

10/27/2016

Washington State Department of Ecology

Wayne Krafft and Betty Ann Bickner

Regarding my neighbor Garry Rosman and his intent to apply biosolids to his farmland and adjacent fields above Mill, Green, Harker Canyon and our respective watershed, I ask that the Department of Ecology deny the FMF-Rosman Farms SSLAP because it provides incomplete and inaccurate information, in violation of WAC 173-308-310(8)(d), which specifies minimum content for the site-specific application plan.

This application and its attached SEPA Checklist do not consider local springs, creeks and seeps along our canyons rim and adjacent fields proposed for biosolids application. These springs have been a sole source of drinking water in our community for greater than 50 years. They are unique to these parts represented by the upper arm of the Columbia basin and should be preserved for generations to come.

This application is also lacking in that it does not provide an accurate assessment of wetlands, riparian habitat or current flood zone classification bordering these seeps. In March of 2014, we experienced such profound flood conditions they were deemed by the Lincoln County Public works as two 50 year floods in the same month. (See video at <https://www.youtube.com/watch?v=FEeeXQHBfWk>) Our canyon should be identified as an alluvial fan, which can be verified with a topographical map. That we consistently experience flooding is further mentioned in the Tolstoy Farms 2014 SEPA Checklist put together by Brian Belsby of Belsby Engineering (file titled: LCCD – Sabin Creek SEPA.pdf, submitted in a separate email).

Mr. Rosman continues to allow local municipal wastes from B&B Septic to be applied to his land without concern for appropriateness of the site or time of year (see B&B's logs of application times and rates, attached as files titled 2015 annual report.pdf and BB Septic 2014 Annual Biosolids Report.pdf). In the 2015 report related entries are highlighted. In the 2014 report please note on page 7, application dates of 3/22 and 3/24 at Angel Springs. This was less than 3 weeks after the massive flooding of 3/5/14.

When asked about B&B's biosolids applications, he informed all assembled of its occurrence as being once and few. However, the general permit for T26R37 sections 34, 35, 24,13 goes back to 2007. The application for Fire Mountain Farms to apply biosolids should be denied because it does not consider that septage has already been applied in this location. We further suspect illegal dumping of B&B septage in Section 12 of which no parcel listing is included or site specific under the General permitting.

I have seen no record through public disclosure of an actual SEPA or SSLAP pertaining to B&B's use of the Rosman Site for disposing of septage from 2007 to present. Ecology did however show that an application had been approved under the General permit in an official letter dated March 18th requesting comments to be submitted to a Martyn Quinn at the Department of Ecology Spokane office. As well, record of a newspaper clipping showing a Notice of Application to Land Apply Biosolids and Determination of Non-Significance from 2007 was procured at our request.

Further, as it has been shown that a current application and SEPA update is in progress regarding B&B's permitting of their Harrington Site (see Severtson's emailed comments in attachment: 8-16-16 Severtson email.pdf), regarding the Rosman site, I ask that any Application or SEPA be opened for a new public comment period and departmental review. If so, this should include an actual

landowner consent form signed by Mr. Rosman concerning the Olson Hills and Angel Springs locale and their associated parcels.

The fact that there is no mention of previous application of biosolids in the FMF SSLAP is reason to question Mr. Rosman's and Mr. Thode's concern of agronomic rates of fields in which parcel designations overlap and that may lead to excessive biosolids application, and thus higher levels of known contaminants.

Lack of scrutiny and shoddy paperwork can be viewed as conspicuous ignorance, as has been cited regarding FMF SSLAP of the Rosman Farm Unit (see Don Hansen's critique submitted at October 11th Public Hearing); as well as, B&B's renewal application revealed through public disclosure (see Severtson's comments on steep slopes and windborne pollution regarding B&B's Sepa Checklist for Harrington Site/attached as a file labeled B&B Septic SEPA.pdf) This flies in the face of good governance and gatekeeping if approved. If this application is approved by our Eastern Washington Department of Ecology Spokane Office, I ask that strict oversight and review be exercised further through other state or federal agencies as we move forward in the appeal process. It seems that the burden of proof falls upon the individual to prove negligence, and the appeal process is an exorbitant expense. It is not without mention that rural communities of lower incomes are being marginalized by this practice.

As well and if a future application is permitted, I ask that those adjacent fields above neighboring properties be removed in their entirety safeguarding our canyon and watershed from future biosolids application and the threat of contamination by water or wind.

Another concern is the likelihood of being exposed to airborne particulates which filter down into our canyon from above. In that any permit is issued regarding upland application of biosolids a substantial buffer must be established that will sufficiently guard against contamination of neighboring landowners'

property and by those same means and standards one comes to expect from air quality control buffers outside of airports or even large cities. The treatment of biosolids application on HEL lands is not an easy endeavor because if biosolids are simply disked into a fallow field of which they are applied to, due to the dry conditions that are prevalent in our region (less than 16" annual rainfall) airborne particulates will certainly filter down into our canyon. If the biosolids are injected into the fields in which depth is known to vary due to soil type and geology associated to HEL (Highly Erodible Lands) conditions; or that which is distinguished in the Reardan Pond Table, contamination of groundwater is also very likely. Truly it is a wonder at all that application even be considered appropriate considering current HEL land mapping as made available by the NRCS and referenced in our earlier critique of FMF SSLAP of the Rosman Site.

Additionally, I would suggest that a current and rigorous hydrology and soil analysis be undertaken by a third and neutral party. This should include appropriate monitoring of the applicator responsible for providing the material for sampling. This sampling should also include soil near springs, seeps or streams which are on properties adjacent to and downgradient from Rosman Farms and may have been affected by previous application of biosolids; or as a baseline for such areas that are threatened by the possibility of contamination of biosolids when run off occurs and if drift is likely by wind. Further, the omission of hydrology and soil analysis from the application (see Hanson's critique for further review) as it stands now makes it impossible for the applicant to comply with the state Water Pollution Control Act, RCW 90.48 and associated water quality standards, WAC Chs.173-200 and 201A. See also WAC 173-308-90003, App 3, Section 9(k). Also, referencing the Groundwater Protection Plan and its accuracy in the Rosman SSLAP, p. 13. Section 11 asserts there is no groundwater within 3 feet of surface. It would be good to understand why 3 ft. is assumed sufficient to protect

groundwater as this is the before mentioned Reardan Ponds area where there are potholes and the like of which may contribute to high groundwater and not hold true for eastern WA soils and basalt geology.

Also, claims of insignificance or generalities as mentioned in the Rosman Site Specific Application and pertaining to wildlife habitat need further comparative review of SEPA checklists or EIS inquiry (see Belsby's comments and SEPA study). This should include considered, threatened and endangered species such as Pygmy Rabbit, Spalding's Catchfly, Yellow-billed Cuckoo, Washington ground squirrel, Greater sage-grouse and Bull Trout. There by establishing a more accurate account of the environment and the land we share we also safeguard our own sustainability.

Previously, it was my hope that exclusion of adjacent field and parcels as presented to Garry Rosman in our revision of the Landowner Consent Form (see attached file labeled Rosman Farm-Land... pdf) would be in all best interests. I believed our revision of the landowner consent form had considered the before mentioned precautions regarding the unsuitability of highly erodible lands for use of biosolids application which is now lacking in FMF-Rosman SSLAP and Erosion Control Plan (See Hanson's Comments, pp 2-3 para .4 and Appendix C). As well, in advocating for wise use by removal of adjacent parcels, future litigation and financial loss due to cleanup efforts of contaminated water sources filtering into Lake Roosevelt and now underway by the EPA, would be less likely. Garry's agreement to sign this form could assuage many of our concerns over his application of biosolids.

Further, having noted the current cleanup efforts by the EPA of Lake Roosevelt, the specific site permitting of the Rosman Site raises further federal issues requiring consultation with BLM, the Colville and Spokane Tribes, as well as Lake Roosevelt National Park. This needs to be addressed in an informed and timely

fashion utilizing current soil studies as provided by the NRCS such as HEL (Highly Erodible Lands) maps (see community critique submitted by Hanson), as well as, further review using updated SEPA studies (Tolstoy 2014 creek restoration project through Belsby Engineering) and Environmental Impact Statements/Checklists.

Further to be noted is of the lack of correspondence, punctuality and transparency of FMF in maintaining informed parties lists, as well as disclosure of all necessary files and records requested for our critique. Not until a neighbor Bob Whitmore received notice of the Rosman Site coming up for renewal did we become aware of this application, which we had been told had been withdrawn. Mr. Rosman placed a phone call to my wife, Corrina Barrett, on April 16th of 2015 and reassuringly told her this. In conjunction with Fire Mountain Farms “accidentally” not sending us the notification of the permit application (we are on their interested parties list) this seems like deliberate deception to avoid negative public commentary. The phone call from Rosman is documented through email correspondence with other community members (attachment: 4-16-15 email re withdrawing application.pdf). Note this is the day after Wayne Krafft signed the site application (see attachment SSLAP signed 4-15-15.jpg).

Further, that the fact that the biosolids industry has the means to offer cash rewards to large scale landowners such as Mr. Rosman is an unethical practice. This is not the case however with subsidies payed to farmers for lands kept in CRP which return to native grasses. Though CRP management through the Department of Agriculture has shown little leniency with lands that have grown forested being harvested for added income, nothing prevents biosolids applicators from offering such bribes to willing landowners.

Mr. Rosman himself in our conversations regarding crop rotations to minimize loss of organic matter or future import of nutrients through alternative

farming methods, seems interested in the possibility of organic farming. But bottom line costs and subsidies which he is more familiar with and makes his business by; and is in my opinion is his real crutch, makes me believe his true desire to apply biosolids is a form of temporary stewardship more conducive to his pocket book rather than the actual health of the soil.

In closing I wish to appeal to the heart and soul of those whose job it is to determine whether the marginalization of a community of about 100 people who live in the canyons downgradient and adjacent to Rosman Farms, is a worthy sacrifice for one man's desire to apply a controversial toxic brew to his fields above our canyon and watershed. (please note that biosolids can also contain other industrial pollutants, as has been the case surrounding Emerald Kalawa Chemical and FMF's enforcement action in March of 2016 by Ecology- see the file attachment: P16-050 Notice of Appeal.pdf)

Thereby, that I wish to remain in my neighbors' good graces is something that I didn't just come by. Many times, we have had to work out our differences amongst one another. We are not impervious to the world at large but take comfort in this little bit of paradise offered in these canyons. Further, in my opinion, the objective of living rurally to become self-reliant juxtaposes our interdependence and good neighborliness. Humanity is becoming a lost art.

The stories I revered most as a kid and have in my own way put to task living at Tolstoy, are those of my mothers of how growing up on her family farm north of Edmonton, Alberta, neighbors helped neighbors in all seasons and hard times. This is my intention but whether it will remain is obviously reciprocal upon those we live amongst. The average age today of a farmer is 65 years. Where will it be ten or twenty years from now. And what will our children say of our legacy if we continue to poison our land, water and air.

In our short expanse of time allotted each one of us, my wife and I currently have lived in Mill Canyon for 12 years and more. We were married here in 2004 and both our children were born in Mill Canyon and spend countless hours exploring our canyon's watershed. It is a beautiful and unique place and should be respected as such. Alder and Tyler are 11 and 8 years old and are living a dream having been brought up breathing clean fresh air and drinking pure healthy spring water. They, as well as their lifestyle, is cherished by both by their parents and those among us whom appreciate the possibility of their becoming the next generation of stewards and gatekeepers.

Sincerely,

Ernest Barrett

Mill Canyon resident.