1 PUBLIC INFORMATIONAL MEETING
2 REGARDING THE
3 PROPOSED CONSTRUCTION OF A LIVESTOCK
4 MANAGEMENT FACILITY
5 BY
6 COUNTY LINE SWINE, INC. SWINE FACILITY
7
8
9 DATE: Thursday, September 20, 2018
10 TIME: 6:00 P.M.
11
12 LOCATION: Adams County Courthouse
13 Adams County Boardroom
507 Vermont
14 Quincy, Illinois
15 TRANSCRIPT OF PUBLIC INFORMATIONAL MEETING
16
17 REPORTED BY RANDALL W. WELLS
18 CERTIFIED COURT REPORTER - #0271
19
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PUBLIC INFORMATIONAL MEETING

REGARDING THE

PROPOSED CONSTRUCTION OF A LIVESTOCK

MANAGEMENT FACILITY

BY

COUNTY LINE SWINE, INC. SWINE FACILITY

TRANSCRIPT OF PUBLIC INFORMATIONAL MEETING heard on the **20th day of September, 2018**, at the Adams County Courthouse, Adams County Board Room, 507 Vermont Street, in the City of Quincy, State of Illinois.

A P P E A R A N C E S

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Rebecca Weed

* * *

SEPTEMBER 20, 2018

HEARING OFFICER SONDGEROTH: Well, good evening, everyone. My name is Craig Sondgeroth. I'm General Counsel of the Illinois Department of Agriculture. I'm also the Chief of Staff.

Does anybody have any issues hearing tonight?

Had some -- we had some issues in the past. I want to make sure everybody can hear. So if you can't hear and we can do something about it, let me know.

Before we begin tonight I would ask everyone to please turn your cellphones to silent. Please make sure they're on silent.

Thank you very much.

Good evening, everyone. On behalf of Raymond Poe, the Director of the Illinois Department of Agriculture, I thank you very much for the invitation for the Department to come here tonight to Adams County.

As discussed, my name is Craig Sondgeroth. I'll be serving tonight as the Hearing Officer for tonight's public informational meeting.

Also with me tonight on behalf of the Department is Warren Goetsch, sitting to my left. He's the Deputy Director of the Department.

And also Doug Owens, who's sitting right in front of

me. He's the Chief of the Department's Bureau of Environmental Programs.

This meeting is being conducted pursuant to Section 12 of the Livestock Management Facilities Act. The informational meeting is being held at the request of the Adams County Board. The purpose is to afford members of the public an opportunity to ask questions and present oral testimony and written testimony regarding the proposed construction of a new two thousand animal unit swine facility by County Line Swine, Inc.

My task this evening is to ensure that this meeting is conducted in an orderly fashion, and to ensure that all comments and testimony received are entered into the record.

Tonight's meeting is being transcribed. The transcript of the meeting will be sent to the Adams County Board, as well as used by the Department of Agriculture in making its determination regarding the proposed construction of this facility.

In order to ensure that we have an orderly process, I will quickly explain how the meeting will proceed this evening.

First, following my comments, Warren Goetsch will provide an overview of the provisions of the Livestock Management Facilities Act as it relates to this particular project, specifically outlines the current status of the project and how the process will proceed following this meeting.

Following Mr. Goetsch, representatives for the

proposed construction project will be given an opportunity to describe the project and demonstrate how they believe it meets the siting criteria of the Livestock Management Facilities Act.

After their presentation, I will open the meeting to questions. Anyone wishing to ask questions of the Facility representatives or the Department will be given an opportunity to do so. During the question and answer session I will ask that you state your name and spell your last name for the court reporter. You may then ask your question. Depending on the number of people who wish to testify in the oral testimony phase of this meeting, which is after the question phase, there may be a time limit placed on the questioning phase.

Following the question and answer phase I'll ask for written testimony. If anyone has written testimony that is not part of your oral testimony, I will accept it and enter it into the record for this proceeding.

If you have written material that you will be using as part of your oral testimony, it can be entered into the record following your oral testimony.

Then, depending on the amount of time that has elapsed, at this point in the meeting we may take a short break.

Following the written testimony, I will ask for oral testimony from the public. Sign-in sheets are placed at that table to my left as you came in. There's one sheet for attendance and another sheet for testimony.

If you wish to provide comments during the oral testimony phase, you must sign in the oral testimony sheet.

The last time we held a public informational meeting here I struggled reading some of the names written on that sheet. If you think your handwriting could be improved, for my benefit please feel free to do so on that sheet at any point. Otherwise, I struggle.

People providing oral comments will be sworn in and each person will be given three minutes to provide his or her comments.

Legal counsel, if any, speaking on behalf of multiple clients will be given a total of fifteen minutes for all clients and will be asked to state the names of all of the persons on whose behalf he or she is speaking. Deferring time to other speakers will not be allowed.

If you sign the oral testimony sheet you may either speak, or if you've changed your mind, you may pass. Simply just let me know. You may not give your time to someone else.

The meeting will then conclude with closing comments from the facility and the Department of Agriculture.

So to summarize, the procedure tonight, we will have first comments from the Department, then comments from the Facility, questions directed to the Department and/or the Facility, remember to state your name and spell it for the court reporter, written testimony will be accepted, then oral testimony

from the public. Remember you will be sworn in to testify under oath. And finally closing comments.

Please keep in mind we are not here this evening to discuss or debate the merits of the existing regulations or laws. We're here tonight to receive information on this particular project and to assist with determining compliance with the existing law.

This is a public informational meeting. The purpose is to share information and provide an opportunity for the Department, members of the County Board, and you the public to learn about this proposed facility.

Again, we very much appreciate your hospitality to invite us here tonight to consider the proposed construction of the County Line Swine, Inc. Swine Facility.

Remember to confine your comments and questions to that subject as we continue.

Before we move to the Department's remarks I want to give an opportunity for the Adams County Board Chairman to take roll call.

MR. POST: Thank you.

Real quickly to get it in the record who's in attendance. Call the roll.

Bret Austin?

Dave Bellis?

MR. BELLIS: Here.

MR. POST: Theresa Bockhold?

MS. BOCKHOLD: Here.

MR. POST: John Brady?

MR. BRADY: Here.

MR. POST: Steve DeMoss?

MR. DeMOSS: Here.

MR. POST: Todd Duesterhaus?

John Heidbreder?

Ryan Hinkamper?

Marvin Kerkoff?

Ryan Niekamp?

MR. NIEKAMP: Here.

MR. POST: Matt Obert?

Mark Peter?

MR. PETER: Here.

MR. POST: Raquel Piazza?

Les Post. Yes.

Taylor Rakers?

Robert Reich?

Kent Snider?

Seldon Totsch?

MR. TOTSCH: Here.

MR. POST: Duane Venvertloh?

MR. VENVERTLOH: Here.

MR. POST: Rebecca Weed?

MS. WEED: Here.

MR. POST: Joe Zanger?

Thank you.

HEARING OFFICER SONDGEROTH: Thank you.

I will now turn the proceedings over to Warren Goetsch, Illinois Department of Agriculture.

MR. GOETSCH: Good evening. My name is Warren Goetsch. I currently serve as the Deputy Director at the Illinois Department of Agriculture.

One of our responsibilities at the Department is the administration of the various provisions of the Livestock Management Facilities Act.

On behalf of the Department let me welcome you to this public informational meeting.

Before we hear from the proposed Facility representatives I would like to say a few words regarding the applicable provisions of the Livestock Management Facilities Act and the current status of this proposed project.

The Livestock Management Facilities Act was originally passed and become effective on May 21st of 1996. Since that time the Act has been amended seven times; three of which have been substantive.

The Act can be generally described as covering five major areas: Those building facility design standards, waste management planning requirements, facility operator training and

1 testing, anaerobic lagoon financial responsibility demonstration,
2 and facility setback requirements.
3 Each of these provisions impacts various types of
4 facilities in different ways, depending upon their size,
5 expressed in animal units, and whether the proposed facility is
6 considered as a new facility, a modified facility, or the
7 expansion of an existing site.
8 The Livestock Management Facilities Act's provisions
9 also are quite complicated, and specific facility designs and
10 situations certainly can differ. It is, however, the
11 Department's intention to always fairly and equitably apply these
12 requirements to the livestock industry in this state.
13 Now regarding the current status of this project.
14 The Department received a formal Notice of Intent To Construct
15 application for the proposed construction of a swine facility on
16 July 27th, 2018.
17 The proposed project is to consist of the
18 construction of one 121 feet 10 inch by 325 feet swine finishing
19 building, with an 8 foot deep under building concrete livestock
20 waste holding structure.
21 The project is proposed to be located approximately
22 2.7 miles east of Loraine, Illinois in Northern Adams County.
23 The application was submitted by Maurer-Stutz Engineers on behalf
24 of County Line Swine of West Point, Illinois.
25 The maximum design capacity of the proposed facility

1 is two thousand animal units, or five thousand head of swine
2 greater than fifty-five pounds.
3 As I mentioned earlier, the Department received the
4 Notice of Intent to Construct application on July 27th of this
5 year, and reviewed it for compliance with the applicable
6 provisions of the Act.
7 On August 10th of this year the Department determined
8 that the notice was complete and forwarded a copy of the
9 completed application to the Adams County Board.
10 Notice of that application was also published in the
11 appropriate newspaper.
12 The design capacity of the proposed facility requires
13 compliance with a residential setback distance of not less than
14 1,540 feet, and a populated area setback distance of not less
15 than 3,080 feet.
16 On August 30th the Department received official
17 notice from the Adams County Board requesting that a public
18 informational meeting be scheduled regarding the proposal.
19 After further consultation with the County Board, the
20 Department schedule this meeting, and caused notice of the
21 meeting to be published in the appropriate newspapers.
22 An additional requirement of the Livestock Management
23 Facilities Act deals with design and construction plans and
24 specifications of a livestock waste handling facility.
25 The Department has not received a formal submittal of

1 detailed engineering design plans and specifications for the
2 proposed project's under building livestock waste handling
3 facility at this time.
4 The Department will perform a detailed review of the
5 engineering design upon submission.
6 We are here this evening to receive testimony
7 regarding the proposed Livestock Management Facilities'
8 compliance with the eight siting criteria as defined in Section
9 12, paragraph D of the Livestock Management Facilities Act.
10 In general, information regarding the following would
11 be appropriate for this evening's meeting: Manure management
12 planning, potential impact of the proposed facility on the
13 surrounding area's character, whether the proposed facility is
14 located within any floodplains or other sensitive areas, odor
15 control plans, possible impact of the proposed facility on
16 existing area traffic patterns, and possible impact of the
17 proposed facility on community growth, tourism, and recreation or
18 economic development of the area.
19 Copies of the specific criteria were available on the
20 table with the sign-in sheets. If anyone would like to have a
21 copy of the criteria but didn't pick one up, we would be happy to
22 get you a copy if you would identify yourself now.
23 Anyone need a copy?
24 Okay. Finally, the process that will be followed
25 after this evening's meeting is as follows: The County Board

1 will have up to thirty business days from today's meeting to
2 submit to the Department a non-binding recommendation relative to
3 the proposed siting of this facility. Thus, a recommendation
4 from the Adams County Board is due at the Department on or before
5 November 2nd, 2018.
6 After the close of the County's thirty business day
7 comment period, the Department will have fifteen calendar days,
8 or until November 17th, 2018, to review all of the information
9 submitted to date, including the Notice of Intent to Construct,
10 construction plans, transcripts from this evening's meeting, the
11 County Board's recommendation, and any other additional
12 information submitted by the owners at the request of the
13 Department.
14 Based on that review, the Department will determine
15 whether the eight siting criteria have been met.
16 Once that determination has been made, the Department
17 will notify both the County Board and the Applicant of the
18 Department's decision.
19 Mr. Hearing Officer, at this time I would like to
20 submit the completed Notice of Intent to Construct application
21 and its associated correspondence file for formal entry into the
22 record as an exhibit.
23 I would also provide a copy of the Department's
24 PowerPoint presentation to be marked as an exhibit as well.
25 This concludes my formal remarks.

And again, thank you for your attention. I look forward to hearing your comments regarding this proposal and will now turn the meeting back to the Hearing Officer.

HEARING OFFICER SONDGEROTH: Entered into the record as Exhibit Number 1 is the completed Notice of Intent to Construct, including correspondence between the Department and the Applicant, notices of a public informational meeting, and correspondence from the Adams County officials.

Also entered into the record as Exhibit Number 2 the Department's PowerPoint presentation.

At this time we'll hear comments from the Facility.

Before you begin: For those who will be presenting testimony, can you please state and spell your last name for the court reporter and then I'll swear you all in together?

MR. PETER: Ragan Peter, R-a-g-a-n P-e-t-e-r.

MS. BAKER: Gayle Baker, G-a-y-l-e B-a-k-e-r.

HEARING OFFICER SONDGEROTH: Will both of you please raise your right hand?

RAGAN PETER & GAYLE BAKER,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Thank you. You may proceed with your testimony.

MR. PETER: Good evening. My name is Ragan Peter. I would like to thank everyone for attending the public meeting here tonight.

I grew up in Adams County. Moved to Loraine in 2008. I've been farming in Adams and Hancock County.

I've got a wife and two girls; a three year old and a one year old.

I'm a grain farmer and also a hog farmer. We've had pigs most of my life. And I also have a custom manure application business.

The facility will meet or exceed all the requirements from the Livestock Management Facilities Act, which governs the siting of livestock farms and protects the rights of citizens.

The new hog farm will bring economic activity to our local economy. Our farm has four full-time employees. The farm will provide a market for local corn and soybeans. We will also be adding approximately $16,000 of tax revenue in the county, which ten thousand will go to the Mendon School District.

At this time I would like to turn it over to Gayle Baker. I've hired Maurer-Stutz to help with the meeting of the requirements from the LMFA. They've designed and engineered plans for my project and will assist me and address the siting criterias.

Thank you.

MS. BAKER: First I'm going to enter into the record our written testimony of tonight, along with a copy of our Power Point presentation.

Are you guys doing okay in the back? I'm really hot.

I hope you guys are doing okay.

Okay. Well, as Ragan stated, my name is Gayle Baker. I'm a Professional Agriculture Engineer. I have been licensed for the past four years and an engineer for the past eight.

Our firm specializes in assisting livestock producers with developing nutrient management plans, siting farms, as well as providing design plans, storm water plans, and things along those lines.

So tonight to -- we will be talking about the proposed structure, which is a finishing barn, that will be located in Keene Township.

And to recap, the Department of Agriculture's presentation we're going to be discussing how this farm siting will meet the eight siting criteria laid out in the Livestock Management Facilities Act.

With the first being the registration and certification requirements.

The second being the design, location, and operation standards will exceed the Livestock Management Facilities Act.

The third: That we looked at the location compatibility.

And floodplain and aquifer protection.

Criteria Number 5: That we have developed plans to minimize our environmental impact of the farm.

And prepared plans for odor and control reduction.

We've also evaluated the traffic patterns and how we can minimize the impact to the local area.

And finally, how the farm is consistent with the area development.

Okay. Moving on to Criteria Number 1. The registration requirements. So as the Department stated, they received the Notice of Intent on July 27th. We submitted it on July 25th. It was deemed complete on August 10th of 2018. And on August 13 a complete Notice of Intent To Construct copy was mailed to the -- mailed certified to property owners within the populated area setback.

The first setback, which is the residential setback, was 1,540 feet, determined by the animal units of two thousand.

No residences are located within that setback. The nearest residence is located directly to the west and it's -- the setback is exceeded by 740 feet.

The populated area setback was 3,080 feet. No populated areas or non-farm businesses were located within that setback. And the setback was exceeded by 4,820 feet to the southeast.

The farm is currently developing a Nutrient Management Plan, which goes also to the registrational requirements of Criteria Number 1.

This plan will meet the requirements of the Illinois Department of Agriculture and the Illinois Environmental

Protection Agency.

The Nutrient Management Plan will be kept on site with applicable records. This plan will include the total annual volume calculations of manure that will be produced at this farm; the target crop yields for fields that will be in the plan; yearly manure analysis that will provide the nutrient content of the manure that can be used to calculate the agronomic loading/application rates that will be used on the fields that are in the plan; land application provisions, such as the setback and in areas requiring injection will also be included in the plan; and then documentation records, which will include records of where the livestock waste is applied.

Currently we're planning for more than four hundred acres to be included in the plan.

The acre requirement is calculated based on the manure production and the nutrient value, along with the crop agronomic fertility needs. This will vary year to year. And that's why the records will be very important.

The plan will be in place within sixty days of the beginning of the operation.

And the Nutrient Management Plan and all associated records will be available for farm inspection.

On Criteria Number 2 is the environmental protection. The structure design requirements that our firm has gone by in designing this structure is designing it by a licensed

professional engineer and a licensed structural engineer.

The design requirements are based on the Livestock Management Facilities Act, the ASABE standards, which stands for the American Society of Agricultural & Biological Engineers, and the Midwest Plan Service 36.

A site investigation was performed under the direction of a licensed professional engineer pursuant to the LMFA regulations, which we'll talk a little bit more about that later, and a reinforced concrete pit will be, with steel, was designed according to the Midwest Plan Service 36 and the ACI-318, which is the Building Code Requirements For Reinforced Concrete.

The structure is also designed, needs to be designed for five months of storage according to the Livestock Management Facilities Act. This structure will provide almost twelve months of storage. And so it will exceed that requirement in the Act.

Additionally, all joints and penetrations must have waterstops to prevent leaks or seepage of liquids.

And pit walls must be designed with appropriate concrete footings for soil bearing and settlement.

These are some examples of details that will be in our structural plans.

On the left is a detail of the wall and footing. You can see we call out our rebar that will be in the wall, the footing location and the footing sites.

On the right are typical construction and control joints that will be utilized in the pit to make this pit watertight.

On this slide I'm going to show some examples of control joints.

This is a PVC base seal water stop that will be laid out in a grid based on the soils and concrete and reenforcement to control cracking in the slab. So that way when the concrete is poured through this we're controlling that cracking by using this base seal with a crack inducer. At this location a crack will form. This PVC water stop is flexible and can withstand shrinkage that will occur in the concrete. And these ridges help make sure no seepage occurs out of the concrete pit.

For construction joints that may occur in the walls, we use a center bulb water stoppage, which again is a PVC flexible water stop. When a concrete pour is stopped, it stops along the center ball. It will take off the forms, move the forms, and start to pour again. This water stop allows movement in the walls, while these walls are fastened with dowels, but prevents leakage and seepage from the walls.

And finally at the slab to wall interface there's a -- can you hear me?

There's a compression water stop, as you can see in the picture on the left. That prevents seepage or leaking underneath the wall.

Do these design requirements provide a manure storage structure that does not leak?

Yes.

Additionally, we evaluated a FEMA 100 year floodplain map. This site is not located in a floodway or flood fringe of a 100 year floodplain.

Additionally, we evaluated for whether the structure was located in a karst region. From the IMAP-8 by ISGS it is not located in a karst region or near a sinkhole area.

Additionally, we performed a site soil investigation, and no aquifer material was found to a depth of five feet below the lowest point of the planned bottom of the structure.

We did find in our site soil investigation a seasonal high water table. So a perimeter drainage system will be required to control buoyancy around the structure.

This will require the farm to have a monitoring port, which will be sampled quarterly.

A monitoring port will look something like here on the left. They will be able to take a sample quarterly of the water that's drained from the perimeter tile, submit it to a lab, which will then be submitted to the Illinois Department of Agriculture.

If an issue was ever discovered through these samplings, a value is placed by the monitoring port so in essence this could be shut off until the issue is mitigated.

Will the design, location, and proposed operation be consistent with the guidelines outlined in the Livestock Management Facilities Act?

Again, we feel the answer is yes.

Under Criteria Number 3, the location compatibility, this farm will meet compatibility with the surrounding area's character.

This site in particular has a history of swine production.

And the agriculture area is -- is surrounded by corn and soybeans fields.

It exceeds the Livestock Management Facilities Act's setback requirements for residences, populated areas, and wells.

And the Notice of Intent To Construct was deemed complete by the Illinois Department of Ag on August 10th.

Here is an example of the surrounding area around the facility. The site is located here in the center, with a mile radius around it. It's surrounded by agricultural fields with tree buffers. And eleven residences are located within one mile of the farm.

Under Criteria Number 4, environment sensitivity, the farm is not located in a 100-year floodplain and the farm is not located in a karst area.

Additionally, a site soil investigation was performed. The soil pits were advanced to depths of up to eleven

and a half feet below the current ground surface, which is more than five foot below the planned bottom of the structure.

During this investigation we found stiff lean clay soil with a pit determinating in a glacial till. This information was used to do a soil bearing analysis as well as settlement analysis.

Construction standards are consistent with the criteria laid out in Criteria Number 2 with the goal of protecting the safety of the area.

Additionally, surface water will be diverted away from and around the structure using detention basins, pipes and swales.

And setbacks, waterstops, and design standards, again outlined in Criteria Number 2, protect groundwater, surface water, and structural integrity.

Under Criteria Number 5 we'll outline our operation plan.

For farm management, all manure will be stored in a reinforced concrete pit, or a below building tank.

The farm will be operated by a certified livestock manager.

And the farm will have almost a year of storage versus the minimum five months of storage.

This provides the opportunity to wait to land apply during optimum conditions, which will reduce leaching and runoff

potential.

Under the land application operation plan, all manure will be subsurface injected, which will reduce the likelihood of spills and runoff potential.

Manure will be applied at agronomic rates according to the Nutrient Management Plan & Regulations.

Manure will be applied only when appropriate soil conditions exist, as I stated on the previous slide.

The nutrient levels dictate the application is appropriate.

And this will reduce the runoff potential and nutrient leaching potential.

The farm's plan for operation with best management practices will minimize the likelihood of environmental damage to the area from spills, leaching, and runoff.

Under Criteria Number 6: Order control. Animals will be housed on slotted floors, or slats, and this will enable the animals to say cleaner and reducing odor.

These precast slats are easily cleaned.

So the building will be thoroughly pressure washed and sanitized between each production cycle.

All manure from this farm will be injected or incorporated.

This picture here is actually of Ragan's manure injection system, which is an umbilical injection tool bar, which

injection manure eight inches below the surface.

And finally, the location complies with and exceeds the setback distances as established in the LMFA.

In the residential setback we've exceeded it by 740 feet, and in the populated area we've exceeded by over 4,000 feet.

This site, again, is located in a rural area surrounded by trees, which will help control the odor.

Additional odor control methods employed is minimize odor-causing particles that leave the building through ventilation by performing regular maintenance.

Maintenance will ensure building's fans operate efficiently, thus minimizing dust buildup.

All best management practices will be utilized.

Criteria Number 7 is regarding the traffic patterns to get to the farm.

This table here displays the moving traffic that was gathered from an Illinois Department of Transportation study done in 2008.

State Highway 61 and State Highway 336 already experience truck traffic. Roads that will be used to get to the farm will be North 2700th Avenue and East 1850th, which I will show you on the next slide, and they range from fifty to seventy-five vehicles per day.

When roads are not posted, traffic that will be

coming off of 336 or State Highway 61 will travel to the farm using 1850.

When this road is posted, truck traffic will come off of 336 using North 2700th Avenue.

This plan was approved at the township meeting on September 5th, 2018.

The proposed traffic to the farm will be about fourteen passenger vehicles per week, and three to five trucks per week.

County Line Swine traffic will comply with the same seasonal posted road weight limits as all other traffic in the area, and they will continue to communicate with the township on the needs.

And finally, Criteria Number 8 is the community benefits.

The farm will provide economic benefit to local businesses.

It will be raising pigs from a local family farm in Adams County.

Will be purchasing feed from a local county source.

Concrete and building supplies will be purchased locally.

The farm will employ one person from Loraine, and three additional employees are employed for the manure application business.

As Ragan stated, about $16,000 in tax benefits will go to the County, with this School District 4 Mendon, County, Keene Township, John Wood, receiving the largest amount.

Finally, County Line Swine will be located in a rural area and will be benefit the community by adding value to corn and soybeans produced in the area.

In summary, this concludes our testimony on the eight siting criteria that this facility has met.

Thank you.

HEARING OFFICER SONDGEROTH: Entered into the record as Applicant Exhibit -- strike that.

Entered into the record as Exhibit Number 3 is the testimony from -- by Maurer-Stutz and a copy of their PowerPoint presentation.

We will now open the meeting for any questions that you may have of the Facility or the Department.

If you have a question you would like to ask, please raise your hand and when called upon please state your name and spell your name for the court reporter.

Please indicate to whom you are directing your question; as the Applicant, or the Department, or perhaps both.

I will remind you that this portion of the meeting will be limited to questions only.

After this question and answer session there will be a session dedicated to public testimony where you can provide

your oral comments.

So please limit this session to questions only.

Also, please keep in mind the questions need to pertain to this particular facility.

Are there any questions?

Yes, ma'am.

CRYSTAL CLAIR: Crystal Clair, C-l-a-i-r.

My question is: What is -- what do you do when you know an untruth has been told?

Because Ragan has said he lived in Loraine, but his notice says West Point, Illinois. And West Point, Illinois is in Hancock County, not Adams County.

HEARING OFFICER SONDGEROTH: Is that question directed to the Department or --

CRYSTAL CLAIR: Yes.

HEARING OFFICER SONDGEROTH: -- or the Applicant?

CRYSTAL CLAIR: What -- what -- it's an untruth. He does not live in Loraine.

And then we've noticed some spelling errors. They've got Loraine spelled wrong.

HEARING OFFICER SONDGEROTH: Sounds like you're making a statement. Is there --

CRYSTAL CLAIR: I'm sorry.

HEARING OFFICER SONDGEROTH: -- a specific question you want the Department --

CRYSTAL CLAIR: I mean, how -- how do we get these things corrected?

HEARING OFFICER SONDGEROTH: Does the Department want to respond to that?

MR. GOETSCH: I guess my suggestion would be that if you have specific issues or incorrect statements you believe have been made, to just pass those on to Mr. Owens at the Department and --

CRYSTAL CLAIR: So that would include if he didn't send the notice to all property owners?

MR. GOETSCH: Anything that you believe is a -- a mistake or a -- somehow a -- inaccurate or inappropriate information, please pass that on to the Department.

CRYSTAL CLAIR: And where would we send that to? E-mail or -- or write a letter?

MR. GOETSCH: Either is fine. E-mail to the Department or by U.S. Postal Service. Either is fine.

CRYSTAL CLAIR: And that's on the website?

MR. GOETSCH: Yes.

CRYSTAL CLAIR: Okay.

HEARING OFFICER SONDGEROTH: Perhaps Mr. Owens has a card he can provide to you if that will help, ma'am.

CRYSTAL CLAIR: That would be great.

HEARING OFFICER SONDGEROTH: Yes, ma'am.

CATHY CAMPBELL: My name is Cathy Campbell.

C-a-t-h-y C-a-m-p-b-e-l-l

My question is to the I.D.O.A. Is it legal to run a dragline along a driveway or on top of a road; and if not, what is the penalty doing so?

And when we see this happen again in our area, who do we report it to?

MR. GOETSCH: I believe that local roads -- well, the roads are under the jurisdiction either of the U.S. -- or the Illinois Department of Transportation, or the County, if it's a county highway, or the local township official if it's a township road.

So you need to pass those on to those individuals or entities.

CATHY CAMPBELL: It was a township road. Would it be the township road commissioners?

MR. GOETSCH: That would be correct.

CATHY CAMPBELL: And you didn't say. Is that legal?

MR. GOETSCH: That would be under their purview, not the Department of Agriculture's.

HEARING OFFICER SONDGEROTH: Any other questions?

Ma'am, in the red.

MARLA MERIDETH: My name is Marla Merideth. M-a-r-l-a M-e-r-i-d-e-t-h.

I'm addressing this one to Ragan. Are you willing to sign a legal and binding contract proving insurance to cover

clean-up and loss of income of all organic farms involved until the organic status would be regained should contamination occur?

Will you sign a legal and binding contract to protect us?

MR. PETER: I'll have to seek legal advice on that.

MARLA MERIDETH: Which means no.

HEARING OFFICER SONDGEROTH: Any other questions?

Yes, ma'am.

KAREN HUDSON: I have a question about the construction plans.

Karen Hudson. H-u-d-s-o-n. First name Karen. K-a-r-e-n.

You said that you had done the plans. Are the construction plans completed?

MS. BAKER: They're preliminarily completed with our firm. We're finalizing our review and they will be submitted to the Department of Agriculture for their review.

KAREN HUDSON: Okay. I think it's important that --

HEARING OFFICER SONDGEROTH: Just questions, ma'am.

KAREN HUDSON: Okay.

My second question is: What is the depth to the groundwater?

MS. BAKER: There is a seasonal high water table that was found during the site soils investigation, which will be controlled with a perimeter drain.

KAREN HUDSON: But you're supposed to find the depth to the groundwater. That's something that the county board would need to know and we would like to have that.

MS. BAKER: According to the Livestock Management Facilities Act I'm supposed to investigate within five feet below the depth of the structure, which we did.

KAREN HUDSON: Okay. Great. I didn't hear you say that.

Thank you.

HEARING OFFICER SONDGEROTH: Any other questions?

Yes, sir. Black shirt.

JOHNSON CORNWELL: Yes. I guess I would --

HEARING OFFICER SONDGEROTH: I'm sorry. Would you all stand up, please, and state your name?

JOHNSON CORNWELL: Johnson Cornwell. J-o-h-n-s-o-n C-o-r-n-w-e-l-l.

I guess I would direct this for the Department. Is the Department aware that the application was in error?

We own the property on the east for one mile. It borders all of the property. We own the property on the -- the farm on the south.

It states on the application that there's no one living in the property on the east. We have owned that property for 111 years. There has always been somebody in that property. Five generations have been up on that farm.

And it states on the application that that house is not occupied.

HEARING OFFICER SONDGEROTH: Is that for the Department?

Is that what you said?

JOHNSON CORNWELL: Yes, sir.

MR. GOETSCH: If you, again, as I said to someone else earlier, if you believe that there's an error in their application, if you could please pass that information along to us, either by mail or by e-mail, that would be appreciated.

JOHNSON CORNWELL: So will that application have to be resubmitted?

MR. GOETSCH: I need to see that information before I can answer that question, sir.

JOHNSON CORNWELL: What -- what do you mean by see the information?

MR. GOETSCH: I need to confirm -- well, we just need the information to see whether or not there is an error.

JOHNSON CORNWELL: Okay. So where do I go from here?

I'm not fully understanding what you're saying. What do I need to do to --

HEARING OFFICER SONDGEROTH: Let me interrupt.

Doug, would you bring me one of the cards and I'll announce it and they can take that information down? I think that will clear up some of the confusion of where to send these

1 comments to once and for all.
2 So I am going to read into the record: The Bureau
3 Chief of Environmental Programs is Doug Owens. His phone number
4 is 217-785-2427.
5 And his e-mail address is doug.owens@illinois.gov.
6 His physical mailing address is P.O. Box 19281,
7 Springfield, Illinois, 62794.
8 Any other questions?
9 Yes, sir.
10 NIC ANDERSON: Nic Anderson. A-n-d-e-r-s-o-n. I'm
11 with the Illinois Livestock Development Group.
12 Kind of a two part. I need to try to find some
13 information from the engineer.
14 On the residential set -- on the populated area
15 setback, how many residents did you list, or how many on that
16 map? I --
17 MS. BAKER: I will bring that back up for you. I do
18 have them circled.
19 NIC ANDERSON: So resident -- that's residential?
20 UNIDENTIFIED FEMALE SPEAKER: No. That's not it.
21 MS. BAKER: Oh. There. There. Thank you. Sorry.
22 We identified three residences that were occupied
23 that were nonfarm residences within the populated area setback.
24 NIC ANDERSON: Okay. And to the Department: Could
25 you explain the threshold for the populated area setback of how

1 many houses or no houses are included, or excluded, or how you
2 determine that?
3 MR. GOETSCH: A populated area is defined as that
4 area of the donut that would have to have at least ten farm
5 residences located within it. That would qualify it as a
6 populated area, and thus that would disqualify a facility from
7 being sited there.
8 Or if you had a commonplace of assembly, which is a
9 location which is frequented by at least fifty people at least
10 once per week during the time of the year that that location is
11 open. Or a nonfarm business.
12 NIC ANDERSON: I guess for some clarity. If there
13 was a residence mismarked or misidentified, would the farm have
14 an opportunity to make that correction; and if it impacted that
15 -- that determination you would have to decide one way or the
16 other, but if it didn't it's just renotifying?
17 Or is that the process that the farm would use if
18 there was a discrepancy from a standpoint that you're made aware
19 of?
20 MR. GOETSCH: Again, that's where I would have to go
21 back and look at the specific situation. It may very well been
22 that, yes, the fact that a facility was misidentified -- or
23 excuse me -- a home was misidentified, but it would result in
24 still less than ten being -- occupied residences being within
25 that area, it would not have a material impact on the

1 determination of as to whether or not there was a common --
2 excuse me -- a populated area that existed.
3 We would have to look a little closer at the
4 provisions of the statute to make sure that proper notice was
5 being provided, et cetera.
6 But, you know, the bottom line is if there's not ten,
7 then it does not exclude that location from qualifying as a
8 potential site.
9 NIC ANDERSON: Thank you.
10 HEARING OFFICER SONDGEROTH: Are there any other
11 questions?
12 I know -- I'm going to come back to you. I know you
13 want to ask questions. I'm trying to get everybody involved.
14 THAD KING: I have a follow-up to that.
15 HEARING OFFICER SONDGEROTH: Yes, sir.
16 THAD KING: My name is Thad King, K-i-n-g.
17 Do you mind moving forward about ten or fifteen
18 slides to the one that has the green dots on it, please?
19 Back one.
20 On this slide --
21 MS. BAKER: Hang on. Technology is not agreeing with
22 me.
23 THAD KING: So I guess my question then is: How many
24 residents are mentioned in this slide?
25 HEARING OFFICER SONDGEROTH: Who are you speaking to?

1 THAD KING: To Gayle.
2 MS. BAKER: Eleven residences are located within one
3 mile of the farm. The populated area setback is three thousand
4 -- three thousand and eighty feet.
5 HEARING OFFICER SONDGEROTH: Yes, sir? In the plaid.
6 RANDY CLAIR: Randy Clair, C-l-a-i-r. This is to the
7 Department of Ag.
8 Mr. Peter told his neighbors from his previous
9 confinement setup that --
10 UNIDENTIFIED SPEAKER: We can't hear in the back. We
11 cannot hear.
12 HEARING OFFICER SONDGEROTH: Sir, maybe -- would you
13 be willing to stand? I think it would project your voice a
14 little bit.
15 RANDY CLAIR: Okay. Mr. Peter told his neighbors at
16 the previous confinement setup that he had three miles north of
17 this one that he was going to put up one building. He ended up
18 with three.
19 Isn't that a bit of a loophole in the law if he's not
20 required to disclose to the neighborhood what his future plans
21 are for expansion of this operation?
22 The original construction setback's changed.
23 HEARING OFFICER SONDGEROTH: Let's -- let's take them
24 in turn. It's a compound question.
25 I'm not sure that's relevant. We're not here to

1 discuss the merits of the law. I don't want to get into that,
2 the Department's position of the merits of the law. We're really
3 focusing on this facility.
4 Unless Mr. Goetsch would like to respond.
5 MR. GOETSCH: Well, let me just say that the statute
6 does have provisions that govern how often or what the scope of
7 an expansion could be. There are provisions that talk about ex
8 -- you must expend less than fifty percent of the fixed capital
9 costs of a comparable entirely new facility within any two year
10 period.
11 Such that he would not be able to expand -- let's,
12 for the sake of argument, he is approved eventually after this
13 whole process is over and he builds that facility. If he wanted
14 to expand it he could not expand it for at least two years; and
15 that expansion would have to be less than a scope such that -- in
16 essence what it amounts to he could not double that -- the size
17 of that facility.
18 Because that would then, if he did more than fifty
19 percent of the fixed capital costs of a comparable entirely new
20 facility with a proposed expansion, that makes him classified as
21 a new facility and he would have to go through this whole process
22 again. And would be subject to even larger setbacks because he
23 would be then talking about something like four hundred -- excuse
24 me -- four thousand animal units instead of two thousand. So the
25 setbacks would be significantly greater.

1 So there are provisions of the statute that do affect
2 the ability of one to expend -- or expand.
3 The other thing you also I think have to remember is
4 that there is a certain size that you really can't go beyond just
5 because the amount of material that has to be moved in and out of
6 the facility. You have the issue of disease control. You know.
7 You don't want to have so many animals at one location that if
8 you did have some kind of an outbreak it wipes out the whole
9 facility. You want to have facilities separated by a significant
10 difference just so you can control the potential for diseases.
11 So I think there is a practical limit to what these
12 facilities can be expanded to. And the statute, as I mentioned,
13 does have provisions.
14 What the applicant may or may not have said to the
15 people in the community I can't address because I'm not aware.
16 RANDY CLAIR: Thank you.
17 MR. GOETSCH: Thank you.
18 HEARING OFFICER SONDGEROTH: Any other questions?
19 Yes, sir. In the red pullover.
20 CHARLIE GENTERT: Yeah. I would like to --
21 HEARING OFFICER SONDGEROTH: Sir, could you please
22 state your name? Spell it for the court reporter?
23 CHARLIE GENTERT: All right. Charlie Gentert,
24 G-e-n-t-e-r-t.
25 I would like to know from the Depart -- the

1 Department of Ag what recourses these people have after things
2 spill on the odor control.
3 HEARING OFFICER SONDGEROTH: Just to clarify. You
4 said after things spill?
5 CHARLIE GENTERT: Right. What recourses do they
6 have, without spending a bunch of money, will they have as
7 taxpayers of Illinois, recourse to help them out on the odor
8 control?
9 MR. GOETSCH: People that have complaints regarding
10 livestock facilities are to forward those complaints to the
11 Illinois Environmental Protection Agency. We cooperate with the
12 IEPA in investigations.
13 But they have the authority under the Illinois
14 Environmental Protection Act to address odor control, to --
15 excuse me -- odor complaints. Also to address water pollution,
16 air pollution. Those are all within their purview.
17 Our job is to administer this law, the Livestock
18 Management Facilities Act, which tries to set -- or not --
19 doesn't try -- it sets standards which must be met before a new
20 facility can be constructed and can be placed into service. And
21 hopefully adherence to those design standards, to those
22 requirements, the planning requirements, the odor control plans,
23 the manure management control plans, et cetera, will keep
24 facilities from having those kind of problems.
25 But if they do, then IEPA is the agency of state

1 government that has been set forth to address those concerns.
2 CHARLIE GENTERT: Those laws are awful lax, ain't
3 they?
4 MR. GOETSCH: I would say that every law is subject
5 to every taxpayer's opinion. And you can have whatever opinion
6 you would like to have, but those laws are passed by the General
7 Assembly and signed into effect by the Governor; and we as state
8 agencies are mandated to enforce them.
9 CHARLIE GENTERT: I got a question for that Mr.
10 Peters.
11 Is there going to be a grain mill on that property?
12 You've said locally grown and that.
13 Is there going to be a grain mill on there, or are
14 you going to -- is there a grain mill locally?
15 Or you -- how far are you going to get the feed
16 trucked before -- and mill?
17 MR. PETER: There will be no feed mill on the
18 property. The feed will be coming out of Carthage, Illinois.
19 HEARING OFFICER SONDGEROTH: Any other questions?
20 Yes, ma'am. In pink.
21 CRYSTAL CLAIR: Crystal Clair.
22 I'm not sure who to address this to. Miss Baker said
23 you have approximately four hundred acres to spread the raw hog
24 manure on. So I've been sitting here trying to do the math.
25 At what rate is he planning on applying it?

1 And does he have enough acres to do it?
2 HEARING OFFICER SONDGEROTH: I believe that's a
3 question more for the Applicant. Let him take a shot at it. We
4 can give the opportunity to the Department after that.
5 MS. BAKER: Manure application rates are calculated
6 yearly because manure nutrient values do fluctuate. So yearly
7 manure samples will be taken, along with soil fertility of all of
8 the fields that will be in his plan.
9 Ragan is required by the Livestock Management
10 Facilities Act to show the location of all of the fields that
11 will be in his plan, along with the calculation of how many acres
12 will be required.
13 The amount of acres that he has in his plan are owned
14 by Ragan, as well as -- help me with the -- as well as the
15 pinnacle group.
16 CRYSTAL CLAIR: And how -- so how do we know what the
17 rate is?
18 I mean, the calculations that I have done say he
19 really -- if he puts five thousand gallons on, is that -- I mean,
20 is that a normal rate?
21 This would say he would need four hundred and
22 seventy-one acres. And he doesn't have that many acres.
23 I mean, we -- we can show you --
24 HEARING OFFICER SONDGEROTH: Let's let her respond to
25 that question.

1 MS. BAKER: Again, that rate calculation is going to
2 vary from year to year. And it does depend on the facility and
3 the feed that is being fed to the pigs.
4 So as far as the exact rate that he will be applying
5 at, I cannot tell you that tonight.
6 CRYSTAL CLAIR: When can he tell us that?
7 MS. BAKER: When he has the manure test, and soil
8 fertility test. And when we've done that calculation --
9 CRYSTAL CLAIR: So after that.
10 MS. BAKER: -- we will do a preliminary calculation
11 that will be included in his plan. But that calculation will be
12 updated yearly.
13 CRYSTAL CLAIR: After that.
14 HEARING OFFICER SONDGEROTH: Are there any other
15 questions?
16 Is there anyone who hasn't had an opportunity to ask
17 a question?
18 Yes. You haven't, sir, in the white polo.
19 BRUCE MERIDETH: Thank you. Bruce Merideth,
20 M-e-r-i-d-e-t-h.
21 I have a question for Mr. Peters. Concerning the
22 income produced for the -- the taxing income to the area, you
23 received a pollution control tax exemption for part of your land
24 which significantly lowers your tax rate.
25 Are you planning to apply, or reapply for this same

1 tax exemption for this new facility?
2 And are you planning to apply for any other tax
3 exemptions which would lower your tax rate?
4 MR. PETER: I think with anyone we're always looking
5 at options to increase our profitability; and if it's available
6 for this facility we will apply for it.
7 BRUCE MERIDETH: Okay. If I can have one more quick
8 question. Address it to the County Board.
9 Will the meeting that you actually vote yes or no on
10 this be a public meeting and advertised in advance so we know
11 when it's happening.
12 MR. POST: Yes. It will be our regular meeting
13 October -- well, second Tuesday in October. Should be the 9th.
14 October 9th. 7:00 p.m.
15 BRUCE MERIDETH: Okay. Thank you.
16 HEARING OFFICER SONDGEROTH: Any other questions?
17 Someone who hasn't had an opportunity to ask a question yet.
18 Sir in the back?
19 PAUL TERWELP: Paul Terwelp, T-e-r-w-e-l-p.
20 I had a question about the -- this is probably for
21 Mr. Peter, but might be for the designer -- about the odor
22 control for this kind of -- this particular facility.
23 In the direction of the prevailing wind, how much
24 distance do you think there will be odor from -- produced by this
25 facility that will be noticeable?

1 MS. BAKER: We did not do an analysis on that for
2 this facility because it's not required by the Livestock
3 Management Facilities Act for this testimony.
4 HEARING OFFICER SONDGEROTH: Would the Department
5 like to comment on that?
6 MR. GOETSCH: I would just -- I would just add that
7 there are many, many criteria that's associated with what odors
8 are detectable and how far odors can be detected.
9 One of the major ones is the local topography. If
10 you have been out to this site I think you'll notice that the
11 proposed site is significantly sheltered on, what, on the west,
12 east, and north with a significant amount of trees.
13 Those trees do have a major impact in terms of
14 dispersing odor-carrying particles that, you know, that could be
15 -- or that would -- or could leave a facility.
16 I think that the topography of this particular site
17 has some significant advantages of other sites that we have seen.
18 But every site is unique. And I don't know that we
19 would have or even the Applicant would really have a good answer
20 for you, but part of the setback distances that are required by
21 -- or that are included in the LMFA is an attempt to make some
22 estimates there.
23 That doesn't mean that you won't smell it outside a
24 setback distance, but depending on the local topography it can
25 have at least somewhat of an indication.

HEARING OFFICER SONDGEROTH: Anyone who hasn't had an opportunity to ask a question?

You, sir, in the polo.

JAY FRERICKS: Yeah. Jay Frericks, F-r-e-r-i-c-k-s.

This is to Mrs. Baker over there. You went to great lengths on telling us about the pit that stores the manure.

Is that manure considered a toxic waste going into the pit?

MS. BAKER: The manure is considered a by-product of animal livestock that contains a nutrient value.

JAY FRERICKS: Is that a toxic waste?

Yes. So why in the world would I want that on the ground around my property?

MS. BAKER: That is not what I said. I said that that manure has a nutrient value. It does need to be handled in a way that that nutrient is applied agronomically so the crop can use it efficiently, but it is not a toxic waste.

HEARING OFFICER SONDGEROTH: Anybody who hasn't asked a question yet?

Yes, ma'am. In the back.

GINGER ROGERS: Ginger Rogers. G-i-n-g-e-r R-o-g-e-r-s.

My questions is for Mr. Peter. What is your primary water source for this complex?

And do you have to have a backup; and if so, what is

your backup water source?

MR. PETER: Yes. We'll have three water sources. Our primary will be the well on the property.

GINGER ROGERS: Is there a -- I'm sorry. Is there a well already dug?

MR. PETER: Yes.

And then -- that's our primary. We've got a backup pond that is on the property already.

And then we've spoken to ABS Water. We'll be hooking up to that.

UNIDENTIFIED FEMALE SPEAKER: And the third one? You said you have three.

HEARING OFFICER SONDGEROTH: Hold on, ma'am. Hold on. We have to call on you. Got to get your name on the record.

Has anybody else not entered -- or not asked a question?

UNIDENTIFIED FEMALE SPEAKER: He didn't answer the question. He --

MR. PETER: I think I answered it. I -- I listed off three water sources. One is --

UNIDENTIFIED FEMALE SPEAKER: Is there a well that --

HEARING OFFICER SONDGEROTH: Hold on. One at a time.

MR. PETER: Can I answer?

HEARING OFFICER SONDGEROTH: Yes. Finish your response, please.

MR. PETER: I stated that we had three water sources. One is the current well, two is the pond, and three is ABS Water.

HEARING OFFICER SONDGEROTH: Is there any particular question you feel he did not answer?

GINGER ROGERS: Yes. This well that's already existing apparently, how much water does this produce?

Is it enough to maintain this complex?

MR. PETER: It's thirty gallons per minute; and yes, it will service the facility.

HEARING OFFICER SONDGEROTH: Anybody else not had an opportunity to ask a question yet?

Ma'am in the blue.

BETH LUBBERT: Beth Lubbert, L-u-b-b-e-r-t.

And it's for the Department of Ag. How many sites have you denied?

MR. GOETSCH: I don't know that I have my numbers with me.

The way the statute is written, we don't specifically deny a project; we just don't approve it.

In other words, we continue to ask questions about why -- or we point out and ask questions where a facility does not meet the requirements of the statute. And if they're never -- never able to meet the requirements, they're never approved.

So that's kind of a, I don't know, a backhanded denial, if you will.

I don't have the -- well, let's see.

This was as of the end of March of this year, so these are a little bit old, but over -- since the beginning of the Livestock Management Facilities Act we have received two thousand three -- at this time, at the end of March of this year, we've received 2,308 applications for projects. And that ranges anywhere from a giant project down to I'm adding a room to the end of the building and everything in between.

And of that group, that 2,308, two hundred and twenty-six were inactive; in other words, they never answered the last set of questions we asked.

An additional two hundred and two they were expired.

So of that twenty-three hundred plus, about forty -- or excuse me -- 430 were in essence denied. They were never approved.

The balance were either approved and constructed or were under construction.

And then there are some, an additional hundred at that time that were in process.

So I apologize for the long answer to your question.

HEARING OFFICER SONDGEROTH: Anybody not had an opportunity?

In the black shirt.

HOWARD HUDSON: Howard Hudson, H-u-d-s-o-n.

Two questions for the operator and one for the

1 Department of Ag.
2 To the engineer: Do you think in the opinion of the
3 residents of the State of North Carolina and the United States
4 EPA that they think the hog waste flowing down the rivers and
5 streams right now is toxic?
6 Is that safe drinking water?
7 MS. BAKER: Sir, I would like to talk to you
8 afterwards about that, but that does not change the site or the
9 siting criteria laid out by the Illinois Department of
10 Agriculture.
11 HOWARD HUDSON: Secondly to the operator: With the
12 -- the recent history of the United States Department of
13 Agriculture having on hand an average of over six hundred million
14 pounds of pork in cold storage that the United States taxpayers
15 are paying for, and due to the unprofitability of the hog
16 industry right now, why do you think you need this many
17 additional hogs?
18 MR. PETER: We were contracted by a grower to custom
19 finish the hogs, and we have no interest in that.
20 HOWARD HUDSON: Question for the Department of Ag.
21 If the -- if a discrepancy due to errors on the application is
22 found, will you be repeating this meeting?
23 MR. GOETSCH: It depends on the severity or -- well,
24 it depends on the specifics of the situation. I'm not going to
25 tell you that if you find a comma was missing or an apostrophe

1 that we're going to redo this. It depends specifically on the
2 situation. And we will review that with our general counsel and
3 make a determination what the statute requires us to do.
4 HOWARD HUDSON: Thank you.
5 HEARING OFFICER SONDGEROTH: Anyone else not -- in
6 the back, ma'am. Blue dress.
7 DANA GLOVER: My name is Dana Glover. D-a-n-a
8 G-l-o-v-e-r.
9 This is for the designer and/or the operator.
10 I understand there's a considerable amount of
11 mortality involved in the operation of a swine facility. So I
12 would like to know what the operator plans to do to handle the
13 carcasses, and the associated risk to wildlife, and the
14 neighboring community through vermin spreading, flies, odor,
15 wildlife carrying the debris, or the runoff, or the decomposing
16 carcasses.
17 MR. PETER: We will use a composter, which is a three
18 bay structure. It will have sawdust in it. Your day-to-day
19 death loss will go into that. It will be turned and kept track
20 of.
21 And then in the event of a mass casualty there will
22 be a rendering company hired.
23 HEARING OFFICER SONDGEROTH: Any other questions for
24 someone who hasn't asked a question yet?
25 Yes, ma'am?

1 JENNIFER TIREY: Jennifer Tirey, T-i-r-e-y.
2 This is for the engineer, Miss Baker. Based on the
3 comment with North Carolina, can you clarify on the siting
4 criteria if there is a floodplain issue that is looked at when
5 you're determining the criteria if it's met?
6 MS. BAKER: Yes. Through my presentation I discussed
7 that we looked at the one hundred year floodplain.
8 This site is not within a one hundred year
9 floodplain. So if a catastrophic event occurred, the likelihood
10 of this facility being within that is very unlikely.
11 HEARING OFFICER SONDGEROTH: Anyone else who hasn't
12 had an opportunity to ask a question?
13 Yes, ma'am. In the blue.
14 JENNY LAWLER: My name is Jenny, J-e-n-n-y, Lawler,
15 L-a-w-l-e-r.
16 My question is for Ragan or his engineer. My concern
17 is about the air quality, since you're obviously saying that your
18 carcasses are going to be put into a pit and sawdust on them and
19 such as that. I feel that there's going to be maybe an odor
20 issue, but I'm just wondering if you will be using any kind of
21 biofilters to control your air quality on the site or -- and if
22 so, what kind you're going to be using and if they need to be
23 changed or cleaned. You know.
24 What's your plan on that and how often?
25 MS. BAKER: The composting facility, the compost is

1 compost and sawdust. And that compost has a system. Gets to a
2 temperature that kills microbes. And the odor from composting
3 systems is very minimal when operated efficiently.
4 As far as biofilters for the site, Ragan currently
5 does not have plans to install any.
6 JENNY LAWLER: So do you have plans possibly in the
7 future to do that?
8 Because my husband is on oxygen twenty-four hours a
9 day and has lung conditions. And there's other people in the
10 area that do.
11 My main -- my concern is the biofilters with the
12 gases and such.
13 MR. PETER: We're going to use --
14 JENNY LAWLER: Are you going to do that?
15 MR. PETER: We're planning to use the natural tree
16 buffers and regular maintenance of the fans and cleaning of the
17 buildings will keep the smell minimal.
18 JENNY LAWLER: Okay. I'm not so worried about smell
19 as I am the air quality.
20 So therefore, no filters are going to be used because
21 you're just using the trees around the --
22 MR. PETER: That's correct.
23 JENNY LAWLER: So we live a little, just a little
24 over a half a mile from there. So that's not going to help us
25 with our health issues.

HEARING OFFICER SONDGEROTH: Sir in the back?
You haven't asked a question yet.
TIM MAIERS: Tim Maiers, M-a-i-e-r-s.
Ragan, I guess somewhat of a follow-up question. You've worked in hog barns for quite a few years. Have you ever had, or employees, ever had any health issues working inside the barns?
MR. PETER: No.
TIM MAIERS: So would you think it's pretty unlikely that someone would have any health issues?
MR. PETER: Yes.
TIM MAIERS: Thank you.
HEARING OFFICER SONDGEROTH: Any other questions?
Someone that hasn't asked a question yet.
STEVE DeMOSS: I got one I would like to.
You stated -- Steve DeMoss. S-t-e-v-e D-e-M-o-s-s.
You stated that if the -- if places met once a month, more than fifty people in it within that vicinity. Is there any churches around that area where you're going?
Because there might be a -- a bunch of congregation might meet there on Sunday. So --
MR. PETER: We have a church to the southeast. It's well out of the populated area. I think it's four thousand feet to -- seven thousand feet to the church and we need to be three thousand.

HEARING OFFICER SONDGEROTH: Any other questions of someone who hasn't asked a question yet?
Yes, ma'am. In front.
CATHY CAMPBELL: I would like to ask a -- I'm sorry. Cathy, C-a-t-h-y, Campbell, C-a-m-p-b-e-l-l.
I would like to follow-up on the trees being a buffer zone. I'm very curious. There are a large number of trees there now, but I would suspect a lot of those will have to come down for construction of the building.
MR. PETER: That's incorrect. The building will be out in the field where there's corn planted on a level area.
CATHY CAMPBELL: So you won't be taking trees out?
MR. PETER: No. No trees.
HEARING OFFICER SONDGEROTH: Any other questions?
Yes, ma'am. In the red.
MARLA MERIDETH: Marla Merideth, M-e-r-i-d-e-t-h.
What is the capacity of trees in the wintertime with no foliage to filter?
MS. BAKER: Those trees will still help to dissipate any odors that are there.
MARLA MERIDETH: I don't think so.
HEARING OFFICER SONDGEROTH: Any other questions?
Yes, ma'am. In the pink.
CRYSTAL CLAIR: I don't know which one to ask first.
Oh. Oh. Crystal Clair. I'm sorry. C-l-a-i-r.

I guess the first one is more of a statement. I spoke with --
HEARING OFFICER SONDGEROTH: Ma'am? Hold on.
CRYSTAL CLAIR: Okay.
HEARING OFFICER SONDGEROTH: This is question and answer. I'll give you the opportunity to provide written testimony, I'll give you the opportunity to provide oral testimony, but this is just questions at this point.
CRYSTAL CLAIR: Who at ABS Water told you they approved your -- that you could use them?
It's my understanding their engineer has not talked to them yet.
MR. PETER: I talked to Cindy Keys when we received our permit. She's going to submit it to the board if we can use that as our third line of defense on water.
CRYSTAL CLAIR: The meeting is next week.
MR. PETER: Thank you.
HEARING OFFICER SONDGEROTH: Did you -- ma'am, I'll give you -- did you have a second question?
CRYSTAL CLAIR: I do have a second question.
HEARING OFFICER SONDGEROTH: What's your second question?
CRYSTAL CLAIR: It's about composting. Are you going to be using an anaerobic or an aerobic compost process?
Are you going to -- do you farm the ground that

you're going to be putting this on?
Because it's my understanding if you don't farm it you have to have a compost permit from the EPA.
Do you farm the Kennedy Summers' ground?
MR. PETER: I don't.
CRYSTAL CLAIR: And so is that not right? If you put compost -- doesn't the Illinois Department of Ag say if you're putting compost on ground that you don't farm you have to have a compost permit?
MR. PETER: I purchased the hundred and thirty-six acres last Thursday where the site's going to go and --
CRYSTAL CLAIR: But if you put it on the Summers' ground --
MR. PETER: There won't --
CRYSTAL CLAIR: -- there --
MR. PETER: There won't be any need to put it on the Summers' ground. They won't -- they won't want it there. And I'll put it on my own because I own the facility, not on a neighbor.
CRYSTAL CLAIR: I'm not talking about where the compost is located. I'm talking about where it's spread.
MR. PETER: It will be spread on my property.
CRYSTAL CLAIR: Not on the Summers' property.
MR. PETER: Correct.
HEARING OFFICER SONDGEROTH: Any other questions?

1 Yes, sir. In the white.
2 THAD KING: My question -- Thad King, K-i-n-g.
3 My question is for Gayle. It's kind of a follow-up
4 to the North Carolina question.
5 But during your presentation, and I quote, you said,
6 on the environmental slides, "This is to reduce the potential,"
7 and then later you said, "To minimize the potential of leaching
8 and runoff."
9 So is it -- are you stating that there is a potential
10 for leaching and a potential for runoff from this facility?
11 MS. BAKER: As with any facility livestock business
12 there are risks when you are operating.
13 So from the standpoint of the facility there's a risk
14 when moving manure for leaks, breaks in hoses, things like that.
15 THAD KING: And leaching from the spread?
16 MS. BAKER: By applying it, like I detailed in my
17 slide, by applying it at opportune times when the crops can
18 efficiently use that, we have found that the crops are able to
19 utilize that manure. The soil quality becomes better and the
20 crops are able to utilize all that nutrient that we placed there
21 for it.
22 It's very similar to commercial fertilizer. That
23 commercial fertilizer needs to be placed at the right time, at
24 the right place so the crops can use it efficiently.
25 THAD KING: And can I follow-up to that as well?

1 HEARING OFFICER SONDGEROTH: Quickly, please.
2 THAD KING: Okay. You also had mentioned that you're
3 going to use this at opportune times. During your proposal you
4 said you're planning on storing a year's worth to apply it, but
5 yet when you look at the application rate you said you do it
6 yearly; not at the applicable time.
7 MS. BAKER: We will be spreading it every fall. So
8 the storage will be yearly, with application in the fall when the
9 fields are able to handle the application.
10 HEARING OFFICER SONDGEROTH: Any other questions?
11 Yes, sir. In the back. In the red.
12 CHARLIE GENTERT: Okay. The --
13 HEARING OFFICER SONDGEROTH: Sir? Can you state your
14 name, please?
15 CHARLIE GENTERT: Gentert. G-e-n-t-e-r-t.
16 This manure application, are you going to use
17 something like an additive to the manure, like a stabilizer or
18 something?
19 You know, I know there's farmer in here. They're
20 familiar with N-Serve. But also Dow Chemical makes Instinct,
21 which it helps on the -- on the -- helps that defermentation
22 process and that.
23 Are you going to use a stabilizer in the manure to
24 keep it out of the groundwater?
25 MR. PETER: Yes, we will. We use it to help with

1 flies, and odor, and the stabilization of the nitrogen.
2 CHARLIE GENTERT: Isn't that better to spread that
3 manure in the spring? Because that way it can -- is less likely
4 to get down into the groundwater?
5 MR. PETER: The --
6 CHARLIE GENTERT: With a stabilizer.
7 MR. PETER: The optimum time to spread manure is in
8 the fall of the year when it's dry. That will be our target
9 application time.
10 We try not to apply in the spring due to all of the
11 rains and the potential for runoff if we would have a ten inch
12 rain or something like that.
13 HEARING OFFICER SONDGEROTH: Any other questions?
14 Yes, ma'am. In the back.
15 GINGER ROGERS: Ginger Rogers.
16 Mr. Peter stated that he has a well for his primary
17 source. I want to know: What is the usage of this complex; and
18 will that well sustain that usage without lowering the water
19 table in the area?
20 MR. PETER: Yes. The well will put out
21 thirty gallons a minute. It's an 1800-gallon an hour. You take
22 that times twenty-four is forty-five thousand gallons, roughly.
23 The building on a hot day, such as today, we use
24 seventy-five hundred gallons. So there will be plenty of
25 capacity there from the existing well.

1 HEARING OFFICER SONDGEROTH: Yes, ma'am.
2 ROSEMARY BRICKMAN: Rosemary Brickman.
3 R-o-s-e-m-a-r-y B-r-i-c-k-m-a-n.
4 This is for Miss Baker.
5 Could you share with us whether your firm has
6 designed any facilities that have had any problems that have been
7 addressed by the EPA?
8 MS. BAKER: I will not be sharing that as that has
9 nothing to do with this facility at this testimony hearing.
10 ROSEMARY BRICKMAN: Well...
11 HEARING OFFICER SONDGEROTH: Yes, ma'am?
12 CINDY ARNETT: I'm Cindy Arnett. C-i-n-d-y
13 A-r-n-e-t-t.
14 And this for the owner. My question to you is:
15 You've got people spilling all the way out into the hallway here.
16 Can you honestly look every one of these people in the eye and
17 say, I'm sorry, the money I'm receiving for this is more -- worth
18 more to me than all of your neighboring body who's worried about
19 their wells, their air quality, their life on their property that
20 they've sustained for however long?
21 Can you honestly look every one of them in the eye
22 and say that?
23 MR. PETER: No comment.
24 HEARING OFFICER SONDGEROTH: Yes, ma'am?
25 CRYSTAL CLAIR: Crystal Clair.

Miss Baker, when you determined the characteristic of County Line Swine in the area, how in the world can you say it is characteristic to be incompatible with an organic farm right next door?

MS. BAKER: Well, manure is an organic source, and it is a great fertilizer for organic farms. Many organic farms use manure --

CRYSTAL CLAIR: We do not.

MS. BAKER: -- to fertilize their ground.

From a certification point, and the research that I have done, and finding out if any organic farms in Illinois have been decertified from the use of manure, currently none in Illinois have been decertified. And all research points to manure being a great source for an organic facility.

CRYSTAL CLAIR: So are you saying then we don't have the right to determine what we have in our farm and if we don't want organic -- or don't want manure on our farm we don't have the right to stop it?

MS. BAKER: My understand is no manure is being applied to your farm.

CRYSTAL CLAIR: But it will leach.

MS. BAKER: Not if it's applied correctly, as Ragan has proposed to do.

HEARING OFFICER SONDGEROTH: Any other questions?

Yes, ma'am.

SHARON HUDSON: I just had a question for Warren.

HEARING OFFICER SONDGEROTH: Name again, please.

SHARON HUDSON: Sharon Hudson, H-u-d-s-o-n.

I just had a question for Warren. Have you had to repeat public informational meetings in the past because of errors on applications?

MR. GOETSCH: Yes. We have repeated it's either two or three that I can recall. I think one was in Woodford County.

I'm trying to remember the other two.

But yes, we have --

SHARON HUDSON: Thank you.

MR. GOETSCH: -- we have in the past.

And again, let me just add: It is based on -- I think one of the -- the one in Woodford County, if I remember correctly, that actually the application was after the public informational meeting was held. The application was withdrawn and resubmitted by the applicant.

There are lots of -- it all depends on the nature of the issue and whether or not the requirements of the statute are being met by the application as it exists.

We will look at that. If we get information, we'll look at that information and determine what, if any, impact it has on the application in front of it.

HEARING OFFICER SONDGEROTH: Any other questions?

Yes, sir.

THAD KING: Thad King, K-i-n-g.

My question is for the Department. Are you aware of any studies saying that manure carries diseases?

MR. GOETSCH: I couldn't put my hands on one to hand you one, but --

THAD KING: Are you aware?

MR. GOETSCH: -- I can't say -- but I can't say that there -- that there isn't such a thing. I just don't have it here in front of me.

THAD KING: Okay. A follow-up to that. If they were to exist in the manure, and that manure is spread, would those, whatever name your disease, would that be spread with that application?

MR. GOETSCH: I think it depends specifically on the disease. There are some pathogens that are -- you know -- can -- who are destroyed by sunlight, for example.

There are other pathogens that, you know, can't survive in other situations.

So it would depend specifically on the pathogen. I -- I'm a --

THAD KING: Do any of those pathogens --

MR. GOETSCH: I'm not a --

THAD KING: -- spread? Do any --

HEARING OFFICER SONDGEROTH: Well, sir, hold on. Let him finish.

MR. GOETSCH: Like I said, I'm not an expert in this area.

I would say that the statute the way it's written allows for the spreading of manure under certain controls. And the intent of those controls is to ensure that that manure stays where it's applied.

That's why application rates are restricted to the agronomic use of the crop to be grown. That's why setbacks are put in around -- or are required around wells, around waterways, around other known conveyances to try and ensure that that material does not leave the site of application.

THAD KING: Okay.

HEARING OFFICER SONDGEROTH: Do you have a follow-up question, sir?

THAD KING: Yeah.

So if a bacteria, pathogen, whatever, was known to be able to survive in water, and dirt, and manure, if that were spread, I mean, you would fully anticipate that if it's able to survive in manure, and it can survive in dirt and water, when they spread it it would be put on given fields.

MR. GOETSCH: I'm not sure I understand the question, but I guess I would just say that the way the statute is written it is legal to apply those materials at the rates with the restrictions that are included in the statute, regardless of whether there's something else there other than the manure.

I mean, the manure and whatever it's carrying it's legal to apply that material based on Illinois law with the restrictions that are included in the statute.

HEARING OFFICER SONDGEROTH: Any other questions? Yes, ma'am. In the back.

GINGER ROGERS: Ginger Rogers again.

Who's going to be responsible for supplementing Keene Township's road maintenance checkbook?

Because this is going to meet -- need extra maintenance, I would assume, due to the extra traffic.

So I don't know how much Keene Township has in excess to maintain their roads.

MR. PETER: The road commissioner, Paul Graff, he indicated that twenty-seven hundred was suitable for eighty thousand pounds, and as well as 1850 when it's not posted.

In our conversations he didn't indicate that we would be responsible for any kind of maintenance; just the money that comes in from the taxes.

HEARING OFFICER SONDGEROTH: Any other questions? Yes, ma'am. In front.

ROSEMARY BRICKMAN: Rosemary Brickman, B-r-i-c-k-m-a-n.

For Miss Baker. You spoke awhile ago and said that you weren't aware of any organic farms that had lost their certification due to runoff or leaching.

Do you --

MS. BAKER: Of manure.

ROSEMARY BRICKMAN: Of manure. Yes.

Do you know of any situations where there are hog confinements as close to an organic farm as this situation will be?

Twenty-two hundred and eighty feet, I believe it is.

With runoff in three directions into the pond.

MS. BAKER: No, I can't list a specific facility for you.

ROSEMARY BRICKMAN: Okay. Thank you.

HEARING OFFICER SONDGEROTH: Any other questions? In the front?

CATHY CAMPBELL: My name is Cathy Campbell.

I've got a question for the Department about the regulation, or is there any regulation of the actual application of the manure?

Is that -- is that regulated or monitored at all?

MR. GOETSCH: A facility -- a facility this size is required to have a waste management plan, as I believe the Applicant has described; and that application -- or that plan is subject to specific rules and regulations that are included in the statute and rules.

We don't specifically visit a facility like that -- or like that's being proposed other than on a complaint basis.

They are subject to -- we could come unannounced and ask for and see their records if we would like.

But -- so I guess to answer your question: Yes, there are specific requirements that they have to adhere to. Their waste management plan is required to outline all of the specifics that they described; the locations, the setbacks, the application rates, the manure volumes that are applied, the nutrients that are included based on those annual samples.

All of that is included in that formal plan that they're required to maintain.

CATHY CAMPBELL: Okay. I understand that.

But they're available for review, but there is no timeframe or system for an official to monitor that?

It's all self-monitored then?

They keep the records and nobody monitors that other than --

MS. BAKER: When -- can I step in on the question?

MR. GOETSCH: Sure.

HEARING OFFICER SONDGEROTH: Go right ahead.

MS. BAKER: As well as the Illinois Department of Ag, there's the Illinois Environmental Protection Agency. Ragan is considered a large unpermitted CAFO. His records, as I stated, will be kept on site, and EPA does routine site inspection.

When they come to his site they can -- they will request to see his records. If they are not kept up-to-date, if

he does not have the information that he needs, then he will be -- he will go through review with the Illinois EPA and possibly undergo more rigorous observations.

CATHY CAMPBELL: And please define "routine" for me. How often?

MS. BAKER: They do five year inspections. And if -- if they receive a complaint they will come more often.

CATHY CAMPBELL: Five --

MS. BAKER: In the past.

CATHY CAMPBELL: Five years you said?

HEARING OFFICER SONDGEROTH: Hold on, ma'am.

CATHY CAMPBELL: Yes.

HEARING OFFICER SONDGEROTH: She did --

CATHY CAMPBELL: I'm sorry. I didn't just didn't hear.

HEARING OFFICER SONDGEROTH: She did say five years.

CATHY CAMPBELL: Okay.

HEARING OFFICER SONDGEROTH: Let her finish her response.

CATHY CAMPBELL: Sure.

MS. BAKER: Additionally I'll point out that in 2016 and 2017 through all of the visits that EPA has made there's not been a violation with a livestock facility in Adams County.

CATHY CAMPBELL: Thank you.

And one kind of follow-up question. As far as the

1 person who applies the manure, is there a certification required
2 for that?
3 To the Department.
4 MR. GOETSCH: The only -- the only program that we
5 administer is a certified livestock manager program. Every
6 facility over a certain size is required to have at least one
7 certified livestock manager associated with the facility,
8 especially during times when manure is being transferred.
9 This facility is of an adequate size that to become
10 certified once every three years they have to not only attend a
11 training session but they have to successfully pass a closed book
12 exam.
13 That's all we -- or that's our only requirement.
14 CATHY CAMPBELL: And that person would not
15 necessarily be the person who would spread the manure in all
16 cases, correct?
17 MR. GOETSCH: That is possible. You could -- but
18 they would have to be on site when that manure is being
19 transferred.
20 In most cases, though, most commercial companies,
21 even thought they may not be livestock producers -- I shouldn't
22 say most. Many of them take our program as well just because
23 they want to be able to say that they are certified livestock
24 managers.
25 But it's not a specific requirement in our statute.

1 CATHY CAMPBELL: Thank you.
2 HEARING OFFICER SONDGEROTH: Yes, sir. In the back
3 in the white.
4 TIM MAIERS: Tim Maiers, M-a-i-e-r-s.
5 Ragan, you mentioned you have a custom manure
6 application business. And how long have you had that?
7 MR. PETER: Since 2007.
8 TIM MAIERS: So you've applied quite a bit of manure
9 over those years.
10 Have you ever had a violation or environmental issue
11 on any manure that you have applied?
12 MR. PETER: No, we haven't.
13 TIM MAIERS: A follow-up question. Have you ever had
14 an EPA audit in any of the barns that you operated?
15 MR. PETER: Yes. We had one this summer.
16 TIM MAIERS: Did you have any issues?
17 MR. PETER: No. It passed.
18 TIM MAIERS: Thank you.
19 HEARING OFFICER SONDGEROTH: Yes, sir. In the red.
20 CHARLIE GENTERT: Going back to the -- oh. Gentert.
21 G-e-n-t-e-r-t.
22 Wasn't there a couple of years ago, a spinach spill
23 out in California, organic spinach spill, where it was cattle,
24 some kind of disease that cattle get and humans get?
25 Pigs don't get it.

1 But they traced it back to the spinach farm where
2 they applied the cow manure on.
3 That was a couple of years ago.
4 The grocery stores to pull the spinach off of the
5 shelf.
6 MR. PETER: I'm not aware. I don't believe that
7 follows the point of this meeting with the eight criteria. But I
8 am not aware of that.
9 HEARING OFFICER SONDGEROTH: Any other questions?
10 Yes, ma'am.
11 CRYSTAL CLAIR: You spoke earlier -- Crystal Clair.
12 Thank you.
13 One of the two of you gentlemen from the Illinois
14 Department of Ag spoke earlier if we have further concerns or we
15 have noticed untruths being told, how do we submit that to you?
16 Does it go to -- I mean, what form?
17 Do we just write it in a letter?
18 Do we have to say criteria this, criteria that?
19 How do you expect us to -- to submit?
20 MR. GOETSCH: I think it depends on the issue. Like
21 if you believe that, for example, there was a house that wasn't
22 identified say in the application, just send us the information
23 that, yes, there's a house at the corner of this road and this
24 road. There's -- you know. Joe Bob Cline lives in that
25 location. It has been there. Here's a phone number for that

1 person.
2 Just send that to us either in a letter or via
3 e-mail. Either way is fine. Just get us that information.
4 CRYSTAL CLAIR: And how long of timeframe do we have
5 to get that to you?
6 MR. GOETSCH: The sooner the better. We need to have
7 -- we would like to have the information say within -- I mean,
8 certainly for us to continue this process we would like to have
9 it before the close certainly of the County's thirty calendar --
10 no -- business day period.
11 CRYSTAL CLAIR: So --
12 MR. GOETSCH: Which I highlighted earlier. And I
13 don't remember what the date was.
14 Is it --
15 MR. OWENS: November 2nd.
16 MR. GOETSCH: November 2nd.
17 But I would hope that if we could have something by
18 say the end of the second week in October that would be very
19 helpful.
20 CRYSTAL CLAIR: So do I have to file another FOIA to
21 get the waste management plan so we can actually see it?
22 Or are we not allowed to even see the waste
23 management plan?
24 I filed for once -- for them twice.
25 MR. GOETSCH: But we don't have a waste --

1 CRYSTAL CLAIR: I know.
2 MR. GOETSCH: -- management plan.
3 CRYSTAL CLAIR: So how do we know what is -- you know
4 -- what is -- they're proposing?
5 But how do we know this is what's actually going to
6 be put on a piece of paper and then you only give us so many days
7 to --
8 MR. GOETSCH: Right. The challenge, though, is if
9 you look at the statute and the rules, they're not required to
10 actually formally file a waste management plan with us until six
11 -- within sixty days.
12 Well, actually, they're not -- the size of this
13 facility is such that they're not required to have it until sixty
14 days after this facility would have been placed into service.
15 So there really is not going to be an opportunity for
16 you to see the actual pages.
17 They, I think, have tried to describe it as best they
18 possibly can what the numbers are, what they're trying to do, how
19 they're trying to do it, but I doubt whether you will have an
20 opportunity to actually see the document.
21 HEARING OFFICER SONDGEROTH: Any other questions?
22 Yes, sir.
23 NIC ANDERSON: Nic Anderson, A-n-d-e-r-s-o-n.
24 For Warren. Understanding that folks want to make
25 sure that you get all the information you can, can you kind of

1 define what a residence is when -- when the farm identifies
2 residence in setbacks or outside of setbacks?
3 The requirement of what constitutes a residence. Is
4 it a phone number, a tax bill, inhabitants for a certain amount
5 of time?
6 Kind of maybe give us the definition of what a
7 residence is.
8 MR. GOETSCH: Well, without going back and looking
9 specifically, I mean, it does -- it does lay out in the statute,
10 in the rules, that it has to be an inhabited residence. It
11 actually has to have running water. It has to have a septic
12 system or some kind of -- it has to be able to provide all of the
13 specific functions.
14 And it has to have been inhabited at least six
15 months, I believe, out of the last two years.
16 So there are specific criteria to judge whether a
17 facility -- or excuse me -- whether a home is indeed qualified
18 for the setback.
19 NIC ANDERSON: So if somebody wanted to provide you
20 that information they should show you an electric bill for six
21 months, or a letter, you know, some documentation to provide
22 that?
23 That would be a good way to give you that
24 information?
25 MR. GOETSCH: Well, yeah. I mean, what -- what

1 ultimately would happen if that was the case that there -- you
2 know -- the issue was whether a home was habited -- or was
3 inhabited, whether it qualified or not.
4 You give us that information, for example. We would
5 then have to turn around and contact that person, or the person
6 that you identified that lived there, and try and get, you know,
7 some kind of substantiating evidence.
8 Maybe it's as simple as going to the post office and
9 finding out that they've been receiving mail there for the last
10 twenty-seven years. But -- and that, you know, they have lived
11 there.
12 But we would have to follow-up to ensure that, you
13 know, that that information was accurate.
14 But, you know, that's one of the reasons for this
15 meeting. You know. I mean, we sit in Springfield. We can do so
16 much. You know. Now with drones maybe we can do more.
17 That was humor.
18 But we need your comments. We need your information
19 because you're the folks that live in this community and you know
20 that information because you're here all the time.
21 HEARING OFFICER SONDGEROTH: Another question?
22 Yes, sir.
23 THAD KING: Thad King, K-i-n-g.
24 I apologize for the longwinded question. But recent
25 study has found that property values around facilities are --

1 HEARING OFFICER SONDGEROTH: Who is the question for?
2 THAD KING: It's actually for, if I can address the
3 Board here, the County Board.
4 So recent property value evaluations have shown
5 decreases in local, meaning anywhere from adjacent to within a
6 half mile, can be devalued by forty up to eighty-eight percent
7 for adjacent --
8 NIC ANDERSON: Can I -- can I make an objection?
9 THAD KING: Well, I'm sorry. I'm asking a question.
10 HEARING OFFICER SONDGEROTH: Let him finish.
11 THAD KING: Is it reasonable for these local areas to
12 ask for decreases or offsets for property taxes due to this
13 facility going in?
14 HEARING OFFICER SONDGEROTH: I'll request if anybody
15 responds, maybe the board chairman can respond, whether the
16 County wants to respond or not I don't know, but --
17 MR. POST: I think that would be appropriate
18 discussion for the board meeting and not for this meeting.
19 HEARING OFFICER SONDGEROTH: Okay.
20 Any other questions?
21 THAD KING: Not according -- not for that one.
22 HEARING OFFICER SONDGEROTH: Any other questions from
23 anyone?
24 Yes, ma'am.
25 CRYSTAL CLAIR: Crystal Clair.

Again, to the County Board. Would there be someone that could explain to the citizens that are sitting here that the control -- excuse me -- the pollution control exemptions that hog confinements with pits receive in Adams County?

HEARING OFFICER SONDGEROTH: Anyone from the Board would want to respond?

CRYSTAL CLAIR: Do the citizens of the county know they receive pollution control exemptions?

HEARING OFFICER SONDGEROTH: Ma'am? Ma'am? This meeting is focused for the Department, the Applicant, and you guys. It's for the benefit for the County Board to hear and see this. I'm not quite sure this is the forum for the question, but --

CRYSTAL CLAIR: I apologize.

HEARING OFFICER SONDGEROTH: Yes. Mr. Goetsch?

MR. GOETSCH: Then I would just add that it -- the -- the tax reduction, if you will, is a reduction just on the assessed value of the pit. So it's not like -- I mean, I don't want people to think that somehow there's a reduction in someone's taxes from what they are today with the livestock facility not being there.

This is based on the -- if this facility was sited and the assessed -- assessed valuation of that new structure, there is the potential for a reduction, a pollution control reduction, which is administered by the Illinois Department of

Revenue and the Illinois Environmental Protection Agency.

It's them that decide who qualifies and who doesn't and what that reduction is, but it's a reduction on this increased value of the facility; not what the current tax structure is.

And I hope I didn't confuse it even more, but I just wanted you to understand that it's not like someone would be getting a tax break from what they're currently paying. It's a reduction on the assessed valuation of that new -- just the manure storage component of the facility.

CRYSTAL CLAIR: May I ask a follow-up question, please?

HEARING OFFICER SONDGEROTH: One question quickly.

CRYSTAL CLAIR: Then are you telling us -- we are all about pollution control on our farm

So are you telling us then we should be asking for this exemption? Because everything we do controls pollution. We do nothing that pollutes. Everything that we do is pollution control.

I mean, are we eligible for that?

MR. GOETSCH: That's a question that you would have to ask -- I don't believe so. I believe that that's a question you would have to ask the Department of Revenue.

But my belief is it's based on this structure that is being proposed. This manure storage structure qualifies as a

pollution control device, and therefore is allowed to have a reduction in its -- in its assessed valuation compared to what it -- you know. Like compared to if this was just a -- the concrete walls in a basement of a building, for example. Because it's storing manure and it's storing it in a way that ensures that it doesn't get released into the environment it qualifies as a pollution control structure.

But again, that's a question that's best addressed to the Department of Revenue.

HEARING OFFICER SONDGEROTH: Any other questions?

Yes, ma'am.

GINGER ROGERS: We've heard a lot about hog waste management. What about the human waste management?

And this is directed I guess to the -- the State. I don't know who else to direct it to.

But do the employees have to shower in and out every time they go in and out of this building to prevent disease spread; and if so, is there a separate septic system for that water from their toilets and their showers, or is it just dumped into the pit?

HEARING OFFICER SONDGEROTH: If you're asking for specifics for this facility, it's really a question for the facility.

Is that what you're asking?

GINGER ROGERS: I'm just asking and whoever can

answer it can answer it.

HEARING OFFICER SONDGEROTH: I think this is really specific to this proposed project. I'll let the Applicant --

GINGER ROGERS: Well -- and -- but is --

HEARING OFFICER SONDGEROTH: -- decide.

GINGER ROGERS: Are employees required to shower in and out of these places to prevent --

HEARING OFFICER SONDGEROTH: Let me let the Applicant respond.

GINGER ROGERS: Okay.

MR. PETER: The hog manure will go into the eight foot pit.

Then the gray water, or your wash water for the office, laundry, it will go into a septic tank that's --

GINGER ROGERS: So that includes your toilet facilities.

MR. PETER: That's right. Yes.

GINGER ROGERS: So then you will have to install a septic system, or a sand filter, or whatever the health department regulates?

MR. PETER: Yes. According to the health department. Correct.

GINGER ROGERS: Okay. And then they inspect it after -- upon installation?

MR. PETER: Yes.

GINGER ROGERS: Thank you.
HEARING OFFICER SONDGEROTH: Any other questions?
Yes, sir?
THAD KING: Thad King, K-i-n-g.
My question is for the operator. It's a two part question.
Do you have a commercial package policy for your property and with your auto insurance?
MR. PETER: Repeat the question.
THAD KING: Do you have a commercial package policy covering your property, your general liability, and your auto?
And does that cover both the facility and the spreading of manure?
MR. PETER: I carry auto insurance, of course.
I have liability for my farm.
Liability for my pumping business.
And then a two million dollar pollution policy for my application business.
THAD KING: You said a two million?
MR. PETER: Yeah. For the --
THAD KING: For pollution?
MR. PETER: Pollution insurance.
THAD KING: So you got an exclusion on there you had to endorse?
MR. PETER: I'm not familiar with the terms. It's to

cover the application of manure when I'm doing it.
HEARING OFFICER SONDGEROTH: Any other questions?
Yes, ma'am.
CINDY ARNETT: Cindy Arnett.
This is for the engineer. Within the last five years an independent study has identified twenty CAFO's in Adams County. IEPA displayed two.
Now how can they actually do an adequate job in making sure these CAFO's are all compliant when they do not have a complete inventory still as of today?
HEARING OFFICER SONDGEROTH: I'm not sure of the study you're referring to, but if the Applicant is aware and can respond I'll let them respond.
MS. BAKER: I believe that's a question for the Illinois EPA, not for myself.
HEARING OFFICER SONDGEROTH: Any other questions?
UNIDENTIFIED SPEAKER: There's one in the back.
HEARING OFFICER SONDGEROTH: I actually have one --
UNIDENTIFIED SPEAKER: One in the back.
HEARING OFFICER SONDGEROTH: I have one question myself. I'll come back to you.
I noticed in your slide, this is Criteria Number 7, traffic patterns, there's a chart and lists roadways and vehicles per day. Slide 37.
MS. BAKER: Uh-huh.

HEARING OFFICER SONDGEROTH: The top part lists three roads: North 2700th Avenue, East 1700th Street, and East 1850th Street.
When I look at the map I'm not sure where East 1700th Street is and why that's relevant.
Can you --
MS. BAKER: It would be the road to the east of the site. It is not marked because it is not a road that will be used to travel.
HEARING OFFICER SONDGEROTH: So that's not North 2700th Road the whole way?
MS. BAKER: No. I'm sorry. Not to the east. To the west of the facility.
It's 1700th.
HEARING OFFICER SONDGEROTH: Is it a north/south road?
MS. BAKER: Yes.
HEARING OFFICER SONDGEROTH: Is that identified on your traffic pattern?
MS. BAKER: That's not part of the traffic pattern. It was just to show the traffic in the area. That's not -- that's not a heavily traveled road; therefore, it is not part of our traffic to the farm.
HEARING OFFICER SONDGEROTH: So you're not planning to travel on East 1700th Street?

MS. BAKER: No. The map on the following slide are the approved traffic patterns to the farm.
HEARING OFFICER SONDGEROTH: Okay. Thanks for clarifying that.
There's a question I believe someone has.
Yes, ma'am.
DANA GLOVER: Yeah. Dana Glover.
I have a question for the county board.
HEARING OFFICER SONDGEROTH: Did you state your name, ma'am?
DANA GLOVER: Yes. Dana Glover, G-l-o-v-e-r.
Do you believe that continuing unlimited development of these type of operations is in the best interest of the majority of the taxpayers of Adams County?
HEARING OFFICER SONDGEROTH: Ma'am, it's really not a forum to question the County Board. It's kind of for the benefit to see and give form to their decision.
Keep in mind when you -- when you give oral testimony you can certainly provide your opinion to them.
You --
DANA GLOVER: Okay. Let me ask -- may I ask a different one?
HEARING OFFICER SONDGEROTH: Hold on. Let me finish.
You can also attend the County Board meeting, the public meeting as well. But it's not really a forum for

1 questions for the County Board. They're not really here and
2 prepared to answer those type of questions.
3 DANA GLOVER: How about this?
4 Is there a regional plan that addresses the quantity
5 and the distribution of facilities like this?
6 MR. POST: These facilities are regulated by and
7 permitted by the Illinois Department of Agriculture. The County
8 has no bearing whatsoever on it.
9 Our only vote on these is whether we feel they meet
10 the siting criteria; not whether we feel they should be built or
11 shouldn't be built.
12 DANA GLOVER: Do some -- I have one more. Do some
13 counties take it upon themselves to create that kind of a
14 strategic plan?
15 MR. GOETSCH: It's called zoning.
16 DANA GLOVER: Yes.
17 MR. GOETSCH: I mean, seriously. There are some
18 counties that zone and there are some counties that have no
19 zoning. And it really -- and there are some counties that have
20 comprehensive plans and some counties that don't. And it --
21 DUANE VENVERTLOH: It -- it was addressed many years
22 ago, I believe it was and --
23 HEARING OFFICER SONDGEROTH: Excuse me. Let me
24 interrupt you.
25 DUANE VENVERTLOH: Duane Venvertloh,

1 V-e-n-v-e-r-t-l-o-h.
2 Central planning, comprehensive planning was
3 addressed at the county level about eight years ago, I think it
4 was, and it was soundly defeated by a similar group, if not
5 larger, than in the gallery tonight.
6 HEARING OFFICER SONDGEROTH: Any other questions?
7 Ma'am? You get the last question of the night.
8 GINGER ROGERS: Okay. This is for the County Board.
9 Ginger Rogers.
10 Do any of the county board members who are going to
11 vote on this decision ever recuse themselves due to a conflict of
12 interest?
13 HEARING OFFICER SONDGEROTH: And I just don't think
14 that's relevant to what we're doing here tonight. It's not a
15 forum for a question to the county board.
16 You can certainly ask them that on your own time.
17 You can contact them at a board meeting. I will not allow it to
18 be -- on relevancy grounds.
19 That concludes the question and answer phase.
20 I will now accept written testimony. If you have
21 written testimony, that does not refer to your oral testimony, I
22 will accept it now and enter it into the record.
23 If you have written testimony that you will be
24 referencing during your oral testimony, it can be entered into
25 the record after your oral testimony.

1 Following the written testimony we will take a ten
2 minute break.
3 Is there any written testimony to be offered at this
4 time?
5 Let me note on the record the Department received
6 written testimony in the mail, it's going to be marked as Exhibit
7 4, which is from Linda R. and James A. Link. Exhibit 4.
8 If there is any testimony anybody would like to
9 provide, please bring it to me. I will mark it into the record.
10 Please stay as quiet as you can and then we'll take a break.
11 Really appreciate silence during this.
12 Enter into the record as Exhibit Number 5 written
13 testimony from John and Peggy Beck.
14 Exhibit Number 6 is entered into the record, which is
15 from Linda and James Link, Sean and Tina Peters, and Cornwell
16 Farms.
17 And Exhibit Number 7 is written testimony from Dan
18 Cole.
19 Exhibit Number 8 is written testimony from Stanley
20 Campbell.
21 And Exhibit Number 9 is written testimony from George
22 and Jacquelyn Witt, W-i-t-t.
23 Exhibit Number 10 is written testimony from Scott D.
24 Bruenger, B-r-u-e-n-g-e-r.
25 Is there any other written testimony that you would

1 like to provide at this time?
2 If not, we will take a ten minute break. Reconvene
3 at 8:10.
4 (A recess was taken.)
5 HEARING OFFICER SONDGEROTH: Okay, everyone. We're
6 back on the record.
7 I have sign-up sheets with me that was over there
8 when you walked in listing the people who wish to provide oral
9 testimony.
10 I will call the names of those who wish to testify.
11 When called upon, please step up to the microphone, which is
12 located -- sir?
13 UNIDENTIFIED SPEAKER: He can't hear very well.
14 HEARING OFFICER SONDGEROTH: Father?
15 Would you like to sit up here where there may be
16 better audio?
17 UNIDENTIFIED SPEAKER: I will sit right here with the
18 people.
19 HEARING OFFICER SONDGEROTH: Okay. I never argue
20 with a man with a collar.
21 I will call the names of those who wish to testify.
22 When called upon, please step up to the microphone, which is
23 located on this table to my right. State your name, spell your
24 last name for the court reporter. I will then swear you in.
25 Remember, you'll have three minutes to speak.

1 Are there any attorneys here that are representing
2 clients?
3 Next person on the cellphone has to buy ice cream for
4 the entire group.
5 UNIDENTIFIED SPEAKER: I'll do it.
6 HEARING OFFICER SONDGEROTH: I'll call the first
7 person's name. And then I'll say who's on deck so you'll know if
8 you're coming up or not.
9 You can pass if you don't want to testify, but I'll
10 call the next on deck.
11 So the first person that is going to testify is
12 Crystal Clair.
13 And on deck will be Randy Clair.
14 Is this your written testimony?
15 CRYSTAL CLAIR: Uh-huh.
16 Crystal, C-r-y-s-t-a-l, Clair, C-l-a-i-r.
17 HEARING OFFICER SONDGEROTH: Miss Clair? Would you
18 please raise your right hand?
19 CRYSTAL CLAIR,
20 having been sworn by the Hearing Officer, deposes and says:
21 HEARING OFFICER SONDGEROTH: You may proceed with
22 your testimony.
23 CRYSTAL CLAIR: My husband Randy and I own Sunset
24 Lake Organics east of Loraine. We have seven hundred and fifty
25 acres of certified and transitional ground. We've been certified

1 since 2014. Our already established, successful business is two
2 thousand two hundred and eighty feet west of this proposed hog
3 confinement.
4 My husband has lived in Adams County his entire life,
5 except for the four years he served our country in the Vietnam
6 War.
7 CAFO's are often touted as being great booms to this
8 economy in the area. We believe that the potential economic
9 downturn in this project is huge.
10 Our operation is profitable and has positive economic
11 impact on Adams County. We do business almost exclusively in
12 Adams County. We pay taxes here and we employ people here.
13 We have had a major investment made in our organic
14 operation. We had planned to expand, we had planned to hire
15 further people, but now since the uncertainty of our future we
16 can no longer do that.
17 And I want you to keep this in mind: We make
18 virtually the same or more on one bushel of corn that is made on
19 one head of hog and three times more on soybeans than on head of
20 hog.
21 A hundred acres of organic corn is more profitable
22 than thou -- twelve thousand head of hog. And I have the
23 information here prepared by a professional ag lender.
24 The hog operation is really such a big benefit that
25 you would cause us to abandon an organic operation?

1 And we can't -- don't have time to talk about the
2 road maintenance.
3 Organic farming is not a -- is not past. It's not
4 the fad stage anymore. It's here to say. And the people of
5 Adams County are searching for organic foods.
6 The majority of the food that we -- grain that we
7 grow is food grade grain, and we don't want to eat food grown in
8 hog manure.
9 No one has the right to tell us what we can and can't
10 put on our ground. Are you farmers ready for the Illinois
11 Department of Ag or lobbying groups to tell you what seed you can
12 use or what crop you have to plant?
13 And then there's the problem of noxious weeds;
14 shattercane, Johnson grass. Will palmer amaranth be next?
15 Finally, I'm seriously ill. And I had been doing
16 well until this was thrown at us. I've been advised by my
17 medical staff that if I can hear events or I can smell the smell
18 that I have to stay inside.
19 I am a partner in this business. I don't just bring
20 my husband lunch; I help him. I run the combine. I do tillage.
21 And you are trying to take that away from me. You don't have the
22 right.
23 If you allow this hog confinement to be put here,
24 then you are making me abandon what I love.
25 Just because you can do it doesn't make it right.

1 Right is right and wrong is wrong. And this is wrong.
2 And Board, I want to thank you very much for letting
3 us have this opportunity.
4 HEARING OFFICER SONDGEROTH: Thank you, Miss Clair.
5 For the record, you've provided a folder of your
6 written testimony, which will be marked as Exhibit Number 11.
7 CRYSTAL CLAIR: Sir? May I hold these up for my
8 husband? He does have a hand that he can't --
9 HEARING OFFICER SONDGEROTH: Sure.
10 Next is Randy Clair.
11 After Randy will be Marla Merideth.
12 RANDY CLAIR: Randy Clair, C-l-a-i-r.
13 HEARING OFFICER SONDGEROTH: Mr. Clair, will you
14 please raise your right hand?
15 RANDY CLAIR,
16 having been sworn by the Hearing Officer, deposes and says:
17 HEARING OFFICER SONDGEROTH: You may proceed with
18 your testimony.
19 RANDY CLAIR: Okay. My wife here is showing a map of
20 the drainage area that comes from the neighboring property that
21 will be spread with manure. It's about forty-five acres in this
22 area that goes directly to the lake.
23 There's another forty acre field here that tile lines
24 go into this lake.
25 And if our lake is polluted by this proposed facility

1 and its associated manure application, will be nothing more than
2 an incubator for the pathogens in this hog manure.
3 I believe that our lake is confirmed -- if -- if our
4 lake is confirmed by lab tests that it is contaminated with hog
5 manure, it would need to be drained in order not to be a health
6 risk to people and wildlife that come into contact with the water
7 in the lake.
8 Would the EPA even allow me to do this, or would I be
9 accused of polluting the streams below our lake?
10 If our lake is contaminated, this would prevent us
11 from operating our compost operation, which is a major component
12 of our organic farming.
13 We cannot use the rural water because it has chlorine
14 in it that kills the beneficial bac -- microbes in the composting
15 process.
16 They tell us they will do what is necessary to
17 minimize the pollution to the area's air and water. Who
18 determines what constitutes minimal pollution?
19 Can you decide what the risks are without even
20 knowing the manure management plan or how many buildings will
21 eventually be built of this facility?
22 We do use palletized chicken manure on our land,
23 which is palletized and heated. Has been commissioned as OMRI
24 approved, which means it has gone through the steps so certified
25 organic growers can use it. This proposed hog manure does not

1 meet that standard.
2 There may be people who will say this is right -- a
3 right to farm issue. Do I not have the right to farm in a manner
4 that protects the environment, the health of the community, and
5 provide safe and nutritious commodities for the organic market
6 while following my own ethical standards?
7 If you say that they have the right to apply manure
8 to their property around our lake and organic fields, shouldn't
9 we have the right to know what they are prepared to do to avoid
10 all contamination of our organic operation?
11 This is in reference to the Number 3 Criteria. I
12 believe our organic operation is a significant contributor to the
13 character of this community; and this proposed facility is in no
14 way compatible with that character.
15 If ever there was a time and place to deny siting of
16 one of these hog factories, this is the time and this is the
17 place.
18 Thank you.
19 HEARING OFFICER SONDGEROTH: Admitted into the record
20 as Exhibit Number 12 the written testimony for Mr. Randy Clair.
21 Next will be Marla Merideth.
22 After her will be Cathy Campbell.
23 MARLA MERIDETH: My name is Marla Merideth.
24 M-a-r-l-a M-e-r-i-d-e-t-h.
25 I own --

1 HEARING OFFICER SONDGEROTH: Miss Campbell?
2 I'm sorry. Miss Merideth. Can you please raise your
3 right hand?
4 MARLA MERIDETH,
5 having been sworn by the Hearing Officer, deposes and says:
6 HEARING OFFICER SONDGEROTH: You may proceed with
7 your testimony.
8 MARLA MERIDETH: I own and pay taxes on farmland in
9 Adams County with a hundred and eighty acres of this land as
10 certified organic.
11 I'm proud to have Randy and Crystal Clair as my
12 tenants.
13 I earn a higher profit on the organic land than the
14 conventional land that I own.
15 If the proposed County Line Swine facility is granted
16 permission to build adjacent to the Clair property it poses a
17 risk to the water supply, namely their lake, used for compost,
18 which is applied to all organic land farmed by the Clairs.
19 While the owners and the operators propose the swine
20 facility and other swine operators will argue that they meet the
21 guidelines and the regulation, life doesn't come with guarantees.
22 Watch the news. Read the paper on a daily basis.
23 You will see unlikely events of mother nature; heavy rains,
24 chemical spells, in this case manure, equipment accidents.
25 There are mechanical failure; hoses that break on

1 equipment, and human error even if deemed professional.
2 Everything is deemed safe until it isn't. Tobacco
3 was safe. Now it isn't. Insecticides like DDT was safe until it
4 harmed beneficial insects like bees.
5 How long will it be until it is deemed that manure is
6 not safe?
7 In a recent article in the September 15th edition of
8 the Herald-Whig Mr. Ragan Peter claimed our concerns are
9 unwarranted.
10 And Mr. Tim Maiers' claim, agreed that runoff and
11 leaching is unlikely. Maiers was then quoted: "I can't say it
12 never happens, but the overwhelming majority do not see issues
13 with manure application. I don't see where there will be any
14 issue at all and I don't think manure will get on their
15 property."
16 Really? The majority he refers to are involved in
17 swine production, and most likely are not informed about organic
18 procedures. They appear to have a disregard for our protection,
19 and they cannot guarantee the safety of our water supply.
20 I view their disregard of our concerns as a lack of
21 respect for our farming operation.
22 If the water supply of Sunset Lake is polluted it
23 cannot be used to make the compost, which is the fertilizer we
24 use in our organic fields. The damage would be catastrophic and
25 long-term. It would take a minimum of three years to regain that

1 organic status, providing no further contamination happened.
2 I respect the right to raise swine, but I oppose this
3 location for the danger it poses to Sunset Lake Organic Farms.
4 Organic farming is a growing agricultural business
5 with a positive economic and environmental impact that needs to
6 be recognized by the Illinois Department of Agriculture.
7 According to your website, organic farming is not
8 even on your radar.
9 We have a right to farm our land to make a product.
10 Disregarding the rights of an existing operation to favor a
11 proposed one is wrong.
12 I ask for the denial of County Line Swine.
13 Thank you.
14 HEARING OFFICER SONDGEROTH: Next will be Cathy
15 Campbell.
16 After Cathy will be Terry Wittler.
17 CATHY CAMPBELL: My name is Cathy Campbell.
18 C-a-t-h-y C-a-m-p-b-e-l-l.
19 HEARING OFFICER SONDGEROTH: Will you raise your
20 right hand, please?
21 CATHY CAMPBELL,
22 having been sworn by the Hearing Officer, deposes and says:
23 HEARING OFFICER SONDGEROTH: You may proceed with
24 your testimony.
25 CATHY CAMPBELL: This top poster shows the people

1 and/or the households in the Bigneck area that signed our
2 petition against the hog confinement in green.
3 UNIDENTIFIED SPEAKER: Can you get near the
4 microphone?
5 CATHY CAMPBELL: I am so sorry.
6 So this is the Bigneck area.
7 The green are the households that signed our petition
8 against the hog confinement.
9 The yellow are the organic fields that are in the
10 immediate area.
11 And the red is where the proposed confinement will go
12 and the manure will be spread.
13 This second poster shows the more than thirty-five
14 sites that our group was able to determine through the county tax
15 records operate in Adams County at this time. Those are purple.
16 And the two pink marks are the two proposed sites in
17 Adams County.
18 Emotions have been running high in our neighborhood
19 this summer. The residents of our neighborhood are emotional
20 because we all feel threatened. Yeah, we do; we feel threatened.
21 We feel threatened because of the threat to our
22 lifestyle changes at our homes, which should be the safest place
23 on earth for us.
24 The threat of the deterioration of air quality and
25 the water quality in our area.

1 The threat to all of our health. There are several
2 of us in the area with compromised immune systems that this could
3 have serious impact on.
4 The threat to our income.
5 The threat to our township's budget due to the use of
6 roads, of our roads by the very heavy trucks.
7 The threat to our neighbors, and our partners, the
8 Clairs, and their established enterprise of Sunset Lake Organic
9 Farms.
10 The definition of an enterprise is a business or
11 company, a project or undertaking, typically one that is
12 difficult or requires effort.
13 Sunset Lake Farms is an enterprise that has been
14 spending most of their money with the Adams County businesses.
15 The IDOA Criteria Number 8 pertains to economic
16 development. Sunset Lake Farms is an existing Adams County
17 business that deserves to continue to operate just as much as
18 Country Swine -- excuse me -- County Line Swine has a right to
19 operate. Maybe even more since they were here first.
20 Sunset Lake Farms was founded with their first
21 organic field in 2014. My husband Stan's first organic field was
22 certified organic in 2015.
23 If manure is spread on the pinnacle, the Summer
24 ground, there can very easily be runoff into the Sunset Farms,
25 the Clairs' lake, contaminating it. This lake is key to their

1 compost production. And the compost is key to be spread on the
2 organic fields for fertilizer.
3 The threat of this contamination is very serious and
4 could hinder Randy and Crystal from practicing farming the way
5 that they have learned through experience during the last four
6 years is best for them for organically raised corn, soybean,
7 wheat and hay in a very environmentally friendly way.
8 If the IDOA approves the placement of this hog
9 confinement in this area, you are discriminating not only against
10 these organic producers, but against all of the rest of the
11 organic growers in the state.
12 Thank you for your time.
13 HEARING OFFICER SONDGEROTH: Next will be Terry
14 Wittler.
15 After Terry will be Darren Sims.
16 TERRY WITTLER: My name is Terry Wittler.
17 HEARING OFFICER SONDGEROTH: No, Mr. -- no.
18 I thought you were going to start your speech.
19 Will you spell your last name?
20 TERRY WITTLER: W-i-t-t-l-e-r.
21 HEARING OFFICER SONDGEROTH: Will you raise your
22 right hand, please?
23 TERRY WITTLER,
24 having been sworn by the Hearing Officer, deposes and says:
25 HEARING OFFICER SONDGEROTH: Please proceed.

TERRY WITTLER: Okay. I live within a half mile of where this new hog building is going to be built. About sixty to seventy people in our community that we've been meeting with are against this building.

It's a very shame that out of this many people doesn't have near the power of voice as one guy with the big money being invested in it.

The other areas in our community, which is in Adams County, is going through the exact same thing. There's other communities that are trying to stop it but don't have the success.

I have a very good friend that started this many years ago, and it was so bad he actually moved.

Well, I can't just up and sell my house and move. And as when as I do here, the house within a half a mile -- or not a house -- but my property within a half a mile loses its value up to eighty percent.

I built that, I built a garage and a few things, and I think I got a nice place. I'm losing that all because of one man and one investment through the rest of the community.

Okay. Again, I just would like to see, and I found out tonight the county board does not have the say so on what's going to happen out here, but the community is asking and -- and it's still a shame how one person can ruin it for a community out of seventy people's voices. They do not have the voice.

As far as traffic impact, I live on 2700th Avenue. We have a nice blacktop coming out of Bigneck, which you would use in the summertime. When it's posted you can't use it.

There is a tar and chip road in front of my house, my neighbor Randy and Crystal. When the frost goes out that road will be destroyed because they cannot drive on the other one. So then I won't have that tar and chip.

They actually, the people before me that owned my place that I bought, and Randy, they spent some of their own money to get this put in.

These trucks, they're hauling feed and the hogs out will destroy that road this spring like everybody knows.

When they haul grain they take their time and pick the days to do it. As we know, feed has to go every day when it's needed.

So I am so much against this I -- it's just a shame that seventy people don't have the same power as one and big money.

Thanks.

HEARING OFFICER SONDGEROTH: Next will be Darren Sims.

After Darren will be Cindy Arnett.

DARREN SIMS: Darren Sims. D-a-r-r-e-n S-i-m-s.

HEARING OFFICER SONDGEROTH: Mr. Sims, raise your right hand.

DARREN SIMS,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Please proceed.

DARREN SIMS: I'm a fifth generation grain farmer and a third generation pork producer here in Adams County.

My family and myself have been involved with pork production. Myself ever since I was born.

I live currently a quarter mile away from our farm. My father and mother live a quarter mile in the other direction.

We've got -- had no health issues to speak of correlated on the pig farm.

I've got two young boys, nine and eleven years old. They accompany me to the pig barns weekly, if not daily sometimes.

I have no issue with bringing anybody that wants to come to our farm in for a tour. There's just been no issue with that health-wise.

A little bit more about our background. So like I said, we've been in the pig business for a long time.

The 70's and 80's pigs were raised outside. And then we started building pig barns, there's many benefits to pig barns. The less and less producers there are, the more pigs. It's a higher management.

The ventilation has improved.

There's just been a lot more benefit to have them

indoors.

We apply our manure agronomic rates one a year in the fall. It is injected into the soil about four to seven inches deep. The phosphorus does not move. The phosphorus is -- stays there within a few inches.

The nitrogen, just like commercial nitrogen, nitrogen can leach, and we have to be good stewards of the land. All the crop producers, they use commercial fertilizers the same way.

We have written plans that we go by and are cautious of how we go about on the grain side and the manure side.

Our farm is -- we've had -- like I said, we're heavy regulated. We do have to -- we have had Illinois EPA audits before and we plan to have them again. We've never been in trouble. We've always passed. We feel like they can come any time. We're not hiding anything.

We are a no discharge farm. That's unlike certain cities even. They're allowed to discharge. Swine facilities are not allowed to just discharge.

Once again, we're -- I'm into grain also, so it's a win win for grain operations also.

And I just recently had a property sale, farmland sale within a half mile of our facility, and the property values went for more than appraised values. That just happened last month.

I -- I support Ragan, and if everything meets the

1 Department criteria.
2 Thank you.
3 HEARING OFFICER SONDGEROTH: Next is Cindy Arnett.
4 On deck is Jenny Lawler.
5 CINDY ARNETT: Hi. I'm Cindy Arnett.
6 HEARING OFFICER SONDGEROTH: Will you please raise
7 your right hand?
8 CINDY ARNETT,
9 having been sworn by the Hearing Officer, deposes and says:
10 HEARING OFFICER SONDGEROTH: You may proceed.
11 CINDY ARNETT: My third generation farm in 2015 had a
12 permit approved next door for a hog confinement. Never before
13 has any of my family found any issues that we are finding today.
14 And this notebook here is basically a collection of
15 everything that we're finding.
16 I must now monitor on a continual basis. And this
17 book displays the findings that -- that are deemed alleges.
18 Because the IDOA -- or not the IDOA -- IEPA has still
19 not given me absolute definite information. They were contacted
20 December 4th, 7th, and then continually about the issues that we
21 have here.
22 And it wasn't until Senator Koehler became involved
23 and forced a meeting in February before they actually got
24 involved.
25 So you guys have to continue monitoring if this is

1 permitted.
2 The Illinois Department of Ag was also contacted by
3 Mr. Fred Button. I think he come in and talked to you about what
4 I had going on here.
5 These images have also went to Washington, D.C., and
6 they've had great impact out there, too.
7 Ask yourself: You already know what it is like to
8 live around these. All of you are here. You know. A sweet man
9 back over here in the corner stated he's one mile away and he
10 struggles with the smell.
11 How in any way are these beneficial? They're not to
12 the neighboring body, to the community, to the water, to the air,
13 to the property values. How are they beneficial?
14 And they keep painting this pretty picture that is
15 not real. They have proven to cost more to the family farmer
16 jobs. If you go back through and you look at Iowa, who's rated
17 right now the number one hog producer, how many small family
18 producers have they lost as these CAFO's have come in?
19 Go back and look. You guys can find this stuff as
20 easy as I can.
21 Also, I was informed to by the IEPA that it was too
22 difficult to monitor the odor. Since the day that we went out in
23 February, we spent two and a half hours out there, and I
24 guarantee you it reeked. And they inform me they have no way of
25 monitoring that. I would think they would because you can find

1 this stuff on-line.
2 Anyway, the pretty picture's been painted. More of
3 the hog producers are going to come up. They're going to tell
4 you some more. But you guys know your reality. And I'm telling
5 you you have to monitor all of it.
6 Thank you.
7 And thank you.
8 HEARING OFFICER SONDGEROTH: Next is Jenny Lawler.
9 And on deck is Kim Trent.
10 JENNY LAWLER: Good evening. My name is Jenny,
11 J-e-n-n-y, Lawler, L-a-w-l-e-r.
12 JENNY LAWLER,
13 having been sworn by the Hearing Officer, deposes and says:
14 HEARING OFFICER SONDGEROTH: Please proceed.
15 JENNY LAWLER: Okay. And like I said, my name is
16 Jenny Lawler. And my husband Clarence is back there in the
17 audience.
18 We live about half a mile east of the proposed County
19 Line Swine, Inc. CAFO near Bigneck.
20 As you can see, my husband has a lung condition
21 requiring him to be on oxygen twenty-four hours a day.
22 A few of our concerns are air quality, and odor
23 control, insects and vermin.
24 There are several people in our immediate community
25 that have serious health problems; and therefore, such as cancer,

1 asthma, and like my husband, lung conditions, which compromise
2 their immune system.
3 It is my understanding certain typical, or topical,
4 air pollutants are found in the air surrounding CAFO's, such as
5 ammonia, hydrogen sulfide, methane, and particulate matter.
6 I read where the source of particulate matter is
7 found in the feed, bedding materials, dry manure, and animal
8 matter. The health risks are chronic bronchitis, chronic
9 respiratory symptoms, and a decline in lung function. This is a
10 big concern for us.
11 As for the odor, I also read that the odor that
12 CAFO's emit are a complex mixture of, again, ammonia, hydrogen
13 sulfide, and carbon dioxide, as well as volatile and
14 semi-volatile organic compounds.
15 When manure is stored in pits or lagoons for long
16 amounts of time it's the primary cause of the smells. Depending
17 on things like weather conditions and farming techniques, CAFO
18 odors can be smelled, and I read this in an article, and it's
19 from a health bureau, that they can be smelled as much as five to
20 six miles away, although three miles is a more common distance.
21 My husband uses oxygen. When he uses his oxygen it
22 increases the odor that he breathes in. And so that will cause
23 him very much to suffer and then make it difficult for him to
24 spend time outdoors.
25 We are also concerned as to the increase of flies and

mosquitoes in our area, and the disease and infections that they may bring to both humans as well as the animals.

Randy and Crystal Clair farm our land and they are organic farm certified. We're very proud of all of their hard work and devotion to organic farming. They respect the land and the community that surrounds them. It would be very sad and unfair to risk that status should a spill occur; and no one can guarantee that it won't happen.

Like I said earlier, these are just a few of the reasons that I'm against building a CAFO in our community.

Thanks for allowing me this time.

HEARING OFFICER SONDGEROTH: Entered into the record as Exhibit Number 13, the written testimony from Jenny Lawler.

Next is Kim Trent.

After Kim will be Jennifer Tirey.

KIM TRENT: Kim Trent, T-r-e-n-t.

HEARING OFFICER SONDGEROTH: Please raise your right hand.

KIM TRENT,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Please proceed.

KIM TRENT: I am the exac0t same distance from the exact same size building. I'm surrounded by fifty thousand hogs within a five mile radius. And I am the one that moved twelve years ago to get away from one of these hog buildings because it

was coming through my furnace system.

I never open my windows. I never hang out any clothes.

My dogs go outside and they smell like pigs when they come in.

I moved. It was okay for two years. And then they put some building south of me. So now I'm in the same situation again. And I can't move again. I mean, I don't know how many of these buildings you can have, but you can only run so far.

And we were promised by the CAFO owners they were going to do this and they were going to do that to cut back on the smell and the odors. Plant tree breaks. Nobody planted anything.

I talked to Senator Sullivan. He told us he wouldn't want one in his backyard. Of course they didn't put one in his backyard.

And I know of a lady that she drives by one of these on the highway. She has to shut her air-conditioner off and everything. She has to pay for a three hundred dollar inhaler, which she can't afford.

And I talked to the EPA three weeks ago and they was out.

And when I come up to Illinois 96 tonight they were spreading manure, the same exact way Ragan's going to spread his, and there were puddles everywhere. And they was incorporating

it. And they're next to a creek, too.

So if it rains tonight, which there is a chance, where is that going to go? Because they're not going to work it into the ground tonight.

And there has to be a better way for these buildings to be designed or built. Set back farther. Because this is not far enough.

And these people with the health problems, it's just going to get worse.

And our house was appraised, the one we sold, for $150,000. We barely got $100,000 out of it. So we did not make money off of ours.

Thank you.

HEARING OFFICER SONDGEROTH: Next is Jennifer Tirey.

On deck is Thad King.

JENNIFER TIREY: Jennifer Tirey. J-e-n-n-i-f-e-r T-i-r-e-y.

JENNIFER TIREY,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Please proceed.

JENNIFER TIREY: Good evening. Thank you County Board and members of the community.

My name Jennifer Tirey. I represent the Illinois Pork Producers Association. So yes, I do represent hog farmers across the State of Illinois.

Now anyone that doesn't live under a rock has seen over the last couple of weeks the unfortunate events that have happened in North and South Carolina with the hurricane.

So I want to say one thing: Have we all seen examples of some fake news? And some interpretation of things.

There are some facts that I want to talk about tonight that are the reality of our industry, whether you want to listen to them or not.

Ninety-eight percent of our farmers in Illinois are still family farmers. I represent about sixteen hundred pork producers' families in the state.

Just like you heard from Darren Sims, there are those types of farmers just like Ragan Peter who is going to try to build this barn if everything meets the requirements.

Their families are raised a stone's throw away from barns. There are no health concerns. There are very thriving farm families that want to see this land protected so that they can pass it down to their next generation.

Darren Sims mentioned he had two younger sons. He hopes to keep that farm in his family to pass on to that fourth generation of pig farming.

So I understand that it is an emotional issue. We try our darndest to be the most transparent in this industry, but sometimes things get overinflated on stories and accusations.

I can throw out a research topic to counter anything

that was put out here today, but that's not what's going to change our minds.

You're emotional, and I understand that, but please keep in mind that Ragan Peter has been a pork producer for over ten years. He's been cited by the EPA. He's been -- I'm sorry. Not cited. He's been visited by the EPA with no citations.

He has a custom applicator business. Since 2007 has had no manure applicator concerns.

This is a steward of the land representing this farm. This is someone that has had no concerns in his past time.

I would feel very confident knowing that someone with this experience is looking to build a barn in your area, wanting to continue that generation, and wanting to continue this industry in rural parts of our state just like Adams County.

Now if you have any questions or want to know anything about pig farming, you can always call our office at the Illinois Pork Producers Association. Darren mentioned they'd give you a tour. We would be more than happy to take you on a tour.

When we started moving our animals indoors we didn't do as good of a job at telling our story, but we are here to answer any of your questions and want to be transparent as possible.

Another gentleman mentioned cold storage and that we are basically setting it aside. That is privately owned, and the

portion that is owned by the government is used to feed the military, schools, public aid assistance.

So just making sure you know the facts about some of the accusations.

Our farmers are working very hard and want to protect the land so they can continue it for the next generation.

Thank you so much for your time. I appreciate the opportunity to speak today.

HEARING OFFICER SONDGEROTH: Next is Thad King.

After Thad will be Tashe Bunting.

THAD KING: Thad King. T-h-a-d K-i-n-g.

THAD KING,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Please proceed.

THAD KING: I'm speaking on Criteria 8 and the impact to recreation.

The creation and storage of over forty tons of manure each day and the subsequent spreading of this feces into -- is not just about the single particles that go down and bind with the dirt; it's about what doesn't bind.

The other particles contain the contaminants such as MRSA and E-coli and will flow directly into the tile that floats through.

This is not about the single particles that find a new home; it's about spreading disease that breeds and incubates

its living environment.

If you contaminate a water source such as a lake, it doesn't just sink to the bottom of the lake and go away. It breeds. It grows. And according to UVM dot edu the most common reason for beach closing is E-coli.

E-coli was found -- it also states that E-coli is found in animal feces and makes its way into our lakes, our ponds through rain runoff.

Farm drainage tiles are built to carry water away. The water entering the drainage tile contains manure contaminants that do not bind to the dirt; and thus they will enter the water stream as it seeps through the ground into the field tiles until it finds an exit point.

For this proposed site that could be the ditches, such as this one that has drainage water in it right now. It could be gullies that lead directly into Thurman Creek. And it could be an organic farmer's lake.

It impacts all the farmers, families, the friends and the loved ones.

Will no longer be able to walk down -- will not longer be able to fish in our own lake, walk down the local creek, catch a meal from our lake for a meal. Will no longer be able to swim in the lake because of the fear of getting sick.

Our children, who are cross-country runners, baseball players, will not be able to go outside and breathe the air and

enjoy their recreational choice because of the contaminated air that we'll breathe.

Even having a picnic outside will not be possible.

I have four younger children under the age of eleven. We did a research project and we found on Pest World For Kids dot org that houseflies tend to stay within one to two miles of where they're born. One to two miles of this proposed site is many different houses. And just beyond that typical two miles is the City of Loraine.

We found that according to a study by Penn State houseflies are strongly suspected of transmitting at least sixty-five diseases directly to humans.

To expand upon this, we took a look at Speed of Animals dot com. There we found that a housefly travels at 4.5 miles per hour. To travel just three hundred feet -- or three thousand feet it takes around seven minutes.

A horsefly, which is a common swine pest, is much faster, and it could make the trip from sitting in hog feces to your local picnic table in just under a minute.

Avoiding activities we love because of this site does not sound like recreation to me.

HEARING OFFICER SONDGEROTH: Next is Tashe Bunting.

After Tashe will be Ben Hugenberg.

Admitted into the record is Exhibit Number 14. Written testimony from Thad King, including a picture.

TASHE BUNTING: Tashe Bunting, B-u-n-t-i-n-g.

TASHE BUNTING,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: You may proceed.

TASHE BUNTING: Good evening. My name is Tashe Bunting. I'm a mother, farmer, and livestock industry professional. My husband and I raise our children on our farm in Livingston County where we raise cattle, sheep. And our kids are just beginning to become involved in the livestock industry through 4-H.

I grew up raising registered cattle on a centennial farm, which sparked my passion for livestock and led me to a career in agriculture.

Not only do I understand the day in and day out activities of farming, but I also work to advocate for livestock and dairy farmers throughout the State of Illinois in my role with the Illinois Farm Bureau.

As a supporter of livestock and growing the livestock industry in Illinois, the LMFA serves as a valuable tool guaranteeing future generations can be involved in agriculture.

Through the use of new technologies farmers have increased their efficiencies, environmental stewardship, and animal care practices which have changed the look of today's barns compared to those of our parents and grandparents.

But the values and dedication to agriculture remain

the same. Illinois families still own and operate nearly ninety-eight percent of the farms in our state.

Livestock farms also provide an important market for grain by providing additional demand for corn and soybeans, which is especially helpful during this time of market volatility.

Restricting livestock farms in Adams County would mean less economic development and fewer markets for local groups.

Livestock farms, like this one, help create property tax revenue for the county and other units of local government.

According to the 2015 Illinois Agricultural Economic Contribution Study, livestock in Adams County contributed nearly ninety-six million dollars and almost four hundred jobs to the log economy.

Everyone's gathered here tonight to learn more about this farm. Certainly modern hog farms have increased in size and have become more specialized, yet the vast majority in Illinois operate without disrupting neighbors or the community.

The recently released Truth About Livestock report showed that less than one percent of hog farms in Illinois had an odor or water pollution violation.

Pork producers are committed to using the latest technologies to protect our natural resources and reduce our impact on the environment.

In Illinois not only has the pork industry been

successful in caring for their animals, the environment, and their neighbors, but it's also given future generations the opportunity to remain in our communities and to stay involved in agriculture.

As an industry professional, farmer's daughter, farmer's wife, and future farmer's mother, thank you for the opportunity to speak in support of livestock development in Illinois.

Thank you.

HEARING OFFICER SONDGEROTH: Next is Ben Hugenberg.

On deck is Karen Hudson.

BEN HUGENBERG: My name is Ben Hugenberg. B-e-n H-u-g-e-n-b-e-r-g.

BEN HUGENBERG,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Please proceed.

BEN HUGENBERG: Good evening. As I stated, my name is Ben Hugenberg. I serve as a director on the Adams County Farm Bureau Board and I would like to thank you for the opportunity to speak to you tonight on the subject of livestock expansion in our county.

Today's farms have changed over the course of a few decades, just as many of our homes and businesses have evolved throughout the years.

Although the size of farms has grown, the values we

hold dear are just as strong as they were generations ago.

We, too, as farmers want safe food, protection of the environment, and quality of care for our animals and for our soils and being good stewards of the land.

Agriculture, whether crops or livestock, is an important part of the economy of Adams County.

Livestock is also an important market for the crops grown here in the county and throughout Illinois.

Hogs consume nearly three-quarters of the soybean meal fed in Illinois. Made from about twenty-eight million bushels of soybean. And consume more than a hundred and fifty-five million bushels of corn each year.

Showing livestock is an important market for our crops grown in Adams County.

Bringing more livestock production into Adams County is allowing for new generations to move back to the farm; something many of us in agriculture works towards each day and have been lucky enough to experience.

The opportunities available to newer farmers, like myself, are sometimes limited. But expanding livestock allows those interested a place in the industry.

The Farm Bureau as an organization at the national, state, and local level can be summed up to say that we promote agriculture. Plain and simple. We promote all aspects of agriculture, including livestock.

1 Our position at the county level concurs with the
2 Illinois Farm Bureau policy that we encourage growth and
3 enhancement of livestock throughout the industry and throughout
4 our state.
5 The way that our board determines if we are going to
6 support a livestock expansion or not is very simple. It's very
7 cut and dry. As long as the proposed site meets the criteria of
8 the State of Illinois, we are in support of that site.
9 We as an organization support livestock. Animal
10 agriculture plays a vital role in our economies in Illinois and
11 in particular in our county.
12 On behalf of the Adams County Farm Bureau I would
13 like to thank you for allowing me to speak tonight.
14 HEARING OFFICER SONDGEROTH: Next is Karen Hudson
15 On deck is Tim Maiers.
16 KAREN HUDSON: Karen Hudson.
17 KAREN HUDSON,
18 having been sworn by the Hearing Officer, deposes and says:
19 HEARING OFFICER SONDGEROTH: Please proceed.
20 KAREN HUDSON: As far as any fake news, I have photos
21 tonight of them emptying hog lagoons in North Carolina last week
22 before the hurricanes hit. And I am in contact with people that
23 are -- that are taking photos and video of that.
24 So in no way, shape, or form are -- is the tragedy
25 that's happening in North Carolina fake news whatsoever.

1 I would like to also state that hog waste spills
2 accounted for nearly half a -- half a million fish killed in
3 Illinois from 2005 to 2014. No other industry in our state even
4 came that close.
5 In 2016 EPA identified animal feeding operations as
6 one of the top ten leading sources of impairment in lakes and
7 streams, and likely contributed even more because land
8 application has not even been taken into account for.
9 Since 2005 there's been twenty-six pollution lawsuits
10 against swine operations.
11 Since 2002 eighty serious polluting, and more likely
12 unreported.
13 So we've got conflicting evidence here that there are
14 problems in this industry. I know there may be some bad actors,
15 and there are people who are not deliberately polluting, but it
16 happens anyway.
17 I also want the Board to know that seventy percent of
18 folks that come to these public hearings oppose these facilities
19 and are mostly local.
20 The other -- the other percentages that come, five
21 percent support the project, and they're brought in from the
22 outside by outside consultants and government officials.
23 That's a research study from the University of
24 Illinois by Goldsmith.
25 Also, this year in the Iowa Policy Project Report,

1 which I'm going to provide as testimony, on page 2 they go on
2 record stating that the industry sponsored systematic review on
3 relationships of MRSA colonization and CAFO proximity.
4 They're clarifying the record. They say that several
5 scientific studies -- several scientists' studies, peer reviewed
6 research on MRSA and proximity to CAFO's were not included in the
7 industry assessment; and that the industry skewed the bias
8 towards industry interests.
9 That's brand-new out and I'm going to -- I'm going to
10 be supplying that tonight.
11 They also conclude that concerns are more substantial
12 than the industry reveals.
13 Studies published in the Journal -- a new study
14 published in the Journal of Clinical Infectious Diseases finds
15 that Livestock-Associated MRSA, this is a specific type of MRSA,
16 not community associated, can cause serious bloodstream
17 infection.
18 In one study they found sixteen percent of
19 bloodstream infections were from Livestock-Associated MRSA. This
20 causes skin and other soft tissue infections in people.
21 One of the senior authors of this study, Lance Price,
22 states that researchers found that the majority of the people who
23 contracted LA-MRSA blood infections had no contact with
24 livestock, but tend to live in rural areas. This study suggested
25 the number of infections and deaths could increase if LA-MRSA

1 continues to spread to the general population.
2 Two more sentences.
3 "For years people have been saying that LA-MRSA was
4 benign and causing mostly manageable skin infections."
5 But the senior author of this paper stresses that now
6 we see this strain is just as dangerous as other types of MRSA.
7 I am not saying that animal agriculture is causing
8 MRSA, but I'm saying there are concerns that it's contributing to
9 it. And I have the research to back that up.
10 Thank you very much.
11 HEARING OFFICER SONDGEROTH: Miss Hudson, I
12 appreciate your testimony. If you want to provide written
13 testimony you could provide it to me and I'll enter it into the
14 record.
15 KAREN HUDSON: I already talked to Doug about that.
16 HEARING OFFICER SONDGEROTH: Sure. And you're more
17 than welcome to do that. It's somewhat tortuous to our court
18 report. He's doing the best job he can down there. It's hard
19 for him to keep up with you.
20 KAREN HUDSON: Yeah. You're going to get all of
21 this.
22 HEARING OFFICER SONDGEROTH: So feel free to submit
23 all of that.
24 We need to be conscious: We need to speak at a speed
25 where our court reporter can take it down. He's trying to make a

clear record.

Next is Tim Maiers.

And on deck is Nick -- I think it's Zanger. Sorry if I mispronounce that.

TIM MAIERS: Tim Maiers, M-a-i-e-r-s.

TIM MAIERS,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: You may proceed.

TIM MAIERS: Good evening. I am a livestock farmer here in Adams County. And for the past twenty years I have worked with farmers throughout the state in sitings similar to the proposed farm here as Ragan is proposing.

I am here in support of the farm. I believe that it has met and exceeded the eight siting criteria.

Often times in these meetings it is very emotional. And, you know, those opposed have concerns. And we're not trying to dismiss those in any way.

But if you look at the reality of these farms that have been built, the overwhelming majority, those -- those concerns have not been realized.

And I'll show -- talk about some data here a little bit that proves that.

So I think one of the best indicators we have to look at this specific farm, and we've talked a lot about different things that have happened around the state, or certain instances,

to me one of the best things we can do is look at the operator who is applying to say I'm going to put my business and my family in line to operate this farm.

And to me to look at Ragan, he's got experience in operating these types of farms.

Ragan has never, never had an environmental issue on any farms that he has operated or owned, or on any farms where he's applied manure.

So he's been applying manure for many years on different farms. Never had an environmental issue on that.

To me that shows that he can do the right thing, he can be trusted to do the right thing, and he's demonstrated that he has done the right thing; and that that will carry through with the proposed County Line Swine Farm.

We must also remember that this is not the last time that this farm will have to deal with any regulations. Once the Department of Ag approves the farm, seeing that it meets all the eight siting criteria, the farm will have to comply with the Illinois Environmental Protection Act which requires all livestock farms, regardless of their size, to operate in a manner that does not cause any air or water pollution. That's just -- that's -- that's what we operate under.

And the overwhelming majority of Adams County and Illinois livestock farms operate year round without any environmental impact.

According to Illinois EPA data, this comes from the agency themself, the number of environmental complaints submitted to the Illinois EPA regarding livestock farms, this is both odor and water pollution, is at an all time low.

In Illinois EPA data regarding livestock farms have been trending downward and was at an all time low in 2017 at just twenty-four for the entire state.

So we can't say it never happens. I can't say that. It does happen once in awhile. Twenty-four times there was a complaint issued in 2017.

When you look at how many livestock farms that are in the state, that's 99.9 percent of the Illinois livestock farms that did not receive any water or odor pollution complaints.

Now I'm no mathematician, but I think any -- any reasonable person would -- would agree that that is an overwhelming majority.

In Adams County specifically there were zero violation notices or complaints issued against any livestock farm in 2017 and 2016.

So this data shows to me that there are -- environment problems are an extremely rare occurrence and that their regulations are working.

So I would strongly urge the Adams County Board to offer a recommendation of support for this farm, and for the Department of Ag to grant the approval by meeting the eight

siting criteria.

Thank you.

HEARING OFFICER SONDGEROTH: Next will be Nick Zanger.

And final person to offer oral testimony is Nic Anderson who's on deck.

NICK ZANGER: Nick Zanger, Z-a-n-g-e-r.

NICK ZANGER,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: You may proceed.

NICK ZANGER: I -- both my grandparents -- both my grandpas are farmers. One was a beef farmer. One was a dairy farmer.

I decided I wanted to be a farmer years ago and I went and bought a piece of ground. I bought some cows to put it on. Then I bought another piece of ground. And things were getting tight. And I took a position of managing three, at that time it was one, now it's three, hog facilities, hog barns.

I get the manure from the barns on my ground. And I've seen probably a twenty to thirty bushel increase on my corn, and ten to fifteen bushels on my beans. And these prices, that is one of the few things that has been able for me to keep this farm on account of the uptick in yield.

And the extra money that I make taking care of the hogs is what's keeping me where I live and not in town on account

of I'm not making enough money on my limited resource farm.

I was -- I'm not -- my dad's not a farmer and I'm -- unfortunately I'm not going to -- I don't have anything coming to me. Everything that I have I'm going to have to get myself.

And these hog barns are allowing me to raise more corn, more beans, and allowing me to generate income for my young family.

I know you -- some might say, "Well, try to live next to one." I live 2,400 feet away from a hog building. And I'm not going to lie to you; I can smell it at times, but it's not really constant. It comes and goes. The wind shifts every day.

I stand outside just fine. My wife does. My two year old daughter does. My two month old daughter does not stand yet, but she will.

My two year old daughter goes to the barns with me all the time. She loves the hogs. She loves the cows, she loves the hogs, she loves life.

And there's no reason why Mr. Peter shouldn't be allowed to build this building if he's within the legal limits.

Thank you.

MR. GOETSCH: The final person tonight to provide oral testimony is Nic Anderson.

NIC ANDERSON: Nic Anderson. N-i-c A-n-d-e-r-s-o-n.

NIC ANDERSON,

having been sworn by the Hearing Officer, deposes and says:

HEARING OFFICER SONDGEROTH: Please proceed.

NIC ANDERSON: Thanks for allowing me to speak tonight.

Surely there's some emotion. And I know this Board has experienced that before and you're put in a difficult position. But I think Gayle and the farm did a great job telling their story, and that's what we all need to do.

I realize emotion is driven out there, and sometimes unduly, or led down a path that for other intentions.

But what I'll tell you is -- and there's a lot of points that I would like to correct. One of the reasons North Carolina might have challenges is they have open lagoons. They don't have a floodplain permit like the Department of Agriculture does in Illinois.

So when you want to use them as an example to condemn Illinois' industry, it's not fair. We can compare apples to apples. That's what I'll end this speech tonight on.

Let's go back in Adams County history. Is MRSA a problem in this county? You have direct contact with the health department. If MRSA was an issue and was going to affect people on a daily basis and the pork industry was involved in that, or any livestock, we would know about it and we could address it.

And maybe it will come or not, but to put the fear in folks that they're going to be contaminated by something that doesn't exist; that we've been raising hogs and livestock in this

country for generations.

I have organic farms that I work with that have commercial farms right next door to them. They operate just fine. And basically their organic farm might have a difficulty and their -- and their commercial farm can pick up those losses and they can transfer cattle or pigs that don't meet that organic standard right next door.

So to say that organic and commercial or modern pork production can't live next to each other, it's not -- simply not true. There's lots of examples out there.

So I'll leave you with this: The next generation, like Darren Sims talked about, he is that generation, if I go back in the permit process in Adams County and look at who's participated in projects across the state, unanimously majority-wise it's young people either continuing the farm operation to the next generation or new people coming into the industry.

This past year hog production has put in five new barns. Over six million dollars worth of infrastructure income.

If I go back to the LMFA and total up, we have over forty-five farms. Permit with the Department of Ag for livestock production, which is over thirty-five million dollars that livestock has brought into this state in rural communities that not only support that infrastructure income, but eat the grain that we grow.

And really what it comes down to is those pigs, those cattle, those whatever it might be, are producing food for the world. Millions of pork chops are made in Adams County every year. Adams County's resources permit the world to feed. And that's really what farmers are about.

I encourage the County Board to hopefully have a unanimous ballot for this farm. I think it's needed in this case.

And thank you for your time.

And thank you for the farm for taking our questions tonight.

Thanks.

HEARING OFFICER SONDGEROTH: Entered into the record as Exhibit Number 15 will be oral testimony sign-up sheet.

And also entered into the record as Exhibit Number 16 is the attendance sign-in sheet, which is actually two separate documents, but one exhibit.

Are there any closing remarks from the Facility?

Seeing none: Are there any closing remarks from the Department?

MR. GOETSCH: Yeah. I would you just like to say that on behalf of the Department and Director Poe we would like to thank you for your participation this evening in this public informational meeting.

Let me assure you that the Department of Agriculture

certainly appreciates the time and the effort that you put forth to be with us tonight and to give us this information.

I'm sure that the Adams County Board certainly feels the same way and will considered your comments as they develop their recommendations for the Department. And we certainly will consider them as we move forward in this process.

Thank you.

HEARING OFFICER SONDGEROTH: Thank you, Warren.

As I mentioned earlier, a copy of the transcript will be provided to the County Board. Others desiring a copy of the transcript can be available by contacting the court reporter.

I want to thank you for your attendance tonight. I apologize it if was a little warm in here. We set it as cool as we could, but the temperatures are not ideal.

With that, this public informational meeting is closed.

Thank you.

* * *

C E R T I F I C A T E

I, Randall W. Wells, Certified Shorthand Reporter, Certified Court Reporter, do hereby certify that the proceedings had in the matter set forth in the caption page hereon were reported in shorthand by me, afterwards transcribed, and the foregoing is a true and complete transcript of said shorthand notes.

Randall W. Wells

Date: October 7, 2018

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