1 PUBLIC INFORMATIONAL MEETING

2 IN RE: PARKS LIVESTOCK-SHEPHERD SWINE FACILITY

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10 David S. Palmer Arena, Danville, Illinois

11 January 30, 2017

12 8:00 p.m.

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21 Becky L. Jessup: CSR # 084-004343

22 Area Wide Reporting and Video Conferencing
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24

ORIGINAL

1 (8:05 p.m.)

2 MR. SONDGEROTH: Good evening. On behalf of
3 Raymond Poe, Director of the Illinois Department of
4 Agriculture, we thank you very much for the invitation
5 to come to Vermilion County today.

6 My name is Craig Sondgeroth. I am with the
7 Illinois Department of Agriculture and I will be
8 serving as the hearing officer for tonight's public
9 informational meeting.

10 Also with me on behalf of the Department are
11 Warren Goetsch, Deputy Director of the Department, and
12 Doug Owens, manager of the Bureau's Livestock Program.

13 This meeting is being conducted pursuant to
14 Section 12 of the Livestock Management Facilities Act.
15 The informational meeting is being held at the request
16 of the Vermilion County Board and is to afford members
17 of the public an opportunity to ask questions and
18 present oral and written testimony regarding the
19 proposed construction of a new 3,360 animal unit swine
20 finishing facility by Parks-Livestock Shepherd.

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

1 Tonight's meeting is being transcribed. The
2 transcript of the meeting will be sent to the Vermilion
3 County Board as well as used by the Department of
4 Agriculture in making its determination regarding the
5 proposed construction of this facility.
6 In order to ensure that we have an orderly
7 process, I will quickly explain how the meeting will
8 proceed this evening.
9 First, following my comments, Warren Goetsch
10 will provide an overview of the provisions of the
11 Livestock Management Facilities Act as it relates to
12 this particular project, specifically outlining the
13 current status of the project and how the process will
14 proceed following this meeting.
15 Following Mr. Goetsch, representatives for
16 the proposed construction project will be given an
17 opportunity to describe the project and demonstrate how
18 they believe it meets the siting criteria of the
19 Livestock Management Facilities Act.
20 After their presentation, I will open the
21 meeting to questions. Anyone wishing to ask questions
22 of the facility representatives or the Department will
23 be given the opportunity to do so.
24 During the question and answer session, I

1 will ask that you state your name and spell your last
2 name for the court reporter. You then may ask your
3 question.
4 Depending on the number of people who wish to
5 testify in the oral testimony phase of the meeting,
6 which is after the question phase, there may be a time
7 limit placed on the questioning phase.
8 Following the question and answer phase, I
9 will ask for written testimony. If anyone has written
10 testimony that is not part of your oral testimony, I
11 will accept it and enter it into the record for this
12 proceeding.
13 If you have written material that you will be
14 using as part of your oral testimony, it can be entered
15 into the record following your oral testimony. Then
16 depending on the amount of time that has elapsed at
17 this point in the meeting, we may take a short break.
18 Following the written testimony, I will ask
19 for oral testimony from the public. Sign-in sheets
20 were placed in the back of the room as you came in; one
21 sheet for attendance and a second sheet for testimony.
22 People who wish to provide comments during
23 this oral testimony phase are asked to sign the oral
24 testimony sheet. People providing oral comments will

1 be sworn in and will be subject to questioning from the
2 public.
3 We have a great court reporter this evening
4 but you will need to speak so she can take down what
5 you say. She may ask you to slow down or repeat what
6 you said.
7 Each person will be given 3 minutes to
8 provide his or her comments. Legal counsel speaking on
9 behalf of multiple clients will be given a total of 15
10 minutes for all clients and will be asked to state the
11 names of all the persons on whose behalf he or she is
12 speaking.
13 Deferring time to other speakers will not be
14 allowed. If you signed an oral testimony sheet, you
15 may either speak or if you have changed your mind, you
16 may pass. You may not give your time to someone else.
17 Also please keep in mind if you do not wish
18 to be asked questions regarding your oral testimony, do
19 not sign the sheet or if you have signed it already,
20 indicate you would like to pass when I call your name.
21 The meeting will then conclude with closing comments
22 from the facility and Department of Agriculture.
23 To summarize the procedure tonight, we will
24 have comments from the Department, comments from the

1 facility, questions directed to the Department and the
2 facility. Remember to state your name and spell it for
3 the record.
4 Written testimony will be accepted and there
5 will be oral testimony from the public. People will be
6 sworn in and questions may be asked of the testimony.
7 And then we will have closing comments.
8 Please keep in mind we are not here this
9 evening to discuss or debate the merits or perceived
10 inadequacies of the existing regulations or laws.
11 We are here tonight to receive information on
12 the particular proposed livestock facility to assist
13 with determining compliance with the existing
14 regulations.
15 This is a public informational meeting, not a
16 court proceeding. The purpose is to share information
17 and provide an opportunity for the Department, members
18 of the County Board, and you, the public, to learn
19 about this proposed facility.
20 Again, we very much appreciate your
21 hospitality for inviting us here tonight to consider
22 the proposed construction of the Parks-Livestock
23 Shepherd swine finishing facility.
24 Please remember to confine your comments and

1 questions to that subject as we continue. I will now
2 turn the proceedings over to Warren Goetsch for remarks
3 from the Illinois Department of Agriculture.
4 MR. GOETSCH: Good evening. As the hearing
5 officer indicated, my name is Warren Goetsch. I
6 currently serve as the Deputy Director for the Illinois
7 Department of Agriculture.
8 I also am the acting Bureau Chief of the
9 Bureau of Environmental Programs who is charged with
10 the administration of the Livestock Management
11 Facilities Act.
12 On behalf of the Department, let me welcome
13 you to this public informational meeting. Before we
14 hear from the proposed facility's representatives, I
15 would like to say a few words regarding the applicable
16 provisions of the Livestock Management Facilities Act
17 and the current status of this proposed project.
18 The Livestock Management Facilities Act was
19 originally passed and became law on May 21 of 1996.
20 Just short of 21 years ago.
21 Since that time, the Act has been amended
22 three times: First during the General Assembly's 1997
23 Fall Veto Session; second during the General Assembly's
24 1999 Spring Session; and most recently during the 2007

1 Spring Session of the General Assembly.
2 The Act can be generally described as
3 covering five major areas: Livestock facility design
4 standards; waste management planning requirements;
5 facility operator training and testing; anaerobic
6 lagoon financial responsibility demonstration; and
7 facility setback requirements.
8 Each of these provisions impacts various
9 types of facilities in different ways depending upon
10 their size, expressed in animal units, and whether the
11 proposed facility is considered as a new facility, a
12 modified facility or an expansion of an existing site.
13 The Livestock Management Facilities Act's
14 provisions are quite complicated and specific facility
15 designs and situations certainly can differ. It is,
16 however, the Department's intention to always fairly
17 and equitably apply these requirements to the livestock
18 industry in this state.
19 Now regarding the current status of this
20 particular proposal, the Department received a formal
21 Notice of Intent to Construct Application for the
22 proposed construction of a swine facility on November
23 15, 2016.
24 The proposed project is to consist of the

1 construction of two finishing buildings each measuring
2 101 feet, 8 inches by 341 feet with an 8 foot deep
3 under building livestock waste handling structure.
4 The project is proposed to be located
5 approximately 1.5 miles north of Fithian, Illinois, in
6 western Vermilion County. The application was
7 submitted by Effingham Equity on behalf of
8 Parks-Livestock Shepherd of Fithian, Illinois.
9 The maximum design capacity of the proposed
10 facility is 3,360 animal units or 8,400 head of swine
11 each greater than 55 pounds in weight.
12 As I mentioned earlier, the Department
13 received the Notice of Intent to Construct Application
14 on November 15 and reviewed it for its compliance with
15 the applicable provisions of the Act.
16 On December 12, the Department determined
17 that the Notice was complete and forwarded a copy of
18 that completed application to the Vermilion County
19 Board. Notice of that application was also published
20 in the appropriate newspaper.
21 The design capacity of the proposed facility
22 requires compliance with a residential setback distance
23 of not less than 1,760 feet and a populated area
24 setback distance of not less than 3,520 feet.

1 On January 17, the Department received
2 official notice from the Vermilion County Board
3 requesting that a public informational meeting be
4 scheduled regarding the proposal.
5 After further consultation with the County
6 Board, the Department scheduled this meeting and caused
7 notice of the meeting to be published again in the
8 appropriate newspapers.
9 An additional requirement of the Livestock
10 Management Facilities Act deals with the design and
11 construction plans and specifications for a livestock
12 waste handling facility.
13 The Department has received a formal
14 submittal of detailed engineering design plans and
15 specifications for the proposed project's under
16 building livestock waste handling facility.
17 However, a detailed review of the
18 aforementioned plans has not been completed at this
19 time. As such, the Department is currently unable to
20 comment as to the compliance of those plans and specs
21 with the statutory requirements of the Act.
22 We are here this evening to receive testimony
23 regarding the proposed livestock management facility's
24 compliance with the eight siting criteria as defined in

1 Section 12, paragraph (d) of the Livestock Management
2 Facilities Act.
3 In general, information regarding the
4 following would be appropriate for this meeting: Manure
5 management planning; potential impact of the proposed
6 facility on the surrounding area's character; whether
7 the proposed facility is located within any flood
8 plains or other sensitive areas; odor control plans;
9 possible impact of the proposed facility on existing
10 area traffic patterns; and possible impact of the
11 proposed facility on community growth, tourism and
12 recreation or economic development of the area.
13 Copies of the specific criteria were
14 available on the table with the sign-in sheets. If
15 anyone would like to have a copy of the criteria but
16 failed to pick one up, if you would just raise your
17 hand, we will be happy to get a copy to you. Keep your
18 hands up and Mr. Owens will get a copy to you.
19 Finally, the process that will be followed
20 after this evening's meeting is as follows: The County
21 Board will have up to 30 business days from today's
22 meeting to submit to the Department a nonbinding
23 recommendation relative to the proposed siting of this
24 facility. Thus, a recommendation from the Vermilion

1 County Board is due at the Department on or before
2 March 15, 2017.
3 After the close of the County's 30 business
4 day comment period, the Department will have 15
5 calendar days or until March 30 to review the
6 information submitted to date including the Notice of
7 Intent to Construct, construction plans, transcripts
8 from this evening's meeting, the County Board's
9 recommendation, and any other additional information
10 submitted by the owners at the request of the
11 Department.
12 Based on that review, the Department will
13 determine whether the eight siting criteria have been
14 met. Once that determination has been made, the
15 Department will notify both the County Board and the
16 applicant of the Department's determination.
17 Mr. Hearing Officer, at this time I would
18 like to submit the completed Notice of Intent to
19 Construct Application and its associated correspondence
20 file for formal entry into the record as an exhibit.
21 In addition I would like to provide a copy of
22 the PowerPoint presentation that accompanied my remarks
23 as an exhibit as well.
24 MR. SONDGEROTH: Entered into the record as

1 Exhibit 1, the complete Notice of Intent to Construct
2 including correspondence between the Department and the
3 applicant, Notice of the Public Informational Meeting,
4 and correspondence with Vermilion County officials.
5 Also entered into the record is Exhibit No. 2
6 which is the Department's PowerPoint presentation just
7 given by Mr. Goetsch.
8 MR. GOETSCH: That concludes my formal
9 remarks. And again, I would like to thank you all for
10 your attention and I certainly look forward to your
11 comments regarding this proposal.
12 MR. SONDGEROTH: At this time we will hear
13 comments from the facility. Before you begin, for
14 those of you that will be presenting this evening,
15 please state your name and spell your last name for the
16 court reporter and then I will swear you in all
17 together.
18 MR. HALSTEAD: My name is Art Halstead.
19 H-a-l-s-t-e-a-d. I am an operations manager for
20 Parks-Livestock.
21 MR. NIMS: Jake Nims, n-i-m-s.
22 MR. KOLLMANN: Allen Kollmann,
23 k-o-l-l-m-a-n-n.
24 MR. SONDGEROTH: Will all of you please raise

1 your right hand.
2 (At this time they were duly sworn.)
3 MR. SONDGEROTH: Thank you. You may proceed.
4 MR. HALSTEAD: Thank you. Good evening. Once
5 again, my name is Art Halstead with Parks-Livestock.
6 Lawrence Parks and his family have deep roots here in
7 the Oakwood area.
8 He learned how to buy and sell livestock from
9 his Grandfather Lloyd and his father, Gary. So as a
10 young boy he was buying livestock shortly out of high
11 school and has been doing that ever since.
12 Through the guidance and support of his
13 parents, Gary and Phyllis Parks, and his grandparents
14 gave Lawrence the ability to start the swine marketing
15 business right here in Vermilion County.
16 Lawrence's focus has always been on doing the
17 right things to help build his family business. It has
18 not always been easy, but in 2016 Parks-Livestock
19 completed their 40th year in business.
20 With that business they provide a number of
21 services to swine producers, processors and others in
22 the swine business. Our main office is located on
23 Henning Road here in Danville. We continue to operate
24 our original buying station out on Route 150 just east

1 of Oakwood.

2 Lawrence and his wife Deanna have five

3 children: Lauren, Hayden, Haley, Marissa and McKenzie,

4 with ages ranging from 18 to 22 years. With their

5 involvement in the business, they are the 4th

6 generation to serve the livestock industry and their

7 family looks forward to many more years of continued

8 success.

9 Our employees are like a family to Lawrence.

10 He sincerely appreciates each one of them and their

11 contributions and support in what we do every day.

12 Our employees are also active members in

13 their local communities including Oakwood, Danville,

14 Flatville, Veedersburg and others and are engaged in

15 roles in volunteer activities in schools, churches and

16 other groups.

17 The Parks Company continues to be a generous

18 supporter at the national level for 4H and FFA and at

19 the local level at the Oakwood FFA chapter as well.

20 They also support the Oakwood Educational

21 Foundation each year as well. We work with more than

22 20 farm families who raise pigs. We are pleased to

23 invest even more in our home community and want to

24 continue to support our local area.

1 Lawrence is honored to have been raised in
2 this community and is beyond excitement and proud of it
3 that some of his children are planning on planting
4 their roots right here in Vermilion County just as he
5 did.
6 We understand the community is interested in
7 learning more about our project and we appreciate that
8 interest. We are pleased to have the opportunity to
9 explain more about the Parks Company and the plan for
10 this particular project.
11 With that, we want to assure everyone that we
12 will be good neighbors and good stewards of the
13 environment. Lawrence takes his responsibility very
14 seriously because of the reputation of his family
15 business and his children's future business depends
16 upon it.
17 The hog farm will add new additional tax
18 revenues for the Oakwood School District and the
19 Township. Each year the hogs will consume
20 approximately 500 acres of corn and 250 acres of
21 soybeans in the grow out process.
22 Agricultural is very important to the
23 economic activity in Vermilion County and pork
24 production has had a long tradition of success in

1 Vermilion County over the years.
2 The proposed farm will meet numerous
3 regulations governed by the State of Illinois under the
4 Livestock Management Facilities Act which contains
5 provisions as to the design, construction and operation
6 of the livestock operation and provides for public
7 information meeting the process.
8 We have hired an engineer to assure that the
9 barns meet or exceed all the regulations to ensure that
10 we are good stewards of the land and the neighbors.
11 One thing I would like to add about the
12 Shepherd site, the facility design on this site if you
13 were at the previous hearing is exactly the same
14 design, exactly the same size of operation, just in a
15 different location.
16 So if you ask us a similar question, you will
17 more than likely get a similar answer, but don't let
18 that refrain from asking questions. Thank you.
19 MR. NIMS: Good evening. For those of you
20 that weren't here before, my name is Jake Nims. I am
21 with Frank and West, Environmental Engineers in
22 Springfield, Illinois.
23 The Parks-Livestock Shepherd farm, what I
24 will be talking about is the introduction of the farm

1 overview and layout and conformance of the Livestock
2 Management Facilities Act and the eight siting criteria
3 that Warren alluded to earlier.
4 This is a map of the proposed facility. It
5 looks pretty much like what Warren showed earlier.
6 Straight north of Fithian, you can see there is a
7 yellow pin at that T intersection where the farm will
8 be located. The layout, two buildings, 341 feet by 101
9 feet, 8 inches, with 75 feet in between them laid out
10 in an east-west orientation.
11 The eight siting criteria: No. 1,
12 registration and certification requirements; 2, design
13 location and operation standards; 3, location
14 compatibility; 4, flood plain and aquifer protection;
15 5, minimize environmental impact; 6, odor control and
16 reduction; 7, traffic patterns minimizing impacts; and
17 8, facility consistent with area development.
18 Siting Criteria 1: Whether registration and
19 livestock waste management plan certification
20 requirements if required are met by the Notice of
21 Intent.
22 The Notice of Intent to construct was filed
23 with the Department of Ag on November 15, 2016. And
24 deemed complete by the Department on December 12.

1 According to the Livestock Management Facilities Act, a
2 farm which exceeds 1,000 animal units but less than
3 5,000 shall prepare and maintain and implement a
4 nutrient management plan within 60 working days after
5 commencing operation. This farm will prepare, maintain
6 and implement a comprehensive nutrient management plan.
7 The farm will submit to the Department of Ag
8 the nutrient management plan certification form
9 certifying that the nutrient management plan has been
10 prepared.
11 The farm will keep the comprehensive nutrient
12 management plan as well as records of livestock waste
13 disposal on file at the farm. And the comprehensive
14 nutrient management plan and associated records will be
15 available for Department of Ag inspections.
16 The goal of the comprehensive nutrient
17 management plan will be to utilize the manure at
18 approved agronomic loading rates and meet the nutrient
19 needs of locally grown crops in an environmentally
20 sound fashion.
21 This goal will be accomplished by developing
22 a nutrient management plan which includes the
23 following: Total annual manure volume calculations
24 historically proven yields in application areas, manure

1 analysis to provide nutrient content of manure,
2 agronomic loading rates of manure, land application
3 provisions for setbacks, and incorporation standards
4 and documentation of all phases of the plan.
5 Siting Criteria 2: Whether the design
6 location or proposed operation will protect the
7 environment by being consistent with the Livestock
8 Management Facilities Act.
9 Part 1 of Siting Criteria 2 is the design of
10 concrete structures. The design of this pit will be
11 designed in accordance to Midwest Plan Service Concrete
12 Manure Storage Handbook guidance.
13 Midwest Plan Service is a university based
14 publishing cooperative dedicated to publishing and
15 disseminating research based and peer reviewed
16 publications. These include concrete specifications,
17 reenforcement requirements and water-stop requirements.
18 The design for the proposed farm will consist
19 of construction plans for two finishing barns. Here is
20 an example of an external view of a finishing barn of
21 similar size and a typical pen layout.
22 Part 2 of Siting Criteria 2, location.
23 Location setback distances have been met for both the
24 occupied residence and populated area. And again, the

1 setbacks were deemed complete by the Department of Ag
2 on December 12.
3 Part 3, the manager of the farm will be a
4 certified livestock manager. This is a program
5 developed by the Department of Ag to educate livestock
6 managers on manure management handling and systems.
7 Managers of farms over 1,000 animal units are
8 required to attend a training course and pass an exam.
9 And the livestock waste management plan will detail the
10 operation at the farm so that all manure applications
11 will be based on site specific data.
12 Siting Criteria 3, whether the location
13 minimizes any incompatibility with the surrounding
14 areas character by being zoned for agriculture where
15 the county has zoning or where the county is not zoned,
16 the setback requirements established by the Livestock
17 Management Facilities Act are complied with.
18 The proposed farm location is not zoned. The
19 farm is compatible with the surrounding area and the
20 area is a rural agricultural area. And there is a map
21 but the colors aren't showing up on the projection.
22 Criteria 3. The setbacks. 8400 animals
23 greater than 55 pounds are equivalent to 3,360 animal
24 units. This results in an occupied residence of 1760

1 feet which is a quarter mile plus 440 feet and a
2 populated area setback of 3,520 feet which is a half
3 mile plus 880 feet. Again, the Department of Ag deemed
4 the setbacks complete on December 12.
5 Siting Criteria 4, flood plains and aquifers.
6 Whether the farm is located within a 100 year flood
7 plain or otherwise environmentally sensitive area
8 defined as an air of karst area or with aquifer
9 material within 5 feet of the bottom of the livestock
10 waste handling facility and whether the construction
11 standards set forth in the Notice of Intent are
12 consistent with the goal of protecting the safety of
13 the area.
14 The map on the left is a map showing, and you
15 can see along the river here the blue shaded or dotted
16 area would be where the 100 year flood plain is
17 located. It was right on the edge of the map so it was
18 over in this area. I apologize.
19 And then the next one should be showing this
20 hashed area would be the flood plain legend. There we
21 go. There is the Shepherd farm location on the outside
22 of the flood plain.
23 The karst area, an area with a land surface
24 containing sinkholes, large springs, disrupted land

1 drainage, underground systems associated with
2 karstified carbonate bedrock, caves or a land surface
3 without these features but containing a karstified
4 carbonate bedrock unit generally overlain by less than
5 60 feet of unconsolidated materials.
6 The map of Illinois here shows karst areas in
7 the northwest part of the state, the west part of the
8 state and the south and southeast. And you can see the
9 Parks-Livestock Shepherd farm over here out of those
10 karst areas.
11 This is a map provided by the Illinois State
12 Geological Survey of karst terrains and carbonate
13 bedrock in Illinois.
14 Sandstone and aquifer material. Sandstone
15 that is 5 feet or more in thickness or fractured
16 carbonate that is 10 feet or more in thickness or sand
17 gravel or sand and gravel such that there is at least 2
18 feet or more present within a 5 foot section of a soil
19 boring.
20 A site investigation and soil boring will be
21 conducted as soon as possible. This graph depicts
22 showing that the completed boring will go at least 5
23 foot below the bottom of the pit so at least 11 foot
24 below the current grade.

1 Siting Criteria No. 5, whether the
2 owner/operator has submitted plans for operations that
3 minimize the likelihood of any environmental damage to
4 the surrounding area from spills, runoff and leaching.
5 Proper sizing.
6 This facility has adequate storage capacity
7 in excess of the required 150 days. And in actuality
8 the farm will have storage capacity in excess of a
9 year. It is operated as a controlled system with no
10 uncontrolled release of livestock manure.
11 Runoff. There will be clean water diversion
12 that will allow for rainwater to be directed away from
13 the farm and not into the pits.
14 Leaching. The farm is designed so as to
15 prevent a release of livestock maneuver. This consists
16 of solid concrete construction reinforced with Grade 60
17 steel rebar and water-stop placed in all construction
18 and stoppage joints. All surfaces in contact with
19 livestock manure, in this case, concrete, will meet the
20 required permeability standards.
21 Criteria 6, whether odor control plans are
22 reasonable and incorporate reasonable or innovative
23 odor reduction technologies given the current state of
24 such technologies.

1 Proposed farm will implement a comprehensive
2 odor control plan which will consist of controlled land
3 application of manure, routine maintenance, feed
4 management and adequate location.
5 The controlled application of manure by
6 injection based upon nitrogen and phosphorus loading
7 from actual onsite data and the Parks
8 Livestock-Shepherd farm intends to utilize injection as
9 the application method for livestock manure.
10 This method minimizes contact with air and it
11 is widely accepted as the best available technology for
12 manure application. All livestock manure will be
13 applied by a custom operator and the application
14 equipment will contain safety controls such as
15 constantly visually monitored, emergency shutoffs in
16 the cab and communication between personnel at all
17 times.
18 This is an example of an injection system
19 utilizing a manure tanker. There is a closer view of
20 the back end of that. And this is an example of an
21 injection with the drag line system.
22 The Parks Livestock-Shepherd farm has at
23 least 2,000 acres locally available per year for
24 livestock manure applications. Utilizing local yields

1 combined with area soil types, it is anticipated the
2 farm would utilize approximately 720 acres of a
3 corn/corn rotation.
4 The farm will utilize regular maintenance to
5 minimize dust originating from the facility. Regular
6 maintenance will include routine visual walk-throughs
7 of the facility to ensure there is no manure buildup
8 above the slatted floor and walkways and the regular
9 cleaning of fans to prevent the accumulation of dust.
10 The farm will be thoroughly pressure washed
11 and sanitized between each production cycle. This will
12 minimize the amount of odor causing particles that are
13 able to leave the facility through the ventilation
14 fans.
15 The farm will ensure that the buildings fans
16 operate efficiently, thus minimizing dust buildup. And
17 regular maintenance is known to reduce odor
18 concentrations and odor intensity.
19 The farm has incorporated an animal diet
20 formulated to allow the most efficient utilization of
21 proteins and nutrients in the feed. This dietary
22 practice aids in the reduction of overall odors from
23 the farm by reducing excess nutrients excreted by the
24 animals.

1 The farm complies with and exceeds facility
2 setback distances as established in the Livestock
3 Management Facilities Act.
4 The residential setback is exceeded by 27
5 feet and the populated area setback is exceeded by
6 4,569 feet. And again, the comprehensive odor control
7 plan consists of farm location and maintenance, proper
8 nutrition and injection of manure.
9 The farm has diligently planned an overall
10 odor control strategy by incorporating numerous odor
11 control techniques and technologies. The farm will
12 also continue to look for and incorporate other
13 technologies as they become available.
14 This strategic plan incorporates reasonable
15 and innovative technologies that will allow the
16 facility to operate with minimal odor impact to the
17 surrounding area.
18 Siting Criteria 7, Traffic Patterns. Whether
19 traffic patterns minimize the effect on existing
20 traffic flows. This is a map showing the proposed farm
21 location over here with the pin.
22 Leaving the site, trucks would travel west on
23 1900 North Road and then south on Route 49. On 1900
24 North Road according to the Illinois Department of

1 Transportation, there is a weekly average of 350
2 vehicles. On Route 49 a weekly average of 10,850
3 vehicles.
4 The farm anticipates four and a half total
5 trucks weekly. This consists of feed transportation
6 and animal transportation trucks.
7 Shepherd farm traffic will consist of less
8 than 1.3 percent of the average weekly vehicle traffic
9 on 1900 North and less than 0.05 percent on Route 49.
10 The Parks Livestock-Shepherd farm traffic
11 will comply with the same seasonal posted road weight
12 limit as all other traffic in the area.
13 Siting Criteria 8, Farm Consistent with Area
14 Development. Whether construction of a new farm is
15 consistent with existing community growth, tourism,
16 recreation or economic development or with specific
17 projects involving community growth, tourism,
18 recreation or economic development that have been
19 identified by government action for development or
20 operation within one year through compliance with
21 applicable zoning and setback requirements for
22 populated areas as established by the Livestock
23 Management Facilities Act.
24 The farm is consistent with the existing and

1 planned community development of this rural
2 agricultural area by demonstrating compliance with
3 zoning and setback requirements.
4 And the farm will meet all the requirements
5 of the Livestock Management Facilities Act. Thank you
6 and we look forward to your questions.
7 MR. SONDGEROTH: Entered into the record as
8 Exhibit No. 3 is the PowerPoint presentation from the
9 facility representatives, Exhibit 3.
10 We will now open the meeting for any
11 questions that you may have of the facility or the
12 department. If you have a question you would like to
13 ask, please raise your hand.
14 And when called upon, please state your name
15 and spell your last name for the record. Please
16 indicate to whom you are directing your question.
17 I will remind you this portion of the meeting
18 will be limited to questions only, not statements.
19 After this question/answer session, there will be a
20 session dedicated to public testimony where you can
21 provide your oral comments in addition to the
22 opportunity to provide written testimony. So please
23 limit the session to questions only.
24 Also keep in mind the questions need to

1 pertain to this particular facility. Are there any
2 questions?
3 MR. JOHNSON: Randy Johnson. Where did you
4 get the stats for the amount of traffic on County Road
5 1900? And why did it match the status on County Road
6 2000?
7 MR. NIMS: The traffic numbers came off the
8 Department of Transportation website.
9 MR. JOHNSON: Somebody is pulling somebody's
10 leg, sir.
11 MR. NIMS: I can show you -- I mean, I don't
12 doubt. Obviously you would know better if it is
13 different than that, but that is what came off the
14 website.
15 MR. SONDGEROTH: Any other questions? Yes,
16 sir.
17 MR. WATSON: Jeffrey Watson. I live about a
18 half a mile east of Shepherd. I called the Department
19 of Agriculture two times in 2015 and once in 2016
20 because of the smell that will last for 3, 4, or 5 days
21 at a time and never heard back. Three calls in two
22 years and I never heard back. And that is just cows.
23 MR. SONDGEROTH: Is there a specific question?
24 MR. WATSON: Yes. If they build this farm

1 thing which most of us oppose, how are you going to
2 guarantee us of the smell? I mean, because when you
3 call, we don't get an answer back.
4 MR. GOETSCH: First of all, I don't know how
5 to respond to your frustration. I would just say this,
6 that the Illinois EPA is charged with responding to
7 odor complaints.
8 If you have a concern about it, whether it is
9 an odor complaint or a water issue or any operational
10 issue associated with any livestock facility and if you
11 call us, we would be forwarding you to IEPA. And we
12 would do that today just like we would have done that
13 in 2015 whatever other year.
14 MR. JOHNSON: Twice in 2015 and once in '16 I
15 left a message on an answering machine and nobody ever
16 called me back.
17 MR. GOETSCH: I apologize for that. And I
18 will be happy to pass on to you a phone number for
19 IEPA, but they are charged with the possible responding
20 to either odor issues or water quality issues.
21 MR. SONDGEROTH: Any other questions?
22 MR. KOERS: Vince Koers, k-o-e-r-s. Are the
23 farm fields tiled?
24 MR. HALSTEAD: I do not know the answer. I

1 would assume that they probably are.
2 MR. KOERS: If they are, is there some sort
3 of surveillance of the levels of contaminant within
4 them that is nitrate level? How do you know when you
5 are putting too much on?
6 MR. HALSTEAD: Well, the livestock industry is
7 actually regulated to the agronomic rates of what the
8 crop will pull off which is different than the
9 commercial fertilizer industry that does not have
10 regulations on how much nutrients can be put on.
11 MR. SONDGEROTH: Any other questions?
12 MR. LEWIS: David Lewis. L-e-w-i-s. This
13 question is back to the engineer. In your slide you
14 have that there will be a four, basically four or five
15 trucks a week increase in the road but I understand
16 this to be a flush operation facility where you are not
17 going to have those specific pig trucks on the roads at
18 all times of the year.
19 So seems like your statistic is spreading out
20 the average instead of talking about the peak periods.
21 What is the peak usage of what the flush periods are
22 possibly going to be during the winter when the roads
23 are more fragile?
24 MR. KOLLMANN: I will take that one. Peak

usage will be four feed trucks a week and up to six semis for outgoing animals.

MR. LEWIS: So only --

MR. KOLLMANN: Per week.

MR. LEWIS: I am saying so I understand this is a flush facility which means all in, all out?

MR. KOLLMANN: Correct.

MR. LEWIS: So you are going to put 8400 pigs on six trucks or are you taking all six trucks --

MR. KOLLMANN: I said there will be six trucks a week until it is empty.

MR. LEWIS: Okay.

MR. KOLLMANN: And four for feed.

MR. LEWIS: Okay. How many pigs per truck?

MR. KOLLMANN: That depends on the size. 170 roughly.

MR. SONDGEROTH: Any other questions?

MR. WELLS: My name is Blake Wells, w-e-l-l-s. Just a real quick question. I don't know if you have an approximate distance of what you guys are from the Village of Muncie from your facility, the Shepherd facility.

MR. HALSTEAD: Not for sure. We are a mile and a half from Fithian so you could probably

1 extrapolate that over to there.
2 MR. WELLS: To what?
3 MR. HALSTEAD: From Fithian to our site.
4 MR. WELLS: I am asking Muncie to the
5 Shepherd site.
6 MR. HALSTEAD: I do not have that.
7 MR. SONDGEROTH: Any other questions? You,
8 ma'am, in the front.
9 MS. SMITH: I have three. My name is Suzanne
10 Smith. First to the Department, what considerations
11 are required by the Department regarding drainage and
12 nearby streams, if any?
13 MR. GOETSCH: I am not sure how to answer
14 that. I guess I would say as far as streams, under the
15 requirements for the waste management plans there are
16 specific setbacks from different items, streams being
17 one, that they have to include those setback distances
18 for each field that they are planning on proposing to
19 apply manure to.
20 So that if you have got a 40 acre field but
21 you have got a, whether it is a stream or a waterway,
22 there is a certain amount of that field that cannot
23 have manure applied to it. You have to come comply
24 with that setback. So there is that.

1 I don't know that there is any other specific
2 requirement regarding streams in terms of the siting of
3 the facility other than which has already been talked
4 about, the flood plain issue that a facility cannot be
5 located within the floodway of a flood plain.
6 It can be located within the flood fringe of
7 the flood plain as long as the facility is elevated to
8 a height above the flood plain elevation. So there are
9 those requirements but I believe that is probably about
10 all that I am aware of.
11 MS. SMITH: I have two more. For the
12 engineer, a similar question. What considerations did
13 you take, you spoke briefly to the 100 year flood
14 plain, but what considerations do you give to the
15 drainage including the Stony Creek and Salt Fork River?
16 MR. NIMS: Warren alluded to it a little bit
17 but within that plan like he said there are setbacks.
18 And for example, subsurface drainage, intakes like tile
19 lines that could eventually drain into, you couldn't
20 apply within 100 feet.
21 Other drainage wells, sink holes, 100 feet.
22 Waterways, so your grass waterways, there are setbacks
23 from that. And then 200 feet from any actual surface
24 water.

1 MS. SMITH: One more back to the Department.
2 Do you require an NPDES permit? Can you explain?
3 MR. GOETSCH: No. The NPDES permitting
4 program that affects some facilities under the Federal
5 Clean Water Act, that is administered by the Illinois
6 Environmental Protection Agency.
7 We cooperate with IEPA. We share information
8 about proposed projects to IEPA, but it is the
9 Environmental Protection Agency that actually
10 administers that program --
11 MS. SMITH: Is one required for this?
12 MR. GOETSCH: For this particular facility,
13 no.
14 MR. SONDGEROTH: Any other questions?
15 MS. CREASON: Jane Creason, c-r-e-a-s-o-n.
16 Are there other places in Illinois where two hog farms
17 are this close together? Because it sure feels like
18 Fithian is getting a double whammy.
19 MR. SONDGEROTH: Is that directed to the
20 department or facility?
21 MS. CREASON: I don't know who should answer
22 that. Do they know about all the hog farms in
23 Illinois? Is it common to have two of those close
24 together?

1 MR. GOETSCH: It has happened before. I can
2 think of an area in Henderson County on the western
3 side of the state where facilities -- there is actually
4 a string of facilities that are located just a tad like
5 10 feet more than a quarter of a mile from each other.
6 Now those are, that would be a case where
7 there is a single owner that owns a series of
8 facilities. But, you know, as far as the density of
9 these two, I don't know that it is common, but it is
10 not unheard of.
11 I think, again, this is just our impression
12 or the Department's impression, but if you look at the
13 statistics on the number of applications that we
14 receive, you know, they vary year to year. They could
15 be as low as 60 or 70 applications to a high of maybe
16 140.
17 But if you look at the number of applications
18 and this could range anywhere from a new facility to
19 just the addition of a room to an existing facility and
20 everything in between.
21 But, you know, you look at the price of
22 commercial fertilizer, you look at the price of corn,
23 the price of soybeans and you look at the hog cycle as
24 they call it.

1 And all of these things make a difference as
2 to the number of projects that you see. There was a
3 time when commercial fertilizer was getting very, very
4 high and you saw a lot of producers investing in
5 livestock facilities because they wanted the manure.
6 Other times it is because of a facility, the
7 ownership of a facility wanting to expand the local
8 operation, you know, to have maybe some kids coming
9 back from college to join. There is a whole host of
10 reasons.
11 But the fact that these two are located here
12 is not unheard -- or being proposed to being located
13 here is not unheard of being this close.
14 MR. SONDGEROTH: Any other questions?
15 MS. FOIL: Heidi Foil, f-o-i-l. On the
16 setbacks and your measurements for everything
17 especially in the Shepherd facility because Stony Creek
18 runs directly through the proposed site, where is the
19 professional survey report and what survey company was
20 used to establish all of these measurements and
21 distances from Fithian and neighbors and waterways?
22 MR. KOLLMANN: We use our crop mapping system
23 to put the numbers down for the setbacks. The
24 Department of Ag has a field person that goes out and

1 checks those setback numbers. So we have to match
2 numbers from start to finish.
3 MS. FOIL: Where is that report?
4 MR. KOLLMANN: It is in the correspondence
5 that he put into the Exhibit 1.
6 MS. FOIL: Does the community have access to
7 the report? Can the community have access to that
8 report?
9 MR. GOETSCH: Yes. All of our files are
10 subject to the Freedom of Information Act and can be
11 accessed upon request.
12 MR. SONDGEROTH: Yes, sir?
13 MR. LEWIS: David Lewis. Have you ever --
14 Department of Ag, have you ever had two hearings on the
15 same night such as this?
16 MR. GOETSCH: The most we have ever done was
17 three in one day in Tazewell County. Or no, excuse me.
18 It was either Tazewell or Woodford. We had one at -- I
19 can't recall if it was like 10, 1 and 4 or 1, 4 and 7.
20 But we did have three and they were all identical, just
21 like these two that are proposed.
22 MR. LEWIS: On a weeknight?
23 MR. GOETSCH: Yes. It was a work day, yes.
24 MR. LEWIS: And then my other question was

1 you stated during your presentation that the notice in
2 December was published in appropriate newspapers at
3 that time. And then there was a second notice which is
4 what brought most of the people here.
5 Regarding the first notice that was published
6 in December, do you know what newspapers this was
7 published in and do you have the dates?
8 MR. GOETSCH: I don't know that I have it
9 right in front of me. I can look it up. I believe
10 that we are required to -- the state has a -- there is
11 a state newspaper that we are required to put general
12 and I believe that that is actually in Breeze, the
13 Breeze Courier I think in Southern Illinois. That is
14 the official state newspaper.
15 But then we also put the publication in a
16 newspaper of local circulation. And so we usually I
17 believe do that for both of those notices. And I
18 believe that that was the case in this as well. But I
19 couldn't tell you without -- I can look and let you
20 know.
21 MR. LEWIS: So in the FOIA request, would
22 that include which newspapers?
23 MR. GOETSCH: Yes. We should have in here a
24 copy of the actual notice.

1 MR. LEWIS: From the local newspapers?
2 MR. GOETSCH: Yes.
3 MR. SONDGEROTH: Okay. Thank you. Any other
4 questions?
5 MR. DAVIS: Mike Davis. Question for Parks, a
6 couple of questions. Is there a known or an
7 approximate number? These seem to be pattern
8 buildings. I assume these are standard buildings.
9 Approximate cost to build these buildings?
10 MR. HALSTEAD: Yes. We will have
11 approximately 4 million dollars in these facilities and
12 there will be almost the same amount of money of
13 dollars of pigs in these facilities as well.
14 MR. DAVIS: So 2 million a piece?
15 MR. HALSTEAD: Yes.
16 MR. DAVIS: A couple of questions. What is
17 the expected life of these facilities?
18 MR. HALSTEAD: So the typical life is -- it is
19 going to vary just like a home, how well you maintain
20 it. Well maintained facilities are going to go 30 plus
21 years.
22 MR. DAVIS: And at the end of that 30 year
23 life period, how are these buildings decommissioned?
24 And that is a lot of concrete. What is the

1 decommission? What does this building become at the
2 end of its life?
3 MR. HALSTEAD: At the end of its life you are
4 going to be subject to probably the rules at the end of
5 its life. I shouldn't say probably, you will be.
6 So I think the rules today, the concrete
7 actually has to be removed. So I would assume it will
8 probably be the same rule at the end of 30 years.
9 MR. SONDGEROTH: Any other questions?
10 MS. KIETZMANN: Karen Kietzmann. My question
11 is about your information you had on the flood plains.
12 Shepherds flooded over there in 2015, June 7, 2015.
13 Same night that this gentleman over here flooded.
14 So what -- and that was caused from them
15 being able to no-till their fields and everything
16 backed up. So how can you guys be so sure that when
17 they get flooded again, that all of that is not going
18 to wash into that creek that runs through our yard and
19 everybody else's yard? That is just my question. It
20 really concerns me. Or were you aware of the flood in
21 2015?
22 MR. NIMS: No, I was not.
23 MS. KIETZMANN: Well, it was big.
24 AUDIENCE MEMBER: Cost me $50,000.

1 MS. KIETZMANN: And we still have their
2 corncobs in our woods.
3 MR. ANDERSON: Can you repeat the question? I
4 couldn't hear it.
5 MR. HALSTEAD: She was wondering about the
6 flood plain data. So one thing with our facilities,
7 semis, the bottom deck of the semi is 4 foot off the
8 ground.
9 So we actually only put the facility 4 feet
10 in the ground in efforts that when we load the bottom
11 deck of the semi, the pigs can go straight on the semi
12 without going up a ramp. I don't know how big the
13 flood was. If it was over 4 feet, then --
14 MS. KIETZMANN: It was over 4 feet. It was
15 disastrous. I was pinned in my house for over three
16 quarters of the day because I couldn't get out because
17 I had water surrounding me.
18 He had to be -- 911 had to be called because
19 he couldn't stay there. The house was flooded. 18
20 feet over our bridge. It took our bridge. It took
21 everything. And none of you people helped us.
22 And if it can wash all of the corncobs down
23 and back up that creek so it would flood that bad.
24 Never been flooded there before. We didn't have flood

1 insurance.
2 MR. SONDGEROTH: You need to ask a direct
3 question.
4 MS. KIETZMANN: How can you promise us that
5 Shepherd, he flooded that night. How can you keep us,
6 the manure and feces and everything washed into our
7 creeks because it goes right through everybody's yard.
8 MR. KOLLMANN: We stated the 8 siting
9 criteria.
10 MS. KIETZMANN: You didn't know about the big
11 flood in 2015? You didn't know about it?
12 MR. SONDGEROTH: I think he responded to the
13 question. Any other questions? Yes, sir.
14 MR. WAHLS: My name is Chad Wahls. You
15 specified that the barn would be emptied and sanitized.
16 What is the period of that cycle and what do you do
17 with the mix of sanitizing agent and --
18 MR. HALSTEAD: We run on approximately a 26
19 week cycle. We bring the weaned pig in and 26 weeks
20 later the last pigs are marketed. We typically market
21 them out over about five weeks. Not all the pigs get
22 to the same weight at the same time.
23 They are completely washed clean and
24 disinfected. And the disinfectants we use are

1 disinfectants that are safe for the pigs and for the
2 environment. They are approved by EPA.
3 MR. WAHLS: It is biodegradable type thing?
4 MR. HALSTEAD: Yes.
5 MR. WAHLS: Does that go back in the
6 injection?
7 MR. HALSTEAD: Whatever does go through into
8 the pit, that is correct.
9 MR. WAHLS: And that is in the injection?
10 MR. HALSTEAD: Correct.
11 MR. SONDGEROTH: Any other questions?
12 MR. LEWIS: Carl Lewis. I just want to
13 follow up on what he was saying. Just make sure I
14 understand this correctly.
15 You do dispose of all of your cleaning
16 chemicals and sanitizers in accordance with all federal
17 and state laws as well as manufacturing requirements?
18 MR. HALSTEAD: Yes.
19 MR. SONDGEROTH: Any other questions?
20 MR. DAVIS: Mike Davis, question for Parks
21 builder. Does Parks-Livestock or the operator in this
22 case Shepherd have any prior EPA violations, judgments
23 against it regarding the mismanagement of manure or
24 waste?

1 MR. HALSTEAD: This is a Parks Livestock
2 facility. Shepherds will not be operating this
3 facility. It is going on a footprint of property that
4 they are allowing us to build it on but they will not
5 be operating the facility. And Parks to my knowledge
6 does not have any EPA violations anywhere.
7 MR. SONDGEROTH: Any other questions?
8 MR. KOERS: Does Parks have any other
9 facilities that are located close to or within wind
10 farms?
11 MR. HALSTEAD: No, I do not believe.
12 MR. KOERS: Does Parks have information on
13 the affect of infrasound on raising pigs?
14 MR. HALSTEAD: We would not have any
15 knowledge of that. I do know if you take the center
16 portion of the State of Iowa, there is a lot of wind
17 turbines and a lot of pigs.
18 MR. SONDGEROTH: Any other questions?
19 MS. FOIL: Heidi Foil. On the liability
20 list, a list of owners names is very confusing. There
21 is about two or three Shell corporations and a handful
22 of names, some local, some not.
23 In the liability aspect of this when there is
24 a problem, a spillage , pollution, nuisance, whatever

1 happens, how is this liability going to fall? How does
2 that work between landowner, Tyson, Park, and all these
3 other names and Shell corporation that are on the
4 lists?
5 MR. HALSTEAD: Well, the facility is in Parks
6 Livestock's name. We are responsible for the correct
7 manure application and any of that type of stuff.
8 MS. FOIL: Who is actually the owner of the
9 land?
10 MR. HALSTEAD: We will own that land the
11 building sits on.
12 MS. FOIL: So why is Shepherd's name in it?
13 MR. HALSTEAD: We just put it in because that
14 is who we got the land from. In naming the site, we
15 named it the Shepherd site.
16 MR. SONDGEROTH: Any other questions? Yes,
17 sir.
18 MR. LEWIS: Regarding the antibiotics that
19 will be administered to the animals, how do you dispose
20 of the medical waste produced from this process? David
21 Lewis, l-e-w-i-s.
22 MR. HALSTEAD: You are talking like medical
23 waste like syringes, needles?
24 MR. LEWIS: Yes.

1 MR. HALSTEAD: We have Sharps containers and
2 we have to basically comply with all of the rules of
3 the local landfills and those type of places. That is
4 where it all ends up.
5 MR. LEWIS: So they are going to the
6 landfill? Is that what you are --
7 MR. HALSTEAD: Yes. They will go to the
8 landfill.
9 MR. SONDGEROTH: Any other questions?
10 MR. PIERCE: Rod Pierce. Does
11 Parks-Livestock have any more of these facilities --
12 MR. HALSTEAD: Say that again?
13 MR. PIERCE: Does Parks-Livestock have plans
14 for any more of these facilities --
15 MR. HALSTEAD: We usually put up a few
16 facilities every year. So just depends on, you know.
17 MR. PIERCE: You usually do?
18 MR. HALSTEAD: We usually do.
19 MR. PIERCE: Close to where these are?
20 MR. HALSTEAD: The ones we put up last year
21 were in the state of -- one was in Iowa and one was in
22 Missouri.
23 MR. PIERCE: Do you have plans to build any
24 more of these facilities close to these two?

1 MR. HALSTEAD: Probably not a close proximity
2 to these two. From a health perspective, you don't
3 want all of your pigs in one area so to speak.
4 MR. PIERCE: Okay. Thank you.
5 MR. SONDGEROTH: Any other questions?
6 MR. WELLS: W-e-l-l-s, first name is Blake.
7 My question goes back to the town of Muncie as far as
8 vehicles, semis, traffic coming through our main street
9 that would lead to your facility.
10 Would there be any reason for semis to come
11 through our main street?
12 MR. KOLLMANN: I don't foresee that there
13 would be.
14 MR. SONDGEROTH: Any other questions?
15 MS. LANE: Synthia Lane. Going back to her
16 question about the NPDES, the Clean Water Act of 1972
17 states that the National Pollutant Discharge
18 Elimination System was formed and it was revised in
19 2008.
20 And that there should be either a permit
21 application submitted to the NPDES or to an equivalent
22 state agency for large facilities like this that plan
23 to discharge manure waste.
24 And I was unclear because you said the

1 Illinois EPA would handle that but I was unclear about
2 whether a permit application went into the Illinois EPA
3 for these facilities.
4 Because the reason I am asking is because the
5 application is supposed to be able to be viewed by
6 officials and by the public. And I mean, I don't know
7 that any of us have heard of that. I was unclear
8 whether that was submitted or not.
9 MR. GOETSCH: You missed the most important
10 part of that definition you talked about. Plan to
11 discharge. These are zero discharge.
12 MS. LANE: They are going to be --
13 MR. GOETSCH: No, no, no. Ma'am, discharge
14 means there is a pipe running out of it and part of the
15 operation is the normal release of material from the
16 facility.
17 These facilities are designed to be zero
18 discharge facilities and the act of applying manure
19 consistent with a waste management plan is not
20 considered a discharge.
21 MS. LANE: When you said Illinois EPA would
22 handle that, that wasn't true then?
23 MR. GOETSCH: No, I --
24 MS. LANE: You just told her the Illinois EPA

1 would handle that.
2 MR. GOETSCH: They handle the NPDES
3 permitting program for the State of Illinois.
4 MS. LANE: So you are saying these facilities
5 don't need that permit because the manure is different?
6 Is that what you are saying?
7 MR. GOETSCH: I am saying that this
8 particular facility, it is my belief that this
9 particular facility is not required to apply for and
10 receive an NPDES permit, but I will also hastily follow
11 that statement up by saying it is not my job to
12 administer the NPDES permit program for Illinois. That
13 is part of the authorities delegated to IEPA.
14 You probably if you want to be positively
15 sure, you should inquire with IEPA's Bureau of Water
16 and ask whether this particular facility is required to
17 have an NPDES permit. I don't believe it is but I am
18 not in charge of that program and I don't want to tell
19 you wrong.
20 MS. LANE: There is no communication between
21 your agency and that agency when a pig farm --
22 MR. GOETSCH: No, there is. There certainly
23 is communication between the Illinois Department of
24 Agriculture and the Illinois Environmental Protection

1 Agency and that is why it is my belief that this
2 facility is not subject to the requirement to get an
3 NPDES permit.
4 But again, I am just saying since I don't
5 administer that program, you better talk to IEPA Bureau
6 of Water to make sure.
7 MR. SONDGEROTH: Any other questions?
8 MS. HULS: Cheryl Huls. When they put the
9 manure on the fields and it rains or whatever, where is
10 that going to go? It will go into the little rivers.
11 MR. SONDGEROTH: Is that a question for the
12 Department or the applicant?
13 MS. HULS: For them.
14 MR. HALSTEAD: When we apply our manure, it is
15 going to be incorporated 5 to 8 inches into the soil.
16 MS. HULS: But we get rain.
17 MR. HALSTEAD: Correct, which also soaks into
18 the soil.
19 MS. HULS: Which also runs through. There is
20 a lot of flooding, the watersheds --
21 MR. SONDGEROTH: I think he responded to the
22 question. Any other questions?
23 MS. LEWIS: Kristen Lewis, l-e-w-i-s. I am
24 just wondering when the animals die, I know you said

1 they were rendered but what happens from the point that
2 they die to the point that they are rendered? Are they
3 stored outside the facility? Are they -- how does that
4 work?
5 MR. HALSTEAD: They are stored in a rendering
6 tub outside the facility and the rendering truck comes
7 along and picks them up.
8 MS. LEWIS: Is there a normal time they would
9 wait to pick them up?
10 MR. HALSTEAD: In cold weather it could be a
11 weekly thing. In warm weather it is almost a daily or
12 every other day thing.
13 MR. DAVIS: A follow up to that question --
14 Mike Davis. Follow up to that question. In the
15 summertime in this containment of the sites, space
16 where the dead pigs go, do they swell up and get fat
17 and explode like they used to on Oakwood Road? Did
18 they put a stop to that?
19 MR. HALSTEAD: I am not familiar with what
20 happened.
21 MR. DAVIS: At the Parks facility when the
22 hogs used to die, they would push them out and you
23 could see there would be hogs bloated. This is not a
24 containment?

1 MR. HALSTEAD: This is a containment. It will
2 be a dumpster type of --
3 MR. DAVIS: Inside or outside the building?
4 MR. HALSTEAD: Outside the building. There
5 will be like a dumpster to where the truck can roll in,
6 pick up the dumpster and dump it into their truck.
7 MR. DAVIS: That is where the flies will be.
8 MR. HALSTEAD: Well, maybe so.
9 MR. DAVIS: We haven't even talked about
10 flies.
11 MR. ANDERSON: Nick Anderson. Jake, maybe you
12 can help us or even the Department on the incorporation
13 of manure about the difference between runoff on top of
14 the soil and what happens with ground water and when
15 you incorporate, what that does to protect the
16 nutrients. Either you or the Department, manure
17 application question.
18 MR. NIMS: Well, again using injection,
19 putting that material below the soil surface is
20 twofold. One, it does protect it from any
21 precipitation, which another thing I would like to
22 stress is having the excess year of storage allows you
23 flexibility on the days you can apply.
24 So it wouldn't be advantageous for the farm

1 for multiple reasons to go out when rain is
2 anticipated. So they can wait. Obviously things pop
3 up, showers pop up out of nowhere. But for the most
4 part you can plan your application for days when rain
5 isn't imminent.
6 MR. SONDGEROTH: One final question. You,
7 ma'am.
8 MS. FOIL: Heidi Foil. On the application of
9 the manure spreading, does this person need to have any
10 kind of formal training? You are talking about staying
11 away from tiles, waterways. There is a lot of things
12 that they need to be staying away from.
13 Two parts. The other one was you had
14 mentioned at one point it was like 500 acres, that is
15 not enough to contain this much of manure spreading.
16 Then Parks mentioned they had 2,000 acres at their
17 disposal.
18 Where are those 2,000 acres and who is going
19 to be distributing the manure and what is their
20 qualifications to be doing that?
21 MR. KOLLMANN: Part of the criteria that we
22 had to show you is that this facility had to have a
23 certified livestock manager trainer on board for the
24 site. So a person that operates the facility has to be

1 trained. The other question you had is?
2 MS. FOIL: Who has the spreading of the
3 manure?
4 MR. KOLLMANN: The people that spread the
5 manure are custom applicators that are trained in this
6 area of livestock waste handling.
7 They also have to go through that certified
8 livestock managers training also. Second part, the
9 manure acres are located within the surrounding area of
10 the facility.
11 MS. FOIL: All 2,000 that the gentlemen from
12 Parks mentioned earlier? He said they had 2,000 acres
13 at their disposal to use to spread the manure because
14 500 acres couldn't contain all of that.
15 MR. KOLLMANN: Yes. In the surrounding area
16 of the facility.
17 MS. FOIL: Is there a map available on your
18 overhead?
19 MR. KOLLMANN: There is not.
20 MR. SONDGEROTH: Okay. Move on to the written
21 testimony portion. I will now accept written
22 testimony. If you have written testimony that is not
23 refer to in your oral testimony, I will accept it now
24 and enter it into the record.

1 If you have written testimony that you will
2 be referencing during your oral testimony, it can be
3 entered into the record after oral testimony.
4 Following the written testimony phase, we
5 will take a short break. Is there any written
6 testimony that you wish to offer at this time anyone?
7 What is your name?
8 MS. PIERCE: Kellie Pierce.
9 MR. SONDGEROTH: This is going to be Exhibit
10 No. 4. Offered by Kellie Pierce, Exhibit No. 4.
11 Exhibit No. 5 is a written document submitted by Cheryl
12 Huls.
13 Is there any other written testimony you wish
14 to provide at this time? We are going to take a short
15 break. It is 9:19 right now. We will reconvene in 5
16 minutes at 9:24.
17 (Whereupon a break was taken and the
18 deposition continued as follows:)
19 MR. SONDGEROTH: We will get started. I have
20 9:26 on my phone up here. We will go ahead and get
21 ready for oral testimony to be provided.
22 I have got the oral testimony sign-in sheets
23 up here. There are about 10 names on this sign-in
24 sheet so we need to get started. The first one up is

1 Mark Willard.
2 Mark, if you will come to the front, I am
3 going to call them one at a time. When called up,
4 please step up to the microphone. State your name and
5 spell your last name for the court reporter. We will
6 then swear you in. Remember you will have 3 minutes to
7 speak. I will have the timer set up here. State your
8 name and spell your last name.
9 MR. WILLARD: Mark Willard, w-i-l-l-a-r-d.
10 MR. SONDGEROTH: Mr. Willard, raise your
11 right hand.
12 (At this time Mr. Willard was duly sworn.)
13 MR. WILLARD: As stated before, I wanted to be
14 on record to voice my opinion in favor of this proposed
15 hog facility going in here in Vermilion County.
16 When I gave my explanation of my involvement
17 in agriculture, I did not mention earlier that I do
18 raise hogs on my farm. I raise replacement gilts for a
19 facility that is north and west of Gibson City.
20 So I have maybe 5 to 6 hundred head as
21 replacement gilts that they use on their facilities.
22 So I don't market any market hogs. I get them in at 40
23 pounds and they leave prior to being used as
24 replacement gilts.

So that is my involvement currently in the hog industry. Once again, I would like to state that I am in favor of this facility and I just want to go on record in saying so. Thank you.

MR. SONDGEROTH: Any questions for Mr. Willard? Seeing none, thank you.

MR. WILLARD: Thank you very much. It is good to have the opportunity to be able to voice our opinion and have this public hearing. And people, I know it is a very emotional subject but thank goodness you have the opportunity in this country to speak.

MR. SONDGEROTH: Randy Johnson, he told me he is going to pass. So next on the list is Mike Davis. State your name and spell your last name.

MR. DAVIS: Mike Davis, d-a-v-i-s.

MR. SONDGEROTH: Raise your right hand.

(At this time Mr. Davis was duly sworn.)

MR. DAVIS: My point for this hearing is basically the same as the first. It needs to be on the record and I am going to basically quote a couple of paragraphs that are important to me.

One is from an article in the Chicago Tribune titled the Price of Pork. And it indicates that hog waste spills in the State of Illinois account for

1 nearly one million fish kills. Water incidents from
2 2005 -- total. And from 2005 to 2014, 492,000 fish
3 killed impairing 67 miles of rivers and waterways.
4 No other industry, this is the swine
5 industry, no other industry came close to causing that
6 amount of damage. The issues we haven't talked much
7 about but basically living next to these large, these
8 enormous facilities, it is something we are not going
9 to be able to avoid. I am going to be in this
10 southeast and southwest in the summertime. We are
11 going to be under the gun.
12 Hopefully and I get indications that Parks
13 knowing that they are a good operation are also going
14 to be a good neighbor. I hope that turns out to be the
15 case.
16 That basically being it, the other point and
17 this is the future, that Illinois law at this point in
18 time gives local communities little if no power over
19 siting of these confinements. That I believe is going
20 to change.
21 For even the Illinois Department of
22 Agriculture which we are so broadly represented this
23 evening lacks any legal authority, especially in a
24 county with no zoning and in a township with no zoning

1 because these facilities are a lot tougher to do there
2 and we all know that. That is why they are in
3 Vermilion County.
4 In addition to being the Land of Lincoln, we
5 will soon be the Land of Stinking. There is no
6 authority for the state agricultural department to make
7 any indication of a no or a yes to these sitings. And
8 that is just basically it.
9 I live awfully close. Kind of comparing this
10 -- it is not about agriculture because I farm. The
11 first thing I heard of this was my wife on the phone.
12 And I expressed to her honey, we live in the country.
13 These people have farmed and raised hogs and cattle for
14 generations.
15 That is not the point. The point is
16 accountability and being a good neighbor. And that is
17 what is important to us. And basically that is, I just
18 wanted it for the record same as last time.
19 MR. SONDGEROTH: Any questions for Mr. Davis?
20 MR. WIENKE: Kerry Wienke. I guess we have 45
21 minutes before the comments that there are eight points
22 as far as having the Department of Ag with oversight.
23 What is that to you?
24 MR. DAVIS: What that is to me is just a

1 simple plan. It is no different than a blueprint for a
2 house. This is what you got to do. If you do it, you
3 are good. That is it.
4 MR. WIENKE: Which is the criteria.
5 MR. DAVIS: They are 20 years old too.
6 MR. SONDGEROTH: Any other questions for Mr.
7 Davis? Seeing none, thank you. Dennis Smith. Can you
8 please state your name for the record and spell your
9 last name?
10 MR. SMITH: Dennis Smith, s-m-i-t-h.
11 MR. SONDGEROTH: Please raise your right hand,
12 Mr. Smith.
13 (At this time Mr. Smith was duly sworn.)
14 MR. SMITH: My comments are a little bit
15 different this time for this hearing. I went through a
16 situation where I live in the year of 2000. I have a
17 coal mine within three quarters of a mile of my house.
18 And we had concerns about dust, traffic,
19 there is trains, there is trucks, pollution, you know,
20 to the river, whatever. It is within just a few
21 hundred yards of the Little Vermilion River.
22 And all of those turned out to be unfounded
23 because of regulations that are in place and society
24 today does not allow for people to be bad neighbors.

I have to be good neighbors to the people I farm next to and I do my best and I really believe that Parks will do the same thing. I raised six kids at that location.

The coal mine has since closed down but as far as I know, I have had no ill health effects from -- any of my family from being within three quarters of a mile of that coal mine.

And I only recall on one occasion seeing any small amount of black dust on the snow. So I understand your concerns but I am convinced that Parks want to be a good neighbor. Thank you.

MR. SONDGEROTH: Any questions for Mr. Smith? Seeing none, thank you. Suzanne Smith. State your name for the record and spell your last name.

MS. SMITH: Suzanne Smith, s-m-i-t-h.

MR. SONDGEROTH: Raise your right hand.

(At this time Ms. Smith was duly sworn.)

MS. SMITH: It has been brought to our attention that two hog facilities are being proposed near Stony Creek in Vermilion County, Illinois.

As farmers ourselves, we support agriculture but as stewards of the land we also believe it is imperative that our farm operation adheres to high

1 standards of soil and water management.
2 The following is a short list of our thoughts
3 and information that we hope you will take into
4 consideration as you consider whether to permit these
5 facilities in the Stony Creek Salt Fork watersheds.
6 First, the Urbana-Champaign Sanitary District
7 in Urbana, Illinois has historically provided a
8 significant source of water to the flow of the Salt
9 Fork of the Vermilion River.
10 However, as of 2017, the sanitary district
11 will divert 3 to 5 million gallons a day of water to
12 the southwest facility in the river watershed reducing
13 Salt Fork flow and the dilution potential of any
14 pollutant entering the Salt Fork River.
15 Human error can have unintended consequence
16 to both wildlife and public health and can be costly to
17 the public as evidenced by two recent incidents.
18 In 2002 an ammonia spill in Urbana killed
19 100,000 fish in the Saline and in the Salt Fork River.
20 In 2015 a manure spill killed three state-protected
21 fish and contaminated Oakwood's drinking water supply
22 for the Salt Fork River.
23 The Salt Fork River provides many
24 opportunities for recreation and therefore public

1 health concerns should be taken into consideration.
2 Approximately 1,000 Boy Scouts float in inner
3 tubes on the Salt Fork River each summer during their
4 stay at Camp Drake, one of Boy Scouts of America's
5 nationally recognized camp facilities near Oakwood,
6 Illinois, nearly eight miles downstream from the
7 proposed facilities.
8 In response to the effect of nutrient
9 pollution and water quality, the Environmental
10 Protection Agency along with 11 other midwestern states
11 is responding to EPA's mandate to reduce nutrient loads
12 of nitrate and phosphorus in streams and water
13 supplies. It is our hope that any development will
14 take this into consideration.
15 And finally, the U.S. Fish and Wildlife
16 Service in conjunction with Illinois biologists has
17 been translocating moving species to other suitable
18 locations, two federally endangered mussel species into
19 the Salt Fork River due to destruction of the mussels'
20 need of habitat elsewhere.
21 U.S. Fish and Wildlife identified the Salt
22 Fork Vermilion River as a high quality stream suitable
23 for their survival.
24 Agriculture is an important and viable part

of rural life in East Central Illinois. But facilities of this size are uncommon. The proposed CAFOs are located near important streams and will impact large tracts of land.

Please ensure that any permits consider the size of the operations and include proper design, setbacks and management plans to ensure that the Salt Fork River watershed is protected. Thank you.

MR. SONDGEROTH: Any questions for Mrs. Smith? Seeing none, thank you. This will be admitted as Exhibit No. 6 which is documentation from Suzanne Smith. Exhibit No. 6. Next is James Ellis. State your name for the record.

MR. ELLIS: James Ellis, e-l-l-i-s.

MR. SONDGEROTH: Raise your right hand.

(At this time Mr. Ellis was duly affirmed.)

MR. ELLIS: I work as a Natural Areas Coordinator for the University of Illinois Committee on Natural Areas. I oversee, manage and maintain about a thousand acres and a dozen sites mostly in Champaign and Vermilion counties.

These properties are owned and have been set aside by the University of Illinois for teaching and research in the biological and ecological sciences.

1 One site I oversee is called the Edgar and
2 Sophia Richter Research Area. It is a 22.5 acre
3 property about 3 miles southwest of Oakwood. It is
4 just downstream from the mouth of Stony Creek and hence
5 downstream from the proposed facility.
6 There is about a half mile frontage on the
7 Salt Fork River. This stretch of the river is
8 biologically rich with many different types of fish,
9 mussels and aquatic insects.
10 Students at the University of Illinois
11 biology class in 2016 identified 16 species of fish and
12 7 species of mussels from this short stretch of river
13 at Richter.
14 Colleagues at the Illinois Natural History
15 Survey have determined that about 60 species of fish
16 and about 30 species of mussels make the Salt Fork
17 River their home including species that are rare and
18 unique to the Vermilion River drainage.
19 Mussels are important ecosystem engineers.
20 They feed by filtering large amounts of water thereby
21 helping to clean the water.
22 The Salt Fork River is unique in the state
23 for its richness of aquatic organisms and this
24 biological diversity indicates a healthy ecosystem.

1 Accidental releases of waste from hog
2 confinement facilities into nearby waterways damage the
3 environment and are devastating to aquatic life. Acute
4 unplanned spills have been documented to kill tens of
5 thousands of fish and untold numbers of other
6 organisms.
7 Many sedentary and small organisms like
8 mussels, caddisflies and mayflies can't simply swim
9 away when pollutants enter the water.
10 I urge the Illinois Department of Agriculture
11 to take into account the biological diversity and
12 irreplaceable health of the Salt Fork River into
13 account as they consider allowing or not allowing this
14 hog finishing facility to be built. Thank you.
15 MR. SONDGEROTH: Any questions for Mr. Ellis?
16 Seeing none, thank you. Heidi Foil?
17 MS. FOIL: I will pass. The water got
18 covered.
19 MR. SONDGEROTH: Nick Anderson?
20 MR. ANDERSON: I yield my time, thank you.
21 MR. SONDGEROTH: Nick Anderson will pass as
22 well. Anyone else like to provide oral testimony? I
23 will enter into evidence as Exhibit No. 7 the oral
24 testimony sign-in sheets.

1 And if Mr. Owens will provide the attendance
2 sheet, I will enter that into the record as well which
3 will be Exhibit No. 8. The attendance sheet will be
4 entered. It is on three separate sheets, all as a
5 Joint Exhibit No. 8. This concludes the oral testimony
6 portion of the meeting. It is now 9:44 by my watch.
7 Are there any closing remarks from the facility?
8 MR. HALSTEAD: As somebody said earlier, you
9 know, I just want to thank everybody for coming out.
10 It is good that we live in a country that we can
11 express our thoughts and our feelings and those type of
12 things.
13 I would hope that the County Board would
14 approve our facility and look favorable on it and I
15 hope that we can be great neighbors as folks have said.
16 So with that, thank you.
17 MR. SONDGEROTH: And are there any closing
18 remarks from the Department?
19 MR. GOETSCH: I would just like to say thank
20 you. One of the things that struck me about this
21 evening was the way that when you did applaud, you
22 applauded to anybody and everybody that provided
23 comments. And I think that says a lot for the
24 community.

1 And I really appreciate the civil way that
2 everyone acted this evening because I know that these
3 issues can be very difficult.
4 We do appreciate your attendance this evening
5 and the information that you have provided. As I
6 mentioned I think at the previous meeting, I am certain
7 that the Vermilion County Board will consider your
8 comments and I can assure you that the Department will
9 as well. Thank you so much for coming and have a safe
10 trip home.
11 MR. SONDGEROTH: Thank you. As I mentioned
12 earlier, a copy of the transcript will be provided to
13 the County Board. For those desiring a copy of the
14 transcript, that can be available by contacting the
15 court reporter. Thank you for your attendance tonight.
16 The public information meeting is hereby closed. It is
17 9:45.
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1 REPORTER'S CERTIFICATION

2

3 I hereby certify that the foregoing is a true and
4 accurate transcript of the Public Informational Meeting
5 taken on January 30, 2017, stenographically recorded by
6 me and reduced to typewriting at my direction.

7

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9 Becky L. Jessup, CSR

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$50,000 (1)
42:24

A

ability (1)
14:14
able (5)
26:13;42:15;50:5;
59:8;60:9
above (2)
26:8;35:8
accept (3)
4:11;56:21,23
accepted (2)
6:4;25:11
access (2)
39:6,7
accessed (1)
39:11
Accidental (1)
68:1
accompanied (1)
12:22
accomplished (1)
19:21
accordance (2)
20:11;45:16
According (2)
19:1;27:24
account (3)
59:24;68:11,13
accountability (1)
61:16
accumulation (1)
26:9
acre (2)
34:20;67:2
acres (11)
16:20,20;25:23;
26:2;55:14,16,18;
56:9,12,14;66:20
Act (24)
2:14;3:11,19;7:11,
16,18,21;8:2;9:15;
10:10,21;11:2;17:4;
18:2;19:1;20:8;21:17;
27:3;28:23;29:5;36:5;
39:10;49:16;50:18
acted (1)
70:2
acting (1)
7:8
action (1)
28:19
active (1)
15:12
activities (1)
15:15
activity (1)
16:23
Act's (1)
8:13
actual (3)
25:7;35:23;40:24
actuality (1)
24:7
actually (7)
32:7;36:9;37:3;
40:12;42:7;43:9;47:8
Acute (1)
68:3
add (2)
16:17;17:11
addition (4)
12:21;29:21;37:19;
61:4
additional (3)
10:9;12:9;16:17
adequate (2)
24:6;25:4
adheres (1)
63:24
administer (2)
51:12;52:5
administered (2)
36:5;47:19
administers (1)
36:10
administration (1)
7:10
admitted (1)
66:10
advantageous (1)
54:24
affect (1)
46:13
affects (1)
36:4
affirmed (1)
66:16
afford (1)
2:16
aforementioned (1)
10:18
Ag (9)
18:23;19:7,15;21:1,
5;22:3;38:24;39:14;
61:22
Again (13)
6:20;10:7;13:9;
14:5;20:24;22:3;27:6;
37:11;42:17;48:12;
52:4;54:18;59:2
against (1)
45:23
Agency (7)
36:6,9;49:22;51:21,
21;52:1;65:10
agent (1)
44:17
ages (1)
15:4
ago (1)
7:20
Agricultural (4)
16:22;21:20;29:2;
61:6
Agriculture (15)
2:4,7;3:4;5:22;7:3,
7;21:14;30:19;51:24;
58:17;60:22;61:10;
63:22;65:24;68:10
agronomic (3)
19:18;20:2;32:7
ahead (1)
57:20
aids (1)
26:22
air (2)
22:8;25:10
Allen (1)
13:22
allow (4)
24:12;26:20;27:15;
62:24
allowed (1)
5:14
allowing (3)
46:4;68:13,13
allows (1)
54:22
alluded (2)
18:3;35:16
almost (2)
41:12;53:11
along (3)
22:15;53:7;65:10
always (3)
8:16;14:16,18
amended (1)
7:21
America's (1)
65:4
ammonia (1)
64:18
amount (7)
4:16;26:12;30:4;
34:22;41:12;60:6;
63:10
amounts (1)
67:20
anaerobic (1)
8:5
analysis (1)
20:1
ANDERSON (6)
43:3;54:11,11;
68:19,20,21
animal (8)
2:19;8:10;9:10;
19:2;21:7,23;26:19;
28:6
animals (5)
21:22;26:24;33:2;
47:19;52:24
annual (1)
19:23
antibiotics (1)
47:18
anticipated (2)
26:1;55:2
anticipates (1)
28:4
apologize (2)
22:18;31:17
applaud (1)
69:21
applauded (1)
69:22
applicable (3)
7:15;9:15;28:21
applicant (3)
12:16;13:3;52:12
Application (20)
8:21;9:6,13,18,19;
12:19;19:24;20:2;
25:3,5,9,12,13;47:7;
49:21;50:2,5;54:17;
55:4,8
applications (5)
21:10;25:24;37:13,
15,17
applicators (1)
56:5
applied (2)
25:13;34:23
apply (6)
8:17;34:19;35:20;
51:9;52:14;54:23
applying (1)
50:18
appreciate (4)
6:20;16:7;70:1,4
appreciates (1)
15:10
appropriate (4)
9:20;10:8;11:4;
40:2
approve (1)
69:14
approved (2)
19:18;45:2
approximate (3)
33:20;41:7,9
approximately (6)
9:5;16:20;26:2;
41:11;44:18;65:2
aquatic (3)
67:9,23;68:3
aquifer (3)
18:14;22:8;23:14
aquifers (1)
22:5
area (32)
9:23;11:10,12;14:7;
15:24;18:17;20:24;
21:19,20,20;22:2,7,8,
13,16,18,20,23,23;
24:4;26:1;27:5,17;
28:12,13;29:2;37:2;
49:3;56:6,9,15;67:2
areas (9)
8:3;11:8;19:24;
21:14;23:6,10;28:22;
66:17,19
area's (1)
11:6
Art (2)
13:18;14:5
article (1)
59:22
aside (1)
66:23
aspect (1)
46:23
Assembly (1)
8:1
Assembly's (2)
7:22,23
assist (1)
6:12
associated (4)
12:19;19:14;23:1;
31:10
assume (3)
32:1;41:8;42:7
assure (3)
16:11;17:8;70:8
attend (1)
21:8
attendance (5)
4:21;69:1,3;70:4,15
attention (2)
13:10;63:20
AUDIENCE (1)
42:24
authorities (1)
51:13
authority (2)
60:23;61:6
available (7)
11:14;19:15;25:11,
23;27:13;56:17;70:14
average (4)
28:1,2,8;32:20
avoid (1)
60:9
aware (2)
35:10;42:20
away (4)
24:12;55:11,12;
68:9
awfully (1)
61:9

B

back (13)
4:20;25:20;30:21,
22;31:3,16;32:13;
36:1;38:9;43:23;45:5;

49:7,15
backed (1)
42:16
bad (2)
43:23;62:24
barn (2)
20:20;44:15
barns (2)
17:9;20:19
Based (5)
12:12;20:13,15;
21:11;25:6
basically (8)
32:14;48:2;59:19,
20;60:7,16;61:8,17
became (1)
7:19
become (2)
27:13;42:1
bedrock (3)
23:2,4,13
begin (1)
13:13
behalf (6)
2:2,10;5:9,11;7:12;
9:7
belief (2)
51:8;52:1
below (3)
23:23,24;54:19
best (2)
25:11;63:2
better (2)
30:12;52:5
beyond (1)
16:2
big (3)
42:23;43:12;44:10
biodegradable (1)
45:3
biological (3)
66:24;67:24;68:11
biologically (1)
67:8
biologists (1)
65:16
biology (1)
67:11
bit (2)
35:16;62:14
black (1)
63:10
Blake (2)
33:18;49:6
bloated (1)
53:23
blue (1)
22:15
blueprint (1)
62:1
Board (13)
2:16;3:3;6:18;9:19;
10:2,6;11:21;12:1,15;
55:23;69:13;70:7,13
Board's (1)
12:8
boring (3)
23:19,20,22
both (4)
12:15;20:23;40:17;
64:16
bottom (4)
22:9;23:23;43:7,10
boy (3)
14:10;65:2,4
break (4)
4:17;57:5,15,17
Breeze (2)
40:12,13
bridge (2)
43:20,20
briefly (1)
35:13
bring (1)
44:19
broadly (1)
60:22
brought (2)
40:4;63:19
build (5)
14:17;30:24;41:9;
46:4;48:23
builder (1)
45:21
building (6)
9:3;10:16;42:1;
47:11;54:3,4
buildings (7)
9:1;18:8;26:15;
41:8,8,9,23
buildup (2)
26:7,16
built (1)
68:14
Bureau (4)
7:8,9;51:15;52:5
Bureau's (1)
2:12
business (10)
11:21;12:3;14:15,
17,19,20,22;15:5;
16:15,15
buy (1)
14:8
buying (2)
14:10,24

C

cab (1)
25:16
caddisflies (1)
68:8
CAFOs (1)
66:2
calculations (1)
19:23
calendar (1)
12:5
call (5)
5:20;31:3,11;37:24;
58:3
called (6)
29:14;30:18;31:16;
43:18;58:3;67:1
calls (1)
30:21
came (4)
4:20;30:7,13;60:5
Camp (2)
65:4,5
can (37)
4:14;5:4;8:2,15;
18:6;22:15;23:8;
29:20;30:11;32:10;
35:6;36:2;37:1;39:7,
10;40:9,19;42:16;
43:3,11,22;44:4,5;
54:5,12,23;55:2,4;
57:2;62:7;64:15,16;
69:10,15;70:3,8,14
capacity (4)
9:9,21;24:6,8
carbonate (4)
23:2,4,12,16
Carl (1)
45:12
case (5)
24:19;37:6;40:18;
45:22;60:15
cattle (1)
61:13
caused (2)
10:6;42:14
causing (2)
26:12;60:5
caves (1)
23:2
center (1)
46:15
Central (1)
66:1
certain (2)
34:22;70:6
certainly (3)
8:15;13:10;51:22
certification (3)
18:12,19;19:8
certified (3)
21:4;55:23;56:7
certifying (1)
19:9
Chad (1)
44:14
Champaign (1)
66:20
change (1)
60:20
changed (1)
5:15
chapter (1)
15:19
character (2)
11:6;21:14
charge (1)
51:18
charged (3)
7:9;31:6,19
checks (1)
39:1
chemicals (1)
45:16
Cheryl (2)
52:8;57:11
Chicago (1)
59:22
Chief (1)
7:8
children (2)
15:3;16:3
children's (1)
16:15
churches (1)
15:15
circulation (1)
40:16
City (1)
58:19
civil (1)
70:1
class (1)
67:11
clean (5)
24:11;36:5;44:23;
49:16;67:21
cleaning (2)
26:9;45:15
clients (2)
5:9,10
close (10)
12:3;36:17,23;
38:13;46:9;48:19,24;
49:1;60:5;61:9
closed (2)
63:5;70:16
closer (1)
25:19
closing (4)
5:21;6:7;69:7,17
coal (3)
62:17;63:5,8
cold (1)
53:10
Colleagues (1)
67:14
college (1)
38:9
colors (1)
21:21
combined (1)
26:1
coming (4)
38:8;49:8;69:9;
70:9
commencing (1)
19:5
comment (2)
10:20;12:4
comments (17)
2:23;3:9;4:22,24;
5:8,21,24,24;6:7,24;
13:11,13;29:21;
61:21;62:14;69:23;
70:8
commercial (3)
32:9;37:22;38:3
Committee (1)
66:18
common (2)
36:23;37:9
communication (3)
25:16;51:20,23
communities (2)
15:13;60:18
community (10)
11:11;15:23;16:2,6;
28:15,17;29:1;39:6,7;
69:24
Company (3)
15:17;16:9;38:19
comparing (1)
61:9
compatibility (1)
18:14
compatible (1)
21:19
complaint (1)
31:9
complaints (1)
31:7
complete (5)
9:17;13:1;18:24;
21:1;22:4
completed (5)
9:18;10:18;12:18;
14:19;23:22
completely (1)
44:23
compliance (7)
6:13;9:14,22;10:20,
24;28:20;29:2
complicated (1)
8:14
complied (1)
21:17
complies (1)
27:1
comply (3)
28:11;34:23;48:2
comprehensive (6)
19:6,11,13,16;25:1;
27:6
concentrations (1)
26:18
concern (1)

31:8
concerns (4)
42:20;62:18;63:11;
65:1
conclude (1)
5:21
concludes (2)
13:8;69:5
concrete (7)
20:10,11,16;24:16,
19;41:24;42:6
conducted (3)
2:13,22;23:21
confine (1)
6:24
confinement (1)
68:2
confinements (1)
60:19
conformance (1)
18:1
confusing (1)
46:20
conjunction (1)
65:16
consequence (1)
64:15
consider (5)
6:21;64:4;66:5;
68:13;70:7
consideration (3)
64:4;65:1,14
considerations (3)
34:10;35:12,14
considered (2)
8:11;50:20
consist (4)
8:24;20:18;25:2;
28:7
consistent (7)
18:17;20:7;22:12;
28:13,15,24;50:19
consists (3)
24:15;27:7;28:5
constantly (1)
25:15
Construct (6)
8:21;9:13;12:7,19;
13:1;18:22
construction (14)
2:19;3:5,16;6:22;
8:22;9:1;10:11;12:7;
17:5;20:19;22:10;
24:16,17;28:14
consultation (1)
10:5
consume (1)
16:19
contact (2)
24:18;25:10
contacting (1)
70:14
contain (3)
25:14;55:15;56:14
containers (1)
48:1
containing (2)
22:24;23:3
containment (3)
53:15,24;54:1
contains (1)
17:4
contaminant (1)
32:3
contaminated (1)
64:21
content (1)
20:1
continue (4)
7:1;14:23;15:24;
27:12
continued (2)
15:7;57:18
continues (1)
15:17
contributions (1)
15:11
control (7)
11:8;18:15;24:21;
25:2;27:6,10,11
controlled (3)
24:9;25:2,5
controls (1)
25:14
convinced (1)
63:11
cooperate (1)
36:7
cooperative (1)
20:14
Coordinator (1)
66:18
Copies (1)
11:13
copy (8)
9:17;11:15,17,18;
12:21;40:24;70:12,13
corn (2)
16:20;37:22
corn/corn (1)
26:3
corncobs (2)
43:2,22
corporation (1)
47:3
corporations (1)
46:21
correctly (1)
45:14
correspondence (4)
12:19;13:2,4;39:4
cost (2)
41:9;42:24
costly (1)
64:16
counsel (1)
5:8
counties (1)
66:21
country (3)
59:11;61:12;69:10
County (30)
2:5,16;3:3;6:18;9:6,
18;10:2,5;11:20;12:1,
8,15;13:4;14:15;16:4,
23;17:1;21:15,15;
30:4,5;37:2;39:17;
58:15;60:24;61:3;
63:21;69:13;70:7,13
County's (1)
12:3
couple (3)
41:6,16;59:20
Courier (1)
40:13
course (1)
21:8
court (6)
4:2;5:3;6:16;13:16;
58:5;70:15
covered (1)
68:18
covering (1)
8:3
cows (1)
30:22
Craig (1)
2:6
Creason (3)
36:15,15,21
c-r-e-a-s-o-n (1)
36:15
Creek (7)
35:15;38:17;42:18;
43:23;63:21;64:5;
67:4
creeks (1)
44:7
criteria (21)
3:18;10:24;11:13,
15;12:13;18:2,11,18;
20:5,9,22;21:12,22;
22:5;24:1,21;27:18;
28:13;44:9;55:21;
62:4
crop (2)
32:8;38:22
crops (1)
19:19
current (5)
3:13;7:17;8:19;
23:24;24:23
currently (3)
7:6;10:19;59:1
custom (2)
25:13;56:5
cycle (4)
26:11;37:23;44:16,
19

D

daily (1)
53:11
damage (3)
24:3;60:6;68:2
Danville (2)
14:23;15:13
data (3)
21:11;25:7;43:6
date (1)
12:6
dates (1)
40:7
David (3)
32:12;39:13;47:20
Davis (22)
41:5,5,14,16,22;
45:20,20;53:13,14,21;
54:3,7,9;59:13,15,15,
17,18;61:19,24;62:5,7
d-a-v-i-s (1)
59:15
day (7)
12:4;15:11;39:17,
23;43:16;53:12;64:11
days (7)
11:21;12:5;19:4;
24:7;30:20;54:23;
55:4
dead (1)
53:16
deals (1)
10:10
Deanna (1)
15:2
debate (1)
6:9
December (6)
9:16;18:24;21:2;
22:4;40:2,6
deck (2)
43:7,11
decommission (1)
42:1
decommissioned (1)
41:23
dedicated (2)
20:14;29:20
deemed (3)
18:24;21:1;22:3
deep (2)
9:2;14:6
Deferring (1)
5:13
defined (2)
10:24;22:8
definition (1)
50:10
delegated (1)
51:13
demonstrate (1)
3:17
demonstrating (1)
29:2
demonstration (1)
8:6
Dennis (2)
62:7,10
density (1)
37:8
Department (54)
2:3,7,10,11;3:3,22;
5:22,24;6:1,17;7:3,7,
12;8:20;9:12,16;10:1,
6,13,19;11:22;12:1,4,
11,12,15;13:2;18:23,
24;19:7,15;21:1,5;
22:3;27:24;29:12;
30:8,18;34:10,11;
36:1,20;38:24;39:14;
51:23;52:12;54:12,
16;60:21;61:6,22;
68:10;69:18;70:8
Department's (4)
8:16;12:16;13:6;
37:12
Depending (3)
4:4,16;8:9
depends (3)
16:15;33:15;48:16
depicts (1)
23:21
deposition (1)
57:18
Deputy (2)
2:11;7:6
describe (1)
3:17
described (1)
8:2
design (14)
8:3;9:9,21;10:10,
14;17:5,12,14;18:12;
20:5,9,10,18;66:6
designed (3)
20:11;24:14;50:17
designs (1)
8:15
desiring (1)
70:13
destruction (1)
65:19
detail (1)
21:9
detailed (2)
10:14,17
determination (3)
3:4;12:14,16
determine (1)
12:13
determined (2)
9:16;67:15
determining (1)
6:13

devastating (1)
68:3
developed (1)
21:5
developing (1)
19:21
development (8)
11:12;18:17;28:14,16,18,19;29:1;65:13
die (3)
52:24;53:2,22
diet (1)
26:19
dietary (1)
26:21
differ (1)
8:15
difference (2)
38:1;54:13
different (9)
8:9;17:15;30:13;32:8;34:16;51:5;62:1,15;67:8
difficult (1)
70:3
diligently (1)
27:9
dilution (1)
64:13
direct (1)
44:2
directed (3)
6:1;24:12;36:19
directing (1)
29:16
directly (1)
38:18
Director (3)
2:3,11;7:6
disastrous (1)
43:15
Discharge (7)
49:17,23;50:11,11,13,18,20
discuss (1)
6:9
disinfectants (2)
44:24;45:1
disinfected (1)
44:24
disposal (3)
19:13;55:17;56:13
dispose (2)
45:15;47:19
disrupted (1)
22:24
disseminating (1)
20:15
distance (3)
9:22,24;33:20
distances (4)
20:23;27:2;34:17;38:21
distributing (1)
55:19
District (3)
16:18;64:6,10
diversion (1)
24:11
diversity (2)
67:24;68:11
divert (1)
64:11
document (1)
57:11
documentation (2)
20:4;66:11
documented (1)
68:4
dollars (2)
41:11,13
done (2)
31:12;39:16
dotted (1)
22:15
double (1)
36:18
doubt (1)
30:12
Doug (1)
2:12
down (5)
5:4,5;38:23;43:22;63:5
downstream (3)
65:6;67:4,5
dozen (1)
66:20
drag (1)
25:21
drain (1)
35:19
drainage (6)
23:1;34:11;35:15,18,21;67:18
Drake (1)
65:4
drinking (1)
64:21
due (2)
12:1;65:19
duly (6)
14:2;58:12;59:17;62:13;63:18;66:16
dump (1)
54:6
dumpster (3)
54:2,5,6
During (9)
3:24;4:22;7:22,23,24;32:22;40:1;57:2;65:3
dust (5)
26:5,9,16;62:18;63:10

E

earlier (7)
9:12;18:3,5;56:12;58:17;69:8;70:12
east (3)
14:24;30:18;66:1
east-west (1)
18:10
easy (1)
14:18
ecological (1)
66:24
economic (4)
11:12;16:23;28:16,18
ecosystem (2)
67:19,24
Edgar (1)
67:1
edge (1)
22:17
educate (1)
21:5
Educational (1)
15:20
effect (2)
27:19;65:8
effects (1)
63:6
efficient (1)
26:20
efficiently (1)
26:16
Effingham (1)
9:7
efforts (1)
43:10
eight (6)
10:24;12:13;18:2,11;61:21;65:6
either (5)
5:15;31:20;39:18;49:20;54:16
elapsed (1)
4:16
elevated (1)
35:7
elevation (1)
35:8
Elimination (1)
49:18
Ellis (6)
66:12,14,14,16,17;68:15
e-l-l-i-s (1)
66:14
else (2)
5:16;68:22
else's (1)
42:19
elsewhere (1)
65:20
emergency (1)
25:15
emotional (1)
59:10
employees (2)
15:9,12
emptied (1)
44:15
empty (1)
33:11
end (6)
25:20;41:22;42:2,3,4,8
endangered (1)
65:18
ends (1)
48:4
engaged (1)
15:14
engineer (3)
17:8;32:13;35:12
engineering (1)
10:14
Engineers (2)
17:21;67:19
enormous (1)
60:8
enough (1)
55:15
ensure (8)
2:21,23;3:6;17:9;26:7,15;66:5,7
enter (5)
4:11;56:24;68:9,23;69:2
entered (7)
2:23;4:14;12:24;13:5;29:7;57:3;69:4
entering (1)
64:14
entry (1)
12:20
environment (4)
16:13;20:7;45:2;68:3
Environmental (8)
7:9;17:21;18:15;24:3;36:6,9;51:24;65:9
environmentally (2)
19:19;22:7
EPA (8)
31:6;45:2,22;46:6;50:1,2,21,24
EPA's (1)
65:11
equipment (1)
25:14
equitably (1)
8:17
Equity (1)
9:7
equivalent (2)
21:23;49:21
error (1)
64:15
especially (2)
38:17;60:23
establish (1)
38:20
established (3)
21:16;27:2;28:22
even (4)
15:23;54:9,12;60:21
evening (14)
2:2,21;3:8;5:3;6:9;7:4;10:22;13:14;14:4;17:19;60:23;69:21;70:2,4
evening's (2)
11:20;12:8
eventually (1)
35:19
everybody (3)
42:19;69:9,22
everybody's (1)
44:7
everyone (2)
16:11;70:2
evidence (1)
68:23
evidenced (1)
64:17
exactly (2)
17:13,14
exam (1)
21:8
example (4)
20:20;25:18,20;35:18
exceed (1)
17:9
exceeded (2)
27:4,5
exceeds (2)
19:2;27:1
excess (4)
24:7,8;26:23;54:22
excitement (1)
16:2
excreted (1)
26:23
excuse (1)
39:17
exhibit (15)
12:20,23;13:1,5;29:8,9;39:5;57:9,10,11;66:11,12;68:23;69:3,5
existing (8)
6:10,13;8:12;11:9;27:19;28:15,24;37:19
expand (1)
38:7

expansion (1)
8:12
expected (1)
41:17
explain (3)
3:7;16:9;36:2
explanation (1)
58:16
explode (1)
53:17
express (1)
69:11
expressed (2)
8:10;61:12
external (1)
20:20
extrapolate (1)
34:1

F

Facilities (47)
2:14;3:11,19;7:11,16,18;8:9,13;10:10;11:2;17:4;18:2;19:1;20:8;21:17;27:3;28:23;29:5;36:4;37:3,4,8;38:5;41:11,13,17,20;43:6;46:9;48:11,14,16,24;49:22;50:3,17,18;51:4;58:21;60:8;61:1;63:20;64:5;65:5,7;66:1;68:2
facility (81)
2:20;3:5,22;5:22;6:1,2,12,19,23;8:3,5,7,11,11,12,14,22;9:10,21;10:12,16;11:6,7,9,11,24;13:13;17:12;18:4,17;22:10;24:6;26:5,7,13;27:1,16;29:9,11;30:1;31:10;32:16;33:6,21,22;35:3,4,7;36:12,20;37:18,19;38:6,7,17;43:9;46:2,3,5;47:5;49:9;50:16;51:8,9,16;52:2;53:3,6,21;55:22,24;56:10,16;58:15,19;59:3;64:12;67:5;68:14;69:7,14
facility's (2)
7:14;10:23
fact (1)
38:11
failed (1)
11:16
fairly (1)
8:16
Fall (2)
7:23;47:1
familiar (1)
53:19
families (1)
15:22
family (6)
14:6,17;15:7,9;16:14;63:7
fans (3)
26:9,14,15
far (5)
34:14;37:8;49:7;61:22;63:6
farm (51)
15:22;16:17;17:2,23,24;18:7;19:2,5,7,11,13;20:18;21:3,10,18,19;22:6,21;23:9;24:8,13,14;25:1,8,22;26:2,4,10,15,19,23;27:1,7,9,11,20;28:4,7,10,13,14,24;29:4;30:24;31:23;51:21;54:24;58:18;61:10;63:2,24
farmed (1)
61:13
farmers (1)
63:22
farms (4)
21:7;36:16,22;46:10
fashion (2)
2:22;19:20
fat (1)
53:16
father (1)
14:9
favor (2)
58:14;59:3
favorable (1)
69:14
features (1)
23:3
feces (1)
44:6
Federal (2)
36:4;45:16
federally (1)
65:18
feed (6)
25:3;26:21;28:5;33:1,13;67:20
feelings (1)
69:11
feels (1)
36:17
feet (26)
9:2,2,23,24;18:8,9,9;22:1,1,2,3,9;23:5,15,16,18;27:5,6;35:20,21,23;37:5;43:9,13,14,20
fertilizer (3)
32:9;37:22;38:3
few (3)
7:15;48:15;62:20
FFA (2)
15:18,19
field (4)
34:18,20,22;38:24
fields (3)
31:23;42:15;52:9
file (2)
12:20;19:13
filed (1)
18:22
files (1)
39:9
filtering (1)
67:20
final (1)
55:6
Finally (2)
11:19;65:15
financial (1)
8:6
finish (1)
39:2
finishing (6)
2:20;6:23;9:1;20:19,20;68:14
First (10)
3:9;7:22;31:4;34:10;40:5;49:6;57:24;59:19;61:11;64:6
fish (10)
60:1,2;64:19,21;65:15,21;67:8,11,15;68:5
Fithian (7)
9:5,8;18:6;33:24;34:3;36:18;38:21
five (4)
8:3;15:2;32:14;44:21
Flatville (1)
15:14
flexibility (1)
54:23
flies (2)
54:7,10
float (1)
65:2
flood (20)
11:7;18:14;22:5,6,16,20,22;35:4,5,6,7,8,13;42:11,20;43:6,13,23,24;44:11
flooded (6)
42:12,13,17;43:19,24;44:5
flooding (1)
52:20
floodway (1)
35:5
floor (1)
26:8
flow (2)
64:8,13
flows (1)
27:20
flush (3)
32:16,21;33:6
focus (1)
14:16
FOIA (1)
40:21
Foil (15)
38:15,15;39:3,6;46:19,19;47:8,12;55:8,8;56:2,11,17;68:16,17
f-o-i-l (1)
38:15
folks (1)
69:15
follow (4)
45:13;51:10;53:13,14
followed (1)
11:19
following (10)
3:9,14,15;4:8,15,18;11:4;19:23;57:4;64:2
follows (2)
11:20;57:18
foot (5)
9:2;23:18,23,23;43:7
footprint (1)
46:3
foresee (1)
49:12
Fork (16)
35:15;64:5,9,13,14,19,22,23;65:3,19,22;66:8;67:7,16,22;68:12
form (1)
19:8
formal (5)
8:20;10:13;12:20;13:8;55:10
formed (1)
49:18
formulated (1)
26:20
forth (1)
22:11
forward (3)
13:10;15:7;29:6
forwarded (1)
9:17
forwarding (1)
31:11
Foundation (1)
15:21
four (5)
28:4;32:14,14;33:1,13
fractured (1)
23:15
fragile (1)
32:23
Frank (1)
17:21
Freedom (1)
39:10
fringe (1)
35:6
front (3)
34:8;40:9;58:2
frontage (1)
67:6
frustration (1)
31:5
further (1)
10:5
future (2)
16:15;60:17

G

gallons (1)
64:11
Gary (2)
14:9,13
gave (2)
14:14;58:16
General (5)
7:22,23;8:1;11:3;40:11
generally (2)
8:2;23:4
generation (1)
15:6
generations (1)
61:14
generous (1)
15:17
gentleman (1)
42:13
gentlemen (1)
56:11
Geological (1)
23:12
Gibson (1)
58:19
gilts (3)
58:18,21,24
given (6)
3:16,23;5:7,9;13:7;24:23
gives (1)
60:18
goal (3)
19:16,21;22:12
goes (3)
38:24;44:7;49:7
Goetsch (27)
2:11;3:9,15;7:2,4,5;13:7,8;31:4,17;34:13;

36:3,12;37:1;39:9,16,23;40:8,23;41:2;50:9,13,23;51:2,7,22;69:19
Good (15) 2:2;7:4;14:4;16:12,12;17:10,19;59:7;60:13,14;61:16;62:3;63:1,12;69:10
goodness (1) 59:10
governed (1) 17:3
government (1) 28:19
grade (2) 23:24;24:16
Grandfather (1) 14:9
grandparents (1) 14:13
graph (1) 23:21
grass (1) 35:22
gravel (2) 23:17,17
great (2) 5:3;69:15
greater (2) 9:11;21:23
ground (3) 43:8,10;54:14
groups (1) 15:16
grow (1) 16:21
grown (1) 19:19
growth (3) 11:11;28:15,17
guarantee (1) 31:2
guess (2) 34:14;61:20
guidance (2) 14:12;20:12
gun (1) 60:11
guys (2) 33:20;42:16

H

habitat (1) 65:20
Haley (1) 15:3
half (5) 22:2;28:4;30:18;33:24;67:6
Halstead (42) 13:18,18;14:4,5;31:24;32:6;33:23;34:3,6;41:10,15,18;42:3;43:5;44:18;45:4,7,10,18;46:1,11,14;47:5,10,13,22;48:1,7,12,15,18,20;49:1;52:14,17;53:5,10,19;54:1,4,8;69:8
H-a-l-s-t-e-a-d (1) 13:19
hand (8) 11:17;14:1;29:13;58:11;59:16;62:11;63:17;66:15
Handbook (1) 20:12
handful (1) 46:21
handle (4) 50:1,22;51:1,2
handling (6) 9:3;10:12,16;21:6;22:10;56:6
hands (1) 11:18
happened (2) 37:1;53:20
happens (3) 47:1;53:1;54:14
happy (2) 11:17;31:18
hashed (1) 22:20
hastily (1) 51:10
Hayden (1) 15:3
head (2) 9:10;58:20
health (5) 49:2;63:6;64:16;65:1;68:12
healthy (1) 67:24
hear (3) 7:14;13:12;43:4
heard (4) 30:21,22;50:7;61:11
hearing (7) 2:8;7:4;12:17;17:13;59:9,18;62:15
hearings (1) 39:14
Heidi (4) 38:15;46:19;55:8;68:16
height (1) 35:8
held (1) 2:15
help (2) 14:17;54:12
helped (1) 43:21
helping (1) 67:21
hence (1) 67:4
Henderson (1) 37:2
Henning (1) 14:23
hereby (1) 70:16
high (5) 14:10;37:15;38:4;63:24;65:22
hired (1) 17:8
historically (2) 19:24;64:7
History (1) 67:14
hog (10) 16:17;36:16,22;37:23;58:15;59:2,23;63:20;68:1,14
hogs (6) 16:19;53:22,23;58:18,22;61:13
holes (1) 35:21
home (4) 15:23;41:19;67:17;70:10
honey (1) 61:12
honored (1) 16:1
hope (5) 60:14;64:3;65:13;69:13,15
Hopefully (1) 60:12
hospitality (1) 6:21
host (1) 38:9
house (4) 43:15,19;62:2,17
Huls (6) 52:8,8,13,16,19;57:12
Human (1) 64:15
hundred (2) 58:20;62:21

I

identical (1) 39:20
identified (3) 28:19;65:21;67:11
IEPA (6) 31:11,19;36:7,8;51:13;52:5
IEPA's (1) 51:15
ill (1) 63:6
Illinois (38) 2:3,7;7:3,6;9:5,8;17:3,22;23:6,11,13;27:24;31:6;36:5,16,23;40:13;50:1,2,21,24;51:3,12,23,24;59:24;60:17,21;63:21;64:7;65:6,16;66:1,18,23;67:10,14;68:10
imminent (1) 55:5
impact (6) 11:5,9,10;18:15;27:16;66:3
impacts (2) 8:8;18:16
impairing (1) 60:3
imperative (1) 63:24
implement (3) 19:3,6;25:1
important (7) 16:22;50:9;59:21;61:17;65:24;66:3;67:19
impression (2) 37:11,12
inadequacies (1) 6:10
inches (3) 9:2;18:9;52:15
incidents (2) 60:1;64:17
include (5) 20:16;26:6;34:17;40:22;66:6
includes (1) 19:22
including (5) 12:6;13:2;15:13;35:15;67:17
incompatibility (1) 21:13
incorporate (3) 24:22;27:12;54:15
incorporated (2) 26:19;52:15
incorporates (1) 27:14
incorporating (1) 27:10
incorporation (2) 20:3;54:12
increase (1) 32:15
indicate (2) 5:20;29:16
indicated (1) 7:5
indicates (2) 59:23;67:24
indication (1) 61:7
indications (1) 60:12
industry (8) 8:18;15:6;32:6,9;59:2;60:4,5,5
information (13) 6:11,16;11:3;12:6,9;17:7;36:7;39:10;42:11;46:12;64:3;70:5,16
informational (6) 2:9,15;6:15;7:13;10:3;13:3
infrasound (1) 46:13
injection (8) 25:6,8,18,21;27:8;45:6,9;54:18
inner (1) 65:2
innovative (2) 24:22;27:15
inquire (1) 51:15
insects (1) 67:9
Inside (1) 54:3
inspections (1) 19:15
instead (1) 32:20
insurance (1) 44:1
intakes (1) 35:18
intends (1) 25:8
intensity (1) 26:18
Intent (8) 8:21;9:13;12:7,18;13:1;18:21,22;22:11
intention (1) 8:16
interest (1) 16:8
interested (1) 16:6
intersection (1) 18:7
into (29) 2:24;4:11,15;12:20,24;13:5;24:13;29:7;35:19;39:5;42:18;44:6;45:7;50:2;52:10,

15,17;54:6;56:24;57:3;64:3;65:1,14,18;68:2,11,12,23;69:2
introduction (1) 17:24
invest (1) 15:23
investigation (1) 23:20
investing (1) 38:4
invitation (1) 2:4
inviting (1) 6:21
involvement (3) 15:5;58:16;59:1
involving (1) 28:17
Iowa (2) 46:16;48:21
irreplaceable (1) 68:12
issue (3) 31:9,10;35:4
issues (4) 31:20,20;60:6;70:3
items (1) 34:16

J

Jake (3) 13:21;17:20;54:11
James (2) 66:12,14
Jane (1) 36:15
January (1) 10:1
Jeffrey (1) 30:17
job (1) 51:11
Johnson (5) 30:3,3,9;31:14;59:12
join (1) 38:9
Joint (1) 69:5
joints (1) 24:18
judgments (1) 45:22
June (1) 42:12

K

Karen (1) 42:10
karst (5) 22:8,23;23:6,10,12
karstified (2) 23:2,3
keep (6) 5:17;6:8;11:17;19:11;29:24;44:5
Kellie (2) 57:8,10
Kerry (1) 61:20
kids (2) 38:8;63:3
Kietzmann (7) 42:10,10,23;43:1,14;44:4,10
kill (1) 68:4
killed (3) 60:3;64:18,20
kills (1) 60:1
kind (2) 55:10;61:9
knowing (1) 60:13
knowledge (2) 46:5,15
known (2) 26:17;41:6
Koers (5) 31:22,22;32:2;46:8,12
k-o-e-r-s (1) 31:22
Kollmann (16) 13:22,22;32:24;33:4,7,10,13,15;38:22;39:4;44:8;49:12;55:21;56:4,15,19
k-o-l-l-m-a-n-n (1) 13:23
Kristen (1) 52:23

L

lacks (1) 60:23
lagoon (1) 8:6
laid (1) 18:9
land (13) 17:10;20:2;22:23,24;23:2;25:2;47:9,10,14;61:4,5;63:23;66:4
landfill (2) 48:6,8
landfills (1) 48:3
landowner (1) 47:2
Lane (7) 49:15,15;50:12,21,24;51:4,20
large (5) 22:24;49:22;60:7;66:3;67:20
last (12) 4:1;13:15;29:15;30:20;44:20;48:20;58:5,8;59:14;61:18;62:9;63:15
later (1) 44:20
Lauren (1) 15:3
law (2) 7:19;60:17
Lawrence (6) 14:6,14;15:2,9;16:1,13
Lawrence's (1) 14:16
laws (2) 6:10;45:17
layout (3) 18:1,8;20:21
leaching (2) 24:4,14
lead (1) 49:9
learn (1) 6:18
learned (1) 14:8
learning (1) 16:7
least (4) 23:17,22,23;25:23
leave (2) 26:13;58:23
Leaving (1) 27:22
left (2) 22:14;31:15
leg (1) 30:10
Legal (2) 5:8;60:23
legend (1) 22:20
less (6) 9:23,24;19:2;23:4;28:7,9
level (3) 15:18,19;32:4
levels (1) 32:3
Lewis (22) 32:12,12;33:3,5,8,12,14;39:13,13,22,24;40:21;41:1;45:12,12;47:18,21,24;48:5;52:23,23;53:8
L-e-w-i-s (3) 32:12;47:21;52:23
liability (3) 46:19,23;47:1
life (8) 41:17,18,23;42:2,3,5;66:1;68:3
likelihood (1) 24:3
likely (1) 17:17
limit (3) 4:7;28:12;29:23
limited (1) 29:18
Lincoln (1) 61:4
line (1) 25:21
lines (1) 35:19
list (4) 46:20,20;59:13;64:2
lists (1) 47:4
little (5) 35:16;52:10;60:18;62:14,21
live (5) 30:17;61:9,12;62:16;69:10
Livestock (48) 2:12,14;3:11,19;6:12;7:10,16,18;8:3,13,17;9:3;10:9,11,16,23;11:1;14:8,10;15:6;17:4,6;18:1,19;19:1,12;20:7;21:4,5,9,16;22:9;24:10,15,19;25:9,12,24;27:2;28:22;29:5;31:10;32:6;38:5;46:1;55:23;56:6,8
Livestock's (1) 47:6
Livestock-Shepherd (3) 25:8,22;28:10
living (1) 60:7
Lloyd (1) 14:9
load (1) 43:10
loading (3) 19:18;20:2;25:6
loads (1) 65:11
local (10) 15:13,19,24;25:24;38:7;40:16;41:1;46:22;48:3;60:18
locally (2) 19:19;25:23
located (14) 9:4;11:7;14:22;18:8;22:6,17;35:5,6;37:4;38:11,12;46:9;56:9;66:3
location (13) 17:15;18:13,13;20:6,22,23;21:12,18;22:21;25:4;27:7,21;63:4
locations (1) 65:18
long (2) 16:24;35:7
look (11) 13:10;27:12;29:6;37:12,17,21,22,23;40:9,19;69:14
looks (2) 15:7;18:5
lot (8) 38:4;41:24;46:16,17;52:20;55:11;61:1;69:23
low (1) 37:15

M

ma'am (3) 34:8;50:13;55:7
machine (1) 31:15
main (3) 14:22;49:8,11
maintain (4) 19:3,5;41:19;66:19
maintained (1) 41:20
maintenance (5) 25:3;26:4,6,17;27:7
major (1) 8:3
making (1) 3:4
manage (1) 66:19
Management (36) 2:14;3:11,19;7:10,16,18;8:4,13;10:10,23;11:1,5;17:4;18:2,19;19:1,4,6,8,9,12,14,17,22;20:8;21:6,9,17;25:4;27:3;28:23;29:5;34:15;50:19;64:1;66:7
manager (5) 2:12;13:19;21:3,4;55:23
managers (3) 21:6,7;56:8
mandate (1)

65:11
maneuver (1)
24:15
manufacturing (1)
45:17
Manure (41)
11:4;19:17,23,24;20:1,2,12;21:6,10;24:10,19;25:3,5,9,12,12,19,24;26:7;27:8;34:19,23;38:5;44:6;45:23;47:7;49:23;50:18;51:5;52:9,14;54:13,16;55:9,15,19;56:3,5,9,13;64:20
many (5)
15:7;33:14;64:23;67:8;68:7
map (9)
18:4;21:20;22:14,14,17;23:6,11;27:20;56:17
mapping (1)
38:22
March (2)
12:2,5
Marissa (1)
15:3
Mark (3)
58:1,2,9
market (3)
44:20;58:22,22
marketed (1)
44:20
marketing (1)
14:14
match (2)
30:5;39:1
material (5)
4:13;22:9;23:14;50:15;54:19
materials (1)
23:5
maximum (1)
9:9
may (11)
4:2,6,17;5:5,15,16,16;6:6;7:19;14:3;29:11
maybe (5)
37:15;38:8;54:8,11;58:20
mayflies (1)
68:8
McKenzie (1)
15:3
mean (3)
30:11;31:2;50:6
means (2)
33:6;50:14
measurements (2)
38:16,20
measuring (1)
9:1
medical (2)
47:20,22
meet (5)
17:2,9;19:18;24:19;29:4
meeting (28)
2:9,13,15,22;3:1,2,7,14,21;4:5,17;5:21;6:15;7:13;10:3,6,7;11:4,20,22;12:8;13:3;17:7;29:10,17;69:6;70:6,16
meets (1)
3:18
MEMBER (1)
42:24
members (3)
2:16;6:17;15:12
mention (1)
58:17
mentioned (6)
9:12;55:14,16;56:12;70:6,11
merits (1)
6:9
message (1)
31:15
met (3)
12:14;18:20;20:23
method (2)
25:9,10
microphone (1)
58:4
Midwest (2)
20:11,13
midwestern (1)
65:10
Mike (5)
41:5;45:20;53:14;59:13,15
mile (8)
22:1,3;30:18;33:23;37:5;62:17;63:8;67:6
miles (4)
9:5;60:3;65:6;67:3
million (4)
41:11,14;60:1;64:11
mind (4)
5:15,17;6:8;29:24
mine (3)
62:17;63:5,8
minimal (1)
27:16
minimize (5)
18:15;24:3;26:5,12;27:19
minimizes (2)
21:13;25:10
minimizing (2)
18:16;26:16
minutes (5)
5:7,10;57:16;58:6;61:21
mismanagement (1)
45:23
missed (1)
50:9
Missouri (1)
48:22
mix (1)
44:17
modified (1)
8:12
money (1)
41:12
monitored (1)
25:15
more (16)
15:7,21,23;16:7,9;17:17;23:15,16,18;32:23;35:11;36:1;37:5;48:11,14,24
most (7)
7:24;26:20;31:1;39:16;40:4;50:9;55:3
mostly (1)
66:20
mouth (1)
67:4
Move (1)
56:20
moving (1)
65:17
Mrs (1)
66:9
much (9)
2:4;6:20;18:5;32:5,10;55:15;59:7;60:6;70:9
multiple (2)
5:9;55:1
Muncie (3)
33:21;34:4;49:7
mussel (1)
65:18
mussels (5)
67:9,12,16,19;68:8
mussels' (1)
65:19

N

name (31)
2:6;4:1,2;5:20;6:2;7:5;13:15,15,18;14:5;17:20;29:14,15;33:18;34:9;44:14;47:6,12;49:6;57:7;58:4,5,8,8;59:14,14;62:8,9;63:15,15;66:13
named (1)
47:15
names (5)
5:11;46:20,22;47:3;57:23
naming (1)
47:14
national (2)
15:18;49:17
nationally (1)
65:5
Natural (3)
66:17,19;67:14
near (3)
63:21;65:5;66:3
nearby (2)
34:12;68:2
nearly (2)
60:1;65:6
need (8)
5:4;29:24;44:2;51:5;55:9,12;57:24;65:20
needles (1)
47:23
needs (2)
19:19;59:19
neighbor (3)
60:14;61:16;63:12
neighbors (6)
16:12;17:10;38:21;62:24;63:1;69:15
new (5)
2:19;8:11;16:17;28:14;37:18
newspaper (4)
9:20;40:11,14,16
newspapers (5)
10:8;40:2,6,22;41:1
next (5)
22:19;59:13;60:7;63:2;66:12
Nick (3)
54:11;68:19,21
night (3)
39:15;42:13;44:5
Nims (9)
13:21,21;17:19,20;30:7,11;35:16;42:22;54:18
n-i-m-s (1)
13:21
nitrate (2)
32:4;65:12
nitrogen (1)
25:6
nobody (1)
31:15
nonbinding (1)
11:22
none (6)
43:21;59:6;62:7;63:14;66:10;68:16
normal (2)
50:15;53:8
north (6)
9:5;18:6;27:23,24;28:9;58:19
northwest (1)
23:7
Notice (17)
8:21;9:13,17,19;10:2,7;12:6,18;13:1,3;18:20,22;22:11;40:1,3,5,24
notices (1)
40:17
notify (1)
12:15
no-till (1)
42:15
November (3)
8:22;9:14;18:23
nowhere (1)
55:3
NPDES (9)
36:2,3;49:16,21;51:2,10,12,17;52:3
nuisance (1)
46:24
number (7)
4:4;14:20;31:18;37:13,17;38:2;41:7
numbers (5)
30:7;38:23;39:1,2;68:5
numerous (2)
17:2;27:10
nutrient (12)
19:4,6,8,9,11,14,16,18,22;20:1;65:8,11
nutrients (4)
26:21,23;32:10;54:16
nutrition (1)
27:8

O

Oakwood (9)
14:7;15:1,13,19,20;16:18;53:17;65:5;67:3
Oakwood's (1)
64:21
Obviously (2)
30:12;55:2
occasion (1)
63:9
occupied (2)
20:24;21:24
odor (15)
11:8;18:15;24:21,23;25:2;26:12,17,18;27:6,10,10,16;31:7,9,20
odors (1)
26:22
off (4)

30:7,13;32:8;43:7
offer (1)
57:6
Offered (1)
57:10
office (1)
14:22
officer (3)
2:8;7:5;12:17
official (2)
10:2;40:14
officials (2)
13:4;50:6
old (1)
62:5
Once (5)
12:14;14:4;30:19;
31:14;59:2
one (28)
4:20;11:16;15:10;
17:11;22:19;28:20;
32:24;34:17;36:1,11;
39:17,18;43:6;48:21,
21;49:3;54:20;55:6,
13,14;57:24;58:3;
59:22;60:1;63:9;65:4;
67:1;69:20
ones (1)
48:20
only (5)
29:18,23;33:3;43:9;
63:9
onsite (1)
25:7
open (2)
3:20;29:10
operate (3)
14:23;26:16;27:16
operated (1)
24:9
operates (1)
55:24
operating (2)
46:2,5
operation (13)
17:5,6,14;18:13;
19:5;20:6;21:10;
28:20;32:16;38:8;
50:15;60:13;63:24
operational (1)
31:9
operations (3)
13:19;24:2;66:6
operator (3)
8:5;25:13;45:21
opinion (2)
58:14;59:8
opportunities (1)
64:24
opportunity (8)
2:17;3:17,23;6:17;
16:8;29:22;59:8,11
oppose (1)
31:1
oral (21)
2:18;4:5,10,14,15,
19,23,23,24;5:14,18;
6:5;29:21;56:23;57:2,
3,21,22;68:22,23;69:5
order (1)
3:6
orderly (2)
2:22;3:6
organisms (3)
67:23;68:6,7
orientation (1)
18:10
original (1)
14:24
originally (1)
7:19
originating (1)
26:5
others (2)
14:21;15:14
otherwise (1)
22:7
ourselves (1)
63:22
out (17)
14:10,24;16:21;
18:9;23:9;32:19;33:6;
38:24;43:16;44:21;
50:14;53:22;55:1,3;
60:14;62:22;69:9
outgoing (1)
33:2
outlining (1)
3:12
outside (5)
22:21;53:3,6;54:3,4
over (15)
7:2;17:1;21:7;
22:18;23:9;27:21;
34:1;42:12,13;43:13,
14,15,20;44:21;60:18
overall (2)
26:22;27:9
overhead (1)
56:18
overlain (1)
23:4
oversee (2)
66:19;67:1
oversight (1)
61:22
overview (2)
3:10;18:1
Owens (3)
2:12;11:18;69:1
own (1)
47:10
owned (1)
66:22
owner (2)
37:7;47:8
owner/operator (1)
24:2
owners (2)
12:10;46:20
ownership (1)
38:7
owns (1)
37:7

P

paragraph (1)
11:1
paragraphs (1)
59:21
parents (1)
14:13
Park (1)
47:2
Parks (20)
14:6,13;15:17;16:9;
25:7,22;28:10;41:5;
45:20;46:1,5,8,12;
47:5;53:21;55:16;
56:12;60:12;63:3,11
Parks-Livestock (11)
2:20;6:22;9:8;
13:20;14:5,18;17:23;
23:9;45:21;48:11,13
part (14)
4:10,14;20:9,22;
21:3;23:7,7;50:10,14;
51:13;55:4,21;56:8;
65:24
particles (1)
26:12
particular (9)
3:12;6:12;8:20;
16:10;30:1;36:12;
51:8,9,16
parts (1)
55:13
pass (7)
5:16,20;21:8;31:18;
59:13;68:17,21
passed (1)
7:19
pattern (1)
41:7
patterns (4)
11:10;18:16;27:18,
19
peak (3)
32:20,21,24
peer (1)
20:15
pen (1)
20:21
people (11)
4:4,22,24;6:5;40:4;
43:21;56:4;59:9;
61:13;62:24;63:1
per (3)
25:23;33:4,14
perceived (1)
6:9
percent (2)
28:8,9
period (3)
12:4;41:23;44:16
periods (2)
32:20,21
permeability (1)
24:20
permit (9)
36:2;49:20;50:2;
51:5,10,12,17;52:3;
64:4
permits (1)
66:5
permitting (2)
36:3;51:3
person (4)
5:7;38:24;55:9,24
personnel (1)
25:16
persons (1)
5:11
perspective (1)
49:2
pertain (1)
30:1
phase (6)
4:5,6,7,8,23;57:4
phases (1)
20:4
phone (3)
31:18;57:20;61:11
phosphorus (2)
25:6;65:12
Phyllis (1)
14:13
pick (3)
11:16;53:9;54:6
picks (1)
53:7
piece (1)
41:14
Pierce (10)
48:10,10,13,17,19,
23;49:4;57:8,8,10
pig (3)
32:17;44:19;51:21
pigs (12)
15:22;33:8,14;
41:13;43:11;44:20,
21;45:1;46:13,17;
49:3;53:16
pin (2)
18:7;27:21
pinned (1)
43:15
pipe (1)
50:14
pit (3)
20:10;23:23;45:8
pits (1)
24:13
place (1)
62:23
placed (3)
4:7,20;24:17
places (2)
36:16;48:3
plain (11)
18:14;22:7,16,20,
22;35:4,5,7,8,14;43:6
plains (3)
11:8;22:5;42:11
plan (23)
16:9;18:19;19:4,6,
8,9,12,14,17,22;20:4,
11,13;21:9;25:2;27:7,
14;35:17;49:22;
50:10,19;55:4;62:1
planned (2)
27:9;29:1
planning (4)
8:4;11:5;16:3;
34:18
plans (13)
10:11,14,18,20;
11:8;12:7;20:19;24:2,
21;34:15;48:13,23;
66:7
planting (1)
16:3
please (13)
5:17;6:8,24;13:15,
24;29:13,14,15,22;
58:4;62:8,11;66:5
pleased (2)
15:22;16:8
plus (3)
22:1,3;41:20
pm (1)
2:1
Poe (1)
2:3
point (9)
4:17;53:1,2;55:14;
59:18;60:16,17;
61:15,15
points (1)
61:21
Pollutant (2)
49:17;64:14
pollutants (1)
68:9
pollution (3)
46:24;62:19;65:9
pop (2)
55:2,3
populated (5)
9:23;20:24;22:2;
27:5;28:22
pork (2)
16:23;59:23
portion (4)

29:17;46:16;56:21;
69:6
positively (1)
51:14
possible (4)
11:9,10;23:21;
31:19
possibly (1)
32:22
posted (1)
28:11
potential (2)
11:5;64:13
pounds (3)
9:11;21:23;58:23
power (1)
60:18
PowerPoint (3)
12:22;13:6;29:8
practice (1)
26:22
precipitation (1)
54:21
prepare (2)
19:3,5
prepared (1)
19:10
present (2)
2:18;23:18
presentation (5)
3:20;12:22;13:6;
29:8;40:1
presenting (1)
13:14
pressure (1)
26:10
pretty (1)
18:5
prevent (2)
24:15;26:9
previous (2)
17:13;70:6
price (4)
37:21,22,23;59:23
prior (2)
45:22;58:23
probably (8)
32:1;33:24;35:9;
42:4,5,8;49:1;51:14
problem (1)
46:24
procedure (1)
5:23
proceed (3)
3:8,14;14:3
proceeding (2)
4:12;6:16
proceedings (1)
7:2
process (6)
3:7,13;11:19;16:21;
17:7;47:20
processors (1)
14:21
produced (1)
47:20
producers (2)
14:21;38:4
production (2)
16:24;26:11
professional (1)
38:19
Program (8)
2:12;21:4;36:4,10;
51:3,12,18;52:5
Programs (1)
7:9
project (9)
3:12,13,16,17;7:17;
8:24;9:4;16:7,10
projection (1)
21:21
projects (3)
28:17;36:8;38:2
project's (1)
10:15
promise (1)
44:4
Proper (3)
24:5;27:7;66:6
properties (1)
66:22
property (2)
46:3;67:3
proposal (3)
8:20;10:4;13:11
proposed (37)
2:19;3:5,16;6:12,
19,22;7:14,17;8:11,
22,24;9:4,9,21;10:15,
23;11:5,7,9,11,23;
17:2;18:4;20:6,18;
21:18;25:1;27:20;
36:8;38:12,18;39:21;
58:14;63:20;65:7;
66:2;67:5
proposing (1)
34:18
protect (3)
20:6;54:15,20
protected (1)
66:8
protecting (1)
22:12
protection (5)
18:14;36:6,9;51:24;
65:10
proteins (1)
26:21
proud (1)
16:2
proven (1)
19:24
provide (12)
3:10;4:22;5:8;6:17;
12:21;14:20;20:1;
29:21,22;57:14;
68:22;69:1
provided (6)
23:11;57:21;64:7;
69:22;70:5,12
provides (2)
17:6;64:23
providing (1)
4:24
provisions (7)
3:10;7:16;8:8,14;
9:15;17:5;20:3
proximity (1)
49:1
public (18)
2:8,17;4:19;5:2;6:5,
15,18;7:13;10:3;13:3;
17:6;29:20;50:6;59:9;
64:16,17,24;70:16
publication (1)
40:15
publications (1)
20:16
published (5)
9:19;10:7;40:2,5,7
publishing (2)
20:14,14
pull (1)
32:8
pulling (1)
30:9
purpose (1)
6:16
pursuant (1)
2:13
push (1)
53:22
put (12)
32:10;33:8;38:23;
39:5;40:11,15;43:9;
47:13;48:15,20;52:8;
53:18
putting (2)
32:5;54:19

Q

qualifications (1)
55:20
quality (3)
31:20;65:9,22
quarter (2)
22:1;37:5
quarters (3)
43:16;62:17;63:7
question/answer (1)
29:19
quick (1)
33:19
quickly (1)
3:7
quite (1)
8:14
quote (1)
59:20

R

rain (3)
52:16;55:1,4
rains (1)
52:9
rainwater (1)
24:12
raise (11)
11:16;13:24;15:22;
29:13;58:10,18,18;
59:16;62:11;63:17;
66:15
raised (3)
16:1;61:13;63:3
raising (1)
46:13
ramp (1)
43:12
Randy (2)
30:3;59:12
range (1)
37:18
ranging (1)
15:4
rare (1)
67:17
rates (3)
19:18;20:2;32:7
Raymond (1)
2:3
ready (1)
57:21
real (1)
33:19
really (3)
42:20;63:2;70:1
reason (2)
49:10;50:4
reasonable (3)
24:22,22;27:14
reasons (2)
38:10;55:1
rebar (1)
24:17
recall (2)
39:19;63:9
receive (4)
6:11;10:22;37:14;
51:10
received (5)
2:23;8:20;9:13;
10:1,13
recent (1)
64:17
recently (1)
7:24
recognized (1)
65:5
recommendation (3)
11:23,24;12:9
reconvene (1)
57:15
record (19)
2:24;4:11,15;6:3;
12:20,24;13:5;29:7,
15;56:24;57:3;58:14;
59:4,20;61:18;62:8;
63:15;66:13;69:2
records (2)
19:12,14
recreation (4)
11:12;28:16,18;
64:24
reduce (2)
26:17;65:11
reducing (2)
26:23;64:12
reduction (3)
18:16;24:23;26:22
reenforcement (1)
20:17
refer (1)
56:23
referencing (1)
57:2
refrain (1)
17:18
regarding (14)
2:18;3:4;5:18;7:15;
8:19;10:4,23;11:3;
13:11;34:11;35:2;
40:5;45:23;47:18
registration (2)
18:12,18
regular (4)
26:4,5,8,17
regulated (1)
32:7
regulations (6)
6:10,14;17:3,9;
32:10;62:23
reinforced (1)
24:16
relates (1)
3:11
relative (1)
11:23
release (3)
24:10,15;50:15
releases (1)
68:1
remarks (5)
7:2;12:22;13:9;
69:7,18
Remember (3)
6:2,24;58:6
remind (1)
29:17
removed (1)
42:7
rendered (2)
53:1,2

rendering (2)
53:5,6
repeat (2)
5:5;43:3
replacement (3)
58:18,21,24
report (4)
38:19;39:3,7,8
reporter (5)
4:2;5:3;13:16;58:5;
70:15
representatives (4)
3:15,22;7:14;29:9
represented (1)
60:22
reputation (1)
16:14
request (4)
2:15;12:10;39:11;
40:21
requesting (1)
10:3
require (1)
36:2
required (10)
18:20;21:8;24:7,20;
34:11;36:11;40:10,
11;51:9,16
requirement (3)
10:9;35:2;52:2
requirements (15)
8:4,7,17;10:21;
18:12,20;20:17,17;
21:16;28:21;29:3,4;
34:15;35:9;45:17
requires (1)
9:22
research (3)
20:15;66:24;67:2
residence (2)
20:24;21:24
residential (2)
9:22;27:4
respond (1)
31:5
responded (2)
44:12;52:21
responding (3)
31:6,19;65:11
response (1)
65:8
responsibility (2)
8:6;16:13
responsible (1)
47:6
results (1)
21:24
revenues (1)
16:18
review (3)
10:17;12:5,12
reviewed (2)
9:14;20:15
revised (1)
49:18
rich (1)
67:8
richness (1)
67:23
Richter (2)
67:2,13
right (13)
14:1,15,17;16:4;
22:17;40:9;44:7;
57:15;58:11;59:16;
62:11;63:17;66:15
river (21)
22:15;35:15;62:20,
21;64:9,12,14,19,22,
23;65:3,19,22;66:8;
67:7,7,12,17,18,22;
68:12
rivers (2)
52:10;60:3
Road (8)
14:23;27:23,24;
28:11;30:4,5;32:15;
53:17
roads (2)
32:17,22
Rod (1)
48:10
roles (1)
15:15
roll (1)
54:5
room (2)
4:20;37:19
roots (2)
14:6;16:4
rotation (1)
26:3
roughly (1)
33:16
Route (4)
14:24;27:23;28:2,9
routine (2)
25:3;26:6
rule (1)
42:8
rules (3)
42:4,6;48:2
run (1)
44:18
running (1)
50:14
runoff (3)
24:4,11;54:13
runs (3)
38:18;42:18;52:19
rural (3)
21:20;29:1;66:1

S

safe (2)
45:1;70:9
safety (2)
22:12;25:14
Saline (1)
64:19
Salt (16)
35:15;64:5,8,13,14,
19,22,23;65:3,19,21;
66:7;67:7,16,22;
68:12
same (12)
17:13,14;28:11;
39:15;41:12;42:8,13;
44:22,22;59:19;
61:18;63:3
sand (2)
23:16,17
Sandstone (2)
23:14,14
Sanitary (2)
64:6,10
sanitized (2)
26:11;44:15
sanitizers (1)
45:16
sanitizing (1)
44:17
saw (1)
38:4
saying (8)
33:5;45:13;51:4,6,
7,11;52:4;59:4
scheduled (2)
10:4,6
school (2)
14:11;16:18
schools (1)
15:15
sciences (1)
66:24
Scouts (2)
65:2,4
seasonal (1)
28:11
second (4)
4:21;7:23;40:3;
56:8
Section (3)
2:14;11:1;23:18
sedentary (1)
68:7
Seeing (6)
59:6;62:7;63:9,14;
66:10;68:16
seem (1)
41:7
seems (1)
32:19
sell (1)
14:8
semi (3)
43:7,11,11
semis (4)
33:2;43:7;49:8,10
sensitive (2)
11:8;22:7
sent (1)
3:2
separate (1)
69:4
series (1)
37:7
seriously (1)
16:14
serve (2)
7:6;15:6
Service (3)
20:11,13;65:16
services (1)
14:21
serving (1)
2:8
session (7)
3:24;7:23,24;8:1;
29:19,20,23
set (3)
22:11;58:7;66:22
setback (14)
8:7;9:22,24;20:23;
21:16;22:2;27:2,4,5;
28:21;29:3;34:17,24;
39:1
setbacks (10)
20:3;21:1,22;22:4;
34:16;35:17,22;
38:16,23;66:7
shaded (1)
22:15
shall (1)
19:3
share (2)
6:16;36:7
Sharps (1)
48:1
sheet (8)
4:21,21,24;5:14,19;
57:24;69:2,3
sheets (5)
4:19;11:14;57:22;
68:24;69:4
Shell (2)
46:21;47:3
Shepherd (15)
2:20;6:23;9:8;
17:12,23;22:21;23:9;
28:7;30:18;33:22;
34:5;38:17;44:5;
45:22;47:15
Shepherds (2)
42:12;46:2
Shepherd's (1)
47:12
short (6)
4:17;7:20;57:5,14;
64:2;67:12
shortly (1)
14:10
show (2)
30:11;55:22
showed (1)
18:5
showers (1)
55:3
showing (5)
21:21;22:14,19;
23:22;27:20
shows (1)
23:6
shutoffs (1)
25:15
side (1)
37:3
sign (2)
4:23;5:19
signed (2)
5:14,19
significant (1)
64:8
Sign-in (5)
4:19;11:14;57:22,
23;68:24
similar (4)
17:16,17;20:21;
35:12
simple (1)
62:1
simply (1)
68:8
sincerely (1)
15:10
single (1)
37:7
sink (1)
35:21
sinkholes (1)
22:24
site (13)
8:12;17:12,12;
21:11;23:20;27:22;
34:3,5;38:18;47:14,
15;55:24;67:1
sites (2)
53:15;66:20
siting (18)
3:18;10:24;11:23;
12:13;18:2,11,18;
20:5,9,22;21:12;22:5;
24:1;27:18;28:13;
35:2;44:8;60:19
sitings (1)
61:7
sits (1)
47:11
situation (1)
62:16
situations (1)
8:15
six (5)
33:1,9,9,10;63:3

size (6)
8:10;17:14;20:21;
33:15;66:2,6
sizing (1)
24:5
slatted (1)
26:8
slide (1)
32:13
slow (1)
5:5
small (2)
63:10;68:7
smell (2)
30:20;31:2
SMITH (19)
34:9,10;35:11;36:1,
11;62:7,10,10,12,13,
14;63:13,14,16,16,18,
19;66:9,12
s-m-i-t-h (2)
62:10;63:16
snow (1)
63:10
soaks (1)
52:17
society (1)
62:23
soil (8)
23:18,20;26:1;
52:15,18;54:14,19;
64:1
solid (1)
24:16
Somebody (2)
30:9;69:8
somebody's (1)
30:9
someone (1)
5:16
SONDGEROTH (52)
2:2,6;12:24;13:12,
24;14:3;29:7;30:15,
23;31:21;32:11;
33:17;34:7;36:14,19;
38:14;39:12;41:3;
42:9;44:2,12;45:11,
19;46:7,18;47:16;
48:9;49:5,14;52:7,11,
21;55:6;56:20;57:9,
19;58:10;59:5,12,16;
61:19;62:6,11;63:13,
17;66:9,15;68:15,19,
21;69:17;70:11
soon (2)
23:21;61:5
Sophia (1)
67:2
sort (1)
32:2
sound (1)
19:20
source (1)
64:8
south (2)
23:8;27:23
southeast (2)
23:8;60:10
Southern (1)
40:13
southwest (3)
60:10;64:12;67:3
soybeans (2)
16:21;37:23
space (1)
53:15
speak (5)
5:4,15;49:3;58:7;
59:11
speakers (1)
5:13
speaking (2)
5:8,12
species (7)
65:17,18;67:11,12,
15,16,17
specific (8)
8:14;11:13;21:11;
28:16;30:23;32:17;
34:16;35:1
specifically (1)
3:12
specifications (3)
10:11,15;20:16
specified (1)
44:15
specs (1)
10:20
spell (9)
4:1;6:2;13:15;
29:15;58:5,8;59:14;
62:8;63:15
spill (2)
64:18,20
spillage (1)
46:24
spills (3)
24:4;59:24;68:4
spoke (1)
35:13
spread (2)
56:4,13
spreading (4)
32:19;55:9,15;56:2
Spring (2)
7:24;8:1
Springfield (1)
17:22
springs (1)
22:24
standard (1)
41:8
standards (6)
8:4;18:13;20:3;
22:11;24:20;64:1
start (2)
14:14;39:2
started (2)
57:19,24
state (30)
4:1;5:10;6:2;8:18;
13:15;17:3;23:7,8,11;
24:23;29:14;37:3;
40:10,11,14;45:17;
46:16;48:21;49:22;
51:3;58:4,7;59:2,14,
24;61:6;62:8;63:14;
66:12;67:22
stated (3)
40:1;44:8;58:13
statement (1)
51:11
statements (1)
29:18
state-protected (1)
64:20
states (2)
49:17;65:10
station (1)
14:24
statistic (1)
32:19
statistics (1)
37:13
stats (1)
30:4
status (4)
3:13;7:17;8:19;
30:5
statutory (1)
10:21
stay (2)
43:19;65:4
staying (2)
55:10,12
steel (1)
24:17
step (1)
58:4
stewards (3)
16:12;17:10;63:23
still (1)
43:1
Stinking (1)
61:5
Stony (5)
35:15;38:17;63:21;
64:5;67:4
stop (1)
53:18
stoppage (1)
24:18
Storage (4)
20:12;24:6,8;54:22
stored (2)
53:3,5
Straight (2)
18:6;43:11
strategic (1)
27:14
strategy (1)
27:10
stream (2)
34:21;65:22
streams (6)
34:12,14,16;35:2;
65:12;66:3
street (2)
49:8,11
stress (1)
54:22
stretch (2)
67:7,12
string (1)
37:4
struck (1)
69:20
structure (1)
9:3
structures (1)
20:10
Students (1)
67:10
stuff (1)
47:7
subject (6)
5:1;7:1;39:10;42:4;
52:2;59:10
submit (3)
11:22;12:18;19:7
submittal (1)
10:14
submitted (7)
9:7;12:6,10;24:2;
49:21;50:8;57:11
subsurface (1)
35:18
success (2)
15:8;16:24
suitable (2)
65:17,22
summarize (1)
5:23
summer (1)
65:3
summertime (2)
53:15;60:10
supplies (1)
65:13
supply (1)
64:21
support (5)
14:12;15:11,20,24;
63:22
supporter (1)
15:18
supposed (1)
50:5
sure (7)
33:23;34:13;36:17;
42:16;45:13;51:15;
52:6
surface (4)
22:23;23:2;35:23;
54:19
surfaces (1)
24:18
surrounding (8)
11:6;21:13,19;24:4;
27:17;43:17;56:9,15
surveillance (1)
32:3
Survey (4)
23:12;38:19,19;
67:15
survival (1)
65:23
Suzanne (4)
34:9;63:14,16;
66:11
swear (2)
13:16;58:6
swell (1)
53:16
swim (1)
68:8
swine (8)
2:19;6:23;8:22;
9:10;14:14,21,22;
60:4
sworn (7)
5:1;6:6;14:2;58:12;
59:17;62:13;63:18
Synthia (1)
49:15
syringes (1)
47:23
system (5)
24:9;25:18,21;
38:22;49:18
systems (2)
21:6;23:1

T

table (1)
11:14
tad (1)
37:4
talk (1)
52:5
talked (4)
35:3;50:10;54:9;
60:6
talking (4)
17:24;32:20;47:22;
55:10
tanker (1)
25:19
task (1)
2:21
tax (1)
16:17
Tazewell (2)
39:17,18

teaching (1)
66:23
techniques (1)
27:11
technologies (5)
24:23,24;27:11,13,15
technology (1)
25:11
tens (1)
68:4
terms (1)
35:2
terrains (1)
23:12
testify (1)
4:5
testimony (36)
2:18,23;4:5,9,10,10,14,15,18,19,21,23,24;5:14,18;6:4,5,6;10:22;29:20,22;56:21,22,22,23;57:1,2,3,4,6,13,21,22;68:22,24;69:5
testing (1)
8:5
thereby (1)
67:20
therefore (1)
64:24
thickness (2)
23:15,16
thoroughly (1)
26:10
thoughts (2)
64:2;69:11
thousand (1)
66:20
thousands (1)
68:5
three (11)
7:22;30:21;34:9;39:17,20;43:15;46:21;62:17;63:7;64:20;69:4
Thus (2)
11:24;26:16
tile (1)
35:18
tiled (1)
31:23
tiles (1)
55:11
timer (1)
58:7
times (5)
7:22;25:17;30:19;32:18;38:6
titled (1)
59:23
today (4)
2:5;31:12;42:6;62:24
today's (1)
11:21
together (3)
13:17;36:17,24
told (2)
50:24;59:12
tonight (4)
5:23;6:11,21;70:15
tonight's (2)
2:8;3:1
took (2)
43:20,20
top (1)
54:13
total (4)
5:9;19:23;28:4;60:2
tougher (1)
61:1
tourism (3)
11:11;28:15,17
town (1)
49:7
Township (2)
16:19;60:24
tracts (1)
66:4
tradition (1)
16:24
traffic (13)
11:10;18:16;27:18,19,20;28:7,8,10,12;30:4,7;49:8;62:18
trained (2)
56:1,5
trainer (1)
55:23
training (4)
8:5;21:8;55:10;56:8
trains (1)
62:19
transcribed (1)
3:1
transcript (3)
3:2;70:12,14
transcripts (1)
12:7
translocating (1)
65:17
Transportation (4)
28:1,5,6;30:8
travel (1)
27:22
Tribune (1)
59:22
trip (1)
70:10
truck (4)
33:14;53:6;54:5,6
trucks (10)
27:22;28:5,6;32:15,17;33:1,9,9,10;62:19
true (1)
50:22
tub (1)
53:6
tubes (1)
65:3
turbines (1)
46:17
turn (1)
7:2
turned (1)
62:22
turns (1)
60:14
Twice (1)
31:14
two (19)
9:1;18:8;20:19;30:19,21;35:11;36:16,23;37:9;38:11;39:14,21;46:21;48:24;49:2;55:13;63:20;64:17;65:18
twofold (1)
54:20
type (5)
45:3;47:7;48:3;54:2;69:11
types (3)
8:9;26:1;67:8
typical (2)
20:21;41:18
typically (1)
44:20
Tyson (1)
47:2

U

unable (1)
10:19
unclear (3)
49:24;50:1,7
uncommon (1)
66:2
unconsolidated (1)
23:5
uncontrolled (1)
24:10
under (6)
9:3;10:15;17:3;34:14;36:4;60:11
underground (1)
23:1
unfounded (1)
62:22
unheard (3)
37:10;38:12,13
unintended (1)
64:15
unique (2)
67:18,22
unit (2)
2:19;23:4
units (5)
8:10;9:10;19:2;21:7,24
university (4)
20:13;66:18,23;67:10
unplanned (1)
68:4
untold (1)
68:5
up (28)
11:16,18,21;21:21;33:1;40:9;42:16;43:12,23;45:13;48:4,15,20;51:11;53:7,9,13,14,16;54:6;55:3,3;57:20,23,24;58:3,4,7
upon (5)
8:9;16:16;25:6;29:14;39:11
Urbana (2)
64:7,18
Urbana-Champaign (1)
64:6
urge (1)
68:10
usage (2)
32:21;33:1
use (4)
38:22;44:24;56:13;58:21
used (5)
3:3;38:20;53:17,22;58:23
using (2)
4:14;54:18
usually (4)
40:16;48:15,17,18
utilization (1)
26:20
utilize (4)
19:17;25:8;26:2,4
utilizing (2)
25:19,24

V

various (1)
8:8
vary (2)
37:14;41:19
Veedersburg (1)
15:14
vehicle (1)
28:8
vehicles (3)
28:2,3;49:8
ventilation (1)
26:13
Vermilion (21)
2:5,16;3:2;9:6,18;10:2;11:24;13:4;14:15;16:4,23;17:1;58:15;61:3;62:21;63:21;64:9;65:22;66:21;67:18;70:7
Veto (1)
7:23
viable (1)
65:24
view (2)
20:20;25:19
viewed (1)
50:5
Village (1)
33:21
Vince (1)
31:22
violations (2)
45:22;46:6
visual (1)
26:6
visually (1)
25:15
voice (2)
58:14;59:8
volume (1)
19:23
volunteer (1)
15:15

W

Wahls (5)
44:14,14;45:3,5,9
wait (2)
53:9;55:2
walk-throughs (1)
26:6
walkways (1)
26:8
warm (1)
53:11
Warren (7)
2:11;3:9;7:2,5;18:3,5;35:16
wash (2)
42:18;43:22
washed (3)
26:10;44:6,23
waste (17)
8:4;9:3;10:12,16;18:19;19:12;21:9;22:10;34:15;45:24;47:20,23;49:23;50:19;56:6;59:24;68:1
watch (1)
69:6
water (21)
24:11;31:9,20;35:24;36:5;43:17;49:16;51:15;52:6;54:14;60:1;64:1,8,11,

21;65:9,12;67:20,21;68:9,17
watershed (2) 64:12;66:8
watersheds (2) 52:20;64:5
water-stop (2) 20:17;24:17
waterway (1) 34:21
waterways (6) 35:22,22;38:21;55:11;60:3;68:2
Watson (3) 30:17,17,24
way (2) 69:21;70:1
ways (1) 8:9
weaned (1) 44:19
weather (2) 53:10,11
website (2) 30:8,14
week (5) 32:15;33:1,4,11;44:19
weekly (5) 28:1,2,5,8;53:11
weeknight (1) 39:22
weeks (2) 44:19,21
weight (3) 9:11;28:11;44:22
welcome (1) 7:12
Wells (6) 33:18,18;34:2,4;35:21;49:6
w-e-l-l-s (2) 33:19;49:6
weren't (1) 17:20
West (4) 17:21;23:7;27:22;58:19
western (2) 9:6;37:2
whammy (1) 36:18
Whereupon (1) 57:17
whole (1) 38:9
whose (1) 5:11
widely (1) 25:11
Wienke (3) 61:20,20;62:4
wife (2) 15:2;61:11
wildlife (3) 64:16;65:15,21
Willard (8) 58:1,9,9,10,12,13;59:6,7
w-i-l-l-a-r-d (1) 58:9
wind (2) 46:9,16
winter (1) 32:22
wish (5) 4:4,22;5:17;57:6,13
wishing (1) 3:21
within (16) 11:7;19:4;22:6,9;23:18;28:20;32:3;35:5,6,17,20;46:9;56:9;62:17,20;63:7
without (3) 23:3;40:19;43:12
wondering (2) 43:5;52:24
Woodford (1) 39:18
woods (1) 43:2
words (1) 7:15
work (5) 15:21;39:23;47:2;53:4;66:17
working (1) 19:4
written (15) 2:18;4:9,9,13,18;6:4;29:22;56:20,21,22;57:1,4,5,11,13
wrong (1) 51:19

Y

yard (3) 42:18,19;44:7
yards (1) 62:21
year (18) 14:19;15:21;16:19;22:6,16;24:9;25:23;28:20;31:13;32:18;35:13;37:14,14;41:22;48:16,20;54:22;62:16
years (8) 7:20;15:4,7;17:1;30:22;41:21;42:8;62:5
yellow (1) 18:7
yield (1) 68:20
yields (2) 19:24;25:24
young (1) 14:10

Z

zero (2) 50:11,17
zoned (3) 21:14,15,18
zoning (5) 21:15;28:21;29:3;60:24,24

0

0.05 (1) 28:9

1

1 (7) 13:1;18:11,18;20:9;39:5,19,19
1,000 (3) 19:2;21:7;65:2
1,760 (1) 9:23
1.3 (1) 28:8
1.5 (1) 9:5
10 (4) 23:16;37:5;39:19;57:23
10,850 (1) 28:2
100 (5) 22:6,16;35:13,20,21
100,000 (1) 64:19
101 (2) 9:2;18:8
11 (2) 23:23;65:10
12 (6) 2:14;9:16;11:1;18:24;21:2;22:4
140 (1) 37:16
15 (6) 5:9;8:23;9:14;12:2,4;18:23
150 (2) 14:24;24:7
16 (2) 31:14;67:11
17 (1) 10:1
170 (1) 33:15
1760 (1) 21:24
18 (2) 15:4;43:19
1900 (4) 27:23,23;28:9;30:5
1972 (1) 49:16
1996 (1) 7:19
1997 (1) 7:22
1999 (1) 7:24

2

2 (8) 13:5;18:12;20:5,9,22,22;23:17;41:14
2,000 (5) 25:23;55:16,18;56:11,12
20 (2) 15:22;62:5
200 (1) 35:23
2000 (2) 30:6;62:16
2002 (1) 64:18
2005 (2) 60:2,2
2007 (1) 7:24
2008 (1) 49:19
2014 (1) 60:2
2015 (8) 30:19;31:13,14;42:12,12,21;44:11;64:20
2016 (5) 8:23;14:18;18:23;30:19;67:11
2017 (2) 12:2;64:10
21 (2) 7:19,20
22 (1) 15:4
22.5 (1) 67:2
250 (1) 16:20
26 (2) 44:18,19
27 (1) 27:4

3

3 (11) 5:7;18:13;21:3,12,22;29:8,9;30:20;58:6;64:11;67:3
3,360 (3) 2:19;9:10;21:23
3,520 (2) 9:24;22:2
30 (7) 11:21;12:3,5;41:20,22;42:8;67:16
341 (2) 9:2;18:8
350 (1) 28:1

4

4 (12) 18:14;22:5;30:20;39:19,19;41:11;43:7,9,13,14;57:10,10
4,569 (1) 27:6
40 (2) 34:20;58:22
40th (1) 14:19
440 (1) 22:1
45 (1) 61:20
49 (3) 27:23;28:2,9
492,000 (1) 60:2
4H (1) 15:18
4th (1) 15:5

5

5 (12) 18:15;22:9;23:15,18,22;24:1;30:20;52:15;57:11,15;58:20;64:11
5,000 (1) 19:3
500 (3) 16:20;55:14;56:14
55 (2) 9:11;21:23

6

6 (5) 18:15;24:21;58:20;66:11,12

60 (5)
19:4;23:5;24:16;
37:15;67:15
67 (1)
60:3

7

7 (6)
18:16;27:18;39:19;
42:12;67:12;68:23
70 (1)
37:15
720 (1)
26:2
75 (1)
18:9

8

8 (9)
9:2,2;18:9,17;
28:13;44:8;52:15;
69:3,5
8,400 (1)
9:10
8:05 (1)
2:1
8400 (2)
21:22;33:8
880 (1)
22:3

9

9:19 (1)
57:15
9:24 (1)
57:16
9:26 (1)
57:20
9:44 (1)
69:6
9:45 (1)
70:17
911 (1)
43:18