Charlene Herbst - Fwd: Henry Tosta Dairy

From: info5
To: Charlene Herbst
Date: 6/26/2012 10:22 AM
Subject: Fwd: Henry Tosta Dairy
CC: Robert Busby
Attachments: 001_1.JPG; 002_2.JPG; 003_3.JPG; 004_4.JPG; 005_5.JPG

Hi Charlene,
Attached are some photos from a diary I believe your staff is working on. Do you want me to forward this on to Pamala, or do you think your Unit is already handling this matter?
Thanks, Leticia

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www.waterboards.ca.gov/centralvalley>> becky hammond <becka381968@yahoo.com> 6/21/2012 11:08 AM >>>
Hello Ms. Creedon,

I read the article in the Stockton Record this morning regarding Henry Tosta burying cows. I do not know if you are aware of the fact that Mr. Tosta has been burying cows for more than 20 years on the San Jose Road dairy and the Reeves Road dairy. I have attached some photos that were taken by an ex-employee of Mr. Tosta's. I know he has been fined in the past and ordered to stop burying cows. Mr. Tosta feels he is above the law and nobody will tell him what to do on his property. I feel it is important to note that when Mr. Tosta buries the cows over half of them are still alive. His practices as a dairy farmer are just sickening! He has never had any regard for the environment and it is my guess he never will. If you happen to look in the correct places you will find 1000's of cow carcasses that have been buried over the years. Since the construction of the San Jose dairy Mr. Tosta has never had a properly lined manure pond either. He has always let the manure seep into the ground and of course the water table.
It is people like Mr. Tosta who seem to get away with just about everything they do. I have no doubt that when the water samples are tested you will find mass contamination. However, I would not put him in charge of collecting the samples because they will not be collected from his property. The damage he has done to the environment is unacceptable and can probably never be reversed. I can only hope that somebody makes him pay to clean it up.
If you are interested in the other photos I have, you can contact me via email.

Thank you.

Charlene Herbst - Re: Henry Tosta Dairy

From: becky hammond <becka381968@yahoo.com>
To: Sean Walsh <SWalsh@waterboards.ca.gov>
Date: 7/2/2012 3:27 PM
Subject: Re: Henry Tosta Dairy

Hello Mr. Walsh,

I want to give you a little background info on how I know about Mr. Tosta and the things he does. Mr. Tosta is my father-in-law. I have been married to his step son Jeff Hammond for 16 years. Over the 16 years we have been married I have witnessed a lot of stuff and have heard conversations here and there. When my husband's mother, Linda Tosta passed away Henry told the probate judge that my husband was homeless and crazy and could not be found for the reading of the will. Blah blah long story short we went through a two year court battle over my mother in laws estate. He basically ran ran us out of money and we lost. However, while we were in this battle we had people coming out of the wood works with information on all of Henry's dirty deeds. That is how I ended up with the pictures. They were taken around the end of 2003 or 2004 by a former employee of Henry's. The ex-employee's name is Danny Kitchen. I have no idea where he is today but I would guess in Tracy. To give you the exact location of the those particular holes I will have to ask my husband when he gets home tonight. My husband had worked on the dairy located on San Jose Road as well as the Reeve Road dairy up until 1996 I believe. According to my husband Henry has never had a cow properly removed (Talo). He has buried the cows on the properties since the dairy was first put into business. During the whole probate battle Henry had gotten into trouble for burying the cows and I believe he was fined as well. He was ordered to stop burying them. I was told by a neighbor of his that the very next day he was burying them again.
Neither me nor my husband have any contact with him whatsoever and we prefer to keep it that way. I have never agreed with the way he ran the dairy. I think it is disgusting that he allows all of the manure to drain where ever he can get it to drain. I just can not believe that it has taken this long for anybody to do something about it. As for burying the cows, I am not trying to make this out to be something that it is not, but I'm telling you Mr. Walsh there has got to be 1000's of buried cows out there. Mostly on the reeves road dairy. We are not talking about a cow here and there. We are talking about 1000's of cows! The water table out there has got to be so contaminated I doubt it can ever be repaired. So I will sit down with my husband tonight and ask him to give me specific locations of the buried cows and any other information he may feel will help your case. I only ask that you leave us out of it completely. You know, now that I am thinking about it I believe I have all of the paperwork from the last time he was in trouble for this. I'll dig it out.

One more quick bit of info you may find interesting. After the probate thing Henry put

the dairy into a trust. Well there was a piece of property located on homestead road that was suppose to be my husband's when his mom died. The same day that you guys inspected his property he filed something with the county recorder saying that his daughter Lisa Melo purchased that property from him for $350,000.00. This is bullshit. He is famous for doing this. So I am assuming that you guys were looking into his finances so he had to get that property out of his name real quick for whatever reason. I believe that is called title fraud?? Lisa Melo does the books for the dairy.

I will be in touch once I talk to my husband. I am not sure how far you want to go with Henry but I am sure whatever you need I most likely already have..

Rebecca

From: Sean Walsh <SWalsh@waterboards.ca.gov>
To: becka381968@yahoo.com
Cc: Charlene Herbst <cherbst@waterboards.ca.gov>
Sent: Friday, June 29, 2012 12:32 PM
Subject: Henry Tosta Dairy

Ms. Hammond,

My name is Sean Walsh, I work as an environmental scientist at the Regional Water Quality Control Board. I'm in charge of the Henry Tosta Dairy investigation. First, I want to thank you for your interest in this issue, and I especially appreciate the photos you attached.

I have some questions for which I would greatly appreciate your input. 1) Regarding Photo 001_1.JPG - do you know the location of the pit in the photo? 2) The date the photo was taken? 3) You mention in your email that if you "look in the correct places" we might find "1000's of cow carcasses," could you direct me to those correct places either by map or verbal description? 4) Could you explain the basis for your understanding that Mr. Tosta is knowingly letting his wastewater escape into the groundwater?

Once again, thank you for the input and photos - they have been a huge help. If you feel more comfortable speaking in person you can reach me at my desk at 916-464-4795 or my personal cell at 916-837-8155. Or you can reach my supervisor Charlene Herbst at 916-464-4724. I will be out of the office at 1 today, but will be available next week.

Sean Walsh