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ILLINOIS DEPARTMENT OF AGRICULTURE
Bureau of Environmental Programs
State Fairgrounds
PO Box 19281
Springfield, IL 62794

IN RE: PROPOSED CONSTRUCTION OF
A LIVESTOCK MANAGEMENT FACILITY
BY OLIVE BRANCH ACRES, LLC.

PUBLIC HEARING
JUNE 1, 2017

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DEPARTMENT OF AGRICULTURE

STATE OF ILLINOIS

IN RE: PROPOSED CONSTRUCTION OF
A LIVESTOCK MANAGEMENT FACILITY
By OLIVE BRANCH ACRES, LLC.

Public Hearing held, pursuant to Notice, on the
1st day of June, 2017, scheduled for the hour of
6:00 p.m., at 102 S. Congress Street, Rushville,
Illinois, before Craig J. Sondgeroth, duly
appointed Hearing Officer.

TRANSCRIPT OF PROCEEDINGS

1 A P P E A R A N C E S

2 PRESENT:

3 WARREN D. GOETSCH, PE, Deputy Director, Illinois
4 Department of Agriculture;

5 CRAIG SONDGEROTH, General Counsel, Illinois
6 Department of Agriculture;

7 DOUGLAS C. OWENS, Bureau of Environmental Programs,
8 Illinois Department of Agriculture.

9

10 ALSO PRESENT:

11 TED UFKES

12 CHRIST WEST

13

14

15

16

17

18

19

20

21 Court Reporter:
22 Jennifer L. Crowe, CSR
23 Illinois CSR #084-003786
24 Midwest Litigation Services
15 S. Old State Capitol Plaza
Springfield, Illinois 62701
217-522-2211

1 (Proceedings began at 6:02 p.m.)

2 HEARING OFFICER: Good evening. On behalf
3 of Raymond Poe, Director of the Illinois Department
4 of Agriculture, we thank you for the invitation to
5 come to Schuyler County this evening. My name is
6 Craig Sondgeroth. I'm with the Illinois Department
7 of Agriculture. I will be serving as the hearing
8 officer for tonight's public informational meeting.
9 Also with me on behalf of the department are Warren
10 Goetsch to my right. He is the deputy director of
11 the department. And Doug Owens, sitting right in
12 front of me, is the manager of the Bureau of
13 Livestock Programs.

14 This meeting is being conducted pursuant to
15 Section 12 of the Livestock Management Facilities
16 Act. The informational meeting is being held at
17 the request of the Schuyler County Board and is to
18 afford members of the public an opportunity to ask
19 questions and present oral testimony and written
20 testimony regarding the proposed construction of a
21 new 3,606.48 animal unit swine facility by Olive
22 Branch Acres, LLC.

23 My job this evening is to ensure this
24 meeting is conducted in an orderly fashion and to

1 ensure that all comments and testimony received are
2 entered into the record.

3 Tonight's meeting is being transcribed.
4 The transcript of the meeting will be sent to the
5 Schuyler County Board as well as used by the
6 Department of Agriculture in making its
7 determination regarding the proposed construction
8 of the facility.

9 In order to ensure that we have an orderly
10 process, I will quickly explain how the meeting
11 will proceed this evening. First, following my
12 comments, Warren Goetsch will provide an overview
13 of the provisions of the Livestock Management
14 Facilities Act as relates to this particular
15 project, specifically outlining current status of
16 the project and how the process will proceed
17 following this meeting.

18 Following Mr. Goetsch, representatives for
19 the proposed construction project will be given an
20 opportunity to describe the project and demonstrate
21 how they believe it meets the citing criteria of
22 the Livestock Management Facilities Act.

23 After their presentation, I will open the
24 meeting to questions. Anyone wishing to ask

1 questions of the facility representatives or the
2 department will be given an opportunity to do so.
3 During the question and answer session, I will ask
4 that you state your name and spell your last name
5 for the court reporter. You then may ask your
6 question. Depending on the number of people who
7 wish to testify in the oral testimony phase of the
8 meeting which is after the question phase, there
9 may be a time limit placed on this question phase.

10 Following the question and answer phase, I
11 will ask for written testimony. If anyone has
12 written testimony that is not part of your oral
13 testimony, I will accept it and enter it into the
14 record for this proceeding. If you have written
15 material that you will be using as part of your
16 oral testimony, it can be entered into the record
17 following your oral testimony. Then, depending on
18 amount of time that has elapsed at this point, we
19 may take a short break.

20 Following the written testimony I will ask
21 for oral testimony from the public. Sign-in sheets
22 were placed at the door as you came in, one sheet
23 for attendance, a second sheet for testimony.
24 People who wish to provide comments during the oral

1 testimony phase are asked to sign the oral
2 testimony sheet. People providing oral comments
3 will be sworn in and will be subject to questions
4 from the public. Each person will be given three
5 minutes to provide his or her comments. Legal
6 counsel speaking on behalf of multiple clients will
7 be given a total of 15 minutes for all clients and
8 will be asked to state the names of all persons on
9 whose behalf he or she is speaking. Deferring time
10 to others, to other speakers will not be allowed.
11 If you sign the oral testimony sheet, you may
12 either speak or if you have changed your mind, you
13 may pass. You may not give your time to someone
14 else.

15 Also, please keep in mind if you do not
16 wish to be asked questions regarding oral
17 testimony, do not sign the sheet or if you have
18 already signed it, indicate you would like to pass
19 when I call your name.

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

23 To summarize the procedure tonight, we will
24 have comments from the department, comments from

1 the facility, questions directed to the department
2 and the facility -- remember to state your name and
3 spell your name for the court reporter -- written
4 testimony accepted, oral testimony from the public
5 of which you will be sworn in and questions may be
6 asked following your testimony and then closing
7 comments.

8 Please keep in mind we are not here this
9 evening to discuss or debate the merits or
10 perceived inadequacies of the existing regulations
11 or laws. We are here tonight to receive
12 information on this particular proposed livestock
13 facility to assist with determining compliance with
14 the existing regulations.

15 This is a public informational meeting, not
16 a court proceeding. The purpose is to share
17 information, provide an opportunity for the
18 department, members of the county board and you,
19 the public, to learn about this proposed facility.

20 Again, we very much appreciate your
21 hospitality for inviting us here tonight to
22 consider the proposed construction of the Olive
23 Branch Acres, LLC swine facility. Please remember
24 to confine your comments and questions to that

1 subject as we continue.

2 Before we move to the department's remarks,
3 are there any members of either the county board or
4 state representatives or senators here tonight that
5 would like to speak?

6 (No response.)

7 HEARING OFFICER: Seeing none, I would turn
8 the proceedings over to Warren Goetsch for remarks
9 from the Illinois Department of Agriculture.

10 MR. GOETSCH: Thank you and good evening.
11 As the hearing officer said, my name is Warren
12 Goetsch. I currently serve as the Deputy Director
13 at the Illinois Department of Agriculture. One of
14 our responsibilities is the administration of the
15 various provisions of the Livestock Management
16 Facilities Act.

17 On behalf of the department, let me welcome
18 you to this public informational meeting. Before
19 we hear from the proposed facility's
20 representatives, I'd like to say a few words
21 regarding the applicable provisions of the
22 Livestock Management Facilities Act and the current
23 status of this proposed project.

24 The Livestock Management Facilities Act was

1 originally passed and became law on May 21st of
2 1996. Since that time the act has been amended
3 approximately three times, first during the General
4 Assembly's 1997 fall veto session, second during
5 the General Assembly's 1999 spring session, and
6 most recently during the 2007 spring session.

7 The act can be generally described as
8 covering five major areas. Those include facility
9 design standards, waste management planning
10 requirements, facility operator training and
11 testing, anaerobic lagoon financial responsibility
12 demonstration, and facility setback requirements.

13 Each of these provisions impacts various
14 types of facilities in different ways depending
15 upon their size expressed in animal units and
16 whether the proposed facility is considered as a
17 new facility, a modified existing facility or the
18 expansion of an existing facility.

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

1 state.

2 Now, regarding the current status of this
3 particular project, the department received a
4 formal notice of intent to construct application
5 for the proposed construction of a swine facility
6 on March 2nd, 2017. The proposed project is to
7 consist of the construction of two gestation
8 buildings, each measuring 158 feet, 6 inches by 322
9 feet, 2 inches with a 10-foot deep underbuilding
10 livestock waste handling facility under each
11 structure; one farrowing building measuring 175
12 feet, 4 inches by 486 feet with a 2-foot deep
13 underbuilding waste handling facility and one gilt
14 development isolation building measuring 101 feet,
15 6 inches by 274 feet with a 10-foot deep
16 underbuilding livestock waste handling structure.

17 The project is proposed to be located
18 approximately 2.6 miles southwest of Littleton,
19 Illinois in northern Schuyler County. The
20 application was submitted by Frank & West
21 Environmental Engineers on behalf of Olive Branch
22 Acres, LLC of Carthage, Illinois. The maximum
23 design capacity of the proposed facility is
24 3,606.48 animal units or 8,052 head of swine

1 greater than 55 pounds in weight and 12,856 head of
2 swine less than 55 pounds in weight.

3 As I mentioned earlier, the department
4 received a notice of intent to construct
5 application on March 2 of 2017. We reviewed it for
6 compliance with the applicable provisions of the
7 act.

8 On April 7th, the department determined
9 that the notice was complete, and we forwarded a
10 copy of the completed application to the Schuyler
11 County Board. Notice of that application was also
12 published in the appropriate newspaper at that
13 time.

14 The design capacity of the proposed
15 facility requires compliance with a residential
16 setback, excuse me, residential setback distance of
17 not less than 1,760 feet and a populated area
18 setback distance of not less than 3,520 feet.

19 On May 15th the department received
20 official notice from the Schuyler County Board
21 requesting that a public informational meeting be
22 scheduled regarding the proposal. After further
23 consultation with the county board and its
24 representatives, the department scheduled this

1 meeting and caused notice of the meeting to be
2 published in the appropriate newspapers.

3 An additional requirement of the Livestock
4 Management Facilities Act deals with the design and
5 construction plans of the livestock waste handling
6 facility.

7 The department has received a formal
8 submittal of detailed engineering design plans and
9 specifications for the proposed project's
10 underbuilding livestock waste handling structures.
11 The department's detailed review process of those
12 plans has been completed, and we have found them to
13 be in compliance with the statutory requirements.

14 We are here this evening to receive
15 testimony regarding the proposed livestock
16 management facility compliance with the eight
17 citing criteria as defined in Section 12, paragraph
18 d of the Livestock Management Facilities Act.

19 In general, information regarding the
20 following would certainly be appropriate for this
21 evening's meeting: Information regarding manure
22 management planning, potential impact of the
23 proposed facility on the surrounding area's
24 character, whether the proposed facility is located

1 within any flood plains or other sensitive areas,
2 odor control plans associated with the proposed
3 facility, possible impact of the project on
4 existing area traffic patterns and possible impact
5 of the proposed facility on community growth,
6 tourism, and recreation or economic development of
7 the area.

8 Copies of the specific criteria were
9 available on, well, I guess it was actually on the
10 bench out there next to the sign-up sheets. If
11 anyone would like to have a copy of the criteria
12 and didn't pick one up earlier, if you want to just
13 raise your hands, Doug will make sure that you get
14 a copy. There is a small one and a large one.
15 Couple over hear, Doug.

16 Okay. While he is finishing up I will
17 proceed. Finally, the process that will be
18 followed after this evening's meeting is as
19 follows: The county board will have up to 30
20 business days from today's meeting to submit to the
21 department a nonbinding recommendation relative to
22 the proposed citing of this facility. Thus, a
23 recommendation from the Schuyler County board is
24 due at the department on or before July 14. After

1 the close of the county's 30 business day comment
2 period, the department will have 15 calendar days
3 or until July 29th to review all of the information
4 submitted to date including the notice of intent to
5 construct, construction plans, transcripts from
6 this evening's meeting, the county board's
7 recommendation, and any other additional
8 information submitted by the owners at the request
9 of the department.

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

15 Mr. Hearing Officer, at this time I would
16 like to submit the complete notice of intent to
17 construct application file and its associated
18 correspondence file for formal entry into the
19 record as an exhibit.

20 I would also like to submit a copy of the
21 PowerPoint presentation as an exhibit from the
22 department as well.

23 HEARING OFFICER: Entered into the record
24 will be Illinois Department of Agriculture Exhibit

1 No. 1 which is the completed notice of intent to
2 construct including correspondence between the
3 department and the applicant, notice of public
4 informational meetings and correspondence with the
5 county. Thank you, Mr. Goetsch.

6 Also entered into the record will be
7 Department Exhibit 2 which is the copy of the
8 PowerPoint presentation just given.

9 (Department Exhibits 1 and 2
10 admitted.)

11 HEARING OFFICER: At this time I would hear
12 comments from the facility. Before you, before you
13 begin, for those of you who will be presenting
14 information, please state your name and spell your
15 last name for the court reporter, then I will swear
16 you in all together.

17 MR. UFKES: Ted Ufkes, U-F-K-E-S.

18 MR. WEST: Chris West, W-E-S-T.

19 HEARING OFFICER: You are the only two that
20 will be providing information tonight on behalf of
21 the applicant, correct?

22 MR. UFKES: Correct.

23 (Whereupon Mr. Ufkes and Mr. West were duly sworn.)

24 HEARING OFFICER: Okay. You may proceed.

1 MR. UFKES: Well, good evening. Welcome.
2 My name is Ted Ufkes. I'm our chief operating
3 officer at Professional Swine Management, Carthage,
4 Illinois. I'm here tonight representing Olive
5 Branch Acres, LLC. Tonight I'm going to try to be
6 very brief, but I do want to provide you an
7 overview of who Carthage System is, who
8 Professional Swine Management is and more
9 importantly who Olive Branch Acres is. I will
10 leave all the details of the technical aspects to
11 Mr. West who would be happy to answer any questions
12 that you guys may have.

13 We really tried to frame this around a
14 couple different questions that we have heard.
15 Hopefully you all can hear me. If not, raise your
16 hand, and I will try to be louder. Really focusing
17 on who we are, what we plan to do and then finally
18 why are we here in Schuyler County.

19 To me I think I can boil it down to three
20 aspects. That's related to people, the pigs and
21 the neighbors. I'm going to briefly go through
22 each aspect of those, why we think Olive Branch
23 Acres works well here in Schuyler County.

24 First of all a little bit of background who

1 PSM is. PSM is a management company. For those
2 that I have to explain it, to, it is like a
3 management company for an apartment building or
4 farm ground for an out-of-state tenant. We work on
5 behalf of farmers.

6 Farmers have asked us to come and help site
7 a unit, build a unit for them to produce pigs. We
8 think we do a very good job of that. We started
9 back in 2000. Today we operate farms across the
10 Midwest in over 30 different facilities. The
11 majority of those will be here in west central
12 Illinois, although we do operate some in Missouri,
13 the State of Kansas, and we have finishing sites in
14 other areas.

15 Again, as I mentioned we are hired by the
16 farmers. So tonight PSM, my company, we are not --
17 we don't own the pigs, we don't own the buildings.
18 We are here on behalf of the farmers many of which
19 are located in Illinois and the surrounding states.

20 The Carthage Group, you probably have heard
21 the name CVS, Carthage Vet Service. PSM is a
22 sister company, the company that I work for,
23 Professional Swine Management. We are based out of
24 Carthage, Illinois. We have continued to grow and

1 expand to meet client needs. The picture there on
2 the bottom is the old Carthage college centered in
3 the City of Carthage where the majority of our
4 corporate staff works out of every day. The old
5 vet clinic is still in Carthage, and that's where a
6 lot of our veterinarians are housed from.

7 When I think of Schuyler County and why I
8 believe Olive Branch Acres works well here, it is
9 because of our track record in the county. We
10 think of Schuyler County as home for us. We have
11 been operating in the county since 1995. PSM was
12 started after that, but originally started in 1995
13 with Prairie State Gilts. So that farm has been in
14 operation for more than 20 years. We have a long
15 track record of success in the county.

16 As you can see from that, we started
17 additional farms since then. So some of these
18 names may be familiar, Timberline based out of
19 Littleton, Illinois, the same township as Olive
20 Branch Acres; Hilltop View, Rushville out in the
21 country, another unit; Grand Tower, Grand View is a
22 unit that we built and started in 2014, and then
23 last year had an additional one outside of the town
24 of Bader called Dutchman Creek. We believe Olive

1 Branch will be just as successful as these other
2 units will be managed today.

3 This is a picture our team in Carthage that
4 works hard for these farmers every day to make sure
5 we are abiding by all the rules and regulations of
6 the Illinois Department of Ag and EPA.

7 Today we have roughly 50 people working in
8 Carthage for these farms. You can see the staff
9 here. So these employees manage roughly a little
10 over 500 employees at the farm level and, again, 50
11 staff doing all aspects of the functions on behalf
12 of the farm. So things like logistics in the
13 county, environmental, of course production and HR
14 with the employees.

15 These are a few folks, the people. If I
16 had more time Id go through them because they have
17 some really neat stories. A few of those folks are
18 here tonight in the room. A lot of them have
19 worked for our company for almost 20 years. Many
20 have worked themselves up from being a technician
21 and now are production managers, senior production
22 managers. They feed their families based on the
23 pork industry and are located right here in western
24 Illinois.

1 We also offer internships. So there will
2 be a couple years of interns that we bring in from
3 universities across the US to go and train in our
4 facilities and go and be successful pig farmers or
5 veterinarians not only here in Illinois but across
6 the world.

7 So back to Olive Branch Acres. Olive
8 Branch Acres, as I mentioned, is a group of
9 farmers. They are experienced in pig farming. The
10 reason they do this in Carthage is because they put
11 those pigs together and raise those pigs together
12 in one unit. The goal is for us to raise those up
13 to the point those pigs are weaned, and then they
14 will be shipped in many cases to their home farms
15 which could be located here in Illinois or the
16 surrounding states.

17 The reason for the distance is based on
18 health and biosecurity. So they need some level of
19 distance away from their home farms in order to
20 have successful, a more successful track record in
21 keeping those pigs healthy.

22 In Schuyler County we have more 80 direct
23 employees across those farms we manage today. This
24 farm will be an additional 20 to 22 employees.

1 Also dozens of other jobs. So not only during the
2 construction period which will bring a lot of folks
3 to the area, that's short-term. What's not
4 short-term is the truck drivers that haul the feed,
5 the gas attendants that pump the gas for the
6 employees, the truck drivers that haul the pigs
7 outside of the unit and anything else that comes
8 with it.

9 So from an economic standpoint, we believe
10 this is a very, very good thing for the community.
11 From an economic standpoint, this unit is projected
12 to be somewhere in the \$14 million range including
13 the livestock. So it is not a small investment.

14 I will talk about this a little bit more in
15 a moment, but pigs eat corn and soybeans. This
16 farm alone will eat roughly 190,000 bushels of corn
17 per year, plus a lot of soybean meal, and then the
18 manure from the unit itself will be put back onto
19 the farm ground. The value of that manure is based
20 on what we believe we will apply it to is somewhere
21 north of \$150,000.

22 The jobs we will be providing we believe
23 will e many head of household jobs. We start all
24 our employees at a very good wage, offer full

1 benefits for every one of our farm employees and
2 watch the progression. Many of these folks have
3 started, you know, as high school graduates only to
4 be very, very successful long-term employees within
5 our system.

6 What you take home on the people side is
7 that we have a long track record. We believe we
8 are well positioned to be successful not only with
9 Olive Branch but the entire county of Schuyler
10 County, and we are here to help our clients on
11 behalf of Olive Branch Acres achieve their goals.

12 The next thing, let me talk a little bit
13 for a few moments about the pigs. A lot of
14 questions why does it need to be this size. It is
15 fun to reminisce how ag used to work, farming used
16 to work. The world has changed. I really like
17 this slide because I think it represents how
18 farming today is different than what it was in my
19 parents' and grandparents' generation.

20 In 1960 a farmer fed 25 people. There is
21 fewer farmers today, and that one farmer feeds 155.
22 Scale is important in ag to maintain
23 competitiveness. It is a commodities industry.
24 The scale of this size of unit is important.

1 I remember this when I was child growing up
2 in western Illinois, going through pastures seeing
3 pigs out in the open area when it was snowing or
4 when it was hot out. It was not a fun way to raise
5 pigs. Certainly wasn't efficient and was not a
6 good way for them to live their lives. The world
7 has changed.

8 Today this next picture would be a picture
9 of a unit that we built in Schuyler County in 2014
10 called Grand Tower. You can see the looks a little
11 bit different than this picture. The pigs are
12 inside. They are protected from the environment.
13 I will show you a couple pictures in a moment, but
14 a very clean site, one we are very, very proud of.
15 It is right here in Schuyler County.

16 The other reason we do the size of
17 buildings that we do, the layout that we do is that
18 modern pork production is much more efficient. If
19 you look at what we use from an actual standpoint
20 on water usage is 41% less than the old version
21 since 1959, land use is 78% less, and the carbon
22 footprint has been reduced by 35%. For us to be
23 competitive in the world, I mean, these are
24 important metrics.

1 This will be the inside one of these
2 buildings. So this will be a farrowing house that
3 will be very similar to what we build at Olive
4 Branch Acres. You can see the picture below of
5 probably week old pigs on the sow. Very happy,
6 healthy. That crate is there to protect her, her
7 pigs from the sow itself.

8 This will be the inside of a gestation
9 building. This farm itself will have some open
10 gestation would be the plan, also some crated areas
11 as well.

12 Finally some more pictures more
13 representative of what these pigs will look like
14 right before they are being weaned off their
15 mother. About three weeks of age they will be
16 weaned off their mother sows and then sent to the
17 barns to their finishing weight.

18 The final thing I'd like to talk to you
19 about tonight is before I turn it over to Mr. West
20 is neighbors. We are very concerned about being
21 good neighbors in Schuyler County. Like I
22 mentioned, we have a significant investment in the
23 county. Today we would generate somewhere around
24 \$450,000 in taxes on the farms that we manage.

1 About 250,000 of that goes directly to the school
2 districts which in most cases is Rushville-Industry
3 School District, one would be the
4 Southeastern-Augusta District. These are high
5 dollar amounts but also ones that we are very proud
6 of because they go to good use, help provide
7 infrastructure for the county.

8 Why we selected the area that we have? We
9 believe it is a very, very good location. It is
10 protected by a buffer of trees on over three sides
11 of it. It is -- we have got ground available near
12 it to maximize use of the nutrients, and we look
13 forward to working with local officials to minimize
14 some of the disruptions that, some of the concerns
15 that have been raised. So we have engaged some of
16 those folks. We look forward to future discussion
17 on how we can all work together and be good
18 neighbors.

19 Again, Schuyler County is a very rural
20 county. Ag is an important part of the county. If
21 you look in the country, you will see lots of corn
22 and soybeans, and those are important for us and
23 another reason why we locate our barns where they
24 are. About 10% of the corn crop in the US is

1 dedicated to pork production and, again, about 10%
2 of the soybean crop. Olive Branch Acres will
3 consume about 190,000 bushels of corn. Much of
4 that will come from this area. So whether or not
5 the corn is grown here, it is going to go our farm,
6 certainly helps involve some more competitiveness
7 for the marketplace.

8 This is a picture of our feed mill outside
9 of Carthage where much of our feed is made. Not
10 owned by us. It is a partnership with NSI Grain,
11 but they source their grain all over western
12 Illinois.

13 We also try to work with each of the sites
14 depending on specifics to make it the best possible
15 layout that we can. So here is just a few examples
16 what we have done in the past.

17 For example, one farm that we have built,
18 we planted 450 Austrees which is a fast-growing
19 tree outside of it to provide more of a tree
20 buffer. We have stocked ponds. Last year alone we
21 did over 3,000 fish. And finally, you know, site
22 layout, we will try to make the layout work. So,
23 you know, an example of one farm we did, we were
24 able to use some excess dirt, build a berm up to

1 block the view. Every site is different including
2 Olive Branch. We won't know until we get into it,
3 but our goal is to work with the neighbors,
4 everyone try to make it the least intrusive as we
5 possibly can.

6 We understand concerns for protecting the
7 environment. You know, we get a lot of questions,
8 have gotten a lot of questions, and that's a major
9 concern for us. We have a full-time environmental
10 scientist on staff that works on this every day.
11 Our plans are designed to allow for more than six
12 months of manure storage on site and in many cases
13 much more than that, and our compost structures, I
14 believe, are best in class. They are oversized
15 concrete barriers, and they have a roof on them.
16 That allows us to compost many of the deads that
17 are on site instead of having a rendering truck and
18 causing more traffic to and from, and then those
19 composted materials are placed back on farming
20 ground.

21 This will be an example of what we do with
22 manure, how apply the manure. So there is a few
23 different ways you can apply the manure nutrients
24 from the unit. Our goal is to try to use umbilical

1 cords which is less traffic, and that's knifed into
2 the ground. There is plans that have to be
3 followed that are designed and approved by the
4 different agencies. Our commitment is we will meet
5 or exceed all those requirements on the manure
6 plans. This will be a picture of our compost bay.
7 So, again, oversized, designed to be very efficient
8 for dead animals.

9 We do recognize -- you know, this will be
10 one time that I probably deviate from Olive Branch
11 which I think is the main point. We recognize
12 people have the internet and like Google things,
13 and there's been some EPA issues that may come up.
14 We are very proud of where we ended up with those.
15 We have worked very closely with EPA to come up
16 with solutions. Each one of these issues are over
17 seven years old, many of which were self-reported
18 and many which didn't, weren't caused by anyone at
19 PSM or a farm employee.

20 I will give you two examples. There is one
21 farm called Pinnacle outside of Colmar, Illinois in
22 McDonough County. It involved a truck flush where
23 the EPA had asked us to put in a septic system.

24 First, Olive Branch Acres won't have a

1 truck flush nor is there a plan to have a truck
2 flush. Secondly, we work very closely with EPA to
3 come up with that solution.

4 The second example would be a farm in
5 Hancock County called Wildcat that had a cleanout
6 tube from manure pits, and it was cut off from a
7 third party operator mowing the grass. We
8 immediately identified it, contacted EPA, and
9 worked out a solution with them immediately that
10 has come up to be a best in class process which
11 includes those manure cutouts and steel posts
12 around them to avoid anything like that from
13 happening again.

14 So each one of those issues we worked
15 closely with EPA, and we are proud to say that, you
16 know, we weren't required to get an NPDES permit
17 because of our cooperation with the EPA.

18 To close, PSM Farms have an excellent track
19 record of compliance and service to the
20 communities. I think what is neat for me to see is
21 when we come to things like this in the past, some
22 of our biggest detractors have been our biggest
23 fans in the future. I know only time will tell
24 until that happens, but we are very well thought

1 of. Some of our biggest fans are folks that maybe
2 weren't as excited about the farm coming in when we
3 first started.

4 Finally to close, few more employees that
5 work with pigs every day, again, trying to get
6 involved and stay involved in the community.

7 With that I will close my portion of the
8 thing, turn it over to Chris now.

9 MR. WEST: I'd like to thank you again. I
10 appreciate everyone coming by. My name is Chris
11 West, and I'm the president at Frank & West
12 Environmental Engineers out of Springfield. We
13 have worked with Professional Swine Management for
14 quite a long time and really a good working
15 relationship. And so what I'm going to do tonight
16 is to try to give a little bit of additional
17 information as far as the farm overview and layout
18 and then go through the eight citing criteria that
19 Mr. Goetsch talked about earlier and then show how
20 the farm meets each of those criteria.

21 So as I'm sure all of you are aware, the
22 farm is down here in the corner and then Littleton
23 up there just to give a scale of what we are
24 looking at as far as where the facility is located

1 in conjunction with the town.

2 And the farm layout itself, Mr. Goetsch
3 referred to this earlier as far as dimensions. So
4 we have proposed farrowing, proposed breeding
5 gestation barn and then proposed gilt developer
6 unit.

7 As far as citing criteria, briefly eight
8 separate citing criteria: One, the registration
9 certification requirements; two, design, location
10 and operation standards; 3, location compatibility;
11 4, floodplain and aquifer protection; 5, minimize
12 environmental impact; 6, odor control reduction,
13 traffic patterns number 7 and number 8 is the
14 facility consistent with area development.

15 The full definition up on screen whether
16 the registration and livestock waste management
17 plan certification requirements, if required, are
18 met by the notice of intent to construct. The
19 notice of intent, again, as Mr. Goetsch mentioned,
20 it was filed by my office March 2nd of this year.
21 It was deemed complete April 7th also of this year.

22 Nutrient management plan, a very important
23 component of any livestock farm, particularly
24 important for this one. According to the LMFA, any

1 farm which exceeds 1,000 animal units but less than
2 5,000 animal units shall prepare, maintain and
3 implement a nutrient management plan within 60
4 working days after commencing operation.

5 So I'm here today to say that we will
6 prepare, my office will prepare, maintain and the
7 farm will maintain and implement the comprehensive
8 nutrient management plan. The farm will submit to
9 the Department of Ag as required a certification
10 form stating that they have a nutrient management
11 plan. The farm will keep the plan as well as all
12 records of livestock waste disposal at the farm at
13 their office. The comprehensive nutrient
14 management plan and associated records will be
15 available at any time for Department of Ag
16 inspection.

17 So when we talk about a nutrient management
18 plan, the goal of that is to utilize the manure
19 produced at the farm in an agronomic way. You are
20 taking that manure, all the nutrients that are
21 contained within there, and then you are basically
22 applying those onto local farm fields, the crops so
23 they can then use it. So when we talk about green
24 and environmental friendly, this is, this is what

1 we are talking about. We are doing this in an
2 environmentally sound fashion.

3 So the nutrient management is a big
4 document. It is hundreds of pages long, several
5 inches thick, and what that, what is comprised of
6 within that is we go through, we look at the farm,
7 we look at the animals that will be there, then we
8 take a look at how much manure will be produced in
9 a certain period of time, typically annually.

10 We look at farm fields that the manure is
11 planned to go on, and then we take the proven
12 yields from those farms as far as crop yields,
13 whether that be corn, soybeans, whatever crop
14 happens to be in that field, then we take a manure
15 analysis from the farm itself.

16 So we make it site specific, and then we
17 plan manure applications on those farms based on
18 site specific manure concentrations, yield data
19 from the fields that it is going in, soil tests.
20 We will have soil tests from every field so that we
21 know what concentrations, for example, of
22 phosphorus are already there, and then we provide
23 the farm with loading rates. So we can tell them
24 okay, you can put on this many gallons per week

1 based on this crop in this year, and that is then
2 updated annually.

3 Also within this -- so that's one part of
4 it. Another part is setbacks. There are rules
5 written into the current regulations that state
6 where you can apply manure, how close to this, how
7 close to that. All of this is contained within the
8 plan so that the people that will be applying the
9 manure know where they can go, where they cannot.

10 And then documentation. So when we look
11 at, after the applications have taken place, we
12 keep track of where the manure went, how much was
13 put on, what the weather conditions were. All of
14 that type of information is documented, and then
15 that is the information that we talked about
16 earlier that will be available for the Department
17 of Ag to inspect at any point.

18 So we are talking still talking about
19 citing criteria 2. Now we are on 2. Design and
20 operation standards. So my office submitted a set
21 of construction plans for the facility, for the
22 farm, each of the individual buildings, and that's
23 what we are discussing here, whether the design,
24 location of the proposed farm will protect the

1 environment by being consistent with the Livestock
2 Facilities Management Act.

3 So all the design work we do when we are
4 talking about the manure containment -- so the pit
5 under the building -- it is all designed according
6 to Midwest Plan Service. That's what MWPS stands
7 for, Midwest Plan Service, concrete manure and
8 storage handling.

9 So this is a document that is referred to
10 within the regulations as the document that is
11 required to be designed around. So Midwest Plan
12 Service, a university-based publishing cooperative
13 dedicated to publishing and disseminating
14 research-based and peer-reviewed publications.

15 So in particular what we are talking about
16 are concrete specifications, reinforcement
17 requirements, water stop requirements.

18 So the design for the proposed farm will
19 consist, as we showed a little bit earlier on the
20 plan for the farm, of construction plans for two
21 gestation buildings, a farrowing building and then
22 one gilt developer/isolation building.

23 So did show it a little bit earlier, but
24 this will be a general example of not this farm in

1 particular but what the barns will look like, what
2 they could look like and what they will look like,
3 interior of the gestation barn and then inside a
4 potential gestation barn where we have some
5 gestation housing, open gestation and then some
6 crates as well, a farrowing barn, and then we show
7 a farrowing crate. Not going to go through all
8 this again because Ted did a much better job
9 explaining how all this works. Then the smaller
10 gilt developer barn. So, you know, there as well.

11 So when you are looking at a typical cross
12 section, if we take, if we have cut that building
13 across the width of it, so what you are going to
14 typically see in a barn is you have, you know, of
15 course, the roof line, the outside wall that you
16 see, and then all of this is part that you would
17 not see.

18 So you have the pig floor, and that's
19 typically just a little bit above ground level
20 depending on which barn it is, and then you have
21 manure storage. All of this, the majority of this
22 would be underground, and so there is no chance --
23 and the reason this is important, there is no
24 chance for any rainwater coming off that barn to

1 come into the pit because it is underground. There
2 is also no chance for this to go out, again,
3 because we have designed walls such that it is
4 protected from anything that would be trying to
5 come from the outside in or from the inside out.

6 The second part of citing criteria 2,
7 location and setback distances. As Mr. Goetsch
8 mentioned, we have occupied residence setback in a
9 populated area. Both of those were deemed complete
10 stating that the farm has met all of the
11 requirements in April of this year.

12 Part 3, proposed operation. There are
13 requirements about the operation of the farm as
14 well. The manager of the farm will be certified
15 livestock manager, and what that means is certified
16 livestock manager program is developed by the
17 Department of Ag to educate livestock managers on
18 manure management, handling and systems. The
19 requirement is any manager that farms over 1,000
20 animal units are required to attend a training
21 course and then pass a follow-up exam.

22 And then, again, a reference back to the
23 livestock waste management plan. We will have a
24 full detail of the operation of the farm, and all

1 manure applications will be placed on site specific
2 data.

3 Citing criteria 3, location compatibility,
4 whether location minimizes any incompatibility with
5 the surrounding areas by being zoned for
6 agriculture where the county has zoning or where
7 the county is not zoned, the setback requirements
8 established by the LMFA are complied with.

9 So if you look at the map of the state, the
10 pink counties are counties that are not zoned
11 individually. So then, so then we go back to
12 whether the setbacks have or have not been met, and
13 they have. So for anyone who is interested, this
14 map came from the Illinois Association of County
15 Zoning Officials.

16 Setbacks: So we are talking about two
17 different ways to calculate setbacks for this farm
18 based on animal size. Farm is proposed to have
19 8,052 animals greater than 55 pounds. That gives
20 you an animal unit number calculation of 3,220.8,
21 and then the farm also will have average of 12,856
22 animals less than 55 pounds. That calculates out
23 to 385.68. So gives you a total 3,606.48 animal
24 units which gives you a setback from a residence of

1 1,760 feet and from a populated area 3,520 feet.

2 Citing criteria 4, floodplain and aquifer.

3 So what we are talking about here is whether the
4 farm is located within a 100-year floodplain or an
5 otherwise sensitive, environmentally sensitive area
6 known as, defined as a karst area or with aquifer
7 material within five feet of the planned bottom of
8 the barn, and whether construction standards set
9 forth in the notice of intent to construct are
10 consistent with the goal of protecting the safety
11 of the area.

12 So what you have here is a floodplain map
13 from the FEMA flood map service area. That is the
14 source we got the maps and then the web site where
15 you can do the same thing. So there we go.

16 So there would be, at the end of the arrow
17 would show the location of the farm. This legend
18 over here would show what it would look like if
19 there was a floodplain anywhere on this map. So
20 you can see we have got quite a distance around
21 there shown on the map, and there is no floodplain
22 anywhere to be seen.

23 Karst area is an area with a land surface
24 containing sink holes, large springs, disrupted

1 land drainage areas or basically any underground
2 system associated with a limestone or dolomite
3 subsoil or subrock and caves or land surface
4 without these features but containing karstified
5 carbonate bedrock generally overlain by less than
6 60 feet of unconsolidated materials. Long
7 definition basically meaning are there broken areas
8 in the soil, is it limestone bedrock that we
9 typically see with far, far southern Illinois or
10 far western Illinois.

11 So, oops. So if we look at the map again,
12 this is from the Illinois State Geological Survey,
13 and the web site where this map can be found is at
14 the bottom of the page here. But any of these
15 hatched areas are areas that could, you could find
16 karst type terrain in them. Doesn't necessarily
17 mean the whole area is, that's just where they are
18 located if there are some. And there is a close-up
19 there. So you can see we are basically a county
20 away from the closest even potential of a karst
21 area.

22 Aquifer material: So it is pretty
23 self-evident here. Sandstone, so some soil unit
24 that is a water bearing unit that's defined in the

1 LMFA as sandstone that's five feet or more in
2 thickness or a fractured carbonate that is ten feet
3 or more in thickness or a sand and gravel mixture
4 such that there is at least two feet or more
5 present within any five-foot section of soil
6 boring.

7 So what we do is we go out to the site and
8 we do borings within the footprint of the building
9 to ensure that there is no karst area within the
10 footprints of the building.

11 So this is a typical, again, another cross
12 section going across. This is a typical cross
13 section on what a soil boring in the location would
14 look like. So if we have got a side wall here and
15 so you are looking at top of the floor level again.
16 So this is entirely the pit. So pigs would be
17 above this area here. So we start at the surface
18 soil level, and then we go down such that we are
19 five foot below at a minimum bottom of that
20 proposed building pit, and what we are looking for
21 among other things is this aquifer material.

22 So we did borings throughout all of the
23 buildings, and there was never an instance of any
24 aquifer material found. It is what you would

1 expect in this area of silty clay, silty clay loam,
2 and silt loam subsoil. So easily no aquifer
3 material there.

4 Citing criteria 5, minimizing the
5 environmental impact, whether the owner or operator
6 has submitted plans for operation that minimizes
7 the likelihood of any environmental damage to the
8 surrounding area from spills, run-off and leaching.

9 Spills: The best way you can handle that
10 is to build something big enough so you don't have
11 to face the weather. You don't have to worry about
12 I'm running out of, I'm running out of space, where
13 are we going to go with this.

14 Adequate storage: We are required to have
15 150 days. That's what the LMFA states for any
16 liquid manure holding structure. We are looking at
17 approximately 365 days here give or take a little
18 bit but well above what is required by regulations.

19 Another thing that's important to us, it
20 doesn't matter how much storage you build if you
21 let something else come in. This is a closed
22 system. So there is no uncontrolled release of
23 livestock manure because there is no uncontrolled
24 entrance of any outside water.

1 If you had a big rain that all ran into
2 your pits, well then you have just taken that
3 year's worth of storage and you have reduced it by
4 fresh water, and that will not happen here.

5 Runoff: This is what I was referring to a
6 little bit in that last statement. We have clean
7 water diversion. So it keeps all clean water, all
8 water that runs on the roof, falls in between
9 buildings away from the pigs and then directed away
10 from the farm. So never to come in contact with
11 manure.

12 Leaching: Leaching is basically movement
13 of something through something else. So what we
14 are talking about here is manure in the pit going
15 out. Well, the farm is designed so as to prevent
16 that, to prevent release of livestock manure. We
17 go back to the design stage that I referred to
18 earlier, solid concrete construction reinforced
19 with grade 60 steel rebar, waterstops placed at all
20 joints.

21 And so what a waterstop is, it is a
22 flexible structure, typically a rubber type, or
23 rubber would be not the correct word, but that's,
24 it is a flexible structure that can be placed

1 within the joint that you plan so that that joint
2 allows flexibility, but it also maintains that
3 watertight seal so that you are controlling the
4 construction, but you are also not allowing
5 anything to leave that building. All surfaces in
6 contact with livestock manure as required will meet
7 the required permeability standards.

8 Citing criteria 6, odor control and odor
9 reduction, the definition of whether odor controls
10 plans are reasonable and incorporate reasonable or
11 innovative odor reduction technologies given the
12 current status of technology.

13 The proposed farm will implement a
14 comprehensive odor control plan, and this is kind
15 of four prongs: Controlled land application of
16 manure -- it is a very important part of the
17 overall odor control issue -- routine maintenance,
18 feed management and location.

19 When we talk about land application, I
20 mentioned earlier in the nutrient management plan.
21 Whenever we are talking about land applying this,
22 so talking about injecting manure based on either
23 nitrogen or phosphorous levels.

24 So what I mean by that, you look at the

1 crop that's going to be in that field, how much
2 nitrogen can it use or how much phosphorous can it
3 use depending on the crop, then that's what we give
4 that crop. Again, this is from site specific data.
5 We are not looking out of a book, we are testing
6 manure from the farm itself.

7 Olive Branch Acres intends to utilize
8 injection as the application method for livestock
9 manure minimizing contact with air. It is widely
10 accepted as the best available technology for
11 manure application. Manure will be applied by a
12 custom applicator, someone that does this for a
13 living that has safety controls, multiple safety
14 controls at either end as well as continual visual
15 monitoring during the process.

16 So Ted showed you a couple examples type
17 systems. Here is another one where you have a
18 tanker basically. So you fill that up at the farm
19 or you have a hose to fill that up in the field,
20 and then basically you are injecting that manure
21 below the surface and into the root zone. So where
22 the crop can get to that easily where it can be
23 utilized.

24 A different type of a tanker system but

1 also injection as well, and then umbilical system
2 where you would minimize impact on the roads by not
3 having the travel with these type of pieces of
4 equipment.

5 The farm will also utilize regular
6 maintenance thus minimizing dust originating from
7 the farm, and this is a very important part of this
8 odor control that we talked about. Regular
9 maintenance. Odor itself travels on dust
10 particles. So if you remove those or minimize
11 those, then you are also minimizing the odor that
12 will travel outside of that barn.

13 So routine visual walk-throughs to ensure
14 there is no manure buildup above the floor and
15 walkways and regular cleaning of the fans to
16 prevent accumulation of the dust. The farm will be
17 thoroughly pressure washed and sanitized. This
18 will also minimize the amount of odor-causing
19 particles that are able to leave the facility
20 through the fans. The farm will ensure that
21 building facilities, the building fans, excuse me,
22 will operate efficiently thus minimizing dust
23 buildup. And then regular maintenance, keeping
24 track, keeping on track of everything that you are

1 doing in there so that you know how things are
2 working so that they can work the most efficient
3 way possible.

4 The farm also will be incorporating an
5 annual diet formulated to allow the most efficient
6 utilization of proteins and nutrients in the feed.
7 This practice aids in overall reduction of odor as
8 well by reducing excess nutrients excreted by
9 animals.

10 So if you can take that feed and make it in
11 such a way that the animal can use the vast
12 majority of that, then you have got less coming out
13 the other end, less odor.

14 The farm complies with and exceeds all
15 facility setback distances. That goes to the
16 fourth topic that we talked about in the odor
17 control plan, location. This farm is back on a
18 dead end road surrounded by trees on at least three
19 sides. Both setbacks have been easily exceeded.

20 So kind of in closing on this portion, the
21 farm has diligently planned an overall odor control
22 strategy by incorporating numerous control
23 techniques and technologies. The farm will also
24 continue to look for and incorporate other

1 technologies as they become available. This
2 strategic planning incorporates reasonable and
3 innovative technologies that will allow the
4 facility to operate with minimal odor impact to the
5 surrounding area.

6 So if we look at the plan, looking at the
7 farm location, proper nutrition, and injection of
8 manure, those are the points in the highlights of
9 the odor control plan.

10 Citing criteria 7, traffic patterns,
11 whether the traffic patterns minimize the effect on
12 existing traffic flows. So I will go through this
13 kind of step by step. Farm, again, down here in
14 the bottom left-hand corner, and then the first
15 portion of any transportation route would be east
16 out of the farm on Hodges Lane and then north on
17 Littleton Road and then again north and northwest
18 on Post/Snyder Road to State Route 101. So that is
19 the proposed traffic pattern for the farm at this
20 time.

21 So if we go by the Illinois Department of
22 Transportation traffic counts -- so the source,
23 like I said, Illinois Department of Transportation,
24 the web site gettingaroundillinois.com, you can go

1 to that web site, pick any road, and it will tell
2 you what the traffic count is for that road.

3 If we took Littleton Road, weekly average
4 is 525 vehicles; Snyder/Post Road, the weekly
5 average 350 vehicles; State Route 101, a weekly
6 average of 3,325 vehicles and 560 trucks.

7 If we compare that with what we anticipate
8 at the farm weekly, looking at eight trucks per
9 week, whether it is delivering feed, delivering
10 animals, taking animals to another farm, about
11 eight trucks a week on average. So this correlates
12 to less than 1.6% of the average weekly traffic on
13 Littleton Road, 2.3% on Snyder/Post Road and less
14 than a quarter of a percent for vehicles and 1.43%
15 for truck traffic on State Route 101.

16 Olive Branch Acres Farm will traffic,
17 excuse me, will comply with same seasonal posted
18 road weight limits as to all other traffic in the
19 area.

20 Citing criteria 8, is the farm consistent
21 with the area? Is it consistent by being
22 consistent with existing community growth, tourism,
23 recreation, and economic development? Is it also
24 applicable for zoning and setback requirements for

1 populated areas to satisfy the LMFA?

2 The farm is consistent with existing and
3 planned community development because this is a
4 rural, agricultural area. It demonstrates
5 compliance with all zoning and setback
6 requirements. In addition to that, the farm will
7 meet all of the requirements set forth in the
8 Livestock Management Facilities Act.

9 I appreciate the opportunity to go over
10 these eight criteria with you, show you how the
11 farm will meet each and every one of those. Again,
12 thank you for the opportunity.

13 HEARING OFFICER: Thank you for that
14 presentation. Do you -- does the applicant have
15 copies of both PowerPoint presentations?

16 This is just a copy of yours, correct,
17 Mr. Ufkes?

18 Mr. West, is there a copy of your
19 presentation?

20 MR. WEST: You have my electronic copy.

21 HEARING OFFICER: Okay.

22 MR. OWENS: I can print it out.

23 MR. WEST: If you need hard copies I will
24 be happy to give it to you.

1 MR. SONDGEROTH: Have you provided it to
2 department previously to this meeting?

3 MR. OWENS: No.

4 MR. WEST: No.

5 HEARING OFFICER: Okay. This PowerPoint
6 presentation as presented by Mr. Ufkes will be
7 admitted into the record as Applicant Exhibit 1.

8 (Applicant Exhibit 1 admitted.)

9 HEARING OFFICER: Anything further from the
10 facility at this time?

11 MR. UFKES: No.

12 HEARING OFFICER: We will now open the
13 meeting for questions that you have of the facility
14 or department. If you have a question that you
15 would like to ask, please raise your hand. When I
16 call on you, please state your name and please
17 spell your last name for the court reporter.

18 I will give a word of caution. We have a
19 really great court reporter here tonight, but if
20 she can't hear you, she may ask you to slow down
21 speaking and she may ask you to speak again what
22 you have just spoken.

23 Please, when you ask your questions, please
24 indicate to whom you are directing your question,

1 whether it is directed to the Department of
2 Agriculture or directed to the facility.

3 I will remind you this portion of the
4 meeting is limited to questions only. After this
5 question and answer session there will be a section
6 dedicated to public testimony when you can provide
7 your oral comments. So please limit this session
8 simply to just questions. Also please keep in mind
9 questions need to pertain to this particular
10 facility.

11 Are there any questions? Yes, ma'am in
12 the front row.

13 MS. HUDSON: My name is Karen Hudson,
14 H-U-D-S-O-N. I have a question to the Department
15 of Ag and Mr. West. I have a couple questions.
16 According to LMFA Section 77/12, the owner or
17 operator who submitted the notice of intent to
18 construct to the department shall appear at the
19 informal meeting.

20 Is the owner, is the actual owner of the
21 facility at this meeting?

22 HEARING OFFICER: I'm not sure that's a
23 question for the department, but Mr. Goetsch, do
24 you have a response?

1 MR. GOETSCH: I believe that it is the
2 department's position that Frank & West is a duly
3 authorized agent for the owner and is therefore
4 acting on their behalf.

5 MS. HUDSON: Okay. My question is then the
6 notice of intent says Olive Branch Acres, LLC is
7 owner/operator. So that was why I had that
8 question. I believe they need to be here for this
9 meeting to be of any meaning.

10 My second question is to the gentleman who
11 talked about reputation, and I know a lot of people
12 who live near Professional Swine Management
13 facilities.

14 I have a question. Do you realize that you
15 just settled with the Attorney General for well
16 over \$100,000 for eight different hog facilities
17 over the course of six years?

18 I think that could have been mentioned to
19 give a fair balance. Do you agree with me?

20 MR. UFKES: I'm not sure of the question.

21 MS. HUDSON: Do you think that you should
22 have mentioned the fact that you just settled with
23 the Illinois Attorney General's Office, the
24 Pollution Control Board for violations at eight

1 other facilities in the State of Illinois operated
2 by PSM?

3 MR. UFKES: The part we talked about the
4 Pollution Control, is that the question?

5 MS. HUDSON: Yeah. I just don't think you
6 talked about all of those, and I just wanted to ask
7 you did you realize there were eight facilities,
8 not just two?

9 MR. UFKES: Pertaining to Olive Branch
10 Acres, I did mention the issue.

11 MS. HUDSON: Okay. But there is eight.

12 I had another question. The other question
13 is when you showed us the map, I have a question.
14 Am I going to be able to see a survey to tell me
15 exactly how many feet these residences are? And is
16 the county board going to be able to see the
17 construction plans and manure management plan?

18 They are not going to be able to answer
19 that without that information. Are you going to
20 make that available to us so they can make an
21 educated decision?

22 MR. WEST: I will go through this point by
23 point. There will not be an official survey
24 because everything is so far outside of the

1 setbacks that a survey is not necessary to prove
2 that they're outside of the setbacks. We used
3 satellite imagery and located the farm and the
4 houses, the residences, populated areas, whatever
5 it may be, and we are well outside the setback. So
6 there will not be a survey.

7 MS. HUDSON: Okay. Are there gas wells in
8 that area, because we have found several?

9 MR. WEST: I would be happy to know where
10 they are at.

11 MS. HUDSON: We have an absence of
12 communication. So we will get with you about that.
13 Thank you very much.

14 MR. WEST: I would be happy to help with
15 any of that information.

16 HEARING OFFICER: Any other questions for
17 the facility or department? Yes, sir?

18 MR. PAUL: My name is John Paul, P-A-U L.
19 One, what is your source of water for this
20 operation?

21 MR. UFKES: A couple options we are still
22 evaluating at this point in time.

23 MR. PAUL: That's not an answer for me.
24 You got to have some sort of -- yeah, give us your

1 options.

2 MR. UFKES: Drill a well would be an option
3 or build a pond.

4 UNIDENTIFIED: I can't hear you.

5 UNIDENTIFIED: Please speak up.

6 MR. UFKES: There'd be a couple options we
7 would consider. A well would be one option, a pond
8 would be a second.

9 MR. PAUL: Okay. Do you know what the
10 water consumption is for per day, per month,
11 something for the operation?

12 MR. UFKES: I do, yes. It is roughly eight
13 gallon per sow per day on the high end.

14 MR. PAUL: Second question, are you going
15 to make that a two-lane road?

16 I know all your statistics eliminated
17 Hodges Lane, didn't start counting traffic or
18 anything until you got off Hodges Lane. Hodges
19 Lane is a very, very poor dirt road with minimal
20 gravel on it. It is one lane wide. It has no
21 options for two vehicles to meet each other on that
22 road and with one of them being able to pull off to
23 the side. If you pull off, you are not in the road
24 anymore and you are in the ditch, seriously in the

1 ditch.

2 That is -- for we who come in and out of
3 that road on a regular basis, this is a significant
4 issue for being able to access our property. If we
5 meet, if we meet one of your trucks, do we have to
6 back up and you have to back up?

7 MR. UFKES: On Hodges Lane?

8 MR. PAUL: Yes.

9 MR. UFKES: So the short answer is we are
10 working closely with Littleton Township and the
11 road commissioner to try and figure out what works
12 best for everyone. Hodges Lane is a dead-end road
13 with no houses, and it would be seasonal traffic on
14 there to date so --

15 MR. PAUL: It is not totally true.
16 Mr. Stinnett has a house on Hodges Lane. It is
17 immediately south of your operation but -- and
18 there is a lot of seasonal houses on that road.
19 There is half a dozen at least. These are
20 significant issues.

21 HEARING OFFICER: Any further questions,
22 Mr. Paul?

23 MR. PAUL: Not at this moment.

24 HEARING OFFICER: Sure. Anybody else have

1 any questions? Yes, ma'am?

2 MS. PRATHER: Glenna Prather,

3 P-R-A-T-H-E-R.

4 What do you plan to do if a culvert washes
5 out on Hodges Lane and you can't get to your place?

6 MR. UFKES: So that's, again, back to my
7 original comment before. That's something that we
8 plan to continue to have ongoing conversations with
9 the township to try to figure out the best
10 transportation path to and from the farm.

11 MS. PRATHER: Do you always make it a
12 practice to build these things when there is a lot
13 of houses around, or is it just decided this is the
14 best fit to --

15 I mean, there is four disabled people in
16 the area that's really close to this. What kind of
17 compensation are you going to do to justify that?

18 Because I know myself, I'm going to have to
19 move out of my house because I won't be able to
20 live there unless you are going to pay for the
21 purification system that's in my house, which in
22 the board meeting you said no. That's the only
23 question that you were able to answer at that board
24 meeting and at our township meeting that night.

1 MR. UFKES: Was that a question?

2 MS. PRATHER: The question, original
3 question at the board meeting was are you going to
4 pay for my air purification and filtration system
5 in my home so I can breathe?

6 I will still be a prisoner.

7 HEARING OFFICER: Let me, let's see if he
8 can answer that question before you proceed. Can
9 you answer her question?

10 MR. UFKES: The answer to the question
11 would we pay for your air purification system?

12 MS. PRATHER: You answered it before. You
13 said no.

14 MR. UFKES: Yeah, correct.

15 MS. PRATHER: What I'm saying is what are
16 you going to do?

17 Are you going to use a chemical to reduce
18 the nitrogen in your pits?

19 HEARING OFFICER: One at a time.

20 MR. UFKES: The question is are we going to
21 use a chemical in the pits?

22 MS. PRATHER: We are going to go back to air
23 purification system. He said to go back to that,
24 so we will go back to that first.

1 At the board meeting I asked you if you
2 were going to, since your odors -- and I have went
3 to my doctor and I stressed the fact that in that
4 board meeting that is the reason why we wanted a
5 professional surveyor to come out and survey the
6 property is because there is four different
7 individuals that are disabled in or around that
8 setback area. This man is one of them. He is a
9 Vietnam veteran. He fought for our country and for
10 all of us to breathe, and now why is he -- now he
11 is fighting for himself so he can breathe. I'm
12 fighting for myself so I can breathe, and if you
13 put in a hog confinement behind my house, I won't
14 be able to live there, I won't be able to breathe
15 and if --

16 HEARING OFFICER: Ms. Prather, this section
17 is only for questions. You will have an
18 opportunity to provide oral testimony. If you have
19 direct questions, feel free to ask those.

20 MS. PRATHER: Okay. Are you going to use
21 the chemical that is sold in five-gallon buckets
22 that was made from the Illinois University and
23 Purdue University as a chemical they put in the
24 pits to level out the nitrogen so there is no odor?

1 I know it is a very costly thing to go
2 about it, but lawsuits are also costly.

3 MR. UFKES: Yeah, I'm not familiar with the
4 specific product you are referring to.

5 HEARING OFFICER: Any other questions, Ms.
6 Prather?

7 MS. PRATHER: Not at this moment.

8 HEARING OFFICER: Does anybody else have
9 any questions for the applicant? Yes, sir?

10 MR. BENNER: My name is Daniel Benner, B as
11 in boy E-N-N-E-R.

12 Did you bring your waste management plan to
13 share with us tonight, or do you even have one?

14 MR. UFKES: Yes, I can defer that. He
15 addressed that.

16 MR. WEST: We do not have one yet, and the
17 reason for that is actually very simple. It is,
18 the regulation say you don't have to have one until
19 60 days after you stop building. More importantly,
20 if I were to write one today, I'm going to be
21 estimating, one, how much manure is going to be
22 produced. I'm going to be estimating what the
23 nitrogen content of that is and the phosphorus
24 content of that is.

1 So it makes a ton more sense if, number
2 one, you wait until whether, to know for certain
3 whether or not you have got approval for this to go
4 forward, for the farm to be built. And then you
5 need to wait until you actually test the manure you
6 are going to be applying so you know exactly what
7 you are dealing with.

8 So then all the applications will be based
9 on the manure that's in that building, not what a
10 books says when the book is estimated over all
11 different kinds of finishing operations or sow
12 operations in all different, many different states.

13 So that's going to be an estimate where
14 when we write it, it is an actual site-specific,
15 data-filled document.

16 MR. BENNER: So you have no permission from
17 any of the farmers around to spread the waste is
18 what you are telling us?

19 MR. WEST: They're working with farmers to
20 get that at this time, yes.

21 HEARING OFFICER: Any other questions?
22 Yes, sir? Glasses?

23 MR. MANNING: I have to wear those to cover
24 my age. Sorry. My name is Brent Manning,

1 M-A-N-N-I-N-G. Just like Peyton but without the
2 arm unfortunately. I have several questions, and
3 all of you all can feel free to jump in, answer it
4 if you will.

5 First of all, why is it human health,
6 welfare and safety of neighbors, particularly those
7 with pulmonary or cardiac problems first and
8 foremost is not a consideration of citing
9 principles?

10 HEARING OFFICER: I just to want caution
11 before we get started, I kind of gave a caution, we
12 are not here to debate the merits of the
13 regulations. I want to give that preface, but I
14 will let Mr. Goetsch respond to that if he feels
15 appropriate.

16 MR. GOETSCH: You took my answer. No, I
17 was just going to say that the department is
18 charged with the administration of the Livestock
19 Management Facilities Act the way it is written
20 today which was based on debates and compromise by
21 the General Assembly 21 years ago. You would have
22 to go back to the legislative record to determine
23 whether or to what level of consideration were
24 given to those items. I would assume that they

1 were considered, but I can't state for a fact
2 because I was not the in the debate. But we are
3 charged with the administration of the law and the
4 rules the way they exist today.

5 MR. MANNING: Okay. Thank you very much.

6 Secondly, will the Department of Ag or
7 Carthage, the Department of Ag which is currently
8 by law an advocacy and a permitting agency, be
9 willing to indemnify landowners with depreciating
10 property values within a five-mile radius?

11 MR. GOETSCH: That is not included in our
12 mandate, and so we would not be in a position to do
13 so, no.

14 MR. MANNING: Sounds like we have got all
15 kinds of trouble. Can't write a budget or get
16 anything straight.

17 MR. GOETSCH: I don't serve in the General
18 Assembly, so I can't comment on the status of the
19 budget.

20 MR. MANNING: I understand that.

21 Thirdly, why isn't Natural Resources damage
22 assessment included in the permit requirement?

23 Now, that is -- and again, I'm guessing the
24 answer would be the same.

1 HEARING OFFICER: Sir, I think we are
2 debating the merits of the law. As Warren said, he
3 is not a member of the General Assembly, neither am
4 I. So we really need to keep questions specific to
5 this facility, questions about this specific
6 facility that you have.

7 MR. MANNING: Yes, yes, because that is
8 toward this specific facility.

9 NRDA is an act with the General Assembly
10 that affects all facilities in the State of
11 Illinois, Natural Resource Damage Assessment.
12 Remember that.

13 Why is Ag in charge of permitting? This
14 hen here is now being watched by the fox.

15 MR. GOETSCH: I would totally disagree with
16 that characterization of the department's role. I
17 mean, certainly we do advocate for agriculture, the
18 ag industry through certain components of our
19 agency, one of those being our Bureau of Marketing,
20 but it's been the department's position as long as
21 I have been there and probably was that way for
22 decades and, you know, a century probably before
23 that, we believe that we can advocate the best for
24 agriculture by being an effective regulator.

1 We actually are, over 90% of our agency is
2 regulatory. Every time you fill up your gas pump,
3 you are, you know, you are assured that you are
4 getting a gallon of gas and you are a getting
5 quality gallon because our Bureau of Weights and
6 Measures has been there once a year and made sure
7 that that gas pump is pumping a gallon.

8 Our meat and inspection program, our
9 environmental program, pesticide regulation, you
10 name it, we regulate all phases of agriculture, and
11 we believe that that is probably one of the best
12 ways that we can advocate for that industry is to
13 ensure that the laws that have been passed by the
14 General Assembly that affect agriculture are being
15 complied with.

16 MR. MANNING: Thank you for your answer. I
17 do think that you do a good job with gasoline.

18 Last, isn't it true that under state law,
19 the Department of Ag not consider a confinement
20 owner's past environmental record when considering
21 a permit?

22 MR. GOETSCH: The way I guess I will answer
23 it, the way I would answer that question is we are
24 required or there are eight citing criteria that we

1 are supposed to look at as well as compliance with
2 setbacks, the educational certified livestock
3 manager component, waste management plan, all of
4 the components that are included in the LMFA, but I
5 will agree that whether or not a facility has had a
6 problem in the past, whether or not it has been
7 corrected appropriately or not corrected is not
8 included in those provisions.

9 MR. MANNING: Thank you.

10 HEARING OFFICER: Any other questions? In
11 the blue shirt, ma'am?

12 MS. TIREY: Jennifer Tirey, T-I-R-E-Y. My
13 first question is for Mr. West.

14 Mr. West, you mentioned the extensiveness
15 of the nutrient management plan, but you did not
16 tell me, tell us what the cost, average cost of a
17 nutrient management plan is. What is that normally
18 for a farm of this size?

19 MR. WEST: That can normally -- it will be
20 in the range 8 to \$12,000.

21 MS. TIREY: So a significant amount?

22 MR. WEST: It is a significant investment,
23 it is a lot of work, and, as I mentioned earlier,
24 one of the reasons is we want to make certain this

1 farm is approved before we get started on this.

2 That's one of the reasons. And then that is a

3 reason, why it is a significant investment.

4 MS. TIREY: Thank you. My next question is
5 for Mr. Ufkes.

6 Mr. Ufkes, you had mentioned during your
7 presentation that you had several other farms in
8 Schuyler County, one specifically also in Littleton
9 in the same township. Have you had any issues with
10 that farm since it has been constructed?

11 MR. UFKES: No, not from an issue
12 standpoint. The farm did experience a fire at some
13 point. We were able to build it back, you know, to
14 new condition at that point in time. We have
15 enjoyed a very good relationship with the community
16 including the township since that farm has been
17 constructed.

18 MS. TIREY: Thank you. And my last
19 question is for the Department of Agriculture.

20 Although the Department of Agriculture
21 oversees the Livestock Management Facilities Act,
22 would you say that there are any other state
23 agencies that you work in partnership with when you
24 are working with these different farms?

1 MR. GOETSCH: Yes. Certainly we work with
2 the Illinois Environmental Protection Agency, we
3 also work with, as part of the citing process, we
4 will consult with the Historic Preservation Agency,
5 and we will, we will consult with the Illinois
6 Department of Natural Resources.

7 One thing that I might add, not to bore
8 everyone, but the Livestock Management Facilities
9 Act is not the end all complete regulation of the
10 livestock industry in Illinois. Before the LMFA
11 was ever passed, the Illinois Environmental
12 Protection Act was present. Also at the federal
13 level the Clean Water Act was present. And the
14 Livestock Management Facilities Act, it really only
15 provides additional requirements beyond those other
16 laws both at the federal level and state level with
17 the point being that or at least the thought was
18 the way, the way I look at it, that if compliance
19 with the LMFA is achieved, then a facility is less
20 likely to run into difficulties with those other
21 laws, both the Clean Water act, maybe not as much
22 as the Illinois Environmental Protection Act.

23 But certainly the Illinois Environmental
24 Protection Act usually governs what happens when

1 you have a problem, when you have an environmental
2 impact and then how you rectify that situation.
3 The Livestock Management Facilities Act was
4 intended to be a preemptive program where we, if we
5 created minimum design standards, minimum citing
6 requirements, minimum waste management planning,
7 minimum educational requirements. All of those
8 things done up front, we would hopefully avoid
9 additional problems, avoid other problems in the
10 future. So I think we need to keep that in mind.

11 But getting back to your question, yes, we
12 work with various other state agencies in this
13 process.

14 MS. TIREY: Thank you.

15 HEARING OFFICER: Any other questions?

16 Yes, ma'am, black shirt, front row.

17 MS. JOHNSON: My name is Carrie Johnson,
18 J-O-H-N-S-O-N, C-A-R-R-I-E.

19 My first question is to the owners of the
20 Olive Branch, which they are not here. So who am I
21 supposed to ask that to?

22 MR. UFKES: I will be the agent for them.
23 I can address the question.

24 MS. JOHNSON: Okay. Can you explain to us

1 what tax incentives you will receive for Olive
2 Branch, LLC, or if you don't know what they are,
3 what tax incentives do you currently receive for
4 other CAFOs within Schuyler County?

5 MR. UFKES: I mean, state tax incentives,
6 please define what you mean by that?

7 MS. JOHNSON: Reduction in your real estate
8 taxes?

9 MR. UFKES: So there is a credit given for
10 the manure storage piece of it, concrete. I
11 wouldn't call that a deduction. It is part of the
12 process.

13 MS. JOHNSON: You don't have tax reduced
14 because of it?

15 MR. UFKES: I don't understand the
16 question. It is part of, the manure storage piece
17 of it, the concrete, yes, that's not taxed the same
18 way as the external building no different than any
19 other unit in the state.

20 MS. JOHNSON: So it reduces your taxes that
21 you'd typically pay?

22 MR. UFKES: If that was a rule, then yes,
23 we pay lower if that answers your question.

24 UNIDENTIFIED: We can't hear.

1 MR. UFKES: I will try to talk into the
2 mic. Is that better?

3 UNIDENTIFIED: Thank you.

4 MS. JOHNSON: Also, will Olive Branch, LLC
5 be receiving any government financial assistance
6 via low interest loans or any kind of funding?

7 MR. UFKES: No.

8 MS. JOHNSON: This is for Department of Ag.
9 Per citing requirement number 8, you are to
10 evaluate existing community growth, but I didn't
11 see that addressed.

12 Can you explain to me why there is no
13 analysis of existing community growth?

14 MR. GOETSCH: I'm not sure how to respond
15 to that. We are here to gather information about
16 the compliance, I'm not here to judge whether there
17 was adequate information one way or the other.
18 That's what this process is about, to gather more
19 information.

20 So I guess my answer is I don't have a
21 comment as to the adequacy or non-adequacy of
22 information that's been provided this evening to
23 date.

24 MS. JOHNSON: Okay. I guess I will ask

1 Mr. West why that was not addressed. I know you
2 guys addressed it as rural, but existing community
3 growth?

4 MR. WEST: So if I go back to definition
5 that I have written down -- sorry, I will talk into
6 the mic. Whether construction of the new farm is
7 consistent with existing community growth, tourism,
8 recreational, economic development, or what
9 specific projects involving community growth,
10 tourism, recreation or economic development have
11 been identified by government action within one
12 year through compliance with applicable zoning and
13 setback requirements.

14 So I think we have met that. In my opinion
15 we have met that. It fits within the development
16 of the area. It is agriculture in an agriculture
17 area. It has met the zoning requirements, also met
18 all setback requirements. So I think we have met
19 that definition.

20 MS. JOHNSON: Yeah. I mean, clearly they
21 stated there's been development, recreational, that
22 actually was broke out in parcels to be sold as
23 recreational. So people within the last ten years
24 have moved to Schuyler County for recreational

1 purposes. That's why I was wondering what was
2 missing out of that report because that actually
3 has been a large part of that area, and community
4 actually in all Schuyler County. But I didn't
5 see --

6 HEARING OFFICER: Do you have any other
7 questions, Ms. Johnson, for the applicant or
8 department?

9 MS. JOHNSON: I will get to it. So that is
10 why I was wondering why there was nothing like that
11 in the report. So I just wondered what you did --

12 MR. WEST: If you have information that I
13 do not, I'd be happy --

14 MS. JOHNSON: I just wondered if you looked
15 at real estate. That would be community growth.

16 MR. WEST: Actually yes, we do. That's
17 part of the process. We are required to go through
18 the tax assessor's Office to find names and
19 addresses of all the landowners, and the adjacent
20 parcels have been taxed as only agriculture. So
21 there is, there is nothing listed out as anything
22 other than that.

23 MS. JOHNSON: I have another question. So
24 one of the requirements, too, is that there can't

1 be a house within a quarter mile, which that's not
2 true, there is one, and it's been verified. Just
3 wondering why that was not identified?

4 MR. WEST: When you say, "verified", I
5 guess I'm confused. I don't know of a house
6 within, you said a quarter of a mile?

7 MS. JOHNSON: Yeah.

8 MR. WEST: Again, if you have information
9 that I do not, I'd be happy to look at it.

10 MS. JOHNSON: Okay. Right. It meets the
11 six-month two-year requirement?

12 MR. WEST: Well, if you go back through the
13 tax records that were this year, there is no
14 residence listed on any tax. So there --

15 MS. JOHNSON: But so you are saying you
16 just go by what the county has taxed, that's --

17 MR. WEST: I'm saying that's what we are
18 required to go by.

19 MS. JOHNSON: Where is that stated?

20 MR. WEST: I don't know the exact portion
21 of the rule, but we get all our information from
22 the tax assessor's office to show who owns that
23 ground. And actually I have information for the
24 adjacent parcels that shows no residence, no

1 occupied residence.

2 MS. JOHNSON: There again, their standards
3 obviously are different than standards in this act.

4 MR. WEST: Well, if there is a residence
5 that meets that definition, I'd be happy --

6 MS. JOHNSON: There is.

7 MR. WEST: -- to get that information. I
8 don't have it.

9 MS. JOHNSON: Yeah, I mean, it is not in
10 your PowerPoint.

11 HEARING OFFICER: Is there a question, Ms.
12 Johnson?

13 MS. JOHNSON: Yeah, I have one more. So I
14 was wondering about, I guess, for Department of Ag.

15 So EPA, they work with you to regulate
16 CAFOs, but on their web site they don't even have
17 all the CAFOs identified for Schuyler County. So
18 I'm wondering what can they be regulating if they
19 don't identify all of them?

20 Because I know they submit annual reports,
21 things like that. If they're working with you on
22 these, how come they don't know about some of them?

23 MR. GOETSCH: You would probably have to
24 ask them. I'm not sure what web site or what you

1 are specifically referring to. We work with the
2 IEPA and we pass as we get applications, and we, if
3 a facility is eventually approved, that information
4 is passed onto the IEPA so that they are aware of
5 those facilities.

6 Whether a facility -- you may be referring
7 to the NPDES permitting program, the National
8 Pollutant Discharge Elimination System Program
9 under the Clean Water Act they administer under
10 delegated authority from the USEPA, and that, their
11 program that they administer and whether a facility
12 is required to have one of those permits is up to
13 IEPA.

14 MS. JOHNSON: Okay. I have one last
15 question. So to evaluate the criteria, you guys
16 are kind of vague when it comes to direct questions
17 about certain things that actually meet the
18 criteria.

19 We are here to talk about these things, but
20 if you don't have information, how are we supposed
21 to know to ask you questions or to, like I just did
22 about residence, proof that you missed something?

23 MR. WEST: I would disagree. So what I'm
24 saying is if you got that information, provide it

1 to me because I disagree with your statement.

2 So I'm not intentionally trying to be vague
3 about anything, I want to answer your question, and
4 I think I did. I don't have that information. So
5 if you have got it, please provide it.

6 MS. JOHNSON: I do.

7 MR. WEST: Okay.

8 HEARING OFFICER: Any other questions, Ms.
9 Johnson?

10 MS. JOHNSON: No, that's it.

11 HEARING OFFICER: Okay. Anybody else have
12 any questions? Yes, sir?

13 MR. PRATHER: My name is Marshall Prather,
14 P-R-A-T-H-E-R, and my question is for both.

15 I was wondering why the facility would put
16 the buildings across two waterways that feed into
17 two dry structures that feed into a very nice lake,
18 and what would you possibly do to -- where is the
19 water going to go that runs down both these
20 waterways and why would you guys allow this?

21 MR. WEST: Let me start off by answering at
22 least part of the question.

23 MR. PRATHER: Okay.

24 MR. WEST: With any project of this size,

1 you are going to be moving some dirt around.

2 MR. PRATHER: Okay.

3 MR. WEST: So obviously all that, you know,
4 within the footprint of the farm itself, all of
5 that is going to have to change because I know what
6 you are talking about. There is waterways
7 basically run north, south.

8 MR. PRATHER: Both sides.

9 MR. WEST: That water would be diverted
10 around the buildings and then through that same
11 location. So I a, m talking about clean water, not
12 talking about dirty water. I a, talking about
13 clean water. So it is diverted away from the
14 buildings through generally the same ending
15 location that it is going through now.

16 MR. PRATHER: So, but how is the water
17 going to get to the dry dams to get into the lake?

18 MR. WEST: Well, it will come from in
19 between each building, go out to the end one way or
20 the other, and that won't be determined until later
21 as far as if it breaks in half or breaks on one, a
22 quarter and three-quarters the other way. But that
23 water will drain from in between the buildings to
24 the ends and then flow south. So the same

1 direction the water is flowing now.

2 MR. PRATHER: So all the water coming off
3 of the fields is going to come through the middle
4 of your buildings and go off?

5 MR. WEST: Not, not through the middle of
6 the buildings, it is going to come through the ends
7 of the barns.

8 MR. PRATHER: Okay. Thank you.

9 HEARING OFFICER: Any other questions,
10 Mr. Prather?

11 MR. PRATHER: Yes. Is it a law when the
12 manure gets put on the ground and there is, say a
13 hose breaks or it gets put too much on and it gets
14 into somebody's waterway, that is the landowner's
15 problem, not your guys', or the guy putting it on,
16 it is the landowners' -- the law states that
17 whoever you are putting the manure on, that's their
18 problem, correct?

19 MR. WEST: I would not agree with that
20 statement. I don't believe the EPA -- and I don't
21 mean to speak for the EPA because obviously I'm not
22 an EPA employee.

23 MR. PRATHER: Okay.

24 MR. WEST: But I don't think that would be

1 their viewpoint.

2 MR. PRATHER: Okay. Well, that's what it
3 states in the law, that's their problem.

4 MR. WEST: What I would do if I am in your
5 shoes and you have that exact question, I would
6 talk to your area EPA field guy or woman and ask
7 them that question.

8 MR. PRATHER: Thank you.

9 HEARING OFFICER: Any other questions? Sir
10 in the front row?

11 MR. MOON: Thank you. Shane Moon, M-O-O-N.
12 My question is for Mr. West.

13 MR. WEST: Yes, sir.

14 MR. MOON: You stated that you have no
15 waste management plan. If you are going to
16 distribute, my calculation of 365 days is almost 11
17 million gallons of manure, and if you are
18 saturating whoever land that you are on whoever
19 that owner may be since we don't know, what are you
20 going to do with the excess when you get saturated
21 back there?

22 You only have a few, a couple fields back
23 there. Do you have permission from the landowners
24 to run your drag lines up the road?

1 And if you would have to use tankers, the
2 7400 gallon tankers, that's like 1500 trips out
3 Hodges Lane out onto Littleton Road, Post Road
4 Olive Branch with 7400 gallon tankers. Are you
5 prepared to do that or what kind --

6 MR. WEST: Well, and I briefly mentioned
7 that in my presentation.

8 MR. MOON: I heard that.

9 MR. WEST: That is not, that is not the
10 objective. That's not -- what I was doing is
11 presenting potential ways that it can be injected.
12 I think when Ted talked about it, the goal is to
13 use drag line type injection so that you minimize
14 any trips up and down the road.

15 MR. MOON: Okay. Your drag line, have you
16 secured landowners' permission to run your drag
17 line?

18 MR. WEST: All of that is in the works.
19 It's not been done yet. Again, we do not have a
20 nutrient management plan. I went through the
21 reasons why we don't yet. We will, and if, when we
22 have a nutrient management plan, then we will have
23 all the fields that will be land applied before we
24 write that.

1 MR. MOON: Okay.

2 MR. WEST: We have to have someplace for it
3 to go.

4 MR. MOON: Wouldn't you want a place to go
5 before you put the facility in?

6 MR. WEST: We're not talking about
7 something that's far off in the future, but we have
8 to, you know, there are steps that we have to take,
9 and one of those is we want to make certain it gets
10 approved. Now, the day it gets approved you are
11 not talking about the facility being up and running
12 either. It is not a short process from approval to
13 putting animals in there. It is a big facility, so
14 you have a lot of construction to do.

15 MR. MOON: I see. Okay. I'm done. Thank
16 you.

17 HEARING OFFICER: Any other questions? I
18 will get -- you have already asked questions.

19 Anybody else that has not asked a question
20 the first time? Yes, ma'am at the end?

21 MS. WOHLFEIL: Meagan Wohlfeil,
22 W-O-H-L-F-E-I-L. So a couple questions that I have
23 that I'm going to ask you, Ted. Sorry.

24 So you stated in your presentation that

1 you, you know, are currently working with Littleton
2 Township. I don't know if -- I have a question
3 about the roads and stuff.

4 So my question is do you remember from the
5 Littleton Township meeting that we had on May 8th
6 where the current road commissioner, Tom Martin was
7 talking about, saying that -- I guess to backtrack,
8 you had stated at that meeting that it will be 12
9 weeks of construction. So that's semi trucks,
10 cement trucks, all kinds of trucks going up and
11 down these -- you weren't specific which route.
12 You gave two different routes you guys might
13 possibly take. At the time the road commissioner,
14 Tom Martin, stated -- and he had been the road
15 commissioner for years -- had stated that will
16 just, you will destroy the roads if you do that.
17 That's not even what he was saying talking about
18 once the facility is in place.

19 So I guess I don't understand when you are
20 saying that you are working with the township, they
21 also stated at that time, Cathy Terry who was the
22 township supervisor then, said that the township is
23 broke. We literally -- I live in Littleton
24 Township. We literally do not have any money at

1 this point right now. You said it would take 12
2 weeks of construction and that you said, well, the
3 tax money that we pay will help cover that; we are
4 giving 100,000 to your township, and that will
5 cover the cost to take care of the roads. Sorry
6 this is long.

7 HEARING OFFICER: I can tell you are
8 working up to it, Ms. Wohlfeil.

9 MS. WOHLFEIL: So sorry. But so anyway, so
10 Cathy explained to you then that Littleton Township
11 does not get \$100,000 in taxes, that literally they
12 only get a couple of thousand even if you pay
13 100,000. She can prove this because Littleton
14 Township already has a hog confinement, and they
15 know by fact that's how much they get.

16 So my question to you is, you know, you are
17 talking about 12 weeks of construction, you know,
18 running up and down, hauling the piglets out, all
19 this other stuff. How will the township now, from
20 May 8th to now they came up with how much money?

21 The road commissioner said it is going to
22 take hundreds of thousands of dollars to prep the
23 roads for you to do construction. How are you
24 working with them to get this done?

1 Are you giving hundreds of thousands of
2 dollars to Littleton Township?

3 MR. UFKES: Let me clarify. First of all,
4 I didn't say hundreds of thousands of dollars will
5 go to the township.

6 MS. WOLHFEIL: You did say that. You said
7 hundred -- you know what? I was there. There were
8 other witnesses there. You said that.

9 MR. UFKES: Let me clarify, then. That
10 wasn't my intention. What I did state was that the
11 unit, when it was up and running -- I understand
12 there is lag time to get to that point in time when
13 the property is built and assessed. When the
14 property is to that point, it will eventually
15 generate \$100,000 in taxes. That's not going just
16 directly to the township. I think I tried to
17 address that in my presentation tonight.

18 We anticipate roughly \$12,000 of that will
19 go to Littleton Township, and of that amount,
20 somewhere around 5 to \$6,000 will go to the road
21 and bridge fund. Again, that's 5, \$6,000 the
22 township wasn't receiving before.

23 So trust me, my father was a township
24 supervisor for 12 years. I have grown up in a

1 small community. I understand how township budgets
2 work. But also these projects have long-term
3 residual effects with the tax dollars, you know.

4 So your question, I believe to get to your
5 question, have you worked with the Littleton
6 Township, and yes, the answer is we have had
7 ongoing discussions with folks in Littleton
8 Township on how we can continue to work together to
9 improve those roads short-term and long-term.

10 MS. WOHLFEIL: Okay. Maybe just ask you
11 this to clarify. So I still don't understand
12 because you said in that meeting it was going to be
13 12 weeks of construction?

14 MR. UFKES: Yes.

15 MS. WOHLFEIL: Point blank Cathy Terry told
16 you we have X amount of money which is only a few
17 thousand, and so the tax money we are going to get
18 from you supposedly, whatever amount you say for
19 the facility, we are not going to see that for a
20 year, until a year later. Point blank Tom Martin,
21 the road commissioner, said if you run this
22 equipment on these roads, you will destroy them
23 just in the 12 weeks of construction, and the
24 township has no money to pay to repair them.

1 That's -- the other part of my question is
2 that several people here mentioned there are people
3 on oxygen that are severely ill. Is it not
4 against, you know, what is it, 7 and 8 that says
5 here on criteria that you are saying that you meet
6 that roads have to be in good condition current
7 traffic for busses, emergency services?

8 You know, I mean, I guess my point is are
9 you saying that you can destroy those roads, it is
10 okay, and we have a medical emergency and someone
11 dies because the ambulance can't get through,
12 that's okay? No, that's not okay.

13 MR. UFKES: That's not what I said.

14 MS. WOHLFEIL: Oh.

15 MR. UFKES: You said the question was that
16 okay. That's not what I said.

17 MS. WOHLFEIL: Is that okay if that were to
18 happen because --

19 HEARING OFFICER: Hold on. You are asking
20 a question. Let Mr. Ufkes respond.

21 MR. UFKES: Question -- please state the
22 question again.

23 MS. WOHLFEIL: Okay.

24 MR. UFKES: I know. You are --

1 MS. WOHLFEIL: No, I understand I am very
2 lengthy. I will simplify.

3 Do you think it is okay you do 12 weeks of
4 construction, ruin the township county roads that
5 local citizens that are very ill, I mean, some of
6 them are so ill they can't be here tonight, and
7 then you think that's okay that you can ruin those
8 roads and then when those people are sick and need
9 emergency services that they can't get through to
10 save these people's lives?

11 MR. UFKES: So the allegation was the roads
12 would be ruined number one.

13 MS. WOHLFEIL: That allegation is fact.
14 That was what the road commissioner said. Those
15 heavy trucks, whether it was a weight limit or not,
16 will destroys those roads. They don't have the
17 money to fix them. That's construction, 12 weeks
18 of just construction. Do you think that's
19 acceptable? Do you feel that's acceptable if that
20 were to happen?

21 MR. UFKES: While I respect that opinion,
22 all I can state is that past history on prior
23 construction projects that has not happened, and,
24 you know, it is in our best interests to continue

1 to have good roads short-term and long-term whether
2 through construction or post construction.

3 MS. WOHLFEIL: Okay.

4 HEARING OFFICER: Do you have any further
5 questions? Succinctly, please.

6 MS. WOHLFEIL: Yes, I do.

7 Okay. Simply -- okay. So you stated in
8 the earlier presentation, you know, Littleton
9 Township already has a hog confinement in the
10 township --

11 MR. UFKES: Yes.

12 MS. WOHLFEIL: -- from 2001 when it was
13 built or something?

14 MR. UFKES: Originally.

15 MS. WOHLFEIL: Okay. Originally. So I
16 guess my question with that is, you know, you were
17 talking that it is going to bring so much economic
18 development and money to the township.

19 I guess back to the people who manage this
20 money in this township told you in that meeting
21 that is not true, if they have been dealing with
22 this other hog confinement since 2001, they have
23 factual things say they do not get the money, I
24 don't understand where you are getting those

1 equation that you are saying we're going to get all
2 this money.

3 Not talking about your township where you
4 live, where you grew up, I'm talking about here
5 where the people who manage it told you they don't
6 have the money. Where are you getting --

7 MR. UFKES: I can't speak to the management
8 of the money, but I can speak to the tax dollars
9 that are generated. I don't have figures in front
10 of me right now. It can be easily looked up, the
11 amount of taxes that were generated from the one in
12 Littleton Township.

13 I do know it was roughly \$124,000 in taxes,
14 albeit I know not all of it is going to Littleton
15 Township. That's not, that wasn't my point. But
16 if you did that from 2001 with escalating tax
17 peaks, that's a significant amount of money.
18 That's my own definition.

19 MS. WOHLFEIL: Do you not get a tax break
20 like they were stating earlier?

21 MR. UFKES: The taxes that I have referred
22 to is the actual taxes paid.

23 MS. WOHLFEIL: From the first time that you
24 put the facility in, you didn't get a tax break for

1 after that?

2 MR. UFKES: The dollar amount that I stated
3 is the actual amounts that we paid. That would be
4 including any of abatement from manure storage
5 underneath the building.

6 MS. WOHLFEIL: Okay. My last question is
7 who are you working with in Littleton Township with
8 this?

9 I don't understand. You were very vague
10 about that. I mean, when they were telling you
11 they don't have the funds, are you working with the
12 township supervisor right now?

13 Are they telling you they have naturally
14 come up with hundreds of thousands of dollars to
15 pay for these roads?

16 MR. UFKES: No, they have not told us that,
17 but we have had ongoing discussions with the road
18 commissioner and have asked the township to provide
19 a proposal of what they are asking for. We would
20 not have the ability to pay hundreds of thousands
21 of dollars in roads. That would not be within
22 reason. We would like to be good neighbors,
23 continue to have ongoing discussions with the
24 township which I believe there's been good, open

1 dialogue not necessarily with me but some of our
2 team members.

3 MS. WOHLFEIL: So it is unreasonable for
4 you to have to pay a couple hundred thousand but
5 not unreasonable for the township to have to pay a
6 couple hundred thousand for roads just for you?

7 Am I not -- I live inside the township. I
8 have potholes. No offense. I know they try
9 because they only have so much money. I can barely
10 make it to work on good days in the summertime
11 because there are so many potholes, and the roads
12 are in such horrible condition.

13 So who -- I guess I don't understand why
14 you think that that money that you are going to
15 bring in should go to your road. What about the
16 rest of us in the township?

17 MR. UFKES: I'm not familiar with the
18 estimate that it would cost hundreds of thousands.
19 I know that was his estimate. I don't know if I
20 agree that's accurate or not, I don't know.

21 All I can say, again, it is in our vested
22 interests to have good roads, and we have to abide
23 by the rules of the road and obey all posted signs
24 in the county or township.

1 HEARING OFFICER: Okay. Let's move on.

2 Does anybody want to ask questions that has
3 not asked a question? Yes, sir, in the green?

4 MR. THOMPSON: My name is Mark Thompson,
5 T-H-O-M-P-S-O-N. At the Littleton Township meeting
6 I believe there is an incoming road commissioner
7 that said that come January 1st, the law will
8 change for that route on Littleton Road, and he was
9 stating that your trucks will be too long to go
10 down that road to begin with.

11 Now, it is a one-lane oil and chip road
12 with two serious S curves in it. Now, I don't --
13 and you said at that time, well, you didn't have --
14 you said you'd have an answer at a later date. I
15 am Asking you now. I mean, if this is true, did
16 you even look to see if that is true?

17 MR. UFKES: Yeah, we've done some research
18 to try and understand that. There is some
19 ambiguity in terms of what that all is --

20 MR. THOMPSON: I mean, don't you think that
21 you would want to know if you can get your trucks
22 in there legally first?

23 MR. UFKES: Before what?

24 MR. THOMPSON: Before building or wanting

1 to get --

2 MR. UFKES: There is different sites
3 discussed. To answer your --

4 HEARING OFFICER: Mr. Thompson, hold on.
5 He is responding. Let him finish, then you can
6 follow up with another question.

7 MR. UFKES: I believe the question was, had
8 asked what the longest size trucks that we had, and
9 the question was did we plan to buy all new semi
10 trucks, and the answer to that is no. But we
11 already have semi trucks. Again, there is some
12 ambiguity to that law that was referenced, so I
13 can't speak to that.

14 HEARING OFFICER: Mr. Thompson, anymore
15 questions?

16 MR. THOMPSON: No.

17 HEARING OFFICER: Anybody else want to ask
18 a question that has not asked a question? Yes,
19 sir?

20 MR. HUDSON: Howard Hudson, H-U-D-S-O-N.
21 To short questions for the facility.

22 At any given time there is approximately
23 600 million pounds of excess pork the US government
24 has in frozen cold storage that we, as taxpayers,

1 pay for every day. Why do we need 20,000 more hogs
2 in this area?

3 MR. UFKES: So the question is why do we
4 need more pigs in the area, or why do we pay tax
5 dollars on cold storage pork?

6 MR. HUDSON: Why do we need 20,000 more
7 hogs when we are already paying for 600 million?

8 MR. UFKES: Yeah. So the pork industry
9 right now, you may have read in the newspapers that
10 there is five new packing plants that have either
11 come online or will come online. Pork is a great
12 story how we continue to make American made
13 products and are able to export those to other
14 countries. That's where a lot of that goes. It
15 has been driven from demand from outside of the US.

16 MR. HUDSON: Second question. As part of
17 your good neighbor policy and looking at young
18 ladies like this that are suffering, is it in your
19 economic matrix plans to put biofilters on your
20 fans to be a good neighbor to these people that
21 have deficiencies with their health?

22 MR. UFKES: There is not biofilters planned
23 on this facility.

24 MR. HUDSON: You want to be a good

1 neighbor. Why don't you do it for ladies like
2 this?

3 MR. WEST: Let me talk about biofilters.
4 This has come up with past meetings. It is not a
5 proven technology that works well. Under ideal
6 circumstances the University of Illinois did a
7 trial study that we were involved with, and under
8 ideal circumstances it works initially but only
9 then, and then the efficiency of that model falls
10 off very quickly and then you -- but then you have
11 many other issues to deal with. You have rodent
12 infestations that potentially come with that. It
13 is a haven for that. So then you have other issues
14 with disease control and rodent control.

15 So it is not a silver bullet for this issue
16 or everyone would have it. So that particular
17 piece of technology has been thrown out several
18 times, and it is not a silver bullet. It does not
19 work as well as everyone says it could.

20 MR. HUDSON: So disease control in your end
21 is more important than the health of --

22 MR. UFKES: No, not at all. I said that is
23 one thing. I said it does not work well. That's
24 the first thing I said. It is not efficient. The

1 second thing I said, it fails quickly. Then there
2 are also the other issues. That's why I put that
3 in the other issues category. It is not a silver
4 bullet when we are talking about odor control, and
5 I think the gentleman at the University of Illinois
6 would say the same thing.

7 HEARING OFFICER: Any other questions?

8 Yes, sir?

9 MR. LAEGELER: Mr. Chuck Laegeler,
10 L-A-E-G-E-L-E-R. Thank you for catching me on
11 that.

12 Mr. West, just a quick question. I know we
13 have talked about the waste management proposal.
14 Just, you may have mentioned it and with all the
15 talk I may have forgotten, do you have to have that
16 approved before the facility can open?

17 MR. WEST: That would be incorrect.

18 MR. LAEGELER: So you -- could you clarify
19 for me? It doesn't have to be approved?

20 MR. WEST: The way the rule works, the way
21 as Warren mentioned earlier, you have to have the
22 plan implemented 60 days after commencement of
23 operation of the farm.

24 MR. LAEGELER: Okay. So you don't have to

1 have that. So I guess my question, then, switches
2 to the department. First I'd like to ask why, but,
3 you know, that would go to the rule, and we are not
4 going to discuss that.

5 But if they don't have to have any type of
6 approval on the waste management system, is there
7 going to be any other type of opportunity for a
8 public hearing or appeals process that the public?

9 If we don't agree with that waste
10 management program, we are not going to get to talk
11 about it, hear about it until after the approval?

12 MR. GOETSCH: No, there are no other
13 provisions or requirements for a public hearing or
14 public informational meeting beyond the one that we
15 are at this evening.

16 MR. LAEGELER: So once the waste management
17 system is in, that's after approval, and there is
18 nothing that can be done about it?

19 MR. GOETSCH: No, no, they have to have a
20 waste management plan that is consistent with the
21 requirements in the statute and in the rules.

22 MR. LAEGELER: But only after approval,
23 sixty days after?

24 MR. GOETSCH: That's correct, yeah. For a

1 facility of this capacity, they are not required to
2 have the department review an approval prior to the
3 citing. That's just what the law and rules say.

4 MR. LAEGELER: Okay. Wouldn't be the first
5 time the State of Illinois screwed up. Thank you.

6 HEARING OFFICER: Any other questions.
7 With the sunglasses, yes, ma'am?

8 MS. THOMPSON: Yes. I left my regular
9 glasses in the car. Catherine Thompson,
10 T-H-O-M-P-S-O-N. I have a beautiful cabin half a
11 mile from this. So am I going to smell this place
12 honestly?

13 MR. WEST: Sorry, where did you say it was
14 at?

15 MS. THOMPSON: We are half a mile. We are
16 south and east of it. It is a beautiful cabin we
17 bought for recreation. We are out there, have
18 parties all the time. We were going to retire
19 there next year. We won't now probably. Am I
20 going to smell it there?

21 MR. WEST: Here is what I normally say to
22 that question. I grew up around a hog farm. I
23 grew up an eighth of a mile.

24 MS. THOMPSON: Twenty thousand pigs?

1 MR. WEST: No, not that much. It was a
2 different operation. It was -- I currently live
3 next to a finishing operation with a lagoon. So
4 the lagoon is historically known to be an odor
5 producer. So keep that in mind.

6 Will you smell it? There will be days,
7 yes, and that's a fact. Typically what we see is
8 on heavy humidity days when the air is not moving
9 will you smell it? Yes. Will it be offensive,
10 absolutely not?

11 MS. THOMPSON: Will it be what?

12 MR. WEST: Offensive. Will it be
13 offensive? I say no. That's my experience. I
14 have lived next to two separate units the vast
15 majority of my life, and I have worked with these.
16 If you have any questions, there are other
17 facilities around.

18 MS. THOMPSON: I have got by them and they
19 stink. We have been through there. Why are you
20 guys doing this to us? I don't understand.

21 My next question is you are now going to
22 put pig poop all over the place by me, too, on top
23 of that. I didn't realize that.

24 MR. WEST: It will be injected into the

1 soil.

2 HEARING OFFICER: Yes, sir?

3 MR. VINCENT: I am Johnny Vincent. Some of
4 you people know me --

5 HEARING OFFICER: Vincent, V-I-N-C-E-N-T?

6 MR. VINCENT: The Valdez oil spoil, I have
7 seen spills, river flows. I'm not sure you guys
8 know the environment out there. I have grew up
9 there, and I know about Brushy Creek.

10 HEARING OFFICER: Sir, we need you to ask
11 specific questions for this facility.

12 MR. VINCENT: It comes right down through
13 your property and right on down my property about a
14 mile from you. I have an Indian pow wow gathering
15 there every year in the summer. I have got a lot
16 of work done. That is 100, 150 people come in
17 there and set up their camps, teepees. I don't
18 think they'd be real happy with some big manure
19 spill that would come. I know that you have
20 facilities that -- but anything fails. The Valdez
21 oil spill, I flew over it, and I landed in the
22 Pacific Ocean with oil floating on the floats. So
23 I don't know if you know --

24 HEARING OFFICER: Sir, do you have a

1 specific question?

2 MR. VINCENT: My question is yeah, do you
3 have proper facilities for a big, for like a flash
4 flood?

5 MR. WEST: Yeah, let me answer that. The
6 facilities are built in such a way that they are
7 protected from that. So they are not at level
8 ground. As far as the opening to those manure
9 pits, they are not level with the ground. They
10 will be bermed and/or diverted so all the water
11 goes around the buildings and away from the
12 buildings. So there would not be any water coming
13 into those buildings that could cause a spill that
14 you're referring to.

15 Sorry, could you not hear me, sir?

16 UNIDENTIFIED: He has a hearing problem.

17 HEARING OFFICER: Any other questions?

18 MR. BORGIC: This is for Mr. West. Mike
19 Borgic, B-O-R-G-I-C.

20 Mr. West, is there -- there's been some
21 discussion here tonight about the nutrient
22 management plans. Are there any other agencies out
23 there that can review those plans to make sure that
24 they are going to work for the environment?

1 MR. WEST: Absolutely. The, on any EPA
2 inspection they can review the same thing and they
3 do review nutrient management plans. They look at
4 it. If there is a, someone calls in a complaint,
5 EPA comes out, they look at what you are doing.
6 Whether it is an odor complaint, a spill, whatever
7 the complaint might be, they can pull that nutrient
8 management plan just as easily as any of the
9 Department of Ag employees.

10 HEARING OFFICER: Any other questions from
11 anybody who has not asked a question yet? I think
12 we have one more down there in the back, yes.

13 MR. McMURREN: Tom McMurren,
14 M-C-M-U-R-R-E-N. This is directed to the
15 Department of Ag.

16 Do you guys receive any reports of any
17 direct or indirect deaths or major illnesses of any
18 folks, residents within a vicinity any hog
19 facilities in Illinois?

20 MR. GOETSCH: Not to my knowledge, no.

21 MR. McMURREN: Okay. If there is a
22 Salmonella or E. coli contamination that would go
23 into any kind of water supply, would that get
24 reported to you folks?

1 MR. GOETSCH: No, not necessarily. It
2 would probably, if there is a spill of any kind, it
3 would certainly go to the EPA.

4 MR. McMURREN: But not you guys? So you
5 wouldn't be able to answer the question, then, if
6 reports have been made of any contamination of hog
7 facilities?

8 MR. GOETSCH: Well, if it is a livestock
9 facility that we have had dealings with and it was
10 reported to the EPA, they'd pass that onto us.
11 That's part of this cooperative effort that we have
12 between agencies, and that's why, that's why I say
13 that I'm not aware of any kind instances like you
14 suggest.

15 I mean, certainly there, over the, you
16 know, over the last 20 plus years that I have been
17 around, you know, there have been fish kills, there
18 have been releases across the state from time to
19 time, but those in all cases have been
20 appropriately addressed. In some cases the
21 facility has been fined and other cases some other
22 kind of clean-up activity has been undertaken under
23 the direction of IEPA or the Attorney General's
24 office, but they have been appropriately addressed.

1 As far as impacts to humans, none have been
2 reported to us, sir.

3 MR. McMURREN: Okay. The next question is
4 for the facility. You guys mentioned there is, how
5 many, is it five or six currently in this county?

6 MR. UFKES: Currently five.

7 MR. McMURREN: Currently five?

8 MR. UFKES: That we operate.

9 MR. McMURREN: Okay. Any current lawsuits
10 with any of those township road commissioners, any
11 of those folks that manage roads currently are?

12 MR. UFKES: With road commissioners, not to
13 my knowledge, no.

14 MR. McMURREN: Anything dealing with roads,
15 any deconstruction or any responsibilities that is
16 up to you, anything that you might be responsible
17 theoretically for?

18 MR. UFKES: No. In Littleton Township,
19 specifically we have had a very good relationship
20 with them, working with the road commissioner in
21 the past.

22 MR. McMURREN: Okay. Thank you.

23 HEARING OFFICER: Any other questions from
24 anyone who has not asked a question yet?

1 There are several people in the front. I
2 believe there are four that want to ask additional
3 questions. We will go down the line, start with
4 you, Ms. Prather.

5 MS. PRATHER: Glenna Prather again,
6 P-R-A-T-H-E-R.

7 In all honesty, why would you want to build
8 a hog confinement on a dead-end road, one way in,
9 one way out?

10 I know one of your hog confinements --

11 HEARING OFFICER: Let's let him answer that
12 question before we go on.

13 MR. UFKES: We wouldn't specifically look
14 for a location with just a dead-end road, but it
15 does allow for some limited traffic to go in and by
16 that, you know, facility itself. So limits, you
17 know, the need for other traffic to go down there
18 which is an advantage. And it is also an isolated
19 road so there is not a lot of houses down that
20 road.

21 MS. PRATHER: But there is two houses right
22 next to that road. One of those houses is mine.
23 Are you going to do anything for the trucks that's
24 going to make them slow down?

1 Because my house is right there. Either
2 which way you go down your path, we are going to
3 hear the braking of the trucks, and we are going to
4 hear the revving of the trucks coming from the lane
5 and going down the lane. So that's going to be a
6 nuisance, and that is one of your eight criteria.

7 MR. UFKES: Yeah. I mean, it is a gravel
8 road to get to the site itself. From my experience
9 with semis, it is very difficult to get a lot of
10 speed on a gravel road, nor have I experienced it
11 with any of the other facilities or trucks. They
12 also have to abide by speed limits just like any
13 other truck driver or person driving a car.

14 MS. PRATHER: Okay. What do you plan on
15 doing with the drains?

16 Are you going to let those drains stay
17 there so the excess water can drain into the lakes,
18 John Paul's lake and --

19 MR. UFKES: I think Chris addressed that.
20 Maybe he can readdress.

21 MR. WEST: And if there are any drains
22 within the footprint of the building, those will be
23 removed and/or moved.

24 MS. PRATHER: Okay. Okay. Why hasn't the

1 site been staked out yet where the buildings are
2 going and where the 50-foot -- because you have to
3 have 50 feet away from your building; am I correct?
4 Fifty feet away from it for the semis to go around
5 your buildings for the feed and to unload and load
6 the hogs.

7 So why hasn't that area been marked off yet
8 so we could get accurate measurements from your
9 site to our homes so we would have a little bit
10 more security, a little bit more ease on this
11 because we don't know anything?

12 HEARING OFFICER: Okay. Let him answer
13 that.

14 MS. PRATHER: You have given us an aerial
15 map.

16 HEARING OFFICER: Let him answer the
17 question. Hold on one second.

18 MR. UFKES: So the question is why we have
19 not staked it out? Is that the question?

20 MS. PRATHER: Yeah, I want to know how come
21 it has not been staked out.

22 MR. UFKES: It will be. It is part of the
23 process that we work with, get the topography
24 surveyed, a survey of the topography, and then it

1 is staked out.

2 MS. PRATHER: You have got three sticks.

3 It is a public road.

4 HEARING OFFICER: Okay. Any further
5 questions, Ms. Prather?

6 MS. PRATHER: Yes. I'm going to have to
7 cut the time short, ask a maximum of two more
8 questions, then I will go down, two more questions.
9 That will be the limit.

10 MS. PRATHER: Okay. Since we are going
11 down a one-way road with your hog confinement,
12 Olive Branch Road, which hog confinement burn was
13 it?

14 MR. UFKES: Timberline.

15 MS. PRATHER: Timberline?

16 MR. UFKES: Which is located in Littleton
17 Township.

18 MS. PRATHER: That was a total loss; you
19 lost all the pigs and a building?

20 MR. UFKES: Not all, but it was a drastic
21 loss.

22 MS. PRATHER: Pretty big, yeah, and it was
23 close to a highway so the fire trucks and stuff
24 could get in?

1 MR. UFKES: Correct.

2 MS. PRATHER: Okay. Pretty quick. How, if
3 God forbid something like this would happen back
4 here at Olive Branch Acres -- and I have been in a
5 house fire, and that's how my lungs got burned. So
6 how are you going to get to the area with fire
7 trucks back there to save those animals because --

8 HEARING OFFICER: Hold on. Let him answer
9 that question.

10 MS. PRATHER: That is a question.

11 HEARING OFFICER: Hold on, Ms. Prather.
12 Ms. Prather, please, let him answer the question.

13 MR. UFKES: The same, one way into that
14 farm.

15 MS. PRATHER: There is only one way in, but
16 do you have an exit plan? Like we had fire alarms,
17 you know.

18 MR. UFKES: The farm has not been built,
19 but normal procedures, we would work with local
20 officials on, in the case that there is a fire,
21 emergency, what do you do. I think we have a very
22 good process in place that was put in place after
23 Timberline for that very reason. So every farm
24 would have one designed. Again, it has not been

1 built yet, so --

2 HEARING OFFICER: Thank you. Thank you,
3 Ms. Prather.

4 Moving on to keep the process running
5 smoothly, Mr. Moon, do you have any questions? You
6 said you wanted to --

7 MR. MOON: No, no, thank you.

8 HEARING OFFICER: -- wanted to -- really
9 quickly.

10 MS. HUDSON: Karen Hudson, H-U-D-S-O-N,
11 K-A-R-E-N.

12 A couple questions. Did you say you know
13 about all the other facilities in Schuyler County,
14 Mr. --

15 MR. UFKES: Ufkes. Do I know about them?

16 MS. HUDSON: Do you know about them? Do
17 they have good relationships with neighbors?

18 MR. UFKES: So the facilities that we
19 manage, in my opinion, yes.

20 MS. HUDSON: Is Hilltop View one of those?

21 MR. UFKES: Yes.

22 MS. HUDSON: Do you realize there is a
23 lawsuit from neighbors on ongoing odor and other
24 violations?

1 MR. UFKES: I am aware of that.

2 MS. HUDSON: I wish you'd come up front and
3 answer that.

4 MR. UFKES: This has nothing to do with
5 Hilltop.

6 MS. HUDSON: Somebody asked you a question
7 if you had good relationship, know of any other
8 problems. Would you please be more honest with us
9 the next time we have a question?

10 MR. UFKES: Is that a question.

11 MS. HUDSON: Yes.

12 MR. UFKES: Yes.

13 MS. HUDSON: Thank you. Number two, I have
14 a question to Warren. It is about what you said
15 about the EPA.

16 I have been working with region 5 EPA. Do
17 you realize they only have an accuracy rate of 44%
18 of all CAFOs in the State of Illinois of counties
19 we have looked at?

20 They don't know where they are all at. I'd
21 like to bring you up to speed after meeting or at
22 another time. Would you be willing to do that?

23 MR. GOETSCH: I'd be more than happy to sit
24 down and listen to you anytime.

1 MS. HUDSON: Yes. The EPA does not know
2 where all CAFOs are, and we are proving that
3 working with Region 5. I would like to work with
4 you on that. Thank you.

5 HEARING OFFICER: Okay. One last for
6 questions.

7 MS. JOHNSON: Carrie Johnson,
8 J-O-H-N-S-O-N.

9 So you stated that you would not cover
10 repairs to roads, correct? That's what you said
11 earlier?

12 MR. UFKES: For 150,000, we do not have a
13 budget today to put hundreds of thousands of
14 dollars in roads.

15 MS. JOHNSON: So you will not pay for that?

16 MR. UFKES: We would not have the ability
17 to pay for hundreds of thousands of dollars for
18 roads.

19 MS. JOHNSON: So most roads that you
20 encounter at your CAFOs are not four to five miles
21 long?

22 MR. UFKES: That's not necessarily true.

23 MS. JOHNSON: So you stated that you have
24 another CAFO in Littleton, and your taxes cover all

1 repairs to that?

2 MR. UFKES: I can't speak to that. That's
3 a question for the road commissioner.

4 MS. JOHNSON: It doesn't. So I guess my
5 question is so you say that you are not going to
6 pay hundreds of thousands of dollars for repairs
7 for this road.

8 So if we get a private engineer that
9 determines that's what it is going to cost, then
10 that's it, right?

11 MR. UFKES: That's not part of the citing
12 criteria.

13 MS. JOHNSON: It is not part of the citing
14 criteria?

15 MR. UFKES: To pay hundreds of thousands of
16 dollars for the road, not to my knowledge, no.

17 MS. JOHNSON: Well, it says you can't stunt
18 existing community growth. Wouldn't that stunt
19 community growth if you couldn't reach homes or
20 drive on the road?

21 MR. UFKES: Again, that's speculation. I'm
22 not going to answer that.

23 MR. WEST: Here is, I think, the important
24 part that keeps getting lost. He has mentioned

1 several times that he is working with the township
2 and road commissioner. Those are ongoing
3 conversations.

4 MS. JOHNSON: Right.

5 MR. WEST: Nothing is written, nothing has
6 been agreed to yet because those conversations,
7 they are still happening. So that's why I think it
8 is important. They are having those conversations.
9 He has not agreed to do anything because neither
10 side has come up with any final numbers yet.

11 HEARING OFFICER: Any further questions,
12 Ms. Johnson?

13 MS. JOHNSON: Yeah. So I understand that
14 you are working with the road commissioner, but my
15 point also is, I mean, like you said, I forget what
16 comments you made about the road commissioner, but
17 that's what I'm saying, we get an engineer that
18 actually says it is going to cost 4, \$500,000, you
19 are not willing to pay that, right, because that's
20 damage strictly from additional traffic caused by
21 --

22 MR. UFKES: We would not have the ability
23 nor would any project of this economic value have
24 the ability to pay 4 to \$500,000 in roads. I would

1 be very surprised if it came back at that amount.

2 MS. JOHNSON: Okay. So if something like
3 that is presented, it has been stated you are not
4 going to pay that.

5 So I have a couple more questions. So from
6 these informational meetings -- this is for
7 Department of Ag. Have you ever denied a permit
8 after you held one of these informal meetings, and
9 if so, when and why?

10 MR. GOETSCH: I guess it depends what your
11 definition of denied is. The way that we handle
12 them is if they don't meet the requirements, we
13 don't approve them, and if you look at the numbers,
14 I believe, since the beginning of the program --
15 well, this is at the end of December of this past
16 year. So through the end of 2016 -- we had
17 received 2167 applications for projects, and of
18 those 1591 were constructed, an additional 115 were
19 under construction, and 18 more were approved.

20 If you add those three together,
21 constructed, under construction or acknowledged or
22 approved but had not been built yet, approximately
23 80% of the projects that are presented to the
24 department ultimately are approved. 80%.

1 MS. JOHNSON: So the rest are denied
2 because the criteria is not met?

3 MR. GOETSCH: I would not say they are
4 denied, they are never approved. So I guess it is
5 a matter of semantics, but we don't deny, we just
6 never approve them unless they meet all of the
7 requirements or until they meet all the
8 requirements.

9 To date or not to date, through the end of
10 December of this past year, about 20% of the
11 projects that have come through the department over
12 the last 21 years were not ultimately approved.

13 MS. JOHNSON: Okay.

14 HEARING OFFICER: Do you have one final
15 question, Ms. Johnson?

16 MS. JOHNSON: Yes, I do. There is checks
17 and balances in the government for a reason; so no
18 one branch has absolute power. You guys created a
19 law for your industry, and you somewhat interpret
20 the law, but that's what I'm wondering is who
21 regulates your law and who enforces it and also why
22 don't they hold these meetings and why aren't they
23 present?

24 MR. GOETSCH: I missed probably half of the

1 question that you asked, but let me just put it
2 this way. I didn't write the law. We are charged
3 with administering the law. The General Assembly
4 writes the law, the governor, if he or she chooses
5 to, signs it, and then it becomes law.

6 We then develop the regulations that
7 implement the law. Those regulations then have to,
8 as part of that approval process, go back through
9 the General Assembly and are eventually approved
10 and adopted or in this particular case, both the
11 General Assembly and the Pollution Control Board
12 had to approve the construction standard rules for
13 the implementation of the Livestock Management
14 Facilities Act, and then we are charged with the
15 implementation of those.

16 If someone -- you know, the, our decisions
17 have been challenged probably, can't tell you the
18 number times, at least half a dozen, if not more,
19 and the department has never ever been overturned
20 on a decision that we have made in terms of the
21 implementation of the Livestock Management
22 Facilities Act.

23 HEARING OFFICER: Okay. Thank you very
24 much. I'm going to, as the hearing officer,

1 conclude the question portion of this, tonight's
2 hearing.

3 We are going to next move onto several more
4 components. We are going next to written
5 testimony. If anybody has written testimony they'd
6 like to submit, please come forward. I will
7 collect it right up here by Mr. Owens. Bring it up
8 here.

9 When you bring your testimony, please make
10 sure you have your name on it. Please submit it
11 with your name. So if you have that, bring it up
12 to the front. We will collect it now.

13 (Whereupon written testimony was submitted.)

14 HEARING OFFICER: Okay, everyone. If
15 everyone can please quiet down. We are going back
16 on the record. Excuse me, everyone.

17 First I am going to enter into the record,
18 the applicant provided a copy of their PowerPoint
19 presentation. Excuse me, everyone. I am going to
20 enter into the record a copy of the PowerPoint
21 presentation of Olive Branch Acres, LLC Farm. This
22 is going to be admitted into the record as
23 Applicant Exhibit 2.

24 (Applicant Exhibit 2 admitted.)

1 HEARING OFFICER: I'm also going to admit
2 into the record 12 written exhibits that have been
3 provided to me. If you have written exhibits that
4 you would like to provide but are going to be used
5 in your oral testimony, that's fine. Bring them to
6 me afterwards. Right now I have Exhibits 1 through
7 12 written exhibits that will be admitted in to the
8 record.

9 (Written Exhibits 1 through 12
10 admitted.)

11 HEARING OFFICER: At this time we are going
12 to take a 10-minute break, use the restroom,
13 washroom, then we are going, we will reconvene at
14 8:34.

15 (A break was taken.)

16 HEARING OFFICER: Okay. We will go back on
17 the record. I want to enter three more written
18 testimonies into the record. These are written
19 items 13, 14, and 15.

20 (Written Exhibits 13, 14 and 15
21 admitted.)

22 HEARING OFFICER: I have the sign-up sheets
23 that were at the door for oral testimony when you
24 came in. These list the people who wish to testify

1 today or tonight. I will call the names of those
2 who wish to testify. I will call them in order
3 that they are listed. When called upon, please
4 step up to the microphone to my left, the podium.
5 I will then swear you in. Remember you will have
6 three minutes to speak.

7 Before we begin, are there any attorneys
8 here tonight representing clients?

9 (No response.)

10 HEARING OFFICER: Seeing none, we ask that
11 the first person called is Mark Thompson. Can you
12 please state your name and spell your last name for
13 the record?

14 MR. THOMPSON: Mark Thompson,
15 T-H-O-M-P-S-O-N.

16 HEARING OFFICER: Will you please raise
17 your right hand?

18 (Whereupon Mark Thompson was duly sworn.)

19 HEARING OFFICER: You may proceed.

20 MR. THOMPSON: Hi. I'm a landowner within,
21 it is, looks like here a half mile, but I think I
22 am closer to it.

23 I'm not a registered voter or it is not
24 considered a residence even though I am taxed as a

1 residence. We love this land and wanted to retire
2 here. We are taxpayers and love the country life.
3 My wife, Cathy, has been battling a granuloma in
4 her lung and is being monitored closely by her
5 physicians. At this time it is not cancer.
6 However, her potential exposure to toxic pollutants
7 that will be created and released from the CAFO
8 will put her at higher risk at a vulnerable time in
9 her personal life.

10 It is unacceptable for a large CAFO to
11 locate without local binding control from our
12 county government to put our health in jeopardy and
13 forever change the quality of life and reputation
14 as a pristine hunting, fishing and camping and
15 recreational area.

16 I have several questions to ask. One is
17 how much do the school districts get?

18 You know, a board member kept bringing up
19 that the schools benefit from this. How much?

20 Has anybody done a study on how much taxes
21 will be lost because of all of the land that will
22 be reassessed? Because I will be having mine
23 reassessed because of this proposed hog
24 confinement.

1 The Hodges Lane is a dead-end road, and,
2 you know, how will they get any emergency vehicles
3 in or out if that culvert washes out again? And
4 the Littleton road commissioner stated that it
5 could take up to two or three weeks if it washes
6 out to be repaired. It is up to Littleton
7 Township. The taxes the road fund will get will be
8 minor compared to the damage to the road.

9 Littleton Road is a one-lane, oil and chip
10 road and will not be able to sustain the truck
11 traffic created by the CAFO. The Littleton road
12 commissioner publicly stated he is opposed to semis
13 using that road. He has also expressed a concern
14 about safety, risk of semis creating to existing
15 traffic flows such as cars and school busses. The
16 Littleton road fund will not be able to sustain
17 repairs needed to maintain this road for a safe --
18 for all traffic flow.

19 The construction of a CAFO is not
20 consistent with and precludes the goal of being
21 consistent with community growth and development.
22 If this project, if this project is completed, many
23 residents will relocate, property taxes will
24 decrease. Our community which is popular for

1 tourism, camping, hiking, fishing and other outdoor
2 recreational activities, will lose, will lose these
3 and many of these revenues. Our area will fail to
4 retain and attract citizens that would contribute
5 to our local economy, sense of community and
6 overall quality of life. Therefore, criteria
7 number 8 has not been met.

8 HEARING OFFICER: Thank you, Mr. Thompson.
9 Mr. Thompson, before you leave, are there any
10 questions for Mr. Thompson?

11 MS. WOHLFEIL: Meagan Wohlfeil,
12 W-O-H-L-F-E-I-L. How close are you to the proposed
13 site? And the second question, what was the main
14 purpose of you buying, purchasing that land? What
15 were reasons behind it?

16 MR. THOMPSON: First answer, to answer your
17 first question is we are in the inner circle, which
18 I don't know, what is that?

19 MS. WOHLFEIL: Half a mile?

20 MR. THOMPSON: Was that half a mile?

21 UNIDENTIFIED: Quarter mile.

22 MR. THOMPSON: That's what I figured, it was
23 probably closer because -- so less than a quarter
24 of a mile, and we bought it back in 2003 for

1 hunting. I have hunters that come out every year
2 and bow hunt, we shotgun hunt. I mean, the cabin
3 that I have there is central air, water. I mean,
4 it is a home. Wanted to retire there next year,
5 but that's debatable.

6 MS. WOHLFEIL: So that is the last part of
7 my question. So you are saying that's your primary
8 residence, but it also economically you are, you
9 are income, you are bringing in hunters for this?

10 MR. THOMPSON: No.

11 MS. WOHLFEIL: They don't pay, you just --

12 MR. THOMPSON: Right.

13 MS. WOHLFEIL: --let them use --

14 MR. THOMPSON: It is not my main residence.

15 MS. WOHLFEIL: Not your main residence?

16 MR. THOMPSON: But we wanted, we wanted it
17 to be next year because I was going to be able to
18 retire and was wanting to move out here.

19 HEARING OFFICER: Any other questions for
20 Mr. Thompson? Yes, sir?

21 MR. McMURREN: Tom McMurren,
22 M-C-M-U-R-R-E-N. Did you grow up on a farm?

23 MR. THOMPSON: Excuse me?

24 MR. McMURREN: Did you grow up on a farm?

1 MR. THOMPSON: No.

2 MR. McMURREN: Okay. When you bought this
3 land, did you know that you were buying it near
4 farm ground and other farming operations?

5 MR. THOMPSON: Yes.

6 MR. McMURREN: When you bought the land,
7 were you guaranteed that there would be no change
8 in landscape or anything that occurred around that
9 property when you purchased it?

10 MR. THOMPSON: No.

11 MR. McMURREN: Thank you.

12 HEARING OFFICER: Any other questions for
13 Mr. Thompson? Yes ma'am? Right there.

14 UNIDENTIFIED: When we bought this land,
15 didn't we buy it near other hunters? It was not --
16 it was farmland, but there is other hunters, right?

17 MR. THOMPSON: Yes.

18 HEARING OFFICER: Any other questions?

19 UNIDENTIFIED: How much time do you spend
20 out there on your piece of property? Is it more
21 than six months for a two-year span that is
22 designated in the --

23 MR. THOMPSON: Two-year span?

24 UNIDENTIFIED: Six months in a two-year

1 span.

2 MR. THOMPSON: I thought it was one year.

3 That could be.

4 UNIDENTIFIED: Six months in a two-year

5 span.

6 MR. THOMPSON: During deer season we are
7 out there two to three months, you know, during
8 those.

9 UNIDENTIFIED: So then that meets the
10 criteria that you guys are inside of the quarter
11 mile.

12 MR. THOMPSON: Okay.

13 HEARING OFFICER: Okay. Any other
14 questions for Mr. Thompson?

15 UNIDENTIFIED: I have a question. So how
16 did you find out about this property that was for
17 sale?

18 MR. THOMPSON: A neighbor told me.

19 UNIDENTIFIED: Who sold it to you?

20 MR. THOMPSON: We bought it from an agent,
21 but --

22 UNIDENTIFIED: You bought it through an
23 agency?

24 MR. THOMPSON: Yes.

1 UNIDENTIFIED: Was it advertised as
2 recreational land?

3 MR. THOMPSON: Yes.

4 UNIDENTIFIED: Okay. Thank you.

5 HEARING OFFICER: Any other questions of
6 Mr. Thompson? Yes?

7 UNIDENTIFIED: Are you familiar with Pike
8 County in Illinois?

9 MR. THOMPSON: Yes.

10 UNIDENTIFIED: It is a very similar
11 landscape to Schulyer County, and yet there are
12 just as many, if not more, hog farms, and their
13 tourism dollars continue to go up, and they have a
14 very large hunting population.

15 HEARING OFFICER: Need to confine it to
16 questions.

17 UNIDENTIFIED: I asked if he was aware of
18 Pike County.

19 HEARING OFFICER: Any other questions of
20 Mr. Thompson?

21 (No response.)

22 HEARING OFFICER: Okay. Seeing none, you
23 are excused, Mr. Thompson. Thank you.

24 MR. THOMPSON: Thank you.

1 (Whereupon there was a scrivener's
2 error and the exhibit is Written
3 Exhibit 16a.)

4 HEARING OFFICER: Next is John Paul. After
5 John Paul will be Kent Weil. If you want to make
6 your way down to the front, Kent.

7 MR. PAUL: John Paul, P-A-U-L.

8 HEARING OFFICER: Please raise your right
9 hand, Mr. Paul.

10 (Whereupon Mr. Paul was duly sworn.)

11 HEARING OFFICER: You may proceed.

12 MR. PAUL: I own 40 acres immediately south
13 of this CAFO operation. My property was, had been
14 developed for recreational purposes. We primarily
15 do hunting, fishing and shooting sports at this
16 location. We have created three new farm ponds.
17 We have roughly eight acres on my land under water.
18 We utilize the upper portion, which is the portion
19 right to the east of the operation, that is where
20 we do most of our shooting sports. We do a lot of
21 trap shooting out there. The land is utilized by
22 my children, my grandchildren and a number of
23 friends, all of which who have a common interest in
24 outdoor activities.

1 Our biggest concern is the siting of this
2 operation. It is on a south facing slope with a
3 significant slope to the land with natural drainage
4 flowing immediately into one of my ponds which is
5 approximately 400 feet from the proposed hog
6 confinement buildings.

7 Any runoff from the hogs, from the feed,
8 surface traffic, incidental work in the area will
9 almost immediately end up in our ponds. We have
10 conferred with Prairie Analytical Laboratories of
11 Springfield and will be monitoring the water
12 quality both before and after the construction of
13 this facility. The susceptibility of the aquatic
14 ecosystem will quickly expose any particulate,
15 biological and/or chemical pollution. Since all
16 water and subsequent contents runs downhill, we are
17 going to undoubtedly be the first recipient of any
18 runoff.

19 Even small amounts of manure and urine
20 products will cause a eutrophic reaction in these
21 waters followed by potential fish kill. Potential
22 bacteria contamination which includes the MRSA
23 bacteria which is well documented in a wide variety
24 of CAFO studies will be a dangerous human threat.

1 We are deeply concerned with the health of
2 our waters and subsequent health of our family and
3 friends that utilize this land. We consume the
4 fish we catch. We periodically swim in these
5 waters. I'm too old to go through a kill to my
6 pond and start again and keep doing this over and
7 over again.

8 We can't continue to support an operation
9 that will pollute these properties. We consider
10 the CAFO and any approving authority to be
11 complicit in any subsequent pollution.

12 I recommend, and was already rejected, that
13 the Olive Branch Acres group be remanded to put
14 forth a \$2 million performance bond to reimburse
15 the affected landowners in case of a spill, but
16 after listening tonight, I'm assured that there
17 will be no pollution.

18 I don't believe it. There is a huge
19 literature that is available. I can't quote you
20 every statement, everything that's done, but there
21 are thousands and thousands of situations where
22 pollution occurs from these situations. Thank you.

23 HEARING OFFICER: Thank you, Mr. Paul. Are
24 there any questions for Mr. Paul? Yes, ma'am?

1 MS. ARNETT: You said you are going to
2 monitor the water? You are going to do it --

3 MR. PAUL: Yes.

4 MS. ARNETT: -- accordingly to exactly what
5 they need, correct? There can be no question on
6 anybody?

7 MR. PAUL: Right. We will have the water
8 monitored before they come in. We are going to
9 have it professionally done, and we will not be
10 doing it ourselves so there is no question. We are
11 giving it to Prairie Analytics, the water, and the
12 water will be monitored systematically after that
13 point.

14 HEARING OFFICER: Can you please state your
15 name for the record?

16 MS. ARNETT: Cindy Arnett.

17 HEARING OFFICER: Any other questions for
18 Mr. Paul? Yes, ma'am? Please state your name for
19 the record.

20 MS. JOHNSON: Carrie Johnson. So when did
21 you buy your property?

22 MR. PAUL: Roughly 15 years ago.

23 MS. JOHNSON: Okay. How did you, how was
24 it advertised? How did you find out about it?

1 MR. PAUL: It was advertised in the
2 newspaper. I must admit, I don't remember a great
3 deal of the details beyond that point. I had been
4 looking for some recreational land, Greg Stinnett,
5 and there was an individual advertised in the
6 Springfield paper and we ended up here.

7 MS. JOHNSON: So it was stated recreational
8 land?

9 MR. PAUL: I'd love to tell you the answer
10 was yes, but I don't remember that.

11 MS. JOHNSON: Okay. Thank you.

12 HEARING OFFICER: Any other questions?

13 MR. PAUL: We bought it as recreational
14 land, but it was certainly undeveloped and
15 specifically, in essence, excluding tillable. The
16 original owner had bought -- of the land had bought
17 4, 5, 600 acres and had subdivided it into tillable
18 and non-tillable.

19 HEARING OFFICER: Any other questions for
20 Mr. Paul? Yes, sir?

21 MR. BENNER: Daniel Benner. Whenever the
22 culvert washed out on Hodges Lane, do you recall
23 how long it took them to replace that?

24 MR. PAUL: It was somewhere between 60 and

1 90 days as I recall. I must admit knowing it was
2 out and knowing I literally didn't have access to
3 my land, I literally didn't come over during that
4 time period. I came over immediately after it was
5 repaired, but there was no access unless you parked
6 your car half a mile away and walked in.

7 MR. BENNER: So they would not have access
8 if that culvert washed out again?

9 MR. PAUL: Right. That would be certainly
10 true. I don't know they have really ever put a hog
11 operation like this on a road that's this poor.
12 This -- every other hog operation I have been
13 around has been on paved road. Whether it is a
14 good one or a bad one, it's been on something a
15 heck of a lot better than Hodges Lane.

16 HEARING OFFICER: Any other questions for
17 Mr. Paul? Yes, sir?

18 UNIDENTIFIED: Mr. Paul, how many hog farms
19 have you been to?

20 MR. PAUL: I don't spend much time going to
21 hog farms.

22 UNIDENTIFIED: Okay. But making a general
23 statement, correct, about what roads exist for
24 other hog farms based on your experience? I'm just

1 trying to find out what experience that you have.

2 MR. PAUL: I have driven past half a dozen.

3 UNIDENTIFIED: How many hog operations do
4 you think exist in Illinois let alone the United
5 States?

6 MR. PAUL: Probably several hundred.

7 UNIDENTIFIED: Okay. So you are making an
8 exclamation based on a number you can't even give
9 me that is exponentially lower --

10 MR. PAUL: I can only tell you I'm
11 suggesting that this road is far less of a quality
12 road than almost any other hog farm I have been on.

13 UNIDENTIFIED: Which suggests, not a fact,
14 that even you haven't investigated yourself,
15 correct?

16 MR. PAUL: I'm not attempting to
17 investigate that.

18 UNIDENTIFIED: Asking is it insinuation, or
19 is it fact, sir? Thank you.

20 HEARING OFFICER: Hold on. Hold on. I'm
21 going to warn everyone right now, we are going to
22 maintain order. We are also not going to talk over
23 each other. You are going to ask a question. The
24 witness is going to respond. You will have an

1 opportunity to ask another question. I don't want
2 people talking over each other because the court
3 reporter can't take down your testimony.

4 Are there any other questions for Mr. Paul?

5 (No response.)

6 HEARING OFFICER: Seeing none, thank you,
7 Mr. Paul.

8 Next up is Kent Weil. After Kent Weil on
9 deck is Deb Weil.

10 MS. WEIL: Can I pass?

11 HEARING OFFICER: Sure. Deb Weil passes.
12 It will be on deck, Greg Stinnett. Can you please
13 state your name?

14 MR. WEIL: My name is Kent Weil, W-E-I-L.

15 HEARING OFFICER: Mr. Weil, would you
16 please raise your right hand?

17 (Whereupon Mr. Weil was duly sworn.)

18 HEARING OFFICER: You may proceed.

19 MR. WEIL: I'm a friend of John Paul, Greg
20 Stinnett. I have been coming out to that property
21 now for, since they bought it, 15 years. I am a
22 sportsman. I hunt and I fish and I trap, and, in
23 fact, I have trapped in a lot of the areas, a lot
24 around central Illinois, some southern Illinois,

1 and in my experience this area that we have here
2 has probably got the greatest biodiversity of any
3 area I have ever trapped.

4 This area directly below, in the watershed
5 directly below where this hog farm is going to be,
6 I have trapped every animal legal to trap in
7 Illinois but a weasel, a badger and gray fox. This
8 is even including bobcats which, of course, I had
9 to release because there is season on them at this
10 time.

11 My point is it is the quality of this
12 watershed that contributes to this biodiversity. I
13 am just greatly afraid from all of the evidence
14 that I have heard about hog farms in the past that
15 the quality of this watershed will be reduced due
16 to this hog farm. That's really all that I have to
17 say.

18 HEARING OFFICER: Thank you, Mr. Weil.
19 Sorry if I mispronounced your name. Any questions
20 for Mr. Weil? Yes?

21 MS. TIREY: The watershed you are referring
22 to, the watershed that you are referring to, does
23 it incorporate the county or just for this
24 township? What watershed are you talking about?

1 MR. WEIL: Well, a watershed by definition
2 is everywhere that drains into a central point.

3 MS. TIREY: Well, I guess I'm concerned
4 because if there is already hog farms in Schuyler
5 County, that watershed --

6 MR. WEIL: They are not in this watershed.

7 MS. TIREY: They are not? None of the
8 farms are in this watershed that you are talking
9 about?

10 MR. WEIL: No, no.

11 MS. TIREY: Okay. Thank you.

12 HEARING OFFICER: For the record, your name
13 is?

14 MS. TIREY: Jennifer Tirey, T-I-R-E-Y. I
15 am sorry.

16 HEARING OFFICER: Any other questions for
17 Mr. Weil?

18 MS. WOHLFEIL: Meagan Wohlfeil,
19 W-O-H-L-F-E-I-L. My question is what do you love
20 about Schuyler County? What do you love about it?

21 MR. WEIL: I love the ability to hunt and
22 trap and fish, and it is a wonderful recreational
23 place. I am very fortunate my friends own this
24 property and allow me to come out there 30, 40 days

1 a year.

2 MS. WOHLFEIL: Okay. Then when you come to
3 enjoy the outdoors and everything, do you also, do
4 you shop in the local stores, do you eat at the
5 local restaurants, do you buy gas in Rushville?

6 MR. WEIL: Of course.

7 MS. WOHLFEIL: Okay. Thank you.

8 HEARING OFFICER: Any other questions for
9 Mr. Weil?

10 (No response.)

11 HEARING OFFICER: Seeing none, thank you
12 for your testimony. Next up will be Greg Stinnett.
13 On deck will be Karen Hudson.

14 If I call your name on deck and you want to
15 pass, just yell out pass. We will go to the next
16 person. So next is Greg Stinnett. On deck is
17 Karen Hudson.

18 First state your name and spell your last
19 name for the record.

20 MR. STINNETT: My name is Greg Stinnett.

21 HEARING OFFICER: Can you spell your last
22 name for the court reporter?

23 MR. STINNETT: S-T-I-N-N-E-T-T.

24 HEARING OFFICER: Mr. Stinnett, would you

1 raise your right hand?

2 (Whereupon Greg Stinnett was duly sworn.)

3 HEARING OFFICER: You may proceed.

4 MR. STINNETT: I'm the owner of 106 acres
5 south, just south and west of the proposed CAFO.
6 This land was purchased and developed for
7 recreational purposes. My cabin where I, my
8 children and grandchildren and friends spend a
9 significant amount of time throughout the year has
10 not been considered in the impact statement as an
11 occupied structure, and it should be. We are
12 located just south and west of the proposed
13 confinement structures.

14 Any pollutants entering Mr. Paul's pond or
15 the west ditch of the proposed CAFO will overflow
16 directly into my waters. We utilize our property
17 for fishing, hunting, shooting sports and swimming
18 in our waters. Any influx of manure, particulates
19 or liquids, byproducts will cause devastating
20 damage to my aquatic properties. The health
21 hazards to people fishing and/or swimming in our
22 ponds is extremely significant not to mention to
23 have to endure the odors.

24 If this proposed thing does go through,

1 which I hope not, we want the Department of
2 Agriculture and the developers of this property to
3 be aware of our shooting interests and not to be
4 upset when we continue our practices of hunting and
5 target shooting.

6 They should also be aware that our waters
7 will be frequently tested for contamination, and we
8 will seek legal recourse for any influx of
9 contaminants. We request that the developers of
10 this CAFO be required to post a \$2 million bond
11 specifically indemnifying property owners in case
12 of a release of contaminants. Thank you.

13 HEARING OFFICER: Thank you, Mr. Stinnett.
14 Are there any questions for Mr. Stinnett? Yes,
15 ma'am?

16 MS. JOHNSON: Was there any other
17 improvements -- Carrie Johnson. Was there any
18 other improvements that you had planned on making
19 on your property?

20 MR. STINNETT: Yes, I presently have a
21 small cabin and plan on building a larger one,
22 planned on building a larger cabin, yes.

23 MS. JOHNSON: And so you mentioned ponds.
24 When they developed those ponds, did they do

1 anything for your cabin that you planned on
2 building? Did you hear me?

3 MR. STINNETT: Well, they created a flat
4 where I proposed to build a larger one. I have
5 small one at the present time. We were proposing
6 to build a larger one, yes.

7 MS. JOHNSON: So whenever you bought this
8 land, was it advertised as recreational?

9 MR. STINNETT: I'm like John. I can just
10 about guarantee it was advertised as hunting
11 because that's what I was looking for is hunting.

12 MS. JOHNSON: Okay.

13 MR. STINNETT: Plus specifically where I can
14 put a large lake which eventually didn't come about
15 because of the cost of engineering, so I had to go
16 with two smaller lakes, yes.

17 MS. JOHNSON: Okay.

18 HEARING OFFICER: Is there a question from
19 the department for Mr. Stinnett.

20 MR. GOETSCH: You indicated that you
21 believed that this was an occupied residence as
22 defined in the LMFA?

23 MR. STINNETT: Yes.

24 MR. GOETSCH: So do you live there

1 full-time?

2 MR. STINNETT: No.

3 MR. GOETSCH: Is it your legal residence?

4 MR. STINNETT: No.

5 MR. GOETSCH: Do you have running water?

6 MR. STINNETT: Yes.

7 MR. GOETSCH: Can you explain that further?

8 I mean, is it like from a well or from --

9 MR. STINNETT: I have a buried tank. When
10 they built this lake, I'm just above the lake at
11 the bottom of a hill that's probably 30 foot tall,
12 and they have a tank buried at the top of the hill
13 with a line running down to my, down to the flat
14 down below.

15 MR. GOETSCH: How about a septic system?

16 MR. STINNETT: I have a septic system, yes.

17 MR. GOETSCH: Okay. Thank you.

18 HEARING OFFICER: That was Warren Goetsch,
19 correct?

20 MR. GOETSCH: G-O-E-T-S-C-H.

21 HEARING OFFICER: Any other questions for
22 Mr. Stinnett? Yes, sir?

23 MR. BORGIC: Mike Borgic, B-O-R-G-I-C.

24 I was wondering, you talked about monitoring the

1 water, and you are still going to do your
2 activities, stuff like that even if this gets
3 built, correct? That's what you said?

4 MR. STINNETT: (Nods head.)

5 MR. BORGIC: All right. Well, then, if
6 this farm is built and you don't receive any
7 negative effects from it, then are you going to
8 apologize to PSM or to the owners of the farm for
9 saying things tonight?

10 MR. STINNETT: Saying what? For saying
11 what?

12 MR. BORGIC: For coming up here, saying all
13 CAFOs are bad.

14 MR. STINNETT: I didn't say that.

15 MR. BORGIC: You are making a
16 generalization about CAFOs.

17 MR. STINNETT: I guess I have --

18 MR. BORGIC: The assumption is that you are
19 saying that this is going to cause you problems.

20 UNIDENTIFIED: You don't have to answer.

21 HEARING OFFICER: Just to clarify, we are
22 not here to have arguments with each other. You
23 are here to if you want to ask a question, you ask
24 a question, and he responds. Do you have any

1 further questions?

2 MR. BORGIC: No.

3 HEARING OFFICER: Okay. Does anyone have
4 any further questions for the witness? Yes, ma'am?

5 MS. HUDSON: Karen Hudson. I just had a
6 question about did anyone from Professional Swine
7 Management ever contact you regarding your
8 residence there --

9 MR. STINNETT: No.

10 MR. HUDSON: -- as a legally occupied
11 residence?

12 MR. STINNETT: No.

13 HEARING OFFICER: Any other questions for
14 Mr. Stinnett?

15 (No response.)

16 HEARING OFFICER: Thank you, Mr. Stinnett.
17 Next witness is Karen Hudson, on deck is Howard
18 Hudson. Howard Hudson passes. Next witness is
19 Adam Annegers. Sorry if I mispronounced that.

20 Please state your name and spell it for the
21 record.

22 MS. HUDSON: Karen Hudson, H-U-D-S-O-N.

23 HEARING OFFICER: Karen, would you please
24 raise your right hand?

1 (Whereupon Karen Hudson was duly sworn.)

2 HEARING OFFICER: You may proceed.

3 MS. HUDSON: Thank you. I recently read an
4 article that Professional Swine Management, one of
5 the representatives said that they suggest that
6 biofilters are used, but it is a hard sell.

7 I just wanted to talk about biofilters.
8 Research suggests now that airborne MRSA,
9 Methicillin-resistant Staphylococcus aureus, can be
10 released from ventilation fans and can potentially
11 travel in air streams to outdoor work sites, rural
12 residents and the community. That's recent
13 research.

14 And recent research also found that
15 residents that lived within a mile of the CAFO are
16 almost three times more likely to be colonized with
17 Methicillin-resistant Staph. That came out of
18 Iowa. And we have seen new research from -- well,
19 fairly new, 2006 and 2007. I consider that fairly
20 new -- that livestock contaminants have been found
21 at 15,840 feet from livestock facilities, and these
22 contain antibiotic-resistant bacteria. This was
23 done in 2006, 2007, Kelly Donham, University of
24 Iowa. They have also found antibiotic resistant

1 Staph in homes downwind from these facilities.

2 I am suggesting that if this facility does
3 go in, which I hope it does not, that biofilters
4 are used even though representative Mr. West said
5 that there is a lot of problems once they go in.
6 Research just from 2015 suggests that our prior
7 studies have been in agreement with other
8 researchers in detecting airborne
9 Methicillin-resistant Staph inside swine housing
10 facilities.

11 Our study reveals that hardwood chips were
12 respectively 92% and 82% efficient in removing
13 viable MRSA and total dust particles; Western Red
14 Cedar 95% efficient in removing viable MRSA and 86%
15 efficient in removing dust particles which also
16 carry odor and other pathogens.

17 Our findings suggest biofilters can be used
18 as an effective engineering control to mitigate
19 transmission of aerosolized MRSA in the exhaust of
20 enclosed swine house facilities.

21 I know we just talked about odor, but these
22 studies particularly speak to the transmission of
23 Methicillin-resistant Staph which is most the
24 pressing issue now that we have intensive livestock

1 production.

2 That's all that I have to say. Thank you.

3 HEARING OFFICER: Any questions? Thank
4 you, Ms. Hudson. Are there questions for Ms.
5 Hudson? Yes, ma'am? Ms. Hudson?

6 MS. HUDSON: Oh, I am sorry.

7 HEARING OFFICER: That's okay.

8 MS. URISH: Eileen Urish, U-R-I-S-H.
9 Ma'am, are you from Schuyler county?

10 MS. HUDSON: No, I'm not.

11 MS. URISH: Okay.

12 MS. HUDSON: I'm from Peoria County. I
13 live near a CAFO in Peoria County.

14 MS. URISH: Okay.

15 MS. HUDSON: And I farm.

16 MS. URISH: So my next question, what is
17 your affiliation with Olive Branch Farm?

18 MS. HUDSON: My affiliation?

19 MS. URISH: How are you affected?

20 MS. HUDSON: I'm here at the request of the
21 residents of Schuyler County. I was invited to
22 assist them in answering the vague,
23 hard-to-understand eight citing criteria of the
24 Livestock Management Facilities Act. I have been

1 assisting people for over 20 years in interpreting
2 the act and responding adequately so they know how
3 to answer questions and give testimony.

4 MS. URISH: Okay. Thank you.

5 MS. HUDSON: Thank you.

6 HEARING OFFICER: Any other questions for
7 Ms. Hudson?

8 MS. JOHNSON: Carrie Johnson. Whenever
9 this occurs, most of us have never even had any
10 knowledge regarding CAFOs, and all the sudden we
11 have to come up with knowledge that people 20 years
12 -- people that are in the industry to be able to
13 defend ourselves to the Department of Ag.

14 So my question is how have you helped us in
15 Schuyler County come up with, you know --

16 MS. HUDSON: How have I helped Schuyler
17 County come up to speed?

18 I think one of the first things that I have
19 done is read the citing criteria which is all we
20 are allowed to talk about at these meetings unless
21 they're asking a question and explain how to answer
22 these questions.

23 Also, we are seeing applications, not even
24 talking about -- I guess I should not talk about

1 other applications, so I will restrict it to Olive
2 Branch Acres, although we have seen many mistakes
3 in other applications. We are looking for the same
4 type of things, and we are finding those.

5 So our efforts to help you and the
6 Department of Ag decide whether a facility will not
7 be denied but just ask for more information and not
8 be permitted. So that's what we are here for. We
9 are here for -- we are here to clarify things, to
10 answer questions and provide peer reviewed research
11 and also link you up with other groups who have had
12 issues with LMFA and questions, and we are here
13 24/7 to answer questions and provide peer reviewed
14 research for you.

15 HEARING OFFICER: Any other questions for
16 Ms. Hudson? Yes?

17 MS. WOHLFEIL: Meagan Wohlfeil. Karen, I
18 have a question. That first lady that asked you a
19 question, do you believe that she is from Schuyler
20 County?

21 MS. HUDSON: I don't know.

22 MS. WOHLFEIL: Okay. And --

23 MS. HUDSON: Can I answer some more,
24 please?

1 HEARING OFFICER: Briefly.

2 MS. HUDSON: Do I think she is from
3 Schuyler County?

4 MS. WOHLFEIL: I'm asking your opinion.

5 MS. HUDSON: I don't know that.

6 HEARING OFFICER: If you don't know, that's
7 sufficient you don't know. I don't really want
8 speculation.

9 MS. HUDSON: Most people that come from
10 outside the community are brought in by the
11 livestock industry. That was proven by the
12 University of Illinois.

13 HEARING OFFICER: I think the question was
14 asked and answered. Do you have any other
15 questions for her?

16 MS. WOHLFEIL: Yes, I do. Thank you. I'm
17 also asking. So sorry. I didn't know.

18 What is your belief why you think she is
19 here, that girl over there and several other people
20 sitting right next to her?

21 MS. HUDSON: With my research I have done
22 at the University of Illinois with Peter Goldsmith,
23 it was found that 70% of the people that come to
24 these meetings are opposing these facilities and

1 are people in the area, 89% are questioning the
2 LMFA and the Department of Ag and how this is
3 regulated, and 5% that appear are brought in from
4 outside of the area by the industry. That is from
5 University of Illinois, Dr. Peter Goldsmith. I
6 will provide --

7 MS. WOHLFEIL: Do you think that maybe they
8 are being paid to be here?

9 MS. HUDSON: I don't know. All I know is
10 that research has shown that people that are
11 sitting on one side of the room are usually asked
12 by the industry to come and testify for the
13 facility even though they are from outside the
14 area, and I can give you that research. You can
15 see that.

16 MS. WOHLFEIL: Okay. Thank you.

17 HEARING OFFICER: Any other questions for
18 Ms. Hudson? Yes, ma'am?

19 MS. TIREY: Jennifer Tirey, T-I-R-E-Y.

20 Ms. Hudson, do you not think that it is
21 appropriate that if you are here counseling
22 individuals in Schuyler County that have questions,
23 that there wouldn't be any need for someone from
24 the livestock industry to be here answering

1 questions and sometimes clarifying things that may
2 not be --

3 MS. HUDSON: Yes, I totally agree with you.

4 MS. TIREY: Okay.

5 MS. HUDSON: I totally agree with you. We
6 all need to get on the same level here, not
7 antagonize each other with questions as people in
8 this area have done. So we have to agree to
9 disagree on things and answer questions in an
10 appropriate manner.

11 MS. TIREY: I don't think it is
12 inappropriate for you to be here or us to be here
13 as far as the livestock industry to be able to
14 answer questions because sometimes there may be
15 things that individuals don't know or understand,
16 and if you are not hearing from both sides, you are
17 not getting a clear picture.

18 MS. HUDSON: I just admitted that I don't
19 know where you are from, and according to the LFMA,
20 anybody in the State of Illinois or even the United
21 States can attend these hearings.

22 MS. TIREY: Sure.

23 MS. HUDSON: You don't have to be from the
24 county. We need folks from all sectors. I'm a

1 farmer. I eat meat. We need people from all
2 sectors to engage together in order to solve our
3 problems.

4 HEARING OFFICER: Okay. Any further
5 questions for Ms. Hudson? Yes, sir?

6 MR. PAUL: John Paul, P-A-U-L. Is there
7 any reason why the representatives of the hog farm
8 left? Right here stated --

9 HEARING OFFICER: Sir, hold on. Mr. Paul,
10 hold on. Can you answer the answer?

11 MS. HUDSON: I have brought paperwork
12 tonight stating that the owners or operators have
13 to be at the meeting, and I don't know the answer
14 to that. I'm going to follow up on that with the
15 Attorney General's office tomorrow.

16 HEARING OFFICER: Okay. Anything further
17 for Ms. Hudson? Yes?

18 MS. JOHNSON: I do have a question. So the
19 -- Carrie Johnson. Anyway, people sitting up on
20 the panel, if you want to talk about, you know,
21 representing all aspects, why isn't, first of all,
22 somebody from the EPA here?

23 Second of all, why isn't there somebody
24 from the people that are going to speak for the

1 citizens that are going to be impacted by this?

2 MS. HUDSON: Well, because EPA only steps
3 in after there has been a violation. That's when
4 the EPA steps in. Warren knows that, I know that.

5 HEARING OFFICER: Any other questions for
6 Ms. Hudson? Yes, sir? You.

7 MR. McMURREN: Tom McMurren. You stated
8 you are not from Schuyler County, correct?

9 MS. HUDSON: Right.

10 MR. McMURREN: What county are you from? I
11 didn't hear that, sorry.

12 MS. HUDSON: I'm from Peoria County.

13 MR. McMURREN: From Peoria County. Okay.
14 So you are not too far away.

15 So you said that you were brought here,
16 asked to come here by somebody. Okay. Under what
17 pretense? How did they find you?

18 MS. HUDSON: Well, I work for a national
19 organization, and we work from coast to coast, but
20 I am co-founder of Illinois Citizens for Clean Air
21 and Water. We have a web site and a phone number,
22 and people find us on the internet, and folks call
23 us. We don't go looking for work because if I did,
24 I would be so overloaded I wouldn't --

1 MR. McMURREN: Is it a volunteer position,
2 ma'am? I asked is it a volunteer?

3 MS. HUDSON: I don't think I have to answer
4 that.

5 MR. McMURREN: Okay.

6 HEARING OFFICER: Any other questions for
7 Ms. Hudson? Final question for Ms. Hudson.

8 MR. WEST: Chris West. You mentioned
9 several different studies, several different
10 numbers. Will you be providing all that
11 information?

12 MS. HUDSON: Yes, I have all of it. Yeah,
13 I'd like to share it with you, too, Mr. West. I
14 think it is great research. I think PSM as well
15 would love to see it, too, because I think it would
16 protect, I think it would protect the swine as well
17 as neighbors with using biofilters. That's pretty
18 recent research, less than a year old, about a year
19 old.

20 HEARING OFFICER: Okay. Thank you, Ms.
21 Hudson.

22 MS. HUDSON: Thank you.

23 HEARING OFFICER: Next up, Adam Annegers.
24 On deck, Gary Donley.

1 Will you please state and spell your last
2 name for the record?

3 MR. ANNEGERS: Adam Annegers,
4 A-N-N-E-G-E-R-S.

5 HEARING OFFICER: Adam, will you please
6 raise your right hand?

7 (Whereupon Adam Annegers was duly sworn.)

8 HEARING OFFICER: You may proceed.

9 MR. ANNEGERS: My name is Adam Annegers. I
10 work for Professional Swine Management. I have
11 been with the company almost 15 years. I grew up
12 on a small 300 sow family farm in Henderson County.
13 As small farms started to go away and larger farms
14 were built, that's where I evolved into working in
15 the facility very similar to the Olive Branch
16 facility proposed tonight.

17 My current position with the company, I
18 oversee ten other facilities very similar to the
19 one that we have tonight. I am in favor of this
20 facility. I have been able to have a very good
21 career and growth within the company, and because
22 of facilities like this, I like to see growth and
23 opportunity for others to have the same career and
24 opportunities that I have received.

1 Along with being passionate about raising
2 pigs and producing meat for the world market, I'm
3 also an avid hunter, fisherman, my kids are. My
4 daughter is 12 years old, my son is 8 years old.
5 Last November my 12-year-old daughter was able to
6 harvest a 12-point buck, 160-inch deer for her
7 first deer right behind a facility very similar to
8 the Olive Branch.

9 So my take is I hunt and fish on properties
10 and facilities just like this. I do live in
11 Hancock County. I do have a facility very similar
12 to Olive Branch Acres just a half mile straight
13 west of where I live. We have family, friends,
14 cookouts, barbecues in the backyard all summer
15 long, spring and fall when weather permits. We do
16 enjoy life there, and we have a good time.

17 So I understand concerns from neighbors,
18 people in the community. Appreciate your concerns,
19 but I do believe if this building is permitted and
20 we are constructed and the facility starts to run,
21 a lot of your fears and concerns will go away after
22 that. Thank you.

23 HEARING OFFICER: Thank you Mr. Annegers.

24 Any questions for Mr. Annegers? Yes, ma'am?

1 MS. PRATHER: How many disabled workers do
2 you have working at PSM?

3 MR. ANNEGERS: How many disabled workers?

4 MS. PRATHER: Yes.

5 MR. ANNEGERS: So I can only speak for the
6 facilities that I oversee because I don't know --

7 MS. PRATHER: You said you oversaw ten, so
8 how many do you have?

9 HEARING OFFICER: Ma'am, please let him
10 finish.

11 MR. ANNEGERS: So I can't answer for the
12 entire company. There are employees on my farms
13 today that do have restrictions, and they're able
14 to complete jobs and still continue working.

15 MS. PRATHER: Okay. Somebody like me?

16 MR. ANNEGERS: Someone like you?

17 MS. PRATHER: Would there be a job in your
18 plant for somebody like me?

19 MR. ANNEGERS: I'm sorry, I'm not
20 understanding.

21 MS. PRATHER: A disabled worker, what would
22 you define as a disabled worker that you would
23 find, that you would employ at your plant?

24 MR. ANNEGERS: So the HR department does

1 this, but we would get a doctor's note on
2 restrictions on what a person can and cannot do,
3 and then we accommodate jobs for those if we have
4 them.

5 HEARING OFFICER: Any other questions of
6 Mr. Annegers? Yes, ma'am?

7 MS. JOHNSON: So you have a paid position
8 with PSM; is that correct?

9 MR. ANNEGERS: Yes, ma'am.

10 MS. JOHNSON: And so it benefits you if
11 they grow and they develop more CAFOs?

12 MR. ANNEGERS: Not just the people that work
13 for the company but many other people there is
14 growth and opportunity when new buildings are
15 constructed, yes.

16 MS. JOHNSON: But it helps your job
17 security and also the company grows.

18 Do you own stock in the company?

19 MR. ANNEGERS: No, I do not own anything in
20 PSM. I'm just an employee for almost 15 years, but
21 it also helps the entire industry, not just PSM.

22 MS. JOHNSON: So you stated that you come
23 to Schuyler County to hunt. Why do you come all
24 the way to Schuyler County to hunt?

1 MR. ANNEGERS: I have in several different
2 counties, also in Iowa and Missouri. I enjoy
3 hunting. It is what I do. It is my getaway, my
4 passion. So anyplace I get a, get permission to
5 go, if I get a chance I will go.

6 HEARING OFFICER: Any other questions for
7 Mr. Annegers? Yes, ma'am?

8 MS. FORSYTHE: Gretchen Forsythe,
9 F-O-R-S-Y-T-H-E. Would you agree that there are
10 appropriate locations to build a hog complex and
11 locations that are not appropriate?

12 MR. ANNEGERS: Yes, absolutely there are
13 proper locations and not proper locations for
14 facilities.

15 MS. FORSYTHE: Would you give us an example
16 of what is not an appropriate location?

17 MR. ANNEGERS: An inappropriate place to
18 construct a facility would be one that does not
19 meet the eight requirements in the LMFA.

20 MS. FORSYTHE: Of the ten confinements that
21 you work with, are the road conditions in any way,
22 shape or form like what is proposed where this hog
23 farm is?

24 MR. ANNEGERS: On a dead-end road, is that

1 what you are --

2 MS. FORSYTHE: Well, and a narrow, a narrow
3 road and from a highway a distance?

4 MR. ANNEGERS: Yes, there are other
5 facilities that have narrow roads leading back to
6 them, yes.

7 MS. FORSYTHE: Where are those?

8 MR. ANNEGERS: They are in Illinois.

9 MS. FORSYTHE: Where in Illinois?

10 MR. ANNEGERS: They're in several counties
11 in Illinois.

12 MS. FORSYTHE: Yeah. Could you please name
13 them for us?

14 MR. ANNEGERS: I cannot name specifically
15 where they are at right now, no.

16 HEARING OFFICER: Any other questions for
17 Mr. Annegers? I'm going to need you to keep it
18 very brief.

19 MS. JOHNSON: So if you know about these,
20 then, how are you not able to identify them?

21 If you know they have narrow roads, how
22 aren't you able to identify them?

23 MR. ANNEGERS: The biggest reason is
24 tonight we are talking about Olive Branch. So

1 that's why I'm --

2 MS. JOHNSON: This applies to what we are
3 trying to point out.

4 HEARING OFFICER: I actually don't see the
5 relevance whether he can identify exactly where
6 another location is. We are here tonight looking
7 at the Olive Branch facility. It is not relevant.

8 Any other questions that people have of
9 relevance of Mr. Annegers? Yes, ma'am?

10 UNIDENTIFIED: I'm not sure you are the one
11 I should be asking or not, I just noticed something
12 new. Our cabin, I thought it was six months out of
13 the year. I just learned it is six months out of
14 two years. I guarantee you he is there from
15 October to December except for my birthday,
16 Thanksgiving and Christmas, and we are there almost
17 every weekend. So I think we are there.

18 HEARING OFFICER: Is there a question,
19 ma'am? You need to ask --

20 UNIDENTIFIED: No, isn't that part of the
21 setback you guys shouldn't build there?

22 MR. ANNEGERS: As far as specific legality,
23 I'm, I can't answer that question. I'm sorry.

24 HEARING OFFICER: All right. I'm going to

1 take one final question. Any other questions?

2 Ma'am up front?

3 UNIDENTIFIED: So talking about setbacks,
4 and are you aware how many of your facilities of
5 Professional Swine Management were put in place
6 with setback violations?

7 MR. ANNEGERS: That I'm not aware of.

8 HEARING OFFICER: Okay. Thank you,
9 Mr. Annegers. Next up is Gary Donley, and after
10 Gary Donley, on deck is Carrie Johnson.

11 Sir, would you please state and spell your
12 last name?

13 MR. DONLEY: My name is Gary Donley,
14 D-O-N-L-E-Y.

15 (Whereupon Gary Donley was duly sworn.)

16 HEARING OFFICER: You may proceed.

17 MR. DONLEY: Thank you. I'm here to put a
18 little more meat on the bone of a couple topics
19 that have come up through the course of the
20 evening, specifically the real estate taxes that we
21 would anticipate for a unit similar to Olive Branch
22 Acres.

23 We have got a number of farms that we have
24 already identified that are within Schuyler County,

1 some as we have discussed within the same township,
2 within Littleton Township. It is right, we would
3 expect assessment of tax rates will vary from year
4 to year, but we would anticipate about \$100,000 to
5 be the real estate tax bill for Olive Branch Acres.

6 Of that, based on the Littleton Township
7 real estate tax from 2016, we'd expect just a
8 little over 63% of that \$100,000 to go to
9 education. Beyond that, the county would get 16.4%
10 and the township, 9.3% of that tax. The rest of it
11 is divided up among the fire district, hospital,
12 libraries, and other smaller taxing bodies within
13 Littleton Township.

14 Over the course of time -- and it was
15 referred to earlier that the first one we were
16 associated with in Schuyler County began in 1995.
17 If we go back, look at the history of real estate
18 taxes that the farms we managed specifically have
19 paid to Schuyler County -- tax bills come out for
20 this summer -- will be nearly \$4 million that has
21 been provided to those taxing districts from the
22 farms that we manage.

23 So if you take that same 63% of the school
24 districts, that those get, times \$4 million

1 dollars, we are almost 2.5 million plus that we
2 have contributed to school districts, also to a
3 smaller amount but proportionate amount to the
4 township, to the fire districts. So those are real
5 dollars.

6 We have got good working relationships with
7 those taxing bodies, and we have been able to
8 provide each of those taxes on time each year, and
9 that's all that I have. Thank you.

10 HEARING OFFICER: Thank you. Any questions
11 for Mr. Donley? Yes, ma'am, question?

12 UNIDENTIFIED: So the numbers, is that
13 before or after your pollution control subsidy that
14 you receive that are actually paid for by tax
15 dollars?

16 MR. DONLEY: Ma'am, there are no tax
17 subsidies paid for with tax dollars.

18 UNIDENTIFIED: The pollution subsidies that
19 you receive because it is a pollution control
20 measure. Is this, your numbers, before that or
21 after that because you receive a substantial amount
22 of money?

23 MR. DONLEY: I would say your
24 characterization is inaccurate. The numbers that I

1 have quoted are the actual tax dollars paid.

2 HEARING OFFICER: Any other questions for
3 Mr. Donley? Yes, ma'am or sorry, yes, sir?

4 MR. HANNING: Danny Hanning. Gary, I think
5 probably what you are referring to, I'm not sure of
6 the answer to this, but I've been told that you
7 guys got a tax credit for your manure pit, they
8 decreased your assessed value if they meet
9 standards. Is that available to you or not? I
10 don't know.

11 MR. DONLEY: Manure pits are taxed in one
12 of two fashions. The local assessor can apply an
13 assessment or they can be assessed by the
14 Department of Ag. We have a number of farms that
15 are assessed by the Department of Ag. So I would
16 say there is no subsidy. In fact, tax bills go up
17 when those manure pits are assessed by the
18 Department of Ag.

19 MR. HANNING: There is no reduction in the
20 assessed value of your pit as long as it meets your
21 pollution standards. That's the question I think
22 people want to know. I never seen it. I don't
23 know.

24 MR. DONLEY: The majority of the time the

1 pits are not part of the assessment done by the
2 local township assessor. We do have a number of
3 farms that are, those manure pits are assessed by
4 the Department of Ag. Those assessments increase
5 the tax that farms pay compared to those manure
6 pits not being assessed by the local township
7 assessor.

8 HEARING OFFICER: Any other questions for
9 Mr. Donley? Oh, sorry. Yes, sir?

10 MR. THOMPSON: Mark Thompson. You said
11 that taxes, how much goes to Schuyler County right
12 now with what you have?

13 MR. DONLEY: Can you be more specific,
14 please?

15 MR. THOMPSON: Your hog confinements in
16 Schuyler County, how much taxes do you pay to
17 Schuyler County?

18 MR. DONLEY: With the tax bills that will
19 come out this summer, it will be about 450,000
20 total tax. If I use Littleton Township assessment,
21 the county tax is 16.4% of the total.

22 MR. THOMPSON: So where did you come up
23 with \$4 million dollars? Is that what you paid to
24 the state?

1 MR. DONLEY: No, the \$4 million is the
2 amount of taxes that has been paid on these farms
3 cumulatively.

4 MR. THOMPSON: Oh.

5 HEARING OFFICER: Any other questions for
6 Mr. Donley?

7 (No response.)

8 HEARING OFFICER: Thank you, Mr. Donley.
9 Next up, Carrie Johnson. After Carrie Johnson,
10 last name of Smith, maybe Heather?

11 MS. SMITH: Keatra.

12 HEARING OFFICER: I apologize. Can you
13 please state your name and spell your last name for
14 the record?

15 MS. JOHNSON: Carrie Johnson,
16 J-O-H-N-S-O-N.

17 HEARING OFFICER: Please raise your right
18 hand.

19 (Whereupon Carrie Johnson was duly sworn.)

20 HEARING OFFICER: You may proceed.

21 MS. JOHNSON: I'd like to talk about
22 economic development. Schuyler County has always
23 been primarily agricultural based. However, over
24 the last 20 years there's been an increase in the

1 desirability of people all over the country to come
2 to Schuyler County to lease land to hunt on, buy
3 property for themselves and also build
4 multi-million dollar hunting clubs, one of which is
5 located just two miles away from this proposed
6 site.

7 The immediate area around the site actually
8 was broken up into individual parcels to be sold
9 for this particular reason. Some of the properties
10 were advertised that way, and that's why people
11 bought them that way. People come from all around
12 to build homes to enjoy, to retire, to build large
13 ponds. Some of them have a second home, some of
14 them have a weekend getaway.

15 But anyway, the point is these people come
16 and invest in our community. They spend money.
17 They pay real estate taxes. They participate in
18 community and spend money. Some people live here,
19 and they have built new homes.

20 But also, you have got people that have
21 been here since the 1950's and more recent. But
22 these people have raised families, stayed in the
23 community and contributed as well. There again,
24 they paid real estate taxes, income taxes, gas

1 taxes, sales taxes. Like I said, they raised a
2 family. So they had children, their children
3 stayed, and they contributed to the community. So
4 why should these people have to lose money in their
5 real estate property values, their health bills so
6 that someone else can get rich?

7 These people have laws protecting their
8 rights as well. They have stayed in our community.
9 or have moved here for the peace and quiet and nice
10 scenery, not be deal with noisy fans and hogs,
11 20,000 animals, or deal with constant semi traffic
12 and the roads being destroyed, which the township
13 does not have the funds to repair. Why should their
14 quality of living be destroyed so someone else can
15 profit?

16 There are approximately 45 homes within a
17 two-mile radius of this site. Why aren't these
18 people who will be impacted by health valued by the
19 Department of Agriculture?

20 Some are farmers who have helped establish
21 this industry, they worked hard and sacrificed,
22 built up the industry that is now disregarding
23 their quality of life.

24 In conclusion, Schuyler County has an

1 MS. SMITH: Everybody butchers it.

2 HEARING OFFICER: On deck is Janet Simpson.

3 MS. SMITH: I will be reading for Janet
4 Simpson because she is on oxygen and can't.

5 HEARING OFFICER: That's fine. You're
6 limited to three minutes, I just want to keep you
7 aware of that.

8 MS. SMITH: I'm limited on each one of
9 them?

10 HEARING OFFICER: Correct. Each person is
11 limited to three minutes, correct.

12 MS. SMITH: So I can read mine and two
13 others in three minutes or I can read mine --

14 HEARING OFFICER: You can read whatever you
15 want in your three minutes. Can you please state
16 and spell your name and your last name for the
17 record?

18 MS. SMITH: So I'm clear, so the two people
19 that sent in letters with me to read because they
20 are on oxygen and they are elderly and too sick to
21 come, I don't have three minutes to read their
22 letters?

23 HEARING OFFICER: Correct. You have three
24 minutes. You can file the written statement in the

1 record.

2 MS. SMITH: Okay.

3 HEARING OFFICER: The written exhibits will
4 be reviewed, but you can't have additional time.

5 MS. SMITH: Okay. That's fine.

6 HEARING OFFICER: Can you please spell your
7 name?

8 MS. SMITH: Oh, yes. My first name is
9 Keatra, K-E-A-T-R-A, last name Smith, S-M-I-T-H.

10 (Whereupon Keatra Smith was duly sworn.)

11 HEARING OFFICER: You may proceed.

12 MS. SMITH: Thank you. I oppose the Olive
13 Branch site because it is located in a densely
14 populated area with 40 homes, recreational cabins
15 within a two-mile radius. Emissions of gases and
16 particulates are a threat to all neighbors but in
17 particular those with serious illness. Within that
18 two-mile radius there are two neighbors that are on
19 oxygen 24 hours a day, one that needs oxygen at
20 night and a neighbor that is on the heart
21 transplant list and one that is currently being
22 treated for a noncancerous lung growth condition.

23 The Chicago Tribune August 5th, 2016
24 article, "Plans for 20,000 Hog Facility Sparks

1 Revolt in western Illinois" states:

2 "....decomposing swine waste releases
3 chemicals including ammonia and hydrogen sulfide
4 that are vented from the sheds along with animal
5 dander and fecal dust, causing respiratory illness
6 for people downwind, public health studies have
7 found."

8 Criteria number 7 has not been met because
9 heavy traffic from hog hauling and grain trucks
10 will deteriorate already poor road conditions to
11 the site. Neighbors with health conditions will
12 have problems traveling to doctors to receive
13 needed health care, and emergency service vehicles
14 will be hampered from providing lifesaving medical
15 care. Runoff and leaks from store swine waste can
16 contaminate Brushy Creek that is near the proposed
17 site. There is also numerous ponds surrounding the
18 site with the closest being within 200 feet
19 downhill from the site. Brushy Creek feeds into
20 the Lamoine River and can affect fish, wildlife and
21 deer hunting that is a profitable industry to our
22 county.

23 The Chicago Tribune August 5th, 2016
24 article, "Plans for 20,000 Hog Facility Sparks

1 Revolt in western Illinois" stated hog confinements
2 caused:

3 "...nearly half of the one million fish
4 killed in Illinois water pollution incidents from
5 2005 to 2014, killing at least 492,000 fish and
6 impairing 67 miles of rivers and waterways. No
7 other industry came close to causing that amount of
8 damage."

9 Criteria number 8 has not been met because
10 many of the properties surrounding the Olive Branch
11 site were purchased and being used for recreational
12 purposes. Schuyler County will lose tax revenue
13 because those who had purchased recreational
14 buildings and sites, hunting cabins, land to build
15 fine homes and homes for families in the future
16 will not do so because of the CAFOs in the area.

17 Olive Branch Acres is a direct threat to
18 our community's health, financial stability and
19 pursuit of happiness.

20 My name is Janet Simpson. I live with my
21 husband, Joe Simpson, approximately one and a half
22 miles away from the proposed Olive Branch Acres hog
23 confinement site. We have lived on 200-acre farm
24 for 54 years. We have been farming since 1963. We

1 have shared happy and sad times with our neighbors
2 because we are a close community. Joe and I both
3 have serious health problems. He has suffered from
4 numerous strokes and is being treated for
5 cerebrovascular disease, and Janet has diabetes,
6 heart failure, hypertension, asthma and COPD.

7 HEARING OFFICER: Thank you, Ms. Smith.
8 Are there any questions for Ms. Smith?

9 (No response.)

10 HEARING OFFICER: Seeing none, thank you
11 for your testimony.

12 MS. SMITH: Thank you. Can I --

13 HEARING OFFICER: Feel free to bring those
14 up.

15 MS. SMITH: I already did. Thank you so
16 much.

17 HEARING OFFICER: Thank you. Janet Simpson
18 obviously is not present. That's halfway through
19 our oral testimony list. I'm going to take a short
20 break, a short 10-minute break. It is 9:36 right
21 now. We will reconvene at 9:46 for the second half
22 of oral testimony.

23 (A break was taken.)

24 HEARING OFFICER: Okay. We will go back on

1 the record. I have been informed that not only is
2 Janet Simpson not in attendance but that Millie
3 Surratt is not in attendance. So the next person
4 on the list is Danny Hanning. Danny, can you come
5 to the front, please? And on deck is Daniel
6 Benner.

7 MR. HANNING: My name is Danny Hanning.
8 I've worked with the court reporter before. I like
9 to watch her work.

10 HEARING OFFICER: Can you spell your last
11 name, please?

12 MR. HANNING: H-A-N-N-I-N-G.

13 HEARING OFFICER: Would you raise your
14 right hand?

15 (Whereupon Danny Hanning was duly sworn.)

16 HEARING OFFICER: You may proceed.

17 MR. HANNING: Okay. I'm not here to speak
18 one way or the other against this hog business.
19 You saw the picture starting on with the Grand
20 Tower Farm. That's the one that is in my township.
21 So I live with it, I work with it. One of the
22 pictures that was showed earlier, the hog out in a
23 snow covered lot. I knew that wasn't our lot
24 because we never did have a white shed, but I think

1 I spent half my life in one like that.

2 I'm not here to talk about hogs. I'm here
3 to talk about the road, and that road getting back
4 to that property is junk. It will never stand that
5 kind of traffic. I think it will be completely
6 destroyed by the time the building is built.

7 Now, it's been very clear from testimony,
8 Littleton Township cannot afford to maintain that
9 road based on that amount of truck traffic. What
10 it needs is completely tore up, the oil and chip
11 tore off of it, build a base under the road. You
12 are talking 8 to 12-inches compacted base.

13 Now, the best thing for the hog traffic
14 would be to leave it gravel, leave the gravel, but
15 the people that live out there live on an oil road.
16 They deserve to have one back. Three to \$500,000
17 is a very realistic figure of what it would cost to
18 do that, and the bottom line is if the company
19 won't put the money up to do it, the township
20 can't. And they built this building. The day will
21 come they won't be able to access it with anything.
22 That road will literally fall through. They will
23 have to have ATVs with five-gallon buckets to haul
24 feed back there for 5,000 sows, whatever it is.

1 That's just a fact.

2 And it is a whole lot cheaper to fix that
3 road now before it breaks up and goes to pot than
4 it will if you wait until after. If they are not
5 willing to put up money to fix the road in the
6 first place, I believe they need to look at a
7 different location. That's all I wanted to say.

8 HEARING OFFICER: Thank you, Mr. Hanning.
9 Are there any questions for Mr. Hanning? Yes, sir?

10 MR. McMURREN: Tom McMurren,
11 M-C-M-U-R R-E-N. Mr. Hanning, you mentioned that
12 that road needs a base?

13 MR. HANNING: Yes, absolutely that needs a
14 base.

15 MR. McMURREN: Sir, did it have a base
16 before it got the blacktop put on it before?

17 MR. HANNING: It does not appear like it.
18 It should never have been oiled.

19 MR. McMURREN: Have you been down that road
20 in the past month?

21 MR. HANNING: Monday.

22 MR. McMURREN: You were. So what do you
23 think the state of that road is currently?

24 MR. HANNING: It is junk.

1 MR. McMURREN: Okay. Thank you.

2 HEARING OFFICER: Any other questions for
3 Mr. Hanning?

4 MS. WOHLFEIL: Meagan Wohlfeil. So when
5 you said that the road is junk, you are not just
6 talking about Hodges Lane, you are talking about
7 the road --

8 MR. HANNING: I'm talking about the Route
9 101 all the way back.

10 MS. WOHLFEIL: How far is it from 101 the
11 blacktop or oil and chip all the way to Hodges
12 Lane, how many miles is just that alone?

13 MR. HANNING: Greg tells me that is 2.7.

14 MS. WOHLFEIL: 2.7?

15 MR. HANNING: About three-quarters Hodges
16 Lane.

17 MS. WOHLFEIL: Okay.

18 MR. HANNING: Yeah.

19 HEARING OFFICER: Any other questions for
20 Mr. Hanning? Yes, ma'am?

21 MS. FORSYTHE: Gretchen Forsythe,
22 F-O-R-S-Y-T-H-E. How long have you been working on
23 roads? How much experience do you have?

24 MR. HANNING: I have been highway

1 commissioner in Schuyler County for 28 years.

2 MS. FORSYTHE: So you know what you are
3 talking about?

4 MR. HANNING: I think I have got -- I
5 wouldn't be standing here. I would let the county
6 engineer do it, but he is in Florida spending much
7 needed family time, and he couldn't be here or he
8 would have spoke on this.

9 MS. FORSYTHE: Do you have a hog
10 confinement in your township?

11 MR. HANNING: Yeah, the Grand Tower Farms
12 went in 2014. Is in my township.

13 MS. FORSYTHE: And what are the road
14 conditions there?

15 MR. HANNING: Those guys really lucked out
16 when they built that building there. There are two
17 miles, the first two miles are gravel road. I had
18 spent six years replacing all the culverts,
19 spreading base under road, building road out of it,
20 getting ready to oil and chip it. Then the price
21 of oil went through the roof, and I never did it.
22 Three-tenths of a mile at the end of it, it was a
23 lot like Hodges Lane. I think they ended up
24 putting maybe six tandem trailer loads of two-inch

1 on it.

2 But they were fortunate, they were
3 fortunate. Not only was my road, as far as I was
4 concerned, up to 80,000 pound specs to start on --
5 I had no concerns about it -- but they piggy-backed
6 on the back of the first pipeline that went through
7 because at the same time they were building their
8 hog building, they were building that pipeline, and
9 they had to put two-inch rock on it when they were
10 done which was after the hog building got done.

11 Last year there was another pipeline went
12 through. Another 2700 ton of rock put on that.
13 They have really benefited from the pipeline more
14 than they will ever know, and it helps me, too, but
15 makes it a completely different situation with what
16 we have in Littleton where the road is junk to
17 start with.

18 HEARING OFFICER: Thank you. Any other
19 questions for Mr. Hanning? Take one final question
20 from you, sir.

21 MR. UFKES: Ted Ufkes, U-F-K-E-S.
22 Mr. Hanning, do you know how much money has been
23 spent on that stretch of road over after the past,
24 say ten years?

1 MR. HANNING: Which stretch?

2 MR. UFKES: Hodges Lane up the anticipated
3 traffic route that we have talked about tonight.

4 MR. HANNING: Hodges Lane, probably not
5 been a lot. Greg said Tom got a bunch of the rock
6 from Industry where they had their pipeline put on.
7 Big rock. I would estimate not much because it is
8 just a farm access route. It didn't require to be
9 any better than what it was.

10 As far as the oil road, I don't know. I
11 would guess that was originally oiled maybe 2004 or
12 5, maybe been sealed once or twice since, I don't
13 know.

14 A sealcoat right now, my bid for
15 sealcoating this year is \$17,553 a mile for an A1,
16 one lift of oil and chip. We used to do it for
17 5,000. Just time it's gotten wild.

18 MR. UFKES: The second part of that
19 question, how does the county, maybe specifically
20 Littleton Township, allocate where money is spent
21 on each portion of the road?

22 MR. HANNING: I couldn't hear you.

23 MR. UFKES: How does the county, maybe more
24 specifically Littleton Township, how do you

1 allocate where money is spent on roads
2 specifically?

3 MR. HANNING: Well, I couldn't speak for the
4 county, Littleton, but myself, I try to look at
5 roads that I see getting soft, muddy in the spring
6 when it thaw, or every time you maintain them you
7 see yellow clay start coming up through them, you
8 know it is time to spread some rock on them.

9 An oil and chip road, if you build it right
10 -- which that one wasn't, that's why you see all of
11 the patches and potholes and the puking up in the
12 middle basically there. But if you build them
13 right, maybe watch for the alligator cracking to
14 start. Then you know your oil is dying, and it is
15 time to get out there and seal it again and weight
16 your oil back up, bring it back to life.

17 HEARING OFFICER: Thank you. Appreciate
18 it. Next to testify, Daniel Benner. On deck is
19 Meagan Wohlfeil. Can you please state your name
20 for the record?

21 MR. BENNER: Daniel Benner, B-E-N-N-E-R.
22 (Whereupon Daniel Benner was duly sworn.)

23 HEARING OFFICER: You may proceed.

24 MR. BENNER: I'm here to protect our

1 children, our way of life. I have serious concerns
2 about the air quality and water quality whether it
3 be in our streams, farm ponds or groundwater
4 underneath us.

5 One thing that had not been brought up
6 would be gravel dust from Littleton Road that would
7 drift over on the other side of the residences. As
8 you stated earlier, you said odor is spread by
9 dust, and gravel dust will extremely make that
10 worse.

11 What are you going to do with all the
12 animal waste? We don't know that. Haven't had a
13 management, a waste management plan.

14 Are they going to dispose of deceased
15 animals properly?

16 How much pesticides will they be applying
17 to control that?

18 Manure spills can devastate the surrounding
19 areas. They have got a tile line that runs right
20 through the center of the proposed area. That
21 concerns me.

22 Home values, I have got documented research
23 that drop between 50 and 90% in some locations
24 located next to these operations.

1 I wish they had a better odor control plan.
2 You know, as you stated before, maintenance could
3 be brought up if you would be interested in some of
4 these biofilters. If you maintain them properly, I
5 believe you might be able to do a better job and be
6 good neighbors.

7 We are going to hear a lot of promises
8 tonight, but who is going to make them keep those
9 promises?

10 It is all about the environment, our
11 health, future of our children and generations to
12 come. I do worry about my daughter. She goes to
13 work or school every day, and what will happen when
14 one semi truck and a school bus meet every day?

15 There is not enough width on that Littleton
16 Road for either of those two paths. Only one would
17 be able to go down that road at one time.

18 HEARING OFFICER: Thank you, Mr. Benner.
19 Are there any questions for Mr. Benner?

20 MS. WOHLFEIL: Meagan Wohlfeil. What do
21 you do?

22 MR. BENNER: I drive a truck.

23 MS. WOHLFEIL: You drive semis?

24 MR. BENNER: Yes, ma'am.

1 MS. WOHLFEIL: So do you feel like when
2 you're saying about -- I guess do you feel like you
3 really know semis and the width and meeting on
4 roads?

5 MR. BENNER: Yes. I have had my truck
6 home. I know that my truck takes up the whole
7 road. Anybody that I meet has to get off in a
8 ditch so I can go home.

9 MS. WOHLFEIL: So in good conditions, we
10 are talking about summertime right now. What about
11 winter, how does that work?

12 MR. BENNER: During the winter there is
13 certain bridges would not be able to cross. There
14 is weight restrictions on the road.

15 MS. WOHLFEIL: Okay. But do you feel like
16 that is a hazard for a semi or a large truck to
17 meet a school bus or any kind of --

18 MR. BENNER: Yes.

19 MS. WOHLFEIL: -- vehicle on that road?

20 Okay. Thank you.

21 HEARING OFFICER: Any other questions for
22 Mr. Benner?

23 (No response.)

24 HEARING OFFICER: Thank you, Mr. Benner.

1 Next to testify, Meagan Wohlfeil. On deck is
2 Jennifer Tirey. Can you please state your name and
3 spell your last name for the record?

4 MS. WOHLFEIL: Meagan Wohlfeil,
5 W-O-H-L-F-E-I-L.

6 (Whereupon Meagan Wohlfeil was duly sworn.)

7 HEARING OFFICER: You may proceed.

8 MS. WOHLFEIL: Thank you. I am just going
9 to reiterate what I talked about before. I
10 attended the Littleton Township meeting on May 8th,
11 and they stated, the township supervisor stated,
12 and road commissioner stated, that the county has
13 no money. I'm not saying completely broke, but
14 after Ted from Professional Swine said it is going
15 to be 12 weeks of construction, the road
16 commissioner who had been commissioner for years
17 and years, knows that road, Tom Martin, says you
18 will destroy that road.

19 So my concern is if that destroys that
20 road, and maybe people don't care, you know, they
21 don't care about that, what are they going to do
22 about all these sick people in the community? How
23 are the ambulances supposed to get to those people.

24 So, you know, money might talk. What about

1 lives? Do lives not matter?

2 Yes, money goes to the school district.

3 That's great. But is one child's life worth it
4 when there is a bus accident and someone is killed?
5 Does a child's life not matter? Does not one life
6 not matter?

7 None of this criteria talks about health.
8 What about people that can be killed on these
9 roads?

10 I grew up in the area. That was my bus
11 route for 17 years. I rode on the bus on this
12 exact road that they are talking about. I know
13 about meeting other vehicles, and I know about
14 wintertime out there. I'm in Littleton Township.
15 And you are going to talk about that road is bad?
16 You come over, see my road that I have to, you
17 know, dodge potholes just to try to get to work in
18 the wintertime. I can't barely get out to get to
19 work to the main road, to 101.

20 I'm talking about something serious right
21 now. I do want to make a statement. I don't know
22 what you are laughing about, but I am talking about
23 people's lives here. I don't think whatever you
24 are thinking is funny is funny. So please be

1 respectful towards me. That's all that I have to
2 say.

3 HEARING OFFICER: Thank you, Ms. Wohlfeil.
4 Any questions for Ms. Wohlfeil? Yes, sir?

5 MR. McMURREN: Tom McMurren. This road you
6 are talking about going down, do you live on this
7 road right now?

8 MS. WOHLFEIL: I couldn't hear. Sorry.
9 Excuse me.

10 MR. McMURREN: The road that they are going
11 to be traveling, propose to travel, do you live
12 down that road?

13 MS. WOHLFEIL: I currently travel down the
14 road all the time.

15 MR. McMURREN: You travel down the road.
16 Are you able to drive directly through that road
17 without negotiating through any potholes, any
18 negative impacts on that road today?

19 MS. WOHLFEIL: I don't understand your
20 question. Can you say it again?

21 MR. McMURREN: Are you able to drive down
22 that road safe, right just down the road without
23 thinking about how you are moving, negotiating
24 through that road from the second that you get on

1 that road to the end of that road? Are you able to
2 do that?

3 Do you have to think at all about how you
4 are negotiating around any kind of obstacles such
5 as potholes or other things on that road?

6 MS. WOHLFEIL: Are you talking about the
7 road directly from my house or the road to the --
8 excuse me, sir?

9 MR. McMURREN: The road that they are
10 proposing to travel on Littleton Road is what I'm
11 talking about.

12 MS. WOHLFEIL: Okay. Thank you for
13 clarifying. Do I have to, you mean, dodge potholes
14 and stuff?

15 MR. McMURREN: Correct.

16 MS. WOHLFEIL: Well, I can tell you one
17 thing. In the whole town of Little -- Littleton
18 Township, anybody that knows the roads throughout
19 the whole township and you travel them that many
20 times, what can I say, if it is an everyday road
21 they are traveling, you know where the potholes
22 are. I know that I need to go to the left, I need
23 to go on the right, I know I have to straddle this
24 pothole or else I'm going to practically rip my

1 tire off because I hit a pothole.

2 So yes, I do know that once I'm starting,
3 you know, over and over to the side or whatever, if
4 that's clarifying your question, but maybe not
5 everybody else is going to know that for
6 themselves. The drivers that are going to be
7 driving down here, are they going to swerve and hit
8 a school bus, I don't know, to miss that pothole?
9 I guess I don't understand what you are --

10 MR. McMURREN: Well, so you are talking
11 about children dying on this particular road?

12 MS. WOHLFEIL: It could happen.

13 MR. McMURREN: You just mentioned almost
14 all the roads in Littleton Township have their
15 issues that they got to deal with, correct?

16 So that means our children are in danger
17 everywhere, not just one. By the way, I have five
18 boys in case you didn't know. They get on the bus.
19 I'm concerned. So I'm trying to help you help me
20 understand. That's why I'm asking these questions.

21 MS. WOHLFEIL: That wasn't a question, that
22 was a statement. I have comments on what you were
23 saying. You are not asking me a question anymore.

24 HEARING OFFICER: Any other questions for

1 Ms. Wohlfeil? Yes?

2 MS. JOHNSON: So if you meet somebody on
3 that road and there is a pothole directly in line
4 of your tire, what are you supposed to do?

5 MS. WOHLFEIL: Well, what I personally do,
6 what I seen other people do, neighborly thing, just
7 get, unfortunately we have to get on the side of
8 the road. And there is no shoulders. It is like a
9 ditch. You go into the side of the ditch, and I
10 can tell you what; that when there is a lot of
11 rain, you have to be careful because it will
12 literally suck you right into the ditch. I don't
13 know how to describe it. I mean, it drops off. It
14 will suck you in. That's -- we are talking about
15 the good weather, I'm not talking about wintertime.

16 You know what? I do want to say I'm not
17 trying to put it on the road commissioner. You can
18 only do what you have money to work it. I'm not
19 only concerned about the citizens, I'm concerned
20 about, which you wouldn't believe this, the workers
21 that work there and the hogs. They're living
22 creatures.

23 HEARING OFFICER: Ms. Wohlfeil, I think you
24 are venturing into testimony. You answered her

1 question. Are there any other questions for Ms.
2 Wohlfeil?

3 (No response.)

4 HEARING OFFICER: Hearing none, thank you
5 very much. Next up is Jennifer Tirey, and after
6 Jennifer Tirey, on deck is Mike Borgic. Please
7 state your name for the record and spell your last
8 name.

9 MS. TIREY: Jennifer Tirey, T-I-R-E-Y.

10 HEARING OFFICER: Ms. Tirey, will you
11 please raise your right hand?

12 (Whereupon Jennifer Tirey was duly sworn.)

13 HEARING OFFICER: You may proceed.

14 MS. TIREY: Good evening. My name is
15 Jennifer Tirey. I currently represent the Illinois
16 Pork Producers Association. So yes, I'm here on
17 behalf of livestock. But I do want to let you know
18 that by representing livestock, we represent -- 98%
19 of our farms are family owned, and many of the
20 individuals that we represent are the individual
21 farmers that are represented by Professional Swine
22 Management.

23 I have actually been on farms, some of the
24 farms that Professional Swine Management oversee

1 including Dutchman Creek, and I have seen how they
2 treat their employees, and I have been able to see
3 that they started at the very, one of the lower
4 jobs, and they are now the sow manager in the
5 position at Dutchman Creek. So I see how they
6 treat their employees.

7 Many of our pork producers, they actually
8 raise their families in the communities that they
9 live in. They drink the water that everyone in the
10 community drinks. They live right next to the
11 farm. So I just want to make sure that we -- I'm
12 not going to try to come up here and change your
13 mind, but I want you to know that there is another
14 side of the livestock industry, and that's that 98%
15 of those family farmers that I represent every day.

16 And I do want to also talk about the MRSA
17 claim. Now, 30% of the general population has
18 Staph on their skin at any given time. MRSA with
19 the CDC has been known that it is most prevalent in
20 the human strains in health facilities, not in the
21 animals. So sometimes I think that we focus on one
22 Google site and think that that is factual
23 information. This is from the Center of Disease
24 Control, CDC. They are stating where MRSA

1 predominantly goes is in health facilities. I just
2 don't want that one study that someone finds to be
3 the fact and end all be all for the livestock
4 industry. Thank you.

5 HEARING OFFICER: Thank you, Ms. Tirey.
6 Are there any questions for Mr. Tirey? Yes, ma'am?

7 MS. HUDSON: Would you be willing to talk
8 to me after the meeting so I can enlighten you on
9 all the studies what we work with, Johns Hopkins
10 School of Public Health. I think that you need to
11 read those. It is not just one study. I would
12 like you to talk with us.

13 MS. TIREY: Karen, I would love to talk
14 with you. You can come to the Pork Producers
15 office in Springfield anytime. I'm not going to
16 talk to you tonight because I have children. I'm
17 going to go home.

18 MS. HUDSON: Let's exchange numbers.

19 MS. TIREY: Absolutely, yep.

20 HEARING OFFICER: Any other questions? Yes,
21 ma'am?

22 MS. JOHNSON: Carrie Johnson. Is Olive
23 Branch a family-owned CAFO?

24 MS. TIREY: They are individual family

1 farmers that are part of it. I'm sure there are.

2 I'm not aware of who their names are, no.

3 MS. JOHNSON: You stated 98%. So would that
4 be considered a family farm?

5 MS. TIREY: Then yes, I would say they are.
6 I know PSM. I know family farms that are part of
7 PSM farms. Some of them are actually on my board
8 for the Illinois Pork Producers Association. I
9 know the family farms.

10 MS. JOHNSON: So the 98% that you are
11 calling family farms aren't 100% family farms?

12 MS. TIREY: Sorry, what? I don't
13 understand your --

14 MS. JOHNSON: You said 98% were family
15 farms. When you say family farm, what percentage
16 is actually owned by the family and not a
17 corporation?

18 MS. TIREY: They are, Professional Swine
19 Management is hired to oversee the day-to-day, but
20 they are part of, they're made up of individual
21 family farms. Many of the individual family farms
22 that are also part of our Pork Producers
23 Association have farms right next to their
24 families. They live a stone's throw away from

1 where their farm is.

2 MS. JOHNSON: And you talk about MRSA. So
3 you said predominantly, which yes, I mean, it does
4 occur.

5 MS. TIREY: In health facilities, yes.

6 MS. JOHNSON: But also large pork --

7 MS. TIREY: Not just pigs. You are making,
8 -- yes, you are right. You are right. Animals,
9 all types of animals.

10 MS. JOHNSON: Okay. Thank you.

11 HEARING OFFICER: Any other questions for
12 Ms. Tirey?

13 MS. WOHLFEIL: Megan Wohlfeil. So you kind
14 of stated that you have been in different
15 facilities and see how good they are to
16 their employees.

17 So the question that I have is this: You
18 know, we are all talking about concerns of outside
19 air pollution, things like that. What do they,
20 what precautions do they take for workers? Do they
21 have to wear air masks when in there working?

22 MS. TIREY: Actually it is interesting that
23 you ask that. So with biosecurity you actually
24 shower twice when you go into the sow farms with

1 Professional Swine management. You shower when you
2 go in because it is more of a concern of us
3 bringing in something to the animals. Then you
4 shower when you leave as well. So the employees
5 don't wear masks. There is not, there is not a
6 health concern for the employees.

7 HEARING OFFICER: Any other questions
8 briefly? I'm going to give her an opportunity,
9 each have an opportunity for one final question.

10 MS. SMITH: My name is Keatra Smith,
11 K-E-A-T-R-A, S-M-I-T-H. Are you aware that
12 multiple studies say that the facilities have
13 ammonia and hydrogen sulfide along with multiple
14 other gases including methane, and there are
15 workers in a contained building? So that is
16 concentrated levels of gases.

17 MS. TIREY: They have filtration systems.

18 MS. SMITH: And dust particles, yes, dust
19 particles that they breathe and they don't wear
20 masks and don't wear respirators?

21 MS. TIREY: No, they do not.

22 HEARING OFFICER: Okay. Ms. Johnson, you
23 have one question.

24 MS. JOHNSON: Okay. So you stated that

1 they have state of the art filtration systems.
2 Then why is it people that mow outside of those
3 buildings are required to wear hazmat suits and
4 masks?

5 MS. TIREY: I'm not aware if they are. I
6 am sorry.

7 HEARING OFFICER: Any other final questions
8 for Ms. Tirey? This is the very final question,
9 Ms. Hudson, yes.

10 MS. HUDSON: I just want to say that I
11 wished that we could -- we need to realize that --
12 I will pose it as a question.

13 Do you understand what the study in Iowa
14 was regarding people who live near swine
15 facilities? They're more likely to be colonized
16 with MRSA, not LA-MRSA, regular MRSA. They don't
17 know why, but they're three times more likely to be
18 colonized.

19 HEARING OFFICER: Okay. Let's give an
20 opportunity to answer the question.

21 MS. TIREY: I am aware of the study. Yes,
22 I'm aware. Thank you.

23 HEARING OFFICER: Okay. Thank you very
24 much, Ms. Tirey. Next up is Mike Borgic. On deck

1 is Glenna Prather.

2 UNIDENTIFIED: Can I bring this up to you?

3 HEARING OFFICER: Is it written testimony?

4 UNIDENTIFIED: Yes.

5 HEARING OFFICER: I'm going to enter into
6 the record Written Exhibit No. 16.

7 (Written Exhibit 16 admitted.)

8 HEARING OFFICER: Please state your name
9 for the record, spell your last name.

10 MR. BORGIC: Mike Borgic, B-O-R-G-I-C.

11 HEARING OFFICER: Would you please raise
12 your right hand?

13 (Whereupon Mike Borgic was duly sworn.)

14 HEARING OFFICER: You may proceed.

15 MR. BORGIC: Good evening, everybody. My
16 name is Mike Borgic. I do also work for the
17 Illinois Pork Producers Association.

18 One of the things that I find interesting
19 about myself is that the farm that we have been
20 discussing here tonight, I used, I grew up on a
21 farm just like. It. I grew up 200 feet away. We
22 used a well for our water, we had ponds all around
23 that we hunted, fished on. We were right next to
24 this farm for the first 22 years of my life until

1 the time I was in college. I worked on the farm
2 during my summer and winter breaks.

3 A question was brought up about masks,
4 things like that. All the gasses that you refer to
5 are heavier than air. They stay down in the pit.
6 They don't get mixed up in the air until they start
7 pumping manure, and then we make sure it is well
8 ventilated.

9 There is a lot of people that go through
10 these trainings. Heard about certified livestock
11 management training earlier. We go through those
12 trainings to figure out exactly what you need to do
13 when pumping this manure.

14 Our farm, like I said, about the same size
15 as this one. We have about 6,000 sows. We produce
16 160,000 piglets a year. We have 17 contracts
17 growers from around the State of Illinois. We are
18 a family farm. My grandpa the farm in 1955. My
19 dad runs it now.

20 So these larger farms, you may assume they
21 are a corporate farm. Technically we are
22 incorporated, but we are still a family farm. It's
23 been in our family for several years and hopefully
24 for several more.

1 Another issue I wanted to bring up is a lot
2 of people have been talking about the recreation or
3 hunting, fishing. It was brought up earlier about
4 Pike County. Pike County has seen a large number
5 of hog operations built in that county. Since 2002
6 to 2015, they have also seen a 75% increase in
7 expenditures for hunting and fishing in that
8 county. So I do not see the correlation that we
9 have for the farms being a negative impact on these
10 hunting and fishing operations. Now, that's just
11 Pike County. I can probably give stats for others
12 if I had them, but I don't.

13 So that's really all that I have. So if
14 you guys have any questions for me, feel free to do
15 so.

16 HEARING OFFICER: Thank you, Mr. Borgic.
17 Are there Any questions for Mr. Borgic? Yes?

18 MR. STINNETT: Greg Stinnett. Is it not
19 true Pike County is known across the nation as one
20 of the, has become known as one of the best deer
21 hunting counties in the nation?

22 MR. BORGIC: That's quite possible. I have
23 never hunted in Pike County, so I don't know. But
24 I'm just saying that they have had a large increase

1 in hog production, and they still increased their
2 tourism due to recreational hunting.

3 HEARING OFFICER: Any other questions for
4 Mr. Borgic? Yes, ma'am?

5 UNIDENTIFIED: How many hog farms do they
6 have in Pike County?

7 MR. BORGIC: I don't have a number off the
8 top of my head. Department of Ag would know that.

9 UNIDENTIFIED: But you do know there's been
10 a large increase in them?

11 MR. BORGIC: Yes, I was able to find that
12 quickly enough on my phone. It came from the
13 Quincy Convention & Visitors Bureau.

14 UNIDENTIFIED: But it doesn't say numbers?

15 MR. BORGIC: As far as what?

16 UNIDENTIFIED: A comparison to say it is a
17 large increase?

18 MR. BORGIC: Okay. Well, do you want
19 numbers? Then in 2002 they had \$15 million worth
20 of tourism recreation, basically hunting, in Pike
21 County. In 2015 it was 26 million.

22 UNIDENTIFIED: Talking about CAFOs?

23 MR. BORGIC: CAFOs. Okay. Again, I don't
24 have that off the top of my head. Sorry.

1 HEARING OFFICER: Any other questions for
2 Mr. Borgic?

3 MR. STINNETT: Greg Stinnett again. You
4 stated that these odors will be kept down in the
5 pits. Why, when you are going right by one on the
6 highway, what is --

7 MR. BORGIC: That was not the odors. I was
8 talking about like the methane gas that was brought
9 up before. Dust is what carries odor. And so what
10 we do with these sow farms, we pressure wash a lot.
11 We do a lot of cleaning, try to keep the dust down
12 because that is what carries odor.

13 This site here I have not been to it
14 myself, but by looking at the maps I see it is
15 nearly three, over three sides covered in trees.
16 Those trees are going to knock down a lot of that
17 dust so that odor won't carry.

18 MR. STINNETT: One more question.

19 HEARING OFFICER: Final question.

20 MR. STINNETT: You say that these methane
21 gases, these bad gasses are lower than the normal
22 atmosphere. I live in the valley right below you.
23 What happens then?

24 MR. BORGIC: By the time it is going to get

1 to you, it will be dissipated enough not to affect
2 you.

3 MR. STINNETT: About a quarter of a mile?

4 MR. BORGIC: Sure.

5 MS. HUDSON: Karen Hudson, question.

6 In the State of Minnesota hydrogen sulfide
7 and ammonia have been shown to violate state
8 standards up to five miles away. Are you aware of
9 that research?

10 MR. BORGIC: No, I'm not.

11 MS. HUDSON: Okay. Thank you.

12 HEARING OFFICER: Any final questions?

13 (No response.)

14 HEARING OFFICER: Thank you very much,
15 Mr. Borgic. Next up is Glenna Prather. On deck is
16 Marshall Prather. Please state your name for the
17 record.

18 MS. PRATHER: Glenna Prather,

19 P-R-A-T-H-E-R.

20 HEARING OFFICER: Please raise your right
21 hand.

22 (Whereupon Glenna Prather was duly sworn.)

23 HEARING OFFICER: You may proceed.

24 MS. PRATHER: I live in Littleton. I live

1 probably less than 100 feet from the turn-off to
2 Hodges Lane. My husband has lived there in
3 Schuyler County all his life. He has lived at our
4 residence for 27 years. I moved there 21 years
5 ago. We have raised our three children there.
6 They know both sides of Hodges Lane. They have
7 walked it, they have ran their four-wheeler, they
8 have done hunting, everything there. They grew up
9 there. That was their stomping ground.

10 They're putting a hog confinement there
11 now, Olive Branch Acres. To us that is home. To
12 us that is our recreation. To us that is a private
13 sanctuary where we go to have fun, where we hunt,
14 where everyone enjoys themselves and can relax. I
15 love going outside, sitting outside.

16 In 2011 our house burned down. It was a
17 tragic fire. We did get out. I barely got out.
18 My husband did get me out, but I was burned in the
19 fire, inhaled flames. When I inhaled the flames,
20 it was like someone was taking a puff of a
21 cigarette, and when I did that, it went down into
22 my lungs and I could not breathe. It took the
23 neighbor to take me to the hospital. From there I
24 was life-lined to Memorial Medical Center. I spent

1 eight days in a drug-induced coma to build up my
2 lungs where then I had pneumonia.

3 I have 70% capacity of my lungs, and it
4 really bothers me to know that our criteria doesn't
5 have anything to do with our medical. I live less
6 than three-quarters of a mile from the proposed
7 site. It is hard on me. I have other symptoms. I
8 have severe migraine headaches. They got severe
9 after the fire. Certain things make things worse,
10 and this is really going to make things worse. It
11 is going to make it worse for my husband, it is
12 going to make things worse for me, and it is going
13 to make things worse for my neighbors. Not just
14 disabled neighbors, but it is going to make worse
15 for my other neighbors that aren't sick here
16 because they may become sick. Not as bad as the
17 ones that, you know, that are like disabled and
18 have oxygen and need the heart transplants and
19 stuff. But they are vulnerable, too. They are
20 just as close as I am. They are vulnerable.

21 I have severe asthma. I get asthma attacks
22 at any time. My husband has to grab the inhaler
23 every once in awhile, and it is severe, and I'm
24 usually on the floor coughing for air. I can't get

1 it even with my oxygen on. I will never be without
2 oxygen. I will always be on oxygen.

3 I went to a pulmonary doctor. They told me
4 that I could not live in my home if I stayed there
5 if the hog confinement was allowed to go in because
6 I would have to have a whole home air purification
7 and filtration system and that would take up half
8 of our basement and it would cost 10 to \$15,000 to
9 put it in and it would cost us around 5 to \$7,000
10 to clean those filters out each year.

11 HEARING OFFICER: Thank you, Ms. Prather.

12 MS. PRATHER: Each year. A year's time.

13 HEARING OFFICER: Thank you.

14 MS. PRATHER: Then I'd be living as a
15 prisoner in my own home. I wouldn't be able to go
16 outside with my dogs, I wouldn't be able to get my
17 walker out so I can build up more strength so I
18 could have more oxygen. I wouldn't be able to do
19 any of that. I can't open my windows, I wouldn't
20 be able to do anything.

21 HEARING OFFICER: Thank you, Ms. Prather.

22 Are there any questions for Ms. Prather? Yes?

23 MS. HUDSON: Karen Hudson. Research is
24 finding up to 60% of these workers have acute or

1 subacute bronchitis that work inside the
2 facilities, and the neighbors are starting to show
3 these things.

4 Do you think you would have to leave your
5 home?

6 MS. PRATHER: Yes. I went to my other
7 doctor, actually yesterday I went to her, and she
8 had told me that the air purification filtration
9 system would be a way, but I would still be a
10 prisoner in my home. She said that I would have my
11 home, but that's all that I would have. I wouldn't
12 be able to open windows. I would have to have a
13 mask to go outside to the car. My husband would
14 have to wipe off the stuff so I wouldn't touch the
15 dust on the vehicle or the door handles. I
16 couldn't touch that. The dogs would have to be
17 wiped off when they go out and come back in. I
18 wouldn't be able to let them out. I'd have to have
19 someone at my house 24/7, help me with my dogs,
20 just let them in and out because I can't be around
21 their dander.

22 HEARING OFFICER: Any other questions for
23 Ms. Prather? Ms. Johnson?

24 MS. JOHNSON: You don't need to answer if

1 you don't want, but have you had anyone offer to
2 buy your house?

3 MS. PRATHER: No, we haven't. Someone had
4 mentioned something about someone else wanting to
5 buy our house, but no one has come up to us and
6 asked us to buy our house.

7 MS. JOHNSON: So if the filtration is
8 working and there is no problem with living next to
9 a CAFO, why do you think somebody would offer to
10 purchase your house?

11 MS. PRATHER: I have no idea. That's a good
12 question. I have no idea. I was not in on that.
13 That was something that was heard, and I have no
14 idea why that was.

15 HEARING OFFICER: Any other questions for
16 Ms. Prather?

17 (No response.)

18 HEARING OFFICER: Seeing none, thank you
19 for your testimony. Next up, Marshall Prather. On
20 deck is Terry Smith. Please state your name for
21 the record and spell your last name.

22 MR. PRATHER: Marshall Prather,
23 P-R-A-T-H-E-R.

24 (Whereupon Mr. Prather was duly sworn.)

1 HEARING OFFICER: You may proceed.

2 MR. PRATHER: My name is Marshall Prather.

3 I have lived as my wife said at my residence for
4 27, 26, going on 27 years, and I love it out there.

5 I love it out there. It is nice, peaceful, quiet.

6 The neighbors are great. Can't think of any
7 neighbors that I could have any better than the
8 ones that I have.

9 In 2011, like my wife said, my house burnt
10 down. I had neighbors that I didn't even know I
11 had. Here they come. And speaking of neighbors,
12 back in '95 my brother farmed a farm down where the
13 Moons live now, and you know what? He passed away.
14 He got sick and passed away, and here come the
15 neighbors. So that's the main reason why I love
16 where we live at.

17 Another thing, you know, my wife, she is,
18 she is sickly, and I'm just scared to death. You
19 know, they all say they don't smell and they don't
20 stink, whatever. I have never drove by one that
21 didn't. And I also had somebody say well, if they
22 put the manure on right, it don't stink. I have
23 never drove by one that they are putting manure on
24 right because they all stink. And how is that

1 going to be when they are putting that right
2 outside my window? It is going to be a bad deal.

3 So what I'm saying, the roads, everybody is
4 like well, there is potholes, everything else.
5 Yeah, they are not great, but they are oil and
6 chip. I'd take a bad oil and chip road over a
7 gravel road any day. Will I miss the potholes?
8 Absolutely. I will miss the potholes if I don't
9 have to change a tire every week because it poked a
10 hole in it. I can go around that pothole. That's
11 all that I have. Thank you.

12 HEARING OFFICER: Thank you, Mr. Prather.
13 Any questions for Mr. Prather?

14 (No response.)

15 HEARING OFFICER: Seeing none, thank you
16 for your testimony. Next up is Terry Smith. After
17 Terry Smith will be Shane Moon. Please state your
18 name for the record.

19 MR. SMITH: Terry Smith, S-M-I-T-H.

20 HEARING OFFICER: Please raise your right
21 hand.

22 (Whereupon Terry Smith was duly sworn.)

23 HEARING OFFICER: You may proceed.

24 MR. SMITH: My name is Terry Smith. I'm

1 the Illinois Corn Growers District 9 representative
2 which Schuyler County is a part of. I live in
3 Clayton.

4 When it comes to livestock facilities, my
5 understanding from what I have heard tonight is
6 that it does meet the criteria it takes to support
7 to start one.

8 A facility of this size will use over
9 180,000 bushel of local corn a year, use over
10 60,000 bushel of beans for meal. Those two things
11 both contribute to increasing the price of grain
12 that I get for my crops.

13 At home where I live between Clayton and
14 Camp Point, I actually have one CAFO a half mile
15 from my house.

16 By the way, Mr. Prather, yes, it does stink
17 about three days a year at my house. The neighbor
18 that lives on the other side says the same thing,
19 three, four days a year it stinks. Another one a
20 mile from me. I have yet to smell it. Actually
21 when I drink coffee in Clayton early in the
22 morning, we smell the city lagoon more than we
23 smell the livestock. Thank you.

24 HEARING OFFICER: Thank you for your

1 testimony. Are there any questions for Mr. Smith?

2 Yes, ma'am?

3 MS. JOHNSON: So you talk about local
4 grain. Are they going to be using, buying grain
5 from Rushville?

6 MR. SMITH: They aren't going to be
7 trekking it in from Louisiana. Yeah, it will come
8 from somewhere local.

9 MS. JOHNSON: Oh. Because we saw a truck
10 from Iowa as a grain provider around here. So, you
11 know --

12 MR. SMITH: I seen them from Iowa when I
13 deliver grain down here, too.

14 MS. JOHNSON: And what about vets, do they
15 hire local vets? Because talking about 20,000
16 animals. If it was local farmers that would have
17 that many animals, they would use local vets. Do
18 they use Rushville vets?

19 MR. SMITH: I assume they are local.

20 MS. JOHNSON: You do. So you think they
21 are going to use Rushville vets?

22 MR. SMITH: I can't imagine them driving in
23 from 1,000 miles away every day.

24 HEARING OFFICER: Any other questions for

1 Mr. Smith? Yes, sir?

2 MR. HEFKE: Howard Hefke (phonetic). Why
3 does the National Corn Growers Association support
4 the National Pork Producers? Because it was a year
5 or two ago that they were the biggest fighters
6 against us for getting support in the ethanol.
7 They were against us, and yet you are still
8 supporting them. I'm a farmer, too.

9 MR. SMITH: Yes. Been down that road
10 before, too. Was in the ethanol business.

11 MR. HEFKE: So why are you still buddying
12 up with them?

13 MR. SMITH: We are all agriculture. It is
14 family. We don't all agree all the time. I don't
15 agree with my neighbors all of the time. It is
16 just the way the culture works. We are all in the
17 same boat, the same direction. We all want to stay
18 profitable.

19 HEARING OFFICER: Any other questions for
20 Mr. Smith? Yes, sir?

21 MR. STINNETT: Greg Stinnett. You state
22 you smell these hog operations maybe three times a
23 year, and the Prathers live directly east of where
24 this proposed farm is going to be.

1 Would you guess they would smell that many
2 more times than that per year?

3 MR. SMITH: I have no idea. You tell me
4 which way the wind blows, I will tell you who will
5 smell it.

6 MR. STINNETT: Do you know what the
7 prevailing winds are in Illinois?

8 MR. SMITH: Yes, sir, I do, northwest in
9 the winter, southwest in the summertime.

10 MR. STINNETT: Wouldn't that blow right at
11 the Prathers?

12 MR. SMITH: Not if they are east. It would
13 blow it northeast or southeast, not straight east.

14 HEARING OFFICER: Thank you, Mr. Smith.
15 Shane Moon is up next. After Shane Moon will be
16 Steve Terstrey. Sorry, Shane Moon passes. Steve
17 Terstrey? Last call for Steve Terstrey?

18 UNIDENTIFIED: He is gone.

19 HEARING OFFICER: He is not in attendance.
20 Mr. Vincent? Looks like Johnny.

21 UNIDENTIFIED: He left.

22 HEARING OFFICER: Mr. Vincent is not in
23 attendance either. And final testimony that we
24 have, Brent Manning.

1 MR. MANNING: I think we need to change the
2 rules somehow that the oldest gets to go first, us
3 old guys.

4 HEARING OFFICER: We appreciate your
5 perseverance. Would you please state your name and
6 spell your last name for the record?

7 MR. MANNING: I am Brent Manning,
8 M-A-N-N-I-N-G.

9 (Whereupon Brent Manning was duly sworn.)

10 HEARING OFFICER: You may proceed.

11 MR. MANNING: Thank you. First of all, I
12 have been hunting in Schuyler County for 23 years,
13 owned a farm here 22 years, and I'm a member of
14 this farm. It is -- we have eight other members.
15 We own approximately 900 acres. Our nearest point
16 to this proposed facility is probably a mile, and
17 our actual lodge sets about two miles from it.

18 We have seen recreation and tourism in this
19 county absolutely skyrocket in the last 20 years.
20 We and four friends of ours from Pennsylvania come
21 here to hunt and a friend mine from Utah comes
22 every year religiously with the idea they are going
23 to be involved in some of the highest quality
24 activities in the United States.

1 I agree with them. I think they are. I am
2 -- I have a history of fish and wildlife, and in my
3 research, according to the US Fish & Wildlife
4 Service, every dollar that comes into an area
5 externally generates at least 8 to \$10 in their
6 local economy. That's from a report done in 1995
7 that was replicated in the year 2000 and in the
8 year 2005, and incrementally those numbers have
9 gone up somewhat. I can't recall the last one, but
10 I do know that '95, I remember that very well
11 because I gave testimony on it. For every dollar
12 spent from outside multiplies eight times
13 throughout that economy.

14 I'm concerned because of all the
15 confinements between 2005 until 2014 -- I shouldn't
16 say all confinements -- confinements plural are a
17 very serious problem. There were half million fish
18 killed in water pollution incidents during that
19 period. Pig waste impaired 67 miles of Illinois
20 rivers. No other industry, as this young lady
21 reported, came close to the same amount of
22 environmental damage during the same period of
23 time. That's something that's a real concern.

24 IEPA in 2010 was threatened by the federal

1 government to, they were threatened with funding as
2 well as decertification because of its failure to
3 properly regulate livestock confinements. We are
4 told that gets a little bit better, but it's still
5 not right and not where it should be.

6 Done with my three minutes already?

7 HEARING OFFICER: It appears so, sir.

8 MR. MANNING: Okay. I'd be happy to answer
9 any questions in the very short period of time that
10 I spent up here.

11 HEARING OFFICER: Any questions for
12 Mr. Manning? Yes, ma'am?

13 UNIDENTIFIED: Are you aware that things
14 have not gotten better with the federal EPA? We
15 met with them and still status quo.

16 MR. MANNING: I'm aware there has been a
17 very significant problem, and that needs to be
18 rectified.

19 MS. HUDSON: Has not changed.

20 HEARING OFFICER: Any other questions of
21 Mr. Manning? Yes, ma'am?

22 MS. JOHNSON: Are you worried about the
23 impact this proposed CAFO will have on your farm?

24 MR. MANNING: Certainly. That's why I'm

1 here. I'm also worried about my grandson's future.
2 He is five years old, and I'd rather him growing up
3 on turkey, venison and wild squirrel killed in a
4 good, clean environment.

5 HEARING OFFICER: Any other questions?
6 Last question of the evening.

7 MS. WOHLFEIL: I will make it short, then.
8 Meagan Wohlfeil. So you said you own this farm.
9 It is kind of a partnership with other people?

10 MR. MANNING: Yes.

11 MS. WOHLFEIL: So maybe just, you know, a
12 quick description of -- I mean, when you guys come
13 down, you are not only coming down to hunt, fish,
14 enjoy the environment, but you are also bringing, I
15 would say you are going to gas stations, you are
16 buying groceries, going to Rushville, bringing in
17 commerce and in other aspects of town?

18 MR. MANNING: Well, we probably have one of
19 the largest bills at FS in the county. We spent
20 over \$300,000 on the lodge. We have used local
21 materials, local people coming in to work with us
22 on that. On 900 acres, the amount that we have got
23 that is tillable, we use local supplies, and we use
24 a custom farmer to take it out for us. So I'm sure

1 we do have an impact on the economy.

2 MS. WOHLFEIL: So do you feel like your
3 example of people coming in, spending money, do you
4 feel that CAFOs -- I know they say it creates jobs,
5 they are not concerned for the people's health that
6 work in there. Do you feel people come to work
7 there, do you think they put as much into the
8 economy of Schuyler County as residents do?

9 MR. MANNING: You know, I feel there are
10 folks that are looking to make a living for their
11 family and children. I don't question that
12 whatsoever, and I applaud them in doing that.

13 However, personally I don't feel the
14 technology is there yet to allow mega operations in
15 the sense that it is perfectly safe for all of
16 those that are involved.

17 MS. WOHLFEIL: Thank you.

18 HEARING OFFICER: Thank you, Mr. Manning.
19 I am going to enter into the record the oral
20 testimony sign-in sheet. This will be Department
21 Exhibit 3.

22 (Department Exhibit 3 admitted.)

23 HEARING OFFICER: Also entered into the
24 record is the attendance sign-in sheet which we

1 have as Department Exhibit No. 4.

2 (Department Exhibit 4 admitted.)

3 HEARING OFFICER: This concludes the oral
4 testimony portion of the hearing.

5 The final portion of tonight's
6 informational meeting is closing comments. Are
7 there any closing remarks from the facility?

8 MR. UFKES: There are none.

9 HEARING OFFICER: Any closing remarks from
10 the department?

11 MR. GOETSCH: (Nods head side to side.)

12 HEARING OFFICER: Thank you. As mentioned
13 earlier, a copy of the transcript will be provided
14 to the county board. For others desiring a copy of
15 the transcript, contact the court reporter. Come
16 up, get her information if you would like her
17 contact info.

18 I want to thank you for your attendance
19 tonight. It was a joy to come out here to Schuyler
20 County. A great courthouse. I appreciate all of
21 the information tonight. This public information
22 hearing is hereby closed.

23 (Hearing concluded at 10:43 p.m.)

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