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Tokenism used to approve an industrial food waste sludge pit in Churchville: Column

ROBERT “BOBBY” WHITESCARVER

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Most public hearings are required by law, and on the surface, they seem like free and fair democracy in action, but they are often impotent processes that allow a governing board to put a checkmark in a box.

The recent public hearing on a request by a corporation to build a giant 3-million-gallon open pit to store sludge or waste from industrial food processing on a farm in Churchville, Va., was no exception. The industrial food waste will be stored, stirred and spread on the farm before the farmer plants crops each spring.

The Augusta County Board of Zoning Appeals held the public hearing on Jan. 7. Only two people spoke in favor of the giant pit. One said the owner of the farm was a good guy and therefore the pit should be approved. The other was a neighboring poultry farmer who stated that he didn't mind the smell of manure or sludge.

After the two supporters spoke, the opposition, about 12 neighbors, had their turn. They had many concerns such as odor, well-water contamination, truck traffic and noise. Three speakers said they had asthma and that the odor from the sludge would compromise their health.

One of the neighbors brought a petition opposing the giant pit with 218 signatures — yes, 218! — from folks who live within a mile and quarter from the proposed site. He also stated that the neighbors were already burdened, but never complained about the smell, dander and noise from the seven regular industrial poultry houses and four super chicken houses (equivalent to 16 regular industrial poultry houses) within the same radius.

Another neighbor, a tall, distinguished older gentleman in a blue suit, gave a slide presentation showing the size of the giant pit and how close it was to his house. He had even traveled to an existing giant pit operated by the same corporation on a farm in Stuarts Draft, Va., to see whether

the industrial food sludge had any odor. Indeed, it did; so much so that he could not get far enough away on the farm to escape its smell.

I spoke about the environmental consequences of not only the pit but the spreading of the sludge. Most households in the Churchville area use well water. Churchville is in karst terrain — land with sinkholes, solution channels and caves — which is the worst place to put a pit or spread sludge because of possible land subsidence (active sinkholes) and contamination risks to people's drinking water.

I reminded the board that just north of us, the public wells in several communities exceeded the safe drinking limits for nitrates because of excessive applications of manure on farms in the region. The soil does wonders to recycle nutrients and detoxify substances, but it can only do so much.

After all the opponents spoke, I thought we had presented such convincing evidence that no reasonable person could vote for the giant sludge pit.

Then the general manager for the corporation came to the lectern. He had the last word — and an answer for everything. He was a very nice, well-dressed fellow and spoke eloquently. He was well-trained in the art of persuasion.

He went on and on. It was exhausting. I thought surely everyone was seeing what I was seeing: layer after layer of lipstick being applied on a pig. It's still a giant, open-topped pit with odorous industrial food sludge that the company will spread on the land. Yet with every minute he spoke, a little more air escaped from our opposition balloon.

When his loquacious, buttery speech finally ended, one of the board members asked questions that obviously applied even more lipstick on the pig. Our hopes evaporated. The board did vote to postpone its decision for 30 days, but it is to investigate whether the farm property might have a better location for the pit. The public will not have another opportunity to comment on the matter.

Is it fair for a single person or a single corporation to infringe on the rights of the overwhelming majority of the community? To compromise their most basic resources of clean air and clean water?

One definition of democracy: A community or organization in which the minority is heard but is governed by the majority of its members. The community of Churchville was certainly not working like a democracy on Jan. 7. The governing board put its obligatory checkmark in the box: They heard from the people, dismissed their comments and moved on. Political science folks call this type of public hearing tokenism.

A better way to handle the situation would have been to involve the community much earlier in the process. The board would have discovered overwhelming opposition and perhaps located the pit closer to where the waste is generated on industrial zoned land instead of a rural community like Churchville.

— *Bobby Whitescarver is a watershed restoration consultant and farmer who lives in Churchville, Va. He can be reached through his website at www.gettingmoreontheground.com.*