

IN RE: PROPOSED CONSTRUCTION
OF LIVESTOCK MANAGEMENT
FACILITY

TRANSCRIPT OF PROCEEDINGS

TAKEN ON JUNE 14, 2016

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25 (Original exhibits returned to Mr. Frank.)

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4 IN RE: PROPOSED CONSTRUCTION

5 OF LIVESTOCK MANAGEMENT

6 FACILITY,

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Transcript of Proceedings held on

18 June 14, 2016 between the hours of six o'clock in the

19 evening and seven o'clock in the evening of that day,

20 at the offices of Richland County Sheriff's Office,

21 211 East Market Street, in the City of Olney, State of

22 Illinois, on the 14th day of June, 2016 before

23 Catherine L. Turner, IL-CSR, MO-CCR, RPR in the

24 aforesaid matter In Re: Proposed Construction of

25 Livestock Management Facility.

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A P P E A R A N C E S

PRESENT FOR ILLINOIS DEPARTMENT OF AGRICULTURE:

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WARREN D. GOETSCH, PE
BRAD A. BEAVER
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ALSO PRESENT:

ISAAC FINLEY
DENNIS GRAVES
ALICE MULLINAX
ALAN KOLLMANN
JENNIFER TIREY
WADE HARRISON
SCOTT H. FINLEY
TIM MAIERS
REID THACKER
ANTHONY SEGER
JOHN MILLIMAN
CHAD MILLIMAN
BILL BURGNER
COREY STEBER
COREY DIEL
TIM HACKER
AMANDA BLAIN
JODI FINLEY

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A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT:

WAYNE GREUP
RON GRAY
NICK ANDERSON

Court Reporter:
Catherine L. Turner, IL-CSR, MO-CCR, RPR
Midwest Litigation Services
711 North Eleventh Street
St. Louis, Missouri 63101
(314) 644-2191
1-800-280-3376

1 IT IS HEREBY STIPULATED AND AGREED that this
2 proceedings may be taken in shorthand by Catherine L.
3 Turner, IL-CSR, MO-CCR, RPR, and afterwards
4 transcribed into typewriting.

5 * * * * *

6 (Starting time of the deposition: 6:00 p.m.)

7 OPENING REMARKS BY MR. FRANK

8 MR. FRANK: Before we begin tonight, I would
9 ask that everyone please turn their cell phones to
10 silent. Thank you very much.

11 Good evening. On behalf of Raymond Poe,
12 director of the Illinois Department of Agriculture, we
13 thank you very much for the invitation to come to
14 Richland County today.

15 My name is Scott Frank. I'm with the
16 Illinois Department of Agriculture, and I will be
17 serving as the hearing officer for tonight's public
18 informational meeting.

19 Also with me on behalf of the Department are
20 Warren Goetsch, deputy director of the department,
21 John Teefey, bureau chief of the Bureau of
22 Environmental Programs, Doug Owens, manager of the
23 Bureau of Livestock Program and Brad Beaver.

24 I might add that we have a member of the
25 press here, and she has a recorder going, so this will

1 be recorded as well as it will be recorded by the
2 court reporter.

3 This meeting is being conducted pursuant to
4 Section 12 of the Livestock Management Facilities Act.
5 The informational meeting is being held at the request
6 of the Richland County Board and is to afford members
7 of the public an opportunity to ask questions and
8 present oral and written testimony regarding the
9 proposed construction of a new 3,360-animal unit swine
10 finishing facility by Isaac Finley.

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

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

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

23 First following my comments, Warren Goetsch
24 will provide an overview of the provisions of the
25 Livestock Management Facilities Act as it relates to

1 this particular project specifically outlining the
2 current status of the project and how the process will
3 proceed following this meeting.

4 Following Mr. Goetsch representatives for
5 the proposed construction project will be given an
6 opportunity to describe the project and demonstrate
7 how they believe it meets the siting criteria of the
8 Livestock Management Facilities Act.

9 After their presentation, I will open the
10 meeting to questions. Anyone wishing to ask questions
11 of the facility representatives or the Department will
12 be given an opportunity to do so.

13 During the question-and-answer session, I
14 will ask that you state your name and spell your last
15 name for the court reporter. You then may ask your
16 question.

17 Depending upon the number of people who wish
18 to testify in the oral testimony phase of the meeting,
19 which is right after the question phase, there may be
20 a time limit placed on this questioning phase.

21 Following the question-and-answer phase, I
22 will ask for written testimony. If anyone has written
23 testimony that is not part of your oral testimony, I
24 will accept it and enter it into the record.

25 If you have written material that you will

1 be using as part of your oral testimony, it can be
2 entered into the record following your oral testimony.

3 Then depending upon the amount of time that
4 has elapsed at this point, we may take a short break.
5 Following the written testimony I will ask for oral
6 testimony from the public.

7 Sign-in sheets were placed in the entryway
8 as you came in, one sheet for attendance and a second
9 sheet for testimony. People who wish to provide
10 comments during this oral testimony phase are asked to
11 sign the oral testimony sheet.

12 People providing oral comments will be sworn
13 in and will be subject to questioning from the public.
14 Each person will be given three minutes to provide his
15 or her comments.

16 Legal counsel speaking on behalf of multiple
17 clients will be given a total of 15 minutes for all
18 clients and will be asked to state the names of all
19 the persons on whose behalf he or she is speaking.

20 Deferring time to other speakers will not be
21 allowed. If you signed the oral testimony sheet, you
22 may either speak, or if you have changed your mind,
23 you may pass. You may not give your time to someone
24 else.

25 Also please keep in mind that if you do not

1 wish to be asked questions during your oral testimony,
2 do not sign the sheet. Or if you have signed it
3 already, indicate you would like to pass when I call
4 your name.

5 The meeting will then conclude with closing
6 comments from the facility and the Department of
7 Agriculture. To summarize the procedure tonight, we
8 will have comments from the Department, comments from
9 the facility, questions directed to the Department and
10 the facility, written testimony, oral testimony and
11 then closing comments.

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

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

24 Again, we very much appreciate your
25 hospitality for inviting us here tonight to consider

1 the proposed construction of the Isaac Finley Swine
2 Finishing Facility.

3 Please remember to confine your comments and
4 questions to that subject as we continue. I will now
5 turn the proceedings over to Warren Goetsch for
6 remarks from the Illinois Department of Agriculture.

7 COMMENTS BY MR. GOETSCH

8 MR. GOETSCH: Good evening. My name is
9 Warren Goetsch. I currently serve as the deputy
10 director for the Illinois Department of Agriculture.
11 One of our responsibilities at the Department is the
12 administration of the various provisions of the
13 Livestock Management Facilities Act.

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

21 The Livestock Management Facilities Act was
22 originally passed a little over 20 years ago becoming
23 effective on May 21st of 1996. Since that time the
24 Act has been amended three times, first during the
25 general assemblies 1997 fall veto session, second

1 during the general assemblies 1999 spring session, and
2 most recently during the 2007 spring session.

3 The Act can be generally described as
4 covering five major areas, those being facility design
5 standards, waste management planning requirements,
6 facility operator training and testing, anaerobic
7 lagoon financial responsibility determination and
8 demonstration and facility setback requirements.

9 Each of these provisions impact various
10 types of facilities in different ways depending on
11 their size expressed in animal units and whether the
12 proposed facility is considered as a new facility, a
13 modified existing facility or the expansion of an
14 existing site.

15 The Livestock Management Facility Act's
16 provisions are quite complicated and specific facility
17 design in situations certainly can differ. It is,
18 however, the department's intention to always fairly
19 and equitably apply these requirements to a livestock
20 industry in this state.

21 Now, specifically, regarding the current
22 status of this project, the department received a
23 formal notice of intent to construct application for
24 the proposed construction of a swine facility on March
25 14th of 2016.

1 The proposed project is to consist of the
2 construction of two finishing buildings, each
3 measuring 101 feet 2 inches by 340 feet with an 8-foot
4 deep underbuilding livestock waste-handling structure.

5 The project is proposed to be located
6 approximately two miles west of Chauncey, Illinois --
7 hope I pronounced that correctly -- in northeastern
8 Richland County.

9 The application was submitted by Effingham
10 Equity on behalf of Isaac Finley of Sumner, Illinois.
11 The maximum design capacity of the proposed facility
12 is 3,360 animal units or 8,400 head of swine greater
13 than 55 pounds.

14 As I mentioned earlier, the department
15 received the notice of intent to construct application
16 on March 14th and reviewed it for its compliance with
17 the applicable provisions of the Livestock Management
18 Facilities Act.

19 On April 29, the Department determined that
20 the notice was complete and forwarded a copy of the
21 completed application to the Richland County Board.
22 Notice of that application was also published in the
23 appropriate newspaper.

24 The design capacity of the proposed facility
25 requires compliance with a residential setback

1 distance of not less than 1,760 feet and a populated
2 area setback distance of not less than 3,520 feet.

3 On May 24th, the Department received
4 official notice from the Richland County Board
5 requesting that a public informational be scheduled
6 regarding the proposal.

7 After further consultation with the county
8 board, the department scheduled this meeting and
9 caused notice of the meeting to be published in the
10 appropriate newspapers.

11 An additional requirement of the Livestock
12 Management Facilities Act deals with the design and
13 construction plans for a livestock waste-handling
14 facility.

15 The Department has received a formal
16 submittal of detailed engineering design plans and
17 specifications for the proposed project's
18 underbuilding livestock waste-handling facilities.

19 The Department's detailed review process of
20 those plans has been completed and the department has
21 found them to be in compliance with the statutory
22 requirements.

23 We are here this evening to receive
24 testimony regarding the proposed Livestock Management
25 Facility's compliance with the eight siting criteria

1 as defined in Section 12 paragraph D of the Livestock
2 Management Facilities Act.

3 In general, information regarding the
4 following would be appropriate for this evening's
5 meeting:

6 First, manure management planning, potential
7 impact of the proposed facility on the surrounding
8 area's character, whether the proposed facility is
9 located within any floodplains or other sensitive
10 areas, odor control plans for the facility, possible
11 impact of the proposed facility on the existing area
12 of traffic patterns and possible impact of the
13 proposed facility on community growth, tourism,
14 recreation or economic development of the area.

15 Copies of the specific criteria were
16 available on the table with the sign-in sheets. There
17 was a little pamphlet. I think there was also a
18 single page sheet that was also available.

19 If anyone that would like to have a copy of
20 the criteria but didn't pick it up, if you want to
21 raise your hand, we can make sure you have a copy.

22 All right. Then finally, the process that
23 will be followed after this evening's meeting is as
24 follows:

25 The county board will have up to 30 business

1 days from today's meeting to submit to the Department
2 a nonbinding recommendation relative to the proposed
3 siting of this facility, thus a recommendation
4 relative to the -- excuse me.

5 Thus a recommendation from the Richland
6 County Board is due at the Department on or before
7 July 27th.

8 After the close of the county's 30 business
9 day comment period, the Department will have 15
10 calendar days or until August the 12th to review all
11 of the information submitted to date including the
12 notice of intent to construct, construction plans,
13 transcripts from this evening's meeting, the county
14 board's recommendation and any other additional
15 information submitted by the owners at the request of
16 the Department.

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

22 Mr. Hearing Officer, at this time, I'd like
23 to submit the completed notice of intent to construct
24 application and its associated correspondence file for
25 formal entry into the record as an exhibit.

1 (Exhibit 1 entered for the record.)

2 MR. FRANK: Entered into the record as
3 Exhibit No. 1 is the completed Notice of Intent to
4 Construct including correspondence between the
5 Department and the applicant, notices of the public
6 informational meeting and correspondence with the
7 Richland County Board.

8 MR. GOETSCH: I'd also like to have entered
9 into the record my comments as well as a copy of the
10 PowerPoint presentation as an exhibit as well.

11 (Exhibit 2 entered for the record.)

12 MR. FRANK: Entered into the record as
13 Exhibit No. 2 is a copy of the Department's
14 presentation.

15 MR. GOETSCH: And that concludes my formal
16 remarks. And again, thank you all for your attention
17 this evening. And on behalf of the Department, we
18 certainly look forward to hearing your comments
19 regarding the proposal. Thank you.

20 MR. FRANK: Thank you, Mr. Goetsch. At this
21 time, we will hear comments from the facility. Before
22 you begin, for those who will be presenting
23 information, please state your name and spell your
24 last name for the court reporter, and I will then
25 swear you in.

1 MR. WEST: Chris West, C-h-r-i-s, W-e-s-t.

2 MR. FRANK: Only you?

3 MR. FINLEY: No. Isaac Finley, I-s-a-a-c,
4 F-i-n-l-e-y.

5 CHRIS WEST AND ISAAC FINLEY,
6 of lawful age, produced and simultaneously sworn says
7 and testifies as follows:

8 COMMENTS BY MR. FINLEY

9 MR. FINLEY: My name is Isaac Finley. Since
10 I was old enough to remember, I've had a passion for
11 agriculture, to be able to produce products that are
12 growing world population demands and to improve the
13 land to pass it on in better condition than I had
14 received it.

15 This is what I consider to be living the
16 dream, a true purpose and meaning in life. Growing up
17 I showed cattle in 4H, judged livestock in FFA, and we
18 also had a few beef cattle on the farm. Our grain
19 production was our primary source of income.

20 In recent years, the value of land and
21 property income costs have multiplied significantly.
22 I began to look into ways to diversify our grain
23 operation to help increase profits while decreasing
24 our cost of production.

25 It didn't take long after talking to other

1 farmers that had swine production in their operation
2 to figure out that this would be a wonderful way to
3 accomplish my goal.

4 I have since helped vaccinate and helped
5 various other tasks in similar hog barns to decide if
6 this is something I really want to do for years to
7 come. Having a farm like this would give a much more
8 steady work load throughout the year and also grow my
9 passion into another sector of agriculture.

10 With profit margins lower than we have seen
11 in decades, these barns will provide much more than
12 just extra work and cash flow. After the initial
13 investment of the barns is paid off, it opens up a
14 very steady guaranteed income to help in times like we
15 are currently facing, something grain production alone
16 cannot provide.

17 As mentioned earlier, the cost of inputs
18 have rose significantly. The byproducts of swine
19 production is a manure value.

20 It is a highly valuable fertilizer with
21 nutrients such nitrogen and phosphorous that will
22 allow our grain operation to reduce our commercial
23 fertilizer and input costs while putting in an
24 organic, more cost-effective nutrient source back in
25 the soil helping build fertility and organic matter.

1 eight siting criteria, so we can demonstrate how the
2 farm has met each of those.

3 So we'll go a through quick introduction,
4 site overview and layout, and then all of the eight
5 siting criteria.

6 So if we're looking at location, I'm sure
7 you all know where it's at. We have Olney down here
8 in the bottom left corner, and up on kind of the
9 county -- in the northeast part of county is where the
10 farm will go.

11 And then we have another map a little closer
12 in. You see the -- so see the farm over here and then
13 the closest town of Chauncey.

14 So then again, a little bit closer in again,
15 we have the two buildings, as Warren mentioned, with
16 the dimensions as far as -- and then there's the
17 county line road.

18 And closer up again here just showing the
19 relative location with the road to the two buildings.

20 So you know, Mr. Goetsch mentioned the eight
21 siting criteria. Again, here's a short definition of
22 each one of those. Number 1, the registration and
23 certification requirements.

24 Number 2, design, location and operation
25 standards, location compatibility, floodplain, aquifer

1 protection, minimize environmental impact, odor
2 control and reduction, traffic patterns, minimize
3 impacts, and is the facility consistent with the area
4 development.

5 So we're going to go through each one of
6 these. I'm not going to read out the entire
7 definition again. We're just going to go through each
8 one of these and show how the farm has met that
9 criteria.

10 There's Number 1, again, the notice of
11 intent to construct. The application for the farm was
12 filed March 14th of this year. It was deemed complete
13 April 29th.

14 As part of -- also as part of the Siting
15 Criteria 1, we have the waste management plan. So the
16 farm will put together a nutrient management plan, a
17 waste management plan, if you will, that will describe
18 exactly how much manure will be produced, what the
19 nutrient content of that manure will be and where it
20 will be land-applied.

21 So when we go to figure out, okay, where are
22 we going to put this, how much are we going to put on,
23 we utilize the nutrient content. We take a sample of
24 that manure every year, so we know exactly what each
25 nutrients there are in that manure.

1 We also go into the field. We take soil
2 samples. And there are very strict requirements on
3 how many samples we have to take per acre, per field,
4 and then we develop, then, based on what crop you are
5 going in, how much that -- what the yield expectations
6 are in that field, and then we develop how many
7 gallons per acre of that manure we can put on.

8 So the rule is for a facility of this size,
9 we're required to have a waste management plan in
10 place within 60 working days after commencing
11 operation. Keep in mind this is within 60 days after
12 the building is stocked.

13 We've had a question in the past, Well, why
14 don't you have it at the beginning? These buildings
15 will hold approximately a year's worth of manure, so
16 there's not going to be any manure applications at the
17 beginning.

18 So this management plan will be in place
19 well before any manure applications take place.
20 Again, we mentioned the farm will have one in place.
21 We'll have a comprehensive nutrient management plan in
22 place. The farm will submit to the Department of Ag a
23 certification form stating that they have one and they
24 are using it.

25 And I kind of went through all this already.

1 But the farm will keep the nutrient management plan as
2 well as all records on file at the farm. So if the
3 Department would come and want an inspection and want
4 to inspect not the farm, not only the farm, but also
5 the nutrient management plan, it would be available
6 for that to happen as well as all the records that
7 take place as part of that nutrient management plan.

8 So the goal of any nutrient management plan
9 is to best utilize that product in a way that -- in a
10 way that -- so the crops can use it, so you're putting
11 it on at an appropriate agronomic rate that meets the
12 nutrient needs of the crops locally.

13 So this nutrient management plan will
14 include the total annual manure calculations, so the
15 volume that will be produced every year, the
16 historically proven yield in those application areas
17 for each of the crops, manure analysis.

18 So again, we'll analyze the manure in both
19 of the barns so that you know exactly what you're
20 putting on, the loading rates of those manures. So
21 once we calculate, we know what the yield expectations
22 are, we know what the soil -- the nutrient content of
23 the soil is.

24 And then we can determine what those
25 agronomic loading rates would be. Land application

1 provisions for setback and incorporation standards,
2 and then again, documentation, recordkeeping of all
3 phases of that nutrient management plan.

4 So that was Siting Criteria 1. That's kind
5 of a big one. For us, that's location. That is the
6 nutrient management plan as well. So that's a big
7 one.

8 Number 2, Design and operation standards, so
9 now we're going to talk about the building structure
10 itself and how that conforms to the regulations in
11 place. The design we put together, we did the
12 construction plans for this facility.

13 It was all designed according to Midwest
14 Plan Surface Concrete Manure Storage Handbook. So
15 this is a document. It's a university-based
16 publishing cooperative. This is a Midwest Plan
17 Service that's dedicated to publishing and
18 disseminating research-based and peer-reviewed
19 publications.

20 So in that document, it gives us certain
21 specifications for concrete, certain reinforcement
22 requirements, certain water-stop requirements.

23 That is called out in the Livestock
24 Management Facilities Act. This document or another
25 document, these are the standards we have to go by.

1 So we're not making stuff up off the cuff here. We
2 have certain things that every building that we do has
3 to meet.

4 So Isaac's farm will consist of two
5 construction plans for both of the finishing barns
6 that have been proposed. So just to kind of give you
7 an example of what this could look like, this is a
8 pretty good example of a finishing barn.

9 This is an inside view. So this is what
10 we're talking about. This is what the inside of this
11 barn could look like where we have pens for the
12 finishing animals. As you can see, that's a pretty
13 well thought out and clean environment.

14 We're talking about location. So the
15 location of this facility, this farm, all of the
16 setback distances have been met and exceeded both for
17 the occupied residence populated area. And as
18 Mr. Goetsch mentioned earlier, all this was deemed
19 complete by the Department of Ag on April 29th this
20 year.

21 An additional part of Siting Criteria 2 is
22 the proposed operation. This is another big thing for
23 us. The manager of the farm will be a certified
24 livestock manager.

25 So this is a program developed by the

1 Department to educate livestock managers on manure
2 management handling and systems.

3 Any farm with over a thousand animal
4 units -- so this one would qualify for that -- are
5 required to attend a training course and pass an exam.
6 So Isaac or someone else at the farm would have to go
7 through and pass that exam.

8 And then we also have as part of the
9 proposed operation, we go back to the waste management
10 plan. That's why I mentioned that was such a big deal
11 because it includes several of the proposed -- or the
12 siting criteria that we're required to meet here.

13 Siting Criteria 3, we talked about location
14 compatibility. County zoning. The proposed building
15 location is not zoned in any particular way.

16 The Department of Ag setback have deemed the
17 setbacks to be met and complete. The farm is
18 compatible with the surrounding area, and it is a
19 rural agricultural area. So this is exactly what
20 Isaac is proposing, putting two farming buildings in a
21 rural farming area.

22 So the setbacks, how we develop what that
23 number is, we have a calculation. We have proposed
24 8,400 animals greater than 55 pounds. That equals
25 3360 animal units.

1 That correlates to an occupied residence
2 setback of 1,760 feet and a populated area setback of
3 3,520 feet. So those are the setbacks that the farm
4 has actually exceeded in both of those instances.

5 So if we look at the farm represented by the
6 red dot here, that would be the farm location. The
7 yellow circle would represent the residential setback,
8 and then the populated area setback would be
9 represented by the green circle.

10 Siting Criteria 4, floodplain and aquifer
11 definition. So what we're looking for here, we're
12 required to do soil borings at the site where we're
13 looking for any potential aquifer material, any karst
14 material, anything that may be an environmentally
15 sensitive area as defined within the Livestock
16 Management Facilities Act.

17 So we'll start out here with the floodplain
18 maps. So FEMA puts together these maps. So Richland
19 County, Illinois, here we have the location of the
20 farm, so these are two panels off of that map.

21 This shaded area would represent a
22 floodplain, so a flooded area. So if you were to see
23 that in any of this, that would represent there's a
24 floodplain.

25 It's totally blank because there is no flood

1 areas within -- it's almost five sections worth of
2 ground here. No floodplains anywhere in sight.

3 So karst, this is another one of the siting
4 criteria that we deal with. Karst is typically
5 defined by land surfaces containing sinkholes,
6 springs, disrupted land drainage, or underground
7 systems associated with carbonated bedrock.

8 So typically, what we are looking for is
9 limestone areas, caves. Nothing even close.

10 So these shaded areas, these hatched areas
11 down in far Southern Illinois, that's where you see,
12 down in the Shawnee National Forest, that's where you
13 see karst areas within the state.

14 Also, if the map was expanded in the far
15 western part of the state, you'd see that as well.
16 But again, nothing even remotely close to Isaac's
17 farm.

18 That map was developed by the Department of
19 Natural Resources, the Illinois State Geological
20 Survey, if someone wanted to look that up.

21 Sandstone, so another thing we're looking
22 for is aquifer material. So the definition of that,
23 any contiguous five feet or more thickness of
24 sandstone or a sand and gravel or sand and gravel
25 mixture that is at least two feet present within a

1 five-foot boring. We did a site investigation at the
2 farm May 24th of this year.

3 So when I say we're doing a site
4 investigation, what we do is we come out, we do a
5 boring, a soil boring within the footprint of the
6 building. So what we are looking at is what soil type
7 we have there, or if there's anything that might meet
8 the definition of the aquifer material.

9 So the requirement is that we can go a
10 minimum of five feet below the planned bottom of the
11 building. So typically, what we would do, then, is
12 come in and do an 11-foot boring.

13 We're going to be -- the bottom of that
14 building is going to be six feet below the current
15 surface. And then we go another five feet, so we can
16 make sure we meet that requirement.

17 So that's a minimum what we do. Actually,
18 nothing found but a good farm soil, good clay loam,
19 good silty clay.

20 Siting Criteria 5. Whether or not we're
21 going to minimize the environmental impact. And
22 whether or not the owner has submitted plans for
23 operation.

24 Proper sizing, so if we're talking about
25 minimizing environmental impact, the number one thing

1 we're going to be talking about is spills. If we're
2 going to minimize the environmental impact, we're
3 going to make certain that we do not have any of
4 those.

5 The best way to do that is proper sizing.
6 The LMFA requires that these type of facilities, any
7 facility that's -- any farm that's going to have a
8 liquid manure storage system, we have to have a
9 minimum of 150 days.

10 These buildings have been designed in such a
11 way that we're going to have a year's worth of
12 capacity. It's a closed system. It's very important.
13 The manure never leaves the barn unless we're ready to
14 put it on a farm field.

15 So there's no outside water coming in.
16 There's no inside water coming out. It's totally
17 closed. So the animals are in the barn. The manure
18 goes from above the floor into the pit below, and it
19 stays there until we take it out and put it into the
20 ground for the crops to use.

21 I did mention no water comes in. We have
22 clean water diversions. If we go back a couple of
23 slides, you can see here. The top of this -- this is
24 basically floor level up in here.

25 So that's going to be above the ground. So

1 there's no way for water to come from the outside into
2 this barn.

3 Leaching, so if we are talking about the
4 manure moving from inside to outside, this farm is
5 designed in such a way to prevent any release of
6 livestock manure.

7 We have solid concrete construction,
8 reinforced Grade 60 rebar. That meets and exceeds all
9 the requirements. Anytime there is a joint in that
10 construction, there will be a water stop placed in
11 there, so that makes that joint a watertight seal.

12 All surfaces and contact with livestock
13 manure with this farm will be concrete in all aspects,
14 will meet the required permeability standard.

15 Siting Criteria 6, odor control
16 introduction, whether odor control plans are reasoned
17 and incorporate reasonable or innovative odor
18 reduction controlled technologies.

19 What we're going to talk about here as far
20 as odor and comprehensive odor control plan, we have a
21 controlled land application of the manure, routine
22 maintenance on the buildings and the farm itself, feed
23 management and location.

24 Those are the four aspects that will make up
25 this odor control plan for Isaac's farm. The Number 1

1 aspect that we can talk about as far as odor is land
2 application.

3 Isaac's plan for all of the manure
4 applications are to be injected. So what that means
5 is we're not putting anything on top of the ground.

6 So anytime you -- that's where most of your
7 odor is going to come from in a manure application is
8 when that has contact with the atmosphere. That will
9 not occur here. We'll be placing that manure directly
10 underground at the root level for the crops to
11 utilize.

12 And again, those manure application rates
13 will be based on the nutrient analysis of that manure.
14 They intend to utilize injection for every gallon that
15 comes out of the barn.

16 It is widely known -- injection is widely
17 accepted, widely known as the best available
18 technology for manure application.

19 The livestock manure will be applied by a
20 custom applicator, so there will be a professional
21 coming in to take care of that.

22 The application equipment will contain
23 safety controls, will be visually monitored. There
24 will be automatic shutoffs, and there will be
25 communication between the personnel at both ends at

1 all times.

2 This gives you an example of what an
3 injection type system would look like, so you can see.
4 The manure is stored in the tank, and it's going right
5 into the ground.

6 And then there's a closer-up view of a
7 similar type setup there. And then another one as
8 well. There's multiple types of -- there's multiple
9 pieces of equipment to do that with.

10 The Isaac Finley Farm, we have at least a
11 thousand acres locally per year that's available for
12 these livestock manure applications.

13 So utilizing the yields that we could find
14 in these farms -- soil types, we anticipate that we
15 would need approximately 720 acres.

16 That's not a hard fast number. That depends
17 if we're going corn-bean rotation, corn-corn rotation
18 or some other type of rotation.

19 But accounting for most -- the most lenient
20 type of rotation, we anticipate 720 acres is what we
21 would need. So we would have plenty of acres
22 available.

23 So we're still talking about odor control.
24 So we've moved from outside the barn to inside the
25 barn. The best way that we can minimize odor is to

1 remove the dust from the building.

2 Dust doesn't have odor in itself, but it
3 carries the odor particles. So regular maintenance
4 including wash-downs of the farm after each group goes
5 through, also regular maintenance including routine
6 visual walk-throughs to make sure there's no buildup
7 on the floors of the walkways and regular cleaning of
8 the fans to prevent the accumulation of dust.

9 The facility will be thoroughly pressure
10 washed and sanitized between each cycle. This will
11 minimize the amount of odor-causing particles that are
12 able to leave the facility.

13 The farm, again, will ensure the facility's
14 fans operate efficiently, thus minimizing dust
15 buildup, and then again, regular maintenance. So
16 Isaac will manage this farm in a way that it will
17 minimize the odor from the farm itself.

18 And then so we have another aspect. Diet.
19 The farm will incorporate an animal diet. It's
20 formulated to allow the most efficient utilization of
21 proteins and nutrients in the field.

22 This practice aids in the reduction of
23 overall odors from the facility by reducing excess
24 nutrients. So one thing that the industry has done in
25 general over the last several years is become really

1 efficient in animal feed -- animal rations.

2 Because so what we are -- they're trying to
3 do is minimize what comes out that can't be used. So
4 the best way to do that is to find out what works the
5 best for that animal, so that we can reduce the amount
6 of nutrients that are excreted by the animals.

7 So the last portion of the odor control plan
8 is the location. The farm complies with and exceeds
9 the setback distances. Again, the residential setback
10 for this farm was exceeded by 440 feet, the populated
11 area setback was exceeded by almost 7,000 feet.

12 So if we talk about our overall odor control
13 plan, we have farm location and maintenance, proper
14 nutrition, and then the direct injection of manure
15 into the ground.

16 The farm will also continue to look for and
17 incorporate other technologies as they become
18 available. This strategic plan incorporates the
19 reasonable and innovative technologies that will allow
20 the farm to operate with minimal odor impact.

21 Siting Criteria 7, traffic patterns, whether
22 traffic patterns minimize the effect on traffic flows.
23 So if we're looking at the farm location down here,
24 the planned traffic route would be from here straight
25 north up to Oblong.

1 So utilizing the Department of
2 Transportation's traffic numbers, that road just east
3 of the facility has an average daily traffic of 50
4 vehicles, a weekly average of 350 vehicles. So that
5 road on just the east side of the farm.

6 We are anticipating about 4 1/2 trucks
7 weekly. That includes both feed transportation and
8 animal transportation. That will consist of about 1.3
9 percent of the average weekly traffic just east of the
10 farm on county road -- or on -- yeah, County Road 2100
11 East.

12 In addition, Isaac will -- the traffic from
13 the farm will comply with the same seasonal posted
14 road weight limits as all other traffic in the area.

15 Siting Criteria 8, the final one, is the
16 facility consistent with area -- with the area. And
17 then the long definition, the farm is consistent with
18 the existing and planned community development.

19 And being the fact that this is a rural
20 agricultural area and we're demonstrating compliance
21 with zoning and setbacks, the farm will meet all of
22 the Livestock Management Facilities Act requirements.

23 So I appreciate the opportunity to come and
24 demonstrate how the farm has met each of the eight
25 criteria. If you have any questions, I think we're

1 ready to take those. Thank you very much.

2 MR. FRANK: Do you have a copy of your
3 presentation?

4 MR. WEST: It's an electronic copy. We
5 would introduce that into the record.

6 MR. FRANK: Thank you very much. We'll now
7 open the meeting for any questions that you might have
8 of the facility or the Department of Agriculture.

9 If you have a question that you would like
10 to ask, please raise your hand and when called upon,
11 please state your name and spell your last name.
12 Please indicate to whom you are directing your
13 question.

14 I will remind you that this portion of the
15 meeting will be limited to questions only. After this
16 question-and-answer session, there will be a session
17 dedicated to public testimony where you can provide
18 your oral comments, so please limit this session to
19 questions only.

20 Also keep in mind that questions need to
21 pertain to this particular facility. Are there any
22 questions?

23 QUESTIONS BY MS. BLAIN

24 MS. BLAIN: So my name is Amanda Blain,
25 B-l-a-i-n, local news reporter. I actually have a

1 list of questions here from various community members,
2 about ten questions from various community members.

3 First off, will this factory use air
4 scrubbers?

5 MR. FRANK: To whom are you directing your
6 questions?

7 MS. BLAIN: I guess Isaac.

8 MR. WEST: Let me answer that.

9 MS. BLAIN: Okay.

10 MR. WEST: We did the design for the farm.
11 I would first -- this is not a factory. It is a farm,
12 just like many other farming operations, but there
13 will be no scrubbers. No. There's no scrubbers
14 planned for the farm.

15 MS. BLAIN: Okay. All right. And then as
16 far as odor control technology, you mentioned
17 injection, nutrition.

18 How many live hogs, not animal units, but
19 how many live hogs will be held at this factory?

20 MR. WEST: 8,400, that's the animal spaces
21 at the farm.

22 MS. BLAIN: All right. And what entity will
23 own the hogs?

24 MR. FINLEY: Making Bacon, LLC.

25 MS. BLAIN: Okay. What entity will own the

1 buildings?

2 MR. FINLEY: Making Bacon, LLC.

3 MS. BLAIN: And what entity is financing the
4 building?

5 MR. FRANK: I don't know if that's an
6 appropriate question for the siting of a facility.

7 MS. BLAIN: Okay. It's a question. Why --
8 it's a question. Why do we have to withhold
9 information?

10 MR. FRANK: We're here to receive
11 information on the siting of this facility.

12 MS. BLAIN: Okay.

13 MR. FRANK: And I don't see where
14 financing --

15 MS. BLAIN: Well, it's commerce in our
16 community. I think we have a right to ask about that
17 before we welcome you in.

18 What entity will hold the land that the
19 building sits on?

20 MR. FINLEY: Between personal family-owned
21 ground and rent ground.

22 MS. BLAIN: Rented ground. We, as a
23 community, would like to know who is going to own this
24 land.

25 MR. FINLEY: My immediate family.

1 MS. BLAIN: All right. How will Isaac
2 Finley Farms get paid?

3 MR. FINLEY: That's not relevant to the
4 topic.

5 MR. WEST: I think --

6 MS. BLAIN: It's commerce.

7 MR. WEST: What we would like to focus on
8 and the reason the meeting is here is the eight
9 siting.

10 MS. BLAIN: Okay.

11 MR. WEST: We're not really interested in
12 discussing all the personal finances --

13 MS. BLAIN: Okay.

14 MR. WEST: -- of Isaac.

15 MS. BLAIN: Where will the manure be stored?
16 You've answered that.

17 Okay. And so I guess the final question is
18 even within your, like, your setback requirements,
19 within those parameters, there is substantial data
20 that says that residences, even within those setback
21 requirements, the property value will diminish.

22 So what plan is in place to compensate
23 people for that.

24 MR. WEST: I'm not going to get into that
25 discussion other than to say that there is huge

1 amounts of data in both directions on that.

2 That has been discussed at the -- not only
3 at this level but at the university type levels both
4 directions saying there is a negative or a positive
5 impact. It's totally locally dependent.

6 MS. BLAIN: Okay. So in the event that
7 someone's property value does --

8 MR. WEST: We're not going to get into
9 what-ifs as far as that goes.

10 MS. BLAIN: We're not going to think that
11 far ahead, are we, about the --

12 MR. WEST: We don't believe that's an issue.

13 MS. BLAIN: Okay.

14 MR. WEST: I'll put it that way.

15 MS. BLAIN: All right. The people that live
16 here might.

17 MR. WEST: We don't believe it will be an
18 issue.

19 MR. FRANK: Mr. Anderson?

20 QUESTIONS BY MR. ANDERSON

21 MR. ANDERSON: Nick Anderson,
22 A-n-d-e-r-s-o-n. Chris, with the amount of projects
23 you've worked on, have property values been an issue
24 once those buildings have been up and operated from
25 your standpoint.

1 MR. WEST: No. Routinely what we see is
2 that not only do the property values not go down,
3 people have trouble actually buying property because
4 the values go the other direction.

5 Property values in Illinois and throughout
6 the Midwest are not going down in the rural setting.
7 So we actually see it the other way.

8 MR. ANDERSON: Thank you.

9 MR. FRANK: Other questions? Any other
10 questions? I see none. Hold on a second. We'll get
11 the testimony sign-up sheets. I will now accept
12 written testimony.

13 If you have any written testimony that is
14 not referred to in your oral testimony, I will accept
15 it now.

16 If you have written testimony that you will
17 be referencing during your oral testimony, it can be
18 entered into the record after your oral testimony.

19 Is there any written testimony to be offered
20 at this time? I see none.

21 I have the sign-up sheets that were placed
22 outside the room listing the people who wish to
23 provide oral testimony. I will call the names of
24 those who wish to testify.

25 When called upon, please step to the front

1 of the room, state your name and spell your last name
2 for the court reporter. I will then swear you in.

3 Remember. You will have three minutes to
4 speak. Are there any attorneys representing clients?
5 First on the list is Wade Harrison.

6 MR. HARRISON: I'll pass.

7 MR. FRANK: Mr. Harrison passes. Next is
8 Bill B-u-r-g-e-n-d-s, maybe.

9 MR. BURGNER: Burgener.

10 MR. FRANK: Burgener.

11 MR. BURGNER: Bill Burgener.

12 MR. FRANK: State your name and spell it,
13 please.

14 MR. BURGNER: B-u-r-g-e-n-e-r.

15 BILL BURGNER,

16 of lawful age, produced and sworn testifies and says
17 as follows:

18 TESTIMONY OF BILL BURGNER

19 MR. BURGNER: As I said, my name is Bill
20 Burgener, life-long resident of Richland County. I
21 also live in German Township where these here
22 buildings are proposed.

23 My main goal here is -- I'm on the Farm
24 Bureau Board, been on the Farm Bureau Board for 14
25 years and currently acting as president.

1 And through my tours of Farm Bureau visiting
2 with other members within the state, Illinois needs
3 agriculture. Illinois needs livestock. Richland
4 County needs livestock.

5 It is important that we have the economic
6 well-being of the state in mind as we proceed with
7 livestock.

8 In my years of growing up, I was a hog
9 farmer. I no longer have hogs because of the
10 inefficiencies of the way I did it and in the early
11 2000s I decided to get out.

12 And these here new building designs, as I
13 was talking to a friend of mine that's got similar
14 buildings, similar designs and about the efficiency of
15 these buildings, it's a wow.

16 They got feed conversions barely over two
17 pounds per head consumption per pound of pork. That's
18 unreal from what we did in the '80s. The economics of
19 what they are doing with this here hog business today
20 makes me jealous I can't be involved.

21 I can't be involved because I'm too old
22 anymore, and I don't have the younger generation to
23 take over. So I'm really glad to see this here young
24 man interested and continuing on with the hog
25 business.

1 In my township where I live at, there is
2 probably three turkey facilities less than two miles
3 from me. There's another hog facility in that same
4 radius. That dairy farm that is probably about four
5 miles from me that's a pretty good-sized dairy farm,
6 and I don't see no problems with them being here. And
7 I think it's all good for the county and township and
8 economics of agriculture.

9 When I say the "economics of agriculture,"
10 I'm a corn, grain and soybean farmer. And I'd like
11 for my feed -- or my corn to be used to feed the
12 animals.

13 It will do nothing but increase my bottom
14 line if I have a better demand for my product. So I
15 totally support and Illinois Farm Bureau supports the
16 economics of livestock in Illinois. And I think we
17 need it in Richland County.

18 That's about all I have. So thank you for
19 coming.

20 MR. FRANK: Are there questions for this
21 witness? Thank you very much.

22 Next up we have Craig Diel.

23 MR. DIEL: Pass.

24 MR. FRANK: Craig Diel, D-i-e-l. He passes.
25 Tim Hacker?

1 MR. HACKER: I'll pass.

2 MR. FRANK: How do you spell your last name?

3 MR. HACKER: H-a-c-k-e-r.

4 MR. FRANK: H-a-c-k-e-r. Mr. Hacker passes.

5 Ron Gray?

6 MR. GRAY: Yes.

7 MR. FRANK: State your name and spell it,
8 please.

9 MR. GRAY: Ron Gray, G-r-a-y.

10 RON GRAY,

11 of lawful age, produced and sworn testifies and says
12 as follows:

13 TESTIMONY OF RON GRAY

14 MR. GRAY: My name is Ron Gray. I'm a local
15 farmer. I have farmed in that immediate area all my
16 life.

17 I own the adjoining property, and seeing the
18 engineering and the technology utilized in these
19 buildings these days, I know that it works, and
20 really, the variable in any of these is the operator.

21 And I have absolute confidence Isaac Finley
22 will implement these plans in a way that will be very
23 productive and very compatible with a good environment
24 in our community.

25 Inherit in the value of my real estate is

1 the ability to build production units there. And if
2 properties are denied this opportunity, that would
3 reduce the value of farm real estate.

4 This is an agricultural area, and it is
5 where livestock should be. Thank you.

6 MR. FRANK: Are there questions for this
7 witness? Thank you very much. Next we have Nick
8 Anderson.

9 MR. ANDERSON: I'll pass.

10 MR. FRANK: Mr. Anderson passes. Is there
11 anyone else who would like to provide any oral
12 testimony? I see no one.

13 This concludes the oral testimony phase.
14 Entered into the record as Exhibit No. 3 is the oral
15 testimony sign-in sheet.

16 (Exhibit 3 entered for the record.)

17 MR. FRANK: Entered into the record as an
18 attendance -- excuse me, as Exhibit No. 4 is the
19 attendance sign-in sheet.

20 (Exhibit 4 entered for the record.)

21 MR. FRANK: Are there any closing remarks
22 from the facility?

23 CLOSING REMARKS BY MR. FINLEY

24 MR. FINLEY: This is Isaac Finley. I
25 appreciate everyone who came out in support of this.

1 This is an exciting prospect for me, and I appreciate
2 the opportunity to present this evening. And thank
3 you for coming out.

4 MR. FRANK: Thank you. Remarks from the
5 department?

6 MR. GOETSCH: I would just echo those same
7 comments. Thank you all for coming this evening. I'm
8 certain the department will appreciate your effort.
9 I'm sure also that the county board appreciates those
10 efforts as well.

11 We'll be sharing this information with the
12 county board and looking forward to receiving their
13 recommendation regarding this proposal as soon as they
14 can get it to us.

15 Thank you so much and have a safe trip home.

16 MR. FRANK: Thank you. As I mentioned
17 earlier, a copy of the transcript will be provided to
18 the county board.

19 For others desiring a copy, the transcript
20 will be available by contacting the court reporter.
21 Thank you for your attendance here tonight. This
22 public informational meeting is hereby closed.

23 (WHEREIN, the proceedings were
24 concluded at 7:00 p.m.)

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CERTIFICATE OF REPORTER

I, Catherine L. Turner, IL-CSR, MO-CCR, RPR,
do hereby certify that the witnesses were duly sworn;
that the testimony of said witnesses was taken by me
to the best of my ability and thereafter reduced to
typewriting under my direction; that I am neither
counsel for, related to, nor employed by any of the
parties to the action in which these proceedings were
taken, and further that I am not a relative or
employee of any attorney or counsel employed by the
parties thereto, nor financially or otherwise
interested in the outcome of the action.

Catherine L. Turner, IL-CSR, MO-CCR, RPR

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