

My name is Jack Stewart Jasper, AR  
I am a citizen and a carnivore.

Trucking pig manure from one location in the watershed to another location in the same watershed that then runs into the same river is not a solution to the problem this "state of the art" CAFO seems to be having

Dr. Todd Halihan's report: ELECTRICAL RESISTIVITY SURVEYS OF APPLIED HOG MANURE SITES, MOUNT JUDEA, AR, was contracted by the Big Creek Research and Extension Team (BCRET) Dr. Halihan is a geologist at Oklahoma State University specializing in Electrical Resistivity Imaging (ERI) which uses electrical waves to construct conductivity "pictures" that reveal underground formations.

I include excerpts from his report.

*"Soil analysis is a complex issue that requires an in depth investigation to determine possible correlations between constituent levels. Much of the literature points to the overarching idea that individual site testing is required for understanding the individual site's properties.... where karst dissolution features including sinkholes, caves, and enlarged fissures are common*

*Understanding the storage and transmission properties is essential to understanding the migration of nutrients from applied hog manure in the area.*

*There can be slow seepage through weathered pores and pieces of less weathered bedrock, to relatively rapid flow through fractures and karst features.*

There just isn't a favorable place for this excessive amount of waste to be absorbed by the Boone formation that lies beneath our pastures and hay fields. No one objects to farming and conserving farmland for family farms, but responsible farming takes into account its imprint on neighbors and their water.

In karst hydrogeology when heavy rains wash through the fields, nitrates will flow into neighbors' wells or springs, often their source for drinking water. Phosphorus will move along with the stirred up mud and clay into wells, or springs, or fishing holes. Brown sewage algae and long strands of bright green algal slime will stretch through the once sweet water. Low dissolved oxygen will interfere with breathing for blue ribbon Smallmouth Bass and other key species that live in the streams.

What we dump on our fields and into our streams shows up underground in our wells and our spring water, and we drink it.

Finally, I ask ADEQ to examine the path that C&H/EC used to reach this juncture of requesting a modification for a CAFO (EC Farms) that rests on no actual property owned by its permit holder, that has no useable building facilities, raises no swine, holds no ponds or lagoons, and yet has a designated physical location (the former C&C Hog Barn coordinates) still owned by the previous permit holder who now holds another CAFO permit C&H Hog Farm. Besides questioning the legality of issuing a transfer of a permit that is attached to nothing but a new name, can this piece of land, the physical location of EC Farms on paper, still owned by the previous C&C CAFO permittee continue to be considered legitimate collateral for the C&H CAFO loan? Who is liable if the EC Farms permit terms are not followed? What can EC Farms lose if it faces a penalty? When EC Farms requested a modification to this permit, ADEQ politely asked for three back years of annual reports that EC/C&C had neglected to submit to the agency. Who was minding the permit during those years? Why was there no follow up by ADEQ to find out if the facility was operating according to Reg 5 rules when the annual reports ceased to be submitted but the permit closure was left unfinished? Why were there no repercussions? Despite an inspection confirming that lagoons had been filed in and swine removed, ADEQ let three annual reporting periods go by without contacting the permit holder.

What action will ADEQ take should the permit holder neglect its requirements in the future? EC Hog Farm can't lose its land. It doesn't own any. It can't lose its operation or facility since it has no functional buildings, or swine, or equipment according to county records. In fact there is no EC Farms on record at all in the courthouse. Does EC own the trucks that it plans to use for carrying liquid swine waste? These trucks will be routinely traveling to remote and isolated fields along the circuitous, narrow, country gravel roads beside and above the Left Fork of Big Creek, over the mountain to Deer and to fields at the headwaters of both Hurricane Creek, an Extraordinary Resource Water (ERW) that is already on the 2008 303(d)

impaired list, and Shop Creek, a key tributary of the Little Buffalo River that flows through the town of Jasper and on to the Buffalo River.

Who will be liable if swine waste spills into the waters, or into a property owner's yard as the "honey wagons" drive their routes to make deliveries?

Newton County taxpayers will be funding the upkeep of the gravel roads for this added heavy use with county equipment, gravel, time and manpower. Will the county receive extra funding to cover the expense, or will roadwork in Newton County suffer while EC's roads are maintained? The Newton County Courthouse has no record of EC farms for tax or property records. Is EC Farms anything but a signature on a piece of paper that ADEQ calls a Reg 5 swine CAFO permit?

If C&H Farms is a state of the art operation, as has been claimed over and over, let them demonstrate this using the permit and application fields they already hold. If they are not functioning as they foresaw, then it must be time to move out of the BNR watershed's karst hydrogeology to another site where soils are better suited for spreading the waste of such a large and intensive confined swine operation.

Jack Stewart  
Box 632  
Jasper, AR 72641