

**MIKE AND DELCI SCHONHOFF
5512 BENTLEY ROAD
OAKDALE, CA 95361**

31 July 2009

Stanislaus County Department of Environmental Resources
Attn: Vicki Jones
3800 Cornucopia Way, Suite C
Modesto, CA 95358

RE: ConAgra Application for Permit to Operate a Food Processing By-product Use Site

Dear Ms. Jones –

15 A We are writing you today to comment on the above project, even though we are not within the formal application area and have neither received a formal notice nor a CEQA response form. Our family does, however, live next to a permitted water discharge site used by ConAgra.

15 B To get to the point, we are concerned that the process of reducing moisture in the "mud" in preparation for its transport will take the form of increasing specified and unspecified particulates in the leach water as it oozes out of this "mud" of unknown biological profile. This "water" could be applied to property immediately next to us, possibly exceeding permitted particulate concentration levels if special care is not taken. The resulting odors, pest infestations and health hazards could be serious if this occurs.

15 C Our second concern is; since the "mud" has not been completely analyzed, even if the concentration of particulates in the water is below some permitted level, the permit only allows for a certain BOD load, and assumes a certain biological profile. Unanalyzed particulates will have an unspecified load, and incorrect application rates will occur if incorrect assumptions are made. We have the same concern whether the leach water is applied to nearby fields or stored in a nearby pond, no matter how diluted it may be. I am told that some of these anaerobic microbes are extremely dangerous to humans, and I don't want to see my family, guests or tenants exposed to them.

15 D We think this product is serious stuff, since we read a first-hand account in the paper the other day about how when the pond was last dredged (decades ago) a cocktail of anaerobic odor residue lasted for months on dry surfaces and only got worse when surfaces were hydrated – even though they were cleaned after contact with the material! (Is it really just "mud"?) If this is the way the product behaves on either dry or wet surfaces, how will it behave in the wet-dry-moist environment of irrigated pasture?

In addition to our expressing our sincere opinion that the project may have a significant impact on our environment, we ask the following:

15 E

Will your office be coordinating its efforts with, and seeking technical advice from, other agencies; such as the San Joaquin Air Pollution Control District and the California Regional Water Quality Control Board? These two agencies in particular have extensive experience with the applicant and may have insights into verification techniques which may be of interest to you.

15 F

Will you be verifying whether the application of this "water" is even covered in the waste water application permits that ConAgra holds? If not, then who?

15 G


Will your office be seeking formal comments from residents near the leach water application site(s)? The last time these affected people were notified of a ConAgra project it came in the form of heavy earth moving equipment on a Saturday morning. I believe these folks are entitled to formal notice given the nature of the project and the quality of the water that will be applied to the land. They will have comments which will be of interest to you.

15 H

Finally, we understand that you were originally tasked to weigh the pros and cons of if and where to dispose of the pond sludge. However, these leach water questions need to be raised and addressed regardless of whether the disposal material is broadcast onto ranches locally or sent to Mapes Ranch west of Modesto.

Thank you for considering and responding to these issues and questions.

Respectfully,



Mike Schonhoff

San Joaquin Valley Air Pollution Control District
4800 Enterprise Way
Modesto, CA 95356-8718

Central Valley Regional Water Quality Control Board (5S)
Sacramento Office
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
 Central Region
 1234 East Shaw Avenue
 Fresno, California 93710
 (559) 243-4005

Letter # 16

ARNOLD SCHWARZENEGGER, Governor
DONALD KOCH, Director



August 4, 2009

Vicki Jones, Senior Resource Management Specialist
 Department of Environmental Resources
 3800 Cornucopia Way, Suite C
 Modesto, California 95358

Subject: Negative Declaration
ConAgra Foods Aerated By-product Mud Pond and Rinse Mud
Residues for Land Application as a Soil Amendment

Dear Ms. Jones:

The California Department of Fish and Game (Department) has reviewed the Negative Declaration submitted by the Stanislaus County Department of Environmental Resources. Approval of the Project would allow for land application of food processing by-products. The Project includes the land application of food processing by-product mud dredged from the ConAgra facility aerated ponds and by-product rinse mud generated from the rinsing of produce prior to processing. The by-product mud will be utilized as soil amendments on farmland and orchards located within the vicinity of the ConAgra processing plant. Generators for food processing by-products are located at 554 South Yosemite Avenue, Oakdale (APNs: 063-024-002, 063-024-008, 063-024-009, and 063-024-020). Land application of the by-products would occur at thirteen parcels (APNs: 064-032-006, 002-059-004, 006-091-001 (also referred to as APN 006-091-004 after a recent parcel split), 006-091-002, 064-031-028, 063-005-004, 002-012-063, 062-004-032 (formerly identified as 062-004-011), 062-004-029, 062-004-002, 063-004-030, 063-006-001, and 064-031-029).

16 A

The Department is concerned with the potential impacts to waterways (i.e. Stanislaus River) that are adjacent to some of the land application sites (APN 062-004-011 for example). Application sites away from the Stanislaus River (APN 002-012-063 for example) have the potential to affect the San Joaquin River via canals/channels. Project implementation will increase the pollutant discharge, affect water quality, and will affect plant and wildlife without implementation of additional avoidance measures. Adequate buffers will need to be established and implemented to reduce the potential impacts to these waterways. Our comments follow.

Department Jurisdiction

Trustee Agency Authority: The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could impact plant and

16 A
(Cont)

wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 [commencing with Section 21000] of the Public Resources Code).

16 B

Responsible Agency Authority: The Department also has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered pursuant to Fish and Game Code Section 2081. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), the Department may need to issue an Incidental Take Permit for the Project. The Project has the potential to impact the State threatened Swainson's hawk (*Buteo swainsoni*).

16 C

Water Pollution: Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into the "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. The Regional Water Quality Control Board also has jurisdiction regarding discharge and pollution to "Waters of the State."

It is possible that without mitigation measures, this Project could result in the pollution of "Waters of the State" from increased runoff. This could impact the fish and wildlife resources associated with surface waters by causing: increased sediment input from the by-product mud, toxic runoff and other constituents of concern, and impairment of wildlife movement along riparian corridors.

16 D

Riparian Habitat and Wetlands: Riparian habitat and wetlands are of extreme importance to a wide variety of plant and wildlife species. The Department considers projects that impact these resources as significant. The Department gives the following recommendations to decrease the possible pollutant discharge to waterbodies:

- The riparian vegetation along waterways should be protected with a minimum 200-foot no-disturbance/no application buffer delineated from the high water mark of each surface water body, or from the outside edge of the riparian vegetation whichever is greater.
- A minimum 100-foot no-disturbance/no application buffer around the high water mark of each surface water channel that has no riparian vegetation.

Vicki Jones
August 4, 2009
Page 3 of 3

Bird Protection: The Department has jurisdiction over actions which may result in the disturbance or destruction of active nest sites or the unauthorized "take" of birds. Sections of the Fish and Game Code that protect birds, their eggs and nests include Section 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory non-game bird).

16 E
Land application to parcels (APN 063-004-030 for example) that are adjacent to the Stanislaus River are recommended by the Department to be conducted outside the nesting/breeding season. If land application must occur during the breeding season (February through mid-September), surveys for active nests should be conducted by a qualified biologist no more than 30 days prior to the start of application. A minimum no disturbance buffer of 250 feet should be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

16 F
Swainson's Hawks: Nest avoidance buffers would likely need to be larger to avoid take of the State threatened Swainson's hawk as this species can be very sensitive to human disturbance around nests, leading to nest abandonment and fledgling death. Surveys conducted to determine presence of nesting Swainson's hawks should follow the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys (2000).

If you have any questions on these issues, please contact Jim Vang, Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 254.

Sincerely,


Jeffrey R. Single, Ph.D.
Regional Manager

cc: California Regional Water Quality Control Board
Central Valley Region
1685 E Street
Fresno, California 93706-2020

State Clearinghouse
Post Office Box 3044
Sacramento, California 95812-3044

STANISLAUS COUNTY
CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Department of Environmental Resources
Attn: Vicki Jones
3800 Cornucopia Way, Suite C
Modesto, CA 95358

FROM: _____

PROJECT: ConAgra Application for Permit to Operate a Food Processing By-product Use Site

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts **PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):**

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

No Comments

Response prepared by:



Name

Supervising Reg. Insp.

Title

8-5-09

Date

1 A

VICKI JONES

From: Mike Adian [mikeadian@velociter.net]
Sent: Wednesday, August 05, 2009 1:29 PM
To: Vicki Jones
Subject: ConAgra pond waste permit

Vicki

Find attached a letter regarding ConAgra waste.

I will also send a signed hard copy.

Please include me on the notification list in regards to development and progress regarding this matter.

Thank you

Robert m (Mike) Adian DVM

18 A

Vickie Jones, Sr. Resource Management Specialist
Stanislaus County Dept of Environmental Services
3800 Cornucopia Way, Suite C, Modesto, Ca 95358

To Whom It May Concern Regarding ConAgra Pond Mud: 8/5/2009

18 B After reviewing the available information and attending the open public meeting of 7/21/2009, I am writing to voice my concern in regards to the proposed dumping of the ConAgra settling pond waste around, near, and upwind from Oakdale. Let me first state I am a strong supporter of agriculture here in the valley and realize the complexities facing agriculture and related industries with the increasing encroachment of cities on to agricultural land. However, there are several points which appear short-sighted in regards to handling the pond mud waste material.

- 18 C
1. It appears there was only a short list of possible sites presented by ConAgra for handling the pond sludge/waste. With all of the surrounding agricultural land available which could benefit from the recycling of this material, why are so few sites listed downwind from Oakdale?
 - 18 D 2. If the material is deemed by ConAgra and the county to not be disagreeable, why not set up a test area where the public can view and smell the material to be spread. After 72 hours of exposure, let the public voice their approval or disapproval of odors produced by the pond sludge/mud material. There has been significant anecdotal commenting as to the disagreeable nature of the sludge/mud the last time it was removed from the ponds. Let's see if is as equally disagreeable this time around. Referring to
 - 18 E 3. Are the sites currently suggested for disposal of the material merely convenient for ConAgra or are there economic and profitability factors entering in to the selection of these properties. If there is a profit motive, what profit is there for the citizens of Oakdale in enduring the odor?
 - 18 F 4. Common sense would dictate removing this material as far as economically feasible away from town to allow ConAgra a convenient disposal site, make good use of the material, and also keep the esthetics and air quality optimized. Moving potential odiferous material downwind of our community rather than upwind surely makes more sense in my opinion.
 - 18 G 5. Referencing the "Manual of Best Practices for Application of Food Processing By-products on Farmlands", specifically "Goals and Objectives, Page 4, items 8 and 10 of the top section, and item 18 of the lower section, it would seem odor control, and the problematic characteristics of the pond mud generating the odor, would be given more consideration. Listing odor and smell as the eighteenth (18th) concern on the master list of considerations does not take into consideration the inhabitants of Oakdale actually enduring the smell.

Please take time to consider this situation from all angles and positions. As a member of this community, I am sure we can all arrive at a proper and timely decision to best benefit ConAgra and the citizens of Oakdale. Thank you.

Robert M. (Mike) Adian DVM



Marcella Goad
561 Del Rio Circle
Oakdale, CA 95361

August 5, 2009

Stanislaus County Dept Of Environmental Resources
Vicki Jones, Sr. Resource Management Specialist
3800 Cornucopia Way, Suite C
Modesto, CA 95358

Vicki Jones and SCDER:

I, Marcella L. Goad, and my husband Robert A. Goad are homeowners at 561 Del Rio Circle in Oakdale. We wish to express our opposition to the proposed applications for By Product Waste Processing Sites near our home and other residences in Oakdale.

19 A I, Marcella, have firsthand experience with by product waste sites. I was raised on the 4600 block of Tully Road. I lived there until the age of 19, and then for a few years in my 20's. Our house shared the large Rural block with Tri Valley Growers Plant. Many waste ponds were created and utilized in the 1960's and 1970's when I was growing up. They were approximately 300 feet from our house. I remember to this day the vast amount of mosquitoes and flies that were generated by the nearby waste sites. Many times they would have to come and spray, but with little impact. Once, we recall looking up under the eaves and there was almost solid mosquitoes. My 80 year old mother is alive and could verify this event. Furthermore, there was a strong odor, mostly of tomatoes that penetrated the air for months.

Another event I recall was when I was grown, close to the time I moved out at 19. When we put bleach in the washing machine, it would turn everything orange. Also, I got a small above ground pool to lay out and tan. We went to treat it for the first time and the water turned BLACK. My mom took a sample to be tested. They relayed to her that 4 grains of iron in the water constituted hard water. They stopped testing at 57 grains. My parents had to have the well dug much deeper. I say all that to relay this point. For years we had no problem with the well water. Although, we never pursued

19 B

the direct cause, it is a reason for concern. We are concerned these By product waste sites might leach added chemicals, minerals, etc into the table water near our homes and city wells. I did notice the report distributed at the meeting eluding to the testing of sites for mineral content, etc. Nevertheless, we do not want to be exposed to any increased chemicals from product processing. Can you verify all the pesticides different farmers use on their products before they are processed and then distributed to these by product sites?

19 C

Next, I do not want commercial trucks roaring thru the streets of Oakdale in residential areas. I live on Del Rio Circle. We moved here because it was quiet, obscure and safe for children. Del Rio Circle is at the end of Walnut near two entrances of proposed by product processing sites. This area is surrounded by residential properties and we should not have to tolerate the added nuisances associated with these by product processing sites. The traffic, noise, smell, dust and added safety issues are extensive. Furthermore, I have received a letter in the past week stating Oakdale School District is cutting bus transportation within the city limits of Oakdale. This means more children will be forced to walk to school, and they DO NOT need to be competing with large commercial trucks on RESIDENTIAL STREETS. Lastly, Oak and Walnut Avenue are in bad repair and are not adequate for the constant truck traffic that this proposal would entail.

19 D

As proposed in the project frequency "the full scale dredging operation at the ConAgra aerated ponds, truck traffic and land application may occur over a 24 hour period and up to a three week duration. Typical hours of operation for the rinse mud and the aerated pond mud by products would be 6:00 a.m. to 6:00 p.m. seven days a week." This is unacceptable. The proposed Walnut Avenue sites are surrounded by homes. I thought City code doesn't even allow contractors to make noise before 7:00 a.m., why could ConAgra and the permit holders be allowed to do so?

19 E

Another point I wish to relay. I have been employed by Franzia Winery and Blue Diamond Walnut in past years. I was a certified Weigh master at both places of business. I have spent many hours conversing with Truck Drivers. Many truck drivers of perishables are paid by the load and not the hour. Consequently, they usually drive as fast at they can. This is a huge hazard for the residents of Oakdale, especially children.

19 F

Lastly, I have concerns for the environmental impact to the nearby Stanislaus River. Furthermore, this area is in a HABITAT SENSITIVITY AREA FOR THE CALIFORNIA TIGER SALAMANDER. Will you check with the California Department of Fish and Game as to the potential impacts on the Stanislaus River and Tiger Salamander Habitat Areas?

In review, we have concerns for the following reasons:

19 G

1. SAFETY OF CHILDREN IN RESIDENTIAL AREAS, ETC.
2. FLIES, MISQUITOES, ETC (ADDED SPRAYING TO ALLEVIATE INCREASE IN PEST CONTROL)
3. WATER CONTAMINATION POTENTIAL
4. ADDED TRAFFIC, CONGESTION AND SAFETY CONCERNS
5. ADDED NOISE
6. ADDED DUST
7. ADDED SMELLS
8. UNFORSEEN NUISANCES
9. ADDED EXPENSES TO TAXPAYERS AND HOMEOWNERS.
10. MANY OAKDALE STREETS IN BAD CONDITION, NOT ADEQUATE TO HANDLE INCREASED COMMERCIAL TRAFFIC.

Thank you for your careful consideration of the above mentioned.

Sincerely,



Marcella L. Goad

Enc.



"A BRIGHT FUTURE"

OAKDALE JOINT UNIFIED SCHOOL DISTRICT

168 South Third Avenue, Oakdale, California 95361
(209) 848-4884 • Fax (209) 847-0155

July 2009

Dear Parents/Guardians,

Starting with the 2009-2010 school year, Oakdale Joint Unified School District will enforce the State of California recommended walking distances for home-to-school-transportation of students. This will mean that all K-6 students within the city limits of Oakdale will either have to walk or parents will provide for home-to-school-transportation. Oakdale Junior High students within the city limits will also have to provide for transportation except those who reside west of Laurel Avenue. All Oakdale High students within the city limits must provide their own home to school transportation.

Students living outside the city limit, in rural areas, will be provided with the usual bus service. The district will be providing information on bus stops before the start of school through the Oakdale Leader and the district webpage www.oakdale.k12.ca.us. Questions on the rural transportation routes can be asked at the district transportation office at (209) 847-7003.

The district regrets the reduction of service for transportation but the continuing lack of support by the state for home-to-school-transportation and the recent 2.6 million dollar reduction of expenditures for the Oakdale 2009-2010 budget has made this an unfortunate consequence and necessity.

The district will provide information on safe school routes on the district website and at school. Students will be encouraged to follow pedestrian and bicycle safety guidelines. Personal safety issues should be discussed at home as well. The district strongly encourages walking and riding of bicycles for health and environmental benefits.

The Oakdale Police Department is working on volunteers to assist as crossing guards at various intersections. Please contact Lieutenant Lester Jenkins at (209) 847-2231 if you are interested in volunteering.

In addition, ROTA Dial-A-Ride is offering student rates for transportation services. You can download the guide at www.rotabus.com. Information is also available at (209) 869-7444.

Parents are asked to practice safe walking and bicycling with their students. Please allow extra time and follow correct drop-off and pick-up procedures if driving to school is necessary. It is even more important to obey traffic laws, especially with more student pedestrians on the streets.

Sincerely,

Tim Hern
Assistant Superintendent,
Business Services

Barbara M. Shook
Assistant Superintendent,
Curriculum and Instruction

Supplemental Disclosures

Subject Property:

561 DEL RIO CIR, OAKDALE, CA 95361 APN: 063-004-015

HABITAT SENSITIVITY AREA DISCLOSURE: CALIFORNIA TIGER SALAMANDER

BACKGROUND INFORMATION / DISCUSSION:

The California Endangered Species Act, Fish and Game Code, section 2051, states that there are certain species of fish, wildlife and plants that are in danger of, or threatened with, extinction because their habitats are being threatened, destroyed or adversely modified. The main provisions of this act generally parallel that of the Federal Endangered Species Act.

The California Tiger Salamander (*Ambystoma californiense*) has been listed by the U.S. Fish & Wildlife Service as threatened. As per this agency and the California Fish and Game Code section 2067, a "threatened species" is one that is likely to become an endangered species in the foreseeable future in the absence of special protection and management efforts.

According to the U.S. Fish and Wildlife Service, critical habitat areas of the California Tiger Salamander include "grasslands and low (under 1500 foot) foothill regions where lowland aquatic sites are available for breeding." They prefer temporary pools or ponds that are similar, such as those found in the foothills, but they are also found in some urban areas. Their habitat is being lost primarily due to the "loss and fragmentation of habitat from human activities and the encroachment of nonnative predators."

Legislation declares that landowner cooperation is essential for conservation on those lands that have been identified as a habitat for endangered or threatened species. According to Section 2052.1 of the Fish and Game Code, if a person needs to address mitigation measures in relation to a particular impact on a threatened species, then those measures will be roughly proportional to the impact that the person has on those species. The required measures will be capable of successful implementation, and will maintain the person's objectives as much as possible in relation to section codes.

For the purposes of this report, "sensitivity areas" will include historical documentation of actual sightings, breeding areas, population locations as well as current and critical habitats. This document is to notify the buyer whether the Subject Property lies within an area known to be important to the conservation of the California Tiger Salamander, which is listed as a state and/or federally threatened species.

Disclosure Source recommends the buyer contact the California Department of Fish & Game to ascertain what considerations might be involved as a result of being in this particular habitat sensitive area. For further information regarding the California Tiger Salamander habitat sensitive area, please contact the Dept. of Fish & Game at 916-322-2493, or at <http://www.dfg.ca.gov/vhdab>

FINDINGS:

According to maps in the California Natural Diversity Database of the California Department of Fish and Game, and Critical Habitat Coverage maps from the U.S. Fish and Wildlife Service:

The property IS located within a California Tiger Salamander habitat sensitive area.

The property IS NOT located within a California Tiger Salamander habitat sensitive area.

Vickie Jones, Sr. Resource Management Specialist
Stanislaus county Department of Environmental Services
3800 Cornucopia Way, Suite C. Modesto, CA 95358

August 6, 2009

20 A I attended the public meeting on July 21, 2009 at the Oakdale Library regarding Con Agra and the dumping of pond waste in Oakdale, or within the influence of the City. I live on a ranch in Oakdale that is adjacent to one of the several parcels that Con Agra and Mr. John Brichetto would like to dump the processed food sludge. I am a supporter of agriculture; however, I am adamantly opposed to any such dumping within city limits or the influence of the city, for several of reasons:

20 B 1. The waste material could very well cause an *overwhelming stench* and an environment for flies, mosquitoes and other related pests. Any type of remedy after such a condition occurs does not belie the fact that it does happen or will not continue to happen. I don't want Oakdale to become "Stinkdale." When one drives by the Con Agra plant by Greger road, you can definitely smell the foul odor. In fact, the park on Greger is known to the kids as "Stinky Park."

20 C 2. The roads near these parcels will be inundated with a substantial increase of traffic due to the volume of trucks required to deliver this product. We're sure that there will also be spillage causing more chance of pollution to the air and land surfaces and costs to the public. Who will be responsible for the maintenance and clean up of road surfaces? I feel this cost should not be passed on to the public and that the Con Agra and Mr. Brichetto should be responsible for the cost.

20 D 3. It is my understanding that both Con Agra and Mr. John Brichetto dumped this material on parcels within the county approximately 5 years ago and did so with a cited violation. This previous record would have us to believe that both parties would not follow rules and regulations in the future and could not be trusted.

20 E 4. Obviously Con Agra has had some other method in the past to deal with this material and we presume such has been approved by the county. The only benefit to change would be some type of monetary savings to Con Agra and a generous income to Mr. John Brichetto. We see no reason that the public should have to endure or "subsidize" this sludge spreading, especially with the chance of negative effects associated with it.

20 F 5. It seems like there would be other options to dump this sludge, other than within city limits or within the influence of the city; away from homes, schools, etc. There are many persons with allergies and asthma. What other properties or options have been looked into?

6. Not enough testing or investigation has been presented regarding the contents of the sludge to include toxic waste, hormones, and pesticides.

20 G I wish to be notified of any further information or meetings regarding this matter. I would recommend considering the venue of future meetings to be held in Oakdale to accommodate the citizens, the disabled, and the quantity of citizens. Thank you for your time and consideration to this important issue.

Nancy Adian, R.N.
P.O. Box 1627, Oakdale CA 95361



Letter # 21

Foster-Moore Christian School

An Accredited Seventh-day Adventist
Elementary School

August 9, 2009

Dear Vicki Jones,

21 A It has been brought to my attention that an orchard adjacent to Foster – Moore Christian School has requested permission to apply mud from the ConAgra tomato processing plant on its land. Some have said that the process has the potential to increase flies and create an unpleasant aroma for the neighboring area. After our conversation on Friday, however, it is my understanding that the mud, which would include parts of the tomatoes and have the potential of drawing flies, would only be applied once a year.

The students of Foster – Moore Christian School enjoy eating lunch outside at picnic tables along with outdoor recess and physical education classes. I would like to prevent the students from any unnecessary exposure to flies or foul odors that would infringe on their safe and pleasant environment.

21 B The school runs a traditional school year beginning in mid August and ending in early June. If the orchard is granted approval for the application of mud from the ConAgra plant, I request that the application for the orchard adjacent to the school be made during the summer months when the students are not present.

Thank you for your time and considering any possible impact that the project would have on a safe and pleasant environment for the students of Foster – Moore Christian School. I also thank you for considering my request that the applications be limited to summer months when the school is not in session.

Sincerely,


Heidi Jorgenson, Principal



STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Department of Environmental Resources
Attn: Vicki Jones
3800 Cornucopia Way, Suite C
Modesto, CA 95358

FROM: DEPARTMENT OF CONSERVATION, Division of Land Resource Protection

PROJECT: ConAgra Application for Permit to Operate a Food Processing By-product Use Site

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

22 A

- 1.
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- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts **PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):**

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Meri Meraz ENVIRONMENTAL PLANNER 8/10/09
 Name Title Date
 MERI MERAZ

STANISLAUS COUNTY FOOD PROCESSING BY-PRODUCTS
RE-USE COMMITTEE

August 10, 2009

Ms. Vicki Jones
Sr. Resource Management Specialist
Stanislaus County Department of Environmental Resources
3800 Cornucopia Way, Suite C
Modesto, California 95358

Re: ConAgra Foods Oakdale Facility -- Food By-Product Permit Application

Dear Ms. Jones:

I have been involved with the Stanislaus County Food Processing By-Products Program for over twenty years, serving as Chairman of the Stanislaus County Food Processing By-Products Re-Use Committee for the past several years.

I have reviewed the ConAgra Foods Application for a Permit to Operate a Food Processing By-Products Re-Use site, and am concerned that the County is considering this project for approval under the County's Food Processing By-Product Program.

23 A Stanislaus County's Program is a model for all counties of a successful effort to re-use food processing by-products that would otherwise be disposed of at a municipal landfill. Since 1978, over six million tons of by-products have been land applied as a soil amendment to farmlands, fed to cattle or dried and processed for other beneficial applications. As you know, it took several years and hundreds of thousands of dollars to convince the Central Valley Regional Water Quality Control Board (Regional Board) that Stanislaus County's Program should not be subject to individual waste discharge requirements.

23 B I believe this application goes beyond what is contemplated in Stanislaus County's Program. Moreover, I believe that this application goes beyond what the Regional Board contemplated when it issued its Waiver of Report of Waste Discharge. First, the waste stream contemplated for land application is pond mud dredged from the ConAgra wastewater facility ponds, and flume waste residue, neither of these constitute "traditional" food processing by-product. While there is some preliminary data from 2007 testing of the pond waste characteristics, additional testing for metals needs to be conducted in order to ensure that metals present in the pond waste dredged from the wastewater facility ponds will not impact the agricultural land where it is to be spread.

Ms. Vicky Jones
Page 2 of 2
August 10, 2009

23 C

The application states that "the by-product mud does not contain hazardous waste," but does not state whether the mud contains hazardous substances. The application also states that temporary on-site storage of the pond mud may occur at the land application areas, but provides no assurances that excess runoff will not affect soil and/or groundwater at the land application site. Clearly, there is some concern regarding this storage as the application notes that "by-product mud will not be stockpiled on top of bare soil at the ConAgra facility parcels." What is the concern and how will appropriate protection be put in place to assure no degradation to the soil and groundwater at the land application sites.

23 D

The application sites appear to be close to urban areas, which presents concern and could bring negative attention to what is otherwise a successful model program.

23 E

Additionally, I am concerned that inclusion of this project may jeopardize or threaten the status of the County's entire Program as approved by the Regional Board. We have worked long and hard on developing and implementing an acceptable Program which is approved by the Regional Board. It would be devastating to have that approval put in jeopardy. ConAgra's application notes that it already has a Waste Discharge Requirements (WDR) and a Monitoring and Reporting Program (MRP) for the land application of aerated pond wastewater as irrigation for pasture; it seems more appropriate that the land application contemplated by this project be included as a revision to their existing WDRs, and MPR.

As always, I look forward to working with Stanislaus County on this very important program for the effective disposal of food processing by-product.

Sincerely,

Martin Reyes
Stanislaus County Food Processing By-Products Re- Use Committee

Cc Stanislaus County Board of Supervisors
Cc Stanislaus County Ag Advisory Board



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT



August 11, 2009

Vicki Jones
County of Stanislaus
Department of Environmental Resources
3800 Cornucopia Way, Suite C
Modesto, CA 95358

Project: Negative Declaration for ConAgra application permit to operate a food processing by-product use site
District Reference No: 20090442

Dear Ms. Jones:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Negative Declaration for ConAgra permit to operate a food processing by-product use site located in Stanislaus County, CA. The proposed project includes the land-application of food processing by-product mud dredged from the ConAgra facility aerated ponds and by-product rinse mud to be utilized as soil amendments on farmland and orchards within the vicinity of the ConAgra processing plant. The District offers the following comments:

1. As discussed below, the District's believes the project may have a potentially significant adverse impact on air quality:
 - a. The Initial Study states full-time dredging would require the use of approximately 50 truckloads per day and truck traffic may occur over a 24-hour period up to a three-week duration. Frequency of hauling, tonnage hauled and land-application activities will vary. The District conducted a screening level risk analysis of the subject project. The District assumed 50 heavy-heavy duty truck trips per day, for a three-week period every other month for a year, traveling a distance of 0.25 miles on site, idling for 15 minutes with no Transportation Refrigeration Units (TRU) time. The analysis shows that residents within 125 meters of the project would have a health risk of greater than 10 in a million, the District's significance threshold for health risk.

Soyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95368-8718
Tel: (209) 557-8400 FAX: (209) 557-8475

Central Region (Main Office)
1890 E. Gettysburg Avenue
Fresno, CA 93728-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 681-392-5500 FAX: 681-392-5585

24 A

24 A
(Cont)

The District recommends that the proposed project be evaluated to determine the health impact of Toxic Air Contaminants (TACs) to the nearby receptors. If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If a HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. Please contact Mr. Leland Villalvazo, Supervising Air Quality Specialist, at hramodeler@valleyair.org. Additional information on TACs can be found on the District's Air Quality Modeling page; [http://www.valleyair.org/busind/pto/Tox Resources/AirQualityMonitoring.htm](http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm)

24 B

- b. Under "Contingency Plans" excessive objectionable odor (pg.6) the Negative Declaration states "haulers will cover loads from the ConAgra facility to the application areas, as needed. To reduce objectionable odors at the application fields, spreading and discing actions will be the primary mitigation measure". The proposed actions have the potential to create odors which may be offensive to certain individuals. Nuisance orders are prohibited per District Rule 4102 (nuisance). The District recommends that the identified contingency plans be made conditions of project approval. To constitute feasible mitigation, measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines §15126.4, subd.(a)(2)).

24 C

2. The proposed project may be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

24 D

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

24 E

3. The District recommends that a copy of this letter be provided to the project proponent.

Ms. Jones
District Reference No. 20090442

If you have any questions or require further information, please call David McDonough,
at (559) 230-5920.

Sincerely,

Dave Warner
Director of Permits Services

A handwritten signature in cursive script that reads "David McDonough for".

Arnaud Marjollet
Permit Services Manager

DW: dm

Cc: File



August 12, 2009

Ms. Vicki Jones
Senior Resource Management Specialist
Stanislaus County Department of Environmental Resources
3800 Cornucopia Way, Suite C
Modesto, CA 95361

RE: Application by ConAgra Foods for a Permit to Operate Food Processing By-Product Land Application Sites

The California League of Food Processors (CLFP) is an industry trade association that represents fruit, vegetable, and cheese processing companies with facilities in California. A number of CLFP members are located in Stanislaus County, and several participate in the County's Food Processing By-Product Program. The development of this program was an excellent example of regulatory agencies collaborating with a wide range of stakeholders to formulate a rigorous science-based protocol that is protective of the environment and promotes the beneficial re-use of food processing by-products. This program can serve as a model for other counties looking to divert similar materials from landfills.

25 A
CLFP has reviewed the application by ConAgra Foods to land-apply some of the materials generated at its Oakdale facility in accordance with the Stanislaus County program. The materials proposed for land application include tomato and bean plant organic residue, sediment from aeration ponds, and soil that was rinsed off of harvested crops. Tomatoes, beans, and soil that was on them when harvested, are *not* toxic or hazardous materials. Returning those materials to the land will constitute a beneficial re-use. ConAgra's proposal is consistent with Section 9.88.010.E, Title 9, Chapter 9.88 of the Stanislaus County Health and Safety Code, which states that agricultural plant material, including soil washed from plant produce, may be included in the Food Processing By-Product Land Application Program.

Property owners with parcels directly adjacent to the sites can be assured that the County Ordinance includes a number of provisions that were specifically designed to ensure that land application will be protective of the environment and local citizens. For example:

- The material must be applied on the land at an appropriate "agronomic rate," which means that the amount used will not exceed the quantity required for plant development and not result in the violation of groundwater quality standards. Site operators are not permitted to overload the fields with by-products.
- The site managers must use proven Best Management Practices to ensure that operations do not generate environmental problems or nuisance issues. The Stanislaus County Best

25 A

Management Practices are based on independent research conducted by scientists at California State University Fresno as well as the practical experience gained at other food processing land-application sites in the County.

- To mitigate odors and the presence of insects, the material must be spread in relatively thin layers and tilled into the soil right after it has dried. Minimum setback distances must be observed to provide a buffer from the land application operations and adjacent properties.
- The site operators must have a system in place to prevent liquid or by-product runoff to ensure that none of the material may be washed into any nearby streams or surface water bodies.
- The site operators must keep extensive records regarding the material applied and gather soil sample from across the site to test for a number of constituents of concern (e.g. salts). This information must be reported to the County on a regular basis.
- The County Department of Environmental Resources will monitor the site, review records, and ensure compliance with the provisions of the Ordinance. In addition, the Central Valley Regional Water Quality Control Board monitors this program and ensures that the County and participants comply with applicable water quality standards.

CLFP and its processor members have a long-standing commitment to environmental stewardship. In its CEQA application, ConAgra has provided extensive information about the quantity, nature, and frequency of application, and the sites that would be used. CLFP is confident that ConAgra Foods will work continue to work closely with the County Department of Environmental Resources to ensure the land application sites are managed in a manner fully consistent with the Ordinance. CLFP believes that the project proposed by ConAgra will pose no risk to water, air, land or human health and respectfully requests that the permit application be approved as soon as possible.

Sincerely,



Rob Neenan
Vice President, Government Affairs
California League of Food Processors
1755 Creekside Oaks Drive
Suite 250
Sacramento, CA 95833
Phone: 916-640-8150
e-mail: rob@clfp.com

VICKI JONES

From: edgen1 [edgen1@yahoo.com]
Sent: Wednesday, August 12, 2009 6:15 PM
To: vjones@envres.org
Subject: Comments on Con Agra Project

Hello Vicki,

Attached are my comments on the proposal. Thank you.

Ed Franciosa

August 12, 2009

Stanislaus County
Department of Environmental Resources
Attention: Vicki Jones
3800 Cornucopia Way, Suite C
Modesto, Ca 95358

Dear Vicki Jones:

I am a resident of Oakdale and have significant concerns regarding the proposed project.

Specifically, I have concerns in the areas of Air Quality, Noise, Water Quality, and Traffic.

Air Quality

26 A
The proposed use sites are all around Oakdale. Currently if you drive by the Industrial area of Oakdale, along Yosemite Blvd, you will smell the tomato processing and the respective by-products. This is the industrial area of Oakdale and it is tolerable and expected there. Now, however, the proposal is to scatter the by-products all over town thereby subjecting all Oakdale residents to this smell. The Initial Study specifies that this will be taken place year round. It depicts objectionable odors as "less than significant impact". I disagree.

Noise

26 B
Again, since these use sites are all over Oakdale, they will be trucked via various routes that will increase traffic in Oakdale proper. The truck travel to and from Con Agra will increase truck noise seven days a week from 6 am to 6pm. For the unfortunate neighbors of these use sites, they will be subjected to additional heavy equipment use year round. These sites are not remote sites. These sites are surrounded by ranchettes and, in some cases, residential subdivisions. Your meeting presentation at the Oakdale Library also mentioned that initially the operations would take place 24 hours a day. The Initial Study depicts the increase in ambient noise as "less than significant impact". I disagree.

Water Quality

26 C
In Oakdale, much of our drinking water comes from groundwater. The saturation of these soils with tomato by-products does not seem to be adequately addressed. It is known that the introduction of salts from processing by-products into groundwater is of high concern to the Central Valley Regional Water Quality Control Board. The Initial Study depicts that the concern of degrading water quality as "less than significant impact". I disagree.

Traffic

26 D

Since I am located along a possible route between Con Agra and a few of the use sites, I will be experiencing increased truck traffic. The Initial Study mentions that the traffic will be 7 days a week from 6 am to 6pm. Again, your meeting presentation also mentioned that initially the operations would take place 24 hours a day. The Initial Study also finds that this increase in traffic as "less than significant impact". I disagree.

26 E

With the few issues I have identified, there appears to be enough concerns that warrant additional investigation. I suspect other people will find additional concerns. At the very least, an Environmental Impact Report is needed with appropriate mitigation measures. A Negative Declaration, in my opinion, is inappropriate. Ideally, the County will reconsider issuing this permit for the sole benefit of a corporation and one resident at the sacrifice of an entire community.

Thank you for the opportunity to provide comments.

Sincerely,

Ed Franciosa
7206 Crane Rd
Oakdale, Ca 95361

Marcella Goad
561 Del Rio Circle
Oakdale, CA 95361

August 12, 2009

Stanislaus County Dept Of Environmental Resources
Vicki Jones, Sr. Resource Management Specialist
3800 Cornucopia Way, Suite C
Modesto, CA 95358

Vicki Jones and SCDER:

I, Marcella L. Goad, and my husband Robert A. Goad are homeowners at 561 Del Rio Circle in Oakdale. We wish to express our opposition to the proposed applications for By Product Waste Processing Sites near our home and other residences in Oakdale.

27 A This week we had some more information brought to our attention. We have been informed "none of the applicants properties comply with Con-Agra's own consultants report on containment of the sludge runoff outlined in paragraph 11 and 12. See attached copies of paragraphs 11 and 12. 55 to 59 tons per acre per year of sledge is a huge application."

We ask for the county and your agency to look into this matter.

Furthermore, If this sledge is such a advantageous component, why does Con-Agra have to pay people to take it?

Thank you for your careful consideration of the above mentioned.

Sincerely,



Marcella L. Goad

Enc.

8. By-product shall be tested and the following parameters and constituents: moisture, total nitrogen, organic carbon, sodium, chloride, potassium, calcium, magnesium, phosphorus, pH and total solids versus volatile solids. Results of the analysis must be submitted to the Department within 30 days of receipt of results. The Department shall determine the number and frequency of sampling the food by-products after a review of the current Plan of Operation.

9. Application rates shall be based on agronomic rates.

10. Soil samples from fields to which by-products are applied shall be analyzed for cation exchange capacity, plant nutrients, total organic carbon, and ESP. Plant nutrients must include total nitrogen, nitrate and ammonium nitrogen, available phosphorus (Olsen), potassium, magnesium, calcium, sodium, and chloride. Saturation paste extracts shall be analyzed for soluble salts (electrical conductivity), and pH. Results of the analysis must be submitted to the Department within 30 days of receipt of results.

27 B

Samples shall be drawn from 1-foot intervals to the rooting depth. Alternative sampling intervals may be employed with technical justification. Each field scheduled to receive by-products in any given year should be sampled in late spring or early summer prior to the by-products application. Obtaining representative samples is critical to getting valid and interpretable analytical results. One method to ensure representative samples are collected is to conduct the soil sampling as follows: Collect soil samples from the depth intervals of 0-12 inches, 12-24 inches, and 24-36 inches at 10 to 20 sites per field based on geostatistical-based standards of practice. Mix samples taken from the same depth intervals to form a single composite sample for that depth interval. This composite sample should have a minimum weight of one pound. Submit each composite sample to a certified laboratory for analysis, for a total of three composite samples per field representing the three depths. Results of the analysis must be submitted to the Department within 30 days of receipt of results.

11. Land application of by-product to any sub-area or irrigation check not having a fully functional tail water/runoff control system is prohibited.

12. Applicant shall avoid excessive use of food processing by-product or practices that may create saturated soil conditions or other conditions that are harmful to crops and potentially degrading of underlying groundwater by overloading the shallow soil profile and causing by-product constituents (organic carbon, nitrate, other salts and metals) to percolate below the evaporative root zone.

13. Within sixty (60) days of the cessation of deliveries of food processing by-product to the site or at the end of the site season, the operator shall report to the Department a record of fields where by-products are applied, rate of application and total application/year/field.

27 C

27 D

27 E

Professional Agronomist – Mr. Terry Prichard – (209) 886-5301

California Certified Lab – Argon Laboratories and Denele Analytical Services
(209) 581-9280

Type and Amount of Pond and Rinse Mud to be Land Applied:

27F

For Aerated Pond, tomato and bean processing sludge or slurry from the plant wastewater operation is typically composed of 60% solids. This pond bottom will be dredged using a backhoe or dredge machine from the pond bottom and directly land applied with limited interim storage on site. Interim storage will take place within the corners of the existing aerated pond, if needed, where dredged material can be stock piled for drying and later application. The anticipated quantity of mud to be removed over several years will be based on the accumulated volume of approximately 10 feet presently. The period of mud removal operation will be synchronized with almond/walnut tree and row crop growing seasons over several years or on idle forage crops. Young trees may have applications during all parts of the season. Several proposed land application areas will be used as detailed in the next sections.

27G

Tomato Rinse Water Mud is an undiluted semi-liquid mud, composed of soil and broken tomatoes, tomato juice that typically contains 75% water and 25% solids. The amount of rinse mud generated per day during freshpack season is estimated at 32 cubic yards or typically 6,500 gallons or per day. During 2004 and 2005 tomato season, an estimated total quantity 3,079 tons and 2,843 tons, respectively, of the water and mud mixture was disposed of at the Dos Rios Food Processing Site in Modesto, CA. This equates to approximately three truck loads per day at nine tons per load. The total gallon estimate during the two tomato seasons were approximately 650,000 gallons. During the 2007 and 2008 Season, quantities ranged from 600 to 800 tons per month or upto 3,200 tons per year for the fresh pack season from approximately July to October of each year. Collection areas will take within the flume box, serum tanks, roll off box and liquid storage tanks in the agricultural operations area on site. Application will be synchronized with the almond/walnut tree growing season and with idle periods as described above. Young tree crops may be applied throughout the year. Mature trees may be used primarily after harvest and in the spring depending on the five year disking schedule.



PACIFIC AG CONSULTING

Specializing in Organizational Development & Business Referrals

Project Overview

JND Thomas Co., Inc is contracted to dredge, dewater, haul and land apply approximately 60,000 wet tons of "Tomato Rinse Water Mud" from a single source basin located in Oakdale.

- The project is tentatively scheduled to begin in September '09, working six days a week continuously for ten weeks, weather permitting or until the basin has been cleaned.
- The tentative plan is to generate and haul approximately 30-40 truck loads per day of semi solid material of approximately 32% moisture.
(See Lab Analysis)
- The total estimated truckloads could exceed 2,400 hauls for the duration of the project.
- Each truckload will be dumped at the permitted land application site and reloaded into a field spreader for land application.
- The material will be spread at recommended agronomic rates requiring approximately 12 -15 acres per day for incorporation into the soil, as defined within the permit guidelines. The "total applied acreage" requirements for the project are estimated at 950 -1,200 acres, not including "Setbacks".
(See Agronomic Rates, Permit Terms & Cond and Application Method)
- All sampling and testing of Soils, By-Product and Plant Tissue will be performed by an Independent Laboratory as defined within the permit guidelines.
(See Sampling/Testing)

27 H

Project Benefits

- The land application of By-Product Mud will contribute to the overall nutritional requirements of the future crop contingent upon recommended rates, as represented in the Application Summary.
- An Independent lab will perform and make available to the land owner at no cost, all Soil, By-Product and Tissue sampling, relating to each permitted parcel.
- JND Thomas Co., Inc will coordinate and manage the hauling, loading, spreading and incorporation of By-Product Mud" to parcels for land application at no cost to the land owner.
- JND Thomas Co., Inc will be responsible for compliance with all "Terms and Conditions for General and Land Application regulations".
- JND Thomas Co., Inc will pay an incentive of \$1.00 per wet ton to the land owner for participation in the Stanislaus County By-Product program.

Land Owner's Responsibilities

- Answer all applicable questions and provide all applicable information associated with land parcels for the Stanislaus County "Plan of Operation".
- Complete, sign and have notarized the "Authorization for use of fields in the ConAgra Aerated Pond and Tomato Rinse Mud Reuse Permit" letter.
- Contact Tom Amaro, Pacific Ag Consulting, (559) 740-9730 for any assistance or questions.
- Please complete the required information and "Notarized" letter no later than Monday, June 8, 2009.
- Tom Amaro will schedule an appointment to review and gather the documents on Monday, June 8th.



OAKDALE JOINT UNIFIED SCHOOL DISTRICT

168 South Third Avenue, Oakdale, California 95361
(209) 848-4884 • Fax (209) 847-0155

"A BRIGHT FUTURE"

August 13, 2009

DISTRICT ADMINISTRATION

Fred D. Rich
Superintendent

Barbara Shook
Assistant Superintendent
Curriculum & Instruction

Tim Hern
Assistant Superintendent
Business Services

Marc Malone
Assistant Superintendent
Human Resources

Kristi Repinecuk
Director
Categorical Programs

Larry Mendonca
Director
Pupil Services

Tracy Jakobowski
Program Specialist
Special Education

GOVERNING BOARD

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Clerk

Pam Andretti
Member

Michael House
Member

Rick W. Jones
Member

Vicki Jones
Senior Resource Management Specialist
Stanislaus County
FAX: (209) 525-8774

RE: CEQA REFERRAL for ConAgra Application for Permit to Operate a Food Processing By-product Use Site

28 A

The Oakdale Joint Unified School District has several sites in the airborne area of the proposed land of application on Brady Road. One such site is immediately adjacent and is a future school site that could be negatively impacted by the proposed disposal operation.

28 B

The Oakdale Joint Unified School District requests that tests of material to be removed be conducted for the following:

- Pesticide residue due to fruit or produce rinsing
- Organic compounds from any source
- Pathogens
- Any other contaminants that may be hazardous upon becoming airborne as a result of the transport, drying and/or action to disc or otherwise inter into or onto the soil.

28 C

28 D

28 E

The testing requested must be done with testing frequency guidelines acceptable to the State of California Department of Toxic Substance Control. An appropriate third party testing agency and adequate reporting and notification procedures should be outlined and implemented prior to the beginning of the project.

28 F

A plan should be drawn that addresses the frequency, chain of custody and appropriate standards for Parts per Million according to the most stringent of the Federal and/or State standards.

28 G

Thank you,

Fred Rich, Superintendent

cc: Tim Hern, Assistant Superintendent, Business Services
Ron Holcombe, Pacific Program Management



To: Stanislaus County Department of Environmental Resources
Attn: Ms. Vicki Jones, Senior Resource Management Specialist

Re: Con Agra Foods Application for Permit to Operate a Food Processing By-Product Use Site

Dear Ms. Jones,

We the undersigned are submitting comments and notice that we are in united and stern opposition to the above referenced permit issuance to the Oakdale Con Agra Facility and Mr. John Brichetto, co-Applicant.

We ask that you and staff review carefully our comments and request for denial of the "Negative Declaration" position the County Department has taken, and in doing so in essence recommending that the permit be issued by the County after approval by/of the County Board of Supervisors.

We are residents of the most densely populated areas adjacent to and in the prevailing wind pattern path, of several of the parcel requests submitted to your department and listed upon the permit application, as well as your report recommending the Negative Declaration to the Board. These affected parcel numbers are: 063-005-004; 063-004-030; 062-004-029; 062-004-002 and 063-006-001.

29 A

As stated above these parcels are directly adjacent to, and / or immediately in the prevailing wind patterns west and north west of the orchards proposed as spread sites for the materials being removed by Con Agra, transported upon public highways and roads (bordering our neighborhoods) and subsequently distributed by spreading and disc incorporation into the orchard soils. Over 300 single-family residences, a public school, a large pre school-day care facility, three or more churches, and a social hall are in relative proximity to these proposed parcel "spread sites".

Our concerns were shared with you at the Public Meeting in Oakdale, held July 21, 2009 and in numerous submissions of comment from individuals to the County Environmental Department. We are now submitting, in written form, comments from an organized group and substantial number of potentially impacted individuals, home, land, and public facility owners, resident renters and facility users.

At the referenced meeting you distributed documents that showed affected parcels but in a print size that did not allow for any "reading ability" of actual parcel boundaries. Your visual presentation did not allow for a better definition either. Ironically, we also believe that your printed presentation item labeled # 29 on Page # 5 of the hand out, justifies our concerns and the need for further evaluation of your proposed action as follows:

"The Food Processing By-Product Use Program has operated in Stanislaus County for more than 30 years prior to the adoption of the Ordinance (chapter 9.88 on 2-26-08) as an informal program, to prevent nuisance conditions. It is critical that you, the County and

29 A
(Cont)

particularly the County Board of Supervisors understand our objections are quite specific to the potential "nuisances" as well as other points we make herein. We believe we have the right to participate in and define our perception of "nuisances" particularly since we are the ones who may be affected and or suffer from them. It is obvious the need arose to create an Ordinance after this described 30+-year period and to that end, we demand the right to be heard and our requests be considered.

29 B

We DO NOT believe the department, nor the applicants, have demonstrated sufficient effort or information that provides adequate assurances that any potential impacts will be within the parameters of acceptable risk to the surrounding neighborhoods and facilities. We believe quite the opposite in that though the applicants have complied with your prescribed Ordinance Submission procedures, they have failed to provide sufficient or adequate specific details, plans for the mitigation of potential issues nor comparative analysis testing of compatibility with existing soils to accept the pond sludge. We believe all parties are entitled to full disclosure of any expanded tests conducted, but not reported to the County. These further test results (if done or available) may include information not required by the County staff as to the detailed composition and potential interactions of the materials in the source location- with those in the existing "spread" locations (no comparative sampling of the orchard soils and the source "spread" soils to determine if any negative interaction or effects could occur). We have additional concerns that there is insufficient information available of all materials placed in the "pond" site-since current ownership, though not original owners, cannot detail nor provide a comprehensive and exhaustive analysis or explanation of all materials placed into or at the source site, which by their own admissions, has not been "cleaned" or tested for some 15-20+ years. Though they cannot be accountable for accurate detail regarding all deposits made to the "pond areas"-they are certainly responsible for the removal of and redistribution of "whatever" may have been put into the ponds and or whatever may have been created by the mixing of materials, chemical interactions and compound creations.

We specifically object and demand exclusion from the approved locations (parcels) identified earlier for the following additional reasons:

29 C

We are not convinced the transport of, storage upon any parcel, spread rate and timing requirements as detailed in the permit and ordinance, the disc (mixing of imported materials) into existing soil by quantity and timing requirements (as proposed in the permit application), can effectively be completed without spillage upon public roadways, the infestation and growth in numbers of flies, mosquito larvae and / or rodents, and/or the substantial increase in dust and air borne contaminants from the increased farming operation. *Note* : The specific orchards in question upon the parcels identified, have been on "non tillage" for many years, where in disc work (and therefore dust issues) are minimized relative to air quality impacts, particularly upon the surrounding neighborhoods and public facilities).

All of the parcels listed lie within the prevailing wind flow (West and Northwest flow) - none of which was addressed in the county reports. Noise pollution and potential contamination of existing water wells and the adjacent Stanislaus River are further

29 C
(Cont)

concerns we share. We object to the fact that potential increases in objectionable "odor" pollution (one example of our right to title "nuisances) could affect us during any or all activities of transport, dumping at site, storage on site, spread activities, time between spread and disc activity and subsequent Odor issues after disc process.

29 D

Although we acknowledge accepting "right to farm" notices as provided in purchase contracts signed for the area, we do not think these parcels need to be further potentially impacted by this action upon the parcels. We believe that at the very least less proximate to potential impact parcels are proposed within the permit and/or are available in other areas also less potentially impacted than ours are.

29 E

We are particularly concerned that discussions, at the Public Meeting and in direct contacts with both the County and representatives of Con Agra, speak to "dealing with any negative or problematic issues that may arise" in an after the fact scenario and mind set. No specific or viable details have been prepared or presented for mitigating negative issues- short of the refusal to renew the annual permit or the halting of the process-again after the process has begun and impacts are felt.

29 F

We as residents, business owners and citizens of Oakdale, Stanislaus County, State of California and of course, the world in a larger sense, **DO NOT** wish to impede nor damage the business efforts of a local and substantial Business Member in our community. Many people rely upon the employment, local services and associative opportunities the plant provides and we believe, in earnest, Con Agra is an important and viable good neighbor member of our community. We also without reservation support the merits of the proposed plan with regard to limiting in flow to land fills. We comprehend that Con Agra faces increased costs of transport and or potential exposure to liability in transport if an alternative requirement to this plan is imposed. We however feel a potential cost sharing approach (from higher product fees) amongst all product purchasers would be a more equitable concept than potentially placing the burdens of possible problems upon those of us most likely impacted by actions allowed in this permit issuance.

We however also feel that this potential process is not in the best interest of, at the very least, those of us who would potentially be impacted, in a negative and unnecessary manner, by the approval and issuance of this permit with the above listed parcels included. Though many others from other proximate parcels spoke of their concerns, we believe they have the responsibility and right to speak in opposition as well and cannot and do not speak for them. We choose not to speak in total deference to the process-but rather in the opposition as detailed herein-specifically asking for removal of the listed parcels from consideration, or if that option is not available, the denial of the permit based solely upon the objection of those most immediately and potentially affected tax paying, voting owners and residents.

We submit these concerns and requests for reconsideration as citizens, homeowners, residents, business people and genuinely concerned neighbors. When we heard comments such as: "...there is no *unfair* nuisance perceived or discovered", or "given the parameters

of our departments' responsibility or mandate- we did not....." or "that concern is not in the purview of our department or the guidelines of the ordinance...." -just some of the responses given at the meeting and since, we cannot help but feel shortchanged. You should have been tasked and responsible to provide detailed information and to take into account any and all potential impact issues regarding the permit and the protection of "OUR" environment, our safety, our prosperity, the health of our children and families. You should specifically ask, consider and act upon the "nuisances" WE perceive as aggressively as those outlined in any guidelines for this permit issuance. We simply, in good conscience feel this action is not in the best possible interest of ALL parties concerned, but rather only beneficial to the applicant's in general.

29 F

(Cont)

We **MUST** and **DO** stand in **OPPOSITION** of the issuance of the permit and require you to respond to our concerns prior to allowing this process to move forward to the Public Hearing level before the County Board of Supervisors.

This document is being hand delivered to the County Environmental Department by the August 13, 2009 deadline as required. Further copies shall be sent directly to each County Supervisor. It is our intent to meet one on one with the Supervisor representing our area and to provide copies of our comments to any group, media outlet or others that may have interest in hearing and or displaying our position as detailed above.

Respectfully submitted.

We the Undersigned: (by attachment of pages)

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

<u>NAME</u>	<u>PRINT</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Arnold D. Silva	1858 Pontiac St.	Oakd.	Arnold D. Silva
Darlene A. Silva	1858 Pontiac St.	Oakd.	Darlene A. Silva
Randall Zevado	1874 Pontiac St.	Oakdale	Randall Zevado
Mary Ellen Zevado	1874 Pontiac St.	Oakdale	Mary Ellen Zevado
Jacqueline Riise	1855 Pontiac St.	Oakdale	Jacqueline Riise
Polly Hoffman	1953 Pontiac St.	Oakdale	Polly Hoffman
Hank Hoffman	1953 Pontiac St.	Oakdale	Hank Hoffman
Bessie Smith	1843 Pontiac St.	Oakdale	Bessie Smith
Donald B. Smith	1843 Pontiac St.	Oakdale	Donald B. Smith
Cynthia Barnhill	1906 Pontiac St.	Oakdale	Cynthia Barnhill
Doug Barnhill	1906 Pontiac St.	Oakdale	Doug Barnhill
Benny Muraw	1974 Pontiac St.	Oakdale	Benny Muraw
Carol Kennedy	2110 Pontiac St.	Oakdale	Carol Kennedy
Juanita Kennedy	2110 Pontiac St.	Oakdale	Juanita Kennedy

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

NAME	PRINT	ADDRESS	SIGNATURE
Adilio Nunes	Adilio Nunes	2899 Whitewood Ct	Adilio Nunes
Gloria Nunes	Gloria Nunes	2899 Whitewood Ct	Gloria Nunes
Amy Rowe	Amy Rowe	285 Stonewood Lane	Amy Rowe
Doris L. Osterlund	Doris L. Osterlund	296 Stonewood Ln	Doris L. Osterlund
Jeremy L. Willinger	Jeremy L. Willinger	2010 Rapunzel Ct.	Jeremy L. Willinger
Tom Tucker	Tom Tucker	2054 Rapunzel Ct.	Tom Tucker
Lisa Tucker	Lisa Tucker	2054 Rapunzel Ct.	Lisa Tucker
Jim Connors	Jim Connors	2076 Rapunzel Ct.	Jim Connors
Don Medina	Don Medina	2088 Rapunzel Ct.	Don Medina
Tamara Medina	Tamara Medina	2098 Rapunzel Ct.	Tamara Medina
Kate Medina	Kate Medina	2098 Rapunzel Ct.	Kate Medina
John Medina	John Medina	2098 Rapunzel Ct.	John Medina
David Medina	David Medina	2098 Rapunzel Ct.	David Medina

IN OPPOSITION TO THE CON.AGRA - BRICHETTO SPREAD PERMIT WE ARE:

NAME	PRINT	ADDRESS	SIGNATURE
KIM BURFORD		2089 RAPUNZEL CT OAKDALE	<i>Kim Burford</i>
KARA MELCONIAN		15 WILLOWOOD #2 OAKDALE	<i>Kara Melconian</i>
DALIM BURFORD		2089 RAPUNZEL CT OAKDALE	<i>Dalim Burford</i>
KEVIN LEECH		2041 RAPUNZEL CT OAKDALE	<i>Kevin Leech</i>
WENDY LEECH		2041 RAPUNZEL CT OAKDALE	<i>Wendy Leech</i>
DANIELLE		2041 RAPUNZEL CT OAKDALE	<i>Danielle Leech</i>
LYNETTE WILUNGER		2010 RAPUNZEL CT	<i>Lynette Wilunger</i>
ASHLEY FAILE		449 ROMANO CT.	<i>Ashley Faile</i>
FRANCINE USIAK		1704 TOLLY	<i>Francine Usiak</i>
PATRICIA A. BLANUSA		1704 TULLY RD. HUGHSON	<i>Patricia A. Blanus</i>
CAROL NICEWONGER		6706 CON-DALE RD OAKDALE	<i>Carol Nicewonger</i>




IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

<u>NAME</u>	<u>PRINT</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Bob Young		2005 Rapunzel Ct	Bob Young
JANE YOUNG	16	2005 RAPUNZEL CT	Jane Young
TAYLOR WEBSTER		2005 RAPUNZEL CT	T. Webster
KELLY OLSON		84 Willowood Dr.	Kelly Olson
MIKE OLSON		84 Willowood Dr.	
Kaila Olson		84 Willowood Dr.	Kaila Olson
Brian Wilinger		2010 Rapunzel Ct	Brian Wilinger
Jeanne Wilinger		2010 Rapunzel Ct.	Jeanne Wilinger
Alejandra Olmedo		291 Cranford	A.O.
Amy Tawn		294 New Ct	Amy Tawn
Debra Campbell		282 New Ct	Debra Campbell
LILLY BETZAS		2778 WHITEWOOD CT	L. Betzas
Josephina Betas		2778 WINDWOOD CT.	J. Betas










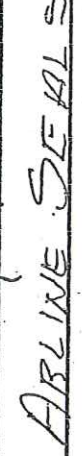



IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

NAME	PRINT	ADDRESS	SIGNATURE
PATRICIA M. LAIRD		74 WILLOWOOD - OAKDALE	<i>Patricia M. Laird</i>
JAMES H. LAIRD		74 WILLOWOOD, OAKDALE	<i>J. Laird</i>
David N Gorman		2139 WOTTS 3/11 CR	<i>David N Gorman</i>
Joe Cowder		2074 Lortistic St	<i>Joe Cowder</i>
Regina Tallman		78 Obsidian Oakdale	<i>Regina Tallman</i>
Richard M Cowan		26 Obsidian Dr	<i>Richard M Cowan</i>
SHARON COWAN		76 obsidian DR - OAKDALE	<i>Sharon Cowan</i>
Janette Gorman		2139 Wotshall Circle Oakdale	<i>Janette E Gorman</i>
JOE FOSTER		59 Obsidian Dr	<i>Joe Foster</i>
Judith W. Walker		57 Obsidian Dr.	<i>Judith W. Walker</i>
Jacie Fields		64 Willowood Dr, Oakdale	<i>Jacie Fields</i>
Linda Caudle Bowler		603 Willowood Dr.	<i>Linda Caudle Bowler</i>
Nellie Higgins		470 E A St Oakdale	<i>Nellie Higgins</i>

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

NAME	PRINT	ADDRESS	SIGNATURE
KOIT	MATTHEWS	1889 MAIDEN LN	
STEVE	MAHAKEY	1882 MAIDEN LANE	
Jeanie	Mahaney	1882 Maiden Lane	Jeanie Mahaney
Debra	Richardson	87 Willow Dr.	Debra Richardson
Kathleen	Rowley	37 Willow Glen	Kathleen Rowley
Ron	Rowley	37 Willow Glen	Ron Rowley
Elen	Richardson	87 Willow Dr	
Leslie	Vattings	1919 Maiden Lane	Leslie Vattings
Judy	French	84 Willow Glen	Judy French
Liz	Graham	1961 Maiden Lane	Liz Graham
Sam	Graham	1961 Maiden Lane	Sam Graham
PAT	KUTN	6 Willow Glen	Patricia A. Kutn
KEVIN	Loch	2041 Rapunzel Ct	Kevin Loch
Wendy	Loch	2041 Rapunzel Ct	Wendy Loch

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

<u>NAME</u>	<u>PRINT</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Phyllis D. Pottle		1701 Iris Ave	
Hazel Brunt		1320 Magnolia	
Dawn Jerkins		1405 Iris Ave	
Patience Gregory		391 N. 1 st Ave.	
Shantell Fawcett		782 Ramer St	
Christina Carmelich		1229 River Bluff Dr.	
Lena Lubini		1405 Iris Ave	
Jane Griffith		1345 Magnolia	
B.J. Duffin		1345 Magnolia	
Beverly Hayden		1500 Magnolia Ave	
Arlene Seal		1387 Magnolia Ave	
Mary Wonnacott		1324 Magnolia	
Jessica Laughlin		1401 Iris Ave	

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

<u>NAME</u>	<u>PRINT</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Maryalice Hawks		1979 Maiden Ln, Oakdale	Maryalice Hawks
Lenore R. Hawks		1979 Maiden Lane, Oakdale	Lenore R. Hawks
MICHAEL D. PETTINGER		1919 MAIDEN LANE, OAKDALE	Michael D. Pettinger
Arthur I. Angarole		1907 Maiden Ln, Oakdale	Arthur I. Angarole

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

<u>NAME</u>	<u>PRINT</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>	<u>Date</u>
Myrtle Miles		86 Willowood Drive Oakdale, Ca 95361	<i>Myrtle Miles</i>	8/08/09
Layton Miles		86 Willowood Drive Oakdale, Ca 95361	<i>Layton Miles</i>	08/08/09
Gordon Miles		86 Willowood Drive Oakdale, Ca 95361	<i>Gordon Miles</i>	8/8/09
Raymond Esslinger		85 Willowood Dr Oakdale Ca 95361	Raymond Esslinger	8-11-09
Ramon Esslinger		85 Willowood Dr Oakdale Ca 95361	<i>Ramon Esslinger</i>	8-11-09
Flaine Matthews		88 Willowood Dr Oakdale Ca 95361	<i>Flaine Matthews</i>	8-11-09

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

NAME	PRINT	ADDRESS	SIGNATURE
Kyle Thompson	84 Rthannon Ct		Kyle Thompson
Lois Thompson	17 " "		Lois Thompson
Shelly Hastert	12 Barton Park		Shelly Hastert
JOEY FREITAS	2386 WHEATWOOD CT		Joey Freitas
Paula Pucillo	287 Stonewood Ln		Paula Pucillo
Kim Hansen	293 Stonewood Ln		Kim Hansen
MARIA AVELAR	897 Stonewood Lane		Maria Avelar
Judy Vejar	2038 Pontiac		Judy Vejar
Julie Peterson	00	Pontiac	Julie Peterson
Brent Schmitt	71 OBSIDIAN		Brent Schmitt
Kim Brant	65 OBSIDIAN		Kim Brant
Doug Petersen	68 OBSIDIAN		Doug Petersen
Norman Cole	66 obsidian Dr		Norman H. Cole
MARILEE COLE	66 OBSIDIAN DR		Marilee B. Cole

IN OPPOSITION TO THE CON AGRA - BRICHETTO SPREAD PERMIT WE ARE:

<u>NAME</u>	<u>PRINT</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Wes Pobbins		2538 Barnwood Ct	Wesley Pobbins
Dorothy Robbins		2538 Barnwood Ct	Dorothy Robbins
Lana Crose		2510 Barnwood Ct	Lana Crose
Gillian Crose		250 Barnwood Ct	Gillian Crose
Breton Crose		2510 Barnwood Ct	Breton Crose
Bob Cain		1934 Pontiac St.	Bob Cain
Heidi Cain		1934 Pontiac St.	Heidi Cain
Lisa Bliss		293 Crane Rd	Lisa Bliss
DAVID P. BLISS		293 CRANE RD	David P. Bliss
Nate Bliss		293 CRANE RD	Nate Bliss
MAVIS TYWIN		294 New Ct	Mavis Tywin
Carlee Walsh		287 New Ct	Carlee Walsh
Nanda Lankford		2845 Poilvie	Nanda Lankford
JOHN A. VIEIRA		2887 Whitewood Ct	John A. Vieira
Barbara Vieira		2887 Whitewood Ct	Barbara Vieira

30 A

● The ESJ Water Quality Coalition and the ESJWQC Board of Directors encourages members to carefully review the information in the BMP handbook. Included are a number of approaches known to reduce or eliminate pesticide, nutrient and other contaminant loads carried by irrigation return flows and storm water into nearby waterways. As members of the ESJ Water Quality Coalition tributaries are routinely sampled for various types of contaminants. My question to you is why are the recipients of the Aerated Pond Mud not required to meet the same standards as local Dairymen, ie closed systems or return systems that won't allow the Aerated Pond Mud to enter waterways when runoff occurs? I suggest that you contact the ESJ Water Quality Coalition at 1201 L Street, Modesto, CA 95354. Parry Klassen, 559-646-2224.

30 B

● If the California Regional Water Quality Control Board requires monitoring wells and has a zero discharge requirement for the tomato rinse water waste that leaves the Aerated Mud-Sludge pond then why aren't the same standards applied to the runoff water that leaves the properties where the highly concentrated Aerated Pond Mud is applied?

● Has the Stanislaus County Department of Environmental Resources been provided a copy of Con-Agra's consultants report on the , (Aerated Pond Mud sludge by Pacific AG Consulting) ?

A. Stanislaus County Department of Environmental Resources should verify that the applicant's properties comply with Con-Agra's own consultants report on containment of the Sludge runoff outlined in paragraph 11 and 12 of the Pacific AG Consulting report.

55 to 59 tons per acre per year of Aerated Pond Mud Sludge is a huge application.

30 C

On page eleven, paragraph 11 and 12 of Pacific AG Consulting report specifically prohibit applications of Aerated Pond Mud sludge to any sub-area or irrigation check not having a fully functional tail water/runoff control system. Below are copies of paragraphs 11 and paragraph 12 of the Pacific AG Consulting report.

11. Land application of by-product to any sub-area or irrigation check not having a fully functional tail water/runoff control system is prohibited.

12. Applicant shall avoid excessive use of food processing by-product or practices that may create saturated soil conditions or other conditions that are harmful to crops and potentially degrading of underlying groundwater by overloading the shallow soil profile and causing by-product constituents (organic carbon, nitrate, other salts and metals) to percolate below the evaporative root zone.

The Almond Board of California
1150 Ninth Street, Suite 1500
Modesto, CA 95354 USA
Telephone: (209) 549-8262
Fax: (209) 549-8267 Bob Curtis

California Walnut Board
101 Parkshore Drive Suite 250
Folsom, CA 95630
Phone: (916) 932-7070
Fax: (916) 932-7071

Write to contact Passenger Outbreak

D 30

Letter # 31

Why do you continue sham public hearing process for dirty agriculture? You are going to let 20 years of swill be dug up and spread near our houses.

Do it right and do an enviornmental impact report so the people know what you are about to do to their home values.

Our homes have lost most of their value...and now you are letting a corporation dump thousands of tons of smelly dangerous sludge on the neighbors land. Our kids and parents will have to live with the flies, rats and stink.

Disking in an orchard? That won't be too deep. Too many roots!

If this stuff was harmless it wouldn't be regulated. At least make them do full report!

Don't paper over this charade!!!!!!!