In The Matter Of:

PUBLIC INFORMATIONAL MEETING

LIVESTOCK MANAGEMENT FACILITIES ACT

January 17, 2019

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PUBLIC INFORMATIONAL MEETING

PURSUANT TO SECTION 12
of
LIVESTOCK MANAGEMENT FACILITIES ACT
510 ILCS 77

January 17, 2019
6:00 PM

Sullivant Township Hall
125 West Ohio Street
Sibley, Illinois

Illinois Department of Agriculture:
Albert A. Coll, Assistant General Counsel
Douglas C. Owens, Bureau of Environmental Programs

Proposed Facility Representatives:
Philip Hartman
Ryan Hartman
Jake Nims, Agricultural Engineer
Frank & West Environmental Engineers, Inc.

June Haeme: CSR # 084-003038

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(Commencing at 6:01 p.m.)

MR. COLL: Hear ye, hear ye, we are gathered here tonight for a Public Informational Meeting under Section 12 of the Livestock Management Facilities Act. Welcome. This evening we are here in the matter of Philip Hartman and his proposed swine facility. We are gathered here in the State of Illinois, Ford County, Sibley, on January 17th, 2019, in the Sullivant Township Hall on 125 West Ohio Street, Sibley, Illinois. Our start time this evening is 6:02 p.m.

Before we begin tonight, I would like to ask that everyone please turn your cell phones to silent. Thank you very much.

Good evening. On behalf of Warren Goetsch, Acting Director of the Illinois Department of Agriculture, we thank you very much for the invitation to come to Ford County today. My name is Albert Coll, I am with the Illinois Department of Agriculture, and I will be serving as the hearing officer for tonight's Public Informational Meeting.

Also with me on behalf of the Department of Agriculture are Doug Owens, chief of the department's Bureau of Environmental Programs, and

Rosario Johnstone, manager of the bureau's Technical Services and Pesticide Laboratory Section.

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 Ford County Board and is to afford members of the public an opportunity to ask questions and present oral and written testimony regarding the proposed construction of a new 2,240 animal unit swine facility proposed by Mr. Philip Hartman.

My task this evening is to ensure that the 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 Ford 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, Doug Owens will provide an overview of the

provisions of the Livestock Management Facilities Act as it relates to this particular project, specifically outlining the current status of the project and how the process will proceed following this meeting.

Following Mr. Owens, representatives of 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, spell your last name for the court reporter, and that's it. You then may ask your question. Depending on the number of people who wish to testify in the oral testimony phase of the 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 will 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 of 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. A sign-in sheet was placed in the back of this room, one sheet for attendance and a second sheet for oral testimony. People who wish to provide comments during this oral testimony phase of the hearing are asked to sign the oral testimony sheet.

People providing oral comments will be sworn in. Each person will be given three minutes to provide his or her comments. Legal counsel speaking on behalf of multiple clients will be given a total of 15 minutes for all clients and will be asked to state the names of all persons on whose behalf he or she is speaking. Deferring time to other speakers is not allowed. If you signed the oral testimony sheet, you may either speak or, if

you have changed your mind, you may pass. You may not give your time to someone else. The meeting will then conclude with closing comments from the facility and from the Department of Agriculture.

And so just to summarize, we're going to have comments from the department, comments from the facility, questions directed to the department or to the facility, written testimony will be accepted and entered into the record, oral testimony from the public, and if you'd like to provide oral testimony, please sign in to the oral testimony sign-in sheet in the back, people will be sworn in and questions may be asked following the testimony, and then at the end, a closing statement.

Please keep in mind that we are not here this evening to discuss or debate the merits or perceived inadequacies of the existing regulations or laws. We are here tonight to receive information on this particular proposed livestock facility to assist with determining compliance with the existing regulations. This is a public informational meeting, not a court proceeding. 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 for inviting us here tonight to consider the proposed construction of the Philip Hartman swine facility. Please remember to confine your comments or questions to that subject as we continue.

And before moving to the department's remarks, do we have any members of the Ford County Board present? Greetings. Would any members of the Ford County Board like to make a comment before we move further? I'm sorry, can I please have your name?

MR. LINDGREN: Bob Lindgren, Board chairman, and we'd love to see progress and add to our tax base.

MR. COLL: Thank you. Thank you, Mr. Chairman. Any other elected officials that would like to provide a comment before we begin? Please state your name.

MS. IHRKE: I'm Cindy Ihrke, Ford County Board representative, District 2. I would like to thank you for being here and holding this hearing. I know that a lot of people in town are -- have

concerns, and I appreciate the opportunity for you to be here to let them voice those. Thank you.

MR. COLL: Thank you.

MR. KEARNEY: Excuse me, Jim Kearney, Village President of Sibley. We just had a few questions. I am signed up on the commentary and will speak later.

MR. COLL: Thank you very much. Okay, and now we will move on to the department's remarks, and I will turn the proceeding over to Mr. Doug Owens for remarks from the Illinois Department of Agriculture.

MR. OWENS: Thank you, Mr. Hearing Officer. Good evening. My name is Doug Owens. I currently serve as the chief of the department's Bureau of Environmental Programs. 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's 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 project.

The Livestock Management Facilities Act was originally passed and became law on May 21st of 1996. Since that time, the act has been amended seven times, three of those have been substantive. The act can generally be described as covering five major areas. Those being: facility design standards, waste management planning requirements, facility operator training and testing, anaerobic lagoon financial responsibility demonstration, and facilities setback requirements. Each of these provisions impacts various types of facilities in different ways depending upon their size, expressed in animal units, and whether the proposed facility is considered as a new facility or a modified facility or an expansion of an existing site.

The Livestock Management Facilities Act's provisions are quite complicated, and specific facility designs and situations certainly can differ. It is, however, the department's intention to always fairly and equitably apply these requirements to the livestock industry in this state.

Now, regarding the current status of this project, the department received a formal Notice of Intent to Construct application for the proposed construction of a swine facility on November 15th, 2018. The proposed project is to consist of the construction of one 121 foot 10 inch by 380 foot swine finishing building with an 8 foot deep underbuilding concrete livestock waste holding facility. The project is proposed to be located approximately 1.5 miles west of Sibley, Illinois, in western Ford County. The application was submitted by Philip Hartman. The maximum design capacity of the proposed facility is 2,240 animal units or 5,600 head of swine greater than 55 pounds.

As I mentioned earlier, the department received a Notice of Intent to Construct application on November 15th, 2018, and reviewed it for compliance with the applicable provisions of the act. On November 29th, 2018, the department determined that the notice was complete and forwarded a copy of the completed application to the Ford County Board. Notice of that application was also published in the appropriate newspaper.

The design capacity of the proposed

facility requires compliance with a residential setback of not less than 1,540 feet, and a populated area setback distance of not less than 3,080 feet.

On January 2nd, 2019, the department received an official notice from the Ford County Board requesting that a Public Informational Meeting be scheduled regarding the proposal. After further consultation with the county board, the department scheduled this meeting and caused notice of the meeting to be published in the appropriate newspapers.

An additional requirement of the Livestock Management Facilities Act deals with the design and construction plans of the livestock waste handling facility. The department has received a formal submittal of detailed engineering plans and specifications for the proposed project's underbuilding livestock waste handling facility. However, a detailed review of the aforementioned plan has not been completed at this time. As such, the department is currently unable to comment as to their compliance with the statutory requirements of the act.

We are here this evening to receive

testimony regarding the proposed livestock management facilities compliance with the eight siting criteria as defined in Section 12 paragraph D of the Livestock Management Facilities Act. In general, information regarding the following would be appropriate for this evening's meeting: whether there's management planning, potential impact of the proposed facility on the surrounding area's character, whether the proposed facility is located within any floodplain or other sensitive areas, odor control plans, possible impact of the proposed facility on existing traffic patterns, and possible impact of the proposed facility on community growth, tourism and recreation or economic development of the area.

Copies of the specific criteria were available on the table at the back of the room with the sign-in sheet. If anyone would like to have a copy of the criteria but did not pick one up, would you identify yourself by raising your hand and we will provide you a copy.

Finally, the process that will be followed after this evening's meeting is as follows. The county board will have up to 30 business days from

today's meeting to submit to the department a nonbinding recommendation relative to the proposed siting of this facility. Thus, a recommendation from the Ford County Board is due to the department on or before March 5th, 2019. After the close of the county's 30 business day comment period, the department will have 15 calendar days, or until March 20th, 2019, to review all of the information submitted to date, including the Notice of Intent to Construct, construction plans, transcripts from this evening's meeting, the county board's recommendation and any other additional information submitted by the owners at the request of the department.

Based on that review, the department will determine whether the eight siting criteria have been met. Once that determination has been made, the department will notify both the county board and the applicant of the department's decision.

Mr. Hearing Officer, at this time I would like to submit the completed Notice of Intent to Construct application and its associated correspondence file for formal entry into the record as an exhibit.

MR. COLL: Entered into the record as

Exhibit 1 is a completed Notice of Intent to Construct, including correspondence between the department and the applicant, notices of the Public Informational Meeting, and correspondence with the Ford County officials. Thank you, Mr. Owens.

MR. OWENS: At this time I would also like to submit a copy of the slide set from our presentation to be included in the record.

MR. COLL: Also entered into the record as Exhibit 2 is the department's PowerPoint presentation.

MR. OWENS: All right, this concludes my formal remarks. Again, thank you for your attention. I look forward to hearing your comments regarding the proposal. I will now turn the meeting back over to the hearing officer.

MR. COLL: Thank you, Mr. Owens. At this time we will hear comments from the facility. Before you begin, for those who will be presenting information, please state your name and spell your last name for the court reporter, and then I will swear you in all together.

What's your -- which -- are all three of you presenting information or --

MR. PHILIP HARTMAN: Philip Hartman.

MR. COLL: Spell your last name.

MR. PHILIP HARTMAN: H-A-R-T-M-A-N.

MR. COLL: And are you the only one presenting information, Mr. Hartman?

MR. RYAN HARTMAN: No, we all are.

MR. COLL: Okay, and do you each want to stand and --

MR. RYAN HARTMAN: Ryan Hartman, H-A-R-T-M-A-N.

MR. NIMS: Jake Nims, N-I-M-S.

MR. COLL: Will all three of you please stand and raise your right hand?

(Philip Hartman, Ryan Hartman and Jake Nims were duly sworn/affirmed.)

MR. COLL: Thank you. You may proceed.

MR. PHILIP HARTMAN: So welcome. Thanks for coming to learn about the proposed hog barn project. I'm Philip Hartman as you know, I'm 23, grown up -- grew up on the family farm, and looking to put up this barn as a way for my brother and I to come back to the farm. We are -- we're the third generation. Not just because of that, we like raising pigs too, but it's our way that we can -- we

both like farming. We want to come back to the family farm and work with dad and Grandpa Joel on that.

Also here tonight is my wife Lilah, my brother Caleb, Joel, grandpa, grandma, and then dad. And then Jake is the one who's going to be working with us for the construction plans and engineering, so he's going to give a presentation on that.

MR. NIMS: Good evening. My name is Jake Nims. I'm with Frank & West Environmental Engineers in Springfield, Illinois. I'm going to elaborate just a little bit on the eight siting criteria Mr. Owens mentioned earlier after I give just a brief little bit of an overview on the farm itself.

This is just a general map of the area showing the town of Sibley and then the yellow pin is where the barn is located. Again, it's a 380 foot building, 380 long by 121 feet 10 inches wide situated north-south, and it will be located just southeast of the existing farm site owned by Mr. Hartman and also where he lives.

The eight siting criteria that Mr. Owens mentioned earlier, this is just a brief overview of each one of those. As I go through each one

individually, I'll give a little bit of a more detailed explanation of each one of them.

Siting Criteria 1, registration and certification. Whether registration and livestock waste management plan certification requirements, if required, are met by the Notice of Intent to Construct. As we heard a little bit ago, the Notice of Intent was filed with the department on November 15th and deemed complete on November 29th.

Part 2 of Siting Criteria No. 1 is, according to the Livestock Management Facilities Act, a farm which exceeds 1,000 animal units but less than 5,000 shall prepare, maintain and implement a nutrient management plan within 60 days of commencing operation. This farm intends to prepare, maintain and implement a comprehensive nutrient management plan.

The farm will be required to submit to the department the nutrient management plan certification form certifying that the plan has been prepared. The farm will -- the plan will be kept onsite with all records of waste disposal at the farm, and the plan will be -- and the associated records will be available for Department of Ag

inspections.

The goal of the comprehensive nutrient management plan will be to utilize the manure at approved agronomic loading rates that meet the nutrient needs of locally grown crops in an environmentally sound fashion.

This goal will be accomplished by developing a comprehensive nutrient management plan which includes the following: total animal manure volume calculations, historic proven yields in application areas, manure analysis to provide the nutrient content of the manure, agronomic loading rates, land application provisions for setbacks and incorporation standards, and documentation of all phases of the plan.

Moving on to Siting Criteria 2. Whether the design, location or proposed operation will protect the environment by being consistent with the Livestock Management Facilities Act.

Part 1 of this criteria is the design of the concrete structures. The design of the pit will be in accordance with the MidWest Plan Service Concrete Manure Storage Handbook guidance. This MidWest Plan Services is a university-based

publishing cooperative dedicated to publishing and disseminating research-based and peer-reviewed publications. Within this, there are specifications for concrete specifications, reinforcement requirements, and water-stop requirements.

Again, the design for this proposed farm consists of one finishing barn.

Just to give you an example of what a typical finishing barn might look like. And then that's on the outside. And then a typical inside layout with the feeders within the open pen setup.

This is a typical cross section of if you were to look at it from the side. You can see where the animals would stand, which would be the slatted, concrete slatted floor that the animals live on, and the manure falls into the pit below and there it's kept until time for application.

Part 2 of Siting Criteria 2 is location. As talked about earlier, the location and setback distances have been met for both the occupied residence, the populated area, and again it was deemed complete by the department on November 29th.

Part 3 is proposed operation. The manager of this farm will be a certified livestock manager.

This is a program developed by the Department of Ag to educate livestock managers on manure management handling and systems. Managers of farms over 1,000 animal units are required to attend a training course and pass an exam. And the livestock waste management plan will detail the operation at the farm so that all manure applications will be based on site specific data.

Siting Criteria 3. Whether the location minimizes any incompatibility with the surrounding area's character by being zoned for agriculture, where the county has zoning, or where the county is not zoned, the setback requirements established by the LMFA are complied with.

This particular county is zoned agriculture, the farm is compatible with surrounding area, and that the area is in a rural agricultural area. And this map is obtained by the Illinois, from the Illinois Association of County Zoning Officials. You can see up in the corner there would be -- my hand is not very steady. Right there [indicating].

A little more clarification on the setbacks. 5,600 animals over -- greater than 55

pounds equate to 2,240 animal units. So for an occupied residence, we start out with a -- I'm sorry, for this particular size, then, the setback distance to an occupied residence is 1,540 feet and that is the base line quarter mile plus 220 feet because there are over 2,000 animal units. The setback for the populated area is then 3,080 feet, which is the half mile base distance plus 440 feet. And again the department deemed these setbacks complete on November 29th.

Criteria 4. Whether the farm is located within a 100-year floodplain or an otherwise environmentally sensitive area, defined as an area of karst area or with aquifer material within 5 feet of the bottom of the livestock waste handling facility, and whether construction standards set forth in the Notice of Intent are consistent with the goal of protecting the safety of the area.

The end of the arrow here [indicating] is the location of the building itself. The resolution is a little rough, I apologize, but on this slide here, this is a little hashed, it's called Zone A, and that is your 100-year floodplain. You can see in this whole immediate area, which would be nine

sections shown on this particular map, there are no patched areas in that map, so no 100-year floodplain in the immediate area. And that's, of course, from the FEMA Flood Map Center.

Moving on to the karst area portion, an area with a land surface containing sinkholes, large springs, disrupted land drainage and underground systems associated with karstified carbonate bedrock, limestone or dolomite, and caves or a land surface without these features but containing a karstified carbonate bedrock unit generally overlain by less than 60 feet of unconsolidated materials.

This is -- on the left side here, this is a map of the entire State of Illinois with known karst regions throughout, two in the northwest portion of it, western part of Illinois, and then the southwestern and extreme southern. As you can see, there's not any known karst regions within this part of east central Illinois. And this is just a zoomed-in version of that map showing Ford County over here in the corner where we're at.

Aquifer material. Sandstone that is 5 feet or more in thickness or fractured carbonate that is 10 feet or more in thickness or sand gravel

or sand and gravel such that there is at least 2 feet or more present within any 5 foot section of a soil boring.

So on an 8 foot deep pit, you can kind of see again this is a cross session kind of showing the U shaped version of the pit without the slatted floor across here, but typically an 8 foot pit would be located, at the most, probably 6 feet in the ground. So when we did our soil borings, we assumed that the bottom of the proposed pit was going to be 6 foot in the ground, and then we're required by LMFA standards to do a boring 5 foot below that, so we did an 11 foot boring from the current ground surface. This site investigation soil boring was conducted on January 4th. And no voids or any aquifer material were discovered within that boring.

Siting Criteria 5. Minimize the environmental impact. Whether the owner operator has submitted plans for operation that minimize the likelihood of any environmental damage to the surrounding area from spills, runoff and leaching.

Spills. This building is designed with proper sizing. It has adequate storage capacity. We're required to have 150 days of storage within

the LMFA. In actuality, this particular pit will have right at a year's worth of storage. The pit's also designed as a closed system so as there will be no uncontrolled release of livestock manure from the building.

Runoff. The building will have clean water diversions so that will allow for rainwater to be directed away from the pit and not into it, therefore reducing the storage days of that.

Leaching. The farm is designed so as to prevent a release of livestock manure. This consists of solid concrete construction reinforced with grade 60 steel rebar, and water-stop is placed in all construction stoppage joints. All surfaces in contact with the livestock manure, in this case, concrete, will meet the required permeability standards.

Criteria 6. Whether odor control plans are reasonable and incorporate reasonable or innovative odor reduction technologies given the current state of such technologies.

The farm, proposed farm will implement a comprehensive odor control plan. This consists of controlled land application of manure, routine

maintenance, feed management, and the location of the building itself.

Controlled application of manure by injection based upon nitrogen and phosphorus loading from actual onsite data. And the Hartman farm intends to utilize injection as the application method for the livestock manure. This particular method minimizes contact with air and is widely accepted as the best available technology for manure application.

All livestock manure will be applied by the owners themselves, and the application equipment will contain safety controls, such as the equipment will be visually monitored continuously, there will be emergency shutoffs in the cab if there's a loss of pressure, and there will be communication between personnel available at all times.

That's pictures of an example of injection using a manure tanker pulled behind a building or -- building? -- pulled behind a tractor. You can see the pit itself that contains the manure, and then it's a little dark, but there's actually injection knives and discs that are pulled behind that and that's what actually injects the manure into the

ground. This is a close-up of the knives, you can see the furrows that it leaves, and then there's actually the discs that close up the furrow behind it.

This is another example. At the moment that's not what is intended to be used but could possibly be used in the future. It's called a drag line system where rather than a tanker pulled behind a tractor, there's a hose, much like an umbilical cord or umbilical, that is pulled through the farm and pumped directly from the pit that travels along with the tractor itself.

The Hartman farm has at least 630 acres locally, available locally per year for livestock manure applications. Utilizing local yields combined with area soil types, it is anticipated that the farm would utilize approximately 600 to 650 acres of a corn/corn rotation depending on which book values you use. Part of the nutrient management plan that we talked about earlier will actually be taking actual samples of the manure itself to get more exact numbers, along with soil tests from the actual application fields.

The farm will utilize regular maintenance

to minimize dust originating from the facility. Regular maintenance will include routine visual walk-throughs of the barns to ensure there's no manure buildup above the slatted floor and walkways, and the regular cleaning of fans to prevent the accumulation of dust. The farm will be thoroughly pressure washed and sanitized between each production cycle. This will minimize the amount of odor-causing particles that are able to leave the facility through the ventilation fans. The farm will ensure that the building's fans operate efficiently, thus minimizing dust buildup. And regular maintenance is known to reduce odor concentrations and odor intensity.

The farm has incorporated an animal diet formulated to allow the most efficient utilization of proteins and nutrients in the feed. This dietary practice aids in the reduction of overall odors from the farm by reducing excess nutrients excreted by the animals.

The farm complies with and exceeds facility setback distances as established in the Livestock Management Facilities Act. The residential setback is exceeded by 3,010 feet and

the populated area setback is exceeded by 4,620 feet.

Again, just kind of a summary of the comprehensive odor control plan, the farm location and maintenance itself, utilizing proper nutrition for the animals, and utilizing injection of the manure during applications.

Siting Criteria 6 still. The farm has diligently planned an overall odor control strategy by incorporating numerous odor control techniques and technologies. The farm will also continue to look for and incorporate other technologies as they become available. This strategic plan incorporates reasonable and innovative technologies that will allow the facility to operate with minimal odor impact to the surrounding area.

Criteria 7, traffic patterns. Whether the traffic patterns minimize the effect on existing traffic flows. This is going back to the location map earlier. This is assuming trucks leaving the site. They will leave the site and travel east on Route 165. Then once they get to Route 47, they can go north or south based on if we're talking about animal transportation trucks or feed trucks.

Illinois Route 165 between the farm and Sibley has a weekly -- according to the Illinois Department of Transportation, they have a weekly average of 4,025 vehicles and a weekly average of 630 trucks. When I say trucks, I'm talking semis, dual -- multiple axle trucks, that type of trucks, not passenger trucks.

On Illinois Route 47 north of Sibley, there's a weekly average of 18,900 vehicles and a weekly average of 6,650 trucks. Going south out of Sibley, there's a weekly average of 21,700 vehicles, of which 6,895 of those are trucks.

For the particular farm, we're expected to average four total trucks weekly. This includes both feed transportation and animal transportation trucks. So for vehicle traffic, the farm will consist of less than .1 percent of the average weekly vehicle traffic on Route 165 and less than .02 percent on Route 47 both north and south of town. That's for just vehicles in general. Then when you look at trucks specifically, farm traffic will make up .64 percent of the average weekly traffic on Route 165 and less than .06 percent on 47 both north and south of Sibley.

The Hartman farm traffic will comply with the same seasonal posted road weight limits as all other traffic in the area.

And Siting Criteria 8. Whether construction of a new farm is consistent with existing community growth, tourism, recreation or economic development or with specific projects involving community growth, tourism, recreation or economic development that have been identified by government action for development or operation within one year through compliance with applicable zoning and setback requirements for populated areas as established by the LMFA.

The farm has shown that it's consistent with the area, it is consistent with existing and planned community development of this rural agricultural area by demonstrating compliance with zoning and setback requirements, and the farm has been shown to meet all requirements of the Livestock Management Facilities Act.

With that, we appreciate the opportunity and look forward to your questions.

MR. COLL: I will now move to enter into the record as Exhibit 3 the presentation from the

facility's representatives. Thank you.

We've now come to the question and answer period of this informational meeting. 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 last name. Please indicate to whom you are directing your question. 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 section to questions only. Also keep in mind that questions need to pertain to this particular facility.

Are there any questions? Yes, sir.

MR. VETTER: Paul Vetter, V-E-T-T-E-R. Are these going to be contracted hogs or are these going to be your own hogs?

MR. COLL: I'll indicate that that question is directed to the representatives of the facility.

MR. PHILIP HARTMAN: They will be

contracted finish hogs.

MR. VETTER: They'll be contracted hogs.

MR. PHILIP HARTMAN: Correct.

MR. VETTER: So that means -- then who is going to oversee the facility when the fans get down and the odor gets higher? Who is the government responsible for that?

MR. COLL: Question number two, directing this to the Department of Agriculture?

MR. VETTER: Yes.

MR. COLL: Could you please restate the question?

MR. VETTER: When the fans aren't working right, do they have monthly inspections, yearly inspections? When does the facility get inspected?

MR. OWENS: There are no scheduled periodic inspections of the facilities. Once they are in service, large facilities are inspected on a five year cycle by the IEPA through their CAFO requirements, C-A-F-O, CAFO requirements. If there is an environmental compliance, those are directed to the Illinois Environmental Protection Agency for investigation. Those would include odor complaints.

MR. VETTER: Thank you.

MR. COLL: Does anyone have any additional -- yes. Please rise and state your name.

MR. BROWN: Mike Brown, Sibley, B-R-O-W-N. A question. I noticed on the thing showed about the ventilation, cross-ventilation. Will this facility have pit fans?

MR. PHILIP HARTMAN: Yes.

MR. BROWN: So that kind of ups the ante because the odor coming across the cross things are minimal compared to the pit fans.

MR. COLL: Do you have any further questions?

MR. BROWN: No, sir, that's it.

MR. COLL: Okay, thank you. Additional questions? Yes, sir.

MR. KEARNEY: Jim Kearney, K-E-A-R-N-E-Y, I'm the Village President of Sibley. I do or I did sign up to speak, but we can do this in the questions. The well depth, we have a concern with our drinking water and any possibility of contamination.

MR. PHILIP HARTMAN: It's about 144 to 146 give or take a foot or two here or there, about.

MR. KEARNEY: And this is posted with the

state and we can get records of all of that?

MR. PHILIP HARTMAN: Yes.

MR. KEARNEY: And do you -- second question, do you have any -- propose building another barn?

MR. PHILIP HARTMAN: We don't have any plans at this point, no.

MR. KEARNEY: Okay, thank you.

MR. COLL: Additional questions? Yes.

MR. HOLLIDAY: Bill Holliday, H-O-L-L-I-D-A-Y. Is this farm incorporated?

MR. RYAN HARTMAN: It is not.

MR. HOLLIDAY: It is not. So all tax revenues will come to Ford County or would they go to Livingston County where your other farms are based?

MR. RYAN HARTMAN: They will come to Ford County.

MR. HOLLIDAY: That's all I got.

MR. COLL: Additional questions?

MR. TJARKS: Merlin Tjarks, T-J-A-R-K-S, Sibley. I just have a question about heavy rains and the overflow worry of the liquid manure. How big is the reservoir going to be to prevent any

total runoff? I mean to the ditches in the southeast corner of the farm area.

MR. NIMS: Are you talking runoff from the building itself or --

MR. TJARKS: And/or containment.

MR. NIMS: -- application? Well, I can answer that in two different parts I guess. There won't be any runoff from the building itself because the pit itself will be covered up in a way that no clean water or fresh water will get into the pit. So the pit itself will just be the manure.

Now, when it comes to application time, obviously having a year's worth of storage gives us some flexibility on when we can apply, and that's one of the main reasons why we have as much storage within those pits is that we are not forced to apply when the forecast calls for rain or anything like that. So we can apply when the conditions are most favorable to prevent any runoff situation. So I don't foresee that being an issue.

MR. TJARKS: Okay, thanks.

MR. COLL: Yes?

MS. IHRKE: Cindy Ihrke, I-H-R-K-E. Under Criteria No. 8, since Ford County doesn't have its

own comprehensive plan, I was wondering how -- what the criteria was for meeting the community growth tourism recommendation of economic development of the Sibley area. I think that might be your department. I'm not sure who to direct that to.

MR. OWENS: Okay, I'll go ahead and take that. I guess what the department would look at is what is currently being done in the area of the proposed construction, whether it's already an agricultural area, agricultural production area. Any information the township can give or the Village of Sibley can give as far as a community development plan would certainly be something that could be submitted to the department to be included in its review when we make a determination. It's hard to say specifically because I'm not real familiar with what is going on here, but in general we would accept information regarding any type of community economic development plan.

MS. IHRKE: And just to clarify, you can accept that information after tonight's hearing as well?

MR. OWENS: We can, yes.

MS. IHRKE: All right, thank you.

MR. COLL: Are there further questions about the facility for the department? I see two.

MR. VETTER: Paul Vetter, V-E-T-T-E-R. If the hogs are contracted, who are putting the hogs in your building?

MR. RYAN HARTMAN: Leman Farms from Eureka. They're a family-owned farm.

MR. ANDERSON: Nic Anderson, A-N-D-E-R-S-O-N. To the department. So the application was presented to you and presented as zoned agriculture and it's a farming practice. Is any other information submitted that it's anything otherwise than zoned for agriculture?

MR. OWENS: Not that I'm aware of.

MR. ANDERSON: Okay, thank you.

MR. COLL: Any further questions of the facility or the department? Seeing that there are none, we will move on to the next section which is written testimony. I will now accept written testimony. If you have written testimony that is not referred to in your oral testimony, I will accept it now and enter it into the record. If you have written testimony that you will be referencing during your oral testimony, it can be entered into

the record after your oral testimony.

Does anyone have any written testimony that they'd like to present to be entered into the record? Yes.

MS. VETTER: I'm Marge Vetter, V-E-T-T-E-R. I'm representing the residents of Sibley. They are very concerned about the odor with the west prevailing winds coming into town and also the aquifer and how it would damage our water or whatever, how it would affect it. Also I'm also an officer of the Sibley Business and Historical Association and we do have a nonprofit organization that does promote tourism and other projects of our village.

MR. COLL: Do you have a writing that you'd like to prevent -- I mean provide?

MS. VETTER: Yes, I do. I have 83 signatures, which I believe we only needed 75, and we did this in the last three days, so --

MR. COLL: Can you please provide that to us and we will enter it into the record?

MS. VETTER: Sure.

MR. COLL: Thank you. I'm entering into the record as Exhibit 4 the written testimony which

consists of 83 signatures of registered voters of Sullivant Township who have signed this petition and are opposing this hog operation.

Any further written testimony? Seeing that there is none, we will move on to oral testimony.

We're now at the oral testimony part of this informational meeting. I have in front of me the oral testimony sign-in sheet indicating that there are 11 individuals in this meeting that have signed up for oral testimony. I will call the names of those who wish to testify. When called upon, please step up to the podium, state your name, and spell your last name for the court reporter. I will then swear you in. Remember you will have three minutes to speak.

Are there any attorneys representing clients present today? Doesn't look like there are any.

All right. The first person I will call is Rich Perkins.

MR. PERKINS: Rich Perkins, P-E-R-K-I-N-S.

MR. COLL: Can you please raise your right hand?

(Rich Perkins was duly sworn/affirmed.)

MR. COLL: You have three minutes.

MR. PERKINS: I live south of Sibley a couple miles. I have three hog operations to the north of me and one a little bit to the northeast, and when the wind is just right, we can't even open our windows or go outside. If they're going to build this a mile and a half west of town, I know people live in this town, we do business in this town, I just don't want to see the smell drive this town against each other and people not doing business or wanting to settle in Sibley.

I know it can get bad, especially in the summer if the wind is just right, when the wind's out of the northeast. I mean it doesn't matter for us. So just be careful with the smell. If it's going to be built, control it please, just for Sibley's sake. Thank you.

MR. COLL: Thank you. Next for oral testimony, I'm going to call Mike Haag.

MR. HAAG: Haag.

MR. COLL: Haag, pardon me. Mike, can you spell your last name for the court reporter?

MR. HAAG: Haag, H-A-A-G.

MR. COLL: Thank you. Will you please raise your right hand?

(Mike Haag was duly sworn/affirmed.)

MR. HAAG: My name is Mike Haag. I'm actually the current president of the Illinois Pork Producers Association this year and I'm also on the board for the Illinois Livestock Development Group, but most of all today I'm from Livingston County just about 30 miles north of here, and it's really a unique opportunity to get down here and speak on behalf of a young family and give them the opportunity to raise livestock like I've had my entire life.

I was brought up on a livestock farm. My whole family has been brought up there. I'm part of a fifth generation and fourth generation on a livestock farm. It's just really exciting to me to see another great family become involved in the livestock industry, and I know that their family has been in the past, but to see them and to see this type of investment made in a rural community. And it's not my job to talk numbers, but I can tell you that the investment that this family is putting in right outside of your town here is incredible.

And I also think it's a really unique opportunity to be able to see some new generations brought back home to these farms and into these local communities and to see some new life and new kids and new generations brought back to them. I just -- it's a great opportunity to see this and meet this family and be a part of this. So that's all I have.

MR. COLL: Thank you. Next we have Dirk Rice. Can you please spell your last name for the court reporter?

MR. RICE: Rice, R-I-C-E.

MR. COLL: Thank you.

(Dirk Rice was duly sworn/affirmed.)

MR. RICE: My name is Dirk Rice. I'm the District 6 representative for the Illinois Corn Marketing Board. Representing corn, I can tell you how important livestock is to the corn industry. We see selling meat as selling corn, and that's -- roughly half of the corn we grow in this state ends up getting exported as raw product. Anything we can feed to an animal or sell as a finished product brings a lot more revenue to the state and to the families that grow them.

Myself, when I started farming, I had a small farrow-to-finish hog operation. It was in 1985, a period similar to this, where farm income was really down, and without it, I never would have made it. That's what got me going. And I see a parallel here. I see a family farm that's -- what they're trying to do is make room for the next generation.

And in the current business climate that agriculture is in, this is -- this is an opportunity that, you know, we have here in Illinois that not everyone does and not every area does. And so I'm glad this family at least is, you know, doing what they can to bring the next generation in.

Historically from the time agriculture got mechanized, every generation, the number of farmers was half of what it was before. What we're seeing around me now, it's just going to drop more than that. You're going to have a very small number controlling the whole industry at the rate we're going.

This family from what I can see is doing everything right and for all the right reasons. They're trying to grow their business. I heard

concern about the waste, you know, and possibly contamination of the water, but what they're doing is applying it in such a way that the crop will use all of it. It's not going to be accumulating in the ground. It's -- they're using it in such a way that the crop will use it, you know, at kind of as they apply it.

So as I said before, they're making room for another generation. Another complaint you hear lots of times is that, you know, the people responsible don't live on the farm so they don't have to deal with odors or whatever. You know, they have a son who's going to be right there in the middle of it. He's going to be living there. He's responsible for the animals. Just, you know, to me, like I said, they're doing everything right.

This is -- as I touched on before, this is important to the Illinois economy. Anything we can do to keep, you know, selling a finished product as opposed to just selling raw corn is better for the state. I'm pretty sure everybody here is vaguely aware of the state of our economy in Illinois right now, so anything we can do to, you know, improve it from an agricultural end will help the whole state,

so thank you.

MR. COLL: Thank you. Next we have Jim Kearney.

MR. KEARNEY: I pass. My questions and statement has been answered, thank you.

MR. COLL: Thank you. Next we have Mike Borgic.

MR. BORGIC: Borgic.

MR. COLL: Borgic, sorry. Can you spell your last name for the court reporter?

MR. BORGIC: B-O-R-G-I-C.

MR. COLL: Thank you.

(Mike Borgic was duly sworn/affirmed.)

MR. BORGIC: Good evening, everyone. My name is Mike Borgic. I'm with the Illinois Pork Producers Association, been on staff there for a little while. I also grew up on a hog farm. We grew up on a, at the time it was a 1500 sow farrow-to-finish operation, and I've been part of the pork industry my entire life. Just wanted to come out here and show our support for the Hartmans and this farm.

A couple things or one thing that has been brought up is the odor, and to kind of address that

a little bit, according to EPA statistics, Illinois EPA statistics, less than 1 percent of all the hog farms in Illinois receive an odor complaint. So we're looking at 99.9 percent that are -- that don't receive complaints, and there's approximately 11 million pigs finished in the State of Illinois last year, so there's quite a few farms and not many complaints.

So again, I want to thank everybody for coming out tonight, and if you have any questions about the pork industry, feel free to call us down at the office in Springfield and we'll be sure to help you out. Thank you.

MR. COLL: Thank you. Next we have Marge Veiter.

MS. VETTER: Vetter. I already presented mine.

MR. COLL: And do you move to pass?

MS. VETTER: Yes.

MR. COLL: Thank you. Next, Bill Holliday. Mind spelling your last name for the court reporter?

MR. HOLLIDAY: H-O-L-L-I-D-A-Y.

MR. COLL: Thank you.

(Bill Holliday was duly sworn/affirmed.)

MR. HOLLIDAY: My name is Bill Holliday. I'm a resident of Sibley unlike the rest of you people I just heard speak. This farm is a mile and a half outside of town. Everybody in this town knows our prevailing winds come from the west. You can take all the technology in the world, you're not going to get away from the odors. I know people that have farmed livestock for a long time and they'll tell you there's nothing that can be done to stop that odor.

I noticed when you're building your hog barn, you're putting it on the southeast side of your house. Why not put it on the west side so you can smell it too? What's going to happen here is the property values in Sibley are going to decrease dramatically. They already are.

Going to Section 8 of this, this village through village funds, private donations and volunteer work began a project to revitalize the downtown area. Over $70,000 has been spent on this. The idea is to bring small businesses to town, young families to town so the houses don't keep collapsing like we have now. It's going to happen.

This is too close to town. I understand people have to make a living, I understand they have a right to do what they want to do, but this is too close to town. When the prevailing winds come out of the west, we're going to smell this every day. We're not going to be able to enjoy our backyards. As this gentleman just said, it's coming out of the northeast to his house. If it was coming out of the west at that farm that's to the west of you, you'd be smelling it every day, wouldn't you, and that's what we're going to be dealing with.

I believe that this farm is going to destroy any tourism aspects the village is trying to achieve, I think it's going to destroy any small business ventures that we were trying to attract, and I think it's going to destroy our property values and I'm against it. And I know a lot more people in this town are against it. They don't want to come out to meetings, they don't want to get involved, but when you sit around and talk to them, they don't want nothing to do with it.

We've got another one coming up a mile and a third to the east of town. We're going to be completely surrounded by these hog farms. So it

doesn't matter which way the wind's blowing if you live in Sibley. You're going to get it from the east, you're going to get it from the west, you'll get it from the south, you'll get it from the north. This is too close. It's too close to town. And that's all I have, thank you.

MR. COLL: Thank you. Next I'd like to call Jim Niewold.

MR. NIEWOLD: That's pretty close.

MR. COLL: How far off was I?

MR. NIEWOLD: Jim Niewold, N-I-E-W-O-L-D.

MR. COLL: Thank you. Raise your right hand.

(Jim Niewold was duly sworn/affirmed.)

MR. NIEWOLD: I'm here tonight both to represent the Ford-Iroquois County Farm Bureau and also myself. So first, comments from the Farm Bureau. I'm a member of the Ford-Iroquois Farm Bureau. It's a general farm organization representing the majority of farmers in Ford and Iroquois Counties.

Ford-Iroquois Farm Bureau supports the growth and enhancement of the livestock industry in Ford County. Our proximity to a large grain supply,

excellent transportation infrastructure and a well-trained work force make Ford County ideal for the production of livestock. Livestock production currently contributes $54.2 million to the Ford County economy each year as well as providing 168 jobs. Additional livestock facilities will provide permanent employment opportunities, construction jobs, additions to the local tax base, and open new markets for locally produced grain.

Ford-Iroquois Farm Bureau supports the Livestock Management Facilities Act which provides statewide standards for siting, construction and certain operating procedures of livestock farms in this state under the direction of the Illinois Department of Agriculture. On behalf of the Illinois -- or Ford-Iroquois Farm Bureau, I appreciate the opportunity to provide comments supporting livestock development in Ford County.

And then for me personally, I've known the Hartmans for what, 40 years now. Just a really good farm family. Could there be odors now and then? Yeah, but I know them that they will do what they say to try to manage it in the best way possible, and so I think they're great folks. They don't --

they grew up not real far north, it is in a different county, but they're good folks and I think they'll do what they say they'll do. Thank you. Do you want the Farm Bureau's submitted comment?

MR. COLL: We'll enter this into the record as Exhibit 5.

MR. NIEWOLD: Thank you.

MR. COLL: Comments from the Ford-Iroquois Farm Bureau. Next for oral testimony is Tasha Bunting. Can you spell your last name for the court reporter?

MS. BUNTING: B-U-N-T-I-N-G.

MR. COLL: Thank you.

(Tasha Bunting was duly sworn/affirmed.)

MS. BUNTING: Good evening, everyone. I'm Tasha Bunting. I am a Ford County native. I grew up just about four miles south of here on a grain and livestock farm. My family raises cattle, so not in the hog production area but still in livestock certainly, and so I'm excited to be here to be able to promote livestock both personally and professionally. In my day job, I work for Illinois Farmer Bureau promoting livestock throughout Illinois as well as working with county Farm Bureau

offices to answer questions and help guide them with any programs or information that they may need to share with their members on livestock development and production within their area.

A couple of things that I wanted to just share with you this evening. I've heard a lot of concerns over odor and some issues over, you know, that it might be something that the community is concerned about with tourism. And those are concerns certainly that are valid, but I think the presentation that we heard from the Hartmans tonight certainly pointed out that they are meeting all of the eight criteria, and they're going to go above and beyond some of the things to ensure that this is an asset to the community, not only to Sibley but to Ford County as well.

And so I just wanted to commemorate them and thank them for being here this evening to share this information and to promote hog production within Ford County, bringing a young family into the Ford County area, which will bring some of those young people and some of the tax rolls back into Ford County, which is desperately needed in this situation, as well as bringing some guidance and

some of the information to their opportunity to have an extended livestock production facility that will also have more young people being brought back into the area. So thank you for having me here and having everyone here to hear from the Hartman facility and learn more about this project.

MR. COLL: Thank you. Finally this evening, we have Nic Anderson.

MR. ANDERSON: Nic Anderson, A-N-D-E-R-S-O-N.

MR. COLL: Thank you.

(Nic Anderson was duly sworn/affirmed.)

MR. ANDERSON: Thank you. Thank you, Department of Ag, for this opportunity, and the county board, to call this meeting so we can find out a lot more about the Hartmans, this farm, and how they apply themselves to the LMFA.

I met -- I've known the Hartmans over the years, but I got to meet the family last spring. And they had given some thought about this project long before that, and they came to this point that if we're going to move forward -- I work with the Illinois Livestock Development Group and I help farmers comply with the act. We had a lot of phone

conversations and talked about compliance and what do we do with setbacks, what about water, a lot of the issues on odor that you folks have brought up. And I do appreciate some of the concerns you have.

And we always call it "the proof's in the pudding." And I think we met the Hartmans tonight and know what kind of family they are, and I appreciate the community wants young people and young families coming back to this community, and Philip is one of those people. Introduced his wife. They're going to live on the farm and grow their family in a great community.

I got here early and Mr. Meyers kind of gave me a little history. And all I have to do is look around this area and at the historic society, this city area was built on agriculture. I think this is a chance for us to celebrate that and embrace it.

Odor can be managed. They showed you how they can implement a lot of that stuff, that's not the end of it, but Hartmans are the kind of people, if there are those challenges, we need to communicate, and that if we can do that, we can address those issues. It's not a day in, day out

your life is ruined. We have a lot of communities across Illinois that coexist with livestock. The proof is out there. If there are challenges with existing farms, we're fortunate to have industry people here, that we need to find out about those and solve those challenges if they exist.

Agriculture has surrounded Sibley for years. This will be part of it. The site location and the choices that they make, they were all determined on how that barn was built, how it complies with the act, how it meets the act and how it fits best into that landscape, and I believe it was the best choice. We talked a lot about a lot of options out there. They've done their due diligence.

Our role as an industry is to support them and support them following the rules, being good neighbors, and doing what's best. My sincerest hope is, if this barn can get through the process and get built and it goes into operation, that there's always good communication, and we come back a year from now or two years from now and we all learned a lesson that agriculture and livestock production will exist, and I believe the proof will be in the

pudding. And my hope is we'll have a discussion that we did have those concerns, but the Hartmans did a job that we're not concerned about and we need more folks like them in the country.

I encourage the county board to give a positive recommendation. I know there's economic impact that comes with this, a lot of new taxes, a lot of activity, so that's what creates jobs in communities and support for this rural area and we desperately need it.

So I appreciate the opportunity and the meeting, and I hope the board gives a positive recommendation. And please, if those concerns that you have don't get addressed, the industry is here to talk to you. I am available any time to visit about that. And if there are those challenges, we as farmers can adapt to that and overcome that. We've done that for many, many years. And I see no doubt if that does happen here, we can overcome it and coexist. Thank you for your time.

MR. COLL: Thank you. This concludes the oral testimony portion of the meeting. Entered into the record as Exhibit 6 is the attendance sign-up sheet. Entered into the record as Exhibit 7 is the

oral testimony sign-in sheet.

And now I'm going to move to the closing comment section of the informational meeting. Are there any closing remarks from the facility?

MR. RYAN HARTMAN: We'd like to thank everyone for coming this evening and giving us the opportunity to show you what we're -- what we're hoping to do there on our farm. So thank you. And thank you to the department for putting the meeting on.

MR. COLL: Any closing remarks from the department?

MR. OWENS: Yes. On behalf of the Department of Agriculture's Bureau of Environmental Programs, I would like to thank you for your participation in this Public Informational Meeting. Let me assure you that the department appreciates the time and effort you have put forward to provide us with your comments. I'm sure that the Ford County Board will consider them as they develop their recommendation to the department regarding the proposed facility. They will certainly be considered by the department as the department completes our evaluation process. Thank you again

and have a safe trip home.

MR. COLL: Thank you. As I mentioned earlier, a copy of the transcript will be provided to the county board. For others desiring a copy, the transcript will be available by contacting the court reporter. Thank you for your attendance tonight. This Public Informational Meeting is hereby adjourned.

(Adjourned at 7:17 p.m.)

STATE OF ILLINOIS)
)SS
COUNTY OF FORD)

I, June Haeme, a Notary Public in and for the County of Ford, State of Illinois, do hereby certify that the Public Informational Meeting was taken at the Sullivant Township Hall, 125 West Ohio Street, Sibley, Illinois, on January 17, 2019.

That the said Public Informational Meeting was taken down in stenograph notes and afterwards reduced to typewriting under my instruction and that the transcript is a true record of the Public Informational Meeting.

I do further certify that I am a disinterested person in this cause of action; that I am not a relative, or otherwise interested in the event of this action, and am not in the employ of the attorneys for either party.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 25th day of January, 2019.

JUNE HAEME, CSR
NOTARY PUBLIC

"OFFICIAL SEAL"
June Haeme
Notary Public, State of Illinois
My Commission Expires:
September 28, 2020

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