To view the Appeals on the Environmental Hearing Board website, here is the link:

<http://ehb.courtapps.com/public/commonsearch_ehb.php>

Docket searches will come up.  In the section PARTY NAME, enter HUDSON; under TYPE enter APPELLANT.  You will see it all there.

**PERMIT(s) STATUS** – Updated August 28, 2015

**NUTRIENT MANAGEMENT PLAN:**

The Nutrient Management Plan (NMP) was approved by the Fulton County Conservation District on March 13, 2014.  We filed the Appeal of the NMP on April 11, 2014.  *This case has not yet been heard by the Environmental Hearing Board.*

**TOWNSHIP LAND DEVELOPMENT PLAN:**
On July 27, 2015, the Ayr Township supervisors voted to **approve the revised land development plans** as presented June 29, 2015, by CFC Fulton, one of the entities being used by the hog CAFO group, part of the vertically integrated business model of Hatfield Quality Meats/Clemens/Country View Family Farms.

Ayr Township had given **conditional approval**to the original preliminary land development plans **last year**, approving with encroachments into the riparian buffer areas even after two (2) letters expertly authored by TU's Kevin Anderson.

The Township Land Development Plan approval has been appealed at the local level. *This case has not yet been heard by the Court.*
**WQM PERMIT APPLICATION AND DEP PUBLIC HEARING FOR SAME:**
Soon after that approval, the DEP invited any interested persons to present comments on the **WQM Permit Application at a public hearing**held at the Mcconnellsburg Fire Hall.  Thank you for attending and for your comments that evening.  Of course, there was no follow-up by the DEP.  We had correspondence from Lisa Kasinowicz, Community Coordinator, who managed the public hearing that evening.  Ms. Kasinowicz wrote that the public comments would be compiled with written comments submitted that evening and any received in the mail, and there would be a response.  We received no response.

We have now received notice the WQM permit (where DEP held the public hearing) and the related PAG-12 permit has been approved.  We are working to obtain experts and preparing to file an appeal.  As noted above, we will be filing the WQM Appeal Monday, August 17, 2015.

UPDATE: We have filed the WQM Permit Appeal (and the companion PAG-12) on Monday, August 17, 2015*. As this has just been filed, these cases have not been heard by the Environmental Hearing Board.*

**APPEAL OF PAG-02 and SUPERSEDEAS OF PAG-02:**
Unrelated, but immediately following the above public hearing, the DEP issued a letter citing 47 deficiencies to the PAG-02.  You may remember the PAG-02 had been issued in August 2014, after which we immediately requested an informal hearing.  The 47 deficiency letter was the result of our request and presentation of materials at the informal hearing.  The DEP withdrew the permit, and gave the applicant 60 days to respond/revise.

In late December 2014, the revised plans were submitted.  We did not have access to the information until sometime in January 2015.  The DEP moved the revised plans into an elevated review.  We provided comments that the revised plan was still deficient.  The DEP has now approved the PAG-02 as of July 2, 2015.

We have filed an Appeal of the PAG-02 July 10, 2015.  We have also filed an Amendment to the Appeal of the PAG-02 July 30, 2015. *This case has not yet been heard by the Environmental Hearing Board.*

We have also filed a Supersedeas of the PAG-02, which, if successful, would result in a stay on the permit, which would prevent the permit holder from using the permit - beginning earth moving activities - before the permit appeal is heard.  **The hearing for the Supersedeas of the PAG-02 began Friday, August 14, 2015, before the Environmental Hearing Board, and is scheduled for this coming week also.**

**UPDATE: The hearing for the Supersedeas was held from Friday August 14, 2015, through Wednesday, August 19, 2015. A site visit for the court was held Thursday, August 20, 2015.**

**On Thursday, August 27, 2015, The Environmental Hearing Board Judge issued an ORDER that THE APPELLANT’S PETITION FOR SUPERSEDEAS BE GRANTED.**

**PRESS RELEASE**

We have prepared a press release for the news outlets which we will release Monday morning, August 31, 2015, so it doesn’t get lost in the weekend fluff. A copy is provided in advance for you.