PUBLIC INFORMATIONAL MEETING
REGARDING THE
PROPOSED CONSTRUCTION OF A LIVESTOCK
MANAGEMENT FACILITY
BY
SCOTT HENDRON

DATE: September 14, 2016
TIME: 6:00 P.M.

LOCATION: Spoon River College Community Outreach Center
Mid-America National Bank Conference Hall
2500 E. Jackson Street
Macomb, Illinois

TRANSCRIPT OF PUBLIC INFORMATIONAL MEETING

ORIGINAL

REPORTED BY RANDALL W. WELLS
CERTIFIED COURT REPORTER - #0271

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TRANSCRIPT OF PUBLIC INFORMATIONAL MEETING heard on the **14th day of September, 2016**, at the **Spoon River College Community Outreach Center**, MidAmerica National Bank Conference Hall, 2500 East Jackson Street, in the City of Macomb, State of Illinois.

A P P E A R A N C E S

Illinois Department of Agriculture
State Fair Grounds
P.O. Box 19281
Springfield, Illinois 62794
By: **John Teefey**
Bureau Chief, Environmental Programs
Hearing Officer

Illinois Department of Agriculture
State Fair Grounds
P.O. Box 19281
Springfield, Illinois 62794
By: **Warren D. Goetsch, P.E.**
Deputy Director

Illinois Department of Agriculture
State Fair Grounds
P.O. Box 19281
Springfield, Illinois 62794
By: **Brad A. Beaver**
Bureau of Environmental Programs

Illinois Department of Agriculture
State Fair Grounds
P.O. Box 19281
Springfield, Illinois 62794
By: **Doug Owens**, Manager

APPLICANT: *Scott Herndon*

ALSO PRESENT:

Chris J. West
President
Frank & West
Environmental Engineers, Inc.
1032 South 2nd Street
Springfield, Illinois 62704

Al Muhlenbruck - TriOak Foods - Relations & Regulatory Manager

Nick Biggs - TriOak Foods - Relations Team

WEDNESDAY, SEPTEMBER 14, 2016 05:53:44

05:53:44

MR. TEEFEY: It is six o'clock, so we're going to go 05:53:45
ahead and get started. If you could go ahead and have a seat. 06:03:59
We are going to start this meeting. 06:04:03

Before we begin tonight, I would ask that everyone 06:04:06
please turn your cellphones to silent. 06:04:13

Thank you very much. 06:04:16

Good evening. On behalf of Raymond Poe, Director of 06:04:17
the Illinois Department of Agriculture, we thank you very much 06:04:23
for the invitation to come to McDonough County today. 06:04:26

My name is John Teefey. I'm with the Illinois 06:04:29
Department of Agriculture, and I will be serving as the Hearing 06:04:32
Officer for tonight's Public Informational Meeting. 06:04:35

Also with me on behalf of the Department are Warren 06:04:39
Goetsch, Deputy Director of the Department; Doug Owens, Manager 06:04:42
of the Bureau of Livestock Program; and Brad Beaver with the 06:04:45

1 Bureau. 06:04:49

2 This meeting is being conducted pursuant to Section 06:04:50

3 12 of the Livestock Management Facilities Act. 06:04:54

4 The informational meeting is being held at the 06:04:57

5 request of the McDonough County Board, and is to afford members 06:04:59

6 of the public an opportunity to ask questions and present oral 06:05:03

7 and written testimony regarding the proposed construction of a 06:05:07

8 new 1,984 animal unit swine finishing facility by Mr. Scott 06:05:14

9 Herndon. 06:05:20

10 My task this evening is to ensure that this meeting 06:05:21

11 is conducted in an orderly fashion and to assure that all 06:05:24

12 comments and testimony received are entered into the record. 06:05:28

13 Tonight's meeting is being transcribed. The 06:05:32

14 transcript of the meeting will be sent to the McDonough County 06:05:35

15 Board, as well as used by the Department of Agriculture in making 06:05:39

16 its determination regarding the proposed construction of this 06:05:41

17 facility. 06:05:45

18 In order to ensure that we have an orderly process, I 06:05:46

19 will quickly explain how the meeting will proceed this evening. 06:05:50

20 First, following my comments, Warren Goetsch will 06:05:53

21 provide an overview of the provisions of the Livestock Management 06:05:57

22 Facilities Act as it relates to this particular project, 06:06:02

23 specifically outlining the current status of the project and how 06:06:04

24 the process will proceed following this meeting. 06:06:08

25 Following Mr. Goetsch, representatives for the 06:06:11

1 proposed construction project will be given an opportunity to 06:06:14
2 describe the project and demonstrate how they believe it meets 06:06:17
3 the siting criteria of the Livestock Management Facilities Act. 06:06:22
4 After their presentation I will open the meeting to 06:06:25
5 questions. Anyone wishing to ask questions of the Facility, 06:06:29
6 representatives, or the Department will be given an opportunity 06:06:33
7 to do so. 06:06:36
8 During the question and answer session I will ask 06:06:38
9 that you state your name, spell your last name for the court 06:06:41
10 reporter. You then may ask your question. 06:06:45
11 Depending on the number of people who wish to testify 06:06:48
12 in the oral testimony phase of the meeting, which is after the 06:06:50
13 question phase, there may be a time limit placed on the 06:06:54
14 questioning phase. 06:06:57
15 Following the question and answer phase, I will then 06:06:59
16 ask for written testimony. If anyone has written testimony that 06:07:01
17 is not part of your oral testimony, I will accept it and enter it 06:07:06
18 into the record from this proceeding. 06:07:11
19 If you have written material that you will be using 06:07:13
20 as part of your oral testimony, it can be entered into the record 06:07:16
21 following your oral testimony. 06:07:19
22 Then depending on the amount of time that has elapsed 06:07:21
23 at this point in the meeting, we may take a short break. 06:07:24
24 Following the written testimony, I will ask for oral 06:07:29
25 testimony from the public. Sign-in sheets were placed outside of 06:07:31

1 the room in the back. There is one sign-up sheet for attendance 06:07:35
2 and a second sign-up sheet for testimony. 06:07:39
3 People who wish to provide comments during this oral 06:07:42
4 testimony phase are asked to sign the oral testimony sheet. 06:07:46
5 People providing oral comments will be sworn in and will be 06:07:51
6 subject to questioning from the public. 06:07:55
7 Each person will be given three minutes to provide 06:07:58
8 his or her comments. 06:08:00
9 Legal counsel speaking on behalf of multiple clients 06:08:03
10 will be given a total of ten minutes for all clients and will be 06:08:06
11 asked to state the names of all the persons on whose behalf he or 06:08:10
12 she is speaking. 06:08:14
13 Deferring time to other speakers will not be allowed. 06:08:17
14 If you sign the oral testimony sheet, you may either 06:08:20
15 speak, or if you have changed your mind, you may pass. You may 06:08:24
16 not give your time to someone else. 06:08:28
17 Also, please keep in mind that if you do not wish to 06:08:30
18 be asked questions regarding your oral testimony, do not sign the 06:08:34
19 sheet. Or if you have signed it already, indicate you would like 06:08:38
20 to pass when I call your name. 06:08:42
21 The meeting will then conclude with closing comments 06:08:44
22 from the Facility and the Department of Agriculture. 06:08:47
23 So to summarize the procedure tonight: We will first 06:08:50
24 have comments from the Department, then comments from the 06:08:53
25 Facility, questions directed to the Department and the Facility. 06:08:57

1 Please remember to state your name and spell your 06:09:02
2 last name. 06:09:04
3 Written testimony will then be accepted. Oral 06:09:04
4 testimony from the public, people will be sworn in, and questions 06:09:08
5 may be asked following the testimony. And then closing comments. 06:09:12
6 Please also keep in mind that we are not here this 06:09:16
7 evening to discuss or debate the merits or perceived inadequacies 06:09:20
8 of the existing regulations or laws. We are here tonight to 06:09:25
9 receive information on this particular proposed livestock 06:09:28
10 facility to assist with determining compliance with the existing 06:09:32
11 regulations. 06:09:36
12 This is a public informational meeting, not a court 06:09:37
13 proceeding. The purpose is to share information and provide an 06:09:41
14 opportunity for the Department, members of the county board, and 06:09:45
15 you, the public, to learn about this proposed facility. 06:09:49
16 Again, we very much appreciate your hospitality for 06:09:53
17 inviting us here tonight to consider the proposed construction of 06:09:59
18 the Scott Herndon Swine Finishing Facility. 06:10:01
19 Please remember to confine your comments and 06:10:05
20 questions to that subject as we continue. 06:10:07
21 Before we move to the Department's remarks, the 06:10:11
22 Department would like to recognize the presence of the County 06:10:15
23 Board Chairman of McDonough County, Mr. Scott Schwerer. Thank 06:10:17
24 you for being here, Mr. Schwerer. 06:10:21
25 I will now turn the proceedings over to Mr. Warren 06:10:24

1 Goetsch for remarks from the Illinois Department Of Agriculture. 06:10:28
2 MR. GOETSCH: Thank you. 06:10:32
3 Good evening. My name is Warren Goetsch. I 06:10:36
4 currently serve as the Deputy Director of the Illinois Department 06:10:39
5 Of Agriculture. One of our responsibilities at the Department is 06:10:44
6 the administration of various provisions of the Livestock 06:10:47
7 Management Facilities Act. 06:10:53
8 On behalf of the Department, let me welcome you to 06:10:53
9 this public informational meeting. 06:10:55
10 Before we hear from the proposed Facility's 06:10:57
11 representatives, I would like to say a few words regarding the 06:11:00
12 applicable provisions of the Livestock Management Facilities Act 06:11:04
13 and the current status of this proposed project. 06:11:07
14 The Livestock Management Facilities Act was 06:11:11
15 originally passed and became law on May 21st of 1996. A little 06:11:14
16 over twenty years ago. Since that time the Act has been amended 06:11:21
17 three times: First during the General Assembly's 1997 fall veto 06:11:25
18 session; second, during the General Assembly's 1999 spring 06:11:30
19 session; and most recently in the 2007 spring session of the 06:11:34
20 General Assembly. 06:11:39
21 The Act can be generally described as covering five 06:11:40
22 major areas. Those being facility design standards, waste 06:11:43
23 management planning requirements, facility operator training and 06:11:50
24 testing, anaerobic lagoon financial responsibility demonstration, 06:11:54
25 and facility setback requirements. 06:11:59

1 Each of these provisions impacts various types of 06:12:03
2 facilities in different ways, depending upon the size, expressed 06:12:07
3 in animal units, and whether the proposed facility is considered 06:12:12
4 as a new facility, a modified facility, or the expansion of an 06:12:16
5 existing site. 06:12:21
6 The Livestock Management Facility Act's provisions 06:12:23
7 are quite complicated and specific facility designs and 06:12:26
8 situations certainly can differ. It is, however, the Department 06:12:30
9 of Agriculture's intent to always fairly and equitably apply 06:12:35
10 these requirements to the livestock industry in this state. 06:12:41
11 Now regarding the current status of this particular 06:12:44
12 proposal. The Department received a formal Notice of Intent to 06:12:49
13 Construct Application for the proposed construction of a swine 06:12:53
14 facility on July 13th, 2016. 06:12:57
15 The proposed project is to consist of the 06:13:02
16 construction of two finishing buildings, each measuring 06:13:05
17 seventy-one feet two inches by two hundred and eighty-one feet 06:13:10
18 four inches, with an eight foot deep underbuilding livestock 06:13:14
19 waste handling facility. 06:13:18
20 The project is proposed to be located approximately 06:13:21
21 3.2 miles northwest of -- and I'll apologize before I pronounce 06:13:25
22 it -- Adair? 06:13:31
23 Close enough? 06:13:33
24 Adair? 06:13:33
25 Adair. I never get them right. 06:13:36

In eastern McDonough County. 06:13:39

The application was submitted by Frank & West 06:13:42
Environmental Engineers on behalf of Scott Herndon of Macomb, 06:13:45
Illinois. 06:13:50

The maximum designed capacity of the proposed 06:13:50
facility is 1,984 animal units, or 4,960 head, greater than 06:13:53
fifty-five pounds. 06:14:04

As I mentioned earlier, the Department received the 06:14:06
Notice of Intent to Construct application on July 13 and reviewed 06:14:08
it for compliance with the applicable provisions of the Act. 06:14:13

On July 27th the Department determined that the 06:14:20
notice was complete and we forwarded then a copy of the completed 06:14:22
application to the McDonough County Board. 06:14:27

Notice of that application was also published in the 06:14:30
appropriate newspaper. 06:14:33

The design capacity of the proposed facility requires 06:14:35
compliance with a residential setback distance of not less than 06:14:40
1,320 feet, and a populated area setback distance of not less 06:14:46
than 2,640 feet. 06:14:50

On August 30th the Department received official 06:14:53
notice from the McDonough County Board requesting that a public 06:14:58
informational meeting be scheduled regarding this proposal. 06:15:01

After further consultation with the County Board, the 06:15:06
Department scheduled this meeting and caused notice of the 06:15:09
meeting to be published in the appropriate newspapers. 06:15:13

1 An additional requirement of the Livestock Management 06:15:16
2 Facilities Act deals with the design and construction plans of a 06:15:22
3 livestock waste handling facility. The Department has received a 06:15:26
4 formal submittal of detailed engineering design plans and 06:15:30
5 specifications for the proposed project's underbuilding livestock 06:15:34
6 waste handling facility. 06:15:39
7 However, a detailed review of the aforementioned 06:15:40
8 plans has not been completed at this time. As a result, the 06:15:45
9 Department is currently unable to comment as to their compliance 06:15:49
10 with the statutory requirements of the Act. 06:15:54
11 We are here this evening to receive testimony 06:15:57
12 regarding the proposed livestock management facility's compliance 06:16:02
13 with eight siting criteria as defined in Section 12, paragraph 06:16:05
14 (d) of the Livestock Management Facilities Act. 06:16:11
15 In general, information regarding the following would 06:16:13
16 be appropriate for this evening's meeting: Manure management 06:16:18
17 planning; potential impact of the proposed facility on the 06:16:23
18 surrounding area's character; whether the proposed facility's 06:16:28
19 located within any floodplains or other sensitive areas; odor 06:16:33
20 control plans; possible impact of the proposed facility on 06:16:39
21 existing area traffic patterns; and proposed impact -- or 06:16:44
22 possible impact of the proposed facility on community growth, 06:16:50
23 tourism, and recreation, or economic development of the area. 06:16:54
24 Copies of the specific criteria were available on the 06:16:58
25 table with -- or adjacent to the sign-in sheets. If anyone would 06:17:05

1 like to have a copy of the criteria but failed to pick up a copy, 06:17:10
2 if you would just raise your hand, identify yourself, and we'll 06:17:15
3 get you a copy. 06:17:18
4 Anyone need a copy of -- okay. 06:17:19
5 Finally, the process that will be followed after this 06:17:26
6 evening's meeting is as follows: The county board will have up 06:17:29
7 to thirty business days from today's meeting to submit to the 06:17:34
8 Department a non-binding recommendation relative to the proposed 06:17:40
9 siting of this facility. Thus, a recommendation from the 06:17:44
10 McDonough County Board is due at the Department on or before 06:17:48
11 October 27th, 2016. 06:17:51
12 After the close of the County's thirty business day 06:17:56
13 comment period, the Department will have fifteen calendar days, 06:18:00
14 or until November 11th, to review all of the information 06:18:05
15 submitted to date, including the notice of intent to construct, 06:18:09
16 the construction plans, transcripts from this evening's meeting, 06:18:14
17 the county board's recommendation, and any other additional 06:18:19
18 information submitted by the owners at the request of the 06:18:23
19 Department. 06:18:27
20 Based on that review, the Department will determine 06:18:28
21 whether the eight siting criteria have been met by the file. 06:18:31
22 Once that determination has been made, the Department will notify 06:18:37
23 both the county board and the applicant of the final decision. 06:18:40
24 Mr. Hearing Officer, at this time I would like to 06:18:49
25 submit a complete -- or a copy of the completed Notice of Intent 06:18:51

1 to Construct Application and its associated correspondence file 06:18:56
2 for formal entry into the record as an exhibit. 06:19:00
3 I also have a copy of the PowerPoint that was just 06:19:04
4 used as part of my presentation, and a copy of the meeting notes 06:19:08
5 that I've used for this presentation. 06:19:13
6 MR. TEEFEY: Thank you, Mr. Goetsch. 06:19:17
7 Entered into the record as Exhibit Number 1 is the 06:19:18
8 Completed Notice of Intent to Construct, including correspondence 06:19:21
9 between the Department and the Applicant; notices of the public 06:19:25
10 informational meeting; and correspondence with McDonough County 06:19:28
11 officials. 06:19:32
12 Also entered into the record as Exhibit Number 2 is 06:19:32
13 the Department's PowerPoint presentation. 06:19:41
14 At this time we will hear comments from the Facility. 06:19:55
15 Before we begin, for those who will be presenting 06:19:59
16 information, please state your name and spell your last name for 06:20:02
17 the court reporter, and then I will swear you all in together. 06:20:07
18 MR. BIGGS: Do you want all of us to state our name 06:20:13
19 at the same time? 06:20:15
20 MR. TEEFEY: No. One at a time will be good, please. 06:20:16
21 MR. BIGGS: Okay. Nick Biggs, B-i-g-g-s. 06:20:19
22 MR. HERNDON: Scott Herndon, H-e-r-n-d-o-n. 06:20:24
23 MR. MUHLENBRUCK: Al Muhlenbruck, 06:20:24
24 M-u-h-l-e-n-b-r-u-c-k. 06:20:24
25 MR. WEST: Chris West, W-e-s-t. 06:20:37

1 MR. TEEFEY: Will all the representatives who will be 06:20:38
2 providing testimony please raise your right hand? 06:20:41
3 **(Chris West, Al Muhlenbruck, Scott Herndon and Nick** 06:20:41
4 **Biggs sworn by the Hearing Officer.)** 06:20:52
5 MR. TEEFEY: Thank you. You may proceed with your 06:20:52
6 testimony. 06:20:54
7 MR. BIGGS: Good evening, everyone. My name is Nick 06:21:00
8 Biggs. I am an employee of TriOak Foods. We are the company 06:21:03
9 that is working with Scott on this project. 06:21:08
10 For Scott's -- Scott's presentation we'll have four 06:21:11
11 parts. You will hear from Scott. You -- and he will introduce 06:21:15
12 him and his daughters and talk about their plan for their farm. 06:21:21
13 You will hear from Chris West with Frank & West about 06:21:24
14 the engineering. 06:21:30
15 Thank you. Can you hear better now? 06:21:34
16 Yeah. 06:21:37
17 You'll hear from Chris West with Frank & West 06:21:37
18 Engineering on the site specifics and the siting criteria. 06:21:40
19 And then Al Muhlenbruck will be having our closing 06:21:44
20 comments. 06:21:48
21 And then I will also be in the review and I will 06:21:48
22 review what I see most often, asked questions when I'm dealing 06:21:53
23 with the public concerning these projects. 06:21:58
24 So to start off we're going to have Scott, the owner 06:22:01
25 of the farm, make a little comment. 06:22:04

1 MR. HERNDON: I'm Scott Herndon. Since I was nine 06:22:07
2 years old I would come to my uncle's farm, Hodge Herndon, at 06:22:12
3 Adair every summer. 06:22:17
4 In 1984 I moved to the Adair community and worked for 06:22:17
5 a local farmer, Gary Schmalshof. 06:22:21
6 In 1988 I got married to my wife Adrienne. And we 06:22:24
7 are fourth generation farmers in the Adair community. 06:22:34
8 Adrienne passed away in 2011 with colon cancer. So 06:22:38
9 this evening I'm joined by my daughters Kolette and Jessica. 06:22:42
10 Kolette has pursued a career in communications, and Jessica is a 06:22:49
11 sophomore getting an ag degree here at Western. 06:22:54
12 Just being interested in ag is part of the reason we 06:22:56
13 are building our barns. We also wanted to diversify and develop 06:23:00
14 a retirement income with the opportunity for the next generation 06:23:04
15 to take over. 06:23:07
16 This operation will be run and maintained with pride 06:23:08
17 in ownership. We will be good neighbors. I've partnered with 06:23:10
18 TriOak Foods because this is the way they run their business. It 06:23:14
19 has always been very important to me to be a good neighbor and 06:23:17
20 have a good relationship and will continue to do so. 06:23:20
21 I would like to thank everyone that showed up tonight 06:23:22
22 to support me and my girls. 06:23:25
23 Thank you. 06:23:27
24 MR. BIGGS: Now we'll have Chris. 06:23:32
25 MR. WEST: Good evening, everyone. My name is Chris 06:23:36

West. I'm with Frank & West Environmental Engineers out of Springfield. 06:23:38 06:23:41

I'm going to go through a presentation that discusses two topics: One is the site location for the proposed farm, and the eight siting criteria. 06:23:42 06:23:44 06:23:51

So as Mr. Goetsch mentioned earlier -- where's the pointer at? 06:23:54 06:24:01

MR. OWENS: It's the green button at the top. 06:24:05

MR. WEST: Gotcha. Okay. There we go. 06:24:08

So Macomb, and then Scott's facility, Scott's farm down here southeast of Macomb. 06:24:08 06:24:12

And with north being at the top of the screen there, this is how the two facilities, two farm buildings would be laid out with the dimensions. 06:24:15 06:24:19 06:24:24

So if we go through the eight siting criteria, again, as Mr. Goetsch mentioned. 06:24:25 06:24:31

Number 1, the registration and certification requirements. 06:24:32 06:24:34

2. The design, location, and operation standards. 06:24:35

3. Location compatibility. 06:24:38

4. Floodplain and aquifer protection. 06:24:41

5. Minimize environmental impact. 06:24:43

6. Odor control and reduction. 06:24:47

7. Traffic patterns and minimize impacts. 06:24:49

And finally, 8, is the facility consistent with the 06:24:53

area development.

So what I'll do is gone through each one of these individually and show how the facility will meet that criteria.

So the full definition of Siting Criteria 1. So when we're talking about the -- the first part of Siting Criteria 1, the registration requirements. As Mr. Goetsch mentioned, the notice of intent was filed by my office for the farm July 13th of this year. It was deemed complete. So the setbacks were all met by the Department of Ag on the 27th of July.

Second part of the siting criteria is the Nutrient Management Plan. And we're going to discuss this Nutrient Management Plan in several different aspect and how it meets -- because it's involved in more than one of the deciding criteria, but generally the Livestock Management Facilities Act states that any facility which exceeds 1,000 animal units but is less than 5,000 shall prepare, maintain and implement a Nutrient Management Plan within 60 working days after commencing operation.

So obviously since it's required, the farm will prepare, maintain and implement a Comprehensive Nutrient Management Plan. So one of the important words there is comprehensive. So we're going basically a step beyond what is required since what is required is a Nutrient Management Plan. A comprehensive brings many more aspects into that.

The farm will submit to the Department of Ag a certification form stating that the Nutrient Management Plan has

1 been prepared. The farm will keep that Comprehensive Nutrient 06:26:39
2 Management Plan, as well as all records of livestock waste 06:26:43
3 retention, on file at the farm. And the plan will be -- and all 06:26:47
4 the records will be available to the Department of Ag during any 06:26:51
5 inspections. 06:26:55
6 So the goal of any Nutrient Management Plan is to 06:26:59
7 utilize the manure produced by the animals in the farm; to 06:27:03
8 utilize that manure at approved agronomic loading rates. 06:27:09
9 So basically what that means is we're going to be 06:27:14
10 using that manure as a fertilizer. So the corn crops, the bean 06:27:16
11 crops that are going to be grown around the farm, going to be 06:27:22
12 using that as a fertilizer to meet the needs of that crop in an 06:27:25
13 environmentally sound fashion. 06:27:29
14 This goal will be accomplished by developing the 06:27:32
15 Nutrient Management Plan that has the following information: The 06:27:36
16 total annual manure volume that's produced by the animals. 06:27:40
17 Historically proven yields in all of the fields 06:27:45
18 within the application areas. 06:27:50
19 Analysis each year of the manure that is produced. 06:27:52
20 Agronomic loading rates from both of those pieces of 06:28:00
21 information. 06:28:01
22 Land application provisions for setbacks and 06:28:04
23 incorporation standards. 06:28:04
24 And then documentation of all phases of that plan. 06:28:08
25 So moving on to Siting Criteria 2. Whether the 06:28:12

1 design, location of the proposed operation will protect the 06:28:19
2 environment by being consistent with the Livestock Management 06:28:22
3 Facilities Act. 06:28:26
4 So Part 1 of that: Design of concrete structures. 06:28:27
5 We have a very rigorous set of guidance documents that we are 06:28:31
6 required to go by from the Act that we utilize to develop and 06:28:36
7 design each one of these barns. 06:28:40
8 That one of those documents is the MidWest Plan 06:28:44
9 Service Concrete Manure Storage Handbook. The MidWest Plan 06:28:49
10 Service is a university based publishing cooperative dedicated 06:28:52
11 to publishing and disseminating research-based and peer reviewed 06:28:56
12 publications for concrete specifications, reinforcement 06:29:01
13 requirements, and waterstop requirements. 06:29:04
14 So the design for this farm will consist of 06:29:07
15 construction plans for two finishing barns. 06:29:12
16 This kind of gives you an example of what a finishing 06:29:16
17 barn would look like. 06:29:21
18 And then the inside of that barn. You see the pen 06:29:25
19 housing. 06:29:30
20 Part 2 of Siting Criteria 2 deals with location. So 06:29:33
21 we have certain setbacks that we are required to meet for any 06:29:39
22 livestock facility. Again, Mr. Goetsch mentioned these. We have 06:29:43
23 an occupied residence and a populated area setback. Both of 06:29:47
24 those setbacks were met and exceeded and were deemed complete by 06:29:52
25 the Department of Ag. 06:29:57

1 Part 3 of Siting Criteria 2 is the manager of the 06:29:59
2 farm will be a certified livestock manager. What that is, 06:30:04
3 there's a program that's been developed by the Department of Ag 06:30:07
4 to educate livestock managers on manure management handling and 06:30:10
5 systems. 06:30:14
6 Any manager of a farm over 1,000 animal units is 06:30:15
7 required to attend a training course and pass the exam. 06:30:18
8 And then we -- we're talking about operation. I 06:30:23
9 mentioned the Nutrient Management Plan, the Comprehensive 06:30:26
10 Nutrient Management Plan was going to be discussed numerous 06:30:30
11 times. This is another one. This is part of the operation of 06:30:32
12 the Facility. 06:30:35
13 So the plan will detail all aspects of the operation 06:30:35
14 at the farm so that all manure applications will be based on the 06:30:39
15 site specific data. 06:30:43
16 Siting Criteria 3: Location compatibility. 06:30:45
17 So if we look at a map of the state. And these are 06:30:51
18 -- show the counties that have been zoned. As you can see, the 06:30:55
19 county is not zoned. So the farm is compatible with the 06:30:59
20 surrounding area in that the area is a rural agricultural area. 06:31:03
21 So it fits right in with how the -- the -- all the neighboring 06:31:06
22 areas are being used. 06:31:10
23 So if we go through the setbacks and the animal unit 06:31:11
24 calculations. This is how we are required to calculate that. We 06:31:16
25 have 1,984 animal units. That gives us an occupied residence of 06:31:23

setback of 1,320 feet, a quarter of a mile. A populated area setback of 2,640 feet, or half a mile. And again, those setbacks have been deemed complete by the Department.

Siting Criteria 4. Environmentally sensitive area. So what we're typically talking about are floodplain and aquifer areas.

So we've got a map here of the -- this is the state FEMA -- yeah. Yes. Forgot who generates the maps. Showing the floodplain areas of this portion of the county.

So as you can see, this is a hatched area where if there was to be a floodplain area in this map, that's what it would look like. It's a gray hatched area.

As you can see, there's nothing -- nothing close to the farm that would show a hundred year floodplain.

Karst area. Another definition for a different environmentally sensitive area. This is an area with a land surface containing sink holes, springs, disrupted land drainage, underground systems associated with karstified bedrock.

And as -- so, again, there's a state map showing these hatched areas. That shows the areas of karst within the state.

As you can see, the -- Scott's proposed farm is nowhere close to any of those karst areas.

And that map comes from the Illinois State Geological Survey.

1 Another portion -- another instance of siting 06:33:07
2 criteria for environmentally sensitive areas is aquifer material. 06:33:12
3 That is defined in the Act as sandstone that is five feet or more 06:33:17
4 in thickness, or fractured carbonate that is ten feet or more in 06:33:22
5 thickness, or a sand/gravel, or sand and gravel mixture such that 06:33:26
6 there is at least two feet or more present within any five foot 06:33:31
7 section of a soil boring. 06:33:33
8 So what we're required to do is to go out to the farm 06:33:35
9 location where the -- where the buildings are going to go and 06:33:38
10 conduct soil borings to look for this material. Anything that 06:33:41
11 would meet that definition. 06:33:46
12 So our requirement in the Act is we have to go five 06:33:48
13 feet below the planned bottom of the building. 06:33:53
14 So this gives you a general idea of what that boring 06:33:56
15 would look like. Starting with the ground surface, and then 06:33:59
16 going to go the bottom, and then an additional five feet. 06:34:03
17 So on an eight foot barn we would typically find an 06:34:06
18 eleven foot boring would get to the depth that we are to get to 06:34:09
19 -- to get to to look for that material. 06:34:14
20 And just so that we're very clear, there was nothing 06:34:15
21 anywhere close in any of the borings that would meet that 06:34:20
22 definition of an aquifer material. 06:34:23
23 Siting Criteria 5: Minimize Environmental Impact. 06:34:27
24 So whether the owner or operator has plans for operation that 06:34:31
25 minimize the likelihood of any environmental damage to the 06:34:35

1 surrounding areas. 06:34:38
2 A couple of different things that -- that help us 06:34:39
3 kind of get our -- wrap our minds around what we're -- what we're 06:34:44
4 trying to talk about here. 06:34:47
5 Proper sizing. The farm is required to have a 06:34:49
6 minimum of 150 days storage. So five months worth of storage. 06:34:56
7 That's what's written into the Act. 06:34:59
8 We size these barns so that they'll have in excess of 06:35:00
9 365 days. So what that does is that greatly lengthens out the 06:35:05
10 time that you can store that so you can put it on at the exact 06:35:12
11 opportune moment; so the crops can use the fertilizer the best so 06:35:16
12 that you don't have to apply in any inclement weather. You don't 06:35:21
13 have to worry about any of that -- any of that type of issues. 06:35:25
14 This is also a completely closed system. And what I 06:35:27
15 mean by that, there is nothing from the outside, no rainwater, no 06:35:31
16 surface water that can come into this barn. So we're only 06:35:35
17 dealing with the manure. We don't have to worry about something 06:35:40
18 running over because we get a huge rain. Whatever manure is 06:35:43
19 produced in the barn stays in the barn until we are ready to take 06:35:47
20 it out and to put it on a farm field. 06:35:50
21 So I mentioned runoff. Clean water diversions around 06:35:53
22 the facility, the facility, the farm building itself will be 06:36:00
23 raised slightly above the surface grade so we don't have to worry 06:36:03
24 about any water coming into the barn. 06:36:08
25 And the reason that's important is we talk about the 06:36:10

days of storage. If we had a facility or a farm building that was sitting at the ground level and you got a six inch rain and it rained in there, well, you've greatly decreased potentially then your storage capacity. We don't have to worry about that in this design.

Leaching. This is another issue that we make certain we address. The farm buildings are designed to prevent any release of livestock manure. So we have solid concrete construction reenforced with minimum Grade 60 steel rebar.

Waterstop placed at all joints, whether they're construction or stoppage joints.

So what that means is when we're building this and at the end of one pour you have a piece of water stop. So that the next pour surrounds that piece of waterstop. So you have a water tight seal at that joint.

And all surfaces in contact with livestock manure, as required, and this is concrete, what we're talking about, will meet the required permeability standards.

Siting Criteria 6: Odor Control Or Reduction. The proposed farm will implement a Comprehensive Odor Control Plan.

So a couple of aspects on how we are proposing to -- the farm will -- will do this.

Controlled land application of manure. This is probably the single most important thing that we can do.

Routine maintenance, feed management, and location of

1 the facility. All of those play a very important role in an Odor 06:37:45
2 Control Plan. 06:37:50
3 When I mentioned the controlled application, so Scott 06:37:52
4 will be applying the manure by injection. So what we're doing is 06:37:59
5 we're taking that manure, we're not putting it on top of the 06:38:05
6 ground and letting it soak in. We are actually taking that 06:38:09
7 manure and putting it under the ground based on nitrogen and 06:38:11
8 phosphorus loading rates from actual on site data. 06:38:16
9 So the injection minimizes the contact with air. And 06:38:19
10 it's widely accepted throughout the country as the best available 06:38:25
11 technology for manure application. 06:38:29
12 All livestock manure will be applied by a custom 06:38:31
13 applicator. So Scott's going to hire someone. And I think maybe 06:38:37
14 I just misspoke when I said Scott's going to apply it. Scott's 06:38:40
15 going to hire someone, a professional that does this for a 06:38:43
16 living, to come in and apply this manure. 06:38:45
17 So the application equipment will contain safety 06:38:49
18 controls. Those will include visually monitored continuously at 06:38:52
19 all times during applications, emergency shut-offs, and 06:38:57
20 communication between personnel available at all times. 06:39:02
21 So the gentlemen that are running the pumps, the 06:39:05
22 gentlemen that are in the tractor, and anywhere in between will 06:39:07
23 be able to communicate if there would -- if there would be a 06:39:10
24 problem. 06:39:13
25 So going to go through a couple of pictures showing 06:39:14

1 different types of injection equipment. 06:39:18
2 So this is a manure tanker with an injection tool on 06:39:21
3 the back end of it. 06:39:25
4 And another similar, different tool, but also an 06:39:26
5 injection piece of equipment. 06:39:31
6 And then a third type, which has a dragline, which 06:39:32
7 allows us to -- allows the farms to reach maybe different parts 06:39:37
8 of the field that they couldn't otherwise. 06:39:42
9 As far as continuing on the Odor Control Plan, 06:39:44
10 Scott's farm has at least 946 acres locally per year available 06:39:52
11 for manure applications. Again, utilizing local yields. So 06:39:57
12 we're going to know what each field, what those crops have been 06:40:03
13 grown, what the yields have been in each field with the soil 06:40:06
14 types. 06:40:09
15 It is anticipated that the farm would need a minimum 06:40:10
16 of 425 acres based on a corn/corn rotation in this area. 06:40:15
17 So, you know, what we're saying here is bare minimum 06:40:19
18 we would need 425 acres. We're going to have more than double 06:40:24
19 that. More than double that. 06:40:29
20 Odor Control Plan continued. The farm will utilize 06:40:30
21 regular maintenance to minimize dust originating from the 06:40:37
22 facility. 06:40:40
23 Regular maintenance will include visual walkthroughs 06:40:41
24 of the facility to ensure that there are no manure -- there is no 06:40:44
25 manure buildup above the slatted floor, and walkways, and regular 06:40:47

1 cleaning of the fans to prevent any accumulation of dust. 06:40:52
2 The farm will be thoroughly pressure washed and 06:40:57
3 sanitized between each production cycle. This minimizes the 06:41:01
4 amount of odor causing particles that are able to leave the farm 06:41:04
5 through the fans. 06:41:08
6 By just regular maintenance the farm will ensure that 06:41:09
7 the buildings' fans operate efficiently, thus minimizing dust 06:41:14
8 buildup and the loss of -- of those particles which carry odor 06:41:18
9 from the farm. 06:41:24
10 Regular maintenance is known to reduce odor 06:41:25
11 concentrations and odor intensity. 06:41:29
12 The farm has also incorporated -- or will 06:41:32
13 incorporate, excuse me, an animal diet formulated to allow the 06:41:37
14 most efficient utilization of proteins and nutrients in the feed. 06:41:40
15 This practice aids in the reduction of overall odors by reducing 06:41:44
16 excess nutrients excreted by the animals. 06:41:49
17 So basically what we're saying is we're going to -- 06:41:52
18 the animals are going to have a feed source that allows them to 06:41:55
19 use as much of the feed as possible; that way there's little 06:41:59
20 coming out the other end as possible. 06:42:02
21 So we're talking about the -- kind of the last aspect 06:42:05
22 of an Odor Control Plan. Again, the farm complies and exceeds 06:42:10
23 all the setbacks established by the Act. 06:42:15
24 The residential setback was exceeded by 520 feet. 06:42:17
25 The populated area setback was exceeded by 14,360 06:42:22

1 feet. So running up on three miles. 06:42:27

2 So just kind of to put this in perspective. The 06:42:30

3 overall Comprehensive Odor Control Plan will consist of farm 06:42:34

4 location and maintenance, proper nutrition, and the injection of 06:42:39

5 manure. 06:42:43

6 So we've worked with Scott so that Scott will have a 06:42:44

7 diligently planned and overall odor control strategy by 06:42:51

8 incorporating numerous odor control technologies and techniques. 06:42:55

9 The farm will also continue to look for and 06:42:59

10 incorporate other technologies as they become available. 06:43:03

11 Traffic patterns. Siting Criteria 7. So, again, we 06:43:06

12 have a map of the area. And down here at the bottom you can see 06:43:13

13 where we have the farm. And the planned route for trucks coming 06:43:17

14 in or -- and/or leaving the farm would be north on 1800 Street 06:43:24

15 and then back east on Route 136. 06:43:30

16 So through the Department of Transportation we're 06:43:36

17 able to get an idea of what kind of traffic patterns there 06:43:40

18 actually are on those two roads. 06:43:44

19 1800 Street has a weekly average of twenty-eight 06:43:47

20 hundred vehicles. 06:43:51

21 136 has a weekly average of thirty-two thousand two 06:43:52

22 hundred vehicles. 06:43:56

23 So what we're talking about is approximately four 06:43:57

24 trucks weekly coming in and out of the farm. Will consist of 06:44:01

25 less than fifteen hundredths of a percent on 1800 Street. So 06:44:07

we're comparing the four trucks per week compared to the twenty-eight hundred that we had in the previous slide. 06:44:12 06:44:15

And then you're down to .02 percent on 136. 06:44:19

Scott Herndon's farm will comply with the same seasonal posted roadway limits as all other traffic in the area. 06:44:24 06:44:29

Siting Criteria 8: Is the farm consistent with the area? 06:44:33 06:44:37

The farm is consistent with the existing and planned community development of this rural agricultural area by demonstrating compliance with both zoning and setbacks. 06:44:37 06:44:44 06:44:47

In addition, the farm will meet all requirements of the Livestock Management Facilities Act. 06:44:51 06:44:54

I appreciate the opportunity to show you how the farm has met each of the 8 siting criteria. 06:44:58 06:45:01

Thank you very much. 06:45:04

MR. BIGGS: Thank you, Chris. 06:45:08

Okay. Again, my name is Nick Biggs and I am a TriOak employee working with Scott. 06:45:11 06:45:16

A little bit of my history, which ties into my present -- part of my presentation is I was born and raised on a diverse agriculture farm; livestock, cows, pigs, row crop, sheep. Okay? 06:45:18 06:45:21 06:45:27 06:45:33

I actually started working what I considered in the swine business back in 1974. That's when I actually got on a bike and rode a mile to Ed and Wilma Smith's hundred and twenty 06:45:34 06:45:38 06:45:44

1 sow farrow to finish operation and scooped manure up and threw it 06:45:50
2 in a manure spreader and hauled it out. 06:45:52
3 At that time they were the biggest pig farm in the 06:45:55
4 neighborhood. A hundred and twenty sows farrow to finish. But 06:46:01
5 at that same time there were three other farmers within a mile of 06:46:05
6 my house that had pigs also, not counting there was also several 06:46:10
7 farmers that had cattle. 06:46:16
8 Most of the pigs -- you know. All four farmers had 06:46:21
9 confinement farrowing barns. You know. Everywhere from 06:46:26
10 thirty-two sows to twenty-four sows in the barn. Everything else 06:46:30
11 was outside. Dry lot. Concrete lot. 06:46:36
12 The industry has changed a lot in the last forty-two 06:46:41
13 years since then. There are no longer multiple pig farms and 06:46:44
14 cattle farms on every section of ground. And that is part of the 06:46:50
15 reason that -- part of my job and Al's job that we handle for the 06:46:55
16 company is because there are not livestock farms, again, on every 06:47:03
17 section. 06:47:10
18 We are actually the ones that go out and help answer 06:47:11
19 the questions about new livestock barns being reintroduced into 06:47:15
20 neighborhoods. Neighborhoods that may not have had livestock for 06:47:22
21 a generation now. 06:47:28
22 Okay. There are usually about five key questions 06:47:30
23 that are asked of me whenever I go out and visit with neighbors. 06:47:33
24 Now the second question I usually get asked is, 06:47:38
25 "Where is it going to be built and why did you decide to build it 06:47:42

there?" 06:47:48

Well, working with Scott, and in Scott's case we 06:47:49
looked at different sites. What I do, I come out and I sit down 06:47:53
with Scott and say, "Okay. Where is your ground?" 06:47:58

Okay. "What ground do you own?" You know. And we 06:48:02
look at the different parcels. We look at how many neighbors 06:48:05
live around each parcel. We look at who's the closest neighbor. 06:48:09
You know. And what direction is that neighbor. Wind flow. And 06:48:17
also we look at access. 06:48:21

Okay. If our trucks have to come into this 06:48:23
particular piece of ground, how are they going to get there? 06:48:26

Again, some of these questions actually pertain very 06:48:30
closely to the siting criterias. 06:48:33

So we did that with Scott's farm. And the site we 06:48:36
chose was actually the best site for distance from the closest 06:48:40
neighbor, best wind direction for the closest neighbor, had the 06:48:46
least amount of neighbors. 06:48:51

And then also it was the best site for Scott to be 06:48:53
able to use the manure on his family owned ground. 06:48:57

And then also the access coming off of 136, it's 06:49:02
pretty good access. You got to drive one township road down to 06:49:08
the site. 06:49:13

So that's why we chose the site. 06:49:14

Third question I usually get is, "What's it going to 06:49:18
do to the roads?" 06:49:21

1 Well, part of what Chris's presentation was, there 06:49:22
2 are going to be average about four trucks, semi-trucks per week 06:49:26
3 going in and out of that road. 06:49:31
4 And early in the process of any siting we do we 06:49:34
5 actually get the local township road commissioner involved. In 06:49:38
6 this case we actually got the local township road commissioner 06:49:42
7 involved, and then we also sat down with the county, one of the 06:49:45
8 county road guys and said, "Okay. Guys, we want to build a barn 06:49:49
9 here. You tell us how you want to get us from point A to point B 06:49:54
10 to service our barn." 06:49:58
11 And then once they determine which routes we take, 06:50:00
12 our truck drivers stick to them and we follow their 06:50:04
13 recommendations on the routes. 06:50:08
14 Fourth question I usually get asked is, "What's it 06:50:09
15 going to do to my property values?" I get this asked in Illinois 06:50:15
16 and Iowa. That question always comes up. Even if the guy is 06:50:20
17 three miles away and has livestock of his own, he's still saying, 06:50:25
18 "What's it going to do to my property values?" 06:50:31
19 Okay. And yes, if you look hard enough out there on 06:50:33
20 the Internet you are going to find studies on both sides of that 06:50:37
21 issue. 06:50:41
22 Now from my practical experience and Al's practical 06:50:42
23 experience and discussions with different county assessors, we've 06:50:48
24 actually asked them, say, "Okay. This study says this. This 06:50:52
25 study says this. What do you actually see?" 06:50:57

1 And from our experience we see no effect on property 06:51:00
2 values, no long term effects on property values, unless it's in a 06:51:05
3 really high dense area, livestock area. And I'll use Sioux 06:51:11
4 County, Iowa as an example. Extremely high dense area of 06:51:16
5 livestock. 06:51:23
6 Now the effect on the property values is actually the 06:51:23
7 opposite of what some people think it is. Because in those 06:51:28
8 towns, those small towns in that rural community, all the houses, 06:51:33
9 the old farmhouses that get bulldozed down, and people, you know, 06:51:37
10 farm over the top of them, they don't bulldoze those houses down 06:51:45
11 in those neighborhoods. They go in and remodel them and live in 06:51:48
12 them because there's young generations coming back to live in 06:51:52
13 those houses and actually support the rural communities. 06:51:58
14 So, and this is my opinion, I don't think there is an 06:52:01
15 effect on property values. 06:52:07
16 Okay. And in a couple of cases -- well, several 06:52:12
17 cases, we actually went in and built livestock barns like Scott's 06:52:15
18 and we've designated closest neighbor, wind direction and all 06:52:19
19 that stuff, and then we have somebody else come in and build a 06:52:24
20 brand-new house closer to the barn. So there are living examples 06:52:28
21 of that. 06:52:33
22 The fifth question that always comes up in the 06:52:34
23 conversation is, "What are you going to do with the manure?" 06:52:37
24 Well, we do have a Comprehensive Nutrient Management 06:52:40
25 Plan. And the short answer of what are you going to do with the 06:52:47

manure is like Chris says, we're going to grow a lot of corn and beans. 06:52:50 06:52:55

Okay. For every twenty pigs that we produce, those pigs are going to eat 200-bushels of corn. Okay? 06:52:56 06:53:02

And 200-bushels of corn will grow twenty pigs to market size. 06:53:07 06:53:11

Then they will -- of course what comes in the pig has to come out of the pig. We will take that manure from those twenty pigs. They will actually produce enough fertilizer to grow two hundred more bushels of corn. 06:53:12 06:53:16 06:53:20 06:53:26

So it is a very sustainable operation. It's been working for years and years and years. And it is a good environmental nutrient for us. For the farmers. Okay? 06:53:30 06:53:35 06:53:38

And again, like Chris said, a local commercial applicator will actually come in and inject the manure following the plan and he will utilize a dragline hose. 06:53:44 06:53:49 06:53:51

Okay. Now if you notice, I skipped the first question I usually get asked. The first question is how big the site is. 06:53:57 06:53:59 06:54:05

Yeah. Odor. Odor. People talk about odor, too. 06:54:07

But the first question is, "How big is the site going to be?" 06:54:11 06:54:15

Well, normally -- and that is a very important question because it affects when and where all the other questions get answered and gets talked about. 06:54:15 06:54:22 06:54:28

1 If the site was twenty-five hundred head, or a 06:54:31
2 thousand animal units or less, we wouldn't be sitting here. You 06:54:35
3 know. Because a facility that size does not require an open 06:54:39
4 meeting, a public hearing. Okay? 06:54:46
5 So all those questions that we answer with the 06:54:48
6 neighbors is generally done one-on-one or in small groups out 06:54:52
7 standing by a pig barn and say, "Okay, guys. This is actually 06:54:58
8 what we're building. This is what we're doing. This is how it's 06:55:01
9 operated. This is how it's ran." 06:55:05
10 Okay. Scott and I in talking about his long range 06:55:07
11 plans and what he wanted to do for his family and for his farm, 06:55:12
12 it was, "Okay. Need two barns. I want to have two barns." 06:55:18
13 So that means two barns side-by-side. That means we 06:55:23
14 get to have a meeting. Okay? 06:55:27
15 So we decided Scott had the final say. "Yep, I want 06:55:31
16 to go through the meeting process." Because like I said, him 06:55:37
17 being -- him being the responsible neighbor person -- minded 06:55:43
18 person he is, that was his decision. 06:55:47
19 So he looked me right in the eye, and I don't know if 06:55:49
20 you know Scott very well, but he always does this little nudge 06:55:54
21 thing, and he looked me in the eye and nudged my shoulder and 06:55:59
22 said, "Nick, I want to be straightforward and upfront with 06:56:02
23 everybody knowing -- telling them what I'm doing and that I am 06:56:08
24 going to do it right." 06:56:13
25 So that reassured me that he was absolutely the 06:56:14

1 person that we want to partner with in this neighborhood. 06:56:21
2 Okay. So that concludes our presentation. Al will 06:56:26
3 have closing comments afterwards. 06:56:32
4 So again, thank you for listening to us. 06:56:33
5 MR. TEEFEY: Thank you. 06:56:37
6 Does the Facility have its presentation to enter into 06:56:39
7 the record? 06:56:43
8 MR. WEST: You have the electronic version. 06:56:44
9 MR. TEEFEY: Okay. The Department has the electronic 06:56:46
10 version of the Facility's presentation. It will be marked as 06:56:49
11 Exhibit Number 3. 06:56:54
12 Entered into the record as Exhibit Number 3 is the 06:56:58
13 presentation from the Facility and its representatives. 06:57:00
14 We will now open the meeting for any questions that 06:57:03
15 you may have of the Facility or the Department. 06:57:10
16 If you have a question you would like to ask, please 06:57:14
17 raise your hand, and when called upon, please state your name and 06:57:17
18 spell your last name. 06:57:22
19 Please indicate to whom you are directing your 06:57:24
20 question, either to the Department or to the Facility and its 06:57:28
21 representatives. 06:57:31
22 Let me remind you that this portion of the meeting is 06:57:33
23 limited to questions only. 06:57:36
24 After this question and answer session, there will be 06:57:39
25 another session dedicated to public testimony where you can 06:57:42

1 provide your oral comments. So please limit this session to 06:57:46
2 questions only. 06:57:50
3 Also, please keep in mind the questions need to 06:57:53
4 pertain to this particular facility and not to the laws and 06:57:56
5 regulations as a whole. 06:58:00
6 At this time I would like to ask if there are any 06:58:02
7 questions. 06:58:05
8 Yes. There's a question over here on the right side 06:58:09
9 of the room. 06:58:11
10 And please state your name, and spell your last name, 06:58:12
11 and speak as loudly as possible. 06:58:14
12 MR. ROBERT SMITH: My name is Robert Smith. Last 06:58:16
13 name is Smith, S-m-i-t-h. 06:58:19
14 My question would be -- 06:58:19
15 THE REPORTER: I can't hear him. 06:58:19
16 MR. TEEFEY: We are going to provide -- we have a 06:58:28
17 lapel microphone that if need be we can take it over. 06:58:29
18 MR. ROBERT SMITH: Okay. Well, my question is like 06:58:49
19 when they spray the manure, sometimes, you know, if the wind 06:58:52
20 direction changes, if the wind is heading towards Adair where I 06:58:58
21 live, will they stop spraying, you know, for that little bit of 06:59:02
22 period of time? 06:59:05
23 MR. TEEFEY: Is this question directed towards the 06:59:07
24 Facility? 06:59:09
25 MR. ROBERT SMITH: Oh. The Facility, yes. 06:59:10

1 MR. BIGGS: Okay. When you say sprayed, we're not 06:59:12
2 spraying. It will be injected. 06:59:17
3 Spraying, I see that as spraying on top. It will -- 06:59:19
4 and one thing about the umbilical cord, actually the pump goes 06:59:25
5 into the pit, and goes out of the pump into a hose, and goes 06:59:31
6 through the hose to an applicator on the tractor, and then goes 06:59:35
7 straight through the hose through the applicator into the ground. 06:59:39
8 So there should not be any spraying. 06:59:43
9 MR. ROBERT SMITH: Okay. 06:59:48
10 MR. BIGGS: But, but when they do application, you 06:59:50
11 know, there will be more odor than normal. And, you know, I 06:59:52
12 can't say they're going to stop, because it all -- farming is a 06:59:57
13 very time sensitive thing. Manure application is a very time 07:00:02
14 sensitive thing. 07:00:06
15 If it's getting late in the season and the wind's 07:00:08
16 coming from the north/northwest or -- yeah -- towards Adair, you 07:00:10
17 know, they're probably going to keep applying. 07:00:17
18 And the thing is the sooner they get done, the sooner 07:00:20
19 the agitation goes away with the disk, the sooner the smell goes 07:00:24
20 away. 07:00:29
21 MR. ROBERT SMITH: Basic thing, they're not going to 07:00:30
22 show any consideration to the town. 07:00:32
23 MR. BIGGS: Well, Adair is three miles away? 07:00:35
24 MR. ROBERT SMITH: Yeah. It's three miles away. 07:00:41
25 MR. BIGGS: Okay. I would be very surprised if even 07:00:44

1 on an application day, the wind conditions and humidity and 07:00:46
2 everything would have to be pretty much right for you to smell it 07:00:50
3 in Adair at three miles away. 07:00:54
4 MR. ROBERT SMITH: Well, yeah. 07:00:56
5 MR. BIGGS: Yeah. 07:00:58
6 MR. ROBERT SMITH: I hope so. Thank you. 07:00:59
7 MR. BIGGS: Yeah. Now a little follow-up on that, 07:01:01
8 sir. If, and I know this happens, is we actually talk to our 07:01:04
9 growers and say, "Guys, let's not spray -- let's not spread 07:01:10
10 manure come Thanksgiving weekend. You know? When we know family 07:01:16
11 gatherings and everything is going on." 07:01:23
12 It's like, "Guys, be considerate. If you know your 07:01:26
13 neighbor is having a wedding and they're having a party out 07:01:28
14 there, don't be spreading manure whenever the wedding on the 07:01:31
15 weekend. Go ahead and wait." 07:01:35
16 That's being neighborly and being considerate. 07:01:38
17 MR. ROBERT SMITH: Thank you. 07:01:41
18 MR. BIGGS: You're welcome. 07:01:42
19 MR. TEEFEY: Question back in the middle. 07:01:44
20 MR. NICK ANDERSON: Nick Anderson, A-n-d-e-r-s-o-n. 07:01:46
21 Nick, for the benefit of the people here tonight, so 07:01:50
22 when you apply on the ground, typically there's an impact odor, 07:01:52
23 but how long does it take to dissipate or what's your experience 07:01:58
24 with manure application when that goes out there? 07:02:01
25 What does -- what kind of time does it take to 07:02:05

1 dissipate? 07:02:07
2 MR. BIGGS: Again, it depends on weather conditions 07:02:08
3 and everything. Ideally, if I could have my manure applied in 07:02:10
4 the morning in that day and then I get a nice gentle half inch 07:02:20
5 rain that night, the next day you're not going to be smelling any 07:02:23
6 manure. 07:02:27
7 But generally with manure application injected, 07:02:28
8 especially with the umbilical cord, it's twenty-four to 07:02:32
9 forty-eight hours. 07:02:37
10 And I've done this myself. I've had neighbors call 07:02:38
11 and say, "Hey, this guy's spreading manure." 07:02:41
12 I said, "Okay. I'll be out there tomorrow." 07:02:45
13 I go out there tomorrow and I'm driving right through 07:02:47
14 the field and I'm going, "Okay." 07:02:50
15 And the neighbor comes by and says, "Well, it smelled 07:02:52
16 yesterday." 07:02:56
17 And I said, "Yep, it probably did. It probably 07:02:56
18 smelled good yesterday." 07:02:59
19 So twenty-four, forty-eight hours. Again, depends on 07:03:00
20 weather conditions. 07:03:04
21 MR. NICK ANDERSON: A follow-up question. 07:03:05
22 MR. BIGGS: And soil conditions. 07:03:06
23 MR. NICK ANDERSON: Either Chris or you can speak to 07:03:08
24 this. So when we talk about the manure that's stored, and 07:03:09
25 there's a volume of that, and I -- say I raise 200-bushel corn, 07:03:12

how much manure -- you know. You talked about rainfall, but how many gallons, or what is the equivalent of rainfall, the manure that goes out on a field for 200-bushel corn, based on your experience of what MP and KR in that?

MR. WEST: Oh, you're -- an acre inch is about twenty -- about twenty-two to twenty-four. Yes. In mid 20's a thousand gallons.

MR. BIGGS: Okay. An acre inch, twenty, twenty thousand gallons per acre, okay, in the manure application plan some of these fields are ranging in that -- between -- the lowest I saw was 177-bushel per acre. The highest I saw was 230 some bushel per acre.

So the most I saw on the plan was 6,500 gallons per acre, which would be probably a third of an inch.

MR. NICK ANDERSON: Okay. Thank you.

MR. BIGGS: Yeah. And keep in mind when we're talking about water, that manure, you know, when you're looking at a thousand gallons of manure, this wean to finish manure, there's only probably about three percent of solids in there and the other ninety-seven percent is water.

MR. TEEFEY: We'll go here. Black shirt and hat.

MR. DICK MARCOTT: My name is Dick Marcott, M-a-r-c-o-t-t. I have a question for the Facility's people.

What -- what does this bring to our county in terms of benefits?

1 MR. BIGGS: You want to take that one? 07:05:05
2 MR. MUHLENBRUCK: Each one of these buildings will 07:05:07
3 generate about $9,000 in property taxes. For the site, $18,000 07:05:12
4 property taxes to McDonough County. 07:05:17
5 In a little while I'll testify in terms of how many 07:05:20
6 employees there are, but there's university research that shows 07:05:23
7 that dollars that are generated through agriculture circulate 07:05:29
8 within a community seven times before they leave. And -- and 07:05:33
9 we're going to talk a little bit later. 07:05:37
10 You're going to see that this is one of the better 07:05:38
11 economic development plans that you can put out here in a rural 07:05:41
12 agricultural area. 07:05:45
13 MR. BIGGS: Okay. And then to follow that up. 07:05:47
14 Okay. Not -- the project is going to be more than a 07:05:49
15 million dollars. Okay? 07:05:55
16 The concrete is going to be purchased from a local 07:05:57
17 concrete supplier, which means there's going to be a lot of 07:06:02
18 concrete drivers hauling a lot of concrete. 07:06:06
19 The -- 07:06:06
20 UNIDENTIFIED SPEAKER: Can you use the microphone, 07:06:13
21 please? 07:06:15
22 MR. BIGGS: Sorry. 07:06:16
23 The -- the rock haulers. You know. It's going to be 07:06:17
24 a local quarry. Local truck drivers are going to get the benefit 07:06:19
25 of that. 07:06:23

1 The pig barn will -- this pig barn will use a whole 07:06:25
2 lot of LP gas. And they'll be between fifteen and twenty 07:06:28
3 thousand dollars worth of LP purchased from a local supplier 07:06:34
4 every year. 07:06:37
5 Electric bill. There will be about fifteen to twenty 07:06:40
6 thousand dollars worth of electricity used from the local REC or 07:06:44
7 through your power company. So that's another part. 07:06:49
8 Any supplies will be purchased locally. 07:06:55
9 Then you start looking at the benefits of what TriOak 07:06:59
10 actually pays Scott as far as payments and, you know, local -- I 07:07:05
11 mean, he's going to turn right around and put that back into the 07:07:12
12 community. 07:07:16
13 Then Al's going to talk a little bit later about and 07:07:17
14 get into, okay, you got to feed the pigs. And there's a whole 07:07:19
15 lot of corn and beans used. And McDonough County grows a whole 07:07:24
16 lot of corn and beans. 07:07:29
17 MR. DICK MARCOTT: Okay. Thank you. 07:07:32
18 MR. BIGGS: Thank you. 07:07:33
19 MR. TEEFEY: Question over there in the black shirt. 07:07:34
20 MS. HEATHER McMEEKAN: My name is Heather McMeekan. 07:07:34
21 It's M-c-M-e-e-k-a-n. 07:07:44
22 Okay. Regards to the water usage. How many gallons 07:07:48
23 of water are currently used a day by the facility? 07:07:52
24 MR. BIGGS: Okay. Currently today zero. It's not 07:07:56
25 built. 07:08:03

1 Yeah. But on -- on an average, on the highest 07:08:04
2 consumption day, that will be mature pigs, heat of the summer, 07:08:11
3 July, a hundred and fifteen degrees, it would be about three 07:08:16
4 gallons per head. So close to -- so you're talking fifteen 07:08:21
5 thousand gallons of water on the worst day. Maximum consumption. 07:08:28
6 Okay? 07:08:32
7 So it's going to average probably a gallon and a half 07:08:33
8 a day. So roughly seventy-five hundred gallons a day. 07:08:37
9 MS. HEATHER MCMEEKAN: Okay. What is the source of 07:08:42
10 that water? 07:08:43
11 MR. BIGGS: Actually, it's a deep well. We have 07:08:44
12 another barn out in that area, and they have a well that 07:08:47
13 produces, you know, two hundred gallons a minute. So it will be 07:08:53
14 a deep well situation. 07:08:57
15 MS. HEATHER MCMEEKAN: In times of drought is there 07:08:59
16 any plan to help scale back activity at the farm if the 07:09:03
17 neighbors' wells start drying up? 07:09:08
18 MR. BIGGS: Well, when -- good question. I deal with 07:09:11
19 some well professionals over at Wellman, Iowa who dig a lot of 07:09:17
20 wells. And I've asked them the question, I said, "Okay. If we 07:09:21
21 have a well here, how much distance do we have to go to not 07:09:24
22 affect that well?" 07:09:33
23 The answer they always give me is a hundred and fifty 07:09:35
24 feet. If you get more than a hundred and fifty feet from this 07:09:38
25 well to that well, that well's not going to affect this well over 07:09:42

here. That's from the well professionals. 07:09:45

So when I look at the closest neighbor being eighteen 07:09:49
hundred and some feet away, I -- I don't think that's going to be 07:09:54
an issue even in a severe drought on a deep well. 07:09:58

MS. HEATHER MCMEEKAN: Okay. In regards to spreading 07:10:02
of the nutrients. And those will be on the fields. And does the 07:10:04
same water source for the facility and the residents get water 07:10:10
from what runs underneath those -- 07:10:16

MR. BIGGS: The fields? 07:10:16

MS. HEATHER MCMEEKAN: -- the residential water? 07:10:19

MR. BIGGS: Yeah. Yeah. Yep. The field right 07:10:20
around the facility will be applied on just like, you know, the 07:10:23
other fields. 07:10:28

MS. HEATHER MCMEEKAN: And am I to understand that 07:10:30
the rock that runs underneath that area is porus limestone? 07:10:31

MR. WEST: No. No. 07:10:37

Sorry. Couldn't see you. 07:10:39

No. That was the definition of what -- that karst 07:10:41
area. There's nothing there that would -- that would be 07:10:44
considered karst. 07:10:47

MR. BIGGS: Right. 07:10:49

MR. WEST: Because we showed the map with kind of the 07:10:50
hatched areas on the western side of Illinois. We're a couple of 07:10:53
counties away from that. So there was nothing in the soil 07:10:56
borings that found anything like that. 07:10:59

1 MS. HEATHER MCMEEKAN: Now if there is contamination 07:11:01
2 from say MRSA, antibiotic resistance, in the manure itself and 07:11:05
3 it's spread over fields, which it's in a dry time and that dust 07:11:12
4 is carried on the wind to residential areas with vulnerable 07:11:18
5 populations, does that present a health risk? 07:11:22
6 MR. BIGGS: Well, ma'am, I'm not qualified to answer 07:11:25
7 that question. And I -- I look at a question like that, that's 07:11:27
8 where we're actually getting off of the criteria and you're 07:11:33
9 getting into a totally different subject there that I -- I don't 07:11:36
10 know for sure if that's what we're talking about here in the 07:11:41
11 meeting. 07:11:44
12 MS. HEATHER MCMEEKAN: Okay. That is a concern for 07:11:45
13 lot of -- a lot of CAFO's, is that an increase in antibiotic 07:11:47
14 resistance in -- 07:11:56
15 MR. TEEFEY: Yes, ma'am. Ma'am, you'll have a chance 07:11:56
16 to testify later -- 07:11:57
17 MS. HEATHER MCMEEKAN: Oh, okay. 07:11:57
18 MR. TEEFEY: -- if you want to do that. Let's do one 07:11:57
19 -- if you have one more question, you may ask one more question 07:11:59
20 and then we're going to move onto someone else. 07:12:01
21 MS. HEATHER MCMEEKAN: How many years will the 07:12:04
22 facility run as -- as CAFO's? 07:12:04
23 MR. BIGGS: Right now when we're constructing these 07:12:10
24 facilities we're looking at a life expectancy of thirty to forty 07:12:12
25 years. 07:12:16

1 MS. HEATHER MCMEEKAN: Thirty to forty years. 07:12:16
2 MR. BIGGS: Of course, it all depends on how the 07:12:18
3 farmer takes care of them. It's just like you give two kids a 07:12:21
4 brand-new car: One of them might tear it up in five years and 07:12:24
5 the other one might make it into an antique classic. 07:12:27
6 MR. TEEFEY: Okay. Thank you, ma'am. We're going to 07:12:30
7 move onto someone else. Thank you. 07:12:32
8 Does anyone else have any other questions? 07:12:33
9 The red shirt in the back. 07:12:35
10 MR. DAVID MURPHY: My name is David Murphy, 07:12:40
11 M-u-r-p-h-y. 07:12:40
12 I may have misunderstood you. I used to run a 1066. 07:12:41
13 MR. BIGGS: Oh, yes. 07:12:41
14 MR. DAVID MURPHY: Did you say that in your Nutrient 07:12:54
15 Management Plan that you do not have a Nutrient Management plan 07:12:56
16 right now? 07:12:59
17 MR. BIGGS: No. We do. 07:13:01
18 MR. DAVID MURPHY: Okay. I misunderstood. I thought 07:13:03
19 you said you to have one within sixty days. 07:13:05
20 MR. BIGGS: That was part of Chris's presentation. 07:13:08
21 MR. WEST: That -- that is the rule; that you have to 07:13:10
22 have one within sixty days. So what I said was they're going to 07:13:12
23 meet or exceed that rule. So they do have -- 07:13:14
24 MR. DAVID MURPHY: But you do not have one now? 07:13:16
25 MR. WEST: No. That's right here. 07:13:17

1 MR. DAVID MURPHY: You do have one. 07:13:19
2 MR. WEST: Yes. 07:13:19
3 MR. DAVID MURPHY: Thank you. 07:13:20
4 My second question involves the borings that you did. 07:13:20
5 I'm assuming you have done the borings? 07:13:26
6 MR. WEST: Yes. 07:13:28
7 MR. DAVID MURPHY: And you found nothing in the 07:13:29
8 hydrology below that would adversely effect where the unit is 07:13:34
9 going to be going? 07:13:37
10 MR. WEST: No. 07:13:38
11 MR. DAVID MURPHY: Okay. I have one more question, 07:13:39
12 if I can. 07:13:41
13 Is there any plans, do you have any plan for more 07:13:42
14 facilities on that same area? 07:13:45
15 MR. BIGGS: No. No. 07:13:47
16 MR. DAVID MURPHY: Okay. Thank you very much. 07:13:50
17 MR. TEEFEY: All right. Thank you. 07:13:51
18 Next question here in the white shirt. 07:13:53
19 MR. ERIC MOE: My name is Eric Moe, M-o-e. 07:13:57
20 This is directed to the Department of Agriculture. 07:14:06
21 During construction who monitors that the specifications are 07:14:10
22 substantially adhered to? And how is this documented? And what 07:14:14
23 type of tests are performed? 07:14:20
24 MR. GOETSCH: The Department under the provisions of 07:14:25
25 the Livestock Management Facilities Act are to -- are required to 07:14:27

1 visit the site a minimum of three times: Once after the 07:14:31
2 application is received to confirm setback, at least once during 07:14:36
3 construction, and then at least once after construction but 07:14:41
4 before the facility has been placed into service. 07:14:45
5 We have made the one site visit to confirm that the 07:14:49
6 setbacks were being adhered to. We will -- if this facility were 07:14:54
7 to be approved, we will make a minimum of at least one site 07:15:01
8 inspection during construction. Usually during the concrete 07:15:05
9 construction part of the facility. In many cases we'll make 07:15:11
10 multiple visits. 07:15:17
11 The Applicant would be required to take pictures 07:15:20
12 during the various phases of construction so that we can see 07:15:24
13 whether the waterstops were put in appropriately, whether the 07:15:28
14 reinforcement, the steel reinforcement was appropriate as it was 07:15:32
15 -- or was displayed in the drawings. 07:15:39
16 If we find any deficiency -- oh. We also require 07:15:43
17 certifications from the concrete supplier to confirm that the 07:15:47
18 concrete was as per the specifications in the -- in the rule. 07:15:52
19 And then during that construction -- or that 07:15:57
20 inspection after construction, if we see any visual signs of any 07:16:00
21 problems, we require the facility to make those corrections. 07:16:05
22 There have been cases in the past we actually 07:16:10
23 required a facility to make corrections. That has been as little 07:16:13
24 as some additional caulking or some additional concrete work to I 07:16:19
25 think the worst case that we've seen in the twenty years of the 07:16:25

1 law we actually had a facility install an additional floor in a 07:16:28
2 pit because of some additional cracking that was not allowed. 07:16:37
3 So we take it very seriously. And we make multiple 07:16:40
4 inspections. And if we see problems we require that those 07:16:44
5 problems are appropriately corrected before a facility is ever 07:16:48
6 allowed to be placed into service. 07:16:53
7 MR. ERIC MOE: Thank you. I have one more question, 07:16:56
8 and it's like a four part question, to the producer. 07:16:59
9 Are the fields where the manure will be applied, are 07:17:04
10 they tiled? 07:17:10
11 MR. HERNDON: Yeah. Yeah. They're tiled. 07:17:14
12 MR. ERIC MOE: And what was the depth of application 07:17:16
13 of the -- of the applicator? 07:17:18
14 MR. BIGGS: Usually the injection will be four to six 07:17:21
15 inches. 07:17:24
16 MR. ERIC MOE: Okay. Then is there a chance that the 07:17:25
17 manure can go into the field tile? 07:17:29
18 MR. BIGGS: When you ask that question, we're 07:17:34
19 substituting the manure for commercial fertilizer, so you could 07:17:37
20 ask that same question of any commercial fertilizer that we put 07:17:43
21 out there on the field as well that's incorporated. 07:17:47
22 MR. ERIC MOE: Okay. So -- so then my final part of 07:17:51
23 the question: Will there be any kind of monitoring and -- and 07:17:55
24 I'm speaking for the watershed. The quality of the water and the 07:18:01
25 watershed. 07:18:04

1 Will there be any kind of monitoring that is done to 07:18:05
2 make sure that at the outlets of the tiles that the water quality 07:18:08
3 is -- is not damaged? 07:18:14
4 MR. BIGGS: Yeah. Sure. 07:18:17
5 MR. WEST: If you don't mind, I will jump in here. 07:18:17
6 Part of the rule that's in place now, the Illinois 07:18:20
7 EPA actually requires exactly what you're just talking about. So 07:18:24
8 before application you would -- you would find any of those 07:18:29
9 outlets. You would see if there's any water running, if there's 07:18:33
10 not. 07:18:37
11 But you would document exactly what's going on at the 07:18:37
12 time during application and for twenty-four hours afterwards. So 07:18:41
13 you continue that monitoring just to see if something has 07:18:45
14 occurred. 07:18:48
15 So -- so I think maybe that does answer your 07:18:49
16 question. That actually is required under the current law. 07:18:53
17 MR. TEEFEY: Question in the back? 07:18:59
18 MR. RICHARD CHAMBERLAIN: Richard Chamberlain, 07:18:59
19 C-h-a-m-b-e-r-l-a-i-n. 07:18:59
20 I have a couple of questions for the Department of 07:19:18
21 Agriculture. The dragline application is going to be used for 07:19:21
22 the application of fertilizer? 07:19:30
23 MR. BIGGS: Yes, sir. Yes. 07:19:33
24 MR. RICHARD CHAMBERLAIN: It seems like that might be 07:19:35
25 a weak point in this process. How often -- give me stats on how 07:19:36

1 often there's a spill related to the use of that dragline. 07:19:41
2 MR. BIGGS: Actually, when you look at the manure 07:19:46
3 applications, I would much rather have a dragline system set up, 07:19:48
4 umbilical cord is what we call it, versus tanks. Because you 07:19:53
5 basically are rolling hoses out and connecting them and going 07:19:58
6 from point A to point B. 07:20:03
7 And the manure is pumped in that hose to the tractor 07:20:05
8 versus stirring the pit, loading it in a drop stand, which causes 07:20:13
9 odors, drop it in the tank. Then you get in the tank. Drive the 07:20:19
10 tractor, or whatever, down the road. Cars. Accidents. All that 07:20:23
11 stuff. Drivers. You know. 07:20:30
12 The guy out in the field is going to have a lot less 07:20:33
13 wrecks than the guy driving down the road. 07:20:35
14 So to me I think it's a safer method and -- 07:20:37
15 MR. RICHARD CHAMBERLAIN: That's the process. 07:20:41
16 Do you have any stats I asked you? Do you have any 07:20:42
17 specifics about -- 07:20:42
18 MR. BIGGS: We've used this system a long time. 07:20:42
19 Yeah. 07:20:42
20 MR. RICHARD CHAMBERLAIN: So what are your statistics 07:20:52
21 on whether -- on spills? 07:20:53
22 MR. WEST: I can't give you any exact statistics. 07:20:55
23 What I can do, tell you is my company works with farmers 07:20:57
24 throughout the entire state, and Indiana and Missouri as well. 07:21:01
25 It's extremely rare. Less than one per year for all the farmers 07:21:06

that I work with has what you're talking about. 07:21:10

So I can't tell you it's ten percent, one percent, .3 percent. But it's extremely rare that we have an instance where a hose ruptures or something like that. 07:21:13 07:21:17 07:21:22

MR. RICHARD CHAMBERLAIN: I understand. 07:21:25

You mentioned that there's an emergency shutoff valve. So I assuming that this is something that happens occasionally, otherwise you wouldn't have an emergency shutoff valve. 07:21:26 07:21:29 07:21:31 07:21:35

MR. WEST: Well, you plan for the worst, and then if -- if you never use it, then great. But it's there in case something were to happen. 07:21:36 07:21:37 07:21:40

MR. RICHARD CHAMBERLAIN: Question for the Department of Agriculture. 07:21:42 07:21:43

Is there any setback requirements on the application of the fertilizer, manure, on land that's not owned by, or upon land owned by Scott, or land that he might be utilizing for the application of the manure? 07:21:44 07:21:47 07:21:52 07:21:57

MR. GOETSCH: They are a series of setback requirements for application, depending upon the setting itself. It could be from -- you know. There's an application setback. A surface application setback for a residence. There are setbacks for waterways. There are setbacks for wells. 07:21:58 07:22:02 07:22:08 07:22:14 07:22:19

So there are a series of setbacks that where you can't apply. And those will be documented in their, or required 07:22:23 07:22:27

1 to be documented in their management plan. 07:22:33
2 They'll have field maps that will have, or they're 07:22:36
3 required to I should say, have those no application zones 07:22:40
4 identified in each field if -- you know -- if there's a well 07:22:45
5 there, if there's a neighbor's house there, if there's a 07:22:49
6 waterway. There are certain areas that are excluded from 07:22:52
7 application, yes. 07:22:56
8 MR. RICHARD CHAMBERLAIN: But in the Livestock 07:22:57
9 Resource Act there's -- the Act we're talking about today -- 07:22:59
10 there's no setback required listed as far as application of the 07:23:01
11 manure? As you have a quarter mile setback for a house. You -- 07:23:05
12 you could spray manure, what, two hundred feet from somebody's 07:23:11
13 house and that would be okay? 07:23:14
14 MR. GOETSCH: No. There -- are we still talking to 07:23:16
15 me? 07:23:17
16 MR. BIGGS: Yeah. Go ahead. 07:23:18
17 MR. RICHARD CHAMBERLAIN: Yeah. I'm talking to you. 07:23:20
18 Yes. 07:23:20
19 MR. GOETSCH: Yeah. There -- well, there isn't -- 07:23:21
20 there is a -- it's actually under the Environmental Protection 07:23:23
21 Act. There is a setback for applying next to an occupied 07:23:27
22 residence. You can apply up to the property line as long as it 07:23:32
23 is incorporated within twenty-four hours. 07:23:42
24 So what these folks are proposing where they're 07:23:43
25 injecting, you could apply up to the property line adjacent to a 07:23:48

1 home because it is being injected, unless they have a well or any 07:23:51
2 other excluded area, then that setback would cause you to not be 07:23:58
3 able to apply in that area adjacent to that home. 07:24:03
4 MR. RICHARD CHAMBERLAIN: One last question. 07:24:07
5 Scott, where is your house in relation to the 07:24:09
6 facility? 07:24:11
7 MR. HERNDON: Probably nine miles away. 07:24:13
8 MR. TEEFEY: Thank you. 07:24:26
9 Question in the back in the middle. 07:24:27
10 MR. NICK ANDERSON: Nick Anderson, A-n-d-e-r-s-o-n. 07:24:29
11 For the Department. And just for some clarity, I 07:24:29
12 know this is new to a lot of folks, so the Department is in 07:24:34
13 charge of the design criteria, the building, the process, has 07:24:38
14 something to do with the livestock management training, but can 07:24:43
15 you kind of explain the relationship of how EPA knows about this 07:24:47
16 or that process? 07:24:51
17 And even though the manure application isn't in the 07:24:53
18 Livestock Management Facilities with the building side of it, 07:24:57
19 where does that pick up with EPA? 07:25:00
20 Or kind of give us that link of when you hand that 07:25:02
21 off, or who has the responsibility, and what rules do they follow 07:25:05
22 if they -- if they're not in the Act. 07:25:08
23 MR. GOETSCH: Okay. As I mentioned I think earlier, 07:25:11
24 the Livestock Management Facilities Act was passed a little over 07:25:18
25 twenty years ago. At the time it was being debated, the thought 07:25:21

1 was there really are no requirements that -- that livestock 07:25:25
2 producers have to comply with prior to, you know, building a 07:25:30
3 building, starting to produce. And really the only regulatory 07:25:35
4 requirements were if they got into trouble; they had a spill, 07:25:40
5 they had a release. 07:25:44
6 And at that point the provisions of the Environmental 07:25:45
7 Protection Act, the Illinois Environmental Protection Act would 07:25:49
8 kick in. 07:25:53
9 And the thought was that we need -- we were doing a 07:25:53
10 disservice, I think, to the agricultural industry by not having 07:25:57
11 some kind of preemptive requirements that perhaps would keep 07:26:01
12 facilities and keep producers from -- from, you know, falling 07:26:06
13 into trouble by giving them a set of guidelines or a set of 07:26:11
14 requirements that if they adhered to it would hopefully ensure 07:26:16
15 that they wouldn't get into problems. 07:26:20
16 And so that's really where the Livestock Management 07:26:22
17 Facilities Act came from. That's where the design standards were 07:26:26
18 -- were developed. That's where the setbacks came in. The 07:26:30
19 educational requirements. 07:26:33
20 But the Act, the way it is set up is the majority of 07:26:34
21 the requirements of the Act are administered by the Illinois 07:26:37
22 Department of Agriculture. 07:26:41
23 The Livestock Management Facilities Act does not 07:26:42
24 replace any of the requirements for livestock producers under the 07:26:45
25 Illinois Environmental Protection Act. The intent of the LMFA is 07:26:49

1 to help producers site, build, and operate facilities that will 07:26:55
2 be in compliance and will be able to be operated in such a way as 07:27:02
3 they would not have future problems in terms of compliance with 07:27:07
4 the Environmental Protection Act. 07:27:11
5 The Department of Agriculture was charged with the 07:27:14
6 administration of the LMFA, except for a couple of manure spill 07:27:17
7 reporting requirements that do automatically go to IEPA. 07:27:21
8 We're required to ensure compliance with all of these 07:27:27
9 upfront things; and then after a facility is placed into service, 07:27:31
10 they are subject to compliance with the Illinois Environmental 07:27:37
11 Protection Act. 07:27:41
12 If they have a release, if they have some kind of 07:27:42
13 operational problem, then IEPA, through their enforcement process 07:27:46
14 with the Illinois Attorney General, take care of those issues. 07:27:51
15 There are a couple of other reoccurring charges that 07:27:57
16 we have at the Department. We are required to continue the 07:28:00
17 education and training of producers through the Certified 07:28:05
18 Livestock Manager Program that was mentioned earlier. 07:28:08
19 If a facility is proposing to use an anaerobic 07:28:12
20 lagoon, then we have an annual inspection that we're required to 07:28.16
21 perform and we do. We don't have a lot of anaerobic lagoons 07:28:21
22 built in Illinois anymore. But those that are, have been built 07:28:25
23 in the last twenty years, we do continue to inspect those and 07:28:30
24 ensure compliance. 07:28:33
25 And then we work very closely with IEPA on if we do 07:28:35

1 see a problem or if they've had a problem. 07:28:39
2 One example would be there was a design flaw a few 07:28:43
3 years ago on a facility, on facilities that were being built that 07:28:45
4 had a pipe penetration to a -- to a manure storage structure 07:28:50
5 wall. That was identified by part of the design criteria in the 07:28:57
6 statute. We worked with IEPA and came up with a fix. And then 07:29:01
7 that change has been made to the statute to make sure that it 07:29:07
8 doesn't have that problem again. 07:29:09
9 So it really is a joint program between the 07:29:11
10 Department of Agriculture and the Illinois Environmental 07:29:16
11 Protection Agency when it comes to the regulation of the 07:29:19
12 livestock industry in this state. 07:29:21
13 MR. NICK ANDERSON: So those definitions of setbacks 07:29:23
14 from wells, water, bodies, is really the Environmental Protection 07:29:25
15 Act that their manure plan? 07:29:30
16 MR. GOETSCH: Well, there are -- there are both. 07:29:34
17 There are setback requirements in the regulations under the LMFA 07:29:35
18 as they relate to waste management plans that we require. 07:29:42
19 There is also a federal program called the 07:29:45
20 Concentrated Animal Feeding Operations Regulations. The CAFO 07:29:49
21 rules that you may have heard of. And they have specific 07:29:55
22 requirements for the utilization of manure, waste management 07:30:00
23 planning. 07:30:04
24 You also have under the federal government, through 07:30:05
25 NRCS, you have Comprehensive Nutrient Management Plans that you 07:30:07

can work with FSA and NRCS to have developed. 07:30:13

Our challenge has always been between these three or 07:30:19
four agencies making sure that producers only have to do one plan 07:30:22
that meets all those requirements. And that's usually why 07:30:28
producers like this one is proposing to use a Comprehensive 07:30:31
Nutrient Management Plan that's consistent with the requirements 07:30:37
of NRCS, which then are also consistent with the requirements in 07:30:39
the LMFA, as well as the Illinois Environmental Protection Act. 07:30:43

MR. NICK ANDERSON: Thank you. 07:30:49

MR. GOETSCH: I'm sorry. That was kind of an 07:30:50
alphabet soup. 07:30:53

MR. MUHLENBRUCK: If I may, I would like to interject 07:30:54
one thing here. 07:30:55

The State of Illinois' EPA also comes to these 07:30:56
facilities and provides inspection services. And we've been 07:30:59
involved with -- on -- with several of those inspection services 07:31:02
with our growers. 07:31:08

They come out. They -- they check the facility. 07:31:08
They check the manure management plans. And they audit them to 07:31:09
make sure the right amount of manure is going on the acres. 07:31:13

And -- and so it's not like once these facilities are 07:31:17
done there's no more oversight, because there is by the state and 07:31:19
there's also through TriOak. 07:31:24

MR. TEEFEY: All right. There's a question over 07:31:26
there in the red shirt. 07:31:27

1 MS. SANDY SMITH: Hi. Sandy Smith. Adair. 07:31:36
2 S-m-i-t-h. 07:31:36
3 One question to the agriculture people. One -- just 07:31:43
4 refresh my memory. How far apart are hog confinements right now? 07:31:48
5 We have a hog confinement just on the south side of 07:31:51
6 136 right now. 07:31:57
7 And is this one being built on the north side of 136? 07:31:58
8 And how far apart is that? 07:32:02
9 And my second question is to the producers. What 07:32:04
10 kind of -- we're worrying about the manure, and we're worrying 07:32:07
11 about the water, and we're worrying about everything but the 07:32:11
12 pigs. 07:32:15
13 How are we managing the welfare and care of the pigs 07:32:16
14 before they go to slaughter, unfortunately? 07:32:19
15 MR. GOETSCH: Well, I'm not -- the first part of your 07:32:24
16 question, I think that was to us? 07:32:27
17 MS. SANDY SMITH: Yes. 07:32:29
18 MR. GOETSCH: Is that right? 07:32:29
19 Well, that goes to the definition of a livestock 07:32:29
20 management facility and a livestock waste handling facility. And 07:32:34
21 really what it amounts to is if -- if the facilities are owned by 07:32:37
22 the same entity they have to be separated by at least a quarter 07:32:44
23 of a mile for them to be considered separate sites. 07:32:48
24 If they were -- if they are located within a quarter 07:32:52
25 of a mile of each other under the same ownership, they can be -- 07:32:55

1 they would be considered one site. 07:33:00
2 If they are separate ownership, then they are 07:33:02
3 separate sites. 07:33:07
4 So you could have a father and a son. You could have 07:33:07
5 an uncle and a cousin. You could have totally unrelated people. 07:33:10
6 But if -- if the ownership is different, then they 07:33:16
7 are separate sites. 07:33:20
8 If the ownership is the same, they have to be 07:33:21
9 separated by more than a quarter of a mile to be considered 07:33:24
10 separate sites. 07:33:27
11 MS. SANDY SMITH: So you're saying that the two 07:33:29
12 facilities are owned by two different people; therefore, they 07:33:31
13 meet the requirements of being the right amount of miles away, 07:33:34
14 apart? 07:33:39
15 MR. GOETSCH: I'm not -- I'm not aware of the other 07:33:40
16 site that you are talking about. I was at the site, the proposed 07:33:41
17 site today. And I apologize, I did not -- I was not aware that 07:33:44
18 there was a second facility. So I am not sure what you're 07:33:50
19 talking about. 07:33:54
20 MR. BIGGS: Want me to answer that? 07:33:55
21 MS. SANDY SMITH: Okay. Go ahead. 07:33:56
22 MR. BIGGS: Ma'am? 07:33:57
23 Ma'am, actually that second facility you're talking 07:33:59
24 about is owned by a totally different farmer. And it is actually 07:34:01
25 probably between three-quarters and a mile away from where this 07:34:06

1 one is going to be built. 07:34:09
2 MS. SANDY SMITH: And about the welfare of the pigs. 07:34:11
3 How is that being managed? 07:34:13
4 MR. MUHLENBRUCK: Hard to see here, but animal 07:34:19
5 welfare is something that we take as a company incredibly with -- 07:34:21
6 with a -- we lose sleep worrying about animal welfare issues. 07:34:25
7 We've set up training systems within the company 07:34:29
8 where one of two people goes out and they'll work with Scott and 07:34:32
9 will train him in terms of what is expected in terms of keeping 07:34:37
10 the pigs healthy and happy. 07:34:40
11 Then the next step is Scott will go through, and all 07:34:43
12 the caretakers, what's called the Pork Quality Assurance Plus 07:34:47
13 Program. The Pork Quality Assurance Plus Program deals with 07:34:52
14 antibiotics, how they're injected, their records, so that we know 07:34:56
15 which pigs got treated on what day for what disease. 07:34:59
16 Our corporate veterinarians work with local 07:35:03
17 veterinarians to oversee the process so that none of this is 07:35:06
18 given if it's not needed. 07:35:10
19 And -- and then we have a -- an auditing system 07:35:12
20 internally that goes and does spot checks. And that -- that 07:35:15
21 audit then, or that person, is overseeing: Number one, the 07:35:20
22 grower; and number two, our field staff who are out there on a 07:35:23
23 regular basis helping to make sure that everything is being done 07:35:26
24 right. 07:35:29
25 In addition to that, the swine industry has come up 07:35:30

1 with what's called a common industry audit. And what we found 07:35:35
2 was there were -- there were some people that were trying to pat 07:35:38
3 themselves on the back saying, you know, they were better than 07:35:42
4 everybody else. 07:35:44
5 Well, at the end of the day the industry needed some 07:35:45
6 consistency. 07:35:47
7 So TriOak has trained all of its production people, 07:35:48
8 all of the staff in terms of what you have to do to comply with 07:35:54
9 the audit, all the recordkeeping. 07:35:57
10 And then we had third party investigators or auditors 07:35:59
11 come in and spot check. They'll say, hey, we're going to this 07:36:05
12 site and away they go. And every site that TriOak has had has 07:36:08
13 passed with one hundred percent. 07:36:14
14 So it is something we take very seriously. 07:36:16
15 MS. SANDY SMITH: Thank you. 07:36:19
16 MR. TEEFEY: Thank you. 07:36:21
17 Question in the back? 07:36:21
18 MS. MICHELLE LANGHOUT: Hello. Good evening. My 07:36:33
19 name is Michelle Langhout. I'm a reporter with -- 07:36:33
20 THE REPORTER: I can't understand you. You're too -- 07:36:33
21 MR. TEEFEY: Yeah. Slow down, if you could, please. 07:36:33
22 MS. MICHELLE LANGHOUT: My name is Michelle Langhout. 07:36:52
23 I'm a reporter with the McDonough County Voice. 07:36:54
24 MR. TEEFEY: Can you spell your last name? 07:36:54
25 MS. MICHELLE LANGHOUT: Sure. L-a-n-g-h-o-u-t. 07:37:06

1 MR. BIGGS: Ma'am? 07:37:08
2 MS. MICHELLE LANGHOUT: Yes. 07:37:08
3 MR. BIGGS: Could you slow down a little bit? 07:37:09
4 MS. MICHELLE LANGHOUT: I apologize for that. Yes. 07:37:15
5 I have a couple of questions related to the siting 07:37:20
6 criteria. 07:37:23
7 In number 2 -- yes. Number 2. "The design, 07:37:26
8 location, or proposed operation will protect the environment by 07:37:32
9 being consistent with the Livestock Management Facilities Act." 07:37:36
10 I have a question about the operation. You mentioned 07:37:40
11 -- you mentioned -- I think this might want to go -- this is 07:37:44
12 actually probably for both the industry and for the Department. 07:37:46
13 I understand that the Department has inspectors to 07:37:52
14 look at the facility, to check the facility, is that correct? 07:38:00
15 Okay. How many inspectors do you have for the state? 07:38:03
16 MR. GOETSCH: I believe right now we have six. 07:38:12
17 MS. MICHELLE LANGHOUT: Okay. How many facilities 07:38:15
18 are there in the state? 07:38:16
19 MR. GOETSCH: At any one time I believe we probably 07:38:22
20 have a hundred to a hundred and twenty. Maybe as many as a 07:38:29
21 hundred and fifty projects in a year that we have to oversee. So 07:38:34
22 at any one time we probably have a couple of dozen that are -- 07:38:38
23 something is going on with. 07:38:46
24 MS. MICHELLE LANGHOUT: Okay. When you do your -- 07:38:49
25 excuse me. When you do your inspections, do you announce before 07:38:52

1 you come out? 07:38:56

2 MR. GOETSCH: Not necessarily. I mean, we do try and 07:38:59

3 adhere to a certain amount of biosecurity issues because we don't 07:39:02

4 want to -- you know. We can't go to two or three active 07:39:09

5 facilities in a day. 07:39:13

6 If -- if it's a completely virgin site, like this one 07:39:16

7 is proposed to be, we could possibly hit it when we were coming 07:39:19

8 from another one, but because of biosecurity issues we're limited 07:39:23

9 sometimes on the -- on how many facilities that we could visit in 07:39:28

10 a week. 07:39:33

11 MS. MICHELLE LANGHOUT: I guess a better question 07:39:34

12 would be: Do you ever do any unannounced visits? 07:39:36

13 MR. GOETSCH: Yes. 07:39:40

14 MS. MICHELLE LANGHOUT: Okay. For the -- for the 07:39:41

15 industry: Do you -- do you monitor compliance with your two 07:39:42

16 programs, your PQA and your TQA? 07:39:46

17 MR. GOETSCH: Yes. 07:39:46

18 MS. MICHELLE LANGHOUT: The PQA is your -- your 07:39:49

19 quality assurance related to the medications, et cetera, that you 07:39:53

20 give, is that right?. 07:39:59

21 MR. MUHLENBRUCK: Actually, PQA encompasses animal 07:39:59

22 well-being, euthanasia, feed and feed medications, recordkeeping. 07:40:03

23 Help me, Nick. There's ten. 07:40:10

24 Ventilation. Making sure that the air and the fans 07:40:15

25 and inlets are all working properly. 07:40:18

1 It is designed to make sure -- environment. Manure 07:40:21
2 application. MMP are things that round out the ten. 07:40:26
3 That is to ensure that all the people who are working 07:40:30
4 with those pigs on those sites have the training and that they 07:40:33
5 are consistent with the company's and the industry standards. 07:40:36
6 It would take what is in the Livestock Management 07:40:41
7 Facilities Act to a much higher level. 07:40:45
8 MS. MICHELLE LANGHOUT: And the TQA? 07:40:47
9 MR. MUHLENBRUCK: TQA is for transportation. You 07:40:50
10 know, a number of years ago when people were hauling, you know, 07:40:55
11 twenty pigs into a buying station and then they laid in the 07:41:00
12 buying station under a wet mister for an hour or two before they 07:41:03
13 got on a semi before they went to a plant to get harvested, that 07:41:07
14 was all pretty laid back, or normal -- or easy activity, I should 07:41:10
15 say, for pigs. 07:41:14
16 Now at the facilities we're hauling these pigs in 07:41:15
17 semis, so that requires training for the people that load the 07:41:17
18 pigs so that they know how many pigs to try and move at one time. 07:41:21
19 It reduces or restricts the amount of physical force, 07:41:26
20 if you will, pushing the pigs. 07:41:34
21 And it's designed to make sure that those pigs all 07:41:37
22 live to get to the packing plant. 07:41:40
23 MS. MICHELLE LANGHOUT: And I'm sorry. I didn't 07:41:45
24 catch your name either. 07:41:46
25 MR. MUHLENBRUCK: Al Muhlenbruck. 07:41:47

1 MS. MICHELLE LANGHOUT: Al Muhlenbruck? 07:41:47
2 Thank you. What veterinarian service do you use? 07:41:51
3 MR. MUHLENBRUCK: You're getting into the trenches 07:41:58
4 and I can't answer that. Our -- our head veterinarian is a 07:41:59
5 veterinarian associated with Iowa State University. 07:42:05
6 And then he works with -- with a panel of 07:42:08
7 veterinarians, actually, when they're starting to work on some of 07:42:11
8 these problem issues that -- when PED came up we went to as high 07:42:14
9 a level of knowledge as we could possibly find. 07:42:19
10 And then he will call veterinarians in the areas if 07:42:21
11 he's not available, you know, just to go out and take a look at a 07:42:25
12 group of pigs and send whatever samples that need to be mailed 07:42:31
13 in. 07:42:36
14 MS. MICHELLE LANGHOUT: One final question. How many 07:42:38
15 people do you have overseeing your site? 07:42:39
16 I'm sorry. Let me back that up. 07:42:44
17 You mentioned that you have people who check for 07:42:46
18 compliance, is that right? 07:42:49
19 MR. MUHLENBRUCK: Yes. 07:42:53
20 MS. MICHELLE LANGHOUT: Okay. How many facilities do 07:42:55
21 you have to check and how many personnel do you have to do that? 07:42:58
22 MR. MUHLENBRUCK: We've got -- 07:43:04
23 MR. BIGGS: You've got to include our individual 07:43:07
24 growers on that. Each one of those is responsible. 07:43:10
25 MR. MUHLENBRUCK: Each one of the growers is 07:43:11

1 responsible for their set of pigs. Each one of those growers or 07:43:12
2 each one of those sites has been assigned a fieldman, 07:43:16
3 fieldperson. We've got a lot of ladies working for us, too. And 07:43:20
4 it's their charge then to help get these pigs started. 07:43:24
5 You know, Nick talked about the water consumption. 07:43:28
6 These pigs are going to go in there weighing twelve pounds. 07:43:31
7 Little babies. So, you know, in those first early stages we have 07:43:35
8 our staff teach folks how to find out which are the pigs that are 07:43:38
9 at risk, which pigs need to be moved to a hospital pen. 07:43:42
10 In addition then to the field staff we've got 07:43:47
11 regional staff. And those are the people that probably have the 07:43:49
12 most communication between the corporate vet and what's happening 07:43:53
13 in the field. 07:43:57
14 And the line of communication is if Scott has a 07:44:00
15 problem with a set of pigs and our grower -- and our fieldman 07:44:03
16 isn't supposed to be there for a couple of days, he picks up the 07:44:06
17 phone and he says, "Hey, Joe. Something isn't right." 07:44:10
18 So Joe goes out and Joe may take a look at a few pigs 07:44:12
19 and say, "You're right. Something isn't right." And immediately 07:44:15
20 the phone chain starts. 07:44:18
21 You know. It's our goal the -- the quicker we can 07:44:22
22 get on the situation, the better it is obviously for the pigs, 07:44:24
23 but it's also better for all the people involved. 07:44:27
24 MR. TEEFEY: All right. Thank you. 07:44:30
25 Any other questions? 07:44:31

1 In the blue shirt? 07:44:36
2 MR. DANA WALKER: Dana Walker, W-a-l-k-e-r. And I am 07:44:46
3 the President of Environmentally Concerned Citizens and the La 07:44:46
4 Moine River Ecosystem Partnership, but I'm not speaking for them; 07:44:55
5 just for myself tonight. 07:44:56
6 I have a question for Mr. West. And -- can you hear 07:44:58
7 me? 07:45:01
8 MR. WEST: Yep. I can hear you, sir. 07:45:01
9 MR. DANA WALKER: Yes. I wrote waste management 07:45:04
10 plans for the U.S. Department of Agriculture in the 1980's, 07:45:06
11 granted that's thirty years ago, but my calculations come up to 07:45:09
12 about five times the number of acres to apply manure to as what 07:45:14
13 you quoted, the 425. 07:45:19
14 So my question would be: How many years are you 07:45:21
15 figuring on before you exceed the phosphorus test level of 300 in 07:45:25
16 your manure application? 07:45:33
17 MR. WEST: Well, I -- it depends on which number 07:45:34
18 you're looking at. So -- and I saw your eyes light up during the 07:45:37
19 presentation and -- and you and I have had this conversation 07:45:41
20 before. 07:45:44
21 If -- one of the numbers that I quoted was 425 acres. 07:45:47
22 And I said if you -- the very, very minimum. So that is the 07:45:51
23 maximum amount of phosphorus buildup that you can have by law. 07:45:57
24 That's what that would include. 07:46:02
25 So this plan is written both to the Department of Ag 07:46:05

1 requirements, the EPA requirements, and I believe the company 07:46:08
2 that you're -- the organization you used to work for, the NRCS. 07:46:11
3 So if we're looking at the amount of acres that's 07:46:17
4 available, we're not talking about buildup of phosphorous. 07:46:20
5 So you talked about in the 80's. A lot of things 07:46:24
6 have changed as far as both -- the nutrient analysis of a -- of a 07:46:28
7 gallon of manure has changed significantly in just the last ten 07:46:35
8 years, let alone going back forty years, almost forty years. 07:46:39
9 The crop yields have changed significantly. 07:46:44
10 So I think we're talking about a different era 07:46:47
11 altogether. So the numbers that I quoted are absolutely correct 07:46:49
12 and more than easily sustainable. 07:46:56
13 MR. DANA WALKER: Let me see if I heard you right. 07:46:59
14 You say there is no buildup of phosphorous under your plan? 07:47:01
15 MR. WEST: No. There -- there is enough acres so 07:47:05
16 there would not be any. Correct. There's enough acres available 07:47:06
17 out there so that there wouldn't necessarily have to be any 07:47:11
18 buildup of phosphorus. 07:47:13
19 MR. MUHLENBRUCK: Can I interject one thing? 07:47:17
20 I've got as much gray hair as you have. And when I 07:47:18
21 look back at my history, I -- I started in field sales back in 07:47:22
22 the mid 70's after college and then I came to work for TriOak in 07:47:26
23 the 80's. 07:47:31
24 But back then a typical pig had to eat four pounds of 07:47:31
25 feed to put on a pound of gain. 07:47:35

1 Today, two and a half pounds of feed puts on a pound 07:47:37
2 of gain. 07:47:42
3 Back then none of the phosphorus that was in the corn 07:47:42
4 and beans was available to that pig. Since we now have enzymes 07:47:46
5 that we can add to the diet, we don't put nearly the amount of 07:47:51
6 phosphorus in the feed that we used to. 07:47:55
7 And back then we used to change the feed three, maybe 07:47:57
8 four times between the time the pig was weaned and the day we 07:48:00
9 sold him. Today he gets nine diets. That's because we don't 07:48:03
10 want to waste money on extra nutrients that just go right through 07:48:07
11 him. 07:48:11
12 MR. DANA WALKER: Yeah. I still want to nail this 07:48:12
13 down. Are you telling me that if you went and test out there now 07:48:14
14 at 60 and you apply all this manure on the 425 acres of land the 07:48:17
15 P1 test will not go up? 07:48:22
16 MR. WEST: No. That's exactly not what I did say. 07:48:24
17 I said if we looked at the very minimum, there would 07:48:27
18 be a buildup that -- that would be allowed by the current 07:48:32
19 regulations. 07:48:35
20 If you utilized the very minimum amount of acres that 07:48:36
21 I said in the presentation, there would be a buildup of 07:48:38
22 phosphorus. That is allowable by the regulations. 07:48:42
23 What I -- what I said after that was there's more 07:48:46
24 than enough acres out there that would be available to use to 07:48:49
25 apply this manure so that there would not be a buildup of 07:48:53

1 phosphorus. 07:48:57
2 MR. DANA WALKER: So you would be putting on more -- 07:48:58
3 you -- you would use more acres than 425 is what you're saying. 07:49:01
4 MR. WEST: I said yes. Yes. So that's what I said. 07:49:04
5 The very minimum that that -- that would be. 07:49:06
6 So what I was trying to get across is this is how 07:49:09
7 many we could use. This is how many we have available. So more 07:49:12
8 than double the amount of acres that we would need by current 07:49:15
9 regulations. 07:49:20
10 MR. TEEFEY: Thank you. 07:49:22
11 Any other questions? 07:49:22
12 Black shirt? 07:49:25
13 MR. JEROME ANDERSON: Hi. My name is Jerome 07:49:33
14 Anderson, A-n-d-e-r-s-o-n. A couple of questions. 07:49:37
15 First one for the Department. Could you explain 07:49:38
16 about the rules and regulations that apply to facilities that are 07:49:42
17 already in place as far as expansion, what notifications, what 07:49:45
18 permits are required at that time, what the flexibility is for 07:49:49
19 operators with that kind of expansion? 07:49:52
20 MR. GOETSCH: If a facility -- well, in terms of -- 07:49:57
21 in terms of expansion, a facility that truly is characterized by 07:50:01
22 expansion, they're already in existence, they're expanding, 07:50:10
23 they're expanding but they're not expanding enough that they're 07:50:16
24 now characterized as a totally new facility, and that's where you 07:50:19
25 get into the fifty percent of the fixed capital cost of a 07:50:22

1 comparable entirely new facility. 07:50:26
2 Okay. Let me -- let me start over. 07:50:29
3 You can expand a facility as long as you do not 07:50:30
4 expand it beyond fifty percent of the fixed capital cost of a 07:50:36
5 comparable entirely new facility. If your expansion is less than 07:50:43
6 that, then you are an expansion. 07:50:47
7 All you would have to do is file a notice of intent 07:50:50
8 to construct that discloses all this information, file your 07:50:55
9 construction plans and specifications, adhere to the -- all the 07:50:58
10 other parts of the statute, but you would not have to -- you 07:51:05
11 would not be subject to additional setback compliances other than 07:51:09
12 the -- I can't think of the exact term. You have to be closer to 07:51:15
13 the -- your existing facility than you are to a neighbor. That's 07:51:20
14 called the maximum feasible location requirement. And there 07:51:23
15 would be no additional notifications. 07:51:27
16 If you exceed that fifty percent of the fixed capital 07:51:30
17 cost of a comparable entirely new facility, you are deemed to be 07:51:35
18 a new facility. Like you weren't there at all and you're 07:51:39
19 building it all from new, you have to do all the same filings. 07:51:43
20 But if you're above a thousand animal units you have 07:51:46
21 to notify the county board, you have to send copies to your 07:51:50
22 neighbors, all of those things. 07:51:53
23 So what it boils down to is if you are an expansion 07:51:55
24 under the definitions in the statute, you don't have to comply 07:51:59
25 with additional setbacks and you don't have to provide additional 07:52:02

1 notices. You just are -- you just have to comply with the 07:52:08
2 construction standards, the notice of intent to construct, those 07:52:14
3 kind of things. 07:52:16
4 MR. JEROME ANDERSON: Okay. Next question is posed 07:52:17
5 to the operators. 07:52:21
6 What's the estimated weight of your trucks, feed 07:52:21
7 trucks, animal trucks going up and down the road there on 136? 07:52:24
8 MR. BIGGS: When loaded, you know, we're looking at 07:52:30
9 seventy-two to -- sorry. 07:52:33
10 When loaded we're looking at seventy-two thousand to 07:52:37
11 eighty thousand pounds. 07:52:39
12 MR. JEROME ANDERSON: Next question also for you. 07:52:43
13 What are your plans for processing euthanized animals, let's say 07:52:44
14 sick animals that have to be put down? 07:52:49
15 MR. BIGGS: Actually, we're going to utilize the 07:52:51
16 compost facility. 07:52:53
17 MR. JEROME ANDERSON: That would be inside or 07:52:55
18 outside? 07:52:56
19 MR. BIGGS: Outside. It will be an outside compost 07:52:57
20 facility. 07:52:58
21 MR. JEROME ANDERSON: Could you explain a little bit 07:53:00
22 how that works? 07:53:01
23 MR. BIGGS: How that works is basically you utilize 07:53:03
24 organic material, preferably sawdust. You -- and this is put on 07:53:06
25 a -- it will be a concrete facility. Basically concrete poured 07:53:14

walls. 07:53:19

Then you actually put the animals in there. You put a layer of sawdust or other carbon material in there. You bed the animals in it. And then you cover up the animals with ten -- ten inches to a foot of compost. 07:53:20 07:53:23 07:53:29 07:53:34

And what that does, I don't know how many farmers are here, but what compost does is very similar to baling wet hay. And if you bail wet alfalfa hay or any wet hay it will start to heat. 07:53:38 07:53:41 07:53:48 07:53:53

And the exact same thing happens whenever you put a pig in between two blankets of compost material. With the moisture from the pig and the moisture in the sawdust and that closed area, it will actually -- basically slow cooks the pig. The compost will get up to be about a hundred and forty-five degrees, which if you look at your crock pot, you know, that's not too much warmer than the crock pot. 07:53:53 07:53:57 07:54:02 07:54:06 07:54:12 07:54:16 07:54:19

But it basically slow cooks the animal and it decomposes. That's what it does. It decomposes. 07:54:22 07:54:29

MR. JEROME ANDERSON: This will be on the premises? 07:54:31

MR. BIGGS: Yes, it will be on the premises. Yep. 07:54:33

MR. TEEFEY: Thank you. 07:54:38

Question in the back row? 07:54:38

MR. LARRY MOORE: Larry Moore, M-o-o-r-e. 07:54:43

The amount of acres that you're talking about using for the manure, I believe Scott's only got a hundred acres there 07:54:46 07:54:49

where he owns. I was curious where he's going to obtain the additional acres.

MR. BIGGS: We're going to have additional acres from a neighbor.

MR. LARRY MOORE: Is that secured in writing?

MR. BIGGS: Yes.

MR. LARRY MOORE: Okay. I've got a residence that's about a mile and a half northwest of the current barn that's there, and they have troubles the whole time, but sometimes in the evening they can't raise their windows because of the odor.

Is there something not being done at that barn that should be done, or is that just part of being around a hog barn?

MR. BIGGS: There are certain times of the day, of the year, and when you're talking about usually high humidity, low air movement, and there is no stirring going on of the air, yeah, there could possibly be odors. Yeah.

And the facility you are talking about is actually one of our very good producers. They do everything we ask them to do they do in writing.

So they clean the facility. And, yeah, if you're smelling it, yeah, that is one of the side effects of having a pig barn in your neighborhood.

MR. LARRY MOORE: Currently the family that lives there has a nine year old daughter that has migraine headaches and has to use an inhaler.

1 If those symptoms get worse with the barns, with 07:56:21
2 every building you build in that area, you increase the exposure 07:56:25
3 because of the change of the wind direction, maybe blowing from 07:56:29
4 one one day, the other one the next day. 07:56:33
5 Who would be responsible for that? 07:56:36
6 MR. BIGGS: Don't have a good answer for you on that 07:56:41
7 one. 07:56:46
8 MR. LARRY MOORE: That's -- 07:56:47
9 MR. BIGGS: You know, I look at that -- I look at 07:56:48
10 migraines and I -- I've heard the argument before. You know. 07:56:51
11 I've had a health challenged relative or whatever. My sympathy 07:56:54
12 goes out to them. 07:57:02
13 I look at, you know, a mile and a half away, and 07:57:03
14 you're saying the pig barn causes the health challenge? 07:57:12
15 I -- I guess I would debate that. 07:57:18
16 MR. LARRY MOORE: Well, I mean, I'm not saying that 07:57:21
17 that's what's causing it now, but I'm saying if the symptoms get 07:57:23
18 worse and they come back, that that's what causing it, who would 07:57:27
19 be responsible? 07:57:32
20 MR. BIGGS: The thing is you're asking me a question 07:57:33
21 I can't answer because we could not build a pig barn and the 07:57:35
22 symptoms get worse. And then what are you going to blame it on? 07:57:39
23 MR. TEEFEY: Mr. Moore, do you have any questions 07:57:45
24 about this particular facility? 07:57:47
25 MR. LARRY MOORE: The facility they're proposing? 07:57:49

1 MR. TEEFEY: Correct. 07:57:51
2 MR. LARRY MOORE: That -- that was my question. 07:57:52
3 MR. TEEFEY: Okay. 07:57:53
4 MR. LARRY MOORE: That's my concern is with -- with 07:57:55
5 the additional barns in the area, you know, you're only talking a 07:57:57
6 mile apart, you're increasing exposure to the neighborhood to 07:58:01
7 these odors and health concerns. I'm just looking out for this 07:58:07
8 family. 07:58:13
9 MR. TEEFEY: Again, do you have any further 07:58:13
10 questions? 07:58:15
11 MR. MUHLENBRUCK: I've got a statement I would like 07:58:16
12 to make along those lines. 07:58:18
13 Back in the early 90's when a lot of these 07:58:19
14 confinement units started popping up around the country, there's 07:58:22
15 a gentleman by the name of Dr. Kendall Thu at the University of 07:58:26
16 Iowa that was bound and determined that he was going to prove 07:58:29
17 that all of these livestock facilities were the root of all the 07:58:32
18 illness in the country. 07:58:35
19 To make a long story short, six years later he found 07:58:36
20 nothing and he's no longer at the University of Iowa. 07:58:39
21 MR. LARRY MOORE: If -- if we take -- get appraisals 07:58:46
22 on property now and appraisals two years from now and it comes 07:58:48
23 back there has been a decrease in property values, is that -- I 07:58:54
24 know you said you have -- it doesn't always turn out that way, 07:59:00
25 but -- 07:59:05

1 MR. BIGGS: Well, sir, right now if the price of corn 07:59:06
2 and beans stay where they're at, I can almost guarantee you that 07:59:12
3 your property's not going to be worth what it is today two years 07:59:16
4 down the road. Okay? 07:59:19
5 There's a lot of things that affects property values 07:59:20
6 other than a livestock facility in the neighborhood. And it's 07:59:25
7 not just whether or not there's a livestock -- a farmer building 07:59:30
8 a pig barn is not the only influence on your property values. 07:59:36
9 There's a lot of other things that have a whole lot more. 07:59:43
10 You look at the U.S. economy. You know. Who's going 07:59:46
11 to win the election? You know. That's going to affect property 07:59:49
12 values out in a rural neighborhood like yours, you know, more 07:59:52
13 than a pig barn being built on Scott's farm. 07:59:57
14 MR. LARRY MOORE: I would disagree with you. 08:00:02
15 MR. BIGGS: That's the great thing about America. 08:00:04
16 MR. LARRY MOORE: That's my -- 08:00:06
17 MR. TEEFEY: You'll have an opportunity to give that 08:00:07
18 testimony later if you so feel. 08:00:09
19 If you have one more question. 08:00:10
20 MR. LARRY MOORE: I got one more question. 08:00:12
21 MR. TEEFEY: You may do one more question. 08:00:13
22 MR. LARRY MOORE: If this meeting here tonight was on 08:00:15
23 Scott's want to have this and this is part of -- why did I have 08:00:19
24 to get seventy-five signatures to get this approved and get this 08:00:25
25 going? 08:00:28

1 Why did the county board vote not to have it? 08:00:29
2 MR. TEEFEY: I don't think that is a question that is 08:00:33
3 at the -- that can be answered at this particular meeting. It's 08:00:34
4 not the point of this meeting. 08:00:38
5 Thank you. 08:00:39
6 Yes. That's a question that maybe the county board 08:00:44
7 could answer at a different time. 08:00:46
8 All right. I saw a -- question back there in the 08:00:48
9 red. 08:00:48
10 MR. DAVID MURPHY: David Murphy again. 08:00:57
11 Since it appears that basically you are going to be 08:01:01
12 managing the facility, have you ever been cited by the EPA; and 08:01:03
13 if so, for what? 08:01:08
14 MR. BIGGS: Yes, we have. 08:01:13
15 MR. DAVID MURPHY: And what was the adjudication? 08:01:17
16 MR. BIGGS: And when Warren mentioned the -- how they 08:01:20
17 worked with the EPA and changed the building structure where the 08:01:24
18 waterline was running through the pit, that was actually a common 08:01:28
19 practice in construction, and unfortunately it was one of our 08:01:32
20 facilities, one of our growers. 08:01:36
21 I was actually the one that walked along the barn and 08:01:38
22 go, "Oh, my God. You know. We've got a problem." 08:01:41
23 I was the one that picked up the phone and called the 08:01:46
24 EPA and said, "Eric, this is Nick Biggs. We got a problem. 08:01:49
25 We're dealing with it this way." 08:01:56

1 So, yeah, there were repercussions to that and there 08:01:58
2 were solutions. You know. We knew the industry had a problem 08:02:02
3 when we saw this. And that design has been fixed. They no 08:02:06
4 longer take the waterline through the -- through the pit wall and 08:02:10
5 go up under the office. The waterline comes up on the outside. 08:02:13
6 So it was a problem. We addressed it. 08:02:17
7 And same way. Same way. If we ever have a problem, 08:02:21
8 if there's an accident happens, yeah, we're the ones that stand 08:02:24
9 up and say, hey, guys, here's the problem. This happened. 08:02:30
10 And the thing is, manure spills, for example. They 08:02:34
11 do happen. We do have -- we actually educate our growers. Okay. 08:02:40
12 If this happens, if that tank rolls over in the ditch, very first 08:02:46
13 thing you do, block up the ditch. 08:02:52
14 So we have processes involved. 08:02:54
15 MR. DAVID MURPHY: Absolutely. I just wanted to know 08:02:57
16 how many times you've been cited, how many facilities. I mean, I 08:02:58
17 realize how many facilities you've got. 08:03:02
18 MR. BIGGS: We have a lot of facilities. 08:03:05
19 MR. MUHLENBRUCK: We weren't really cited. It was 08:03:07
20 the grower. 08:03:09
21 MR. BIGGS: Yeah. We -- yeah, that's true. We 08:03:11
22 weren't really cited. It was the grower that was actually cited. 08:03:11
23 But we're their partner, so we take ownership as well. 08:03:14
24 MR. MUHLENBRUCK: In addition to that, following the 08:03:19
25 instance that Nick was talking about, we hired a concrete expert 08:03:21

1 who serves on our staff. And in addition to the Department of Ag 08:03:24
2 inspections on these construction projects, Dave Blankenbach is 08:03:29
3 his name, he is out there checking and making sure the rebar's 08:03:35
4 right, that the -- 08:03:38
5 MR. BIGGS: Probably every other day. 08:03:39
6 MR. MUHLENBRUCK: That all of the construction is 08:03:41
7 right. 08:03:43
8 Also, when you start talking about these issues, the 08:03:46
9 emergency management plans are part of the PQA. So when these 08:03:50
10 new farmers, or new growers start, they fill out, "Okay. Who do 08:03:55
11 I notify if a pig gets sick? Who do I notify if there's an 08:03:59
12 environmental issue?" 08:04:05
13 It gets right down to -- 08:04:05
14 MR. BIGGS: Who do I notify if I need a trackhoe, a 08:04:08
15 backhoe? All of that. 08:04:11
16 MR. DAVID MURPHY: My question is real simple. How 08:04:13
17 many times have you been cited in the last five years? 08:04:14
18 MR. BIGGS: In the last five years? 08:04:16
19 MR. DAVID MURPHY: Yeah. 08:04:19
20 MR. MUHLENBRUCK: I don't believe any. 08:04:20
21 MR. BIGGS: I don't think any. 08:04:21
22 MR. DAVID MURPHY: Okay. Thank you. 08:04:23
23 MR. BIGGS: Yeah. I guess I didn't hear the five 08:04:26
24 years, the last five years part. 08:04:27
25 MR. TEEFEY: We are going to go ahead and take a ten 08:04:29

1 minute break. I realize there are still some questions. We've 08:04:31
2 been going at it for about two hours now. 08:04:34
3 We're going to take a ten minute break and we will 08:04:37
4 come back and we will continue the question and answer session of 08:04:39
5 this meeting. 08:04:41
6 So we will -- looks like it's about 8:03. We will 08:04:43
7 say let's come back here at 8:13 and reconvene with our question 08:04:47
8 and answer session. 08:04:51
9 (A recess was taken.). 08:15:44
10 MR. TEEFEY: If you would go ahead and find your seat 08:21:00
11 we're going to get started here very shortly. It's 8:20. So we 08:21:03
12 would like you to find a seat so we can get started. I know we 08:21:07
13 have a few more questions. 08:21:10
14 Okay. We are back on the record. It is 8:20. I 08:21:30
15 know that we have a few more questions. 08:21:48
16 We also have about thirteen people signed up to give 08:21:50
17 oral testimony. So we would like to get through the question 08:21:54
18 session. We want to take all -- any questions you have, but if 08:21:57
19 we could kind of get the questions out of the way, that would be 08:22:01
20 great. 08:22:05
21 So if you have any burning questions we will take 08:22:05
22 those now and continue our question session. 08:22:07
23 There in the black shirt. 08:22:10
24 MS. HEATHER McMEEKAN: This is just a really --
25 THE REPORTER: I need a name, ma'am.

1 MS. HEATHER McMEEKAN: Oh, sorry. Heather McMeekan
2 again. M-c-M-e-e-k-a-n.
3 If the Bernedotte CAFO is approved --
4 THE REPORTER: I'm sorry. If the what?
5 MS. HEATHER McMEEKAN: Bernedotte.
6 B-e-r-n-e-d-o-t-t-e. 08:22:31
7 MR. TEEFEY: And is that the -- are you referring to 08:22:31
8 the livestock facility that's in question at this particular 08:22:33
9 hearing? 08:22:35
10 MS. HEATHER McMEEKAN: Well, I just -- because 08:22:36
11 they're on the other side of Adair on the east side, I just 08:22:38
12 wondered how many miles between these two CAFO's, this one and 08:22:41
13 that one, would end up being. 08:22:45
14 MR. TEEFEY: It is a question for the Department. 08:22:48
15 MS. HEATHER McMEEKAN: Whoever can answer. 08:22:54
16 MR. BIGGS: I don't know about the Bernedotte -- or 08:22:57
17 Bernedotte facility. So I don't know. 08:23:00
18 MR. GOETSCH: Sorry. I don't believe that we're able 08:23:04
19 to answer that question. 08:23:06
20 MS. HEATHER McMEEKAN: I understand. 08:23:07
21 MR. TEEFEY: Okay. Thank you. 08:23:08
22 Any other questions? 08:23:08
23 Yes. 08:23:12
24 MS. MICHELLE LANGHOUT: Michelle Langhout with the 08:23:15
25 McDonough County Voice. 08:23:26

1 A question is about the power washing. Especially 08:23:26
2 with your vehicles after you transport the hogs for slaughter 08:23:30
3 you have to power wash your vehicles afterwards. 08:23:34
4 The question -- I guess it would be probably the 08:23:36
5 Facility or -- yeah, the Facility. 08:23:39
6 How is the wastewater from that process managed? 08:23:42
7 MR. MUHLENBRUCK: We use a lot of independent 08:23:49
8 truckers. We've also got a few market hog trucks of our own. 08:23:55
9 We -- we wash our trucks in a -- basically it's a 08:24:00
10 truck wash. We've got a crew that takes care of that. They're 08:24:07
11 washed and disinfected. 08:24:10
12 The wastewater for that goes into our municipal 08:24:12
13 sewage treatment center. And a lot of the independent truck 08:24:15
14 drivers -- or truckers, they're going to commercial facilities 08:24:22
15 where the same type of thing would happen. 08:24:25
16 MR. BIGGS: Our truck wash is actually in Oakville. 08:24:29
17 MR. MUHLENBRUCK: In Oakville, Iowa. 08:24:33
18 MS. MICHELLE LANGHOUT: So -- so the -- after the 08:24:34
19 hogs are offloaded, then the trucks are -- they are not washed at 08:24:36
20 that location; they are -- they are -- 08:24:42
21 MR. BIGGS: No. 08:24:44
22 MS. MICHELLE LANGHOUT: -- they are relocated? 08:24:45
23 MR. BIGGS: And the only hogs that would be offloaded 08:24:47
24 would actually be the little bitty baby pigs when they first come 08:24:48
25 in. And then everything else is going out. 08:24:52

1 MR. MUHLENBRUCK: To harvest. 08:24.55
2 MR. BIGGS: To the packing plants. 08:24:57
3 MS. MICHELLE LANGHOUT: Okay. I just -- I just 08:24:59
4 wanted to know about if the trucks could be on the -- on the road 08:25:00
5 empty but with manure in them. 08:25:05
6 MR. MUHLENBRUCK: They will be between the packing 08:25:07
7 plant or the pig facility and the truck wash. Absolutely. 08:25:09
8 MS. MICHELLE LANGHOUT: Okay. And I just wanted to 08:25:13
9 verify I understood. 08:25:14
10 Okay. Thank you. 08:25:16
11 MR. TEEFEY: Okay. Thank you. 08:25:16
12 Any other questions? 08:25:17
13 Okay. We are now moving onto the written testimony 08:25:21
14 phase of tonight's public meeting. 08:25:27
15 If you have written testimony that is not referred to 08:25:29
16 in your oral testimony, I will now accept it and enter it into 08:25:32
17 the record. 08:25:38
18 If you have written testimony that you will be 08:25:38
19 referencing during their oral testimony, it can be entered into 08:25:40
20 the record after your oral testimony. 08:25:43
21 Does anyone have written testimony that they would 08:25:48
22 like to enter into tonight's record? 08:25:51
23 All right. I have the sign-up sheets in front of me 08:25:57
24 from the oral testimony sheets that were in the back of the room 08:26:02
25 listing the people who wish to provide oral testimony at 08:26:06

1 tonight's meeting. 08:26:10

2 I will call the names of those who wish to testify. 08:26:10

3 When called upon, please step up to the microphone, state your 08:26:14

4 name, and spell your last name for the court reporter. I will 08:26:18

5 then swear you in. 08:26:22

6 Remember, during this time you will have three 08:26:24

7 minutes to speak. 08:26:28

8 If you are an attorney representing clients you will 08:26:30

9 have the opportunity to speak for ten minutes. 08:26:32

10 At this time I would like to ask if there are any 08:26:35

11 attorneys who wish to testify on behalf of their clients. 08:26:37

12 All right. I will now read down the line of people 08:26:47

13 who have signed up to give oral testimony. 08:26:52

14 Colby Hunt. Do you still wish to give oral 08:26:55

15 testimony? 08:27:06

16 MR. COLBY HUNT: Yes. 08:27:07

17 MR. TEEFEY: Okay. We have the mic set up here at 08:27:07

18 the stand. If you would like to give oral testimony we would ask 08:27:10

19 that you come up to the mic stand. 08:27:12

20 MR. COLBY HUNT: Colby Hunt, H-u-n-t. 08:27:28

21 MR. TEEFEY: Mr. Hunt, would you please raise your 08:27:28

22 right hand? 08:27:31

23 COLBY HUNT, 08:27:31

24 having been sworn by the Hearing Officer, testified: 08:27:31

25 MR. COLBY HUNT: Good evening. Thanks for having me. 08:27:44

My name is Colby Hunt. I'm the President of McDonough County Farm Bureau

I would like to thank you for this opportunity to speak tonight on the subject of livestock expansion in our county.

McDonough County Farm Bureau supports all aspects of agriculture, including the development of livestock farms.

Our position concurs with the Illinois Farm Bureau policy by encouraging growth and enhancement of the livestock industry throughout the state. Animal agriculture plays a vital role in the economies of Illinois. In particular, our county.

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

Although the size of farms have grown, the values we hold dear are just as strong as they were generations ago. We want safe food, protection for our environment, and quality care for animals.

Agriculture, whether crops or livestock, is an important part of McDonough County and its economy. According to the 2015 Illinois Agriculture Economic Contribution Study, livestock production in McDonough County contributes thirty-five million in the local economy and provides a hundred and twenty jobs. Livestock farms provide an important market for grain. Hogs in McDonough County consume more than 850,000 bushels of

1 corn and over 250,000 bushels of beans on an annual basis. 08:29:15
2 Bringing more livestock production in McDonough 08:29:21
3 County allows new generations to move back to the farm, something 08:29:24
4 many of us in agriculture work towards each day. The 08:29:30
5 opportunities available to newer farmers are sometimes limited, 08:29:34
6 but those in the livestock industry -- or those -- but an 08:29:38
7 expanding livestock industry allows those interested a place in 08:29:44
8 the industry. 08:29:48
9 We understand that there's some people that are 08:29:50
10 uncomfortable with how hog farms -- or how hogs are produced 08:29:52
11 today, but we are quick to make a stand with this simple thought: 08:29:58
12 We in production agriculture have never and will never lose sight 08:30:02
13 of the values that have faithfully guided Illinois farmers to 08:30:07
14 produce safe products, provide quality animal care, and to 08:30:10
15 protect our air, land, and water. 08:30:15
16 On behalf of the McDonough County Farm Bureau, I 08:30:19
17 would like to thank you for allowing me to speak tonight. 08:30:21
18 MR. TEEFEY: Thank you, Mr. Hunt. 08:30:25
19 Do you have your oral testimony on a piece of paper 08:30:26
20 that may be admitted? 08:30:28
21 MR. COLBY HUNT: Yeah, I do. And I have it 08:30:30
22 digitally, too. 08:30:32
23 MR. TEEFEY: Okay. Are there any questions for Hr. 08:30:32
24 Hunt? 08:30:34
25 Yes. In the back. 08:30:37

1 MR. RICHARD CHAMBERLAIN: You said there's a hundred
2 and twenty --
3 THE REPORTER: Name, sir?
4 MR. RICHARD CHAMBERLAIN: Richard Chamberlain,
5 C-h-a-m-b-e-r-l-a-i-n.
6 You said there's a hundred and twenty jobs 08:30:48
7 agriculture creates in the county. It sounds like that should be 08:30:52
8 a lot more. 08:30:53
9 MR. COLBY HUNT: I mean, that's -- those are the -- 08:30:54
10 the facts that the Illinois Agriculture Contribution Study has 08:30:56
11 that I referenced. 08:30:59
12 MR. RICHARD CHAMBERLAIN: Seems very light. 08:31:02
13 MR. COLBY HUNT: Yeah. 08:31:02
14 Oh. Yeah. It might have been specific to livestock. 08:31:06
15 That's what -- yeah. Livestock production in McDonough County. 08:31:09
16 MR. RICHARD CHAMBERLAIN: That's still not very many. 08:31:13
17 MR. TEEFEY: All right. At this time I would like to 08:31:17
18 mark Mr. Hunt's testimony as Exhibit Number 4 and enter it into 08:31:19
19 the record. 08:31:23
20 Thank you, Hr. Hunt. 08:31:33
21 MR. COLBY HUNT: Thank you. 08:31:36
22 MR. TEEFEY: Dan O'Neill has signed up next to give 08:31:37
23 testimony. 08:31:41
24 THE REPORTER: Sir, how is O'Neill spelled? 08:31:41
25 MR. DAN O'NEILL: O-N-e-i-l-l. Dan O'Neill. 08:31:55

1 MR. TEEFEY: Mr. O'Neill, would you raise your right 08:31:56
2 hand? 08:31:58
3 DAN O'NEILL, 08:31:59
4 having been sworn by the Hearing Officer, testified: 08:32:04
5 MR. TEEFEY: Okay. 08:32:04
6 MR. DAN O'NEILL: Thanks for listening to me. I'm an 08:32:07
7 independent businessman that's been around the area for 08:32:09
8 thirty-five years, and I'm sure some of you think it's about 08:32:11
9 thirty-four too long. 08:32:14
10 Beside that. Anyway, I really enjoy the Livestock 08:32:16
11 Management Facility Act where it starts off with a safe, clean 08:32:19
12 environment, as well as the right of livestock farmers to earn a 08:32:24
13 living. 08:32:26
14 It concludes animal agriculture is important in the 08:32:26
15 Illinois economy and should be maintained, but farmers have a 08:32:29
16 responsibility to be good neighbors. 08:32:33
17 There's not a better man walking the face of the 08:32:34
18 earth than Scotty Herndon when it comes to being a good neighbor. 08:32:37
19 Okay? 08:32:37
20 Those of you that are familiar with him, I don't have 08:32:41
21 to say anymore. We're good there. 08:32:44
22 I'm going to speak a little bit about TriOaks. We do 08:32:46
23 business with TriOaks in the grain business. They buy our raw 08:32:50
24 materials -- not ours. They buy the raw materials that farmers 08:32:54
25 produce in this area, and in turn put them back into feed, put 08:32:58

them back into our local economy. 08:33:03

They have invested greatly in their facility in 08:33:05
Bushnell. They've expanded it. They're putting money back into 08:33:10
the local economy and that's what it's about. 08:33:14

All of us want the local economy to thrive. 08:33:17
Agriculture is a huge, huge part of this economy, whether anybody 08:33:20
wants to recognize that or not. 08:33:25

I'm a glass half full guy. This thing is good for 08:33:26
our area. Everybody's benefited that's connected with 08:33:32
agriculture from this. 08:33:36

The hog market has been very positive. Seven, eight 08:33:38
years ago, maybe ten years ago, I remember a gentleman sitting in 08:33:42
our office wondering what they could do to get the next 08:33:45
generation back into the area, to keep the kids on the farm, if 08:33:50
you will. 08:33:53

Well, TriOaks came up with a solution. They've 08:33:55
instituted this. There's families sitting in this room. They've 08:33:58
all done a real good job of managing these facilities. They've 08:34:03
all done a real good job of working with TriOaks and keeping this 08:34:07
next generation on the farm. And that's great for the area. We 08:34:11
need all of that that we can possibly get. It's sustainable 08:34:14
agriculture and they've done a good job. 08:34:18

I cannot address everything. I do know on the TQA, 08:34:19
the Transport Quality Assurance, they do a wonderful job. Those 08:34:23
guys are educated and they -- you just don't have -- they don't 08:34:28

1 do any business with any knuckleheads. They've got quality 08:34:32
2 people from the ground all the way up. And anybody you talk to 08:34:36
3 will tell you that same thing. 08:34:41
4 A lot of these -- not a lot of them. Some of these 08:34:46
5 people have already committed or have already finished their 08:34:48
6 original lease, if you will, or agreement with TriOaks, and what 08:34:51
7 have they done? They've agreed to extend. 08:34:57
8 Now you wouldn't go in there and extend those 08:35:01
9 agreements if it wasn't for your good and it wasn't for everybody 08:35:04
10 else's good. And I mean, I think that makes a big difference all 08:35:08
11 the way across the board. 08:35:12
12 So I'm probably -- I'd like to talk some, but I'm 08:35:14
13 probably past my three minutes. 08:35:17
14 MR. TEEFEY: Thank you, Mr. O'Neill. 08:35:19
15 Are there any questions for Mr. O'Neill? 08:35:20
16 Yes. In the back. 08:35:23
17 MR. MARC OTT: Marc Ott. M-a-r-c O-t-t. 08:35:23
18 Yes, Mr. O'Neill. I appreciate what you're saying. 08:35:28
19 I think it's good for business and good for the business 08:35:30
20 community. 08:35:33
21 I don't really believe that TriOaks is coming to 08:35:34
22 McDonough County to bring the kids back to the farm. I think 08:35:38
23 it's -- 08:35:42
24 MR. TEEFEY: Do you have a question, sir? 08:35:42
25 MR. MARC OTT: I suppose it's more of a comment than 08:35:47

1 a question. 08:35:49
2 MR. TEEFEY: Okay. This -- the opportunity right now 08:35:49
3 is just for questions for the person who signed up to give oral 08:35:51
4 testimony. 08:35:54
5 MR. MARC OTT: Okay. 08:35:55
6 MR. TEEFEY: Thank you. 08:35:56
7 MR. MARC OTT: You're welcome. 08:35:57
8 MR. TEEFEY: Any other questions for Mr. O'Neill? 08:35:57
9 Yes, sir. 08:36:00
10 MR. ANDY RIGGINS: Andy Riggins, R-i-g-g-i-n-s. 08:36:08
11 Could you point out those individuals that have been 08:36:08
12 brought back to the family that you know of in this room right 08:36:10
13 now, please? 08:36:12
14 MR. DAN O'NEILL: Well, I am not -- I can, but I've 08:36:13
15 not spoken to them individually, so I don't know -- I mean, I 08:36:16
16 would be more than happy to recognize them if it's -- if it's 08:36:18
17 allowable for -- I mean, we've got your family, obviously, that 08:36:22
18 would be one of them. And there's -- there's other ones in here, 08:36:25
19 too. And I haven't spoken to them, so I don't know if they want 08:36:30
20 to be recognized. I'll give them that. 08:36:33
21 One other thing that I did not mention that I would 08:36:38
22 like to -- that I would really like to mention is that I'm a big 08:36:41
23 guy at giving back. I do a lot. I'm not tooting my own horn. I 08:36:46
24 like giving back to the community. 08:36:53
25 The community has been tremendously good to me and 08:36:54

1 the business that I work in. 08:36:57
2 TriOaks has given back. They have yet to deny me 08:36:58
3 when I have asked them for something; to contribute to the 08:37:02
4 community in the form of a charitable contribution, in the form 08:37:05
5 of pork chops, in the form of anything. 08:37:09
6 I think a lot of you know that you go asking for 08:37:12
7 stuff from people you don't -- you don't always get a yes. 08:37:15
8 Which it's pretty easy to get a yes from these folks. 08:37:17
9 MR. TEEFEY: Any other questions for Mr. O'Neill? 08:37:21
10 Thank you, Mr. O'Neill. 08:37:23
11 MR. DAN O'NEILL: Thank you. 08:37:26
12 MR. TEEFEY: Kolette Herndon? 08:37:30
13 Could you state your name and spell your last name, 08:37:42
14 please? 08:37:44
15 MS. KOLETTE HERNDON: I'm Kolette Herndon. I'm the 08:37:45
16 oldest daughter of Scott Herndon. H-e-r-n-d-o-n. 08:37:48
17 MR. TEEFEY: Would you raise your right hand? 08:37:52
18 MS. KOLETTE HERNDON: Yes. 08:37:52
19 Oh. 08:37:52
20 MR. TEEFEY: Your other right. 08:37:52
21 Do you swear or affirm -- 08:37:52
22 MS. KOLETTE HERNDON: I'm off to a great start. 08:37:58
23 KOLETTE HERNDON, 08:37:58
24 having been sworn by the Hearing Officer, testified: 08:38:07
25 MR. TEEFEY: Thank you. 08:38:07

1 MS. KOLETTE HERNDON: So I want to go on the record 08:38:12
2 as not being a professional in the hog industry. I am not going 08:38:15
3 to speak to that, but I can go on the record of having testimony 08:38:20
4 for the leader of this, my father. 08:38:24
5 My dad is the hardest working man I have ever met. 08:38:29
6 And he has taught me what the value of a dollar is. 08:38:33
7 He gives back to the community. He is an active 08:38:38
8 member in the community. And he is loved by his community. He 08:38:41
9 is down-home country as it gets. 08:38:46
10 I grew up riding a combine for fun. Jumped on the 08:38:48
11 hay bales for fun. Surprises were accidentally putting your 08:38:52
12 hands on the electric fence. You know. That was my life. 08:38:57
13 This can't get more country. And where we are in 08:39:02
14 this community is country and it's agriculture. 08:39:06
15 And I want to go on the record of being very pro ag. 08:39:09
16 And I am in full support. 08:39:14
17 I may not know everything. I learned just as much as 08:39:15
18 anyone in this room tonight. I'm learning, too. 08:39:20
19 But I can give the best testimony up here for the man 08:39:22
20 that will be the genuine, sincere, loving person. Has been 08:39:27
21 through hell and back. 08:39:35
22 And this is our livelihood. That's what it comes 08:39:36
23 down to. 08:39:42
24 That's it. 08:39:44
25 MR. TEEFEY: Thank you, Miss Herndon. 08:39:44

1 Any questions for Miss Herndon? 08:39:46
2 Thank you. 08:39:49
3 MR. TEEFEY: Larry Moore? 08:39:54
4 MR. LARRY MOORE: I'll pass. 08:39:59
5 MR. TEEFEY: Okay. 08:40:00
6 MR. LARRY MOORE: I -- I won't pass. I'll go up. 08:40:02
7 MR. TEEFEY: Okay. 08:40:04
8 MR. LARRY MOORE: I'll use my right hand. 08:40:18
9 MR. TEEFEY: Okay. Could you go ahead and state your 08:40:18
10 name? 08:40:18
11 MR. LARRY MOORE: Larry Moore, M-o-o-r-e. 08:40:18
12 LARRY MOORE, 08:40:23
13 having been sworn by the Hearing Officer, testified: 08:40:27
14 MR. TEEFEY: Thank you. 08:40:27
15 MR. LARRY MOORE: My name is Larry Moore. I moved to 08:40:30
16 New Salem Township thirty-two years ago. My family, as well 08:40:34
17 Scott's, have had family tragedies and we've watched the 08:40:37
18 community come together and lift us up and give us support. And 08:40:40
19 we both know what that's all like. 08:40:45
20 I will not tell you anything except good things about 08:40:47
21 Scott Herndon. He's been a friend of mine for a number of years. 08:40:51
22 I went to the county board meeting. The county board 08:40:56
23 voted not to have this informational meeting. So what was said 08:40:59
24 about Scott wanting to have it, he may have wanted to have it, 08:41:03
25 but it wasn't going to happen unless we -- we circulated 08:41:06

1 petitions to get enough signatures to put this together. 08:41:10
2 I felt like I owed my community the right to have 08:41:14
3 this meeting, so I helped circulate the petitions to get the 08:41:18
4 information out there, what was going on inside the community. 08:41:22
5 I never got one single signature that wasn't involved 08:41:27
6 in the immediate area. I went to the affected people and asked 08:41:32
7 them what their opinion was and they all signed the petition. 08:41:36
8 The biggest concern was the fact that Scott lives 08:41:41
9 nine miles away from the proposed building site and is not going 08:41:44
10 to have to endure the odors and the discomfort of this in the 08:41:48
11 evenings when everybody else is going to have to close their 08:41:57
12 windows and endure it. 08:42:00
13 And I'm -- I don't think Scott's doing this on -- 08:42:02
14 with any malice or anything like that. I think just the 08:42:05
15 circumstance. 08:42:08
16 But it's created an issue to me with the fact that 08:42:10
17 any property owner, whether they live in the State of Illinois or 08:42:15
18 wherever, can come to McDonough County and put up a hog barn. 08:42:20
19 So the communities around McDonough County can be 08:42:26
20 directly affected by this and have nothing to do or say about it. 08:42:30
21 And that was -- that was my concern. That was me trying to look 08:42:35
22 out for my community. 08:42:39
23 I'm in favor of hog barns. Most of them that I know 08:42:41
24 they've built are outside their home. They work in them every 08:42:45
25 day. And I got a lot of respect for them people that share in -- 08:42:49

1 in the bad side of a hog barn. 08:42:53
2 You know, I'm more than willing to share in it with 08:42:56
3 them if they share in it with me. 08:42:59
4 But for somebody to build something nine miles away 08:43:02
5 from their home and be able to go home and not have to be around 08:43:05
6 it, that was my concern. 08:43:08
7 And then I got thinking about it. And I've got 08:43:10
8 landlords that live in Michigan. There's nothing that says they 08:43:12
9 can't come down and say, "We're going to put up hog barns in 08:43:16
10 partnership with TriOaks." That's what my concern is. 08:43:20
11 So I -- I have nothing except good to say about 08:43:24
12 Scott. I know a lot of the guys got hog barns. They're good 08:43:27
13 people. There's no doubt in my mind that they're good people, 08:43:30
14 but this is something I think that the county needs to address, 08:43:35
15 the fact that these things can pop up anywhere. 08:43:39
16 MR. TEEFEY: Thank you, Mr. Moore. 08:43:42
17 Are there any questions for Mr. Moore? 08:43:43
18 Yes. 08:43:46
19 MR. NICK ANDERSON: Nick Anderson, A-n-d-e-r-s-o-n. 08:43:48
20 Larry, you talked about Scott should maybe put this 08:43:48
21 at his homeplace, but did you understand in the presentation 08:43:54
22 tonight that he cannot meet the requirements of the Act at his 08:43:57
23 homeplace? 08:44:00
24 MR. LARRY MOORE: I know that he's got more acres of 08:44:02
25 his own there than where -- than where he's building it. I'm not 08:44:05

1 sure which neighbors -- 08:44:07
2 MR. NICK ANDERSON: So Larry, I guess the question is 08:44:11
3 do you understand that -- that Scott cannot build at his 08:44:12
4 homeplace because he cannot meet the requirements of the Act? 08:44:15
5 Do you understand that? 08:44:18
6 So he's prohibited from building at his homeplace 08:44:21
7 because he can't meet the requirements of the Act. 08:44:25
8 MR. LARRY MOORE: He doesn't have the 425 acres at 08:44:28
9 the building site. 08:44:30
10 MR. NICK ANDERSON: You want him to build it at his 08:44:35
11 homeplace, correct? 08:44:36
12 MR. LARRY MOORE: Right. 08:44:37
13 MR. NICK ANDERSON: So the Act will not let him do 08:44:38
14 that. 08:44:40
15 Do you understand that? 08:44:40
16 MR. LARRY MOORE: Okay. 08:44:41
17 MR. NICK ANDERSON: Okay. That's all I need to know, 08:44:42
18 if you understand it. 08:44:43
19 Thank you. 08:44:44
20 MR. LARRY MOORE: I am just saying that this could 08:44:45
21 happen anywhere. 08:44:46
22 MR. NICK ANDERSON: You want him to build at his 08:44:49
23 home -- 08:44:49
24 MR. TEEFEY: I think -- I think we got the question. 08:44:49
25 Were there any -- 08:44:52

1 MR. LARRY MOORE: I understand. I understand. But 08:44:53
2 my point -- my point is is that anybody that owns property in 08:44:54
3 McDonough County can come in and put up hog barns. Whether they 08:44:58
4 -- whether -- they don't have to live there. 08:45:02
5 MR. NICK ANDERSON: If -- 08:45:04
6 MR. TEEFEY: I think -- I think we understand the 08:45:05
7 question and answer. 08:45:06
8 Are there any other questions for Mr. Moore? 08:45:07
9 All right. Thank you, Mr. Moore. 08:45:09
10 MR. LARRY MOORE: Thank you. 08:45:12
11 MR. TEEFEY: Jerome Anderson? 08:45:13
12 MR. JEROME ANDERSON: I will pass. 08:45:17
13 MR. TEEFEY: Heather -- is it McMeetian? 08:45:20
14 MS. HEATHER McMEEKAN: McMeekan. 08:45:28
15 MR. TEEFEY: McMeekan? 08:45:28
16 MS. HEATHER McMEEKAN: Bad handwriting. 08:45:31
17 MR. TEEFEY: Could you state your name and spell your 08:45:38
18 last name? It know it's been spelled on the record before, 08:45:40
19 but -- 08:45:40
20 MS. HEATHER McMEEKAN: Heather McMeekan, 08:45:42
21 M-c-M-e-e-k-a-n. 08:45:42
22 HEATHER McMEEKAN, 08:45:42
23 having been sworn by the Hearing Officer, testified: 08:45:52
24 MR. TEEFEY: Thank you. 08:45:52
25 MS. HEATHER McMEEKAN: Okay. People keep mentioning 08:45:56

1 bringing families back to the -- to small farms or families back 08:45:59
2 to their farms, but overwhelmingly with concentrated farms like 08:46:03
3 this the families don't usually live on that farm. 08:46:10
4 UNIDENTIFIED SPEAKER: You're wrong. 08:46:14
5 MR. TEEFEY: No. We're -- we're not going to have 08:46:15
6 any interruptions right now. She signed up to testify and she'll 08:46:16
7 be given the opportunity to testify. 08:46:19
8 MS. HEATHER McMEEKAN: I'm talking about 08:46:21
9 overwhelmingly throughout the United States where these farms are 08:46:22
10 they're not often bringing the family back to the farm to live 08:46:27
11 there. Often the property passes to somebody else once that 08:46:29
12 family is done. And then you don't have any guarantees that the 08:46:33
13 next people who come in and buy that will adhere to the same 08:46:39
14 standards. 08:46:42
15 Now the Illinois EPA has been cited by the U.S. EPA 08:46:43
16 for not adequately doing their job in monitoring and remediating 08:46:47
17 problems. And so they are tasked now with ensuring that the 08:46:51
18 Illinois EPA does their job. 08:46:56
19 When someone wants to put up these operations and -- 08:47:00
20 and it's obvious that this family loves their community, loves 08:47:02
21 their neighbors, cares very deeply about doing the right thing, 08:47:05
22 but as -- these operations do cause the neighbors to take on all 08:47:12
23 the risk that are carried on with these farms for very little of 08:47:16
24 the profit or benefit. 08:47:23
25 And 136 is a corridor where many WIU students drive 08:47:25

1 through. And I do have concerns about what effect the smell 08:47:30
2 would have on their impressions when investigating coming here 08:47:32
3 for Discover Western whether or not they wish to attend. 08:47:35
4 There are health concerns that are well documented 08:47:40
5 for people. The fans do pump hydrogen sulfide into the air. And 08:47:43
6 surrounding neighbors at other residential areas have documented 08:47:49
7 increased headaches, respiratory problems, and decreased quality 08:47:54
8 of life for those who have to live within the smell, whether they 08:47:59
9 learn to adjust to it or not. 08:48:02
10 Safe water can only be given away once. The air that 08:48:04
11 goes over our lands, the soil that covers them, the water that 08:48:08
12 runs underneath is part of our commonwealth. And I really do 08:48:14
13 think that risk to it deserves very careful weighing of the risks 08:48:18
14 versus the benefits. 08:48:22
15 Thank you. 08:48:24
16 MR. TEEFEY: Thank you. Are there any questions? 08:48:24
17 And please limit it to two questions per Mr. -- Mrs. McMeekan. 08:48:27
18 I apologize. 08:48:32
19 Any questions? 08:48:34
20 All right. Thank you very much. 08:48:37
21 David Murphy was signed up to testify. He has 08:48:39
22 passed. 08:48:47
23 David Brint? 08:48:47
24 Would you please state your name and spell your last 08:49:03
25 name for the record, please? 08:49:05

1 MR. DAVID BRINT: David Brint. B-r-i-n-t. 08:49:06
2 MR. TEEFEY: Mr. Brint, would you please raise your 08:49:09
3 right hand? 08:49:09
4 DAVID BRINT, 08:49:09
5 having been sworn by the Hearing Officer, testified: 08:49:09
6 MR. TEEFEY: Thank you. 08:49:09
7 MR. DAVID BRINT: I want to briefly talk about TriOak 08:49:19
8 and what they do for our area. 08:49:22
9 I live north of Bushnell. Half mile out of Walnut 08:49:25
10 Grove. My wife's family is -- where we live on the farm, she -- 08:49:29
11 my kids, if they continue to come to the farm, will be fifth 08:49:34
12 generation on the farm. 08:49:38
13 TriOaks has nine full-time positions at that facility 08:49:39
14 in Bushnell that uses sixty semi loads of corn weekly and twenty 08:49:42
15 loads of soybean meal that are purchased weekly to supply the 08:49:49
16 Bushnell mill. That equals sixty thousand bushels of corn per 08:49:52
17 week and over three million bushels a year. 08:49:56
18 To equate that, that's a barge load of corn every 08:49:59
19 week that does not go down the Illinois River and creates an 08:50:01
20 opportunity for producers here in McDonough County. 08:50:05
21 TriOaks Foods has also taken and helped in 08:50:05
22 fundraising awareness. Dan talked about numerous non-profit 08:50:10
23 organizations, including the Lions Club, Rotary Club, Kiwanis, 08:50:13
24 veterans groups, and the Macomb Agri-Science Association, and the 08:50:18
25 Bushnell 4th of July Committee. They've given money, pork chops, 08:50:21

1 whatever the community has needed. 08:50:24
2 TriOaks, whenever hosting a company event, spends 08:50:26
3 their money locally, whether it's the Bushnell locker, at 08:50:28
4 Ludlum's, Hy-Vee. Wherever they need supplies they stay in this 08:50:33
5 county. 08:50:35
6 They also buy office supplies from local stores in 08:50:36
7 Bushnell. I know that for a fact because they bought from my 08:50:39
8 wife's company. 08:50:41
9 TriOaks also has placed Schuld/Bushnell on a list of 08:50:42
10 approved suppliers for bids, so that creates more jobs in our 08:50:46
11 community. 08:50:49
12 TriOaks also uses local businesses to provide 08:50:50
13 services on their fleet of vehicles, which keeps truck shops in 08:50:53
14 Bushnell and McDonough County going. 08:50:57
15 They also buy their fuel locally, which I'm guessing 08:50:59
16 is coming from our co-op. 08:51:01
17 TriOaks utilizes local contractors for capital 08:51:03
18 improvements on the mill whenever possible, and they encourage 08:51:07
19 their staff and growers to be involved and support charitable 08:51:09
20 organizations and in kind involvement with membership and 08:51:12
21 assistance. 08:51:15
22 TriOak is a good corporate citizen. One thing that 08:51:16
23 I'm excited about TriOak, I've got two kids that are just in 08:51:19
24 junior high. One of them, maybe both of them, might come back to 08:51:22
25 the farm, and they give me opportunity to let them come back to 08:51:26

1 the farm. Nobody else does. 08:51:30
2 Thank you. 08:51:32
3 MR. TEEFEY: Thank you, Mr. Brint. 08:51:33
4 Are there any questions for Mr. Brint? 08:51:34
5 Thank you. 08:51:38
6 And I'm not exactly sure the pronunciation of the 08:51:43
7 first name. I'm just going to say Miss Bunting from Emington, 08:51:46
8 Illinois. 08:51:49
9 MS. TASHA BUNTING: Tasha Bunting.
10 MR. TEEFEY: Tasha. Okay. I should have been able
11 to get that one.
12 Please spell your last name.
13 MS. TASHA BUNTING: B-u-n-t-i-n-g.
14 TASHA BUNTING,
15 having been sworn by the Hearing Officer, testified:
16 MS. TASHA BUNTING: Good evening. My name is Tasha 08:52:21
17 Bunting. I am a mother, farmer, and livestock industry 08:52:23
18 professional. 08:52:27
19 I was raised caring for cows and crops on a 08:52:28
20 centennial farm. And today my husband and I are raising our 08:52:33
21 children on a farm in Livingston County. 08:52:35
22 Two of our neighbors have hog farms. One a half a 08:52:37
23 mile away, and the other much larger farm is about two miles from 08:52:41
24 our house. 08:52:44
25 The Livestock Management Facilities Act provides a 08:52:46

1 balanced approach to protect the environment and allow farmers 08:52:50
2 the ability to raise livestock on our farms. 08:52:54
3 The LMFA sets forth a list of siting criteria which 08:52:57
4 must be met before any livestock farm is constructed or expanded 08:53:01
5 at a specific location. The same guidelines are applied to every 08:53:05
6 farmer in Illinois seeking to develop a livestock facility, those 08:53:10
7 who are looking to diversify, young farmers joining into their 08:53:14
8 family business, and farmers who have joined together to create a 08:53:18
9 new enterprise. 08:53:21
10 The LMFA provides state wide standards which ensure 08:53:22
11 all farmers in Illinois are sited consistently. 08:53:27
12 To guarantee these standards are met and maintained, 08:53:31
13 IUA physically inspections each site before, during, and after 08:53:33
14 construction. 08:53:38
15 Though new technologies, increased efficiencies, 08:53:42
16 environmental stewardship and animal care have certainly changed 08:53:47
17 the look of our farms through the years, the values and 08:53:50
18 dedication to agriculture remains the same and 98 percent of the 08:53:53
19 farms in Illinois are maintained and owned by Illinois farm 08:53:56
20 families. 08:54:00
21 These farm families work hard to provide safe food, 08:54:01
22 protect our environment, and provide quality care to our animals. 08:54:05
23 Livestock farms provide an important market for 08:54:11
24 grain, they help farmers in the area by providing additional 08:54:14
25 demands, and support prices for corn and soybeans. 08:54:17

1 Restricting livestock farms in McDonough County will 08:54:21
2 mean less economic development and fewer markets for local farm 08:54:24
3 crops. 08:54:27
4 The farm will help create property tax revenue for 08:54:28
5 the county and many other units of local government. 08:54:31
6 Everyone gathered here tonight came to learn more 08:54:35
7 about this facility. Certainly modern hog farms have gotten 08:54:39
8 larger and more sophisticated, yet the vast majority in Illinois 08:54:42
9 operate without disrupting neighbors or community each year. 08:54:47
10 The most recent EPA inspection report shows that less 08:54:50
11 than one hundred percent of hogs farms in Illinois have an odor 08:54:54
12 or water pollution violation. 08:54:59
13 Pig farms and all farmers are committed to using the 08:55:00
14 latest technology to form environmental practices that protect 08:55:04
15 our natural resources and reduce our impact on the environment in 08:55:07
16 Illinois. 08:55:12
17 The pork industry has been quite successful for 08:55:12
18 caring for their animals, the environment, and their neighbors. 08:55:15
19 Thank you. 08:55:19
20 MR. TEEFEY: Thank you, Miss Bunting. 08:55:20
21 Are there any questions for Miss Bunting? 08:55:23
22 Question over here. 08:55:28
23 MS. MICHELLE LANGHOUT: Michelle Langhout, McDonough 08:55:34
24 County Voice. 08:55:37
25 Miss Bunting, you said you're a livestock industry 08:55:38

professional, is that correct? 08:55:40

MS. TASHA BUNTING: Yes. 08:55:41

MS. MICHELLE LANGHOUT: Who do you work for? 08:55:42

MS. TASHA BUNTING: I -- my husband and I live on a farm. We own cattle, a few show pigs, and sheep. And I just joined the Illinois Farm Bureau in the livestock area. 08:55:43 08:55:46 08:55:52

MS. MICHELLE LANGHOUT: Okay. Thank you. 08:55:55

MS. TASHA BUNTING: You're welcome. 08:55:58

MR. TEEFEY: Thank you. 08:55:58

Kendell Litchfield? 08:56:04

Please state your first and last name. 08:56:16

MR. KENDELL LITCHFIELD: Kendell Litchfield. L-i-t-c-h-f-i-e-l-d. 08:56:18 08:56:18

MR. TEEFEY: Please raise your right hand. 08:56:19

KENDELL LITCHFIELD, 08:56:21

having been sworn by the Hearing Officer, testified: 08:56:21

MR. TEEFEY: Thank you. 08:56:21

MR. KENDELL LITCHFIELD: I am a grain farmer. I live about seven miles south of here. And I signed the petition to have this meeting because I think as farmers that we don't do enough to educate consumers, and that would include ourselves, because we produce it when we're also consumers. 08:56:31 08:56:32 08:56:36 08:56:41 08:56:45

So I think this has been extremely educational. And Scott, I think you should be commended because you were upfront about doing this and it probably brought this meeting on. But I 08:56:48 08:56:52 08:56:56

1 thank you for that. We're not all going to agree, but we've had 08:57:01
2 a chance to come here and learn. 08:57:05
3 Again, I'm a grain farmer. I have -- don't have any 08:57:08
4 hogs, but I have some hog buildings close to me. There's a 08:57:11
5 facility that is north and west of me that I farm just north of 08:57:15
6 that facility. I drive by that facility many, many times 08:57:19
7 throughout the year. That facility since it's been built it's 08:57:23
8 been kept up. I can't even tell you how good it's been kept from 08:57:27
9 the time it was built until today. I can take you out there 08:57:32
10 today, and wouldn't matter today, next week, the week after, it's 08:57:35
11 -- it's better than I keep my yard. The building's not rundown. 08:57:39
12 There was an article published in a local paper. I 08:57:44
13 felt the timing was interesting. And the portrayals of these 08:57:47
14 buildings was completely opposite from what I seen in real life 08:57:51
15 because I see this building all the time. The road goes right by 08:57:54
16 it, so I get a close view of it. 08:58:00
17 There's other buildings we've all seen. They're kept 08:58:02
18 very nice. 08:58:06
19 So I don't know the goings on in the buildings, I'm 08:58:06
20 not going to pretend that I do, but just the outside appearance 08:58:10
21 of the buildings should tell you a lot; that the people that have 08:58:14
22 them care for them and they're committed. 08:58:19
23 Other than that, again, we as producers, I produce 08:58:20
24 grain, people produce livestock, we're passionate about what we 08:58:24
25 do. We're very concerned about the consumer because we're also 08:58:29

1 consumers. So we want it to be done well. 08:58:38

2 We're good stewards. We have some of the best farm 08:58:40

3 ground in the world right here outside our door. We're good at 08:58:43

4 farming it. There's no reason why we shouldn't have hogs here. 08:58:47

5 And when you have an individual like Scott willing to 08:58:50

6 take this on and roll the dice, but this is a big, big deal for 08:58:54

7 an individual, and I think we should support that. 08:58:58

8 MR. TEEFEY: Thank you. 08:59:00

9 Are there any questions for Mr. Litchfield? 08:59:01

10 Thank you. 08:59:03

11 Dana Walker? 08:59:12

12 MR. DANA WALKER: I pass. 08:59:12

13 MR. TEEFEY: Thank you. 08:59:13

14 Nick Anderson? 08:59:16

15 MR. NICK ANDERSON: I pass. 08:59:18

16 MR. TEEFEY: All right. Thank you. 08:59:18

17 Those are all the names that were currently signed up 08:59:23

18 to give oral testimony. 08:59:26

19 Is there anyone else in the room who wishes to give 08:59:27

20 oral testimony? 08:59:29

21 Thank you. I am going to enter into the record as 08:59:33

22 Exhibit Number 5 the Oral Testimony Sign-in Sheet. 08:59:37

23 I will also enter into the record as Exhibit Number 6 08:59:47

24 the Attendance Sign-In Sheet. 08:59:52

25 This brings us to the closing comment section of 09:00:01

1 tonight's meeting. 09:00:04
2 Are there any closing remarks from the Facility or 09:00:06
3 its representatives? 09:00:08
4 Yes, sir. 09:00:11
5 MR. MUHLENBRUCK: My name is Al Muhlenbruck As you 09:00:19
6 all know, I work for TriOaks Foods and I'm very close to 09:00:22
7 celebrating my 28th anniversary with the company. 09:00:24
8 MR. TEEFEY: Will you state your name? 09:00:31
9 MR. MUHLENBRUCK: Al Muhlenbruck. 09:00:32
10 M-u-h-l-e-n-b-r-u-c-k. 09:00:34
11 MR. TEEFEY: Thank you. 09:00:37
12 MR. MUHLENBRUCK: Okay. I've been with the company 09:00:39
13 for twenty-eight years, and through those twenty-eight years I've 09:00:41
14 seen a multitude of change. 09:00:45
15 We've had some folks here that have testified that 09:00:47
16 these projects maybe don't -- maybe don't work and, you know, if 09:00:49
17 they're not there to bring the next generation on board. 09:00:54
18 I'm going to back up a little bit and talk about some 09:00:57
19 people that started putting these facilities up in the late 80's. 09:00:59
20 Actually, I'm going to back up a little farther and 09:01:02
21 talk about the -- how we got started in this business. 09:01:05
22 How many people remember the farm crisis of the 80's? 09:01:08
23 How many people lost their farms during those years? 09:01:11
24 Well, a handful of them that didn't lose their farms 09:01:16
25 had swine facilities. And they were independent producers, 09:01:19

1 farrow to finish. And we were in the feed business. We sold 09:01:22
2 those folks feed. Bill sitting here, he and I were a couple of 09:01:25
3 the company's salesmen. 09:01:31
4 And the crisis hit. Some of the lenders went out and 09:01:32
5 said, "Guys, if you sell those pigs, take that cash, shore up 09:01:35
6 your balance sheet, you'll be able to stay on the farm." 09:01:38
7 Well, not only did that affect them, but it affected 09:01:41
8 us. They came to us and said, "Is there any way we can work 09:01:44
9 together?" 09:01:47
10 So TriOak, Oakville Feed & Grain at that point in 09:01:48
11 time, started going out and we bought feeder pigs. We bought 09:01:52
12 feeder pigs from folks that didn't have the facilities to finish 09:01:57
13 their own. We bought pigs from the sale barn. 09:01:59
14 Wasn't long, because we had a good set of books, we 09:02:02
15 found out that's not sustainable. We didn't have any control of 09:02:05
16 the health. We didn't have any control of the flow. 09:02:07
17 So in 1989 we started a gilt lease program. So we 09:02:10
18 were taking back cross gilts, leasing them out to some of these 09:02:14
19 farmers. They'd farrow the pigs. The gilts would come back to 09:02:18
20 us. We would dry them up and send them to harvest. 09:02:21
21 And it hit us, "You know, maybe we can take those 09:02:23
22 animals and we farrow them one more time ourselves." 09:02:27
23 So we started farrowing seven hundred and fifty sows 09:02:29
24 in A-frames. And we were able to go two years at over twenty 09:02:32
25 pigs per sow per year, which is quite a feat when you think you 09:02:38

1 can only farrow for nine months in Iowa. The rest of the time 09:02:44
2 it's too cold. 09:02:44
3 But again, we learned that we were inefficient. So 09:02:46
4 we in about 1991 put our first sows under roof and we started 09:02:46
5 looking for folks to contract feed. 09:02:51
6 Today we still have pigs in barns that were built in 09:02:53
7 the 70's that may only hold three hundred head, and we've got 09:02:56
8 pigs in state of the art facilities like Scott and his family are 09:03:00
9 going to put up. 09:03:04
10 A couple of numbers that I would like to share with 09:03:04
11 you. Currently we have forty-five full-time employees here in 09:03:06
12 the State of Illinois. Our payroll is in excess of 2.2 million. 09:03:14
13 In addition to the payroll, we provide a full line of 09:03:19
14 benefits to our staff. I mean, our staff and their families are 09:03:22
15 important to us. If they're not happy, this thing comes crashing 09:03:26
16 down. 09:03:29
17 In addition to that, we've got fifty-eight sites like 09:03:30
18 Scott is putting up, and those fifty-eight sites have got us 09:03:33
19 writing out checks annually for 6.6 million dollars. 09:03:37
20 And a comment was made earlier about repeat 09:03:43
21 contracts. We've had very little attrition. I think that the 09:03:46
22 attrition rate at TriOaks has been less than one percent over the 09:03:49
23 past twenty years. And a lot of that attrition is because some 09:03:53
24 of the facilities and the guys got a little bit tired. 09:03:58
25 Universities tell us that dollars that are created 09:04:02

through agriculture in the local area, those dollars move six times, six to seven times before they leave. 09:04:06 09:04:10

So not only are we writing out checks for 6.6 million dollars per contract payment, we've also got about twenty million dollars, and these dollars would be accrued back to the core value of corn and beans, this doesn't include any processor profits or margins or anything else, twenty million dollars worth of commodities are moving through that mill. 09:04:13 09:04:17 09:04:20 09:04:25 09:04:29 09:04:33

Now think about that in terms of jobs, trucks, gas, the people that go to the convenience stores. These are real dollars. This is real economic development. And it's done in an environmentally sound way. 09:04:37 09:04:41 09:04:46 09:04:50

Without the success of our production partners, the folks that are in this room, we wouldn't be successful either. And it's one of our priorities to make sure that they are treated right. 09:04:51 09:04:54 09:04:58 09:05:01

And then finally, I'm just going to talk about the media statement. Our media statement's pretty simple, folks. Everybody's seen the papers. They've read the articles that were printed by the Chicago Tribune. And Nick and I were actually involved in some of the interviews leading up to that. 09:05:03 09:05:07 09:05:12 09:05:15 09:05:18

They used a grand total of fifteen seconds of our comments. The rest of the stuff was pretty much all derived by activists. 09:05:21 09:05:23 09:05:28

Our mission -- or our media statement is simple. If 09:05:29

you guys want to learn more than what you've learned tonight, give Nick or myself a call. We will arrange a tour. The place to discuss all of this stuff isn't -- isn't here. And it darn sure isn't over the Internet, and the radio, and television, and places. It's on the farm. And we have nothing to hide. We would be glad to take you out. Just give us a call.

And I want to thank everybody. This is going to sound a little bit strange, but at the end of the day these meetings have been very good for us and for our company. It gives us a chance to review our practices, take ahold -- you hold up the mirror and you say, "You know what? Can you do better?"

It's also been very good in term of educating folks. It's brought a lot of really good prospects to our doors.

And believe it or not, there's a lot of people that in the past have stood up and said, you know, these are bad, they're terrible, there's going to be a lot of odor. Within a couple of years they've got a barn of their own. And I think that speaks volumes.

Thank you.

MR. TEEFEY: Thank you.

Are there any closing remarks from the Department?

MR. GOETSCH: I would just like to say that on behalf of the Department of Agriculture, Bureau of Environmental Programs, I would like to thank you for your precip -- precipitation?

1 Your participation. We had plenty of precipitation 09:06:49
2 this year. 09:06:54
3 In the -- 09:06:54
4 MS. KOLETTE HERNDON: Right hand. Right hand. 09:06:56
5 MR. TEEFEY: Yes: 09:06:58
6 MR. GOETSCH: Right hand. 09:07:03
7 I'm sure that the McDonough County Board, as well as 09:07:04
8 the Department of Agriculture, will appreciate your input and 09:07:06
9 your comments and will consider them first at the board level as 09:07:09
10 they determine their recommendation to the Department, and then 09:07:14
11 certainly as we finalize the review of this application. 09:07:18
12 We certainly appreciate your attendance this evening 09:07:24
13 and we wish you a safe trip home after the meeting is over. 09:07:28
14 Thank you all very much. 09:07:33
15 MR. TEEFEY: Thank you, Mr. Goetsch. 09:07:36
16 As I mentioned earlier, a copy of tonight's 09:07:37
17 transcript will be provided to the county board. For others 09:07:40
18 desiring, a copy of the transcript will be available by 09:07:43
19 contacting the court reporter. 09:07:45
20 Thank you for your attendance tonight. And I just 09:07:48
21 wanted to give you my appreciation for the cordial, respectful 09:07:50
22 nature of this hearing. It doesn't always happen. And it's 09:07:55
23 greatly appreciated. So thank you very much. 09:07:57
24 This Public Informational Meeting is hereby closed. 09:07:59
25 * * *

C E R T I F I C A T E

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

Randall W. Wells

Randall W. Wells, CCR 0271

RANDALL W. WELLS
MY COMMISSION EXPIRES
July 31, 2018
NOTARY SEAL
#14430973
RALLS COUNTY
NOTARY PUBLIC, STATE OF MISSOURI

Date: October 8, 2016

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