

January 28, 2016

Request for an EIS for the C&H operations

Cardno, Inc.,

Dear Sirs,

1. Please consider my request for an independent, Environmental Impact Statement (EIS) for the C&H operations. An EA is a limited study; it does not include the environmental impacts of Climate Change, and it has a narrow scope in terms of geographical space and time.

- An environmental impact statement (EIS), under United States environmental law, is a document required by the National Environmental Policy Act (NEPA) for actions "significantly affecting the quality of the human environment."
- The hazards of toxic waste contamination from this CAFO operation on Karst landscape, in the proximity of the Buffalo National River, demand an EIS.

2. C&H has failed to take effective preventive measures to avoid toxic contamination. Insufficient water quality data collection and the "plasma" experiments by a phantom organization are only to delay relocating the CAFO.

- Please consider requesting a bond for \$5 million posted by C&H to cover cleanup and damages from their operations.
- Toxic waste pollution can happen in hours ... the only way to prevent it is relocating the pigs. Using "best management practices" as claimed by Duke Energy after the Dan River, NC coal-ash disaster on, is not enough.

3. *ADEQ does not have sufficient data to assess for nutrient impairment on Big Creek or the Buffalo River. **This disqualifies ADEQ from granting the C&H permit.*** ADEQ is ignoring EPA regulations: Every two-years states are required to submit Water Quality Assessment Reports under Sections 305(b) and 303(d) of the **Clean Water Act** describing the condition of waters in the state. Excess nitrogen is a serious public health hazard.

- Impaired Waters and Nutrients - EPA December 2015 EPA report. Addressing nutrient pollution in our nation's waters is a top priority. While essential for a healthy aquatic ecosystem, too much nitrogen and/or phosphorus in a waterbody can have detrimental impacts on aquatic life and human health and recreation.

Respectfully,

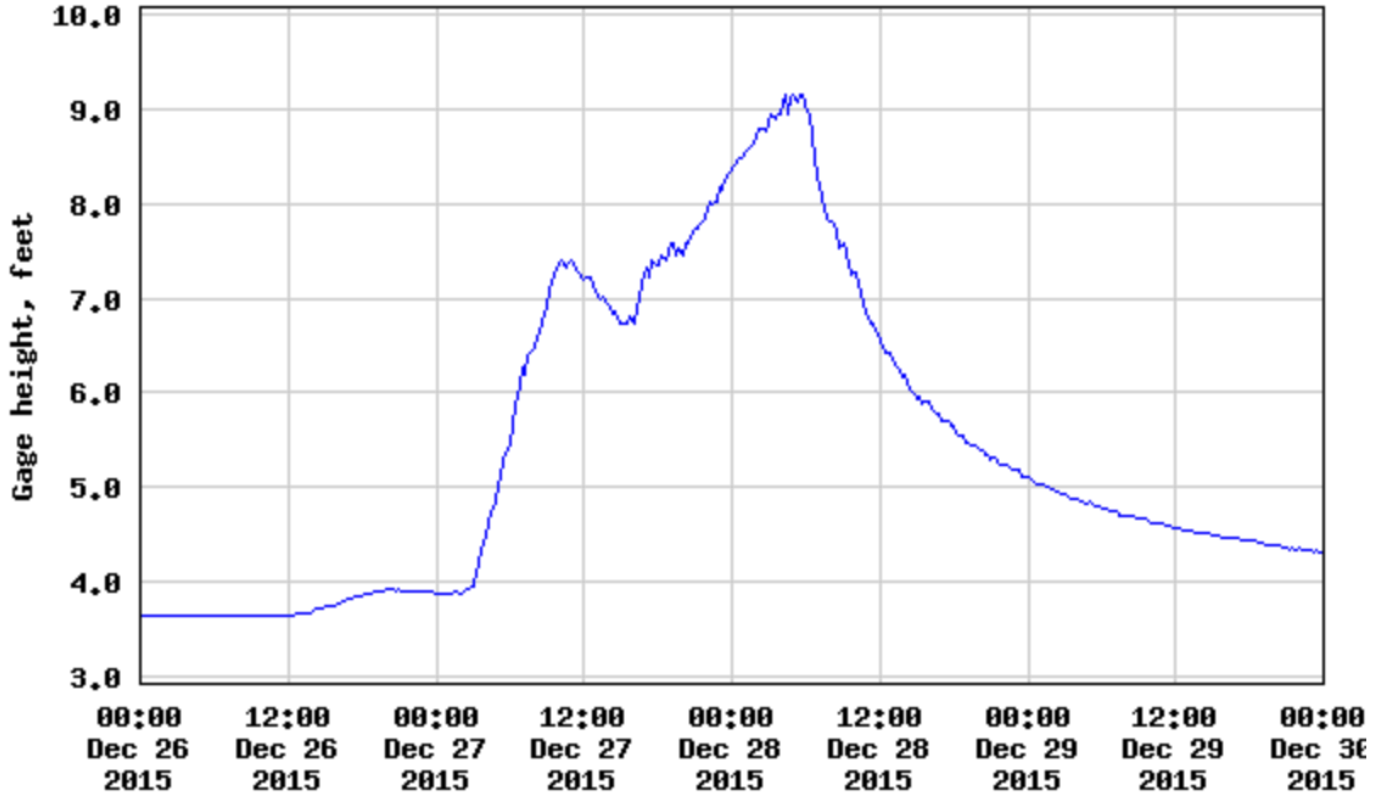
Dr. Luis Contreras
Eureka Springs, AR

Environmental impact of Climate Change

The EA ignores the extreme weather conditions due to global warming and climate change: flash floods, severe storms, wind and tornadoes.

- On December 28, the height of Big Creek near Mt. Judea, AR was over 9 feet, 6 feet over the 3 feet level. I do not have the height of the pig-waste in the ponds, but the extreme rain on the open ponds may have caused an overflow. Only C&H knows what happened, and they are not saying.

USGS 07055790 Big Creek near Mt. Judea, AR



http://waterdata.usgs.gov/nwis/uv?cb_00065=on&format=gif_default&site_no=07055790&period=&begin_date=2015-12-26&end_date=2015-12-29

Buffalo River
December 25, 2015



Buffalo River
December 28, 2015



Insufficient preventive measures

It is hard to believe the irony of using of **Rainy Day Funds** to keep track of manure overflow, and using public funds to monitor commercial CAFO waste.

The University of Arkansas team is not a professional environmental service organization, using students to do the field work. University projects are scheduled around available time with no incentive to have a final report - this "solution" is no better than the "plasma" experiments conducted by a phantom company.

References

The Spill at Dan River - 60 Minutes Report

December 7, 2014

Lesley Stahl reports on how the nation's biggest utility company, Duke Energy, is handling over 100 million tons of coal ash waste in North Carolina, following a spill in the Dan River last February.

<http://www.cbsnews.com/videos/the-spill-at-dan-river/>

National Weather Service confirms 2 tornadoes in Arkansas

December 28, 2015

<http://katv.com/news/local/national-weather-service-confirms-2-tornadoes-in-arkansas>

LITTLE ROCK, Ark. (AP) - The National Weather Service in Little Rock says two, EF-1 tornados touched down in southern Arkansas this weekend. Meteorologist Michael Brown says teams confirmed the pair of twisters touched down and are surveying damage in Bradley County at the site of a possible third tornado. Brown says the tornado that touched down near Bearden, about 85 miles south of Little Rock, was about 100 yards wide and was on the ground for nearly six miles.

Two Federal agencies find no significant impact from hog farm

December 20, 2015

<http://www.arkansasonline.com/news/2015/dec/20/2-agencies-find-no-significant-impact-f/?f=news-arkansas>

Ellen Carpenter, chief of Water Division, Environmental Quality Department, offered clarifications on the environmental assessment, which included pointing out that the department does not have numeric standards for nutrients in streams and rivers. "To date, ADEQ does not have sufficient data to assess for nutrient impairment on Big Creek or the Buffalo River."

Impaired Waters and Nutrients - EPA December 2015 EPA report.

<http://www.epa.gov/tmdl/impaired-waters-and-nutrients>

Too much nitrogen or phosphorus in a waterbody results in: overgrowth of aquatic plants, increased harmful algal blooms, decreased light penetration and decreased levels of dissolved oxygen. Each of these conditions make it difficult for fish to live and people to swim.