posted (greater than 200 feet deep); nitrate concentrations from EIM reported as Nitrate + Nitrite as N; Lagoon locations from Anchor QEA, 2023c.

YAKIMA VALLEY DAIRIES
Maximum Nitrate in Groundwater, 2022 and Interpolated
Contours with Lagoon Locations

Q:\Projects\DB23-1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

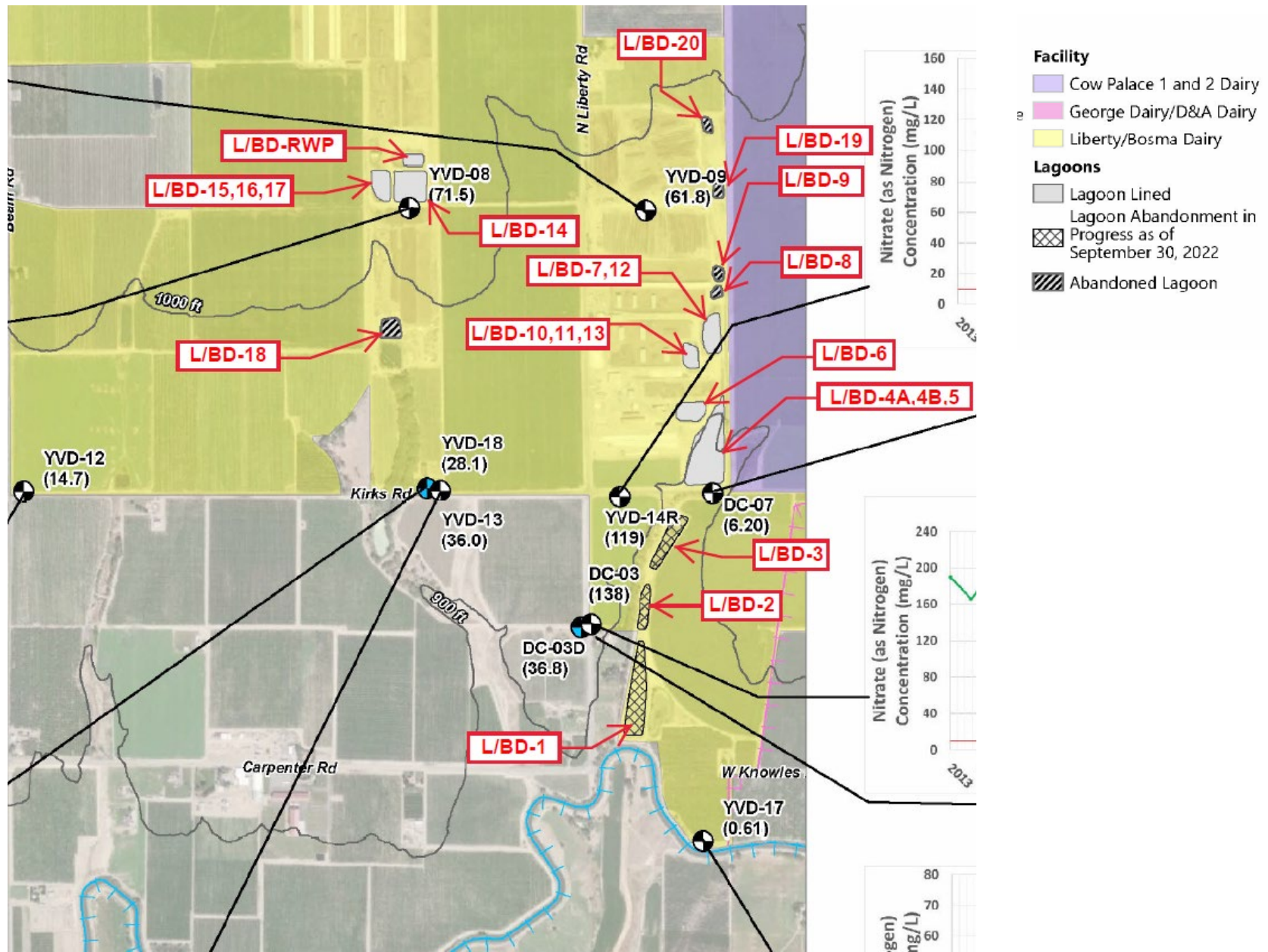


Note:
 C_o = source concentration
 t = time
 Z = thickness
 y = width
 x = length
 v = linear velocity
 q = groundwater velocity
 θ = effective porosity
 B = depth
 Arrow shows direction of groundwater flow

Source: Neville, 2005

YAKIMA VALLEY DAIRIES
ATRANS Conceptual Model

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Anchor QEA, 2023

YAKIMA VALLEY DAIRIES
Map of Lagoons in Vicinity of DC-03, 2022



Source: USGS Earth Explorer, Image NC1NHAP810103029; red-color in original color-infrared imagery (see <https://www.usgs.gov/faqs/what-do-different-colors-color-infrared-aerial-photograph-represent>).

YAKIMA VALLEY DAIRIES
Lagoons in Vicinity of DC-03, 1981 (False Color)



Source: USGS Earth Explorer, image N10NAPPW02901166

**YAKIMA VALLEY DAIRIES
Lagoons in Vicinity of DC-03, 1990**

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Google Earth Pro

**YAKIMA VALLEY DAIRIES
Lagoons in Vicinity of DC-03, 1996**



Source: Google Earth Pro

**YAKIMA VALLEY DAIRIES
Lagoons in Vicinity of DC-03, 2005**

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Google Earth Pro

**YAKIMA VALLEY DAIRIES
Lagoons in Vicinity of DC-03, 2023**

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: USGS Earth Explorer, Image
NC1NHAP810103029; red-color in original color-infrared
imagery (see <https://www.usgs.gov/faqs/what-do-different-colors-color-infrared-aerial-photograph-represent>).

YAKIMA VALLEY DAIRIES
Lagoons at Cow Palace and George-D&A Dairies, 1981

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: USGS Earth Explorer, Image N10NAPPW02901166

YAKIMA VALLEY DAIRIES

Lagoons at Cow Palace and George-D&A Dairies, 1990

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Image U.S. Geological Survey

Source: Google Earth Pro

YAKIMA VALLEY DAIRIES
Lagoons at Cow Palace and George-D&A Dairies, 1996



Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

Source: Google Earth Pro

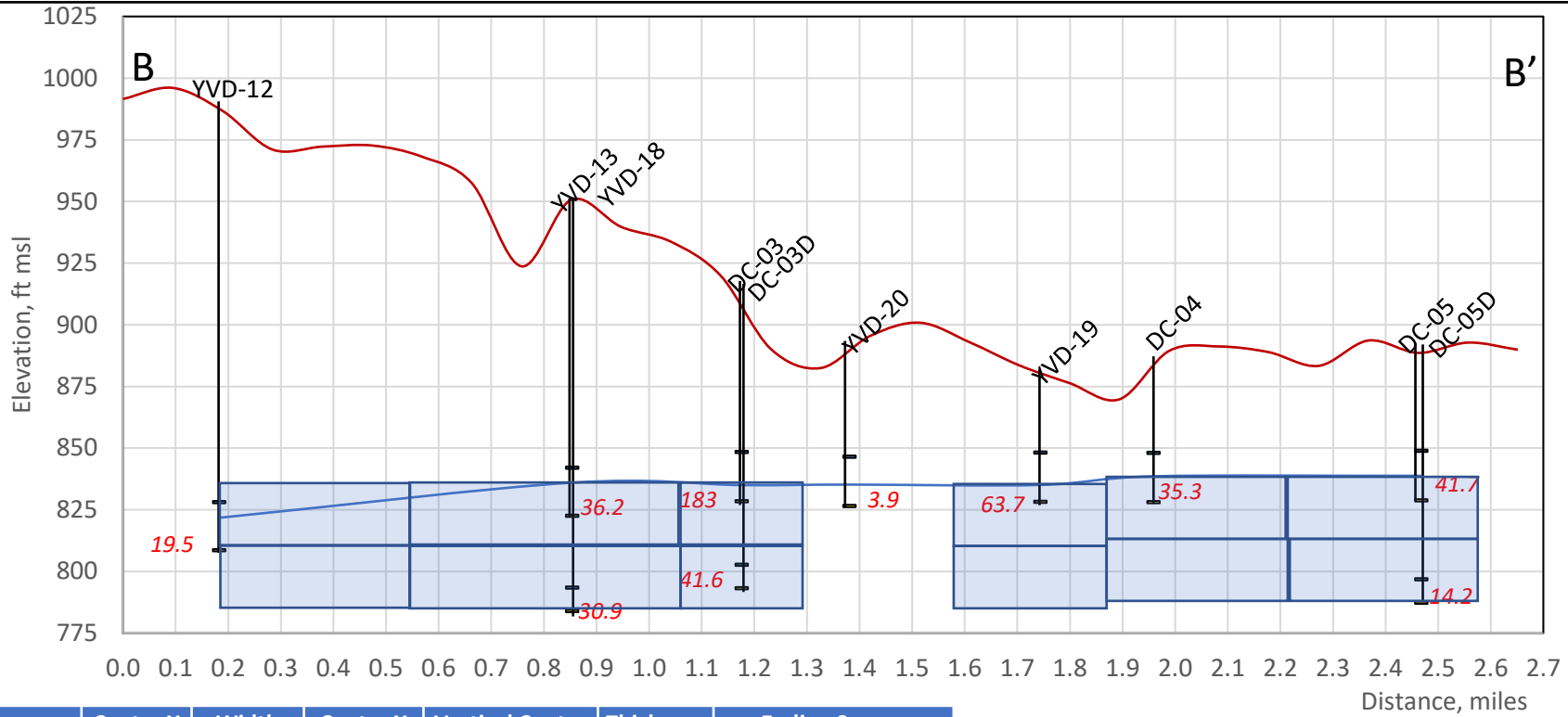
YAKIMA VALLEY DAIRIES
Lagoons at Cow Palace and George-D&A Dairies, 2005



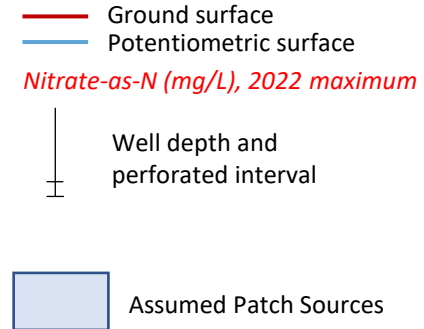
Q:\Projects\DB23_1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

Source: Google Earth Pro

YAKIMA VALLEY DAIRIES
Lagoons at Cow Palace and George-D&A Dairies, 2023



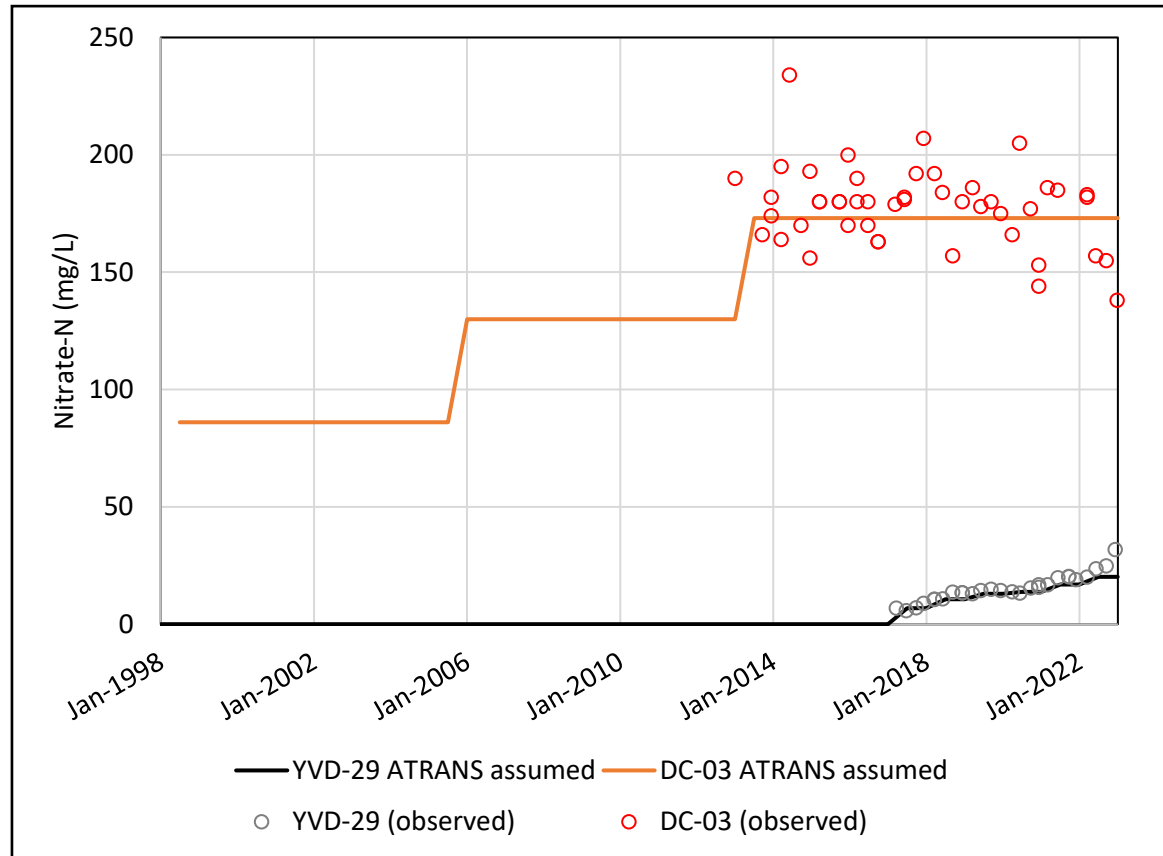
Patch Source	Center Y (feet)	Width (feet)	Center X (feet)	Vertical Center (feet)	Thickness (feet)	Ending Source Concentration (mg/L)
YVD-12	1600	2200	2500	12.5	25	15
YVD-12(D)	1600	2200	2500	37.5	25	7.2
YVD-13	4000	2700	750	12.5	25	28
YVD-18	4000	2700	750	37.5	25	24
DC-03	6100	1500	1500	12.5	25	173
DC-03D	6100	1500	1500	37.5	25	37
YVD-19	9000	1500	1500	12.5	25	72
YVD-19(D)	9000	1500	1500	37.5	25	35
DC-04	10600	1800	1000	12.5	25	36
DC-04(D)	10600	1800	1000	37.5	25	17
DC-05	12400	1700	0	12.5	25	33
DC-05D	12400	1700	0	37.5	25	12
YVD-29 (not shown)	10700	1000	5250	37.5	25	20



Y: Perpendicular to groundwater flow; X: Groundwater flow direction; vertical center relative to groundwater table elevation

YAKIMA VALLEY DAIRIES ATRANS Model Patch Source Configurations

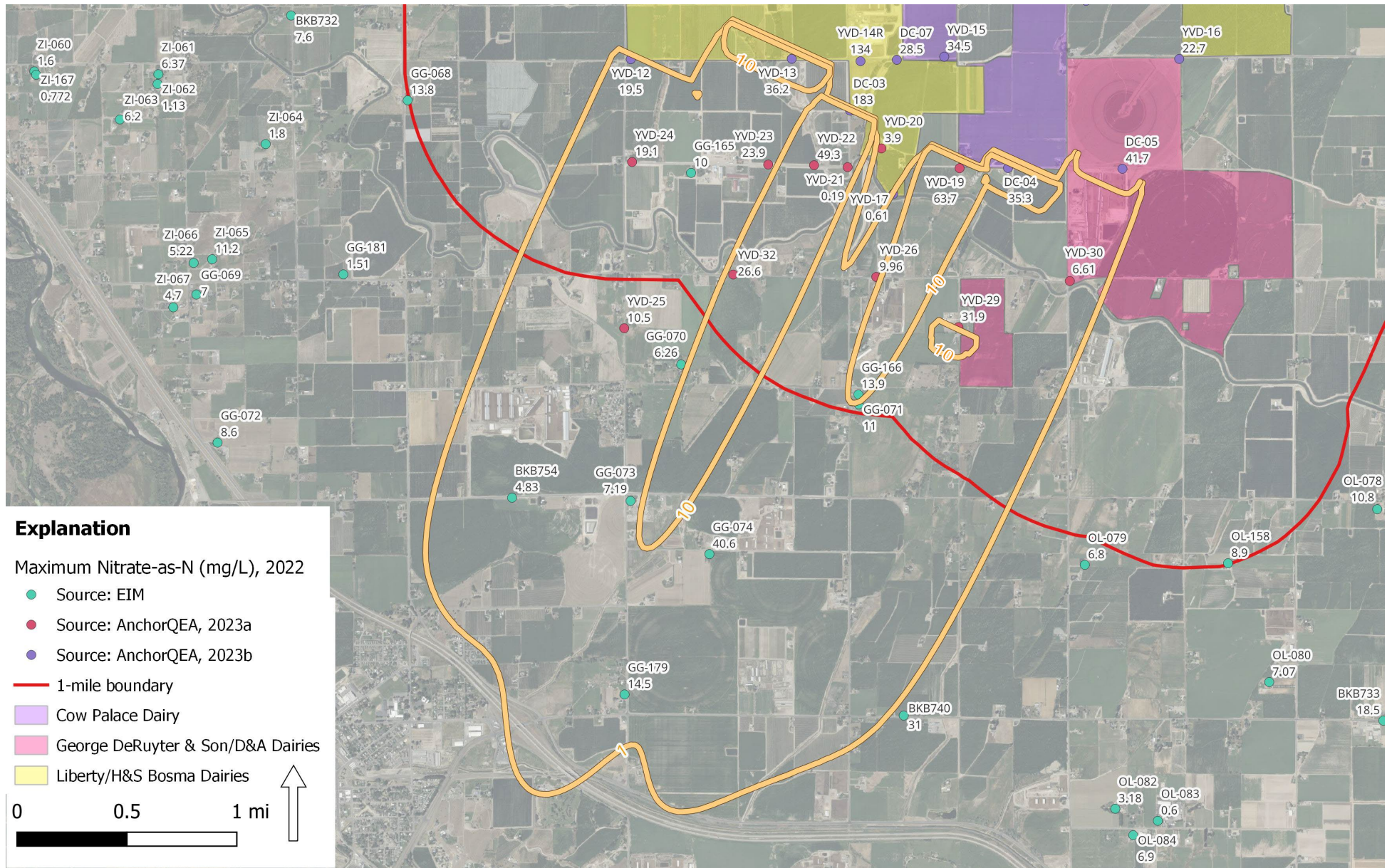
Run	Anchor QEA (2023) Description	Hydraulic Conductivity (K), ft/d	Effective Porosity (n)	First Order Degradation (k), 1/d	Hydraulic Gradient (i)	Average Linear Groundwater Velocity (ft/d)	Time (years)	Longitudinal Dispersivity (feet)	Transverse Dispersivity (feet)	Vertical Dispersivity (feet)
A	Medium sand to fine gravel (Base Case)	131	0.32	1.90E-05	0.004	1.6	25	197	20	10
B	Fine sand	53	0.33	1.90E-05	0.004	0.6	25	197	20	10
C	Medium sand to coarse gravel	164	0.3	1.90E-05	0.004	2.2	25	197	20	10
D	Fine gravel	267	0.28	1.90E-05	0.004	3.8	25	197	20	10



YAKIMA VALLEY DAIRIES

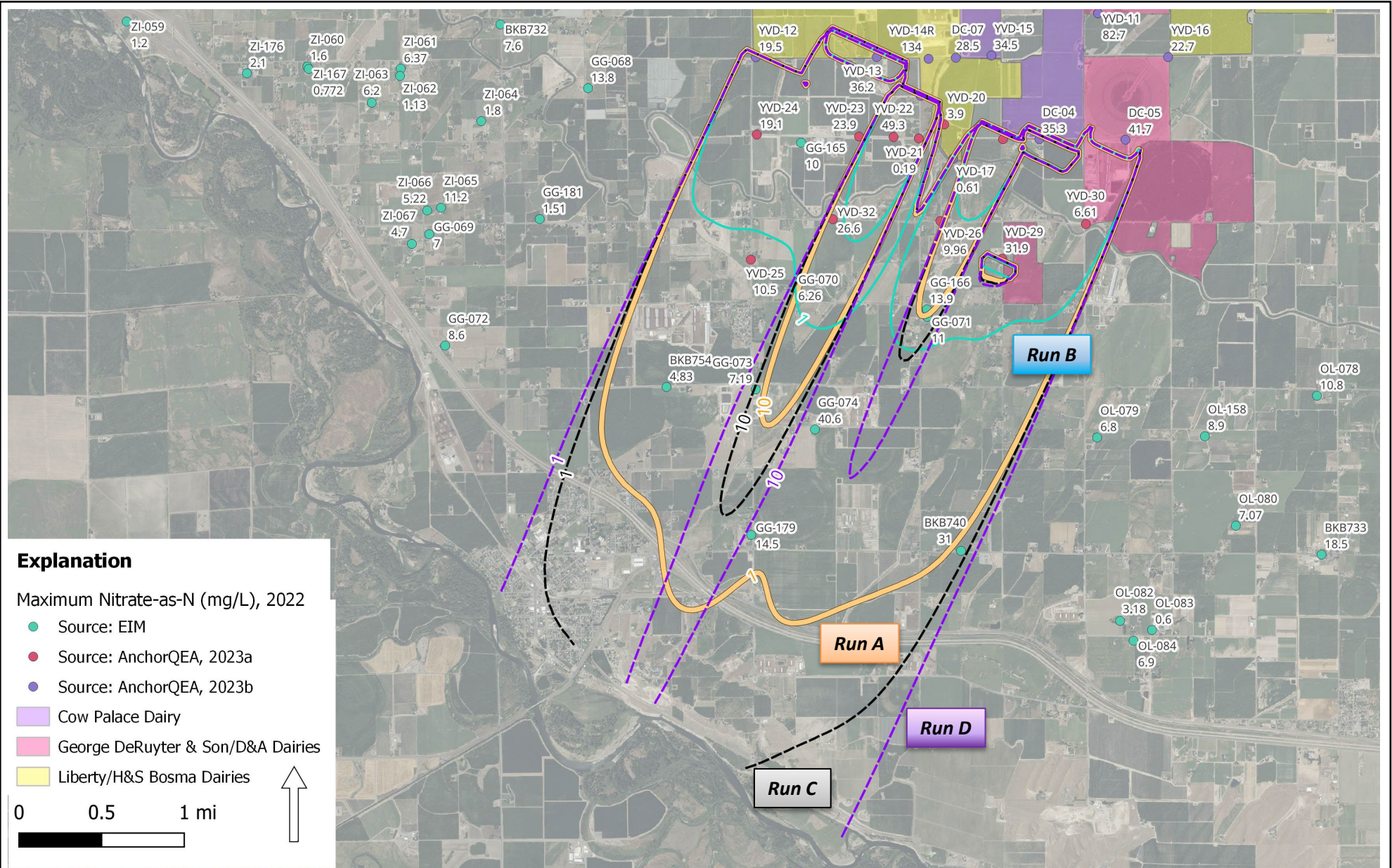
ATRANS Parameters and Example Source Concentration Plots

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



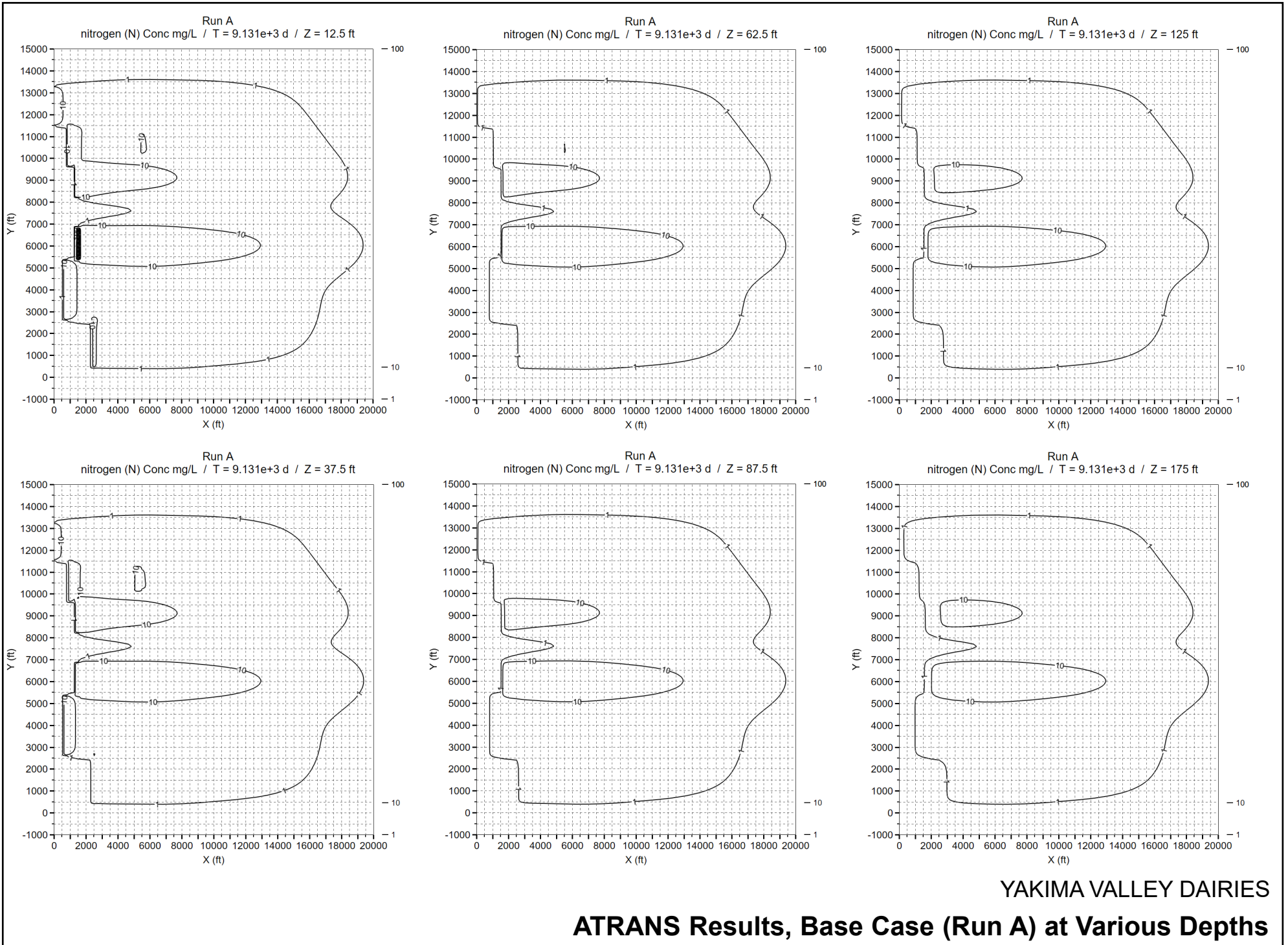
Notes: Contour values are estimated nitrate-as-N (mg/L); results plotted at 38-feet below groundwater table; wells not posted (co-located with other wells) include DC-03D, DC-05D, YVD-31, YVD-27, YVD-18, YVD-28; OL-081 not posted (greater than 200 feet deep); nitrate concentrations from EIM reported as Nitrate + Nitrite as N; 1-mile Boundary from Anchor QEA, 2023c

**YAKIMA VALLEY DAIRIES
ATRANS Modeling Results, Base Case Run (A)**



Notes: Contour values are estimated nitrate-as-N (mg/L); results plotted at 38-feet below groundwater table; wells not posted (co-located with other wells) include DC-03D, DC-05D, YVD-31, YVD-27, YVD-18, YVD-28; OL-081 not posted (greater than 200 feet deep); nitrate concentrations from EIM reported as Nitrate + Nitrite as N. Model results not plotted south of Yakima River.

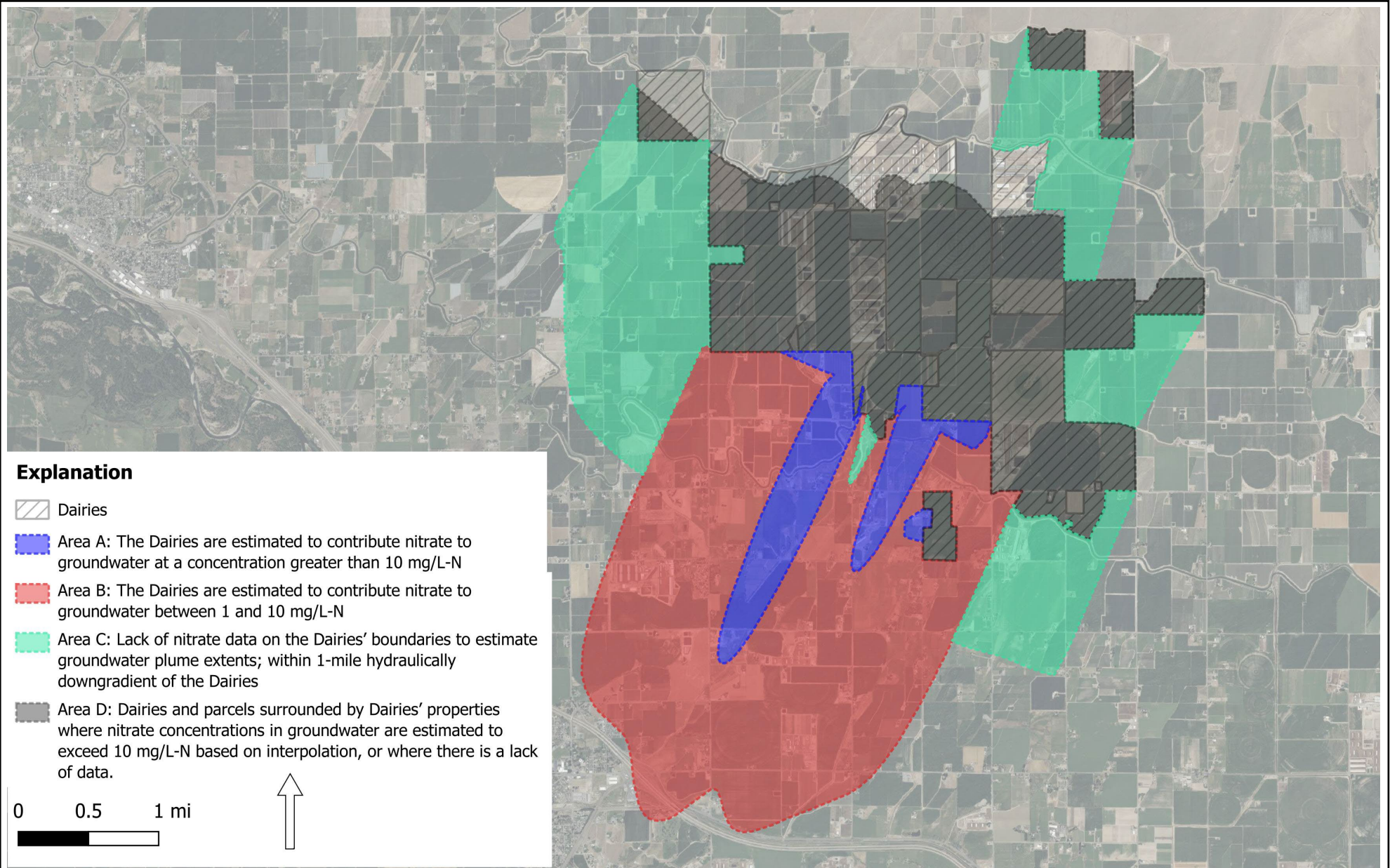
**YAKIMA VALLEY DAIRIES
ATRANS Sensitivity Results**



Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

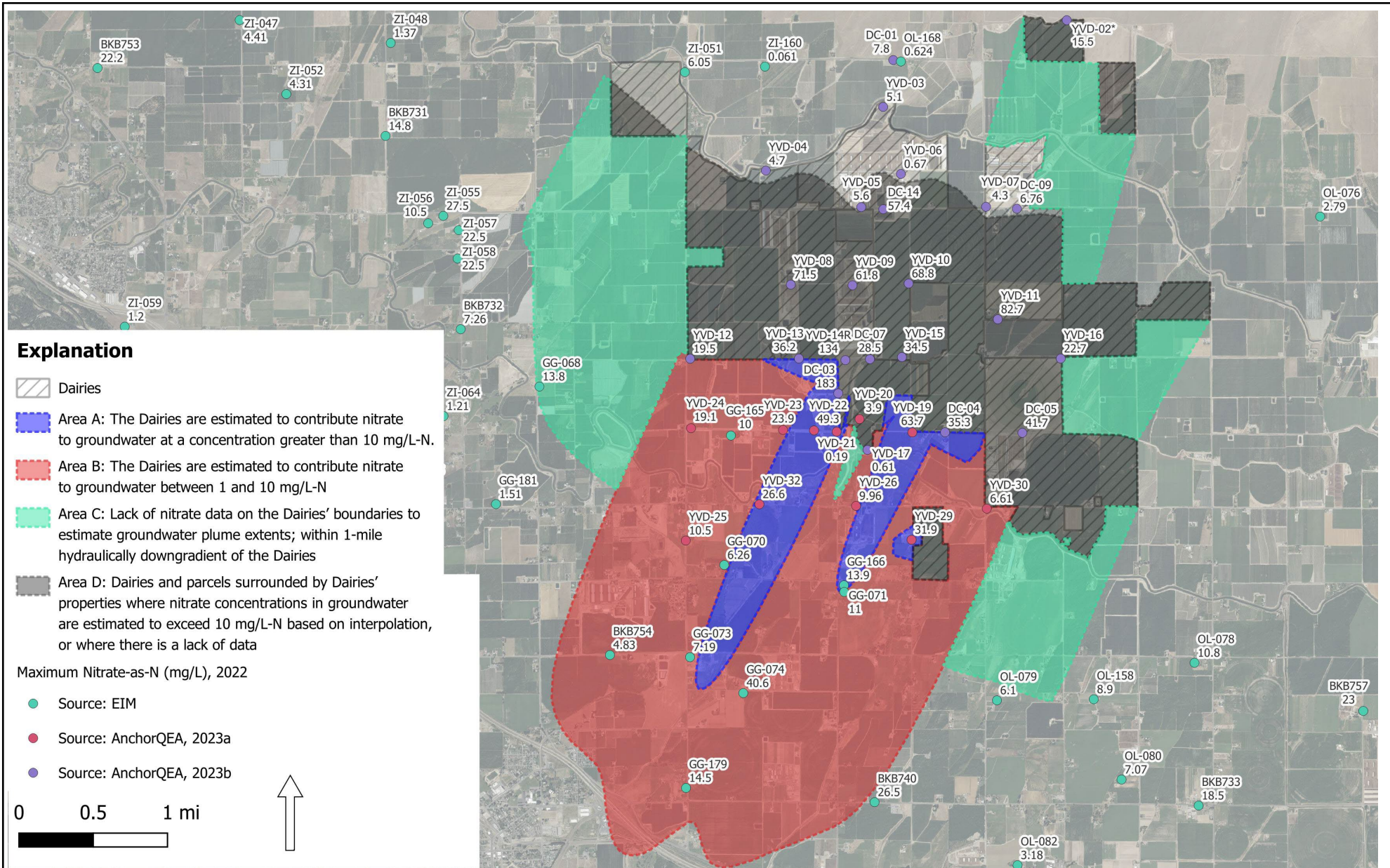
YAKIMA VALLEY DAIRIES

ATRANS Results, Base Case (Run A) at Various Depths



Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

YAKIMA VALLEY DAIRIES
Potentially Affected and Affected Areas in Groundwater



Explanation

- Dairies
- Area A: The Dairies are estimated to contribute nitrate to groundwater at a concentration greater than 10 mg/L-N.
- Area B: The Dairies are estimated to contribute nitrate to groundwater between 1 and 10 mg/L-N
- Area C: Lack of nitrate data on the Dairies' boundaries to estimate groundwater plume extents; within 1-mile hydraulically downgradient of the Dairies
- Area D: Dairies and parcels surrounded by Dairies' properties where nitrate concentrations in groundwater are estimated to exceed 10 mg/L-N based on interpolation, or where there is a lack of data

Maximum Nitrate-as-N (mg/L), 2022

- Source: EIM
- Source: AnchorQEA, 2023a
- Source: AnchorQEA, 2023b

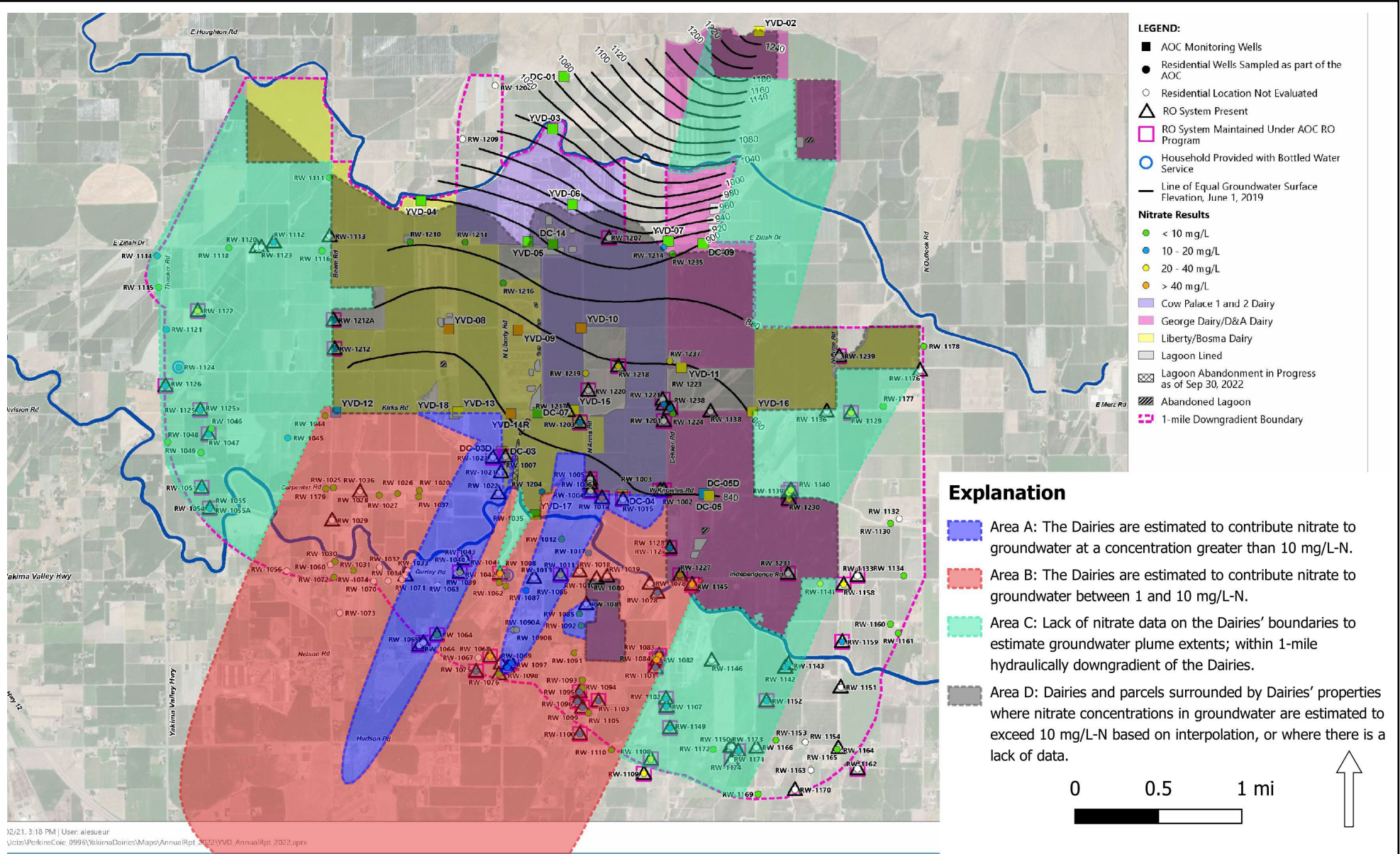
0 0.5 1 mi



Note: Refers to groundwater in basin fill units; wells not posted (co-located with other wells) include DC-03D, DC-05D, YVD-31, YVD-27, YVD-18, YVD-28; OL-081 not posted (greater than 200 feet deep); nitrate concentrations from EIM reported as Nitrate + Nitrite as N. *YVD-02 results from most recent sampling in June 2020.

**YAKIMA VALLEY DAIRIES
Potentially Affected and Affected Areas in Groundwater and 2022
Maximum Nitrate Data**

Q:\Projects\DB23-1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



CHOR
Residential Sampling Map Source: Anchor QEA, 2023c

YAKIMA VALLEY DAIRIES Potentially Affected and Affected Areas in Groundwater and Residential Well Sampling Map

Q:\Projects\DB23-1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

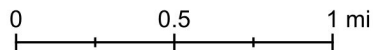
Q:\Projects\DB23_1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

Co-located wells results:

- DC-03
- DC-03D
- DC-05
- DC-05D
- YVD-13
- YVD-18
- YVD-26
- YVD-27
- YVD-28
- YVD-29
- YVD-31
- YVD-32

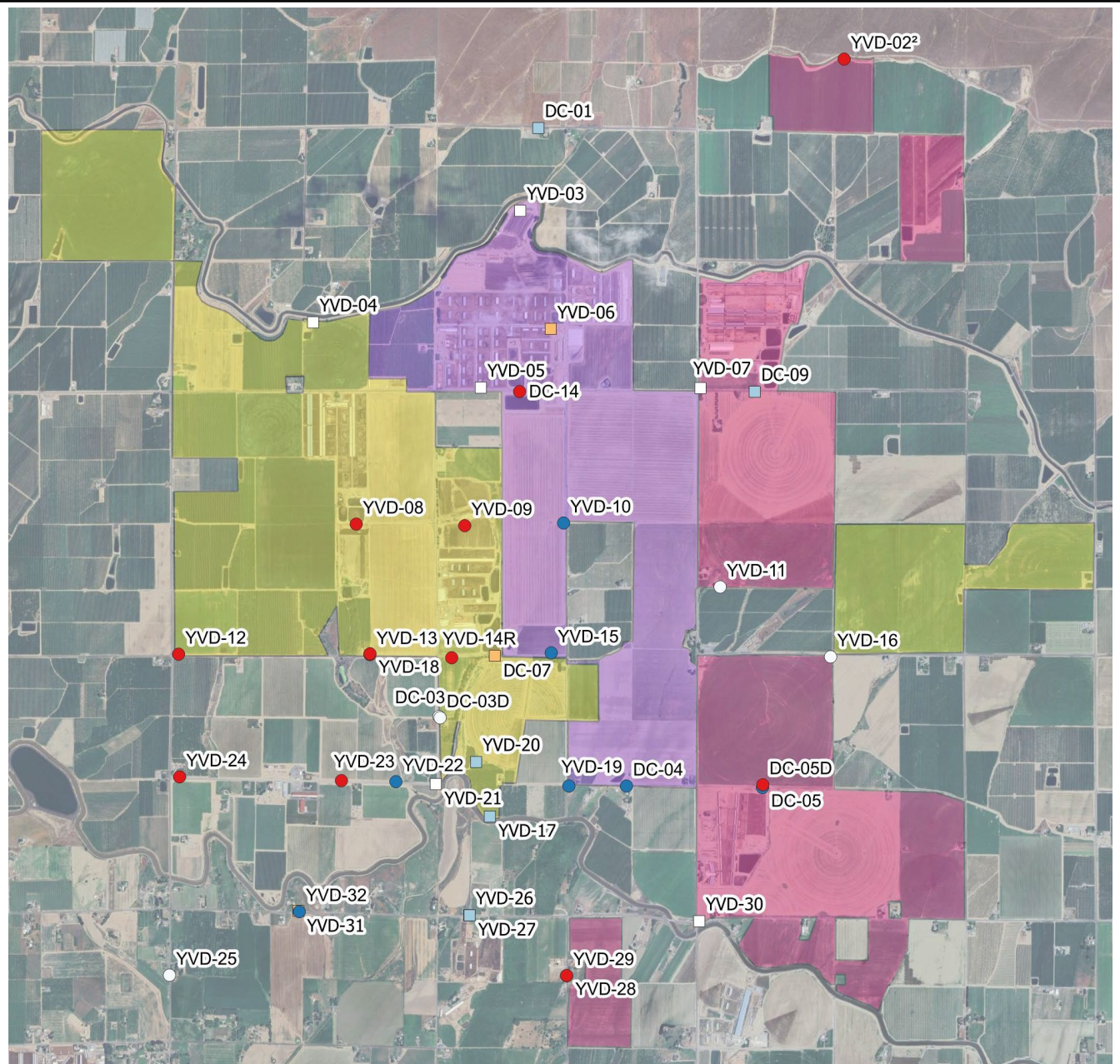
Explanation

- | | | |
|-----------------|--------------------|---------------------|
| ■ Cow Palace | Above MCL (10mg/L) | Below MCL (10 mg/L) |
| ■ GDS/D&A | ● Increase | ■ Increase |
| ■ Liberty/Bosma | ● Decrease | ■ Decrease |
| | ○ No Trend | □ No Trend |



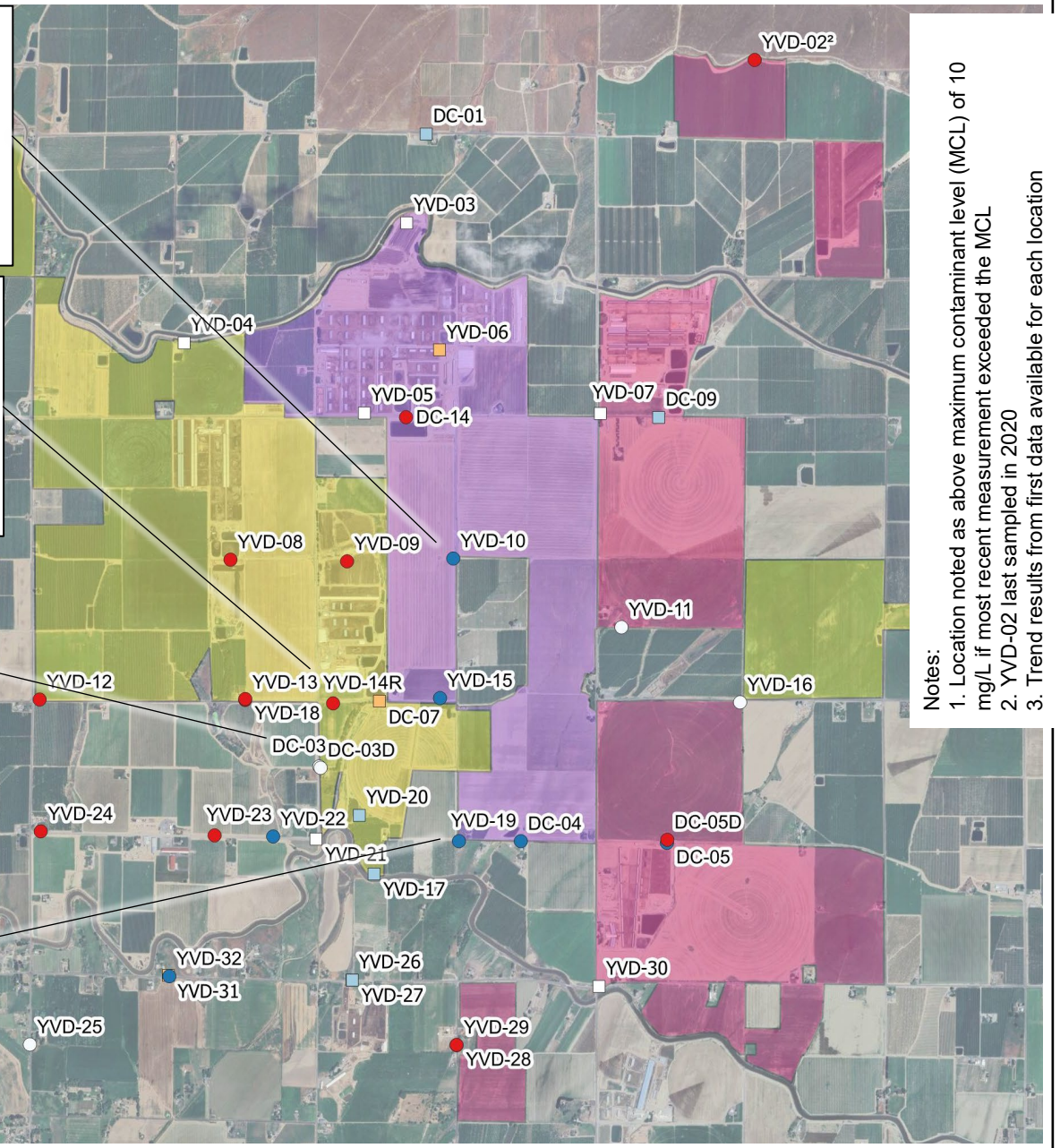
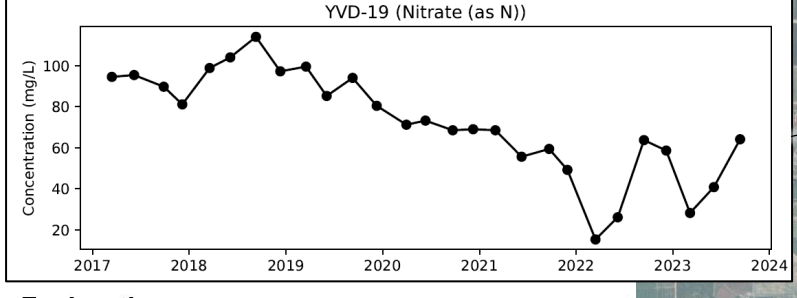
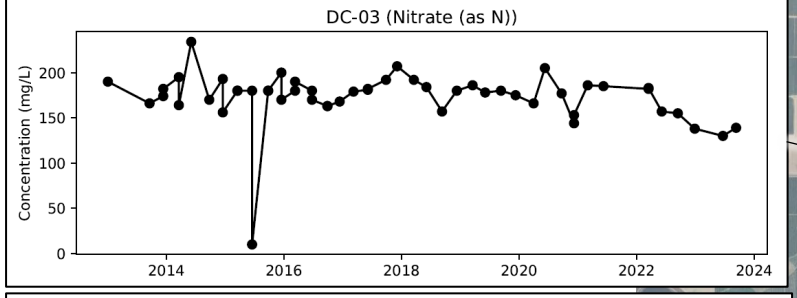
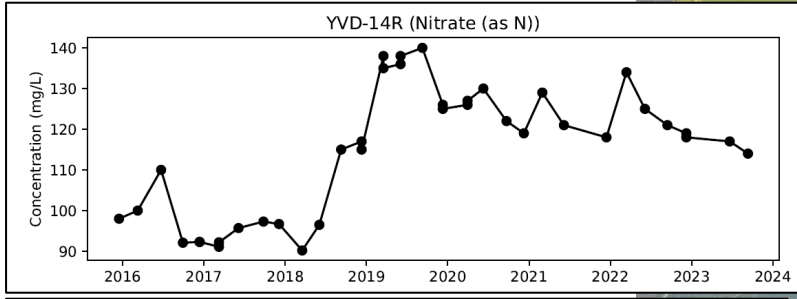
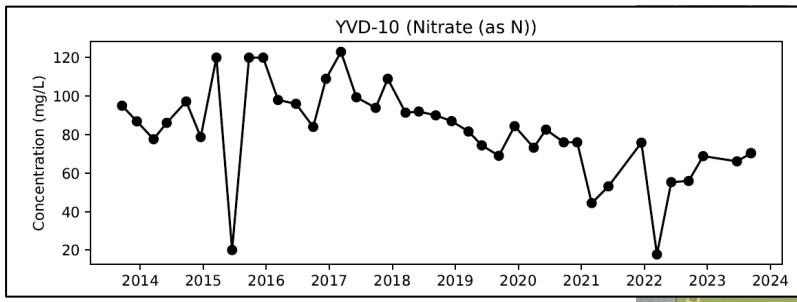
Notes:

1. Location noted as above maximum contaminant level (MCL) of 10 mg/L if most recent measurement exceeded the MCL
2. YVD-02 last sampled in 2020
3. Trend results from first data available for each location



Mann-Kendall Trend Analysis Results, 2013 to September 2023

YAKIMA VALLEY DAIRIES

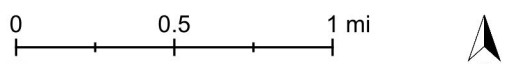


Notes:

1. Location noted as above maximum contaminant level (MCL) of 10 mg/L if most recent measurement exceeded the MCL
2. YVD-02 last sampled in 2020
3. Trend results from first data available for each location

Explanation

Cow Palace	Above MCL (10mg/L) Increase	Below MCL (10 mg/L) Increase
GDS/D&A	Decrease	Decrease
Liberty/Bosma	No Trend	No Trend

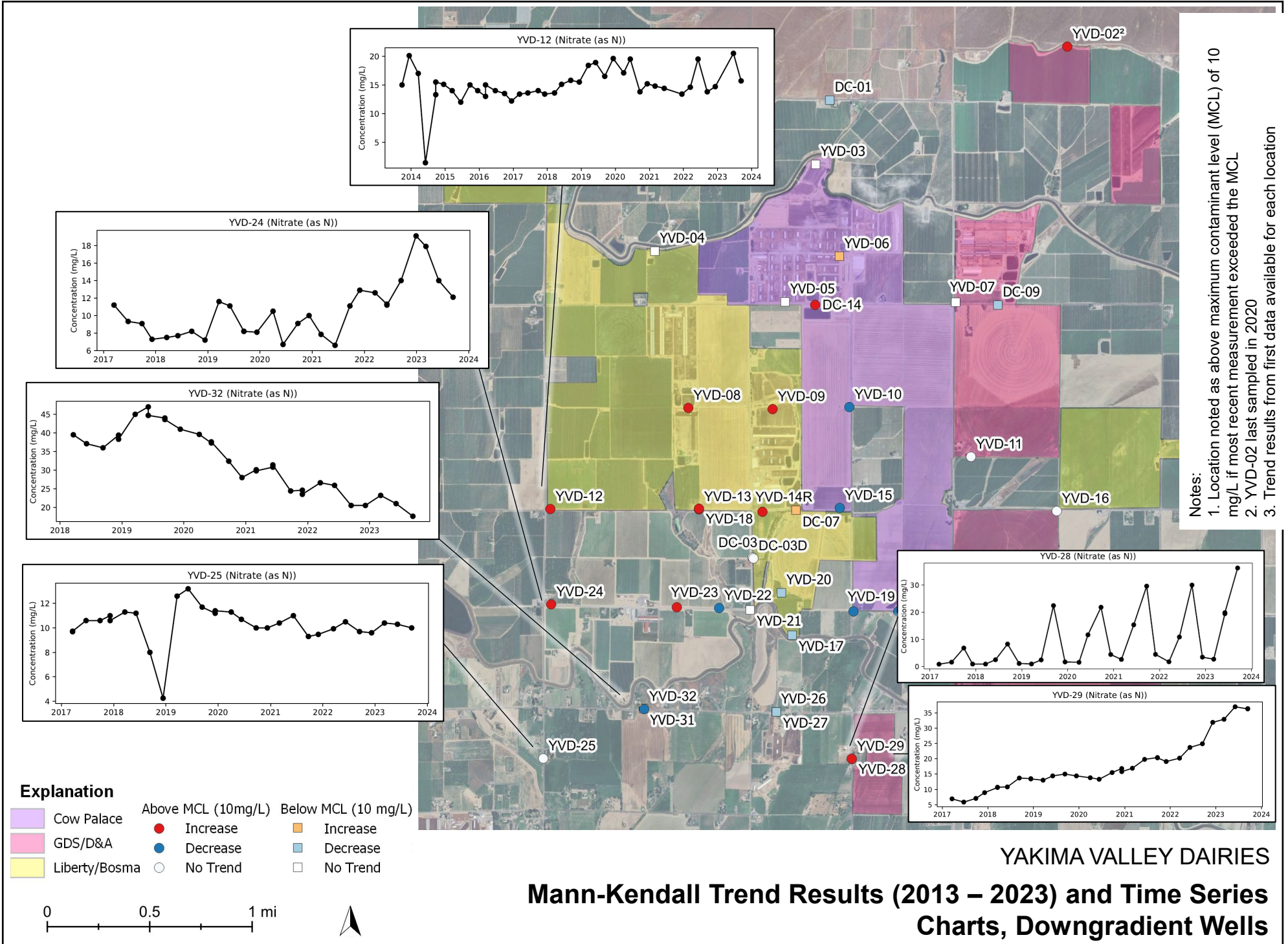


YAKIMA VALLEY DAIRIES

Mann-Kendall Trend Results (2013 – 2023) and Time Series Charts, Largest Concentration Wells

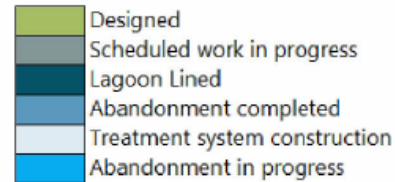
Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Notes:
 1. Location noted as above maximum contaminant level (MCL) of 10 mg/L if most recent measurement exceeded the MCL
 2. YVD-02 last sampled in 2020
 3. Trend results from first data available for each location

Notes:



- CNW: Catch Basin NW
- CNE: Catch Basin NE
- DIG: Digester
- DAF: Dissolved Air Flotation Unit
- NDN: Nitrification/Denitrification System
- RWP: Red Water Pond
- SBA: Settling Basin A
- SBB: Settling Basin B
- SDB: Safety Debris Basin
- SWCB: Stormwater Catch Basin
- TUP: Take Up Pond
- VTS: Vermiculture Treatment System
- Lagoon assessed, meets applicable NRCS standards
- a. Lagoon IDs show in parentheses are part of consolidated lagoons; black Lagoon IDs are the current lagoon ID number.
- 1. Lagoon volumes are listed based on operational volumes (with min 2 feet of freeboard). Volumes are based on survey data where available. Where survey data are not available, volumes are based on the volumes listed in the Lagoon Work Plans.
- 2. Completed volumes shown do not include lagoons taken out of service, emptied, and cleaned in 2021 and 2022 for abandonment since the abandonment work was not fully completed.

		Liberty/Bosma Dairy																	Total						
		Consolidated ^a					Consolidated ^a			Consolidated ^a															
Lagoon ID		1	2	3	4a	4b	5	6	8	9	10	(11)	(13)	12	(7)	14	15	(16)	(17)	18	19	20	RWP	VTS	
Initial Capacity (M gal)		14.4	2.6	4.3		12.6	2.45	0.6	0.3			2.0		4.5	5.3		2.6			1.9	0.4	0.3	1.2	na	55.5
Revised Capacity (M gal)		14.4	2.6	4.3		13.1	2.72	na	na			2.6		4	6.7		2.7			1.9	na	na	1.2		56.1
2016																									
2017																									
2018																									
2019																									
2020																									
2021																									
2022																									

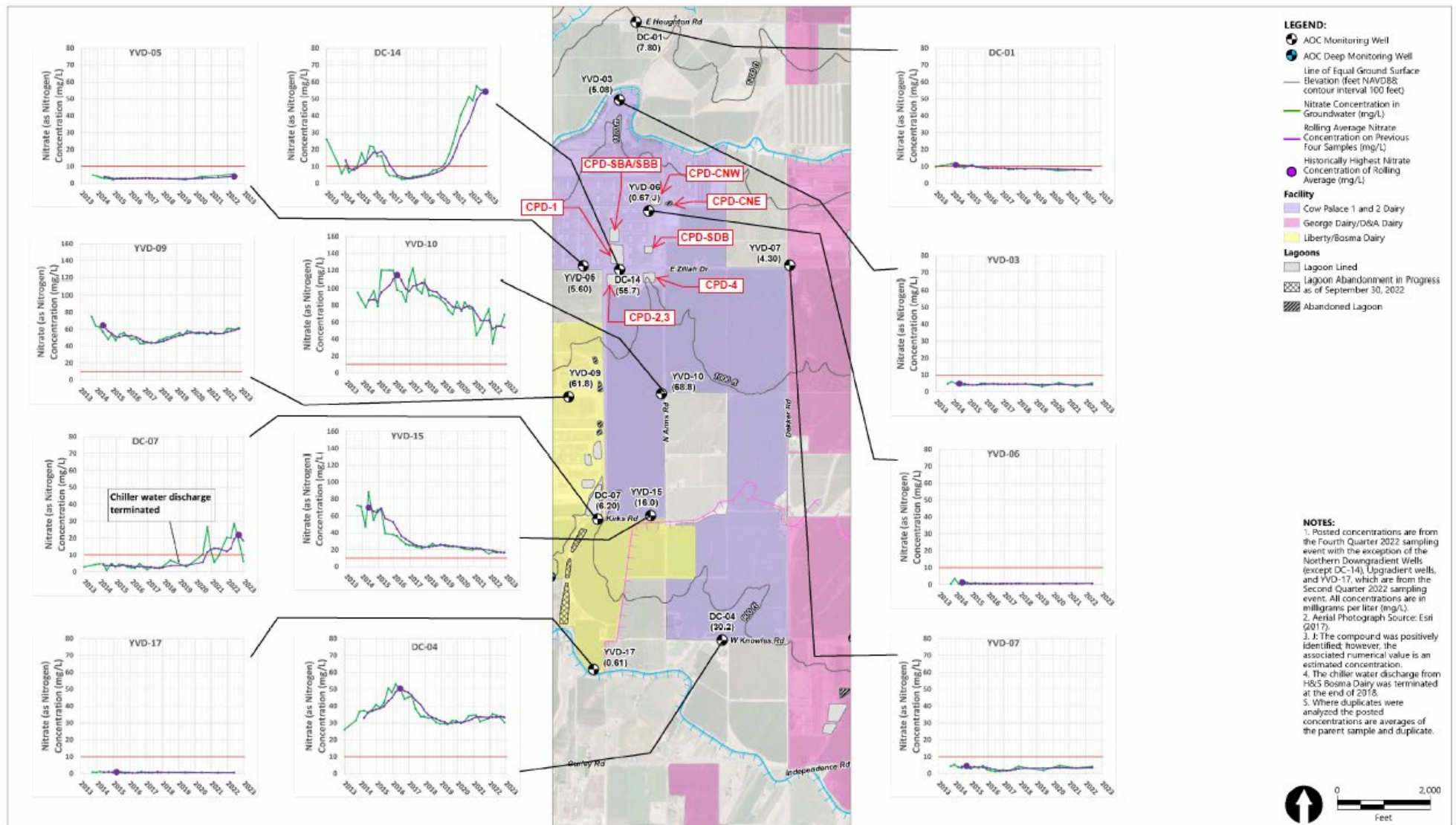
		George DeRuyter Dairy							D&A Dairy				Total		
									Consolidated ^a		Consolidated ^a				
Lagoon ID		1	2	3	4	SWC	DIG	DAF	NDN	1	2	3	(4)	TUP	
Initial Capacity (M gal)		4.3	10.7	5.8	4.5	0.73	n/a	n/a	n/a	8.8		2.4		1.7	38.9
Revised Capacity (M gal)		4.3	8.4	5.8	2.1	4.42	n/a	n/a	n/a	9.7		2.58		n/a	37.3
2016															
2017															
2018															
2019															
2020															
2021															
2022															

		Cow Palace Dairy							Total		
		Consolidated ^a		Consolidated ^a							
Lagoon ID		1	2	(3)	4	SBA	SBB	CNW	CNE	SDB	
Initial Capacity (M gal)		10.6	8.99		3.7	3.5		2.79	1.1	1.0	31.7
Revised Capacity (M gal)		13.8	24.3		3.7	3.5		2.79	na	0.7	48.8
2016											
2017											
2018											
2019											
2020											

Source: Anchor QEA, 2023c

YAKIMA VALLEY DAIRIES Progress of Lagoon Lining and Abandonments, 2022

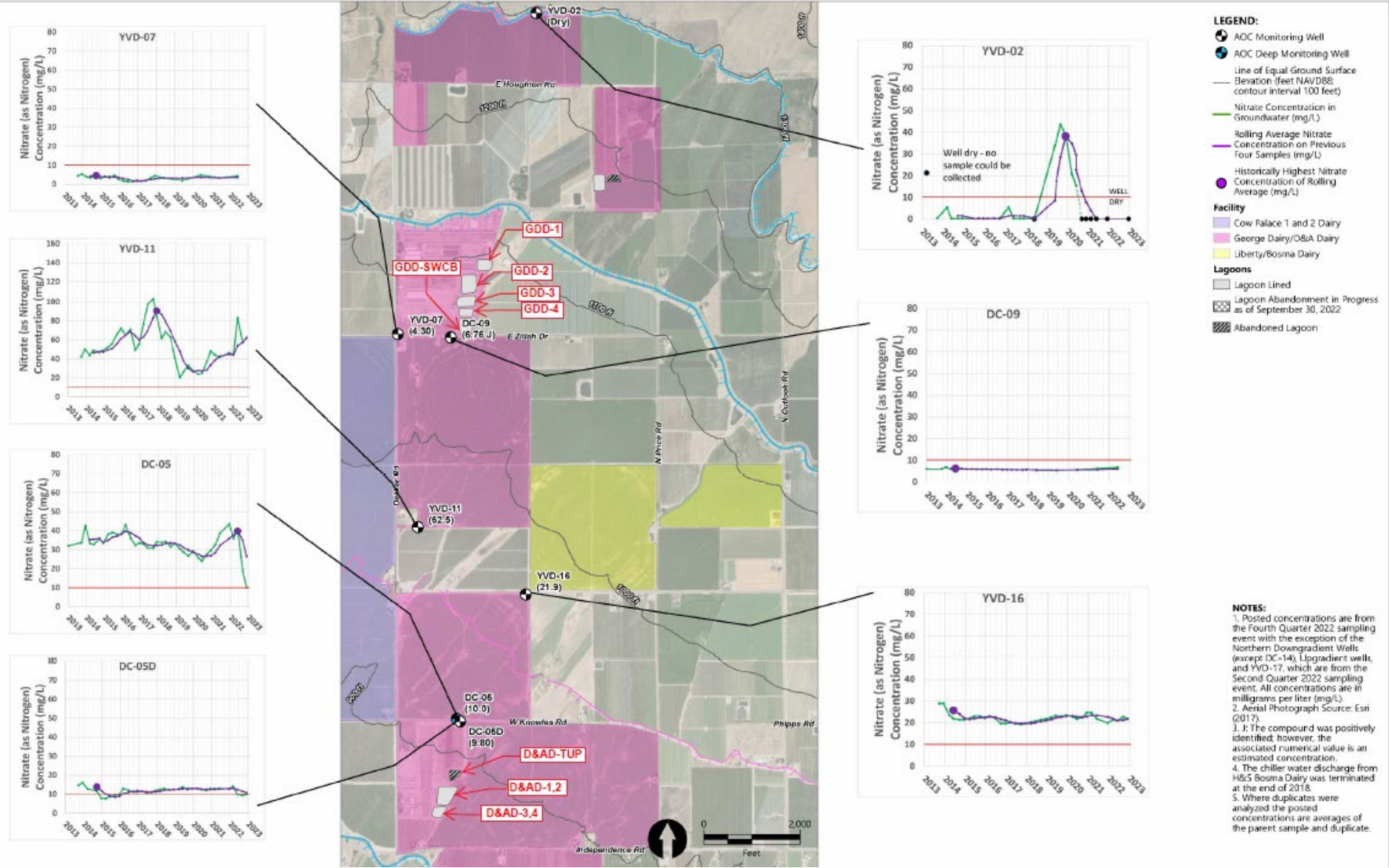
Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Anchor QEA, 2023c (red annotations added)

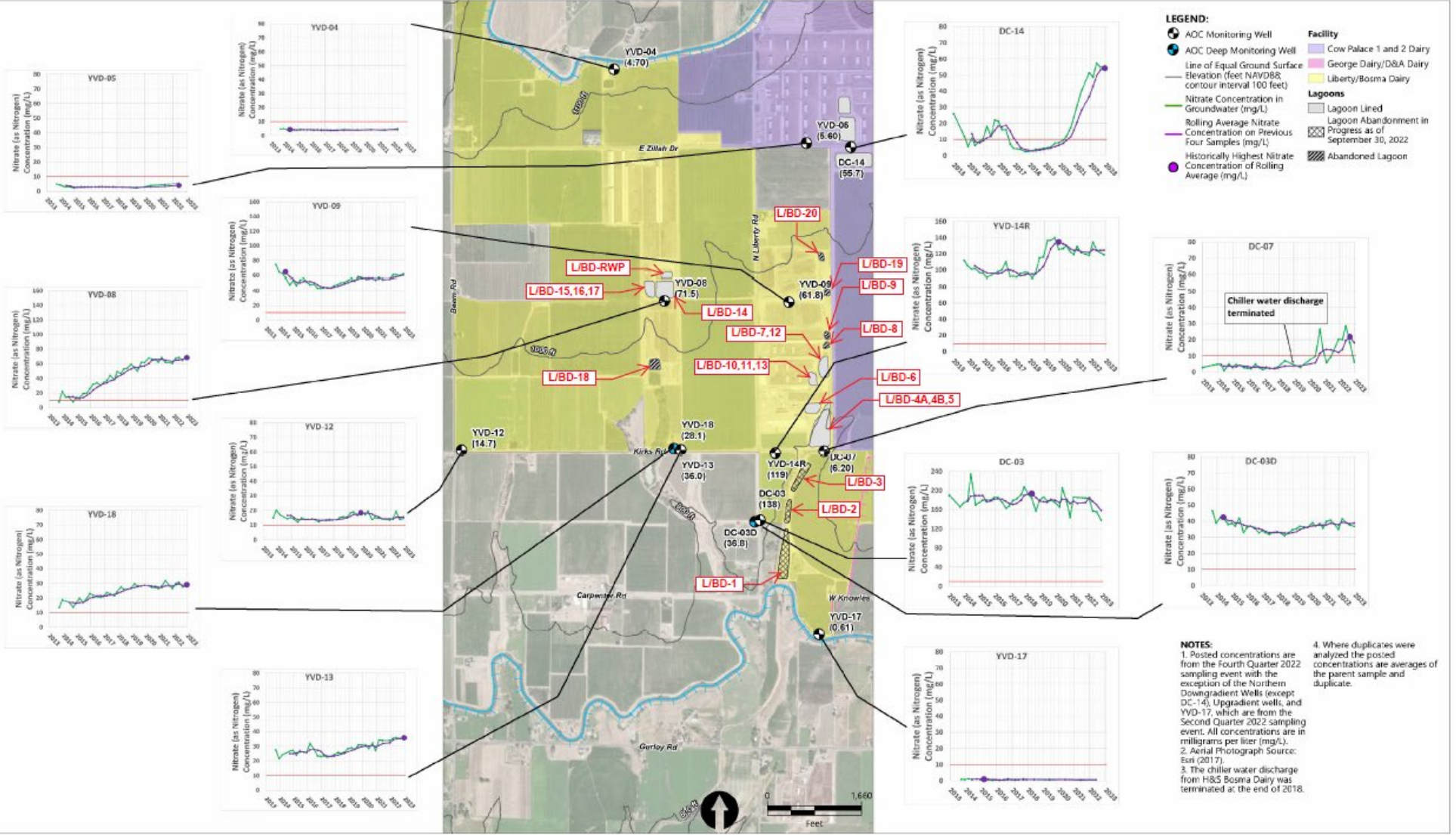
YAKIMA VALLEY DAIRIES Nitrate Trend Plots and Lagoon Locations, Central Area

Q:\Projects\DB23.1324_Yakima_Valley_Dairies\Final Documents\Schnaar Declaration



Source: Anchor QEA, 2023c (red annotations added)

YAKIMA VALLEY DAIRIES Nitrate Trend Plots and Lagoon Locations, Eastern Area



Publish Date: 2023/02/21, 8:24 AM | User: ahornst
 C:\msdshb\11666\mxd\1324\Docs\1324\1324_1324_Yakima_Valley_Dairies\Final_Documents\Schnaar_Declaration

Q:\Projects\1324_Yakima_Valley_Dairies\Final_Documents\Schnaar_Declaration

Source: Anchor QEA, 2023c (red annotations added)

Nitrate Trend Plots and Lagoon Locations, Western Area

YAKIMA VALLEY DAIRIES

Gregory Schnaar, Ph.D., P.G.

Principal Environmental Scientist/Hydrologist



Dr. Schnaar specializes in contaminant transport analysis in soil, groundwater, sediment and surface water, forensic environmental analyses, modeling, and watershed-scale hydrologic studies. He has managed a variety of environmental and water resource investigations, including quantitative evaluation of nutrients, chlorinated solvents, petroleum hydrocarbons, polychlorinated biphenyls (PCBs), poly- and perfluoroalkyl substance (PFAS), methyl tert-butyl ether (MTBE), perchlorate, metals, salts, and legacy pesticide-contamination, site investigations and remedial action alternatives analysis, vapor intrusion risk assessment, and development of cost allocations for remedial cost recovery.

EDUCATION

Ph.D., Soil, Water, and Environmental Science, University of Arizona, 2006

B.S., Environmental Science and Policy, University of Maryland, 2002

Dr. Schnaar has served as an expert technical consultant to the U.S. Environmental Protection Agency (EPA) Office of Ground Water and Drinking Water, New Mexico Environment Department (NMED), and the California State Water Resources Control Board. He has provided expert witness testimony related to fate and transport of contaminants and historical site operations relating to the potential for contaminant releases. He has taught courses in Environmental Science and Water Resources as a faculty member (2014 to 2017) and adjunct faculty member (2021) at the University of Maryland, College Park and an adjunct faculty member at George Washington University.

Representative Experience

Nitrogen Contaminant Fate and Transport Evaluation

Development of Watershed-Scale Integrated Surface-Water Groundwater and Nitrate Transport Model, California State Water Resources Control Board, Ventura County, California

Developed a GSFLOW-based integrated surface water/groundwater model of the Ventura River watershed for evaluation of management options to enhance instream flows consistent with the California Water Action Plan and reduce nitrate impacts associated with a TMDL regulation. Nitrate modeling conducted with MT3D-USGS and evaluated loading from various land-use types (e.g., agriculture, animal operations) and septic systems, variable nitrate degradation rates, and calibration to nitrate data from groundwater wells and streams.

Nitrate Transport Evaluation from Equestrian Facility (CAFO) to Groundwater and Creek, Confidential Client, Orange County, California

Performed technical evaluation of nitrate transport to groundwater and surface water in compliance with consent decree that required evaluation of (1) if the facility was capable of producing the functional equivalent of discharge to a local creek as defined in *County of Maui v. Hawaii Wildlife Fund*, and (2) evaluation of site-specific nitrate loading, vadose zone nitrate processes, nitrate loading to groundwater, groundwater flow rates and direction, and groundwater and nitrate discharge to the local creek. Oversaw collection of field data to inform groundwater flow direction and rates, streamflow and soil properties, and performed technical analysis including analytical modeling of nitrate transport in groundwater.

CERTIFICATION

Certified Professional Geologist, Virginia (License 2801002085)

Gregory Schnaar, Ph.D., P.G.

Page 2



Pathogen and Nitrate Transport Evaluation from Septic Systems and Evaluation of Potential Groundwater Impacts, Crestview Mutual Water Company, Camarillo, California

Evaluated potential pathogen and nitrate transport from septic systems in the vicinity of a planned municipal groundwater supply well. Pathogen transport in the vadose zone evaluated with HYDRUS model, and also based on a scientific literature review.

Evaluation of Impacts from Poultry Processing Facility to Surface Water, Private Land Owner, Higgins Millpond, Dorchester County, Maryland

Evaluated historical facility nutrient discharges, including from discharge monitoring reports (DMRs), in order to evaluate the role of permitted discharges from point source on nutrient loading to the Transquaking River and Higgins Millpond in support of comments on Maryland Department of the Environment (MDE) tentative determination draft permit.

Evaluation of Nutrient Loading Dynamics, Chesapeake Bay, Confidential Client, Maryland

Supporting confidential client in evaluation of nutrient and sediment loading rates and hypoxic volumes as impacted by climate, dams and other factors in support of litigation and regulatory compliance. Obtained monitoring data from Chesapeake Bay Program and Susquehanna River Basin Commission to perform critical evaluation of Chesapeake Bay Program assumptions and modeling and perform analysis of loading from specific jurisdictions.

Environmental Permitting Support and Evaluation of Salt and Nutrient Loading, Hollandia Produce LLC, Ventura County, California

Managed environmental permitting support for hydroponic lettuce production operation, including Conditional Use Permit (CUP) for Ventura County and a Waste Discharge Requirement/Water Recycling Requirement (WDR/WRR) for the Regional Water Quality Control Board (RWQCB). Developed quantitative evaluation of potential salt and nutrient impacts to groundwater based on a modification of the published U.S. EPA two-dimensional mixing-model approach that incorporates salt and nutrient contribution from upgradient areas of the watershed.

Hydrogeologic Characterization, Groundwater Balance, and Selenium and Nutrient Transport Evaluation, Newport Bay Watershed, Orange County Public Works, Orange County, California

Technical lead on watershed-scale assessment of selenium loading to surface water channels leading into Upper Newport Bay. Project included watershed modeling of recharge from deep percolation, groundwater/surface water balance estimation, selenium and nutrient loading evaluation, identification of data gaps and recommendations for next steps for control of selenium and nutrient loading.

Nitrate Transport Evaluation from Agriculture and Septic Systems, Confidential Client, Monterey County, California

Evaluation of nitrate impacts to a community water well from agricultural sources and a commercial septic system to support response to a Regional Water Quality Control Board Cleanup and Abatement Order (CAO). Reviewed historical documents and data, performed spatial analysis of nearby sources, hydrogeologic evaluation and nitrate transport modeling.

Dairy Grazing Nitrate Contamination Study, University of Maryland, College Park, Maryland

As undergraduate research assistant assisted in field-scale study of nitrate contamination associated with intensive dairy grazing at farms in Maryland. Collected groundwater and unsaturated-zone water samples at dairy facilities throughout Maryland and prepared samples for laboratory analysis.

Gregory Schnaar, Ph.D., P.G.

Page 3



Contaminated Soil and Groundwater

Age-Dating of Chlorinated Solvent Release, Clean Harbors Kansas LLC, Wichita, Kansas

Testifying expert, reviewed historical facility records dating to 1970s, industrial practices and operations, and environmental data in soil and groundwater to determine location and timing of chlorinated solvent releases relative to property ownership transfer. Provided consultation and expert trial testimony in Delaware Superior Court jury trial.

1,4-Dioxane Transport Evaluation in Soil and Groundwater, Confidential Client, Louisiana

Testifying expert, evaluated 1,4-dioxane transport in soil and groundwater at former production facility to assess timing of releases in support of ongoing arbitration. Conducted vadose-zone model simulations using HYDRUS-2D to evaluate timing of 1,4-dioxane transport in soils under various scenarios including releases from a leaking sump and pipeline or stormwater swale. Submitted expert rebuttal reports and provided deposition and arbitration hearing testimony.

Evaluation of MTBE and Petroleum Hydrocarbon Impacts, Confidential Client, Pennsylvania

Testifying expert, evaluated MTBE impacts to groundwater associated with individual service stations in support of litigation. Analyses included review of MTBE data in groundwater monitoring wells, aerial photographs, historical records, groundwater flow evaluation, contaminant transport modeling and site visits.

Quality Assurance Manager, Griggs Walnut Superfund CERCLA Site, Las Cruces, New Mexico

Responsibilities include oversight and review of all project field sampling and reporting for federal Superfund Site with tetrachloroethene (PCE) as primary contaminant of concern. Identified issues in existing groundwater monitoring network (FLUTE wells) and developed strategy to revise groundwater monitoring program accordingly.

Evaluation of Mercury Contamination to Soils at former Chlor-Alkali Facility CERCLA Site, Confidential Client, New Jersey

Assisted confidential client in negotiations with U.S. EPA related to remedial cost allocation at CERCLA Site. Evaluated mercury impacts to soil and tidally influenced ditches as influenced by stormwater discharge and coastal flooding.

PFAS Investigation and Modeling at Cannon and Holloman Air Force Bases, New Mexico Environment Department, New Mexico

Investigation of the extent of PFAS impacts to surface water and groundwater in the vicinity of two Air Force Bases from use of AFFF. DBS&A performed field sampling to delineate the extent of PFAS impacts. Performed analytical and numerical modeling to predict future groundwater impacts under various scenarios and fill data gaps. Final technical reviewer of reports submitted to NMED.

Technical Reviewer, PFAS Site Characterization and Remediation, Northern Michigan

Retained by insurance company covering site characterization and remediation costs related to AFFF releases at municipal airport. Provided comment and direction regarding site characterization methods, data gaps, remedial approaches, potential additional PFAS sources and reasonableness of costs.

Source Identification, PFAS Contamination to Groundwater, Confidential Client, Maine

Evaluating available data regarding paper mill operations, waste water discharges, biosolids spreading, and surface and groundwater hydrology to assess impacts of paper mill waste disposal on domestic groundwater wells in support of litigation.

Gregory Schnaar, Ph.D., P.G.

Page 4



PFAS Rulemaking Comments Support, City of Las Cruces, New Mexico

Supported City of Las Cruces in developing technical comments on the U.S. EPA proposed PFAS National Primary Drinking Water Regulation. Comments covered topics related to Monitoring and Compliance Requirements, Treatment Technologies and Methods for Cost Estimating.

Source Identification, PFAS Contamination to Groundwater, Confidential Client, Michigan

Evaluated PFAS data in groundwater at municipal production, domestic, and monitoring wells to determine source(s) of contamination. Evaluated operational history associated with multiple facilities, aerial photography, PFAS occurrence and chemical signatures, groundwater flow directions and previously-developed well-head protection area mapping.

Technical Reviewer, PFAS Site Characterization and Interim Water Replacement Measures, Central California

Retained by insurance company covering site characterization, remediation, and water replacement costs related to aqueous film-forming foam (AFFF) releases at municipal airport. Provided detailed comments and technical direction regarding site characterization methods, potential additional PFAS sources, water replacement options for 50 residences and business with potentially impacted private wells (point-of-entry, point-of-treatment, and municipal water supply line extension) and negation of voluntary cleanup agreement with the Regional Water Board.

Technical Committee Member, North Bronson Industrial Area Superfund CERCLA Site, Bronson, Michigan

Member of technical oversight committee for Superfund site, including oversight of contractor Remedial Investigation/Feasibility Study (RI/FS) development and coordination with U.S. EPA and Michigan Department of Environmental Quality. Developed investigation and remedial-cost allocation strategy for four parties that disposed of wastes to the industrial sewer system. Potential contaminants of concern include metals, chlorinated solvents (TCE/PCE), and PFAS.

Dry Cleaner Investigation, San Roque Cleanup Trust, Former Dutchmaid Cleaners Perchloroethylene Site, Santa Barbara, California

Managed investigation of soil contamination impacts from an active dry-cleaning facility that historically used tetrachloroethene (PCE) in operations. Responsible for staff and sub-contractor management, site access and property manager/business owner coordination, budgeting, reporting, and soil sampling from direct-push soil cores.

Evaluation of PCE impacts from multiple dry-cleaner facilities, Confidential Client, Visalia, California

Performed soil-vapor transport modeling and evaluated facility records to ascertain PCE impacts to soil and groundwater from three separate dry-cleaning facilities, including from disposal of dry-cleaning wastewater to the sanitary sewer system and subsequent leakage.

Non-Aqueous Phase Liquid Infiltration and Vapor Transport Modeling, Confidential Client, Orange County, California

Developed numerical model to evaluate infiltration of chlorinated solvents for conditions representative of a contaminated property, and subsequent migration in vapor and pore-water (TOUGH2-T2VOC). Modeling was used to evaluate the fate of chlorinated solvents in the subsurface and potential groundwater impacts, and to support client in litigation.

Gregory Schnaar, Ph.D., P.G.

Page 5

**Groundwater Treatment System and Perchlorate Impact Evaluation, San Bernardino County, California**

Evaluated groundwater treatment system operation, including groundwater capture-zone width and capture in order to provide technical response to comments on County Operations Maintenance Monitoring Plan (OMMP) for the Rialto Groundwater Treatment System. Assessment included evaluation of perchlorate and VOC data from a network of several dozen multi-port wells and differentiation of impacts from a separate perchlorate plume from source east of Mid-Valley Sanitary Landfill.

Evaluation of Chromium Leaching from Industrial Disposal to Surface Water Channel and Allocation Analysis, Confidential Client, Los Angeles, California

Project manager for evaluation of historical chromium contamination to groundwater from several sources, including waste-water disposal to the Los Angeles River and channelized tributaries. Historical documents and aerial imagery used to develop timeline of channel construction and industrial operations from the 1920s to the 1960s. Multi-party remedial allocation conducted using several methodologies including based on area and mass of groundwater contamination associated with various facilities.

Evaluation of Natural Attenuation of Chlorinated Solvents in Groundwater from Former Landfill, Confidential Client, Contra Costa County, California

Evaluated groundwater geochemistry in regards to favorability for reductive dechlorination of chlorinated solvents released from a former landfill, in order to assess impacts to downgradient properties. Analysis was based on U.S. EPA guidance on the use of monitored natural attenuation at Superfund sites, and evaluated groundwater redox geochemistry, isotope analysis, the presence of degradation daughter products, and analytic biodegradation modeling.

Evaluation of Remedial Measures and Petroleum Hydrocarbon Migration from Leaking Pipeline, Confidential Client, Baltimore, Maryland

Petroleum hydrocarbons leaking from pipeline have migrated through soil to stormwater system, leading to release to the Baltimore Harbor. Evaluated appropriateness of remedial measures to repair stormwater system and recover petroleum hydrocarbons from water table.

Evaluation of Groundwater Impacts from Coal Fly-Ash Disposal in Former Gravel Mine and Numerical Modeling, Confidential Client, Anne Arundel County, Maryland

Evaluated potential downgradient groundwater impacts by sulfate, aluminum, and other inorganic constituents from leaching through fly-ash disposal pits. Previous numerical modeling was reviewed to assess assumptions regarding regional hydrogeology, groundwater flow and transport, and applicability of the model for assessing downgradient impacts.

Statistical Trend Analysis, Groundwater Modeling, and LNAPL Recovery Plan, Clean Harbors El Dorado Incineration Facility, El Dorado Arkansas

Support Clean Harbors El Dorado in annual RCRA groundwater monitoring requirements including statistical trend tests, numerical groundwater modeling, contaminant transport modeling, and LNAPL recovery analysis. Contaminants of concern include VOCs, SVOCs and metals.

RCRA Facility Investigation and Corrective Measures Study, Clean Harbors Arizona, LLC, Phoenix, Arizona

Manage development and implementation of RCRA Facility Investigation (RFI) and Corrective Measures Study (CMS) for facility with volatile organic compound (VOC) impacts in soil vapor and groundwater. Successfully negotiated with Arizona Department of Environmental Quality to continue interim remedial measures (soil

Gregory Schnaar, Ph.D., P.G.

Page 6



vapor extraction) performed at the site as ongoing corrective measure. Conducted SVE rebound testing in support of final Site closure.

Numerical Model Design for Evaluation of Vadose Zone Contamination from Petroleum Refinery, Confidential Client, Philadelphia, Pennsylvania

Designed a multiphase flow vadose zone model (TOUGH2-T2VOC) to evaluate impacts from release of large quantities of petroleum hydrocarbons from a refinery and adjacent property. The model was used to examine the behavior of light non-aqueous phase liquid (LNAPL) in the vadose zone and at the groundwater table over a period of several decades in support of allocating contribution from separate facilities to LNAPL contamination.

Evaluation of MTBE and Petroleum Hydrocarbon Impacts, Confidential Client, New York and New Hampshire

Evaluated MTBE impacts to groundwater associated with numerous individual service stations in support of litigation. Analyses included review of underground storage tightness testing, MTBE data in groundwater monitoring wells, aerial photographs, historical records, groundwater flow evaluation, and contaminant transport modeling.

Development of Remedial Cost Allocation for Multi-Party Contaminated Site, Confidential Client, Santa Clara County, California

Developed allocation for remedial costs associated with VOCs vadose zone and groundwater contamination. Allocation analysis also included assessment of previous remedial actions that likely exacerbated contamination and increased long-term remedial costs.

Groundwater Monitoring Program, San Roque Cleanup Trust, Former Dutchmaid Cleaners Perchloroethylene Site, Santa Barbara, California

Task manager for groundwater monitoring program at chlorinated solvent-contaminated site. Semi-annual monitoring program for standard volatile-organic compounds (VOCs), remedial performance indicator parameters, 1,4-dioxane and groundwater levels from a network of over fifty monitoring wells.

Numerical Model Design, Hexcel, Kent, Washington

Designed numerical groundwater model for investigation of groundwater flow and transport of chlorinated solvents at a facility located in Kent, Washington. The model was used to predict well capture zones associated with a pump-and-treat remedial effort and evaluate alternative remedial strategies.

Aquifer Testing and Analysis and Ambient Groundwater Monitoring Program, Freeport-McMoRan Sierrita Mine, Green Valley, Arizona

Conducted multiple aquifer tests in vicinity of properties impacted by copper mine tailings. Analyzed current and historic aquifer test results in order to develop a three-dimensional understanding of the variability of hydraulic conductivity and storage parameters downgradient of mine tailings.

Pore-Scale Imaging Research, National Institute of Environmental Health Sciences Superfund Basic Research Program, University of Arizona, Tucson, Arizona

Designed and conducted experiments for pore-scale imaging of non-aqueous phase liquid (NAPLs) in natural sands. Research project included use of a cutting-edge optical technique for imaging of pure-phase chlorinated solvents in natural sandy media in order to observe NAPL migration and dissolution at the pore scale.

Gregory Schnaar, Ph.D., P.G.

Page 7

**Research on Non-Ideal Sorption of Volatile Organic Compounds in Soil, University of Arizona, Tucson Arizona**

Conducted physical and numerical experiments investigating the impact of non-ideal sorption on low-concentration elution tailing of chlorinated solvents and pesticides. Research involved conducting laboratory column flushing experiments, sample chemical analysis, and data interpretation with a numerical model. Results have been published in several peer-reviewed journals and presented at various international scientific meetings.

Indoor Air Vapor Intrusion**LNAPL Remediation and Vapor Intrusion Assessment at Kirtland Air Force Base, New Mexico Environmental Department, Albuquerque, New Mexico**

Reviewed historical data and documentation regarding LNAPL occurrence, petroleum hydrocarbons and BTEX to provide NMED with an independent assessment of the need for a vapor intrusion investigation and additional data needs for remedial planning associated with LNAPL in the vadose zone and submerged under the groundwater table.

Vapor Intrusion Risk Assessment, Freedom Blvd. & Vicinity, City of Watsonville, California

Performing a remedial investigation and vapor intrusion risk evaluation, including an indoor air/crawlspace/sub-slab sampling program for area downgradient of former dry-cleaning operations.

Vapor Intrusion Risk Assessment, San Roque Cleanup Trust, Former Dutchmaid Cleaners Perchloroethylene Site, Santa Barbara, California

Technical lead for vapor intrusion risk assessment for 22-acre chlorinated-solvent contaminated site with contribution from three separate dry-cleaning facilities. Oversaw field-testing for soil vapor diffusivity and soil moisture, which was used to justify a lower risk of vapor intrusion compared to default CalEPA assumptions. Vapor intrusion risk assessment approved by California state regulators with the Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), and Office of Environmental Health Hazard Assessment (OEHHA).

Vapor Intrusion Assessment, Confidential Client, Dayton, Ohio

Evaluated vapor intrusion at residential and commercial properties downgradient of a large chlorinated solvent contaminated site, and several smaller sites contributing minor plumes, in support of a class-action lawsuit. Performed extensive data analysis of indoor air and sub-slab vapor data collected from hundreds of residences, and groundwater data from a network of over fifty monitoring wells.

Vapor Intrusion Assessment, Confidential Client, Los Angeles County, California

Project manager and technical lead in vapor intrusion assessment at a low-income housing complex in Los Angeles County. Vapor intrusion modeling involved development of a spreadsheet based partitioning model to predict multi-component vapor concentrations in presence of liquid petroleum hydrocarbons, and Johnson-Ettinger modeling of sub-slab vapor transport to indoor air.

Contaminated Sediments and Waterways**Contaminated Sediment Source Identification (PCBs) and Evaluation of Allocation Approaches, Confidential Client, Lower Duwamish Waterway CERCLA Site, Washington State**

Testifying expert, evaluated stormwater solids, sediment data, regional sediment transport modeling and facility history from multiple facilities located along the Lower Duwamish Waterway for source identification of PCBs and other contaminants found in sediment for source attribution and remedial cost allocation.

Gregory Schnaar, Ph.D., P.G.

Page 8



Contaminated Sediment Source Identification (PCBs) and Remedial Investigation Review, Confidential Client, Southern California

Retained as subject matter expert to assist confidential client in compliance with a Regional Water Quality Control Board mandated Investigative Order related to sediment contamination (including PCBs, PAHs and metals) and remedial cost allocation amongst several parties claimed to have contaminated bay sediments. Oversaw sediment characterization field activities (core and grab sampling).

Contaminated Sediment Source Identification/Attribution Analysis at CERCLA Site, Confidential Client, New York/New Jersey

Evaluated chemistry data in waterway to identify source(s) and demonstrate that client did not contribute mercury to sediments requiring remediation based on mercury and other contaminant distribution in sediments, ecological risk analysis results, history of operations and waste management practices, soil sampling data, review of flooding/hurricane impacts, and aerial photography review.

Pollutant Loading Analysis, Cottonwood Sand Mine and Sweetwater Reservoir, San Diego County, California

Developed pollutant load analysis for planned aggregate mine located upstream of Sweetwater Reservoir to evaluate potential water-quality impacts of sediment erosion on the reservoir. Performed sediment erosion modeling (WEPP) and sediment transport analysis in Sweetwater River upstream of the reservoir.

Evaluation of Remediation Options for Non-Point Watershed Legacy Contaminants (PCBs/pesticides) in Lakebed Sediment, Private Land Owner, McGrath Lake, Ventura County, California

Consulting expert for compliance with a total maximum daily load (TMDL) regulation regarding legacy pesticides and PCBs bound to lakebed sediments. Provided peer review comments on field methods and data analysis approaches used to characterize the lakebed sediment contamination by University of California researchers.

Evaluation of Groundwater and Surface Water Impacts to Chesapeake Bay tributary, Confidential Client, Virginia

Evaluated potential arsenic and PAH impacts from coal-fly landfill and natural background sources in groundwater and surface water for a major tidal tributary of the Chesapeake Bay in support of litigation under the Clean Water Act.

Contaminant Source Identification to Lake Calumet and Remedial Cost Allocation, Confidential Client, Chicago, Illinois

Performed quantitative analyses and reviewed historical documentary evidence regarding multiple parties that operated on constructed piers in Lake Calumet. Developed opinion on contaminant source and timing of releases. Provided testimony during settlement hearing in United States District Court, Northern District of Illinois. Additionally, performed surface-water modeling to estimate contaminant concentrations in Lake Calumet.

Water Resources and Regional Hydrologic Studies

Ventura River Watershed Adjudication, California Attorney General's Office, Ventura County, California

Testifying expert, to date provided four opinion reports regarding connectivity of surface water and groundwater in the Ventura River Watershed.

Gregory Schnaar, Ph.D., P.G.

Page 9



Peer-Review of Groundwater Sustainability Plan, San Luis Obispo Valley, San Luis Obispo County, California

Performed independent peer review of groundwater and surface-water modeling in support of GSP. Provided comments on the adequacy of surface water and groundwater calibration, assumptions, and modeling approach.

Hydrogeologic Assessment and Numerical Watershed/Groundwater Flow Model Design, San Antonio Creek Watershed, Ojai Basin Groundwater Management Agency, Ojai, California

Project manager and lead modeler for development of a watershed-scale linked distributed parameter watershed-MODFLOW SURFACT groundwater model. Model calibration included transient effects of recharge from deep percolation, groundwater pumpage, and groundwater recharge from and discharge to San Antonio Creek and smaller tributaries.

Groundwater Balance Development for Groundwater Sustainability Plans (GSPs), Fox Canyon Groundwater Management Agency, Ventura County, California

Project manager for development of groundwater budgets for the Oxnard, Pleasant Valley, Arroyo Santa Rosa, and Las Posas Basins for Sustainable Groundwater Management Act compliance.

Santa Paula Basin Safe Yield Determination, United Water Conservation District, Ventura County, California

Managed development of watershed-scale distributed parameter watershed model of the Santa Paula Creek subwatershed and comprehensive water balance and safe yield evaluation for the Santa Paula Basin. Safe yield and hydrogeologic evaluation based on accounting for all significant groundwater inflow and outflows and changes in groundwater storage as evaluated from statistical analysis of available groundwater hydrographs.

Evaluation of Numerical Model Estimates of Aquifer Recharge, Indio Water Authority, Indio, California

Project manager for review of the Coachella Valley Groundwater Model, a MODFLOW model that has been used for groundwater management planning and estimates of groundwater recharge from water spreading pond facilities. Provided Indio Water Authority with independent evaluation of model assumptions and implementation, and resulting limitations of conclusions regarding groundwater recharge assessments.

Groundwater Level and Water Quality Sampling Program, Ventura County Watershed Protection District, Ventura County, California

Project manager for field sampling program initiated to satisfy California state requirements regarding groundwater monitoring, and gather important data for understanding transient groundwater levels, geologic occurrence, and groundwater quality in the Ojai Groundwater Basin. Authored monitoring plan, quality assurance project plan (QAPP), and semi-annual monitoring reports.

Hydrologic Investigation of Groundwater Flow at Salt River Landfill, Salt River Pima Maricopa Indian Community, Scottsdale, Arizona

Managed numerical model development and hydrologic investigation of groundwater flow at Salt River Landfill in Scottsdale, Arizona. Project entailed predicting the change in groundwater levels at the landfill as impacted by the Granite Reef Underground Storage Project (GRUSP) and flow in the Salt River due to concerns of raising groundwater levels breaching the bottom of the landfill.

Hydrologic and Water Quality System Project, U.S. EPA, Washington, D.C.

Provided support related to management of the Hydrologic and Water Quality System project, which aims to provide U.S. EPA with a state-of-the-art water quality computational model that is national and regional in

Gregory Schnaar, Ph.D., P.G.

Page 10



scope. Project work entailed review of project reports, coordination with partner agencies at U.S. EPA and the U.S. Department of Agriculture, and development of project scopes and timelines.

Geologic Sequestration of Carbon Dioxide

EPA Class VI, California CARB LCFS and EPA MRV Plans, Confidential Client, California

Retained to provide support to various permit applications for basins throughout California, including assistance with all permitting requirements.

California CARB LCFS and EPA MRV Plans, Confidential Client, Wyoming

Retained to provide support to CARB permit for basins in Wyoming, including assistance with all permitting requirements.

EPA Class VI, California CARB LCFS and EPA MRV Plans, Confidential Client, Nebraska

Retained to provide support to selected portions of permit applications for basin in Nebraska.

Geologic Sequestration Class VI Permit Application, Frontline Bioenergy LLC, San Joaquin Valley, California

Proposed facility will convert unwanted orchard residues into renewable natural gas and is evaluating geologic sequestration for disposal of generated carbon dioxide. Prepared and submitted Class VI permit application to U.S. EPA Region 9 and currently developing CARB permanence certification application.

Geologic Sequestration Technical Guidance Documents, The Cadmus Group/U.S. EPA Office of Ground Water and Drinking Water, Washington, D.C.

Expert technical contractor for five technical guidance documents published by U.S. EPA Underground Injection Control program regarding geologic sequestration of carbon dioxide, including modeling development and evaluation. The technical guidance documents provide permitting support to owners and operators of geologic sequestration facilities and state regulators as related to monitoring, multi-phase numerical modeling, operation, and injection well integrity testing.

Review and Technical Comments on FutureGen Underground Injection Control Permit Application for Class VI Wells, Illinois

Reviewed and provided technical comments on FutureGen permit applications on behalf of private landowner in vicinity of proposed project. Expert opinion reports submitted as public comment to U.S. EPA Region 5 and subsequently to the EPA Environmental Appeals Board.

Review of Archer Daniels Midland Company Underground Injection Control Permit Application for Class VI, Geologic Sequestration, The Cadmus Group/U.S. EPA Office of Ground Water and Drinking Water, Washington, D.C.

Provided assessment of permit application submitted to U.S. EPA Region 5 for injection of carbon dioxide for geologic sequestration. Evaluated completeness of permit application as compared to Underground Injection Control regulations and identified discrepancies in technical submittals. Specifically evaluated documentation of numerical modeling conducted to demonstrate non-endangerment of groundwater resources.

Additional Professional Training

OSHA 40-hour HAZWOPER Training

TOUGH2, including T2VOC

ESRI ArcGIS and QGIS

Gregory Schnaar, Ph.D., P.G.

Page 11



GSFLOW, MODFLOW, MODPATH, MT3D and Groundwater Vistas

Soil Water Assessment Tool (SWAT)

Publications and Presentations***Peer-Reviewed Journal Articles***

Associate Editor, Groundwater, 2012 to present

Schnaar, G., J. Dodge and S.J. Cullen, 2016 (invited paper). Comprehensive groundwater balance development to characterize selenium loading to surface water channels in Orange County, California. *Journal of Contemporary Water Research and Education*, 159: 5-23.

Schnaar, G. and M.L. Brusseau. 2014. Nonideal transport of contaminants in heterogeneous porous media: 11. Testing the experiment condition dependency of the continuous distribution rate model for Sorption-Desorption. *Water Air Soil Pollut (2014)* 225:2136.

Schnaar, G., T. Umstot, and S.J. Cullen. 2013. Correction To: "Birkholzer, J.T. et al., 2011, Brine flow up a well caused by pressure perturbation from geologic carbon sequestration: Static and dynamic evaluations. *International Journal Greenhouse Gas Control*; Vol. 5: 850-861." *International Journal of Greenhouse Gas Control*, 17: 542-543.

Schnaar, G., and M.L. Brusseau. 2013. Measuring equilibrium sorption coefficients with the miscible-displacement method. *Journal of Environmental Science and Health, Part A*, 48: 355-359.

Brusseau, M.L., G. Schnaar, G.R. Johnson, and A.E. Russo. 2012. 10 - Impact of co-solutes on sorption of tetrachloroethene by porous media with low organic-carbon contents. *Chemosphere*, 89: 1302-1306.

Brusseau, M.L., A.E. Russo and G. Schnaar. 2012. Nonideal transport of contaminants in heterogeneous porous media: 9 - Impact of contact time on desorption and elution tailing. *Chemosphere*, 89: 287-292.

Russo, A., Johnson, G.R., Schnaar, G., and M.L. Brusseau. 2010. Nonideal transport of contaminants in heterogeneous porous media: 8. Characterizing and modeling asymptotic contaminant-elution tailing for several soils and aquifer sediments. *Chemosphere*, 81(3): 366-371.

Schnaar, G. and D.C. Digiulio. 2009. Computational modeling of the geologic sequestration of carbon dioxide. *Vadose Zone Journal* 8: 389-403.

Brusseau, M.L., Narter, M., Schnaar, G. and Marble, J. 2009. Measurement and Estimation of Organic-liquid/Water Interfacial Areas for Several Natural Porous Media. *Environmental Science & Technology*, 43(10): 3619-3625.

Brusseau M.L., Janousek H., Murao A., and G. Schnaar. 2008. Synchrotron X-ray microtomography and interfacial partitioning tracer test measurements of NAPL-water interfacial areas. *Water Resources Research*. 44, W01411.

Brusseau, M.L., Peng, S., Schnaar, G., and A. Murao. 2007. Measuring air-water interfacial areas for a sandy porous medium: comparing X-ray microtomography and partitioning tracer tests. *Environmental Science and Technology*. 41(6) 1956-1961.

Schnaar, G. and M.L. Brusseau. 2006. Characterizing pore-scale dissolution of organic immiscible liquid in natural porous media using synchrotron X-ray microtomography. *Environmental Science and Technology*. 40(21) 6622-6629.

Gregory Schnaar, Ph.D., P.G.

Page 12



Schnaar, G. and M.L. Brusseau. 2006. Characterizing pore-scale configuration of organic immiscible-liquid in multi-phase systems with synchrotron X-ray microtomography. *Vadose Zone Journal* 5: 641-648.

Brusseau, M.L., Peng S., Schnaar, G., and M. Costanza-Robinson. 2006. Relationships among air-water interfacial area, capillary pressure, and water saturation for a sandy porous medium. *Water Resources Research*. 42, W03501.

Schnaar, G. and M.L. Brusseau. 2005. Pore-scale characterization of organic immiscible-liquid morphology in natural porous media using synchrotron X-ray microtomography. *Environmental Science and Technology*. 39(21) 8403-8410.

Government Reports and Professional Trade Publications

Woodward N.B., Levine, A. D., Singer, M., Kobelski, B.J., Fries, J.S., Schnaar, G., Burruss, R.C., Duncan, D., Glynn, P., Neuzil, C., Huntsinger, R., Osvald, K.S., Carlson, C.P. 2008. *Water Resources Research Needs Associated with Implementation of Geologic Sequestration of Carbon Dioxide*. A report to the White House Office of Science and Technology Policy, Committee on Environment and Natural Resources, Subcommittee on Water Availability and Quality.

Schnaar, G. and D.C. Digiulio. 2008. Computational modeling of underground injection of carbon dioxide for determination of area of review and potential risk to underground sources of drinking water. Supporting document to: Federal Requirements Under the Underground Injection Control (UIC) Program for Carbon Dioxide (CO₂) Geologic Sequestration (GS) Wells; Proposed Rule. *Federal Register* Vol. 73, No. 144, Friday, July 25, 2008.

Schnaar G., and S.J. Cullen. 2009. The Hydrology of Geologic Sequestration. *Southwest Hydrology*, 8: 20-21.

Schnaar, G. 2008. U.S. EPA Development of a Proposed UIC Rule for Geologic Sequestration of CO₂. *National Ground Water Association, AGWSE Newzine*, July 16 2008.

Conference Presentations

Schnaar, G., C. Wolf, D. Schwartz, S. Finsterle. 2023. Permit Application Development for Planned Saline Formation Injection Project in San Joaquin Valley, California. *Carbon Capture, Utilization and Storage (CCUS) Conference*, University of Houston, Houston, TX. April 26, 2023.

Schnaar, G. 2022. Planned Geologic Sequestration of Carbon Dioxide at the San Joaquin Renewables Project and Class VI Application Process. *American Groundwater Trust California Groundwater Conference*. Lakewood, California, March 30, 2022.

Schnaar, G. 2019. PFAS Forensics: How to Identify Potentially Responsible Parties.

- Law Seminars International, PFAS Litigation Conference (webinar). New York, NY, October 29, 2020.
- Law Seminars International, PFAS Litigation Conference. San Diego, CA, December 9, 2019.

Schnaar, G. 2019. Poly- and Perfluoroalkyl Substances: Sources and Source Identification. *National Groundwater Association PFAS Management, Mitigation, and Remediation Conference*, Westerville, OH. June 19 2019.

Schnaar, G. 2019. Poly- and Perfluoroalkyl Substances: Wide-Ranging Sources and Impacts to Water Supplies.

- American Ground Water Trust, Managing Florida's Aquifers Annual Conference. Orlando, Florida, October 1, 2019.

Gregory Schnaar, Ph.D., P.G.

Page 13



- American Ground Water Trust Information Exchange Workshops “PFAS: Solutions to Legacy Groundwater Contamination” in Pittsburgh, PA (March 4, 2019), Mount Laurel, NJ (March 6, 2019), Phoenix, AZ (July 11, 2019), Albuquerque, NM (July 24, 2019), NJ/MD/DE (September 2, 2020 via webinar), Arizona (September 24, 2019 via webinar).
- American Ground Water Trust Texas Aquifer Conference. Austin, Texas, June 12 2019.
- American Ground Water Trust/Association of Ground Water Agencies joint Annual Conference. Ontario, California, February 12, 2019.

Schnaar, G. 2018. Use of Analytical Contaminant Fate and Transport Modeling in Forensic Source Evaluation. Annual Conference of the International Network of Environmental Forensics. Salt Lake City, Utah, June 25 - 27, 2018.

Schnaar, G. 2017. Lessons learned in developing defensible groundwater budgets and evaluating sustainability indicators. American Ground Water Trust/Association of Ground Water Agencies joint Annual Conference. Ontario, California, February 15-16, 2017.

Cullen, S.J., G. Schnaar, and M. Cruikshank, 2016. Groundwater Planning and Estimating Safe Yield in California under the Sustainable Groundwater Management Act. Hydrology and the Law, Law Seminars International, Santa Monica, California, September 16, 2016.

Schnaar, G. 2015. Selenium Loading from Groundwater to Newport Bay, Orange County, California. Presentation at the Geological Society of America 2015 Annual Meeting, Baltimore, Maryland. November 1, 2015.

Schnaar, G., Blandford, N., 2015. Not Under My Back Yard: The Looming Battle Over Underground Injection. Presentation at the American Bar Association Fall Conference, Chicago, Illinois. October 28-31, 2015.

Umstot, T., G. Schnaar, N. Blandford, S.J. Cullen, P. Kaiser, J. Ayrabe. 2015. Recharge estimates from a soil water-balance model improve groundwater model calibration. MODFLOW and More 2015: Modeling a Complex World. Golden, Colorado, May 31 – June 3, 2015.

Dodge, J.J., G. Schnaar, S.J. Cullen, and J. Peng, 2015. Selenium Geohydrology, Swamp of Frogs, Newport Bay Watershed, Orange County, California. Association for Environmental Health and Sciences (AEHS) 25th Annual International Conference on Soil, Water, Energy and Air. San Diego, California. March 23 – 26, 2015.

Sweetland, N.T., S.J. Cullen and G. Schnaar. Vapor Intrusion from Groundwater Plumes: Critical Technical and Regulatory Issues. 2015. 2015 National Ground Water Association (NGWA) Groundwater Summit, San Antonio, Texas. March 16 – 18, 2015.

Dodge, J.J., G. Schnaar, S.J. Cullen and J. Peng. 2014. Drainage Channels Remobilize Selenium, Swamp of the Frogs, Newport Bay Watershed, Orange County, California. Groundwater Resources Association of California/U.S. Society for Irrigation and Drainage Professionals. March 4-5, Sacramento, California.

G. Schnaar, J. J. Dodge, S. J. Cullen, and J. Peng. 2012. Water Balance Development to Characterize Selenium Flux, Newport Bay Watershed, Orange County, California. Groundwater Resources Association of California-Salt and Nitrate in Groundwater: Finding Solutions for a Widespread Problem, June 13-14, Fresno, California.

Molina, April, G. Schnaar, P. Kaiser, and Stephen J. Cullen, 2012. Preparing Geospatial Data for Use in Watershed and Groundwater Models. ESRI, Southwest Users Group, Albuquerque, New Mexico, October 8-11, 2012.

Gregory Schnaar, Ph.D., P.G.

Page 14



- Kaiser, Phil, T. Umstot, G. Schnaar, Stephen J. Cullen, 2012. The Distributed Parameter Watershed Model for Predicting Recharge in Southern California. California Groundwater Association, 21st Annual Meeting and Conference, "California Groundwater: Data, Planning and Opportunities" October 4-5, 2012, Rohnert Park, California.
- G. Schnaar. Federal UIC Regulations for Geologic Sequestration: An Integrated Approach of Site Characterization, Modeling, and Monitoring. American Association of Petroleum Geologists (AAPG) Rocky Mountain Section Annual Convention, June 2010. Durango, Colorado.
- G. Schnaar. CO2 Geologic Storage: Simulation for Regulators. International Energy Agency (IEA) CO2 Geological Storage Modeling Meeting, February 2010. Salt Lake City, Utah.
- G. Schnaar. Geologic Sequestration of Carbon Dioxide: Models, Codes, and Federal Regulations. TOUGH Symposium, September 2009. Berkeley, California.
- N. Sweetland. P. Schauwecker, and G. Schnaar. MTBE Products Liability Litigation: The Role of Hydrogeologic Investigation. International Network of Environmental Forensics Conference, September 2009. Calgary, Alberta.
- G. Schnaar. Federal Regulations for Geologic Sequestration of Carbon Dioxide. Air & Waste Management Association, Carbon Sequestration 101 (via webinar), February 2009.
- G. Schnaar. Standards for Geologic Sequestration of Carbon Dioxide, EPA Proposed Rulemaking, Signed July 15, 2008.
- Big Sky Regional Carbon Sequestration Partnership Annual Meeting, October 2008. Spokane, Washington.
 - EPA Region 8 State UIC Workshop, October 2008. Salt Lake City, Utah.
 - WESTCARB Regional Carbon Sequestration Partnership Annual Meeting, October 2008 (via webinar). Anchorage, Alaska.
 - EPA Region 7 UIC Manager's Meeting, September 2008 (via webinar). Kansas City, MO.
 - Ground Water Protection Council Annual Meeting, September 2008. Session: Underground Injection Control (UIC) and Geosequestration Seminar.
 - Electric Power Research Institute Fall Environment Council Meeting, September 2008. Baltimore, Maryland.
 - Edison Electric Institute Global Climate Change Subcommittee Meeting, July 2008. Savannah, Georgia.
- G. Schnaar and N. Sweetland. Geologic Sequestration of Carbon Dioxide: Potential impacts to groundwater resources, the U.S. regulatory framework, and lessons learned from previous injection activities. Groundwater Resources Association of California Climate Change: Implications for California Groundwater Management, August 2008. Sacramento, California.
- Brusseau, M.L., Janousek H., Murao A., and G. Schnaar. Synchrotron X-ray microtomography and interfacial partitioning tracer test measurements of NAPL-water interfacial areas. American Geophysical Union Fall Meeting, December 2007. Session: Pore-Scale Modeling and Imaging of Multiphase Flow, Solute Transport, and Biogeochemical Processes in Porous Media. San Francisco, California.

Gregory Schnaar, Ph.D., P.G.

Page 15



Marble, J.C., Narter M., Schnaar G., and M.L. Brusseau. Characterizing air-water interfacial area for variably saturated porous media. American Geophysical Union Fall Meeting, December 2007. Session: Pore-Scale Modeling and Imaging of Multiphase Flow, Solute Transport, and Biogeochemical Processes in Porous Media. San Francisco, California.

Schnaar, G. and M.L. Brusseau. Characterizing pore-scale dissolution of organic immiscible liquid in natural porous media using synchrotron X-Ray microtomography. American Geophysical Union Fall Meeting, December 2006. Session: Quantitative Pore-Scale Investigations of Multiphase Bio/Geo/Chemical Processes. San Francisco, California.

Brusseau, M.L., Schnaar, G., Marble J. Measured air-water and NAPL-water interfacial areas for sandy porous media: comparing X-ray microtomography and partitioning tracer test methods. American Geophysical Union Fall Meeting, December 2006. Session: Quantitative Pore-Scale Investigations of Multiphase Bio/Geo/Chemical Processes. San Francisco, California.

Brusseau, M.L., Schnaar, G., Peng S., Marble J. Relationship between air-water interfacial area and water saturation for sandy porous media. Soil Science Society of America International Meeting, November 2006 (Oral Presentation by G. Schnaar). Session: NRI's Soil Processes Program: Reports, Assessments and Future Directions. Indianapolis, Indiana.

Schnaar, G. and M.L. Brusseau. Pore-scale characterization of organic immiscible-liquid morphology in natural porous media using synchrotron x-ray microtomography.

- University of Arizona Dept. of Hydrology and Water Resources Student Showcase, 2006 (Oral Presentation). Tucson, Arizona.
- Superfund Basic Research Program Annual Meeting, 2006. New York, New York.
- American Geophysical Union Fall Meeting, 2005 (Oral Presentation). Session: Advances in Characterizing and Remediating Nonaqueous Phase Liquid Source Zones: From Pore Scale to Field Scale. San Francisco, California.

Brusseau, M.L., Peng, S., Schnaar, G., and M. Costanza-Robinson. Relationships among air-water interfacial area, capillary pressure, and water saturation for a sandy porous medium. American Geophysical Union Fall Meeting, 2005. Session: Pore-Scale Processes and Their Effect on Continuum and Field-Scale Hydrology. San Francisco, California.

Schnaar, G. and M.L. Brusseau. The impact of non-ideal sorption on low-concentration tailing behavior for chlorinated solvents in aquifer material.

- University of Arizona Water Sustainability Program Fall Forum, 2005. Tucson, Arizona.
- American Geophysical Union Fall Meeting, 2004 (Oral Presentation). Session: Mass Transfer and Mass Flux Processes in Source-Zone Systems. San Francisco, California.
- University of Arizona Superfund Basic Research Program and Southwest Environmental Health Sciences Center 8th Annual Science Fair, 2004. Tucson, Arizona.
- Arizona Hydrological Society Annual Symposium, 2004 (Oral Presentation). Tucson, Arizona.

Gregory Schnaar, Ph.D., P.G.

Page 16



Expert Witness Testimony (Oral Testimony Only)

Commonwealth of Pennsylvania, etc. v. Exxon Mobil Corporation, et al. In Re: MTBE Products Liability Litigation MDL 1358, Case No. 14-cv-06228. United States District Court, Southern District of New York.

- July 2022: Deposition

Santa Barbara Channelkeeper, Petitioner, vs. State Water Resources Control Board, City of San Buena Ventura, Respondents; City of San Buena Ventura, Cross-Complainant vs Duncan Abbott et al., Cross Defendant. Case No. 19STCP01176. Superior Court of the State of California for the County of Los Angeles, Complex Civil Division.

- February 2022: Deposition

BASF Corporation, Claimant vs. Ferro Corporation, Respondent. Arbitration, CPR – International Institute for Conflict Prevention and Resolution.

- April 2021: Deposition
- July 2021: Arbitration Hearing

Clean Harbors, Inc., Plaintiff, vs. Union Pacific Corporation, Defendant. Case No. C.A. No. N15C-07-081 MMJ CCLD. Superior Court of the State of Delaware.

- January 2017: Deposition
- May 2017: Trial