

EXHIBIT 14

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**BEFORE THE POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON**

FIVE CORNERS FAMILY
FARMERS,

Appellants,

v.

WASHINGTON STATE
DEPARTMENT OF ECOLOGY,

Respondents.

and

EASTERDAY RANCHES, INC.

Respondents.

PCHB No. 09-106

**SECOND DECLARATION OF
SCOTT COLLIN**

I, SCOTT COLLIN, declare the following under oath and penalty of perjury of the laws
of the state of Washington:

1. I submit the following response to Mr. Cody Easterday's Declaration
Opposing Motion for Stay dated December of 2009.

2. In his declaration, Mr. Easterday emphasizes that he received all of the
necessary governmental permits for operating this feedlot. However, I believe it is important

1 for this Board to understand the process by which Mr. Easterday received the permits. The
2 original public purview was through the CUP (Conditional Use Permit) granted by Franklin
3 County, through the Planning and Building Department. It allowed for public notice of a
4 1,000+ head feedlot limited to a small advertisement in the *North Franklin County Graphic* (a
5 local weekly paper). Local landowners with land within one (1) mile were also notified
6 directly. There were three (3) of us. There was also a small ad in the *Tri-City Herald*.
7

8 3. These notifications served a dual purpose. One, the notifications met the
9 minimum criteria for legal notification. Two, it is my opinion that these ads also served to
10 "lull" local landowners to accept it as a large feedlot, but one that neighbors could probably
11 live with at 1,000 head of cattle.

12 4. My wife and I found out in time, and only through the grapevine, the truth
13 about the actual nature, size, and scope of the feedlot. There was NO personal contact
14 attempted by Mr. Easterday until after reaction, through written protest, from the local farmers.
15 We filed protests only to learn, again after the fact, that the State Environmental Policy Act
16 (SEPA) process was marginalized and our opportunity to comment on the need for an
17 Environmental Impact Study was past the deadline. This confusion occurred because the
18 Franklin County Planning and Building Department ran the CUP and the SEPA processes
19 simultaneously.
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21 5. At that point in the process, Mr. Easterday realized that there was strenuous
22 opposition to his Feedlot. We, Five Corners Family Farmers, have challenged this Feedlot at
23 every forum available to us.
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1 6. Before Mr. Easterday began digging the water well on the property, formal
2 notice was given that opposition to the well in the form of a lawsuit would be forthcoming. A
3 request for overturning the designation of non-significance was filed. The CUP was protested,
4 the Pepiot Water Right was appealed, and numerous other objections were made long before
5 actual construction started. These objections pointed to the fact that there was not only
6 opposition, but that the entire project was wrong.
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8 7. Throughout Mr. Easterday's declaration, his primary argument in support of
9 this Feedlot is that he will bring dollars into Franklin County. What that argument overlooked
10 is the financial and community contributions that Five Corner Family Farmers (FCFF)
11 members have made to this community over the past hundred (100) years. Our families have
12 supported Franklin County since its inception. The list of contributions includes, of course,
13 taxes, but more importantly it includes community support. This support has not been just at
14 Five Corners, or Eltopia, or Connell, but county-wide. Our members are involved in churches
15 (building them from the ground up), schools (as board members and volunteers), Fire District
16 volunteers, and communal involvement through original construction of our telephone services
17 and the local Rural Electrical Association. We are members of the Grange, the Grain Growers,
18 the Farm Bureau, and some of us are even members of the Cattlemen's associations.
19

20 8. In short, Mr. Easterday makes promises of financial return to Franklin
21 County, yet the Five Corners people have proven that support and community involvement for
22 over four generations. My wife and I are members of our local church, involved in leadership
23 roles in church government and in Christian education. We have been involved in Christian
24 outreach volunteerism, in jail ministries, and in the local Homeless Mission as volunteers.
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1 9. I am just one example of an active Five Corners Family Farmer member.
2 Each individual can show involvement in civic and church organizations throughout our
3 County. To denigrate us now, after generations of service, is to show total disregard and
4 disrespect for the service of our families to our community for generations.
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6 10. Make no mistake: Mr. Easterday's interests here are purely his personal
7 finances and economic gain.

8 12. The losses to the Five Corner Family Farmers' property are another issue to
9 be reconciled. Ecology stated, in its July 2009 informational meeting, that extra measure of
10 safety for the air quality could not be implemented due to the "cost" to Mr. Easterday. Yet the
11 cost to Five Corners members is already burdensome. Cumulative fumes and odors permeate
12 our homes and ranches already. Even now, before construction, the smells can be
13 overpowering. What of our losses? What of the enjoyment of our homes, the rural lifestyle,
14 the actual financial loss in value to our homes?
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16 13. Our losses have apparently been outweighed by the potential cost to Mr.
17 Easterday to put in aeration fans or Biological Oxygen Demand (BOD) testing to assure that
18 decomposition of waste is accomplished correctly. The development of the feedlot will likely
19 cause continuing harm and irreparable loss to our properties.
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21 14. In his declaration, Mr. Easterday suggests that he will employ 40 full-time
22 workers. I disagree that Easterday Feedlots will employ 40 full-time workers year-round.
23 More likely, Mr. Easterday will employ seasonal workers, and many of them may be
24 undocumented folks who don't even reside in Franklin County.
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1 15. All the facts and figure to support Mr. Easterday's argument are vague and
2 beg for closer scrutiny. The claim by Mr. Easterday that he knows "every cattleman" in
3 Benton or Franklin Counties with fifty (50) or more cattle strikes me as incredible and absurd.

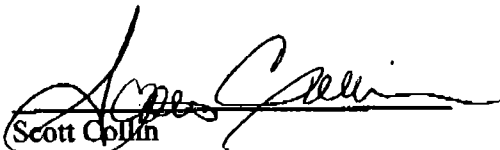
4 16. Mr. Easterday's statements regarding air quality and industrial pollution in
5 this region are not supported by the facts. The cumulative effect of existing air pollution is
6 dramatic in Franklin County. Feedlots, dairies, garbage dumps, wood stoves, food processing
7 plants, slaughterhouses, and paper mills all exist within the fifty (50) mile radius that Mr.
8 Easterday quotes. Historical reference of air quality issues in the Benton-Franklin area go back
9 to the time of Lewis and Clark's expedition. Their journals point to the friable nature of the
10 local environment, easily crumbled or reduced to powder. First-hand accounts of the time
11 referenced the horrendous dust storms of the region we live in. This was before civilization
12 and the pollution we cause, whether from agricultural, manufacturing, or residential sources.

13 17. Franklin County is a rural County; due to that fact, and its limited tax base,
14 financial difficulties will always be a part of life, as long as elected officials choose to spend
15 above their means. Franklin County is by nature one of the very driest counties in the state.
16 Due to the friable environment, Air Quality is a premium in this county already. To build
17 another mega-polluter in the area will just overload a region that is already over-stressed.

18 18. Finally, Mr. Easterday's contention that no other cattle feedlot or dairy
19 operation in the state operates with an air quality permit points to the serious deficiency that
20 exists in our state. Our state safety and health officers are overlooking obvious evidence.
21 Confined Animal Feed Operations (CAFOs) are some of the most dangerous polluters in the
22 world. To add an additional one in Franklin County would be irresponsible at best.
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DATED this 4th day of January, 2010.



Scott Collin

CERTIFICATE OF SERVICE


I hereby certify that I emailed the following Second Declaration of Scott Collin to the following:

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Dated this 4th day of January, 2010.



Karen S. Lindholdt