

## C&H Hog Farm Public Meeting 3/7/2017

James Ryan from 2340 County Road 16, Mountain Home, AR. Based on what I know the knowledge that's been with the hog farm, they've found no violations against them. Several researches have been done and to this date that I'm aware of there's been nothing found that they've been in violation of anything. So until there's science that proves there's something going on, then I think they should be able to be permitted. So therefore, I'm recommending that their permit be given to them. And I support the C&H Hog Farm. Thank you.

Thank you, my name is Bob Schoffner at 510 Townview Road, Centerton, AR. Thanks to ADEQ for this time for this renewal process of the C&H Hog Farm permit 5264-W. Again, this is a farmer and a farm family that's been multiple generations that's lived in the Bender / Mt. Judea area. They have a very respectable name and they are a local family farm with multiple generations. I do not understand why folks are opposed to a local farmer. This farm is also the most monitored, most watched, most looked at farm, most studied farm of any farm in the state of Arkansas that has this regulation permit. They are doing everything correctly. I ask the people when is enough enough? We've spent a lot of time and effort on this, we're going to continue to look at it and monitor it, but yet at this point in time, they have met every regulation, this is part of the process that ADEQ puts through. The nutrient management plan is sound science and it utilizes natural fertilizer to help spread the product across the fields that they have to grow grass. We've had a 13 inch rain event just a little over a year ago, that's one of those 100 year flood events, they did not breach at that time. We talk about karst. We have three national parks and three other municipalities that discharge into the Buffalo. The Parks system has two wastewater facilities and a small plant that sprays on the field next to the river. The other municipalities also have discharged. All those combined, there's over 150 million gallons discharged directly into the Buffalo, C&H represents about 2.5 million. Folks this is a small part into the bigger picture of all the Buffalo. If everybody is very concerned about the Buffalo then let's limit the amount of people on it, let's limit the amount of time that will definitely take care of that nutrient load. This is a rural area that is very economically depressed; the C&H Hog Farm also provides a lot of employment for those folks in the Mt. Judea/ Bender area. That is very important. If you truly want to do this, limit this to the river, limit the number of people on the river to show, limit the amount of time. Thank you very much.

My name is Gary Lily; I'm from Morrilton, AR. I'm about to spend my 53<sup>rd</sup> consecutive trip on the Buffalo River. We've camped at Market Right; have for the last 35-40 years. I've listened to the last two gentlemen and smoke and mirrors don't impress me much. What impresses me, he's talking about how much revenue that C&H Hog Farm produces for this area, how do you compare with \$38,000,232 of revenue produced off of the Buffalo River, the people that come to it. You got 1,160,802 people that were on this river, directly related to it. I don't disagree that C&H Hog Farm is not the only polluter on this river. There needs to be something done with human feces as well. But if we don't get a handle on this, and get somebody that's interested in taking care of this river out here, then it won't be there for my grandchildren. I'd like to know when it reaches this pump down level, where do they pump it to? They've got big tanks they put it in or do they pump it out in the ground and let it run in the river, simple question.

I'm Larry Lily, this is my older brother Gary, he's 15 minutes older than I am. I live in Fayetteville, AR. I'd like to know why we get so much smoke and mirrors from the ADEQ. They don't know how to answer a question honestly and directly. They want to dance around a circle and I'm sick of it. And if we don't take charge of this river, when is it going to be filthy enough for the ADEQ and the governor of the state of Arkansas to do something about it. Time will come and it's coming soon. And your grandchildren are not going to be able to come up here and enjoy this river, trust me. And water is going to be the most important thing that we have in America, oil don't mean doodley squat. Thank you for your time.

Good evening, my name's Ross Lockhart, 12863 Highway 72 W, Bentonville, AR. You know, I've come to a couple of these meetings before talking about permitting for C&H Hog Farms and I came tonight to speak in support of C&H Hog Farms. I've got to tell you most of the time when I come to these meetings, I hear a tremendous amount of "what ifs" and not very many "what is's." So what I'd like to take a look at is a couple of "what is's" or "what ares" and a few more "what ifs." The facilities at C&H Hog Farms are overbuilt compared to the standards and the requirements which were set out by ADEQ and the EPA. They overbuilt these facilities, they did that on purpose. They overbuilt them so that they would not pollute or discharge any pollutants. This farm has been looked at more and been under a microscope more than any other farm in the state of Arkansas. And as a couple of my colleagues have said earlier nothing has been found. There is no scientific evidence which indicates that there is any pollution in any of the waters of the watershed of the Buffalo River that are a direct result of C&H Hog Farms. There's no evidence of that. There's no reason to deny them a permit. Now for my "what ifs." Did you know that the average age of the American farmer is 58.3 years of age? The folks at C&H are a little under that number, but most of the rest of us aren't. Did you know that only 2%...Thank you very much.

My name's Gordon Watkins, I live at HCR 72 Box 34, Parthenon, AR. We were hit by some wind last night, but we're still standing. I'm submitting these comments on behalf of the Buffalo River Watershed Alliance and I'll talk fast since I didn't expect to only have two minutes. First of all a No Discharge permit is inappropriate for C&H. C&H is currently covered under an NPDES permit which allows and in fact presumes waste discharge. C&H is by definition a CAFO. Under the Clean Water Act CAFOs are considered point sources. Point sources are regulated by the NPDES permitting program. In its application for a No Discharge permit, C&H states that it is applying for an administrative change from a Reg. 6 to a Reg. 5 permit. The only change in the operational management will be the addition of more land. Regulation 5.301 states "The operator of a confined animal operation shall not allow or cause a point source discharge from any part of the liquid animal waste system." Without major operational changes in its waste storage system there remains the same likelihood of point source discharge. In fact, ADEQ has stated the same allowances for storm event discharge applied equally under both Reg. 5 and Reg. 6 permits. Caleb clarified for me that that was a misunderstanding by the reporter that stated that. Secondly, the permit is based on a deficient nutrient management plan. The nutrient management plan which is an essential term of the permit uses optimistic and unrealistic assumptions. If the permittee deviates even slightly the impact will be significantly higher than indicated. Here's some examples: assumptions of forage production at 6 tons per acre are unrealistically high for the area, particularly on the upper fields. Assumptions of rotational grazing are not correct, grazing practices in the area are not as beneficial as projected, resulting in a higher risk than calculated in the API. Soil test phosphorus is

above optimum on all fields included in the 2016 annual report and no further applications of phosphorus are recommended. The applications in excess of agronomic need is contrary to official guidance and increases the long term impact on receiving waters, the risk factor which is not well accounted for in the API planner. Many of the fields, particularly the upper ones include buffer zones which, it's impossible to avoid applying in the buffer areas. Thank you.

Good evening, I'm Sandra Jackson and I reside at 3656 Highway 71 in Lockesburg, that's in Sevier County. I had the privilege of teaching public school for 34 years. At that time I taught Biology, Chemistry, AP Biology, and AP Chemistry. I am also a member of the Audubon Society. I have reviewed all of the evidence that is available and have found no evidence that is scientific to support C&H Hog Farm hurting the environment. When I taught, I taught the students to use the scientific method. I have found no evidence at all that this has been done and there is nothing to say that they are hurting the environment. I support the farm and ask that you give them the permit and it be issued to them as a farmer in the state of Arkansas that helps support us as we go through living. We need farmers. Thank you.

Hello, I'm Larry Olsen, I live in Ponca. I have watched in five different states: Minnesota, Wisconsin, Iowa, Missouri, Arkansas, swine, chicken, dairy, corn beef, all the family farms were owned by Corn Beef Farms. I don't think they should be called a farm, this is a factory. It would take the place of 12-20 regular farms. And no one would ever complain. I've been here 30 years as a concessioner on this river, never heard anyone complain about a farm. But when you have a place or facility that small that's producing more sewage than the city of Harrison with no sewage or septic whatsoever, I think it's a concern. I'd like to bring up this is a Brazilian corporation, if you saw the Olympics, they don't care about their water, why would they care about ours. If the concerned people weren't here, there'd be ten of them and no one would ever know. Now the river was closed down for E.coli below Carver for the last year or two, first time ever in 30 years that I've seen that. This is a stockyard, not a farm we can't be calling it that. If you had 6,000 immigrants using outhouses, people would be complaining. Thank you.

My name's Dorothy Walters, I'm from Winslow, AR 21923 Mt. Gayler Point. My question basically has to do with biologic pathogens which you are not monitoring for. Now here just a couple years back in Asia we had a massive meningitis outbreak in the pigs in the factory farms there, which they had to basically exterminate 1 billion pigs. Right now over in Tennessee this week we have 60-100 thousand chickens that are being killed because of the chicken flu. What I'm asking is, you have these open cesspools which are basically opened vectors for contamination to be spread to any other farm around here, or to people, or if this water happens to be breached somehow and become a point source form of contamination in the river. If people start getting sick from this you're not monitoring this, who's going to be liable for it? And there are basically results that show that there are nutrients going up in the wells in this area. So it's happening. What are you going to do about it? Who's going to be liable? How many people are going to get sick before, you know, something gets done about it? The CDC is waiting for the next pandemic to occur. It is going to occur, just when. And you all aren't monitoring this, you know, this is a national waterway, the first one in the country, this is the jewel of Arkansas. This is a pristine beautiful thing we've got to give to our children. I mean, it's a factory, just like this gentleman said. It's not a farm. I've raise a farm, I've chased pigs around, I don't have problems with a few pigs, but this is basically a virus production factory. It's going to happen eventually. And you know, a lot of good people

are going to get really sick and the way healthcare is going in this country, it's going to, you know, who's liable? See ya.

My name is Marty Olesen, PO 104, Ponca. I'm speaking on behalf of the Buffalo River Watershed Alliance. The Buffalo River Watershed Alliance asserts that the C&H Hog Farm draft permit 5264-W was improperly approved by ADEQ and should be denied for the following reasons: Lack of compliance with the Agricultural Waste Management Field Handbook, the AWMFH. Reg. 5.402 states "Designs and waste management plans shall be in accordance with the following United States Department of Agriculture Natural Resource Conservation Service technical publications. One, the Field Office Technical Guide as amended, two, the Agricultural Waste Management Field Handbook AWMFH, as amended." C&H did not comply with the AWMFH, particularly in regards to: One, the failure to acknowledge the presence of karst and follow the subsequent requirements for a detailed geologic investigation, chapter seven; two, application of waste in excess of agronomic need, chapters two three; three, failure to perform a substantive evaluation of the impact that sudden breach or accidental release for waste impoundments, chapters two fourteen; failure to develop an emergency action plan, which should be considered for waste impoundments where there is potential for significant impact from breach or accidental release. It is not unrealistic to ask; if the tornado last night had missed Parthenon and Piercetown and touched down instead in nearby Mount Judea, would C&H Hog Farm have been able to finance the cleanup? Would the rest of the people in Arkansas have to cover the cost and bear the burden? Number five, inability to comply with guidance regarding waste application on flood prone and sloping 8-15% fields. Guidance recommends injection or incorporation, which is impractical in this karst terrain, requiring that those fields be removed from the nutrient management plan. Six, failure to account for proximity of a waste impoundment to sensitive ground water areas or to investigate groundwater flow direction. Thank you.

Hi, I'm Phyllis Head from Fayetteville, AR. And I'm not going to go over all of the scientific stuff that other people have. I just want to say that the Arkansas Department of Environmental Quality issues permits and maintains the regulations and so on but they are not doing their job. They are not protecting the waters, the air, and the land here in Arkansas. They are not doing their job. And I am so sick and tired of the double speak that we get every time we talk about this. The confined animal feeding operation is a major big factory farm in the watershed of the Buffalo River. It is...it should not be there. It should never have been allowed. I support the farmers, but I want to know why the ADEQ is not working for the people of Arkansas, but it's working for a very small group of farmers. I mean, come on. Give us a break.

My name is Ellen Corley and I'm speaking on behalf of the Buffalo River Watershed Alliance, from Jasper, AR. The Buffalo River Watershed Alliance asserts that the C&H Hog Farm draft permit 5264-W was improperly approved by ADEQ and should be denied for the following reasons: The permit violates the moratorium. Regulation 5.901d states "a permit renewal, permit modification, or new permit issued pursuant to Regulation 5.901c shall not increase the number of swine permitted at a facility." The current C&H NPDES permit allows for 2,500 sows and 4,000 piglets. The new draft permit includes 2,672 sows an approximately 7% increase in the gestating and lactating sows, but the number of piglets in the new permit has been reduced from 4,000 to only 750 piglets. This is based on an estimated average number of the piglets present at any one time. However, annual production is more meaningful and

common sense indicates that an increase in the number of sows will result in an increase in the number of piglets. In this case 78,000 permit year. And consequently the amount of waste produced annually will be increased by 7%. This violates both the spirit and the letter of the moratorium as described in Regulation 5.901d and this permit should be denied. Thank you.

My name is Jack Stewart, Box 632, Jasper, AR. I'm also going to be reading a portion of a document from the Buffalo River Watershed Alliance. And this indicates that something has been found, people have referred to that nothing has been found, this is evidence of discharge. This permit fails to take into account evidence that discharge into Big Creek and possibly the Buffalo River is already occurring. Data collected by the Big Creek Research and Extension Team show that Nitrate levels are consistently higher downstream of this CAFO than above it. National Parks Service with concurrence of the Arkansas Game and Fish Commission has requested a 303d listing for impaired status for Big Creek due to low Dissolved Oxygen levels a consequence of nutrient overloading. A recent report by the USGS has confirmed low Dissolved Oxygen levels in Big Creek. While there may be multiple sources of impairment of Big Creek, the timing of both the increase in Nitrates and the decrease in Dissolved Oxygen correlates with the issuance of the initial C&H permit. And logic requires that C&H be considered at the least a significant contributor. Discharge into Big Creek and its associated extraordinary resource water, the Buffalo, violates regulations and therefore this permit should be denied. I am reminded of the story of the frog that you put in a kettle, supposedly, and you slowly turn up the heat and the frog stays there until supposedly it boils and dies because it doesn't have enough sense to jump out of the water. This is the kind of slow insidious disaster that's creeping up on us and similar case and humans are not good at responding until it's too late. Well it turns out that actually the frog is smart enough to jump out of the water, I hope that we are too.

My name is Bill Haak; I live in Gentry, AR 20083 East Dawn Hill. I want to just share with you that I am very much in support of C&H Family Farm getting a Reg. 5 permit. I would like to address the twins first; I'd like to tell you that you can't beat water. I'd also like to share that they have done bore holes over a 100 feet into the karst and they have found no evidence of any type of leakage behind where the sewer is left. I would also like to share with you that I also have a Reg. 5 permit myself, in a diary in Decatur, AR. And I would like to complement ADEQ at the time I want, with the thorough investigation and the time that you spent for me to get my Reg. 5 permit assured that what I was doing was safe to the environment as well as in the community that I lived in. And I have no doubt that you'll be doing the same with C&H Family Farm. I would also like to share with you my admiration toward Jason as far as his C&H Family Farm; he has done an incredible job of running that operation very efficiently and environmentally sound. He has followed things to the letter of the law and I'm really proud to know him as a friend. And I would thank you again and make sure that you know that I support the Reg. 5 permit for this C&H Farm. Thank you.

Good evening, I'm Jenny Masullo; I'm from Fayetteville, AR. And I'm speaking on behalf of the Buffalo River Watershed Alliance. The Alliance asserts that the C&H Hog draft permit 5264-W should be denied for several reasons and one of them is the failure to acknowledge karst. While it appears that ADEQ and the applicant via the environmental assessment prepared for their loan guarantees, they've gone to

considerable lengths to avoid acknowledging that karst underlies this facility. Scientific data clearly and unequivocally shows otherwise. Using terms like karst features, fractures, voids, sinkholes, dry creeks while never clearly acknowledging that this is karst appears to intentionally confuse and avoid the real fact of karst terrain. Both the Electric Resistivity investigation done by Todd Hallihan in the fields and around the ponds, as well as the investigative drilling recently done, inadequately as it was done with just one bore hold, prove as other reputable geologists have long contended and as dye tracing studies have shown, that the spreading fields as well as the facility itself are situated atop karst. To fully understand the water dynamics of karst, the Karst Hydrogeology of the Buffalo National River team headed up by the world renown Dr. Van Brahana, hydrogeologist, in 2015 and 2016 conducted tests and procedures to determine where, when, and how water and potentially liquid waste move on the ground go underground, and come back up again. KHBNR dye tracing showed that water can travel as far as 2,500 feet per day in the Buffalo River karst watershed. This compares with non karst terrain groundwater, which moving underground travels only 10-15 feet per year. While concerning in its own right, the presence of karst has other implications. It points to the faulty environmental assessment and the undeniable need to follow the Agricultural Waste Management Field Handbook to investigate karst. Thank you.

Hello my name's Teresa Turk my address is Fayetteville, AR. But I'm also a Newton County property owner and I'm a concerned Arkansasan. NPS, National Parks Service, has provided data and analysis to ADEQ many times over, Big Creek Research Team has provided data but no analysis to date. It's clear that C&H Hog Factory is polluting Big Creek and contributes to the low Dissolved Oxygen and high E.coli that is present in the water. The state denied information from the National Parks Service and Big Creek Research Team about the low Dissolved Oxygen and high E.coli that was presented last year during the 303d review with EPA. I contend that that is very, very important. In fact, your director did cartwheels to deny that Big Creek was impaired. The data was very clear that it was impaired. Recently ADEQ requested that the US Geological Service conduct a study on the low Dissolved Oxygen around Big Creek and they actually found, this is an impartial agency that was requested by ADEQ, they actually found that there was low Dissolved Oxygen 20% of the time during the critical period. Okay, that exceeds the state standard by twice. The state standard is 10%. So, it is very, very clear that Big Creek is in real trouble. That cannot be denied. So, I don't know what other data people are looking at, but look at this stuff. So, what I want to ask the state is how much more information do you need before you list Big Creek as impaired? And before a TMDL is conducted, a total maximum daily limit is conducted, so that it would really identify the sources of the contamination and if it did that it would clearly implicate C&H Hog Factory and would also prohibit it from being permitted. So how much more data do you need that's my big question. So the bottom line is the permit should be denied, the data shows the pig farm is contaminating Big Creek and the Buffalo National River. And make no mistake about it, tourist will not come here, they will not come here to spend their money, 1,000 people will lose their jobs, over 50 million dollars in revenue will be lost when tourists will not come here anymore because the river is dead.

My name is Steve Blumreich, I live in Mountain Home, AR. I'm the Vice President of the Friends of the Norfolk and White Rivers and I'm here representing our organization and asking ADEQ to deny the permit. We have followed the research and the work that Buffalo River Watershed Alliance has done.

We're very comfortable with what they in their group have done and fully support that. I am also a retired CPA and speaking on behalf of myself at this point. And I think the economic impact that the river has on tourism verses the employment that it has given to Newton County is so dramatically out of balance that from an economic tourism standpoint that ADEQ should be talking to the Department of Tourism and get some advice from them on how to address this permit as well. In terms of the pond not leaking, who was told that the Titanic was unsinkable? What about the people in Flint Michigan who lost their drinking water because the Department of Environmental Quality or the Water Department up there decided that they should take a different route in treating their drinking water. I'm not a water scientist but when somebody says there's 2.5-3 million gallons a year of hog waste that's being sprayed on 600 acres of land around here, for how many years it's going to take for those contaminants, those pathogens to leak into the drinking water, if it hasn't happened already. How many years is it going to take before that really happens and people are getting sick? The economics of this never made sense to me as an accountant. I've represented big and small companies and there's an old saying that says many companies like to privatize their profits and socialize the cost. Well this is a case where the profits are being privatized and the costs are being socialized for you and me tax payers to pay for them. Thank you.

Hello, my name is Kathy Downs; my address is PO Box 292, Jasper, AR. And I've lived here about 25 years. First of all I want to say thank you for having another hearing about this, this is my fourth time speaking to you I believe, I've started to see you a very familiar now. And I want to say I hope and pray that the, all farming families will flourish in Arkansas and I hope and pray that the Buffalo River will flourish. And I want us to have both. I want the farming families to flourish, I really do. I hope nobody thinks that people up here speaking against this permit are against farming families, because we are not. I swear to you we are not, I want you to flourish. We all do. But the thing is, we need to have both, we need to have the river flourish and not be killed and we need to have farming families flourish. So, I love living here in Newton County, I've lived here 25 years, I've floated the river for 40 years, I love the people, I love my farming neighbors and friends and I love the mountains and the rivers and the streams and the caves, the karst everywhere. And I'm asking you to please deny this permit. Please deny this permit, because I want you to do your job as ADEQ and really protect our environment which is very fragile here. Please rise above the politics running this whole thing. This is setting farmers against people here to enjoy the river and that's not right. That is simply not right to do that. Even our last governor said he really regrets not preventing this potential pollution from happening here in Newton County, so even our own governor said this. So please recognize that this is a very fragile environment, very, very obviously karst and drilling only one hole instead of the three advised by experts to find out if there was something happening under these ponds, how would we possibly expect to find anything by drilling one hole. You know, it's like drilling for oil somewhere, you drill several places as the experts advise, but you folks didn't do that. So how can you possibly know, there's probably something going on there, we can't see it but please remove politics from this whole thing and do your job and do the right thing for all of Arkansas and all of America. Thank you.

Good evening, I'm Steve Miller and I live at PO Box 526 in Jasper. And I would like to ask ADEQ, if I was to build an apartment complex on my property and collect all the human waste in a lagoon and spread it on fields, would you approve the permit? I think the answer would be no. And if pig manure is cleaner

than human manure, I'd like to know that. And so this whole thing doesn't make sense. I support farmers. This is not a farming operation, this is a factory. And the factory is owned by a big corporation who's getting most all the money; I don't think there's very many jobs at all being produced in our local farm here. And pigs produce 10 ten times more waste than humans in case people don't know that. Spraying on the fields not only puts the sludge on the fields but it also aerosolizes it, which means its flowing in the air, its flowing in the air to homes, its flowing in the air to the schools which are pretty close by. CAFOs are one of the most destructive agricultural practices in the United States and I would like to add that ADEQ is not totally to blame. I think our law makers failed to provide proper protections for ADEQ to follow. North Carolina's had a lot of problems and recently they've passed laws to incorporate proper sewage treatment for any CAFOs that are being built and I would suggest we look at that as well and maybe work together

My name's Mitchell Mccutcher, Mount Judea, AR. I'll make mine pretty short; I'll just say that I hope you approve of the land application and permit because I'd like to have it applied to my land. I think it's not near as strong as chicken litter but I'd still like to have it applied to my land. I think it's better for the environment and I do hope you approve of it. Thank you.

Hello, I'm Sharon Pierce; I'm from Mount Judea, HC 32 Box 294. I've lived in Mount Judea for 50 years on a family farm. I'm getting emotional because I love my community. These boys that are doing this farm are some of the finest citizens we have. They volunteer and they help out all over the place not just at Mount Judea, but they do support their community with jobs and donations. Their families are great too. I've known them since they were young. The thing of it is, if they were going to stop their farm, they should have stopped it before they built it. People knew about this farm way before they ever laid the first foundation, yes they did. Because they had several meetings with people and they didn't build their farm at one place because those people complained about it. So if those people didn't want it, you know they didn't keep their mouths shut because people don't when they don't like something. So it was out there, now you personally may not have known it, but it was known, it was out there. They had more than one meeting about it. Personally I wouldn't have a big farm like that, that's not the way I raise hogs, we raised them in a little pens in the mud. But since these guys, this is what they wanted, this is what they did, they're doing it beyond the expectations of what they have to do. What more can you ask of them? They've done everything they're supposed to do. Now, somebody said that the Buffalo River brings millions of dollars to Newton County; well it doesn't bring it to Mount Judea. We have to have our own ways of getting money at Mount Judea, we don't have, the floaters don't go through Mount Judea, they go by Carver. Another thing is one of the things, I've lived there 50 years, I'm just now seeing these wild hogs and there's herds of 20, 30, 50 all over the place. They're up by Lurton even, they're down at the Buffalo River, they're everywhere. They are putting raw sewage into the Buffalo River as well.

Carol Bitting, I live in Marble Falls. I'll try not to repeat very much. For one, there is scientific evidence, BCRET. If you do a FOIA from ADEQ, there's a document called "All data compiled." This is NPS, its BECRET's data, and its ADEQ's data. That data shows that Big Creek is impaired. ADEQ chose not to use this data when they use this permit. There's no mention of water quality data in the new permit. The only mention of any kind of data is BECRET's data but that data won't be interpreted by Dr. Sharpley until the end of his study, which will be what, 2019. So, I don't think the state has already paid for this study and providing another permit when this study isn't completed, this study doesn't need to be used



here. If you're going to use it, then use the information that you already have. And that is that Big Creek's impaired. This is a Regulation 5 permit, for those of you don't know, it's not fertilizer, it's a liquid waste permit. You have to have liquid waste storage in order to have this permit. C&H is a factory, it's not a farm. And another thing, did you know that a river can be decommissioned? If you have a national park and it's not meeting its quality or what it was designated for, did you know it can be taken away from you? These photos were taken this summer; this is downstream on the Buffalo River and its algae. It's against the Arkansas regulation too, because it's impaired water. This section of the river was impaired in 2008; ADEQ does use that because it's on the 303d List. I just want to say that I think this permit should be denied. It's not a regulation no discharge permit. Large CAFOs are considered to be point source polluters. Thank you.

I'm David Brown, Highway 124 Russellville, AR. I'd like to start off by saying I am a conservationist and I was fortunate enough to grow up in a family where my dad was in the US Forest Service and I started floating when I was 8 years old on the Ouachita and have been a floating enthusiast ever since. So I want you to just know that I care about the water and the river. This past summer I floated the Buffalo on May the 30<sup>th</sup> from Pruitt to Carver, on June the 10<sup>th</sup> from Hersey to Woolum, August the 3<sup>rd</sup> Dillard's Ferry to Rush, August 5<sup>th</sup> Maumee to Dillard's Ferry, and then on September 21<sup>st</sup> from Carver to Mt. Hersey. There was algae in the river, as most people know, that algae was basically contained 65 Highway East, South. It's common every year, very, very little on the upper part. What I want to also point out is, that I also care about C&H Hog Farm and give some history. On April 13<sup>th</sup> there was a complaint about hog odor before there was even hogs. There's been a continuous flow of complaints with zero violations. There's been test holes dug, there's been U of A doing there study. A year and a half after business the EPA had two people that were on that farm based on complaints and ADEQ's request to come investigate and look and check everything out. They scoured the farm, fields, application areas, records, runoff, no violation and a very good summary. And I'd just like to ask, how many of us could live up to those kinds of scrutinies from a state and federal agency. And C&H has done that. They are a model of agriculture stewardship. I know them personally, they have no intent of doing anything but what's right. And they have actually been exonerated through this whole process and so I would ask that you would issue the permit on Reg. 5 to C&H Hog Farms.

I'm Jerry Masters, 579 Buck Mountain Road, Dover, AR. First of all I'd like to thank ADEQ and their staff. I've represented the pork producers for 27 years. I've had multiple meetings with them over the 27 years. Let me tell you folks, you can talk bad about them, you can think bad things about them but they're professionals, they do their job. We don't always like what they tell us but they always listen, they always make their decisions on sound science and that's the way it needs to be. Next, I'd like Jason Hensen, Phillip Campbell, and Richard Campbell to stand up for just a second, would guys do that? I want you to look at them. They may not be the prettiest guys in the world but I'm telling you they don't look like a factory to me. They look like hard working farmers to me. And I'd like everyone else that represents the agriculture committee to stand up so we can show our support here tonight. I want you folks to look at this. These are farmers that make their living off the land and I appreciate all you people that are here tonight representing agriculture. Thank you very much for being here. I would ask that you request my comment, that you request that I'm speaking sir, not you. You know I really don't know what the opposition wants, I'm really confused and I've said this before. You know, I don't understand

because C&H Hog Farm has continually worked to prove that they have the right to stay in business. They're the most inspected farm in the state, they've inspected by EPA, no violations, they've allowed Big Creek Research Team to do their Research. They have allowed the drilling to go on and there's nothing that has been found. I know my time is up, I'm only getting warmed up, but I would like to say that I totally want you to approve C&H Hog Farm.

My name's Bryan Thompson, I'm from Wyman Road, Fayetteville, AR. So, you know we've had a lot of folks a lot of passionate farmers and I certainly understand that. We have no animosity toward these gentlemen that are running C&H Hog Farms and I'm sure they're honorable people. And we think they did follow the rules but there's still a problem. There's a problem because this facility is located in the watershed of a national river and it generates a lot of waste, I mean common sense is going to tell you that it's going to cause a problem. So my question is how did we get here? Maybe it was those who wrote the rules that allow this thing to be here, maybe those are who we should hold accountable. Maybe it's folks who interpreted the rules, maybe it's those special interests that lobby to loosen the rules to such a degree that they were able to permit and build a large industrial swine operation in the watershed of a national river without anyone knowing about it. Do you see why we're mad? Maybe they should be held accountable. Sadly, the truth is that it was our own fault because we were not paying attention when those rules were watered down. But the good news is that the people of Arkansas are now fully engaged. We witness these special interests riding rough shod over the finest natural resources this state has to offer. On a final note, let me remind you that this hog farm has no business in the sensitive karst environment of the Buffalo National River. That's all.

Good evening, I'm Bob Allen Silex Road, Dover, AR. I'm an Emeritus professor of Chemistry, Arkansas Tech University and I'm speaking for the Arkansas Canoe Club. We are opposed to this permit and we concur with the findings over the discussions previously made by the BRWA. Much has been made by the fact that there is an absence of evidence of pollution and I want to try to dispel that. I just checked with the BCRET data from their most recently quarterly report, September through January. If you look at the Nitrate levels in Big Creek above stream of the farm you find four events where the Nitrate level is above 4/10s of a part per million. There are 39 events when that measurement was above the .4 parts per million level. So there's definite evidence of pollution occurring, the data is there. I'm a scientist and I know how to interpret that data. If you see more Nitrate below stream than upstream then the evidence suggests very strongly that that Nitrate is coming from the farm. That's straight forward. That's all I need to say. Thank you.