



December 22, 2023

To: The Flathead County Commissioners

While you are here today to discuss the potential use of the King Property for the future location of the Flathead County Jail, we wanted to once again remind you why we believe it is in the best interest of Flathead County tax payers and the long-term protection of the Flathead Valley's water quality that you consider co-locating both the jail and the county septic receiving station and dewatering facility on the King Property.

1. **Both facilities would best be served by connecting to the Kalispell Sewer system which serves this property.**
2. The **infrastructure cost** of connecting to the Kalispell Sewer system could be shared by the two facilities saving tax dollars.
3. Much needed **paved roads** are in place to serve both of these facilities and any upgrades to curb and gutter or sidewalks can be a shared expense between the two facilities.
4. The **Kalispell Sewer system has high standards and sophisticated treatment capacity** already in place to process the pretreated liquid septic effluent which our research indicates would exceed the proposed treatment capacity of the recently proposed LCSWD septic receiving plant.
5. While the City of **Kalispell has had in their capital improvement plans for a good number of years plans to build its own biosolids and composting facility** and the need to acquire land for this facility, partnering with the county to build a facility on the King property would be a more cost-saving win-win solution for both the city and the county.
6. HDR's final costs estimates for building the proposed Septic receiving station and composting facility on the Dyer Property have exceeded the county's funding capacity with ARPA funds, but the county could sell the Dyer property and apply that revenue to the King property. **That land sale coupled with HDR's cost redesign of the county septic receiving station and dewatering facility would be a feasible option.**
7. In talking to several public works managers here and elsewhere and laying out for them the issues, they tell me that they believe **there would still be adequate time to bid the project and contract for it within the ARPA funding deadline.**
8. **The proposal for the county to grant LCSWD the ARPA funding to build and operate the septic receiving station and dewatering facility or composting facility is a bad idea for numerous reasons including:**

- **LCSWD has out grown its current facility and their proposal to expand their capacity by securing a new ground water discharge permit from the state DEQ for rapid infiltration basins** over a large area of shallow soils and shallow ground water ,a mere one mile north of Flathead Lake, we believe, along with others with expertise to evaluate such proposals, **is a highly problematic proposal that will likely, if it moves forward, be legally challenged** to require an in-depth scientific review of the proposal to establish that it will not over time harm water quality in this area and in Flathead Lake.

- **Even DEQ regulations state that “If it is determined that the groundwater beneath the proposed RI (rapid infiltration) site is hydrologically connected to surface water, then the discharge will be considered the same as a surface water discharge and a Montana Pollutant Discharge Elimination System (MPDES) permit will be required by the Department.”** Long established research of the connections between the aquifers in the Flathead and surface water are well established. It is our understanding the MPDES permits are not being granted in the Flathead till a long-standing legal challenge to meeting total maximum daily loads (TMDLs) are met.

- LCSWD has additional problems that will be costly to address including **soils that are subject to liquification** during potential earthquakes in this area making it too costly to build new holding ponds, and existing holding ponds have never been emptied and are at capacity. **Water quality in adjoining irrigation ditches and Wiley slough has been degraded** as evidenced by heavy algae growth in recent years. Neighboring properties are concerned with odors, reoccurring health issues, and the safety of their own drinking water; a number of residents rely on shallow wells.

- The proposed Cooper Farms 300 gal per minute high capacity well to serve its proposed 700-unit subdivision has been legally challenged by some 26 water rights holders in the area. It is **pending hearings on how the drawdown of this well, which is at the center of a three-and-a-half-mile radius DNRC has identified as potential areas of impact, which covers most of the LCSWD property, will interact with the LCSWD’s operations and discharges** as well as with the water rights of these neighbors who have filed water right protests.

**In conclusion, we hope that as you consider the jail proposal before you today, that you also consider the significant benefits to county and city tax payers and to our valley’s water quality of locating the proposed county septage receiving station and biosolids dewatering facility on the King property.** (Note that given the many problems being identified with PFAS in compost made from bio-solids we continue to advocate for biosolids to be used as an energy source or an indirect energy source when buried in the Flathead County Landfill where they aid electricity generation from methane gas at the landfill.)