

1 ILLINOIS DEPARTMENT OF AGRICULTURE
Bureau of Environmental Programs
2 State Fairgrounds
PO Box 19281
3 Springfield, IL 62794
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7 IN RE: THE PROPOSED CONSTRUCTION OF A LIVESTOCK
8 MANAGEMENT FACILITY BY GRIGSBY PROTEIN I
9 GRIGSBY PROTEIN REALTY I, LLC.
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18 PUBLIC HEARING
19 FEBRUARY 19, 2015
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1 DEPARTMENT OF AGRICULTURE

2 STATE OF ILLINOIS

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5 IN RE: THE PROPOSED CONSTRUCTION OF A LIVESTOCK

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7 GRIGSBY PROTEIN REALTY I, LLC.

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17 Public Hearing held, pursuant to Notice, on the

18 19th day of February, 2015, scheduled for the hour

19 of 6:00 p.m., at 15588 History Lane, Petersburg,

20 Illinois, before Scott Frank, duly appointed

21 Hearing Officer.

22

23 TRANSCRIPT OF PROCEEDINGS

24

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

2 PRESENT:

3 SCOTT FRANK, Bureau of Environmental Programs,
4 Illinois Department of Agriculture;

5 WARREN D. GOETSCH, PE, Bureau Chief, Bureau of
6 Environmental Programs, Illinois Department of
7 Agriculture;

8 BRAD A. BEAVER, Bureau of Environmental Programs,
9 Illinois Department of Agriculture;

10 ALSO PRESENT:

11
12 PATRICK MASCHHOFF
13 CHRIST WEST
14 RANDY LEKA

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16
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18
19
20 Court Reporter:
Jennifer L. Crowe, CSR
21 Illinois CSR #084-003786
Midwest Litigation Services
22 15 S. Old State Capitol Plaza
Springfield, Illinois 62701
23 217-522-2211

24

1 (Proceedings began at 6:06 p.m.)

2 HEARING OFFICER: Good evening. On behalf
3 of the Philip Nelson, Director of the Illinois
4 Department of Agriculture, we thank you very much
5 for the invitation to come to Menard County
6 tonight.

7 My name is Scott Frank. I'm with the
8 Illinois Department of Agriculture, and I will be
9 serving as the hearing officer for tonight's public
10 informational meeting. Also with me on behalf of
11 the Department are Warren Goetsch, Bureau Chief of
12 the Bureau of Environmental Programs, and down in
13 front is Brad Beaver, manager of the bureau's
14 livestock program.

15 This meeting is being conducted pursuant to
16 Section 12 of the Livestock Management Facilities
17 Act. The informational meeting is being held at
18 the request of the Menard County Commissioners and
19 is to afford members of the public an opportunity
20 to ask questions and present oral and written
21 testimony regarding the proposed construction of a
22 swine finishing facility owned by Grigsby Protein.

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

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

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

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

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

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

1 questions of the facility's representatives or the
2 Department will be given an opportunity to do so.
3 During the question and answer session, I will ask
4 that you state your name and spell your name for
5 the court reporter. You may then ask your
6 question.

7 Depending upon the number of people who wish
8 to testify in the oral testimony phase of the
9 meeting, which is right after this question phase,
10 there may be a time limit placed on this
11 questioning phase. Following the question and
12 answer session, I will ask for oral testimony from
13 the public.

14 Sign-in sheets were placed outside of the
15 room as you came in, one sheet for attendance and
16 the second sheet for testimony.

17 People who wish to provide comments during
18 this oral testimony phase are asked to sign the
19 oral testimony sheet. People providing oral
20 comments will be sworn in and will be subject to
21 questioning from the public. Each person will be
22 given three minutes to provide his or her comments.
23 Legal counsel speaking on behalf of multiple
24 clients will be given a total of 15 minutes for all

1 clients and will be asked to state the names of all
2 of the persons on whose behalf he or she is
3 speaking.

4 Deferring time to other speakers will not be
5 allowed. If you sign the oral testimony sheet, you
6 may either speak or if you have changed your mind,
7 you may pass. You may not give your time to
8 someone else.

9 Also, please keep in mind that if you do not
10 wish to be asked questions during your oral
11 testimony, do not sign the sheet or if you have
12 already signed it, indicate you would like to pass
13 when I call your name.

14 Following the oral testimony I will ask for
15 written testimony. Written testimony will be
16 accepted in paper form and will be entered into the
17 record for this proceeding.

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

21 So to summarize the procedure tonight, we
22 will have comments from the Department, comments
23 from the facility, questions directed to the
24 Department and the facility -- remember to state

1 your name and spell it -- oral testimony from the
2 public. People will be sworn in and asked -- and
3 questions may be asked following the testimony,
4 written testimony and then closing comments.

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

12 This is a public informational meeting, not
13 a court proceeding. The purpose is to share
14 information and provide an opportunity for the
15 Department, the County Commissioners and you, the
16 public, to learn about this proposed facility.

17 Again, we very much appreciate your
18 hospitality in inviting us here tonight to consider
19 the proposed construction of the Grigsby Protein I
20 swine facility. Please remember to confine your
21 comments and questions to that subject as we
22 continue.

23 I will now turn the proceedings over to
24 Warren Goetsch with remarks from the Illinois

1 Department of Agriculture.

2 MR. GOETSCH: Thank you, Mr. Frank. One of
3 our responsibilities at the Department of
4 Agriculture is the administration of various
5 provisions of the Livestock Management Facilities
6 Act. On behalf of the Department, let me welcome
7 you to this public informational meeting.

8 Before we hear from the proposed facility's
9 representatives, I'd like to say a few words
10 regarding the applicable provisions of the
11 Livestock Management Facilities Act and the current
12 status of this proposed project.

13 The Livestock Management Facilities Act was
14 originally passed and became law on May 21st of
15 1996. Since that time the act has been amended
16 four times, first during the General Assembly's
17 1997 fall veto session; the second, a major
18 revision during the General Assembly's 1999 spring
19 session and most recently two minor amendments in
20 2007 and 2009.

21 The current act can be generally described
22 as covering five major areas; those being
23 facilities design standards, waste management
24 planning requirements, facility operator training

1 and testing, anaerobic lagoon financial
2 responsibility demonstration and facility setback
3 requirements.

4 Each of these provisions impacts the various
5 types of facilities in different ways depending
6 upon their size expressed in animal units and
7 whether the proposed facility is considered as a
8 new facility, a modified facility or the expansion
9 of an existing site.

10 The livestock Management Facilities Act
11 provisions are quite complicated and specific
12 facility designs and situations certainly can
13 differ. It is, however, the Department's intention
14 to always fairly and equitably apply these
15 requirements to the livestock industry in the
16 state.

17 Now, regarding the current status of this
18 project, the Department received a formal Notice of
19 Intent to Construct application for the proposed
20 construction of a swine wean to finish facility on
21 January the 13th of 2015.

22 The proposed project consists of
23 construction of two swine wean to finish buildings
24 each measuring 102 feet by 304 feet with 10-foot

1 deep underbuilding livestock waste handling
2 facilities.

3 The project is proposed to be located
4 approximately 3.6 miles northwest of Tallula,
5 Illinois in southwestern Menard County. The
6 application was submitted by Maschhoff
7 Environmental, Incorporated on behalf of Grigsby
8 Protein Realty I, LLC of Tallula, Illinois. The
9 maximum design capacity of the proposed facility is
10 3,722.4 animal units or 9,306 head greater than 55
11 pounds.

12 As I mentioned earlier, the Department
13 received the Notice of Intent to Construct
14 application on January the 13th of 2015 and
15 reviewed it for compliance with the applicable
16 provisions of the act.

17 On January 20th, on January 20th, the
18 Department determined that the notice was complete
19 and forwarded a copy of the completed application
20 to the Menard County Board of Commissioners.
21 At that time we also published in the appropriate
22 newspaper a notice of that mailing.

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

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

4 On January 30th, the Department received
5 notice from the Menard County Board of
6 Commissioners requesting a public informational
7 meeting be scheduled regarding the proposal.

8 After further consultation with the County,
9 the Department and the County scheduled this
10 meeting and caused notice of the meeting to be,
11 again, published in the appropriate newspapers.

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

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

20 A detailed review of the aforementioned
21 plans have been completed. The Department finds
22 that those plans are complete and are compliant
23 with the statutory requirements of the act.

24 We are here this evening to receive

1 testimony regarding the proposed livestock
2 management facility's compliance with eight siting
3 criteria that are defined in Section 12, paragraph
4 D of the Livestock Management Facilities Act.

5 In general, information regarding the
6 following would certainly be appropriate for this
7 evening's meeting; information regarding manure
8 management planning, potential impact of the
9 proposed facility on the surrounding area's
10 character, whether the proposed facility is located
11 within any flood plains or other sensitive areas,
12 odor control plans for the proposed facility,
13 possible impact of the proposed facility on
14 existing area traffic patterns and the possible
15 impact of the proposed facility on community
16 growth, tourism and recreation or economic
17 development of the area. would also be appropriate
18 this evening.

19 Copies of the specific criteria were
20 available on the table with the sign-in sheets. If
21 anyone would like to have a copy of the criteria
22 but did not pick one up, if you would identify
23 yourself, we'd be happy to make sure you got a
24 copy. They look like this.

1 Brad, there is one over there. I apologize,
2 but the lights are difficult to see.

3 Finally, the process that will be followed
4 after this evening's meeting is as follows:

5 The County Board will have up to 30 business
6 days from tonight's meeting to submit to the
7 Department a nonbinding recommendation relative to
8 the proposed citing of this facility.

9 Thus, a recommendation from the Menard
10 County Board of Commissioners is due at the
11 Department on or before April the 2nd, 2015.

12 After the close of the County's 30 business
13 day comment period, the Department will have 15
14 calendar days or until April 17th, 2015, to review
15 all of the information submitted to that date
16 including the Notice of Intent to Construct, the
17 construction plans and specifications, transcripts
18 from tonight's meeting, the Board of Commissioner's
19 recommendation and any other additional information
20 submitted by the owners at the request of the
21 Department.

22 Based on that review, the Department will
23 determine whether the eight siting criteria have
24 been met. Once that determination has been made,

1 the Department will notify both the Board of
2 Commissioners and the applicant of the department's
3 decision.

4 Mr. Hearing Officer, at this time I would
5 like to submit the complete Notice of Intent to
6 Construct application and its associated
7 correspondence file for formal entry into the
8 record as an exhibit. I would also provide a copy
9 of this PowerPoint presentation for an exhibit as
10 well.

11 This concludes my formal remarks. Again,
12 thank you for your attention, and I certainly look
13 forward to hearing your comments regarding the
14 proposal.

15 HEARING OFFICER: Thank you, Mr. Goetsch.
16 Entered into the record as Exhibit No. 1 is the
17 completed Notice of Intent to Construct including
18 correspondence between the Department and the
19 applicant, notices of the public informational
20 meeting and correspondence with the Menard County
21 officials.

22 Entered into the record as Exhibit 2 is a
23 copy of the Department's PowerPoint presentation.

24 (Exhibit No. 1 and No. 2 entered.)

1 HEARING OFFICER: At this time we will hear
2 comments from the facility. Before you begin, for
3 those who will be presenting information, please
4 state your name and spell your last name for the
5 reporter. I will then swear you in.

6 MR. LEKA: Randall Leka, L-E-K-A.

7 HEARING OFFICER: Move the mic a little
8 closer, please.

9 MR. LEKA: Randall, L-E-K-A.

10 MR. MASCHHOFF: Patrick Maschhoff,
11 M-A-S-C-H-H-O-F F.

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

13 HEARING OFFICER: Please raise your right
14 hand.

15 (Whereupon Randall Leka, Patrick
16 Maschhoff and Chris West were duly sworn.)

17 HEARING OFFICER: You may proceed.

18 MR. LEKA: Good evening. My name is Randy
19 Leka, farm manager for the Grigsby family.

20 HEARING OFFICER: Could you use the
21 microphone, please?

22 MR. LEKA: Good evening. My name is Randy
23 Leka, farm manager for the Grigsby family, a
24 position I have held for the past 25 years. The

1 Grigsbys, along with the Maschhoffs, have come here
2 tonight to participate in this public information
3 hearing to share information, answer questions and
4 to demonstrate how the application of Grigsby
5 Protein to construct a swine farm in Menard County
6 meet all eight siting criteria of the Livestock
7 Management Facilities Act.

8 Before I continue with my opening comments,
9 I want to acknowledge the Grigsbys' voluntary
10 decision to withdraw their initial Protein I
11 application and then resubmit allowing for this
12 second public hearing. The Grigsbys did not want
13 any of the neighbors or surrounding communities to
14 feel they did not have the opportunity for public
15 comment and to remove all doubt that adequate time
16 and consideration had been given to their proposal.

17 Within a few days of the conclusion of the
18 first public hearing, the Grigsby family received
19 notification from the Department of Agriculture
20 that the Department had not provided the proper
21 notification to the public regarding the first
22 hearing.

23 The Grigsbys were given options. The first
24 option was just to continue with the process and

1 wait for the Department's ruling on their
2 application.

3 Another option was to withdraw that
4 application and resubmit. With that decision the
5 Grigsbys, for the benefit of the public, chose to
6 withdraw that initial application and to make sure
7 that all public comment was heard and that adequate
8 time had been given in consideration to their
9 proposal.

10 We intend to use this second informational
11 hearing to again demonstrate how our proposal meets
12 all eight siting criteria outlined in the Livestock
13 Management Facilities Act and to address the
14 concerns that we have heard from some of you.

15 These concerns started with whether the
16 Grigsbys were a family farm, and I have worked
17 beside this family for 25 years. I know a little
18 bit of the history. I know a lot about the
19 individuals involved in that family.

20 The Grigsby family is a multi-generational
21 farm family that has a long, successful history in
22 farming. Ralph Grigsby, the patriarch of the
23 Grigsby family, was a farmer of meager beginnings
24 in Tennessee. He had a longstanding dream to own

1 land and farm in Illinois. Through a life of hard
2 work and a series o successful agricultural
3 enterprises, he fulfilled his dream in 1987 by
4 purchasing the Menard and Cass County farmland from
5 Commonwealth Edison.

6 This purchase has given each of his four
7 children or their spouse an opportunity to farm
8 this property. Two children passed away while
9 being actively involved in the Illinois farming
10 operation. A third is sidelined due to health
11 issues, and a fourth remains active today still
12 living in the community.

13 Another question that's been raised is why
14 the Grigsbys chose to partner with the Maschhoffs.
15 Trying to cast some doubt that we have aligned with
16 some large corporate entity, I'm here to tell you
17 that the Grigsby family believe they have partnered
18 with one of the most innovative, environmentally
19 conscious and well ran family businesses in the
20 swine industry.

21 The Maschhoffs are an Illinois-based family
22 business with extensive knowledge of the swine
23 industry. The Maschhoffs are Illinois based and
24 have a strong, proven track record of performance

1 which is critical to us in building our confidence
2 in moving forward with this project.

3 Some of the other concerns that we have
4 heard are, you know, has -- what about modern swine
5 production, you know, is it really the proper trend
6 for agriculture, and has this brought value to
7 society.

8 We believe that much of the concern about
9 this industry has really been perpetuated by some
10 of the past practices including lagoon storage and
11 manure applications that have long been outdated,
12 and we don't intend to use any of these types of
13 systems.

14 Our barns will use the heap enclosed
15 concrete containment structures located under each
16 barn for storage. Using these methods of storage
17 avoids the exposure to sun, wind and rainfall,
18 therefore greatly reducing odors from the
19 environmental influences and thereby greatly
20 reducing those orders that are associated with the
21 lagoon storage as well as eliminating any potential
22 for spills.

23 So it is our opinion that modern swine
24 production has moved in the right direction and the

1 days of our grandfathers' operations that weren't
2 nearly as environmentally conscious or productive
3 for society are long past and that we have moved in
4 the right direction.

5 Other concerns expressed have been a
6 potential lack of government oversight, and this
7 just is not true. There is a great deal of
8 oversight by both the Illinois Environmental
9 Protection Agency for farms of this size and
10 particularly for farming activities that consist
11 for swine production.

12 The other oversight is provided by the
13 Illinois Department of Agriculture. They provide
14 oversight through the construction phase and then
15 monitor, they review and approve the livestock
16 manure management plan and assure that it remains
17 up-to-date, that the plan governs the use of --
18 well, you have to approve yields and manure, the
19 manure analysis, and then the determination of
20 application rates are based on those components so
21 that you really create a sustainable method of
22 using that manure to grow your crops while
23 protecting the environment.

24 Another question that we want to address

1 here tonight is site location. We have put a great
2 deal as well as the Maschhoffs in conferring with
3 them into determining this site location. We
4 believe that we've gone well above all of the
5 siting criteria to properly locate this facility
6 and that we've purposely put it off approximately a
7 half mile off of the public road. This site is
8 surrounded on three sides by mature trees and that
9 all of the siting criteria in terms of the
10 construction have been met or exceeded.

11 I guess in addition to that I just wanted to
12 say that, you know, we've spent two years thinking
13 about this project, working with the Maschhoffs and
14 utilizing the expertise that they have. This is
15 not new to Menard County. This isn't the mega hog
16 farm that people have said it to be. These sites
17 of similar size have operated in and surrounding
18 the county, and they've done so without really
19 without notice, without creating any nuisance and
20 without hurting all of us that either live or work
21 in this area.

22 So, you know, we feel that what we are
23 bringing to you tonight -- and we will get into
24 more detail in terms of the specifics of our

1 proposal and how these siting criteria have been
2 met, but we want to assure you as fellow citizens
3 and community members that we have given this a
4 great deal of thought. A great deal of work has
5 gone into it in terms of planning and a great deal
6 of research to make sure that a lot of the concerns
7 that you have brought up here -- and I have just
8 mentioned the major ones. I know there will be a
9 few others brought here up here tonight, and we are
10 more than willing to answer the questions and
11 address those.

12 But this is a decision we did take easy or
13 for granted. It is very important to the family
14 and growing this family business and creating,
15 contributing to the livelihood of the family
16 members, and we believe in agriculture. That's
17 what all of us are involved in, and we feel it is
18 the backbone of this country.

19 So with that said, we will look forward to
20 your questions. I would like to now introduce
21 Patrick Maschhoff who will demonstrate our proposed
22 project meets those eight siting criteria. Thank
23 you for your attention.

24 MR. MASCHHOFF: Thank you, Randy. To start

1 off with a brief overview of the project, the farm
2 will consist of two wean to market barns with
3 dimensions of 304, 304 feet by 102 feet. Each barn
4 will house 4653 pigs.

5 Manure will be stored in 10-foot concrete
6 deep pits underneath each of barn. Manure storage
7 is designed to a capacity that will allow, allow
8 the farm to apply manure through a direct injection
9 system one time per year over the course of three
10 or four days, depending on field conditions.

11 Pigs will come into the farm at 15 pounds
12 and will be raised to a market weight of 280 pounds
13 over a six-month period. The barns will be washed,
14 sanitized after each group of pigs. The barns will
15 also utilize automated ventilation.

16 I want to go over a few points of what our
17 goal is of this meeting tonight, provide just a
18 general overview of our proposed project and why
19 the Grigsbys have decided to partner with the
20 Maschhoff family, explain why the proposed project
21 specifically meets each of the eight siting
22 criteria under the Livestock Management Facilities
23 Act, community considerations that influenced site
24 selection, technology, management to protect the

1 environment and then also answer any of your
2 questions and engage members of the community in
3 open discussion.

4 The primary responsibility of this meeting
5 is to provide evidence that Grigsby Protein has met
6 all eight siting criteria. We will present this
7 story of how this farm proposal was developed. We
8 will address the eight siting criteria out of
9 sequence.

10 Thus, we have divided eight criteria into
11 four project phases including site selection,
12 permit application process, design and construction
13 and operation and management.

14 During the site selection phase we will
15 discuss the steps that were taken to evaluate the
16 suitability of the proposed location. In the
17 permit application phase we will review the steps
18 taken to submit the necessary applications. Phase
19 three includes facility design and construction.
20 We will walk through how a facility's construction
21 from the ground up to demonstrate the safety and
22 construction standards that are built in these
23 manure storage facilities. The last phase of the
24 project will include plans that we have for

1 operation and management of the farm that will
2 ensure protection of the environment as well as
3 minimize odors from the barn.

4 With that we will proceed to phase 1. Phase
5 1 of the project will address the selection of the
6 proposed facility. Phase 1 incorporates five of
7 the eight siting criteria including design
8 location, management to protect environment,
9 compliance with zoning and setbacks,
10 environmentally sensitive areas and construction
11 standards, effects on local traffic and existing
12 economic development plans.

13 This aerial photo illustrates our compliance
14 with the required setback distances as required
15 through the Illinois Livestock Management
16 Facilities Act. The proposed farm will house a
17 maximum of 3722 animal units. An animal unit means
18 a unit of measurement. Calculation is completed by
19 multiplying the number of pigs by a factor. The
20 factor for pigs with an average weight of greater
21 than 55 pounds is .4.

22 The required setback distance from
23 residences is a third of a mile as indicated by the
24 orange circle. The populated area setback, which

1 is two-thirds of a mile, is indicated by the blue
2 circle.

3 To meet the residential setback requirement,
4 there can be no residences within the residential
5 setback. To meet the populated area setback
6 requirement, there has to be fewer than ten
7 non-farm residents, and there cannot be a common
8 place of assembly or a non-farm business that is
9 frequented by at least 50 different people at least
10 once per week within the populated area setback.

11 As you can see here on the map, there are no
12 residences within the residential setback or
13 populated area and there is no common place of
14 assembly located within the populated area.

15 The second aspect of the compliance setback
16 is to make sure that we are complying with local
17 zoning which Menard County has adopted. The area
18 in which the farm will be located is zoned for
19 agriculture.

20 The separation distance between the
21 livestock farm and the nearest property line is
22 three-quarters of a mile, and the separation
23 distance from the proposed farm to Rogge Road is a
24 third of a mile, a distance that complies with the

1 Menard County zoning setbacks. The source of the
2 map is Illinois Association of County Zoning
3 Officials, January 2009.

4 This is a representation of the proposed
5 truck route to and out of the site. The yellow
6 line represents the route that will be used to
7 deliver weaned pigs and feed to the facility.
8 Market hogs will leave the farm following the same
9 route they took into the farm. Trucks will travel
10 north from State Route 125 from Newmansville Road
11 11 miles to Rogge Road. They will then travel
12 south on Rogge Road one half mile to the driveway
13 of the farm.

14 This truck route has been discussed and
15 approved by the County Highway Superintendent and
16 the Municipal Township Road Commissioner.

17 The previous slide was shown because one of
18 the siting criteria requires us to analyze the
19 impact of local traffic patterns. The information
20 presented here is from the Illinois Department of
21 Transportation.

22 Illinois Department of Transportation truck
23 farm data is not kept beyond State Route 125, but
24 looking at the total traffic volume according to

1 IDOT, Newmansville Road sees an average of 2450
2 vehicles per week. We estimate there will be an
3 average of 8.6 trucks per week traveling to the
4 Grigsbys' farm. Therefore the 8.6 trucks per week
5 on Newmansville Road will be a .35% increase in
6 rural truck traffic.

7 Another siting requirement requires us to
8 evaluate the proposed location of the facility with
9 respect to the sensitive environmental features on
10 the landscape. One of these investigations
11 includes the evaluation of the 100-year flood
12 plain. This map is based off the 2009 FEMA
13 National Flood Insurance data. The light blue
14 dotted area represents the 100 year flood plain.
15 The map clearly illustrates that this site is not
16 located within the 100-year flood plain.

17 The environmental features deals with
18 whether the farm is located within a karst region.
19 Karst regions are most prone to sinkholes. This
20 map shows that the proposed location is located
21 outside of the karst region of Illinois. The
22 source of this information is the Illinois
23 Department of Natural Resources.

24 Frank & West Environmental Engineers, Inc.

1 conducted a visual investigation, and that
2 investigation did not revealed a natural depression
3 within 400 feet of the planned non-lagoon livestock
4 waste handling facility, and no voids were
5 discovered within the soil.

6 The third potential sensitive environmental
7 feature would be to determine if aquifer material
8 was present within five feet of the bottom of the
9 facility.

10 The chart illustrates the soil profile
11 described by on-site soil borings conducted by
12 Frank & West Environmental Engineers.

13 It was the conclusion of the professional
14 engineer who completed the soil borings that there
15 are no aquifer material found within five feet of
16 the planned bottom of the structure. The soil
17 profile described in the proposed barn location
18 consists of silt loam and silty clay loam.

19 If you examine the county breakdown of the
20 2011 study by Goldsmith and Wang, University of
21 Illinois, they have studied the economic impact of
22 livestock in Menard County. You can see pork
23 production has an economic impact of \$3.3 million.
24 The estimated real estate taxes generated by this

1 farm will be roughly \$22,000 annually. These taxes
2 will support local schools and roads within Menard
3 County.

4 This, along with the fact the project will
5 utilize agricultural land, would suggest to us this
6 project is consistent with existing economic
7 development.

8 We also investigated if the proposed farm
9 would have any impact on existing tourism. We
10 would like to walk you through this tonight to look
11 at the separation distances between livestock farms
12 and Eldon Hazlet State Park and Carlyle Lake and
13 compare those separation distances of the Grigsbys'
14 proposed farm to the Jim Edgar State Park and
15 Lincoln's New Salem State Park.

16 I would like to start off by going through
17 the separation distances of the livestock farms in
18 Eldon Hazlet State Park and Carlyle lake.

19 The hog farm represented by the purple
20 triangle is a quarter mile from Hazlet State Park
21 and three-quarters of a mile from Carlyle Lake.
22 The production partner hog farm directly to the
23 west of the purple triangle is three-quarters of a
24 mile from Hazlet State Park and 1.2 miles from

1 Carlyle Lake. The farm just to the north is 1.9
2 miles from Hazlet State and 2.3 miles from Carlyle
3 Lake.

4 As you can see, these farms are located east
5 of the state park and Carlyle Lake which is the
6 same direction in which the Grigsby proposed farm
7 will be located from Lincoln New Salem State Park.
8 The design and size of both production partner
9 farms are the same as the Grigsby proposed farm.

10 On average, according to the Illinois
11 Department of Natural Resources, Eldon Hazlet State
12 Park sees over 800,000 visitors, and according to
13 the Army Corps of Engineers, Carlyle Lake sees over
14 2.2 million visitors annually.

15 We'd also like to note that production
16 partner farms and the Maschhoffs have never
17 received a complaint from a visitor to the Illinois
18 Department of Natural Resources or the Army Corps
19 of Engineers.

20 The head engineer -- sorry, the head ranger
21 from the Carlyle Lake Visitors Center has also said
22 that he has never received a complaint from any
23 campers or visitors due to livestock odors, and he
24 also mentioned that the only thing that impacts the

1 number of visitors annually is the weather and
2 income.

3 Let's compare Eldon Hazlet State Park and
4 Carlyle Lake tourism to Lincoln's New Salem State
5 Park and Jim Edgar Panther Creek State Park
6 tourism.

7 This map depicts the separation distances
8 between the proposed farm location and local
9 tourist locations. As you can see on the map, Jim
10 Edgar Panther Creek State Park is 3.4 miles from
11 the proposed farm to the west, Shambole Golf
12 Course is 4.8 miles from the proposed farm and
13 Lincoln's New Salem State Park is 5.8 miles from
14 the farm.

15 On average, Lincoln's New Salem State Park
16 sees an average of 450,000 visitors annually
17 according to their web site. Jim Edgar Panther
18 Creek State Park sees an average of 775,000
19 visitors annually according to the Illinois
20 Department of Natural Resources.

21 Since there has not been a negative effect
22 on tourism at Eldon Hazlet State Park and Carlyle
23 Lake from livestock farms and given these extensive
24 separation distances between the proposed farm and

1 Jim Edgar Panther Creek State Park and Lincoln's
2 New Salem State Park and also along with the fact
3 that the project would utilize land that is zoned
4 for agriculture suggests this farm would not have a
5 negative effect on existing tourism in the county.

6 Phase 2 of the project will be the permit
7 application phase. Once we have determined that
8 the site is suitable, the next step is to prepare
9 the permit application materials.

10 This process includes several siting
11 criteria requirements including registration, local
12 information, compliance with setbacks and facility
13 design plans.

14 This slide shows that we have taken the
15 required steps for filing the facility application
16 and registration.

17 January 13th, 2015, Notice of Intent to
18 Construct was submitted to IDOA. On January 20th,
19 2015, received IDOA approval of the Notice of
20 Intent to Construct. On January 23, 2015, we
21 completed landowner notifications within the
22 populated area. January 23rd, 2015, the non-lagoon
23 livestock waste handling facility application was
24 submitted. January 27th, 2015, certified mail

1 receipts were submitted to Department of Ag.
2 January 27th, a site investigation report submitted
3 by Frank & West Environmental Engineers. January
4 27th, construction drawings were submitted by Frank
5 & West Environmental Engineers, and January 30th, a
6 waste management plan was submitted to the
7 Department of Ag.

8 Phase 3 of our presentation will cover
9 design and construction. This phase, this phase
10 also involves several elements of the eight siting
11 criteria including design, location, management to
12 protect the environment, environmentally sensitive
13 areas and construction standards and plans to
14 prevent spills and run-off and leaching.

15 Let's start with an overview of the
16 processes used to meet the construction standards
17 required by the LFMA. In the act it represents
18 concrete specifications to have met, to have -- to
19 meet MidWest Plan Services concrete manure storage
20 handler requirements. These are rigorous
21 construction specifications to ensure the safety
22 and integrity of manure storage.

23 MidWest Plan Services is a university based
24 publishing cooperative of the 12 North Central

1 Regional land grant university and US Department of
2 Agriculture.

3 This is the construction standard of the
4 Livestock Management Facilities Act that
5 legislation has chosen to regulate these farms.

6 Those specs that I will go over with you
7 this evening are water stops at all concrete
8 joints, perimeter tile sampling to monitor manure
9 storage integrity and the fact that the storage
10 structure is fully enclosed, therefore excluding
11 sun and rainfall and help to minimize the odors.

12 Per the Livestock Management Facilities Act
13 regulations, all concrete used in the construction
14 of the manure storage structure must be at least
15 4,000 PSI. Using this strength of concrete helps
16 to ensure proper compressive strength. The
17 strength of the concrete used has to be certified
18 in writing from the manufacturer. These steps are
19 required to assure the utmost integrity of the
20 manure storage structure.

21 IDOA conducts an inspection prior to
22 construction, during construction and a final
23 inspection. IDOA also requires photo documentation
24 of these construction standards as well as written

1 documentation.

2 The Grigsbys or their contractor will have
3 to collect this documentation during construction
4 and submit them to IDOA before they can give
5 approval that the structure has, the structure is
6 acceptable to be used.

7 This facility is not only required to use
8 proper concrete mix, but it will also have proper
9 footings and extensive grade 60 steel
10 reinforcement.

11 As you can see in the picture on the left,
12 this site has been leveled and ready for
13 construction of the floor. The squares of concrete
14 in the photo represents the footings that will be
15 used under each column for the storage structure.
16 These columns carry the vertical load of the floor
17 as well as the livestock. In the picture to the
18 right you can see the steel reinforcement of these
19 columns.

20 As we begin talking about the floor you can
21 see in this photo that it is reinforced with steel
22 mats secured together covering the entire floor.
23 The steel mats are made of 6 gauge wire and 6-inch
24 squares. This design feature adds additional

1 stability to the manure storage structure floor.

2 Another point I will make here with you now
3 is one of the requirements of the Livestock
4 Management Facilities Act that governs the farm is
5 a minimum of six months worth of storage capacity.
6 This farm will exceed that requirement.

7 Another design requirement I mentioned
8 earlier was water stops at all concrete joints. We
9 have included this photo to show you exactly what a
10 water stop is. It is a 6-inch vinyl material in
11 the floor, and then when this is poured as shown
12 here, then the other half gets poured into the
13 bottom of the walls which I will show in the next
14 slide. This creates a waterproof seal at the base
15 of the walls, therefore sealing the structure and
16 eliminating any leaks or leaching.

17 You can further see here the extensive grade
18 60 reinforcement I spoke of earlier. The walls of
19 the storage structure have vertical and horizontal
20 steel reinforcement which are also secured
21 together. This steel, along with the dirt that is
22 backfilled up against the walls, adds additional
23 stability to the structure of the walls.

24 The completed manure storage structure is

1 also inspected by IDOA prior to animals entering
2 the farm. This adds visual inspection to the other
3 items also required such as written certification
4 of the concrete strength and photo documentation.

5 To finish off the top of our manure storage
6 structure, the beams and slats used in these
7 facilities are designed and engineered for the load
8 of the equipment and the animals. The beams will
9 be set across the pillars we talked about earlier.
10 Then four foot by ten foot slats will be set on top
11 of those beams. Once the slats and beams are in
12 place, all joints are grounded.

13 Grounding these joints gives you a
14 continuous solid flooring further adding to the
15 strength of the structure. This is also a
16 requirement by the Livestock Management Facilities
17 Act and is inspected by the Illinois Department of
18 Agriculture.

19 The last design construction feature I will
20 go over with you this evening is the perimeter tile
21 monitoring system this facility will utilize.

22 For the Livestock Management Facilities Act,
23 the structure is required to have a perimeter tile.
24 In the picture on the left you will see what is

1 referred to as Form-A-Drain. What the name
2 references is the fact that the concrete forms used
3 when pouring the floor are actually left in place
4 after the floor is done. The forms are slotted on
5 the outside and when left in place form a
6 continuous watertight tile around the perimeter of
7 the structure.

8 The two pictures on the right show a
9 monitoring well that is set in place on top of this
10 tile, therefore giving the Grigsbys access to the
11 water collected in the tile if there is any.

12 An additional water sample is required to be
13 taken prior to IDOA's final approval of the
14 construction project. The LMFA also requires the
15 Grigsbys take a water sample from the monitoring
16 well on a quarterly basis, have it analyzed, submit
17 the results back to the Department of Ag.

18 With some of these design and construction
19 features I have gone over with you this evening,
20 hopefully it gives you a better sense of the
21 careful standards that the Livestock Management
22 Facility Act provides for construction of the
23 manure storage structure.

24 These specs were developed to ensure that

1 the structure has the best engineering structural
2 integrity and Grigsbys' neighbors some piece of
3 mind that not only are we concerned about
4 construction of the facility today but also
5 long-term monitoring that all these measures
6 continue to work effectively in the future.

7 The final phase of our presentation
8 addresses the operational plans and management
9 strategies that we will use to address the
10 remaining siting criteria.

11 We will discuss waste management plans,
12 environmental protections, operational plans to
13 reduce spills, run-off and leaching and plans to
14 control odor.

15 One of the main points we want to make
16 tonight is that we take an integrated management
17 approach. We view this more as a comprehensive
18 system, and we want to make sure that we are
19 managing every facet of that operation in a way
20 that it protects the environment.

21 This starts by feeding of the animals which
22 has significant impact on the potential odors that
23 may be produced. We will talk about the items we
24 utilize to facilitate digestion and treatment of

1 manure, existing tree buffers will be discussed as
2 a practice used to improve air quality, nutrient
3 management as well as barn cleaning and sanitation
4 procedures that are used to clean the facility are
5 also part of the integrated management system.

6 We have all heard the expression what goes
7 in must come out. Certainly it applies to what we
8 feed the animals. One of the most powerful
9 strategies for reducing odor at this source is
10 aggressive management of dietary ingredients.

11 The Maschhoffs nutritionists are now
12 equipped with modern technologies and feed
13 management tools. Using these tools these
14 professionals can formulate diets to meet the
15 nutritional needs of the animal while also
16 minimizing environmental impacts.

17 The end result is a significant reduction of
18 odor and emissions through a variety of mechanisms.
19 We can effectively the lower total nitrogen coming
20 out of an animal which, in turn, lowers a ammonia
21 emissions. We can also control the amount of
22 excreted phosphorus.

23 With this feeding program we have also
24 reduced the amount of volatile fatty acids

1 produced. Volatile fatty acids are what mainly
2 constitutes odor.

3 Another effect of all these combined
4 strategies is reduction of odor and emissions.

5 One tool in the toolbox is microbial
6 additives that are available commercially.
7 Microsource-S is a blend of six naturally selected
8 beneficial microbes added directly to the feed to
9 reduce odor and ammonia.

10 Microbes help the animal to better digest
11 its feed but also pass through the animal into the
12 manure pit and continue to work to decompose
13 solubles and reduce odor and ammonia. This type of
14 product is known as a probiotic. It is the same
15 type of thing you get in active yogurt and is meant
16 to enhance digestion.

17 Another product that we utilize is called he
18 Accelerator Plus. It is a blend of enzymes added
19 directly to the manure storage to aid those
20 microbes and structure, to decompose the manure.
21 It is a tool to speed up that process.

22 A perfect analogy of Accelerator Plus is
23 Riddex. If you have ever used Riddex in your
24 septic system, Accelerated Plus is the same type of

1 product.

2 Studies have shown trees act as natural
3 filters that capture dust particulates that come
4 out of the barn and prevent those particulates from
5 moving off site.

6 This is an overview of the Grigsbys'
7 proposed farm. The farm is located in an area
8 where an existing tree buffer will filter the air.

9 We do want to point out the barns are
10 cleaned thoroughly, pressure washed and sanitized
11 between every group of pigs. We want to ensure
12 proper sanitation for the next group of pigs that
13 come in, but cleanliness is also important for odor
14 control because potential causes of odor are
15 removed from the interior surfaces of the barn.

16 Swine manure is unlike any product you can
17 purchase commercially. It is an organic product
18 and provides complete nutritional package for
19 plants. Not only do you get nitrogen, phosphorus
20 and potassium which are primary elements for plant
21 growth, secondary and micronutrients are also
22 provided.

23 Manure also provides organic -- organic
24 manure not only builds organic structure but also

1 improves health and ability to maintain and manage
2 water in the soil. Manure also stimulates soil
3 biology which, in turn, enhances nutrient cycling
4 making more nutrients available for the plants to
5 utilize for growth.

6 Just as commercial fertilizers manage crop
7 production, manure must also be a valuable nutrient
8 source. This slide illustrates how the nutrient
9 management plenty has been built for the farm. We
10 look at nutrient management as a balancing act. We
11 try to balance crop need with nutrient availability
12 and comply with state and federal regulations.

13 As we look at crop needs we consider such
14 items as soil testing, crop rotation and realistic
15 crop yields. We then use Land Grant University
16 fertility recommendations to determine how many
17 nutrients the crop actually needs.

18 On the other side of the equation is
19 nutrient availability where things such as annual
20 manure sampling, potential lagoon credits and
21 manure application methods must be taken into
22 account.

23 All of these tasks are completed on the
24 guidance and recommendations published by USDA,

1 Natural Resources Conservation Services, University
2 of Illinois and other credible sources.

3 The nutrient management plan will then
4 balance all of those pieces in accordance with the
5 Livestock Management Facilities Act.

6 This slide represents a high level nutrient
7 plan for the farm. We have determined crop need
8 and how many nutrients are available. From that we
9 can calculate land requirements for the farm. We
10 set our realistic yield goal off a five-year
11 average yield from crop insurance data and then
12 develop a nitrogen, phosphorous, potassium
13 recommendations according to the University of
14 Illinois Agronomy handbook.

15 Nutrient availability numbers are based on
16 book values in accordance with the regulation of
17 the Livestock Management Facilities Act. We then
18 calculate the amount of manure proposed per year at
19 the farm.

20 With both pieces of that information, the
21 application rate is calculated at 4900 gallons per
22 acre. The farm has 1430 acres available for manure
23 application and the required acreage needed on a
24 corn/soybean rotation for manure application is

1 719.

2 Another tool that we can use to minimize
3 odor is using proper application methods. This is
4 a direct injection system that knifes the manure
5 directly into the soil. The technology has
6 scientifically shown to eliminate 70% of all
7 application related odors. The calibrated flow
8 meter ensures accurate rates and conservation
9 shanks greatly reduce disturbance of the soil and
10 thus reducing soil erosion.

11 Another part of the application is to adhere
12 all of the environmental sensitive areas. All
13 streams have a 200-foot setback and will also have
14 a 150-foot setback where no application will be
15 performed.

16 The certified livestock management program
17 assures that all farm personnel are properly
18 trained in manure application and regulations. The
19 waste management plan must be developed, submitted
20 and approved by IDOA. The farm is required to
21 maintain that plan and keep all application
22 records. The plan must be regularly updated and
23 available for inspection by regulatory personnel.
24 The farm operator will complete training and pass a

1 written exam every three years to be properly
2 certified.

3 In summary, we feel through these four
4 project phases we have addressed each of these
5 eight siting criteria and conclude that this
6 project meets all eight criteria. I'd like to
7 thank you for your time and attention.

8 And Mr. Frank, I have a copy of the
9 presentation.

10 HEARING OFFICER: Thank you, gentlemen. I
11 will enter into the record as Exhibit No. 3 the
12 presentation from the facility's representative.

13 (Exhibit No. 3 entered.)

14 HEARING OFFICER: We will now open the
15 meeting for questions that you may have of the
16 facility or the Department.

17 If you have a question that you would like
18 to ask, please raise your hand and, when called
19 upon, please state your name and spell your last
20 name. Please indicate to whom you are directing
21 your question.

22 I will remind you that this portion of the
23 meeting will be limited to questions only. After
24 this question and answer session there will be a

1 session dedicated to public testimony where you can
2 provide your oral comments. So please limit this
3 session to questions only. Also, please keep in
4 mind that the questions need to pertain to this
5 particular facility.

6 Are there any questions? Right there, sir.

7 MR. STILTZ: My name is John Stiltz,
8 S-T-I-L-T-Z on last name. One of the questions
9 that I have is, of course, for Mr. Maschhoff.

10 Basically who is going to be technically
11 responsible if the unforeseen happens and there is
12 some type of pollution that needs to be removed?

13 And where do you plan to dump your dead
14 hogs, which is mainly what we are looking at?

15 I didn't see any of this in the
16 presentation. Currently we are pretty concerned
17 right now. We do know that another facility is
18 dumping hogs, 200 to 300 dead, diseased hogs per
19 week just a mile from the city water plant. I am
20 the mayor and operator of that water plant, and we
21 are very concerned.

22 So what are your plans for obviously the
23 dead hog carcasses that are going to be produced
24 from this large facility and what about any

1 possible contamination that is going to be
2 involved? How are you going to handle that?

3 MR. MASCHHOFF: Well, for the mortality
4 disposal there will be an on-site shed where
5 Darling International will be coming to pick up the
6 mortalities three to five days a week period.

7 As far as any chance of spills or pollution,
8 if that were to occur, which it should not occur
9 since this farm is not designed to discharge and
10 does not propose to discharge, if that would occur,
11 we, the Grigsby family and the Maschhoffs, will be
12 responsible for those actions and would take
13 appropriate actions with the Illinois Environmental
14 Protection Agency to get those addressed.

15 MR. STILTZ: I have a follow-up on that.

16 HEARING OFFICER: Yes. Go ahead.

17 MR. STILTZ: A follow-up on that would be
18 you say the Maschhoffs and the Grigsby family would
19 be involved with that, but I understand you're
20 forming an LLC.

21 So exactly what is the limit of the
22 liability of that LLC to cover that?

23 MR. MASCHHOFF: Well, we have never -- an
24 LLC is just another form of insurance. We have

1 always stood by our practices and have never stood
2 behind our LLC. We stand by the work that we do.
3 So we would, we would take appropriate steps and
4 reactions to clean up any, any spill if that would
5 ever occur.

6 HEARING OFFICER: Another question? Way in
7 the back.

8 MR. MACE: Hi. My name is Eric Mace, last
9 name M-A-C-E. I noticed in the presentation you
10 didn't address anything about possible disease.

11 If there are sick pigs, you are going to end
12 up with germs in the manure. If there are sick
13 pigs, you are going to end up with antibiotics and
14 pharmaceuticals in the manure. We are putting that
15 into the ground around several sensitive waterways
16 as I see it, and I'd like to know what it is that
17 you do to treat that.

18 MR. MASCHHOFF: I would like to bring up our
19 consulting veterinarian at this time to answer any
20 of those questions regarding antibiotics.

21 HEARING OFFICER: Would you state your name,
22 please, and spell it?

23 DR. MILLER: My name is Jason Miller,
24 M-I-L-L-E-R, actually Dr. Jason Miller.

1 HEARING OFFICER: Please raise your right
2 hand.

3 (Whereupon Jason Miller was duly sworn.)

4 MR. MILLER: Could you repeat the question
5 first of all? Sorry, Brad.

6 MR. MACE: I had some -- I think you just
7 turned it off. I have some concerns about some of
8 the disease factors.

9 If you do have sick pigs, what happens with
10 the manure, and how does that affect the overall
11 health of the community once it is injected in the
12 ground?

13 If you don't have sick pigs, what is the
14 pharmaceutical load in that manure and how does
15 that affect the overall health of the community?

16 DR. MILLER: So the good thing about a
17 confinement situation where the manure is stored it
18 is mostly an anaerobic environment. So we use
19 defined words as germ or bacteria, various
20 protozoa, fungi, things like that. Very few are
21 going to survive in that environment except the
22 anaerobic microbes that are in that environment.

23 The idea that there is human pathogens in
24 hog manure is slim to none as a possibility they

1 would ever affect a human.

2 The second question was a pharmaceutical
3 load that is in manure. The good thing is the
4 pharmaceutical load actually that is left over in
5 manure is very minutely detectable to the point
6 that it is not of concern to the regulatory agents
7 that are involved in the manure.

8 So the antibiotics that are utilized are
9 regulated and meet stringent withdrawals from the
10 meat product, and they also do not fall under the
11 regulations of the EPA and Department of
12 Agriculture.

13 MR. MACE: Can I follow-up on that?

14 HEARING OFFICER: Yes, go ahead.

15 MR. MACE: What about hormones and growth
16 accelerators?

17 DR. MILLER: There is no hormones or growth
18 accelerants. You have to define growth accelerant
19 first of all to me, but there is no hormones used
20 in the swine industry.

21 HEARING OFFICER: Right there.

22 MR. LEACH: Stan Leach, L-E-A-C-H. I have a
23 question regarding the flow of traffic. One thing
24 that was taken into account, the school busses that

1 travel that route and with our recent consolidation
2 of sports activities and education activities with
3 AC Central over in Ashland, traffic is a little bit
4 more heavy with school busses. At present we
5 travel that route and when we meet grain trucks, I
6 think it is pretty difficult over there trying to
7 get around and stuff like that. So it will
8 increase over there, and I'm wondering about the
9 upkeep.

10 The question is I'm wondering about upkeep
11 of the roads over there. You say \$22,000 in taxes
12 will be paid, but will that care for the damage
13 being done to the roads over there if there is any,
14 because the shoulders are soft and everything else
15 over there?

16 MR. MASCHHOFF: As far as the traffic and
17 trucks meeting other vehicles, I can say that the
18 trucking companies that we work for drive to the
19 safety of the road and other vehicles on the road
20 and any pedestrians. They know that that is a
21 heavily trafficked area, so they will take every
22 precaution necessary.

23 As far as the split, I am not sure on the
24 county, how that \$22,000 gets split into roads, I

1 mean your road districts and to schools. So I
2 can't -- I would think that there would be minimal
3 damage to the roads with the limited trucking on
4 that half mile or mile and a half stretch.

5 HEARING OFFICER: Right there. Go ahead.

6 MR. LEACH: And then in inclement weather
7 like snow and stuff out on those roads, it has
8 taken awhile for the county department to get out
9 there. Now with those trucks and everything out
10 there, I would think they would have to be out
11 there faster. So I would hope they work with the
12 county department.

13 MS. FLISS: Hi. My name is Ellen Fliss,
14 F-L-I-S-S. I actually have two questions.

15 The first, I'm just curious are there any
16 members of the Grigsby family here?

17 Glad to see you.

18 MR. LEKA: They are raising their hand.

19 MS. FLISS: Then I just wanted to clarify a
20 few things. There are several documents involved
21 in this process as well as they are referred to in
22 the siting criteria, and I was curious if the
23 County Commissioners had actually received a copy
24 of the registration application and the associated

1 documents that's referred to in that first
2 criteria?

3 MR. MASCHHOFF: Are you talking about the
4 Notice of Intent to Construct?

5 MS. FLISS: No, I am talking about the
6 registration application.

7 Let me go through this. And a certified
8 survey, have they seen that?

9 Have they seen the plan for the operation
10 that will minimize the likelihood of environmental
11 damage?

12 Have they seen the odor control plan, and
13 have they seen the waste management plan?

14 Those are all things that they need to make
15 a decision on, and I was curious if they have seen
16 any of those.

17 MR. MASCHHOFF: Well, everything we just
18 talked about through our presentation should have
19 addressed that, all of those concerns. The waste
20 management plan has been submitted, but it has not
21 yet been approved by the Department of Ag.

22 MS. FLISS: So basically you are saying they
23 have not received them, and there is no need for
24 them to receive them?

1 MR. MASCHHOFF: They can FOIA anything that
2 they feel that they need to see through the
3 Department of Ag.

4 MS. FLISS: Okay. All right. Thank you.

5 HEARING OFFICER: Right there in front.

6 MS. JAMES: Stacy James.

7 HEARING OFFICER: Stand up, please.

8 MS. JAMES: Stacy James, S-T-A-C-Y,
9 J-A-M-E-S.

10 The first question is for Mr. West. Can you
11 tell me the diameter of your soil borings?

12 MR. WEST: We actually conducted multiple
13 borings, and they're three-inch diameter.

14 MS. JAMES: And three inches is what percent
15 of the area of your building?

16 MR. WEST: I don't have that figure off the
17 top of my head.

18 HEARING OFFICER: Mr. West, could you get a
19 little closer to the microphone?

20 MR. WEST: I don't have the figure off the
21 top of my head. It would be small.

22 MS. JAMES: Probably less than 1%?

23 MR. WEST: That's likely, yes.

24 MS. JAMES: Okay. And the next question was

1 for Mr. Goetsch.

2 Can you tell me the scientific reason why
3 sampling less than 1% of the surface area for
4 underground aquifer material is sufficient?

5 MR. GOETSCH: The rules that implement the
6 Livestock Management Facilities Act were developed
7 and were proposed to the Illinois Pollution Control
8 Board. The Pollution Control Board then adjusted
9 the proposal from the Department and ultimately
10 adopted those, and that's where the design
11 standards come from.

12 If the Pollution Control Board wished to
13 specify the number of borings or any other
14 criteria, they certainly could have done that.
15 Since they did not, it's been up to the Department
16 via policy to determine what was appropriate.

17 What we have done to date has been require a
18 minimum of one boring per building footprint. In
19 many cases the applicant greatly exceeds that.
20 In other cases they don't. It really, I believe,
21 depends on the soil maps that come from that area
22 and whether we expect to see a high level of
23 variability. In this particular case we did not
24 see any reason to request additional borings.

1 MS. JAMES: My understanding from looking at
2 the soil map is that this is in the bass burglary
3 formation and potential for sand and gravel in the
4 area. So I'm wondering if that would then render
5 more borings judicious?

6 MR. GOETSCH: I apologize. I didn't get
7 the first part of that.

8 MS. JAMES: So if you look at a soil map for
9 the area, this is what you call the Glasford
10 Formation, and if you look at how that's defined,
11 it is an area where there is potentially lenses of
12 sand and gravel.

13 So that means if you are sampling less than
14 1% of the surface area for the presence of aquifer
15 material, you are potentially missing a lens of
16 sand and gravel which, of course, could be a
17 potential conduit for ground water contamination.

18 So I'm wondering given this, would it be
19 wise to make the applicant drill more borings?

20 MR. GOETSCH: I guess that's up to -- it is
21 up to your opinion or my opinion or whoever. I
22 mean, everyone can have an opinion.

23 I guess our position at this point is that
24 we believe that the information that we have been

1 provided coupled with the other design standard
2 requirements are adequate to meet the requirements
3 of the statute.

4 MS. JAMES: One last question, Mr. Goetsch.

5 Siting criteria 1, I think, is a somewhat
6 difficult one to interpret, but I think that the
7 person asking the previous question was getting at
8 the point that the criteria no. 1 refers to
9 registration. So elsewhere in the act when talks
10 about registration, it is referring to more than
11 Notice of Intent to Construct.

12 So I think it is the desire of the public to
13 have county boards evaluate projects based more on
14 the Notice of Intent to Construct and unlike what
15 Mr. Maschhoff said, to not have to FOIA the agency
16 for this information.

17 So is it your interpretation that siting
18 criteria 1 actually requires the applicant to
19 submit the registration form to the County Board at
20 the time of their decision making?

21 MR. GOETSCH: I don't think -- there is no
22 quote registration form unquote that you are
23 referring to. The registration, at least the way
24 we have interpreted the statute, the registration

1 is a term that applies to all of the various
2 filings that we have for a proposed project.

3 In this particular case you have Notice of
4 Intent to Construct, you would have the notice or,
5 excuse me, non-lagoon -- I don't have the actual
6 name, but anyway, the bottom line is we can --
7 certainly all of that is part of the record, and we
8 can certainly make sure that the County Board has
9 every piece of paper that we have from which they
10 can do their deliberations for their nonbinding
11 recommendation.

12 HEARING OFFICER: Right next to her, Brad.

13 MS. MARTIN: My name is Kathy Martin, Kathy
14 with a K. My question just fell on the ground, but
15 I think I can do it.

16 With respect to the boring logs, Warren, did
17 you notice that the boring logs for Grigsby Protein
18 Realty I look exactly like the boring logs for
19 Grigsby Protein Realty II?

20 MR. GOETSCH: I don't have the boring logs,
21 the other boring log or the boring logs from the
22 other project that you are referring to with me, so
23 I can't comment.

24 MS. MARTIN: Well, there is just four pieces

1 of paper to keep track of. But anyway, I will let
2 you know on each of the boring logs the information
3 that is lacking is the surface area, I mean not --
4 the surface elevation at the boring location. It
5 just says zero feet, and zero feet is either
6 reserved for meaning sea level or it is a made up
7 number for a particular location. But each
8 location has zero feet, and then the log just tells
9 you how many feet below grand surface.

10 So on both sites that are not located next
11 to each other, these are two completely different
12 counties, exactly one foot below ground surface we
13 don't know the surface elevation of either site,
14 but exactly one foot below ground surface on both
15 sites the soil changes, right, and then exactly
16 five feet below the ground surface on both sites
17 regardless of their surface elevation ground, the
18 subsurface material changes again.

19 I find it curious that they have managed to
20 find two places. I was wondering if you are
21 curious as well that there are two places in
22 Illinois that you don't have to know the surface
23 elevation and yet the subsurface materials are
24 identical?

1 MR. GOETSCH: I guess the question was am I
2 curious, and the answer would be yes, I am.

3 MR. WEST: Let me answer that, if I can,
4 Warren.

5 HEARING OFFICER: Go ahead, Mr. West.

6 MR. WEST: The soil boring log that you saw
7 -- sorry, I leaned back. The soil boring log that
8 you spoke about or that you saw during the
9 presentation is a representation of the log that I
10 submitted, and on that log it does show the surface
11 elevations of the building relative to the depth of
12 the boring.

13 Typically what you see is a surface
14 elevation of the floor level, sorry, of the slat
15 level -- so the pig surface level -- approximately
16 one to two feet above the ground surface elevation.
17 Not always the case, but that's fairly typical.
18 So the borings are actually deeper than what would
19 be required.

20 As far you mentioned the five feet below on
21 both of the borings that you saw the soil types
22 change. Well, that's just not accurate. I'm
23 looking at a boring log right here. On one of them
24 it was five feet below, the other one it was seven

1 feet below where we ran into a different soil type.

2 MS. MARTIN: Okay. I need to follow-up. You
3 did not listen to my question. I can probably talk
4 without the microphone. You did not hear my
5 question.

6 I'm talking about the two soil boring logs
7 for Protein I look just like the two soil boring
8 logs for Protein II, not that the boring logs that
9 Protein I look alike. I did not say that. It has
10 nothing to do with your presentation because that
11 presentation was not available for review prior to
12 this meeting.

13 My question is why didn't you put the
14 surface elevation at the boring where you took it?

15 This has nothing to do with expected
16 elevation during construction, this is the actual
17 elevation when you sat there and did the boring
18 log, okay?

19 MR. WEST: Those elevations are on the --

20 MS. MARTIN: It says zero feet.

21 MR. WEST: --that we submitted to the
22 Department of Ag.

23 MS. MARTIN: Look again.

24 HEARING OFFICER: Another question. Clear

1 in the back. Straight ahead.

2 MR. SINCLAIR: Yes, my name is George
3 Sinclair, S-I-N-C-L-A-I-R, and I'm directing my
4 question to Randy Leka.

5 Could you tell me what percentage of the
6 fields that you plan to dispose or knife in the
7 manure are currently tiled?

8 MR. LEKA: I'm going to say approximately
9 40%.

10 MR. SINCLAIR: Do you have any future plans
11 to increasing your tile capacity in those
12 locations?

13 MR. LEKA: No immediate plans, but it is
14 possible.

15 MR. SINCLAIR: And which of the land do you
16 feel it is more important to have tiles in?

17 MR. LEKA: Typically it is the most
18 productive level fields.

19 MR. SINCLAIR: Most productive level fields
20 containing the highest percentage of the tiles, and
21 where do tiles terminate?

22 MR. LEKA: They terminate usually at some
23 outlet into an intermittent stream in most cases.

24 MR. SINCLAIR: Which makes its way to Clary

1 Creek and Sangamon River if I am correct?

2 MR. LEKA: Eventually.

3 MR. SINCLAIR: Thank you.

4 HEARING OFFICER: Right in front of him.

5 MS. WOLTER: My name is Gina Wolter.

6 HEARING OFFICER: Can you speak up a little
7 bit, please?

8 MS. WOLTER: Gina Wolter, G-I-N-A,
9 W-O-L-T-E-R. I have a question for the
10 veterinarian.

11 As far as the sick pig issue that you
12 addressed earlier, I have a daughter with Type 1
13 diabetes. She has had it 14 years. 1921 when
14 insulin was discovered they used pork insulin
15 because it is genetically, the enzyme sequence is
16 identical, nearly identical to human insulin. We
17 use heart valves from pigs for transplants.

18 So can you say with a degree of relative
19 certainty that there are pathogens in a confinement
20 of this size that cannot cross over to the human
21 population given the similarities, these quirky
22 similarities that we see?

23 DR. MILLER: So I believe your question is,
24 is there pathogens that could pass from a pig to a

1 human?

2 MS. WOLTER: Yeah.

3 DR. MILLER: So that would be a zoonotic
4 disease. Yes, there is diseases that can pass from
5 a pig to a human.

6 Does that answer your question, or do you
7 want further --

8 MS. WOLTER: If you have further, go ahead.
9 You don't have to do --

10 DR. MILLER: Yeah. So, I mean, real simple
11 there is a few viruses and a few bacteria. The
12 great thing is there are very few. With proper
13 sanitation, with proper handling it is very minimal
14 transmission between pig to human. Some of the
15 diseases are actually from human to pig that we
16 have to deal with.

17 HEARING OFFICER: Another question? Down
18 here in the front.

19 MS. ROWE: My name is Rebecca Rowe, R-O-W-E.
20 This is to Mr. Leka. You said that, I believe I
21 understood you to say one of the Grigsbys lives in
22 our community; is that correct?

23 MR. LEKA: That's correct.

24 MS. ROWE: Who would that be, and where do

1 they live?

2 MR. LEKA: It is the Hale family that lives
3 between Petersburg and Pleasant Plains.

4 MS. ROWE: In Sangamon or Menard County?

5 MR. LEKA: You know, I'm not sure. It is
6 close to the line.

7 MS. ROWE: I see. And one of the things
8 that you were talking about -- Mr. Maschhoff, I
9 direct this to you. You talked about complying
10 with the Menard County zoning. We do have zoning
11 in Menard County, but according to our state's
12 attorney our zoning does not comply or apply to
13 this because it is quote unquote agriculture, and
14 so we can't do anything with our zoning.

15 If we could, this would not be allowed. A
16 concentrated animal feeding operation would not be
17 allowed. According to the Menard County Zoning
18 Code, it would have to go through a text amendment
19 and go through a planning commission and the Zoning
20 Board and then go to the County Board before we
21 could even have it. So our zoning had nothing to
22 do with this application.

23 Can you address why you said that it had
24 zoning?

1 HEARING OFFICER: Let's keep in mind we need
2 questions here, please.

3 MS. ROWE: I'm asking if he stated that that
4 zoning, our zoning complied and that is not
5 correct.

6 HEARING OFFICER: Okay. Can you use the
7 microphone, too, please?

8 MS. ROWE: Can you tell me why?

9 MR. MASCHHOFF: I met with thge active
10 zoning administrator, and we picked up all
11 necessary paperwork or documents to file for a
12 building permit that complied with all zoning which
13 would be there.

14 I mean, I may be incorrect, maybe it is, but
15 I thought there was -- the way it was explained to
16 me, there would be a setback from the rear of the
17 property and to the road.

18 MS. ROWE: Right, but you are talking about.

19 HEARING OFFICER: Use the microphone,
20 please.

21 MS. ROWE: You are just talking about the
22 building itself, I was talking about the facility
23 and the operation.

24 MR. MASCHHOFF: The building would be

1 considered agriculture.

2 MS. ROWE: I understand. You were talking
3 about the building specifically?

4 MR. MASCHHOFF: Yes, ma'am.

5 HEARING OFFICER: Right behind you, Brad.

6 MR. LONDRIGAN: Sean Londrigan,
7 L-O-N-D-R-I-G-A-N.

8 Mr. Maschhoff, you talked about the study or
9 the review that you did at Eldon Hazlet State Park
10 and other facilities.

11 Now, the transmission of odors and gases
12 through the atmosphere is a meteorological
13 phenomenon as you probably know. You looked at
14 distances which is a very small factor in the
15 transmission of those gases.

16 My question is was a proper meteorological
17 study done that would include stuff like altitude,
18 contours, vegetation, potential temperature
19 inversions and other environmental factors, or were
20 any gas samples taken?

21 MR. MASCHHOFF: No, this was -- basically it
22 was separation distance, but if you are talking
23 about vegetative buffers, the Grigsby proposed farm
24 would have a vegetative buffer that would help

1 control odors.

2 MR. LONDRIGAN: No meteorological studies?

3 MR. MASCHHOFF: No, sir.

4 HEARING OFFICER: Another question? Work
5 your way around the back, Brad. There is a
6 gentleman in the corner there.

7 MR. ANDERSON: Nick Anderson,
8 A-N-D-E-R-S-O-N. This is for the Department of
9 Agriculture.

10 Warren, when the issue was brought up about
11 the soil samples and the profile of the samples
12 that they took, and I don't recall right off the
13 top of my head the siting requirement about karst,
14 that is aquifer material and porous materials, that
15 you can't site those areas unless you take certain
16 steps for that protection.

17 What is that certain step if you are in a
18 karst or aquifer material, the material underneath
19 the laying of that foundation is porous, what is a
20 solution to that?

21 MR. GOETSCH: Well, in those cases where it
22 turns or where a facility is being proposed within
23 a sensitive area as it is defined in the statute,
24 the applicant could continue to pursue the

1 construction of the facility if the facility was
2 built out of rigid material. An example or case in
3 point would be the use of reinforced concrete
4 construction.

5 So one could argue -- I know this is where
6 you are going with the question. One could argue
7 in this particular indication the proposal is for
8 rigid construction. So this type of facility would
9 be allowed to be built in an area that was
10 sensitive either through being in a karst area or
11 being in an area where aquifer material was found
12 to be within five feet of the planned bottom.

13 MR. KININGHAM: My name is Ben Kiningham,
14 K-I-N-I-N-G-H-A-M. I appreciate your answers and
15 sharing the information.

16 For Randy or Patrick, you propose an average
17 of 8.6 trucks per week on Menard County's roadways
18 over there on Newmansville Road, and I just would
19 like to know are there seasonal periods here when
20 we can expect high levels of truck traffic on this
21 road?

22 Mr. MASCHHOFF: Yeah, the higher levels
23 would be whenever we are marketing the hogs.

24 MR. KININGHAM: And because I guess, you

1 know, from past experience, there is a lot of
2 triathlete runners, bikers, hikers and things,
3 folks from Jim Edgar Panther Creek, and there is
4 also wintertime and springtime when this is a
5 15-ton weight limit.

6 Would you have to have a permit to exceed
7 that, or will you stay within that?

8 MR. LEKA: Anytime that the roads are posted
9 we do work with the county highway superintendent
10 and our local township road commissioners.

11 MR. KININGHAM: I went out there and looked
12 over all the roads, and the neighboring county has
13 a little work to do, but I was very impressed with
14 the work out there on the roads.

15 The last question that I guess would be
16 usually you propose a secondary route if
17 Newmansville is not operational.

18 Have you decided what that route will be
19 yet?

20 It would be nice to know where those trucks
21 will be going if they can't -- for some reason
22 Newmansville is closed because of resurfacing or
23 trees or tornados.

24 We are concerned about the bus traffic and

1 stuff, but that's been addressed already. I just
2 -- usually you have a second route that you tell
3 the Department of Ag in such a situation.

4 MR. MASCHHOFF: Yeah, the secondary route
5 would be 125 to Bluff Springs to Chandlerville then
6 to Oakford and then Newmansville Road.

7 MR. KININGHAM: Okay. So you have got to
8 get down to 125, then back over?

9 MR. MASCHHOFF: Yes.

10 MR. KININGHAM: Thank you.

11 MR. GROSBOLL: I'm Al Grosboll, A-L
12 G-R-O-S-B-O-L-L. I'm the president of the New
13 Salem Lincoln League. I want to welcome you all to
14 New Salem. I think tonight shows we will do
15 anything to get more people out to New Salem. I
16 want to thank all of you also for being here. It's
17 been helpful to hear this.

18 I have a couple procedural questions that I
19 wanted ask the Department just for enlightenment of
20 the audience. Before I do that, though, I notice
21 this issue of freedom of information came up.

22 Just as a question, is it standard policy
23 that citizens have to go through a Freedom of
24 Information process in order to get the materials?

1 We have lots of citizens, not lawyers, who
2 have been trying to gain information, and on
3 multiple occasions they have been told they have to
4 file an FOIA in order to get it. Is that standard
5 procedure?

6 MR. GOETSCH: Yes, I believe so, but I guess
7 I don't know what would be so difficult. A FOI
8 request is simply a statement indicating pursuant
9 to the Freedom of Information Act, I am requesting
10 the following information. I mean, that's all it
11 is, a simple request.

12 MR. GROSBOLL: Well, I'm not here to debate
13 it, I was merely asking a procedural question. It
14 does take time, it is a legal procedure, and
15 sometimes we have to wait until their documents are
16 redacted. So I'm just curious if that is the state
17 policy.

18 Does the statute require an FOI has to be
19 filed?

20 MR. GOETSCH: I don't know that. I don't
21 believe that the statute specifically says that.
22 That's been the Department's policy for well over a
23 decade.

24 MR. GROSBOLL: Thank you. Let me move to my

1 two questions of the department.

2 First off, I have gone through the statute,
3 and I have been unable to find where it speaks to
4 what the role of the County Board is in this
5 process.

6 Now, I think everyone in the room recognizes
7 the County Board neither vetoes nor gives final
8 approval, but what I have tried to find is this:
9 Does the statute provide any direction to the
10 Department in terms of what it does if a county
11 board, for example, votes yes on a permit?

12 Does that cause you to react differently
13 than if the County Board took no position?

14 Does the statute give you any direction on
15 that?

16 MR. GOETSCH: Let me answer your question
17 this way. We view this process and the county's
18 involvement as a way of us, as a way of the state
19 becoming more educated about the issues and the
20 specifics of a proposal.

21 I think it is important to see what the
22 County's recommendation is, but I think that we are
23 probably more interested in why the County is
24 making that recommendation.

1 If the County Board has identified places
2 where the application is lacking in some way, that
3 they identify that this criteria or this criteria
4 or criteria 4, criteria 7 is lacking or the
5 application is lacking for certain reasons, then
6 that helps us focus on working with the applicant
7 to see whether or not they can do a better job of
8 making that application so that they meet those
9 requirements. But ultimately it is the State's
10 decision.

11 MR. GROSBOLL: Right. I understand that it
12 might have psychological impact, might have
13 informational impact.

14 What I'm asking is does the statute say if
15 the County does X, then the Department will go to
16 these steps; if it says Y, we will go to a
17 different set of steps?

18 I can't find anything in the statute that
19 says that. I'm just asking are we missing
20 something?

21 MR. GOETSCH: No, I don't believe that the
22 statute requires us to say yes or no based solely
23 on the County's determination.

24 MR. GROSBOLL: I'm not asking about solely,

1 I'm asking in any way does it impact you. I can't
2 -- I'm just asking from a legal standpoint does the
3 County Board's statement have any legal impact or
4 influence on what the Department does, because I
5 don't see it in the statute? I'm asking if I am
6 missing something.

7 MR. GOETSCH: I'm not an attorney, I'm an
8 engineer, but my response is that yes, the County's
9 recommendation does make a difference because I
10 believe it helps steer us towards -- I mean, it is
11 like an extra set of eyes in terms of reviewing
12 that application. So I think in those -- but it
13 does not force us to make one decision or another.

14 MR. GROSBOLL: My second procedural question
15 has to do with criteria no. 8 which is the one that
16 deals with your taking into consideration cultural,
17 historical, recreational, other resources that
18 might be in the county.

19 As I am reading that, it seems to me, am I
20 correct on this, that it is not saying that you
21 shall take those things into consideration; what it
22 is saying is you shall take into consideration
23 those things if the County has taken action through
24 zoning or other legal action to protect those

1 resources?

2 Is that a correct interpretation of how you
3 view no. 8?

4 MR. GOETSCH: I believe that certainly it
5 is, it is the latter, that if the County has taken
6 a formal action in some way or in some way in terms
7 of zoning, that we are required then to consider
8 those facts.

9 But again, I believe that it is still --
10 there is still the potential there that if we see
11 some kind of a negative interaction between the
12 proposal and existing community growth, tourism,
13 recreation or economic development, that we can
14 further explore those issues.

15 MR. GROSBOLL: Let me finish this. Thank
16 you for that. That's helpful.

17 Here is the question I'm asking. The only
18 authority the County has is zoning, and we have
19 agricultural property around just about everything.

20 So when I read this, I think about New
21 Salem, and, again, we have 400,000 people here a
22 year. If somebody were to go, I forget the number
23 of feet that's required in this case, I think it is
24 over 2,000 feet away from the park that would hit

1 the threshold that the Department has and that's in
2 the statute, if they were one foot beyond that
3 2,400 foot mark, could the Department in any way at
4 all consider that, because I don't see it in the
5 statute?

6 What I see is you can consider it if it
7 violates local zoning or the statute's setback.

8 I don't see anything else in here that
9 allows you to consider it if it is one foot beyond
10 that statutory number; is that correct?

11 MR. GOETSCH: Yes.

12 MR. GROSBOLL: Thank you.

13 HEARING OFFICER: Right behind you, Brad.

14 MR. ANDERSON: Nick Anderson,
15 A-N-D-E-R-S-O-N. A couple of things while we are
16 on the topic of zoning, Warren, and trying to give
17 preference on how you make decisions on setbacks,
18 and I think you take that scenario, if it is
19 possible to New Salem, and when I look at a map,
20 I'm not sure that it is actually possible, but have
21 you made considerations on other farms that if
22 there is a proximity of odor control, whether from
23 manure or siting of the barn, you can increase your
24 diligence on tree planting or other implementation

1 of odor control or manure application when it comes
2 to issues that might present that one foot plus the
3 setback, is that correct, or can you explain that a
4 little bit?

5 MR. GOETSCH: Yes, you are correct in that
6 if a particular criteria is identified as being
7 lacking, then we identify that to the applicant,
8 and the applicant then has the opportunity to
9 modify their application.

10 And perhaps in the case you cite they could
11 add additional treatments like maybe a tree buffer
12 or some other construction that would perhaps
13 attempt to mitigate the issue.

14 It doesn't mean that we would have, we would
15 specifically require it, but we would notify them
16 that this is an area that we don't believe they
17 have met the statute and give them the opportunity
18 to adjust their application if they would so
19 desire.

20 MR. ANDERSON: Thank you. The other part
21 of that is it goes back to the question I missed
22 earlier, but from Patrick Maschhoff site there was
23 issues brought up about tile, and I realize Randy
24 is in the farming practice now with row cropping,

1 but can you tell me the setbacks from tile
2 waterways and outlets when manure application is in
3 place that is unlike the traditional grain cropping
4 system?

5 MR. MASCHHOFF: Yeah, 100-foot setback.

6 MR. ANDERSON: From all of those outlets?

7 MR. MASCHHOFF: From every outlet, yes.

8 MR. SCHONEWEIS: Jeff Schoneweis,
9 S-C-H-O-N-E-W-E-I-S. It is not vitally important,
10 but your 8.6 trucks per week, that's in and out?
11 So 16, or is it 8.6?

12 MR. MASCHHOFF: It is 8.6.

13 MR. SCHONEWEIS: So four in and four out?

14 MR. MASCHHOFF: Yes, roughly, yes.

15 MR. SCHONEWEIS: Okay. Those trucks are
16 going to weigh approximately 80,000 pounds loaded?

17 MR. MASCHHOFF: Yeah, they will be loaded to
18 the legal limit.

19 MR. SCHONEWEIS: Okay. Well, I hope the guy
20 that's doing your percentages -- according to mine
21 here I did it off my phone, so I'm not sure they
22 are right, but a car weighs around 5,000 pounds.
23 Twenty-four fifty times that is twelve million two
24 fifty. 8.6 trucks at 80,000 is 688,000. You take

1 that in as 5.6%, not .35. So I hope the guy that's
2 doing all your other studies is not the same guy
3 that figured that out.

4 MR. MASCHHOFF: One more second. I would
5 like to address that question, if it was a
6 question. That is, that is vehicle traffic, that's
7 not weight.

8 MR. SCHONEWEIS: We are worried about weight
9 on the roads. We don't care how many cars are
10 there. That's just --

11 MR. MASCHHOFF: I know, sir, but what I'm
12 saying, that is the siting criteria is what is
13 effect on local traffic patterns.

14 MR. SCHONEWEIS: Okay. It is not actual
15 effect on the road, it is weight on the roads that
16 actually affects the road; is that correct?

17 MR. MASCHHOFF: This is what I'm stating.
18 the .35 would be increase in the truck traffic.

19 MR. SCHONEWEIS: But not weight on the road?

20 MR. MASCHHOFF: No, sir.

21 MR. SCHONEWEIS: Okay. I got a couple of
22 questions.

23 Randy, are you -- who is going to be
24 applying the manure?

1 Are you going to have it custom done, or are
2 you guys planning on doing it?

3 MR. LEKA: We are going to have it custom
4 applied.

5 MR. SCHONEWEIS: Okay. Good. Will you be
6 applying waste in accordance with IEPA's new land
7 application standards for large CAFO's seeking an
8 agricultural storm water exemption?

9 MR. LEKA: Can you repeat the question?

10 MR. SCHONEWEIS: Will you be applying waste
11 in accordance with Illinois EPA's new land
12 application standards for large CAFO's seeking
13 agricultural storm water exemption?

14 MR. LEKA: Yes.

15 MR. SCHONEWEIS: I have got a couple more.
16 Just a second.

17 What are your secondary plans if the fields
18 are too wet or frozen or other such events occur so
19 that they are not compatible for manure injection?

20 MR. LEKA: Well, they don't have to go on in
21 a short period of time. Obviously we build a
22 window into this, so -- plus we do grow wheat. You
23 know, if we see one field buffering this week we
24 can apply some in the summertime on wheat.

1 MR. SCHONEWEIS: So you are not going to
2 ever apply it in the air, you are always going to
3 knife it in?

4 MR. LEKA: That's correct.

5 UNIDENTIFIED: Can we have a guarantee on
6 that?

7 HEARING OFFICER: Do you have another
8 question, sir?

9 MR. SCHONEWEIS: Yes, I do.

10 MR. LEKA: What was the question? Apply to
11 the air, I don't know what that means.

12 MR. SCHONEWEIS: That means spreading it out
13 the back of a truck or --

14 MR. LEKA: No, we are always going to knife
15 it in.

16 MR. SCHONEWEIS: One other question.
17 Several states have recognized the need to regulate
18 air emissions from CAFO's. Minnesota Control,
19 Pollution Control Agency established an ambient air
20 quality standard for hydrogen sulfide at the
21 property line of operations larger than 1,000
22 animal units. Minnesota also requires these
23 facilities to include an air emissions plan in
24 their water quality permit.

1 Does Illinois -- this is for Mr. Goetsch.

2 Does Illinois have any requirements such as these
3 to protect the public from emissions?

4 MR. GOETSCH: I'm sorry.

5 MR. SCHONEWEIS: Some of these other states
6 are coming out with some new permits. Minnesota
7 requires facilities to include an air emission plan
8 in their water quality permit.

9 Does Illinois have any requirement such as
10 these to protect the public from emissions?

11 MR. GOETSCH: Not that I am aware of, no,
12 sir.

13 MR. SCHONEWEIS: Okay. Thank you very much.

14 HEARING OFFICER: Right in front of you.

15 MS. STIER SANTOS: Margaret Stier Santos,
16 S-T-I-E-R S-A-N-T-O-S. This is for Mr. Leka. I
17 have some questions regarding the water
18 requirements for this facility. I didn't see that
19 mentioned in the presentation.

20 How much water will this facility require,
21 and what are the sources for this water?

22 MR. LEKA: Yeah, they are approximately 1.5
23 gallons per animal. So somewhere in the 14,000
24 gallons annually requirement.

1 MS. STIER SANTOS: Is that a day?

2 MR. LEKA: Excuse me, daily.

3 MS. STIER SANTOS: So 14,000 gallons a day?

4 MR. LEKA: That's correct.

5 MS. STIER SANTOS: Okay. And how are you
6 going to get this water if you don't get rain?

7 I mean, is it rainwater or what are we
8 talking about?

9 MR. LEKA: We are actually going to use a
10 primary and secondary water source. So primary
11 would be wells that we have in place today that
12 have been rated by a well driller to show -- we
13 have actually had an engineering study to show we
14 should have sustainability of those wells, but in
15 the event we had a drought or some environmental
16 influence that changed that, then we do have
17 impoundments that we could draw from.

18 MS. STIER SANTOS: How deep are those wells?

19 MR. LEKA: Approximately 40 feet give or
20 take.

21 MS. STIER SANTOS: Okay. And I understand
22 that there is 53 homes within a three mile radius.

23 What kind of impact do you think that your
24 using this water will have on the neighbors?

1 MR. LEKA: Actually I have brought a
2 statement here that I will read, a letter from our
3 well driller who is -- yeah, if you would like, I
4 will just read it now. It addresses your question.

5 MS. STIER SANTOS: Okay. I have one final
6 question.

7 MR. LEKA: Sure. Hang on just a minute.
8 The well driller company that installed these wells
9 is Reynolds Well Drilling out of Riverton,
10 Illinois, and the gentleman that I have worked with
11 is Andrew Weisenhofer.

12 He had sent -- I'm going to read verbatim.
13 Mr. Leka, in reference to the Grigsby wells located
14 on either side of Clary Creek, Section 13, there
15 will be less than 300 feet of radial influence from
16 each well. This is based upon the design and
17 construction of bored wells that have been
18 constructed in the shallow alluvial deposits that
19 are the aquifer for these wells. The closest well
20 to either Grigsby well is approximately 4,000 feet
21 to the north. There would be no reduction in the
22 performance of the well to the north from the
23 pumping of the wells on the Grigsby site. If you
24 have additional questions, please call.

1 So, you know, to this point we have met with
2 one of the neighbors. This well that's to the
3 north of ours, the adjoining landowner is
4 approximately 4,000 feet north of us. We have met
5 with that landowner and they had expressed some
6 concern. We brought in the gentleman I have just
7 referenced here to talk to him on the phone and
8 assured him that there would be no influence on his
9 well.

10 And additionally I asked him just to make a
11 prepared statement that we could put in the record
12 here tonight in anticipation of this question.

13 MS. STIER SANTOS: Okay. My final question
14 is if there is a spill of some sort, do you see
15 this -- how do you see this affecting the water
16 that you will be using?

17 MR. LEKA: Well, the wells are over a mile
18 from the facilities, so I don't see any impact at
19 all.

20 In addition, we don't expect any spills, but
21 in the unlikely event that would happen, these
22 wells are a great distance from the site.

23 MS. STIER SANTOS: Thank you.

24 HEARING OFFICER: Down here on the aisle.

1 MR. FOOTE: John Foote, F-O-O-T-E. I have
2 two questions for the department and
3 representatives.

4 HEARING OFFICER: Sorry. Go ahead. Sorry.

5 MR. FOOTE: First, I'd like to commend all
6 of the officials' and experts' efforts to be sure
7 that the facility in question meets all of the
8 requirements of the LMFA document, but realizing
9 there could be a slight chance of a little bit of
10 inadequacy in the LMFA, what recourse do Illinois
11 citizens have if that appears or proves to be true?

12 In other words, if we find that some of the
13 rules or regs or whatever we have in the LMFA
14 didn't prove to be adequate, then what is the
15 recourse of the citizens?

16 MR. GOETSCH: Well, again, I'm not an
17 attorney nor do I play one on television, but I
18 would suggest that that's what your elected
19 officials are for. That's what your elected state
20 representative and state senator are for.

21 If you identify and not just the LMFA but
22 any state law, if you believe there is something
23 that's inadequate, I think that those are the
24 people that you talk to because that's how those

1 kinds of laws can be changed is through the General
2 Assembly.

3 So, I mean, that would be my suggestion; if
4 you identify shortcomings in the existing act, that
5 you work through your elected representatives and
6 senators to try and rectify that.

7 MR. FOOTE: I would say that's probably a
8 very good recommendation. I'm glad to hear you say
9 that. I would like people to realize that they
10 have an option, you know, and that maybe they can
11 do something with that.

12 I have another question that is not exactly
13 but it does relate to this one. I'm from Marshall
14 County. We just went through a proceeding of this
15 nature a year ago. You guys did a real good job of
16 presenting things there as well.

17 However, I have a question, and that is when
18 it went to our county board, the County Board
19 presented a recommendation that was adamantly, and
20 that was their quote I believe, adamantly opposed
21 by a 10 to 1 vote for the thing to go through.

22 My question to you is what reasoning or
23 whatever went into play that made you, well, appear
24 to disregard that input?

1 Everybody was wondering how that -- well,
2 maybe, not everybody. Some people are cheering I
3 suppose. But anyway, that's my question.

4 MR. GOETSCH: Well, I think that the
5 response is similar to what I said earlier. We
6 value the -- in that particular case and in any
7 case, we value the input from the County Board.

8 In that particular case we used the comments
9 that came from the County, not just what the vote
10 was but what their identified deficiencies were.

11 I don't recall the number of times that we
12 went back and forth with the applicant, but the
13 applicant was notified of all of the shortcomings
14 that the County identified, and we worked with them
15 to ensure that their ultimate application did
16 rectify those identified shortcomings.

17 So I think that the County, in your
18 particular case and in this case or any case, that
19 the County's, their rationale for their decision is
20 what is important to us.

21 Where are the shortcomings? How can an
22 applicant do a better job of meeting requirements
23 in the statute? Where are there, where are the
24 shortcomings and what, if anything, can be done to

1 alleviate that?

2 In some cases nothing can be done and those
3 cases -- there have been a few. In those cases the
4 application eventually wanes, and the project goes
5 away, but if there are -- if the applicant has the
6 ability to meet those requirements, then they do
7 so.

8 MR. FOOTE: I appreciate your comment, and
9 it is good that you did look at it that way. I
10 guess the one that has really got me wondering
11 about is the siting of that facility, and I have
12 some maps in my possession, but it is very, very
13 close to the Sandy Creek, and many, many of the
14 community members are really at a loss to figure
15 out how that did not get considered.

16 HEARING OFFICER: Let's keep in mind we need
17 to restrict questions to this particular facility.

18 Right here.

19 MS. DURHAM: I have a question for the
20 veterinarian.

21 HEARING OFFICER: State your name and spell
22 it, please.

23 MS. DURHAM: Tammie Durham, T-A-M-M-I-E
24 D-U-R-H-A-M.

1 Will any of the animals that are raised in
2 this facility be raised antibiotic free?

3 DR. MILLER: Unless the Maschhoffs choose a
4 different marketing or model of this business, then
5 the answer would be no.

6 MS. DURHAM: And what antibiotics are given
7 routinely, like preventative?

8 DR. MILLER: Very few of the antibiotics we
9 utilize are used for prevention. It is kind of an
10 odd term. The terminology we would use would be
11 nutritional efficacy or treatment.

12 MS. DURHAM: Okay.

13 DR. MILLER: So about 13% of the antibiotics
14 are used for nutritional efficacy, the rest are
15 used for treatment.

16 MS. DURHAM: What would the name of that
17 antibiotic be?

18 DR. MILLER: We use several antibiotics.
19 Depends on the diseases that are present.
20 Antibiotics are utilized to treat bacteria. We
21 have diagnostics that we utilize from our labs in
22 multiple states that allow us to choose the
23 antibiotics that are appropriate. There is a whole
24 list of antibiotics that are approved by your

1 government, the FDA, that we are allowed to use.

2 Most of the antibiotics are prescribed by a team of
3 health services, the Maschhoff employees. I'm not
4 the only veterinarian they utilize.

5 MS. DURHAM: But there are antibiotics that
6 are given just to help growth and help digestion,
7 and that I'm assuming is kind of the same routinely
8 given?

9 DR. MILLER: There is antibiotics approved
10 in the United States for promoting growth.

11 MS. DURHAM: What are the names of those?

12 DR. MILLER: Do I know the names of those?
13 There is a big list. Let's put it this way. As of
14 December 2016, upon recommendation from the
15 government and the swine industry, we will no
16 longer use antibiotics as growth promotants. The
17 ones that are approved I would say I can list a
18 few. I'd be honest to say there is -- I would have
19 to go to the web site of the FDA to look that
20 information up.

21 MS. DURHAM: The most frequently used would
22 be sufficient.

23 DR. MILLER: Most frequently used, the
24 trade name would be STAFAC for virginiamycin. One

1 of the others would be Carbadox which is Megadox.

2 Those are probably the most common we use.

3 MS. DURHAM: Those would be given to healthy
4 animals?

5 DR. MILLER: Yes.

6 MS. DURHAM: To help them with nutrition?

7 DR. MILLER: They can be given. Those,
8 both of those antibiotics are approved in two
9 fashions; one for treatment and also for improved
10 growth.

11 MS. DURHAM: Do you think it is possible to
12 raise animals in a confined unit, this many animals
13 in one location without the use of antibiotics to
14 healthy animals?

15 DR. MILLER: I don't think it is in the best
16 interests of the animal to withhold antibiotics if
17 they so need, if they so need it.

18 So my professional opinion, if I diagnose a
19 disease or if I feel those animals are to a point
20 they need antibiotics, I don't feel it would be a
21 benefit or a welfare to withhold antibiotics.

22 MS. DURHAM: No, I'm not talking about if
23 they are sick. I'm talking about on a daily basis
24 they are given antibiotics to help with nutrition

1 and growth. I'm assuming that also works as kind
2 of a preventative for disease?

3 DR. MILLER: Correct. Restate your question
4 on the growth promoting part of it.

5 MS. DURHAM: Do you think it is possible to
6 raise that many animals confined in that close
7 proximity without the use of antibiotics?

8 DR. MILLER: For growth promotant or
9 treatment?

10 MS. DURHAM: For growth.

11 DR. MILLER: My answer is yes, and as of
12 2016 we will adopt that technology.

13 MS. DURHAM: Okay.

14 HEARING OFFICER: Brad?

15 MR. MAIERS: Thank you. Tim Maiers,
16 M-A-I-E-R-S. I want to kind of follow-up on a
17 question about the inadequacy of the LMFA. I guess
18 help me, help explain a little bit. The LMFA IS
19 trying to prevent problems with the siting,
20 management plan, those kind of things, right?

21 So if there are problems down the road, can
22 you explain a little bit on that there is other
23 agencies such as EPA that would, I think it was
24 mentioned have recourse or what recourse citizens

1 would have?

2 Could you explain a little bit how the
3 Department of Ag works with the EPA in kind of this
4 process after it is cited, and from there if there
5 are problems how the EPA plays a role.

6 MR. GOETSCH: Sure. Prior to 1996 when the
7 LMFA was passed, really the main environmental law
8 that we had in Illinois was Illinois Environmental
9 Protection Act administered primarily by the
10 Illinois Environmental Protection Agency.

11 That, as well as some pass-through
12 regulatory authority from the federal government,
13 the Clean Water Act, was how livestock facilities
14 were regulated.

15 The LMFA was passed, I believe as more a
16 preventative law in that it put requirements on the
17 livestock industry prior to a facility being placed
18 into service to hopefully then avoid problems that
19 were possibly occurring out there because there
20 were no construction standards or there was no
21 educational requirement for livestock managers or
22 there were no setbacks.

23 The idea of the LMFA was to be a proactive
24 approach that fit on top of the existing regulatory

1 scheme through the Federal Clean Water Act and the
2 Illinois Environmental Protection Act.

3 So as a result of that, we worked very, very
4 closely with IEPA. IEPA still administers, under
5 the Clean Water Act, the NPDES permitting program,
6 National Pollutant Discharge Elimination System
7 permitting program that's required of large
8 confinement facilities, very, very large
9 facilities, and we work with IEPA, and they get a
10 copy of every NOITC, every notice that we receive.
11 They are aware of the facility.

12 Our work usually ends -- 90% of our work
13 ends when a facility is placed into service. We
14 oversee the siting, we oversee the construction and
15 the management of the facility early on, but once
16 it is placed into service, if they have perimeter
17 drainage tubing, we continue to see data from that
18 facility, but once they start operations, the IEPA
19 takes over in terms of monitoring of any potential
20 problems that occur at the facility.

21 We also continue to interact with
22 facilities. Every three years we have to go
23 through the educational process to get individual
24 certified managers certified in each site as well.

1 So it is a partnership between IEPA and the
2 Department in terms of the regulatory process in
3 Illinois.

4 HEARING OFFICER: Do we have any questions
5 on this side? Brad?

6 MR. WILLIAMS: Dan Williams,
7 W-I-L-L-I-A-M-S. I have several questions for you.
8 This is actually for both Ag and the proponents.

9 Will you provide 100% guarantee that there
10 will never be manure smells at New Salem, Panther
11 Creek, Lake Petersburg or other sites five miles
12 downwind?

13 MR. MASCHHOFF: With the mechanisms that we
14 use and tree buffers that exist there, I would say
15 there will be a very, very slim chance that you
16 will ever smell it there.

17 MR. WILLIAMS: What about you, Department of
18 Ag, who deals with this issue, the numerous
19 locations?

20 MR. GOETSCH: I believe that it is the
21 intent of the Livestock Management Facilities Act
22 to site facilities that don't have an adverse
23 impact on their neighbors.

24 In this particular case, I believe that that

1 has the potential of occurring, that they can site
2 a facility such that it should not have an impact,
3 but there is no provision in the statute for me to
4 provide any kind of guarantee nor do I believe that
5 there is that potential for the applicant.

6 MR. WILLIAMS: Therefore, odors could be
7 smelled at these facilities?

8 MR. GOETSCH: That's not what I said, sir.

9 MR. WILLIAMS: I just asked you if there was
10 100% --

11 MR. GOETSCH: No, you asked if I could
12 guarantee. I have no ability to guarantee
13 anything, sir. I think that's the intent of the
14 statute, to allow for -- well, if you read the
15 permitting statute, you will see that it talks
16 about trying to protect the citizens of the State
17 of Illinois and also to promote a vibrant livestock
18 industry in the state. I think that's the intent.
19 That's why we have the requirements that we have,
20 trying to do both.

21 MR. WILLIAMS: I realize it is an intent. I
22 just wanted to know if it would.

23 Let me move onto my next question, and this
24 will be for Mr. Leka. Would you please describe

1 the emergency plan to deal with a spill, tornado,
2 earthquake, fire, explosion, or other disasters and
3 has it been shared with local emergency responders
4 who are volunteering in our county so that they
5 know about the hazards, the contact persons and so
6 they can respond safely in the event of an
7 emergency?

8 MR. LEKA: Sir, we have an emergency plan
9 for the farm, but we have not been so presumptuous
10 to assume that these structures are going to be
11 built without the approval of the department, and
12 that's why we are here tonight.

13 So I think that would be very presumptuous
14 on my part to already have a plan written for
15 structures that aren't constructed.

16 MR. WILLIAMS: Well, then I guess I would
17 follow-up with would such a plan be available on a
18 day in which the plant would be opened?

19 MR. LEKA: Yes.

20 MR. WILLIAMS: Because I thought the statute
21 said you had some time period, a few months or
22 something before you had to submit a plan, or I can
23 certainly be incorrect.

24 MR. MASCHHOFF: Yeah, a waste management

1 plan has already been submitted. It needs to be
2 submitted and approved by the Department of Ag
3 before that, those barns can be placed into
4 service.

5 MR. WILLIAMS: Okay. I think it is very
6 important because any hazardous facility,
7 firefighters in the middle of the night need to
8 know the risks and how to get in, and certainly
9 workers can be overcome by fumes, et cetera. So we
10 want to make sure our firefighters are protected.

11 MR. MASCHHOFF: And there would be emergency
12 response plans in the waste management plan for
13 those types of accidents.

14 MR. WILLIAMS: Okay. Thank you.

15 And then the next question, would you please
16 describe the inventory of booms, absorbents or
17 other remediation equipment and supplies that would
18 be prepositioned on site to deal with a potential
19 release to the environment and who would be
20 qualified to take such remediation efforts in the
21 event of a spill?

22 MR. MASCHHOFF: Are you talking about what
23 type of equipment that would be on site during
24 application?

1 MR. WILLIAMS: On site period in case there
2 was an earthquake or explosion or anything that
3 could cause a release of product to the
4 environment.

5 MR. MASCHHOFF: Well, during the application
6 there would be necessary equipment, a loader,
7 tractor or backhoe. If there would be a spill
8 occur or a hose would break, the first thing to do
9 is stop the leak. That's first protocol, and then
10 the second one is to contain it, and the second one
11 is to call the Illinois EPA that there was, there
12 has been a spill, and then they would respond to
13 that, to that call. Then we would be able to get,
14 use that pumping equipment to clean up any spill
15 that could would have occurred.

16 MR. WILLIAMS: So would some of that be
17 prepositioned on site, or it is there if and when
18 you need it?

19 MR. MASCHHOFF: Yes, it would be.

20 MR. WILLIAMS: Okay. Thank you. And this
21 question would be for Ag. Criteria 8 states that
22 new facility is consistent with existing community
23 growth, tourism, recreation or economic
24 development.

1 So how can the agriculture department make
2 such a determination without contacting local
3 officials and organizations involved in such
4 activities, perhaps a tourism council or a chamber
5 of commerce perhaps or other groups that deal with
6 community growth, tourism, recreation and economic
7 development and who may have information that's
8 contrary to some of the other findings?

9 And who at the Department of Ag makes
10 tourism and recreation determinations and what is
11 their expertise in these areas?

12 MR. GOETSCH: I believe that's why we are
13 here. We are here to understand or to gather
14 information about the eight siting criteria from
15 the people in the county, from the County Board.
16 That's why the County Board is asked to make their
17 nonbinding recommendation regarding these issues.
18 So that's why we are here, sir.

19 MR. WILLIAMS: Well, I thank you for that.
20 When you had the other public meeting, most people
21 didn't know about it, and to my knowledge none of
22 those groups that I mentioned to you were asked for
23 any information about recreation, tourism, et
24 cetera.

1 HEARING OFFICER: We have been going for
2 about an hour and 15 minutes on questions. We have
3 got 47 people signed up for oral testimony. If you
4 do the math on that, that is about two and a half
5 hours at three minutes apiece. So I think we will
6 take two more questions, and then we will break for
7 a short time to give the court reporter a little
8 bit of a breather, and then we will come back with
9 oral testimony.

10 So is there somebody over on this side that
11 has not asked a question?

12 MS. BOWEN: Hi, my name is Linda Bowen,
13 B-O-W-E-N, Linda. My question has to do with the
14 work with the EPA. I guess I'm a little concerned
15 about the significance of the impact on our rivers,
16 streams, water, our air quality.

17 Is there a mechanism for a full
18 environmental assessment on the impact before we do
19 this?

20 MR. GOETSCH: There is no such requirement
21 in the statute as it is written today, no.

22 MS. BOWEN: Thank you.

23 HEARING OFFICER: Right beside you.

24 MR. OLESEN: Lloyd Olesen, O-L-E-S-E-N.

1 This would be for the Department of Agriculture.
2 Those pictures that came up there that showed the
3 tiles along the foundation would collect any
4 run-off; is that right?

5 MR. GOETSCH: Those are the -- there is a
6 requirement for a foundation drain. The idea there
7 is to keep the or there is an engineering design
8 purpose, and that is to keep the, to keep the water
9 table from reaching the bottom of the foundation.

10 But it is also, as I mentioned earlier
11 through the Pollution Control Board ruling making
12 process, it is utilized as a sampling port, the
13 idea being that it will be an early warning system.
14 If there was some kind of crack or some kind of
15 release through the foundation, it would first show
16 up in that tile. That's why they are required to
17 sample that tile on a quarterly basis.

18 MR. OLESEN: On a quarterly basis. I find
19 that ridiculous you only check for a leak every
20 quarter. I mean, you are going to tell me again
21 that that's the law, that's the rule. Looks like
22 the Department of Ag needs to revisit something
23 like this where you only check something every
24 quarter.

1 I mean, how much things, stuff could run out
2 of there in two to three months?

3 MR. GOETSCH: I don't have a good answer for
4 you, sir, I'm just saying --

5 MR. OLESEN: In regard to what you told the
6 fellow about the EPA before, about Ag and EPA
7 working together. In our local paper today it said
8 any facility under 10,000 hogs was not regulated by
9 EPA. So it is very nice that we went to 9300, you
10 know. Plus there is hundreds in Illinois that are
11 over 10,000 that don't even register with the EPA.

12 MR. GOETSCH: Well, let me just say that I
13 didn't read the article. I would imagine what they
14 were probably referencing was any kind of formal
15 regulatory process like an NPDES permit, but every
16 facility that is out there, if they are causing any
17 kind of environmental damage --

18 MR. OLESEN: After --

19 HEARING OFFICER: Sir, we need one person
20 speaking at a time. Mr. Goetsch is speaking.

21 MR. GOETSCH: But if there is any kind of
22 problem or if there is a complaint lodged, IEPA has
23 the ability to go out and investigate facilities of
24 any size.

1 MR. OLESEN: But this said they did not need
2 to be registered with the EPA.

3 MR. GOETSCH: Well, registration and
4 response to complaints are probably two different
5 things, sir.

6 HEARING OFFICER: Okay. Last question right
7 in front of you.

8 MS. OLESEN: Cathy Olesen, O-L-E-S-E-N. I
9 guess my big question and I don't know who I'm
10 addressing this to, I'm sure the Grigsbys are very
11 nice people. I actually feel kind of sorry for
12 you. You are coming into a community where every
13 recognized -- I shouldn't say every -- almost every
14 recognized organization is against this. You have
15 the Chamber of Commerce, tourism and everything. I
16 don't understand how you don't listen to the
17 constituents, the citizens of this area.

18 HEARING OFFICER: Ma'am, do you have a
19 question?

20 MS. OLESEN: That's what I'm asking. Why
21 is, why are the citizens not listened to?

22 You go to the Board and they can say yes or
23 no, and you don't have to listen to them. You can
24 do whatever you want. But, you know, we are

1 citizens. We live here every day 365 days a year
2 unless we go on vacation and go somewhere. These
3 are our homes, our businesses. This is where we
4 are trying to bring tourists in.

5 HEARING OFFICER: Ma'am, you asked a
6 question. Now let someone answer it.

7 MS. OLESEN: Okay. So how -- why is no one
8 held, you know -- so why aren't we listened to?

9 MR. GOETSCH: I guess my only response would
10 be that the law as passed by the General Assembly
11 provides certain requirements or gives certain
12 responsibilities to the Illinois Department of
13 Agriculture, certain responsibilities under the
14 Environmental Protection Act, IEPA, other
15 requirements, other responsibilities to public
16 health, and that's what our elected officials have
17 determined is the appropriate approach for the
18 regulation of this particular industry, and so
19 that's what we are doing.

20 MS. OLESEN: Do you take into consideration
21 how the people here feel and people that have
22 homes, whether they are for it or against it? Is
23 this taken into any consideration at all?

24 MR. GOETSCH: To the extent that you

1 provide us information regarding compliance with
2 the eight siting criteria, we certainly are
3 interested in that, and we certainly will use that
4 as we evaluate the application.

5 But no, if we are just taking a straw poll
6 and you say I don't want it and you say I do want
7 it, that really doesn't have an impact, no, because
8 the statute doesn't tell us to take a straw poll.

9 The statute says that we need to evaluate an
10 application based on these criteria and whether or
11 not it meets all these construction standards,
12 these setback distances, these waste management
13 plan requirements, and to the extent that they meet
14 those or exceed those, then we approve a project.
15 If they don't, then we don't.

16 MS. OLESEN: So it doesn't matter, we don't
17 matter?

18 No, I'm -- I realize --

19 MR. GOETSCH: The statute tells us that we
20 need to do this a certain way, and that's what we
21 are doing.

22 MS. OLESEN: So you have follow the letter
23 of the law.

24 MR. GOETSCH: It is a democracy, yes, ma'am.

1 MS. OLESEN: Well, but number 8 is about,
2 you know, affecting tourism and stuff. Anyway, I'm
3 done.

4 HEARING OFFICER: Okay. I want to thank you
5 for your questions.

6 UNIDENTIFIED: This is our only opportunity
7 to learn about this project. Certainly you can
8 allow a few more questions from the people. You
9 have a lot of people that have gathered here.

10 UNIDENTIFIED: We can stay all night.

11 UNIDENTIFIED: May we be allowed to ask a
12 couple of questions, please?

13 HEARING OFFICER: We will go a few more
14 minutes.

15 UNIDENTIFIED: Do I need a microphone or can
16 just I talk loudly?

17 HEARING OFFICER: Hang on a second, please.
18 I didn't say you were the next one.

19 HEARING OFFICER: Go ahead.

20 MS. HALL: My name is a Molly Hall, H-A-L-L.
21 Mr. Goetsch, these are directed at you.

22 Isn't it true that EPA does not have a
23 permitting program for confinements of this size?

24 MR. GOETSCH: That is correct.

1 MS. HALL: Isn't it true that IEPA does not
2 proactively monitor facilities like this one for
3 air or water pollution?

4 MR. GOETSCH: That I cannot say. I believe
5 that they are -- they respond, they respond --

6 MS. HALL: All right.

7 MR. GOETSCH: Ma'am, can I answer your
8 question even if you don't like the answer?

9 They will respond to complaints, and they --
10 we have had joint inspections with them, mainly on
11 a complaint basis. But do they annually go in and
12 inspect these type of facilities, no, they do not.

13 MS. HALL: So isn't it true that IEPA
14 doesn't get involved until there is a discharge or
15 a pollution problem, meaning until after the damage
16 has been done?

17 MR. MASCHHOFF: Can I speak real quick?

18 MS. HALL: I'm asking Mr. Goetsch. Is that
19 not true?

20 MR. GOETSCH: Well, I think you are leaving
21 out the complaint side of it, but in the absence of
22 a complaint, the IEPA would not necessarily be
23 going to a facility so that there would have had to
24 have been some kind of release before they most

1 likely would be involved, yes.

2 MS. HALL: Okay. Are you aware that USEPA
3 is highly critical of Illinois and the IEPA for its
4 failure to act under the Federal Clean Water Act,
5 excuse me, for its failures under the Clean Water
6 Act?

7 MR. GOETSCH: The IEPA and USEPA have
8 entered into an agreement, I believe about two
9 years ago for IEPA to enhance their enforcement and
10 their administration of the NPDES permitting
11 program. That's my knowledge. I don't know
12 whether one group is happy with the other group or
13 not.

14 MS. HALL: Yeah, that's what the gentleman
15 was referring to about the number of unregistered
16 and untracked CAFO's in Illinois.

17 Last question with regard to the
18 environment. Are you aware -- I think this is
19 important in terms of meeting the site criteria, of
20 siting criteria about preventative and so on.

21 Are you aware Clary Creek and Sangamon River
22 are already listed as impaired on the USEPA web
23 site?

24 MR. GOETSCH: Impaired for what?

1 MS. HALL: Pollution.

2 MR. GOETSCH: Well, I mean, there are stream
3 segments that are impaired for various things. I'm
4 not aware of what particular impairment might be
5 associated with that particular section.

6 MS. HALL: Let me ask you, are you aware
7 USEPA says 20% of all pollution in rivers, lakes
8 and streams is coming from CAFO's, concentrated
9 animal feeding operations?

10 MR. GOETSCH: I'm not aware that's an
11 accurate number, no.

12 MS. HALL: Then I will direct this one to
13 Mr. Leka. Who will own these facilities?

14 MR. LEKA: The Grigsby family through the
15 LLC.

16 MS. HALL: So the Grigsby family will own
17 then and operate them?

18 MR. LEKA: They will be owned by the Grigsby
19 family, operated by the Maschhoffs.

20 MS. HALL: Please clarify what you just
21 said.

22 MR. MASCHHOFF: The Maschhoffs will take
23 care, in barn.

24 MS. HALL: Okay. I have one more question.

1 There has been a statement made that using the,
2 storing the manure in these pits helps to reduce
3 the odors and contain the odors.

4 I have done a lot of manure pit research. I
5 have found nothing to suggest that storing manure
6 in a pit for a year at a time or longer will help
7 to minimize or reduce odors.

8 Do you have scientific research that backs
9 up that assertion?

10 MR. MASCHHOFF: Okay. So you are asking the
11 question does storing manure in a pit reduce odor?

12 MS. HALL: You have made the assertion that
13 it does.

14 MR. MASCHHOFF: Yes, it does because there
15 is no --

16 MS. HALL: Do you have scientific studies
17 that back that up?

18 MR. MASCHHOFF: Yes, I'm sure we can find
19 some.

20 MS. HALL: Okay. We'd like to see those.
21 We have found them to be otherwise.

22 I mean, are you aware --

23 MR. MASCHHOFF: What are you comparing it
24 to, though, ma'am?

1 It does reduce odor but --

2 MS. HALL: Are you aware of storing manure
3 underground for long periods of time creates
4 additional chemical reactions and additional gases,
5 many of which are odorless but highly toxic?

6 And I'm trying to understand the assertion
7 that these are reduced somehow by having them
8 stored in a pit.

9 MR. MASCHHOFF: Well, yes, because the
10 biggest thing is they are not open, and wind would
11 not blow it across the surface area and sunlight
12 and wouldn't have as much volatilization with which
13 ammonia would escape. Yes, it would.

14 MS. HALL: You are aware of the phenomenon
15 occurring with explosions and fires of manure pits
16 due to buildup of these highly explosive and
17 combustible gases?

18 MR. MASCHHOFF: Well, that, that is
19 actually, it is a foaming occurrence, right?
20 That's where it is coming from. Yes, we are aware
21 of that, but that foaming occurrence in those pits
22 has decreased over, at least in our situation has
23 decreased over the last year and a half.

24 MS. HALL: I'm going to yield to other

1 people, but let me just say that a number of us
2 have a lot of questions about a lot of elements of
3 this operation. So thank you very much for
4 allowing a few extra questions at this time.

5 HEARING OFFICER: You are welcome. Right
6 next to you, Brad.

7 Ma'am, can you state your name and spell it,
8 please?

9 MS. McCOMBS: Shirley McCombs,
10 M-C-C-O-M-B-S. Will you be letting neighbors who
11 live in the proximity of the fields where you are
12 spreading manure know when you it is going to
13 happen?

14 MR. LEKA: Yes, I think that's a reasonable
15 request. And Shirley, I believe I know where you
16 live, and we have no immediate plans to be applying
17 in your area. But yes, if you want to give me your
18 contact information, I'd be more than happy to
19 contact you when we have a planned application in
20 your area.

21 HEARING OFFICER: Other questions? Down
22 there. Can you state your name?

23 MS. REYNOLDS: Priscilla Reynolds,
24 R-E-Y-N-O-L-D-S.

1 You claim that you plan to inject the manure
2 into the ground, but is there any possible scenario
3 that would allow for the air application or aerial
4 application or irrigation spraying of manure?

5 Say if the pits were full and the manure had
6 to be, had to go somewhere, the ground was frozen
7 or it had rained and we had rain in the forecast
8 for the next several days, what are you going to do
9 with the manure?

10 If that is a situation is there ever a
11 possibility that it will be allowed to be put into
12 the air?

13 MR. LEKA: I do not see that coming down.

14 MS. REYNOLDS: Whether you see it or not, I
15 want a yes or no answer. Will it be allowed at any
16 point or any scenario or will the citizens of
17 Menard County get a guarantee from this facility
18 that no manure will be sprayed over crops, sprayed
19 onto the land or done anything other than your plan
20 to put it into the ground?

21 MR. LEKA: It is our plan to knife it in, so
22 I do not see any other scenarios. We have no other
23 plans to broadcast or aerial. We have no means of
24 aerial applying it.

1 MS. REYNOLDS: So is it not allowed, or is
2 it allowed?

3 Mr. Goetsch, i will direct this question.
4 Is aerial application of manure allowed?

5 MR. GOETSCH: Yes, it is. I believe that
6 you have a few facilities or few systems either in
7 this county or in southern Mason, and I believe
8 there might be one or two in Cass.

9 So yes, it is legal, but the kind of
10 facility that is being proposed here, it is not
11 really practical to be taking manure out of a pit
12 structure like they're proposing because of the
13 consistency of the manure that's going to result.

14 Most lagoon facilities or, excuse me, most
15 irrigation kinds of application are made from
16 anaerobic lagoons which has a much, much higher
17 water content so that pumping is feasible. But in
18 this particular case it is very, very seldom, if
19 ever done.

20 MS. REYNOLDS: Well, I have another part of
21 that question. Your permit is going to allow for
22 growth of 50% of what is on your, in your barn
23 every two years.

24 Say if you expand to get to the point where

1 your facility or your land cannot adequately manage
2 all of the manure that will be required, will there
3 be manure availability to go off of your site?

4 Will you be offering it out to other farmers
5 in Menard County?

6 MR. LEKA: We have more than enough land to
7 apply this manure, so your scenario of ever having
8 any need to go off site with this manure is not --

9 MS. REYNOLDS: So that will be a guarantee
10 it will not be going off of the land that surrounds
11 this facility?

12 MR. LEKA: You know, I'm not in a position
13 to make guarantees because I can't see, you know,
14 20 years into the future, but I can tell you that
15 this is a valuable resource that we use to grow our
16 crops.

17 So, you know, there is a value to this that
18 we would not be interested in just giving it away,
19 and why would we want to do anything other than
20 apply it to our own land when we have got a land
21 base that is much larger than what is needed to
22 utilize this nutrient asset?

23 HEARING OFFICER: Could you state your name,
24 please?

1 MS. ROWE: Rebecca Rowe, R-O-W-E. The
2 ventilation system that you are going to use on the
3 facility, there is some state of the art -- if you
4 would explain that. Are you going to be using bio
5 filters and how that process works? Are there pit
6 fans?

7 This is new to -- most of us don't have
8 experience with that, so I appreciate a detailed
9 explanation of that.

10 MR. MASCHHOFF: So both barns would be
11 tunnel ventilated. So one end of the barn would be
12 a curtain side that regulates the flow of air
13 coming through the building, tunnel fans on the
14 other end pulling that air through. Depending on
15 air temperatures that current will fluctuate.
16 Yes, there will be pit ventilation on the barns.

17 MS. ROWE: What about bio filters?

18 I mean, what is going to prevent, with the
19 system that you have, those emissions?

20 What kind of controls will those emissions
21 have to reduce those things coming into the air,
22 things we can smell, things that we cannot smell?

23 MR. MASCHHOFF: Yeah, our best practice,
24 like was stated in the presentation, would be the

1 way to control door. Did you say biofilter?

2 MS. ROWE: Biofilters.

3 UNIDENTIFIED: Biofiltration.

4 MR. MASCHHOFF: Yeah, they don't -- first of
5 all, that technology has not been proved to work.
6 The other --

7 MS. ROWE: The studies that are out there
8 show that it reduces emissions.

9 MR. MASCHHOFF: Yes, but one second. The
10 other part is they do not make a biocurtains for
11 fans of this size.

12 The other thing is if you look into some
13 research of the maintenance, the dust that
14 collects, there is much more negatives in that
15 research that don't make it an adequate source to
16 reduce odor.

17 MS. ROWE: So but the facility has to be
18 vented 24 hours a day, seven days a week the entire
19 time, correct?

20 MR. MASCHHOFF: No, it does not.

21 MS. ROWE: Really?

22 MR. MASCHHOFF: No.

23 MS. ROWE: So pigs are not going to die from
24 the accumulation of methane gas if you don't vent

1 it all of the time?

2 MR. MASCHHOFF: I'm not a ventilation expert
3 on how the minimum vent is set up on these barns,
4 but when you get to temperatures, not all
5 ventilation is on. When the tunnel fan is on the
6 curtain would be brought up to limit air flow in.

7 So no, it would not vent every single day 24
8 hours a day, 365 days a year.

9 MS. ROWE: So how does that protect the
10 environment and people that live close by from the
11 emissions that will be coming out of this facility?

12 MR. MASCHHOFF: There are setbacks that are
13 put in place, correct?

14 MS. ROWE: I understand.

15 MR. MASCHHOFF: And those are the setbacks
16 that would be taken into consideration to protect
17 your neighbors, to protect the Grigsbys' neighbors.

18 MS. ROWE: But something more than trees on
19 three sides. There is nothing in that facility
20 that is in that ventilation system that is going to
21 help protect the environment?

22 MR. MASCHHOFF: Well, if you go through, we
23 have also used pit additives, feed additives to
24 reduce odor. Those all go to that and are taken

1 into consideration, and tree buffers do act as a
2 natural filter, and there are studies that show
3 that as well.

4 MS. ROWE: But there is no filter on the
5 ventilation system in the building?

6 MR. MASCHHOFF: No, there will be no filter
7 on the fans.

8 MR. GROSBOLL: Al Grosboll. Real quick
9 question of the Department. Earlier there was a
10 presentation on transportation routes, and you did
11 a nice job explaining that.

12 Here is my question. If they choose to
13 change the transportation routes, are they required
14 to come back to the Department of Agriculture? Is
15 there anything that requires that?

16 Mr. GOETSCH: Not that I am aware of, no.

17 MR. GROSBOLL: So if six months after they
18 begin operating, they change routes and begin
19 coming across the Sangamon River through
20 Petersburg, nobody has to say yea or nay to that?

21 MR. GOETSCH: That's correct.

22 MS. SMITH: Leslie Smith, L-E-S-L-I-E Smith,
23 S-M-I-T-H.

24 HEARING OFFICER: Could you speak up a

1 little bit, please?

2 MS. SMITH: Yes. I was wanting to know, you
3 said you had enough land to do all of the manure.

4 MR. LEKA: That is correct.

5 MS. SMITH: It is all of their land?

6 Is that all located right around the
7 facility?

8 MR. LEKA: Yes, that's a continuous land
9 mass adjacent to this site.

10 MS. SMITH: So all the manure is going to go
11 right -- like you are not going to be trucking it
12 or anything like that?

13 MR. LEKA: That's correct.

14 MS. SMITH: Okay. That was my question.
15 Thank you.

16 MS. STOENS: My name Carol Stoens,
17 C-A-R-O-L, S-T-O-E-N-S. I would like to know when
18 the LMFA was put into place, the criteria for
19 siting.

20 MR. GOETSCH: Oh, when?

21 MS. STOENS: Yes, when.

22 MR. GOETSCH: May 21st of 1996, I believe.

23 MS. STOENS: And have these CAFO's gotten
24 much larger since that time?

1 MR. GOETSCH: No, I don't believe so.

2 MS. STOENS: CAFO's have always been this
3 big?

4 MR. GOETSCH: You said since '96. I mean,
5 back in the first years of the LMFA or our
6 administration of the LMFA, we were seeing 800 to
7 1200, 1600 animal unit facilities, and we are still
8 seeing that size. We are -- I think we have seen
9 these large sow units. I think that's something
10 that's just happened in the last what, ten years
11 maybe.

12 So we have seen those really being built in
13 the '90's and early 2000's, but we have seen those
14 in the last decade certainly.

15 Finishing barns have always been or for
16 many, many years have been this size.

17 MS. STOENS: Would you agree that the amount
18 of manure and amount of pollution, air pollution,
19 size of the facilities have all changed since this
20 criteria was put into place?

21 MR. GOETSCH: No, I guess I would say that
22 the issues that the drafters of this document saw
23 back in '96 are the same issues that we see
24 associated with any few facility proposed today.

1 MS. STOENS: How about manure pits, the
2 pits, the underground pits?

3 MR. GOETSCH: Well, I think one of the
4 things that did change between '96 and now, back in
5 the early '90's -- prior to me joining the
6 Department of Agriculture I worked for the
7 Cooperative Extension Service. One of the things I
8 did was design facilities, design some livestock
9 facilities, farm planning and a few other things.

10 But back in the early 90's we were trying to
11 get manure out of the building. We were promoting
12 or the industry was putting a lot more anaerobic
13 lagoons, the idea being they were making the
14 atmosphere, the environment inside the building for
15 the animals and for the workers better by removing
16 manure. That's when you saw Y gutters, J gutters,
17 flushing systems, drag systems taking manure out of
18 the buildings.

19 With the passage of the LMFA and the
20 original LMFA being almost totally focused on
21 anaerobic lagoons, we saw a reduction in the number
22 of lagoons. In fact, we have not seen a lagoon
23 proposed in Illinois for probably, what, Brad, at
24 least ten years, if not more. Everything has gone

1 to these underbuilding manure storage structures.

2 MS. STOENS: Right. I didn't ask about the
3 lagoons, though, I asked about manure pits. And
4 when all of these things were put into place, you
5 didn't even use manure pits, and now we are dealing
6 with a lot more manure.

7 MR. GOETSCH: No, we have had manure pits.
8 We have had manure pits, we have had underbuilding
9 manure storage structures, concrete tanks, if you
10 will. They have been used by the industry probably
11 since the late 40's.

12 MS. STOENS: Of the size we are looking at
13 now, thousands of animals?

14 MR. GOETSCH: Well, I think I answered that.

15 MS. STOENS: Things have changed?

16 MR. GOETSCH: Well, no, I answered, but you
17 don't like my answer so you keep asking more
18 questions.

19 MS. STOENS: I'm saying that things have
20 changed and criteria needs to change.

21 MR. GOETSCH: Well, I would disagree. I
22 don't believe we are seeing facilities other than,
23 like I said, those large sow farms. Finishing
24 buildings like this, we have been seeing them since

1 they were being built prior to the act being
2 written, and they are still being built or
3 proposed.

4 HEARING OFFICER: Brad, about three rows
5 behind you.

6 MS. TREACY: My name is Terri Treacy,
7 T-E-R-R-I, T-R-E-A-C-Y. I want to thank you for
8 letting us be here tonight to ask questions.

9 For Mr. Maschhoff, I need some clarification
10 because I wasn't listening carefully enough about
11 the residential setback requirements.

12 Did you say that that's based on the number
13 of animal units?

14 MR. MASCHHOFF: Yes, it is. It is based off
15 the number of animal units.

16 MS. TREACY: So then presumably the more
17 animals you have, the further the setback is to be?

18 MR. MASCHHOFF: Yes, that's correct. It
19 starts out with 1,000, then the setback increases
20 every 1,000 animal unit by 220 feet.

21 MS. TREACY: Okay. So it is my
22 understanding that by statute once you have your
23 permit in place, you are allowed to expand your
24 operation by 50% every two years without any

1 further permitting?

2 MR. MASCHHOFF: You can expand no more than
3 50% of the fixed capital, cost to build that site
4 at today's standard, but yes, there is a permitting
5 process. We'd have to go through the Notice of
6 Intent, submit engineering drawings, non-lagoon
7 waste handling application and then also update the
8 waste management plan for those increased animals
9 and increased manure application and also show that
10 we have sufficient -- that the Grigsbys would have
11 sufficient acres to apply that manure at nitrogen
12 based rates based on crop, the historical crop
13 insurance data.

14 MS. TREACY: Okay.

15 MR. MASCHHOFF: Does that help?

16 MS. TREACY: Yes. I guess what I read in
17 the statute has to do with there is no more public
18 input.

19 MR. MASCHHOFF: That's the one piece that is
20 taken out of expansion compared to a new facility.

21 MS. TREACY: Okay. So you would be required
22 to look at setbacks again if you increased the
23 operation?

24 MR. MASCHHOFF: Yes. So the expansion would

1 have to be closer to the existing farm than the
2 nearest non-owned residence.

3 MS. TREACY: Okay. Thanks for clearing it
4 up. I just have a couple more.

5 You mentioned production cycle but didn't
6 say how long that cycle is. What is that?

7 MR. MASCHHOFF: It is a six-month cycle.

8 MS. TREACY: Okay. And then finally, could
9 you describe a little bit more exactly how manure
10 is taken out of the pits, how it is transferred and
11 what it is put into, how that happens, how many
12 gallons is happening at a time, how many trips are
13 made back and forth, that sort of thing?

14 MR. MASCHHOFF: Well, everything would be
15 done by an umbilical cord which is a soft hose.
16 The manure is not trucked down the road. There
17 would a be pump at the farm that would pump the
18 manure up out of the pit, through the hose to the
19 nutrient applicator.

20 MS. TREACY: Directly?

21 MR. MASCHHOFF: Yes, ma'am.

22 MS. TREACY: Thank you.

23 HEARING OFFICER: Right behind you.

24 MR. LONDRIGAN: Sean Londrigan,

1 L-O-N-D-R-I-G-A-N. Department of Agriculture, I'm
2 required to be inspected, my farm, every year. I
3 just got done with the inspection. I did a
4 whopping 120 chickens, 18 turkeys, couple rabbits
5 and I had two pigs but got six this year. Watch
6 out, Maschhoffs.

7 But my question to you is as a very small
8 farmer myself being inspected once a year, how
9 often is this facility going to be inspected?

10 MR. GOETSCH: Well, it will not be expected.
11 Excuse me, the perimeter drain tile will receive
12 quarterly reports on those. If there are problems,
13 then we would visit site. But no other regular
14 inspection unless there would be a complaint.

15 MR. LONDRIGAN: So you are going to focus
16 your efforts on me?

17 MR. GOETSCH: Sorry?

18 MR. LONDRIGAN: You are going to focus your
19 inspection efforts on me and not --

20 MR. GOETSCH: I didn't know we inspected
21 you, sir.

22 MR. LONDRIGAN: Yes, you do.

23 MR. GOETSCH: Now, who, though?

24 MR. LONDRIGAN: Mark Bornhorst (phonetic)

1 under the Poultry Exemption Act.

2 HEARING OFFICER: Could you use the
3 microphone, please?

4 MR. LONDRIGAN: Yeah, under the Poultry
5 Exemption Act people that butcher less than 5,000,
6 well, chicken, poultry, duck, turkey, whatever,
7 rabbit, they are required to be inspected once a
8 year, and you are telling me that their, what, nine
9 and a half thousand pig facility does not have to
10 be inspected?

11 MR. GOETSCH: That's not a law that we are,
12 that we are associated with its enforcement, so I'm
13 not familiar with that, sir.

14 In terms of the environmental laws, the
15 Livestock Management Facilities Act, Illinois
16 Environmental Protection Agency act, neither would
17 require you to be annually expected.

18 MR. LONDRIGAN: But I am inspected under
19 your requirements.

20 MR. GOETSCH: They are not my requirements.

21 MR. LONDRIGAN: Sorry, Illinois Department
22 of Agriculture.

23 MR. GOETSCH: Well, it must be -- it is a
24 different part of the department that I am not

1 aware of or not familiar with, pardon me.

2 HEARING OFFICER: Another question?

3 Mr. Anderson.

4 MR. ANDERSON: This is for the Department.

5 Warren -- Nick Anderson, A-N-D-E-R-S-O-N. Warren,
6 your explanation of EPA inspection process, can you
7 kind of -- from your knowledge EPA can come onto a
8 farm anytime whether there is a complaint there or
9 not or scheduled; they have a right to walk on that
10 farm and look at the manure application, look at
11 farm facility much like a game warden. Is that a
12 good characterization of EPA enforcement?

13 MR. GOETSCH: Yes, either or both the IEPA
14 and the Department can visit a facility, ask to see
15 the or not ask, just require to see the waste
16 management plan, sing the proper bio security can
17 walk through the buildings. Ether agency has
18 ability, yes.

19 HEARING OFFICER: Are there other questions
20 in the back?

21 MR. SCHONEWEIS: Jeff Schoneweis,
22 S-C-H-O-N-E-W-E-I-S. How often will those fans,
23 exhaust fans run, Mr. Maschhoff? Do they run every
24 15 minutes, every half hour or depending on the

1 size of the pigs?

2 MR. MASCHHOFF: Yeah, air temperature does
3 matter, size of pig doesn't matter, but I couldn't
4 give you a specified number of minutes.

5 MR. SCHONEWEIS: Let's just say it is 75
6 degrees, 200 pound hogs and humidity at 50%. How
7 often would they run?

8 MR. MASCHHOFF: Let me bring up somebody
9 that is a little better on the production side.

10 MR. GOETSCH: Could you state your name and
11 spell it?

12 MR. MAHONEY: Jeffrey Mahoney,
13 M-A-H-O-N-E-Y.

14 (Whereupon Jeffrey Mahoney was duly sworn.)

15 MR. MAHONEY: Could you repeat the question,
16 please?

17 MR. SCHONEWEIS: Yeah, a 200 pound hog, 75
18 degrees and 50% humidity, how often would exhaust
19 fans run?

20 Is the main exhaust fan, not the pit fan,
21 does it run all the time?

22 MR. MAHONEY: The main exhaust fans would
23 not run all of the time. In that specific instance
24 they would probably be operating -- pit fans, to

1 clarify what Patrick said earlier, like Patrick
2 said, this is not his field expertise, pit
3 ventilation would operate most of the time, if not
4 all of the time that there would be animals inside
5 of the facility.

6 MR. SCHONEWEIS: So how long will the pit
7 fan run?

8 MR. MAHONEY: A pit fan would be on all of
9 the time, sir.

10 MR. SCHONEWEIS: Okay. So it is exhausting
11 24/7?

12 MR. MAHONEY: Yes, sir.

13 MR. SCHONEWEIS: Okay. That's it for right
14 now. Thanks.

15 HEARING OFFICER: Any other questions?

16 MS. MARTIN: Kathy Martin, K-A-T-H-Y. I
17 found my paper. So Warren, I got a question on who
18 is the true applicant. The facility owner is
19 supposed to be the Grigsby Protein Realty I, LLC,
20 but the land, the plat map says all that land is
21 owned by First National Bank of Springfield Trust.
22 On the land application sheets it says the land
23 that they are going to occupy is owned by Grigsby
24 Grain, but the plat map says it is owned by First

1 National Bank of Springfield Trust, and then the
2 application is signed by Randall Leka. When I
3 Googled him, he is a real estate agent and also
4 works for the Grigsby family. I couldn't find you
5 associated with a hog farm. He signed the permit
6 application.

7 Is he an owner or a corporate officer of
8 Grigsby Protein Realty I, LLC? And if he is a
9 corporate officer, I have a question for him after
10 you answer me who is the true applicant.

11 MR. GOETSCH: The owner or operator is
12 Grigsby Protein Realty I, LLC. That's what the
13 application says, and that's who the owner and
14 operator are.

15 MS. MARTIN: Did you check with the Illinois
16 Secretary of State to see if that's a registered
17 LLC?

18 MR. GOETSCH: No, I did not.

19 MS. MARTIN: Did you -- I will, just for the
20 audience, did you check with the Secretary of State
21 to see if they are a registered LLC?

22 And they are not, so I will save you a
23 little bit of time.

24 So if they are not a registered LLC in the

1 State of Illinois, who is the true applicant?

2 I mean, you are giving a permit to someone
3 who is not registered to have a business in the
4 state and does not own any of the land according to
5 their own information.

6 MR. GOETSCH: Ma'am, I have not given a
7 permit to anyone. And we don't issue permits, we
8 issue approvals or we issue denials.

9 Right now we have an application from the
10 individual or from the entity that I just told you
11 the name of.

12 HEARING OFFICER: Are there other questions?

13 MS. GENTILE: My name is Julia Gentile,
14 G-E-N-T-I-L-E. I have a question. My question is
15 for Mr. Maschhoff. I understand concrete testing
16 is common in commercial work and do you plan --

17 HEARING OFFICER: Could you speak up a
18 little bit?

19 MS. GENTILE: I understand concrete testing
20 is common in commercial work. I wonder if you plan
21 to have any testing done to verify the concrete
22 meets established standards?

23 MR. MASCHHOFF: Yes.

24 MS. GENTILE: A professional engineer?

1 MR. MASCHHOFF: Yes, I will let Chris answer
2 that. He is the engineer.

3 MR. WEST: We do that from time to time
4 depending on the situation. There are several
5 steps that we do go through. We get assurances and
6 spec sheets from the manufacturers stating that
7 that is what they are making, and then if we have
8 issues at the site, then we will do concrete
9 testing, borings and do testing. There is no
10 requirements to do that, but we have done them on
11 occasion.

12 MS. GENTILE: But it is commonly done in
13 commercial work. You don't do it as a matter of
14 course or matter of practice?

15 MR. WEST: No, we do not.

16 MS. GENTILE: Who oversees the construction
17 of these pits? I mean, does anyone during and
18 after?

19 MR. WEST: Certainly. There will be project
20 managers that would be there during construction as
21 well as oversight by the Department of Agriculture.

22 MS. GENTILE: Okay. So Agriculture oversees
23 construction?

24 MR. WEST: I wouldn't say oversee

1 construction. I don't mean to speak for you,
2 Warren.

3 Let me back up. There would be a project
4 manager and more than one that would be there
5 during construction to make certain that they meet
6 the specifications on the approved plan.

7 MS. GENTILE: Okay. Thank you.

8 HEARING OFFICER: Other questions? I think
9 we have exhausted them after about two hours.
10 Thank you very much. Now we are going to take
11 about a ten-minute break.

12 (A break was taken.)

13 HEARING OFFICER: Ladies and gentlemen,
14 please find your seat. Okay. I'd like to take a
15 poll of how many people are going to be presenting
16 written testimony?

17 Just hang on. How many people have written
18 testimony to provide?

19 Just a couple, three, four. Gosh, we have
20 got quite a few. I'm going to break with the order
21 that I mentioned earlier. I'm going to go ahead
22 right now and accept written testimony. So if you
23 have any written testimony, you can come up here.

24 UNIDENTIFIED: I have oral.

1 HEARING OFFICER: This is just for written
2 testimony right now. We will have the opportunity
3 for the oral testimony right after this. So if you
4 could quickly come up here, we can get this taken
5 care of.

6 Entered into the record as Exhibit No. 4, is
7 a letter on letterhead from the Iowa Citizens for
8 Community Improvement.

9 UNIDENTIFIED: Can I ask a question for
10 clarification?

11 HEARING OFFICER: Yes.

12 Are you talking about copies of oral
13 presentations with supporting documentation at this
14 time, or are you talking about people who are
15 simply submitting a written document and not
16 wanting to speak?

17 HEARING OFFICER: Simply submitting written
18 documentation as written testimony.

19 UNIDENTIFIED: I'm going to speak, too, but
20 I thought you wanted documentation.

21 HEARING OFFICER: This is just strictly
22 written testimony.

23 UNIDENTIFIED: I guess I need it back, then.
24 Yes, it will be -- I have thought -- I will give it

1 to you, but it will be -- I am going to read the
2 letter, but there is some supporting documentation.
3 This is not what you wanted, correct?

4 MR. GOETSCH: No.

5 HEARING OFFICER: Very good. Entered into
6 the record as Exhibit No. 5 is a letter from
7 Reynolds Well Drilling addressed to the Grigsby
8 family.

9 Entered into the record as Exhibit No. 6, is
10 a letter submitted into the written record by Reid
11 Blossom.

12 Entered into the record as Exhibit No. 7 are
13 various studies dealing with proximity to animal
14 feed operations, community health, risk of large
15 scale livestock operations.

16 Entered into the record as Exhibit No. 8, a
17 statement from Terri Treacy.

18 Entered into the record as Exhibit No. 9
19 includes photos of the aerial and Menard
20 comprehensive plan from Ben Kiningham. Anyone
21 else?

22 Okay. Entered into the record as Exhibit
23 No. 10 is a map of surficial deposits Illinois
24 supplied by Stacy James.

1 (Exhibit No. 4, No. 5, No. 6,
2 No. 7, No. 8, No. 9, and No. 10
3 entered.)

4 HEARING OFFICER: Anything else?

5 Okay. We will proceed on with the oral
6 testimony. I will call the names of those who wish
7 to testify. When called upon, please step up to
8 the microphone down here in front of me, state your
9 name and spell your name. I will then swear you
10 in. Remember, you will have three minutes to
11 speak.

12 Are there any attorneys representing
13 clients? I see none.

14 First on the list is Julia Gentile. State
15 your name and spell it.

16 MS. GENTILE: Julia Gentile, G-E-N-T-I-L-E.

17 (Whereupon Julia Gentile was duly sworn.)

18 MS. GENTILE: The most critical failure in
19 this proposed operation would be a leak resulting
20 in soil and groundwater contamination. The most
21 likely failure will be a stench rendering
22 neighboring properties virtually uninhabitable
23 leading to a domino effect of declining property
24 values on local economies. The developers have not

1 explained how they intend to prevent either of
2 these failures.

3 A review of the developer's plan that has
4 been made available to the public indicates the
5 manure containment structure will be built with
6 4,000 PSI concrete.

7 I had shown these plans to a professional
8 engineer, and I understand after talking with him
9 that 4,000 PSI is slightly better than standard
10 grade concrete used to build the basement of a
11 typical home.

12 Concrete is made of compressive strength
13 which is related to how much weight the concrete
14 will hold without collapsing. However, compressive
15 strength says little about the concrete's ability
16 to withstand cracking. Resistance to cracking is
17 defined by the concrete's tensile strength which
18 was not mentioned in the plans. But even high
19 tensile strength is vulnerable to cracking and
20 therefore leakage. Concrete is not impermeable to
21 liquids.

22 While the plans indicate a moisture barrier
23 to be placed at the joint of footer walls, this is
24 little more than would be done in the design of a

1 typical basement which is not built with any
2 expectation that it will be used to store millions
3 of gallons of manure.

4 As to the issue of odor, developers talk
5 about steps including specially formulated feed and
6 manure injection which would reduce or eliminate
7 odors.

8 What does that really mean? By what
9 percentage will odors be reduced, limited to what
10 levels?

11 Have the developers studied the hydrogen
12 sulfide and other air emission levels detected by
13 air monitoring stations installed around similar
14 facilities to better understand the problem?

15 Even assuming these steps are taken, does
16 that mean those suffering from asthma or other
17 respiratory ailments will not be exposed to the
18 stench capable of exacerbating their illness and
19 forcing them out of their homes or that no one will
20 have to live with windows shut for a good part of
21 the year because of the toxic stench or the 400,000
22 plus who visit our community annually will still be
23 able to stroll through New Salem with the assurance
24 that the only aromas waiting to greet them would be

1 smoke from chimneys or fragrances from wild flowers
2 or that property values within a five mile radius
3 of this operation will not decline as has been the
4 case in other states with the arrival of a CAFO?
5 The answer to each of these is no.

6 Further, with respect to the association
7 between declining property values and CAFO's, real
8 estate appraisers have noted, "a diminished
9 marketability of property ranging from 50 to nearly
10 90% of otherwise unimpaired value."

11 Even CAFO's themselves through their
12 extensive use of by-outs including homes in a
13 five-mile radius recognize that pollution they
14 create is not compatible with private residences.

15 Loss of property value has meant lower tax
16 assessments. Illinois is one of eight states where
17 county assessors have lowered property assessments
18 due to corporate hog operations. In one instance
19 Peoria County lowered assessments for 20 homes
20 ranging from 10 to 30%, and Clark County officials
21 established standard assessment abatements for 50
22 homes.

23 So common are tax appeals in Illinois in
24 CAFO communities that a specially prepared 52-page

1 guide is now available to help Illinois, affected
2 Illinois homeowners navigate the appeals process.

3 As to the impact of injected manure on the
4 soil, this will bear no resemblance to the
5 valueless renewable resources found on the farm,
6 but will contain massive amounts of added chemicals
7 and organic compounds. There are many organic
8 substances that are dangerous, especially in high
9 concentrations which will certainly be the case
10 here. Large quantities of industrial manure are
11 problematic in that they easily overload the soil
12 with nutrients that have been added to the feed,
13 and thereby overwhelm the absorptive capacity of
14 the soil allowing run-off or leaching into ground
15 water, thereby threatening private and public
16 wells.

17 The language we that use in this discussion
18 is most important. Opposition to a CAFO's is not
19 an attack on farming. There is nothing remotely
20 similar to farming that goes on in a CAFO.

21 HEARING OFFICER: Ms. Gentile, if you can
22 conclude, please. You're past your three minutes.
23 If you can conclude.

24 MS. GENTILE: Okay. A CAFO would not

1 survive were it not for availability of cheap corn
2 and soy used for feed and whose production depends
3 on billions of dollars received in government
4 subsidies, our money.

5 Should a CAFO come into this community. We
6 will pay for it not only with our air, land, water
7 and quality of life but with our tax dollars as
8 well.

9 HEARING OFFICER: Thank you. Any questions?
10 I see none. Thank you.

11 Next up is David Meese or Meiss.

12 Entered into the record as Exhibit No. 11 is
13 the testimony and information from Ms. Gentile.

14 (Exhibit No. 11 entered.)

15 HEARING OFFICER: State your name and spell
16 it.

17 MR. MEISS: David Meiss, M-E-I-S-S.

18 (Whereupon David Meiss was duly sworn.)

19 HEARING OFFICER: You may proceed.

20 MR. MEISS: Good evening. As I said, I'm
21 David Meiss. I have been a farmer as long as I
22 could put my boot straps on and follow my dad
23 around the farm.

24 I believe some of what I'm going to say

1 today tonight will address some of the concerns
2 that have been asked during the question period and
3 feel like giving you a small synopsis of the day of
4 a hog farmer is indicative of many, if not all, hog
5 farmers in our state.

6 I grew up on a farm. I'm fourth generation
7 owner. My kids are the fifth generation to operate
8 the farm. We come from pretty simple means, and
9 the passion of the farm is because it is what got
10 us through our life. My grandparents raised 13
11 kids on a farm, so I have a real deep sense of
12 appreciation for the hard work of my ancestors.

13 Some of the things that a hog farmer goes
14 through is tough and it is rough, but we also do a
15 lot of things to make our environment better, and
16 we have good animal husbandry and stewardship.

17 We take tests, we study for things like pork
18 quality assurance programs to help us to know how
19 to be better stewards of the soil and take care of
20 our livestock.

21 I spent many nights in a hog barn at 1:00 in
22 the morning worrying and taking care of my hogs,
23 making sure they were okay and then would come in
24 and go to bed, and my wife would take care of my

1 kids.

2 One of the reasons that I am involved here
3 and I have been involved with associations like the
4 Illinois Farm Bureau, McLean County Farm Bureau,
5 the Pork Producers is because what they do to help
6 me enhance my life which makes me a better steward
7 and makes the community better, whether it is
8 through training programs, hiring engineers to help
9 us make the right decisions and just knowing that
10 we have a support group to help us be the best we
11 can.

12 I guess what I would like to say and make a
13 point is when I think back on my life, what I did,
14 some of the things I did for the community, I'm
15 going to read this because there is numerous ones.

16 But as I came into town tonight I would like
17 you all to think about who your neighbors are, who
18 your family are, what they do in this community.

19 Things that a pork farm or any farm puts
20 back in. We buy feed from the local vendor. Now,
21 think about who that is in your community. We have
22 trucks, we have drivers, we have service people
23 that cake of the tires, fix the tires, fix the
24 motors. We have delivery trucks that bring us in,

1 we have veterinarians, office staff. There is many
2 jobs on a farm.

3 I had a list of young men and women that
4 wanted to work with me on our farm because their
5 parents wanted them to learn work ethic and because
6 the kids wanted a little extra cash.

7 There is other people like support staff for
8 the plumbers, the electricians. I can go on.

9 These are the same people that turn around and come
10 into the communities and towns and go to the
11 restaurants, buy their supplies, buy their
12 groceries, buy their gas from the station, local
13 gas stations which, in turn, gives you sales tax
14 and real estate tax revenues which only makes the
15 State of Illinois and communities better with the
16 commerce.

17 I want my kids to experience the same type
18 of life that I had in Illinois. Illinois is one of
19 the top five states of people moving out of it.
20 The only way people will stay here is with jobs and
21 with a good place to live. Thank you for your
22 time.

23 HEARING OFFICER: Are there questions for
24 this witness? Yes, Ms. Martin.

1 MS. MARTIN: Kathy Martin. Are you aware
2 that the Grigsbys would not be owning these hogs,
3 that they would be Maschhoff hogs?

4 Are you saying you own your hogs?

5 MR. MEISS: From the testimony tonight, yes,
6 I understand the Maschhoffs would own the hogs.

7 MS. MARTIN: So it is not comparable to your
8 situation?

9 MR. MEISS: No.

10 MS. MARTIN: Okay. Thank you.

11 HEARING OFFICER: Another question? Yes.

12 UNIDENTIFIED: How many employees do you
13 think they are going to bring to our county?

14 HEARING OFFICER: Could you speak up a
15 little bit?

16 UNIDENTIFIED: How many employees will they
17 bring to Menard County?

18 MR. MEISS: As far as on the farm I really
19 can't answer that. I don't know if that was in
20 this report, but all the support that comes around
21 it, I can't give you a number, but it would be
22 many.

23 UNIDENTIFIED: Four to five.

24 HEARING OFFICER: Ms. Martin?

1 MS. MARTIN: If you had 3.5 million gallons
2 of manure, how many 5,000 gallon honey-trucks would
3 it take to apply that each year?

4 MR. MEISS: I don't know, but they are not
5 going to use trucks. They already said they are
6 going to use a line in it.

7 MS. MARTIN: It would be 700 trucks. They
8 are going to use a lot of line, aren't they?

9 MR. MEISS: Yeah.

10 MS. MARTIN: That will be -- have you ever
11 used a line on your log form?

12 MR. MEISS: No, my farm did not have enough.
13 I was a smaller farm.

14 MS. MARTIN: So your farm is not comparable
15 to these people at all, correct?

16 MR. MEISS: In size, correct.

17 HEARING OFFICER: Other questions? I see
18 none. Thank you. I'm sorry.

19 MR. ROBERTS: Yeah, my name is Isaiah
20 Roberts, last name is R-O-B-E-R-T-S, and you
21 mentioned that you wanted, you know, your sons and
22 daughters to experience the same life that you had,
23 and I completely agree. I mean, it is sad the
24 problems Illinois is facing. And I loved growing

1 up in Illinois. I loved growing up in the country
2 in the middle of nowhere.

3 And so to say my scenario, we are facing a
4 facility that is being built which is actually much
5 larger than this facility, and so, you know, on my
6 road I look at my neighbors and the wonderful life
7 that I grew up in a farmhouse that my parents
8 owned for 29 years surrounded by farmers, people
9 that owned hogs, people that owned every type of
10 animal.

11 HEARING OFFICER: Mr. Roberts, is this
12 leading to a question?

13 MR. ROBERTS: Yep. I am sorry. I
14 apologize. I guess my question to you would be
15 when I look at my neighbors and my family, myself
16 that are facing losing our houses because we do not
17 want to live in one of these facilities, who is
18 protecting my rights or anything that I want to
19 live in my house and want my kids to stay, have the
20 same lifestyle that I grew up with that do not want
21 to live around one of these facilities?

22 Don't we have the same right to not grow up
23 around one of these facilities if we choose not to
24 than the individual who wants to build it in our

1 community?

2 HEARING OFFICER: Let him answer, please.

3 MR. MEISS: Yes, I guess I am not going to
4 answer that question because it is the same. It is
5 a principle question, and I guess if it is done
6 correctly, then I would say it is not going -- I
7 don't feel it is a burden to be around one.

8 HEARING OFFICER: Any other questions for
9 this witness? Other questions?

10 Thank you. Next we have Chad Schultz,
11 Schutz. State your name and spell it, please.

12 MR. SCHUTZ: Chad Schutz, S-C-H-U-T-Z.

13 HEARING OFFICER: Sorry about your name.

14 MR. SCHUTZ: Oh, that's fine.

15 (Whereupon Chad Schutz was duly sworn.)

16 HEARING OFFICER: You may proceed.

17 MR. SCHUTZ: Good evening. I'm a hog and
18 cattle farmer from here in Illinois, and I would
19 just like to first of all thank you to the Grigsby
20 family that, you know, this is pretty hard to come
21 here. No other business would have to stand here
22 in front of the entire community to say I want to
23 expand a little bit. So thank you. Thank you to
24 Randy for taking this on as part of trying to grow

1 Illinois' livestock industry. Thank you, guys.

2 And then so to continue on from that, I knew
3 there would be several questions here about how
4 manure was handled and, you know, what goes into
5 manure. So I was with our agronomist recently and
6 asked him, I said give me a basic idea what your
7 opinion of livestock manure is. He goes, well, in
8 my opinion it is liquid gold. So from purely a
9 crop side of things.

10 He goes, let me explain it to you this way
11 and put it in very laymen's terms. There is enough
12 biological activity in an acre of soil that it is
13 basically like trying to feed an elephant.

14 So there is -- I do believe in your, in your
15 slideshow, you know, somewhere around 700 acres or
16 so, and, you know, it would be 700 elephants you
17 are feeding with manure. The manure is not leaving
18 the farm. That manure is wonderful for the crops
19 that you are raising. There is no better thing
20 that you could add to raise your crops with.
21 That's a complete nutrient package. It is a
22 complete cycle of life.

23 I would also -- I wouldn't be standing here
24 tonight -- I have friends that live in the

1 community. Our family loves going down to the
2 state park riding horses, and I wouldn't be
3 standing here tonight if I had the least bit of
4 concern that this hog facility would, in any way,
5 hinder the community, and so with that I am done.
6 Thank you. Thank you to the family for doing this.

7 HEARING OFFICER: And let me clarify my last
8 statement. I'm not sorry for your name, I am sorry
9 for my mispronunciation.

10 Okay. Are there questions for this witness?
11 Ms. Martin?

12 MS. MARTIN: Kathy Martin. Do you know what
13 the average total dissolved solid concentration is
14 for liquid hog manure and what that impact would
15 have on reduced crop yield?

16 MR. SCHUTZ: I cannot answer for them, and I
17 don't really know how to answer your question. I
18 do know on our farm that we do see improved crop
19 yield with the use of manure over commercial
20 fertilizer.

21 MS. MARTIN: So if you had excess salt
22 applied to your soil, you are not seeing a
23 reduction in crop yield as predicted by NRCS?

24 MR. SCHUTZ: I don't believe in their

1 presentation that any part of their application is
2 overapplication. It is -- you know, everything is
3 done to meet the recommendation of the crop.

4 MS. MARTIN: Okay. One last question. You
5 do understand that the law does not address the
6 application of salts, just nitrogen and phosphorus?
7 So you get other things with liquid manure besides
8 nitrogen?

9 MR. SCHUTZ: I'm quite aware of that, thank
10 you.

11 HEARING OFFICER: Are there other questions?
12 Yes, Mr. Grosboll?

13 MR. GROSBOLL: I'm Al Grosboll. I
14 appreciate the comments that you have made, and I
15 agree with you. The family has come here tonight,
16 and they have done a very nice job.

17 I want to take issue with one thing. Are
18 you aware that if somebody -- you said they are the
19 only business that would have to go through a
20 hearing like this.

21 Are you aware if somebody wanted to come in
22 and put a landfill, they would go through a bigger
23 hearing than this? In every county in the State of
24 Illinois that would happen.

1 MR. SCHUTZ: I understand. Yes, I misspoke.

2 MR. GROSBOLL: Are you aware that if a wind
3 farm is going to be put up, there would be a bigger
4 public hearing than this one in the county?

5 MR. SCHUTZ: Little bit different than the
6 agricultural thing going on.

7 MR. GROSBOLL: You said a business that's
8 going to create jobs. I am merely asking are you
9 aware of that?

10 MR. SCHUTZ: Yes, I am.

11 MR. GROSBOLL: Are you aware if a chemical
12 manufacturing facility was going to be located
13 here, they'd go through a public hearing process of
14 this nature?

15 MR. SCHUTZ: I understand your point, yes.

16 HEARING OFFICER: Mr. Anderson?

17 MR. ANDERSON: Nick Anderson. Chad, when
18 you talk about manure application in reference to
19 overapplying salt or overapplying fertilizer, if
20 those components hinder your yield it is not in
21 your best interests to overapply those things that
22 might be overbalanced on salt or some other
23 component.

24 Is it your understanding those actually hurt

1 your yield?

2 MR. SCHUTZ: Overapplication would probably
3 hurt your yield, but we are not in the business of
4 throwing money out the window.

5 MR. ANDERSON: Salts would be one of the
6 those things that could be overapplied?

7 MR. SCHUTZ: You are correct.

8 HEARING OFFICER: Other questions?

9 MR. BUEHNER: I do have questions, John
10 Buehner, B-U-E-H-N-E-R. Sir, do you operate a
11 CAFO?

12 MR. SCHUTZ: Yes, we do.

13 MR. BUEHNER: Okay. And what county do you
14 operate that?

15 MR. SCHUTZ: I am from Greene County.

16 MR. BUEHNER: Okay.

17 HEARING OFFICER: Any other questions? I
18 don't see any. Thank you very much. Sorry.

19 MS. TREACY: How many animals or units, how
20 many animals are in your facility, your CAFO.

21 Sorry, Terri Treacy. I apologize. T-R-E-A-C-Y.

22 MR. SCHUTZ: I don't believe our operation
23 has any bearing on what is going on. It is a CAFO.
24 It is a large CAFO that we operate.

1 HEARING OFFICER: Are you through with your
2 answer?

3 MS. TREACY: I guess that's my answer.

4 HEARING OFFICER: Mr. Foote?

5 MR. FOOTE: I just have to ask you one
6 question. I am wondering if you are kind of like
7 my brother that came from the neighbor's hog
8 operation and Dad said, "Steve, what have you got
9 all over? Would you get out of the truck and get
10 rid it?"

11 Steve said, "Why, what is the matter?"

12 He was 16 years old, and he had hog manure
13 all over him and he could not smell. We did not
14 know he could not smell.

15 Can you smell?

16 MR. SCHUTZ: Well, I suppose I can smell.
17 I mean, that's --

18 MR. FOOTE: I don't mean do you smell, I
19 mean --

20 MR. SCHUTZ: Yes, I can smell.

21 MR. FOOTE: We could not believe it. He
22 still can't and 55 years old, never smelled a pig.

23 MR. SCHUTZ: I have worked in hog buildings
24 my entire life.

1 MR. FOOTE: Can you tell when you are in
2 one?

3 MR. SCHUTZ: You can tell.

4 MR. FOOTE: By smell I mean?

5 MR. SCHUTZ: It is a lot of animals. No
6 different --

7 MR. FOOTE: I happen to be -- I raised hogs,
8 too, so I am just -- the situation was. If there
9 is too much smell, that is the problem.

10 MR. SCHUTZ: I don't believe there is too
11 much smell out of any building that you have.

12 HEARING OFFICER: Are there other questions?
13 Don't see any.

14 Next, Ben Kinningham.

15 MR. KINNINGHAM: I will take a pass.

16 HEARING OFFICER: Mr. Kinningham passes.
17 Jason Miller?

18 DR. MILLER: Pass.

19 HEARING OFFICER: We are on a roll here.
20 Terri Treacy.

21 MS. TREACY: I turned mine in, so I will
22 pass. I turned my written one in.

23 HEARING OFFICER: Thank you. Gina Wolter?

24 MS. WOLTER: Gina Wolter, G-I-N-A,

1 W-O-L-T-E-R.

2 (Whereupon Gina Wolter was duly sworn.)

3 MS. WOLTER: Thank you. Recently concerned
4 citizens had approached me and asked me to ensure
5 that this letter was presented into the record of
6 the meeting here this evening. As an elected
7 alderman of the City of Petersburg, I agreed to
8 respond to their concerns.

9 The application that was submitted to the
10 Illinois Department of Ag in December for the
11 construction of Grigsby Protein I was recently
12 submitted by area citizens to the Johns Hopkins
13 Center for Livable Future, Bloomberg School of
14 Public Health.

15 In addition to the application, researchers
16 reviewed attached maps which included nearby wells,
17 aquifers and distances from the proposed facility
18 to the surrounding community and places of public
19 gathering.

20 After reviewing the proposed application,
21 the results were detailed in their letter addressed
22 to the Menard County Board of Commissioners dated
23 February 18th, 2015, which includes 40 reference
24 cites to support their findings.

1 These researchers have done extensive
2 research in this field and are highly respected in
3 the scientific community, and I'd like to share a
4 few of their passages with you.

5 Regarding the Grigsby Protein I proposed
6 swine facility, we are writing to express our
7 concerns regarding the proposed 9300 head capacity
8 swine operation in Talulla, Illinois. Based on
9 evidence from numerous scientific studies of
10 similar facilities, the proposed operation may
11 present a range of health risks to members of the
12 surrounding communities. Our concerns include the
13 following, and they are detailed below with
14 supporting evidence from the peer review scientific
15 literature.

16 Use of low doses of antibiotic drugs as a
17 means for growth promotion in animals has become
18 commonplace. Administering antibiotics to animals
19 at doses too low to treat disease fosters the
20 proliferation of antibiotic resistance pathogens.

21 Further evidence for disease transmission
22 risk was documented in a 2013 study of nearly
23 450,000 Pennsylvania residents in which living near
24 large swine operations or cropland where swine

1 manure is spread was significantly associated with
2 elevated rates of infection with MRSA and skin and
3 soft tissue infections.

4 MRSA is an antibiotic resistant pathogen
5 that can be challenging and very expensive to
6 treat.

7 Confining large numbers of animals indoors
8 presents a challenge of how to collect, store and
9 dispose of large quantities of manure they
10 generate. When such quantities are applied to
11 nearby fields, the amounts often exceed what can
12 possibly be absorbed by surrounding land. When
13 manure is overapplied, the excess along with the
14 chemical and bacterial contaminants is transported
15 by run-off into surface waters and may leach into
16 ground waters.

17 A 154-pound hog generate an average of ten
18 pounds of manure daily, roughly three times the
19 maximum excreted by humans. With projected
20 inventory of over 9300 swine, Grigsby Protein I
21 will thereby be comparable in terms of waste
22 generated to the addition of over 29,000 humans,
23 one-quarter of the population of Springfield,
24 without the benefit of waste water treatment plans

1 to treat microbial and chemical pathogens.

2 I will wrap it up here.

3 HEARING OFFICER: Yes.

4 MS. WOLTER: Okay. The five doctors that
5 submitted this study complete their letter by
6 saying we hope our letter is helpful in describing
7 some potential public health harms associated with
8 large scale swine confinement operations. We
9 strongly advise the Menard County Board of
10 Commissioners to take these concerns into
11 consideration when taking a position on
12 construction.

13 HEARING OFFICER: Are there questions for
14 this witness? Mr. Anderson?

15 MR. ANDERSON: Nick Anderson. You mentioned
16 if they overapplied, that study had a problem with
17 overapplication?

18 MS. WOLTER: Yes.

19 MR. ANDERSON: If they don't overapply out
20 there and through the records prove, would you
21 approve that farm manure application if they
22 applied at accurate rates?

23 MS. WOLTER: That's not up to me obviously.

24 MR. ANDERSON: I'm asking your opinion.

1 MS. WOLTER: Would I approve?

2 MR. ANDERSON: You stated facts that
3 overapplication was a problem in the study, and
4 they presented that.

5 From your side if that was addressed
6 properly for your standards, would you approve of
7 that process?

8 MS. WOLTER: I think what concerns me the
9 most here, and I think it's been made very obvious
10 here tonight, is that it doesn't really matter what
11 I think or what anybody else in this room thinks.

12 MR. ANDERSON: You mentioned antibiotic use,
13 and the vet testified tonight about prohibiting
14 antibiotics for growth promotants in the year 2016.

15 Is that an acceptable practice for you, or
16 would you like to stop all antibiotics?

17 MS. WOLTER: I would like to stop
18 antibiotics on healthy animals.

19 MR. ANDERSON: That's going to be
20 implemented in 2016.

21 MS. WOLTER: Is that what you said? And you
22 plan to do that on healthy animals?

23 DR. MILLER: It is FDA law.

24 MR. ANDERSON: Okay. Thank you very much.

1 HEARING OFFICER: Other questions? Yes,
2 sir?

3 MR. TITUS: My name is Thomas Titus,
4 T-I-T-U-S.

5 Now, you reference antibiotic resistance.
6 Are there any actual correlation between antibiotic
7 resistance in humans and, is there any
8 documentation that says that there is in animals?

9 MS. WOLTER: Let me check their references.
10 They have got 40 references here.

11 MR. TITUS: You can save your time. There
12 is not.

13 MS. WOLTER: Yes, it does reference, Number
14 20 references the MRSA infection due to low dose
15 antibiotics.

16 MR. TITUS: I would like to see that.

17 MS. WOLTER: It is -- you can Google Casey
18 Casey JA, Curriero FC, Cosgrove SE. I mean, do you
19 want a copy? You can have a copy.

20 HEARING OFFICER: Maybe you can get it after
21 this. Are there other questions for this witness?

22 MS. WOLTER: On the CDC web site.

23 HEARING OFFICER: Could you state your name?

24 MR. BARRETT: Mike Barrett, B-A-R-R-E-T-T.

1 Who paid for this research?

2 MS. WOLTER: Who paid for the research?

3 MR. BARRETT: Yeah, who paid for these
4 doctors to come up with this information?

5 MS. WOLTER: I don't know that anyone paid
6 them for it.

7 MR. BARRETT: They just do this for free?

8 MS. WOLTER: Apparently they are concerned.
9 It says the opinions expressed herein are their
10 own.

11 MR. BARRETT: So they were solicited, they
12 were paid by those individuals that --

13 MS. WOLTER: No payment.

14 HEARING OFFICER: Do you have another
15 question?

16 MR. BARRETT: No, I just wanted to know who
17 paid for the research.

18 HEARING OFFICER: Are there other questions
19 for this witness? Yes, sir.

20 MR. MAIERS: Tim Maiers, M-A-I-E-R-S. You
21 mentioned MRSA. Is MRSA only found with pigs?

22 MS. WOLTER: No, MRSA is found in humans
23 also. It is found --

24 MR. MAIERS: There is other sources of MRSA

1 than just pigs?

2 MS. WOLTER: But this particular study was
3 looking at the impact from the pathogens from --

4 MR. MAIERS: That study looks at the only
5 way for MRSA to be distributed is through pigs in
6 that study?

7 HEARING OFFICER: Wait. Quiet, please.

8 MR. MAIERS: Are there other ways for MRSA
9 to be transmitted other than just pigs?

10 MS. WOLTER: I'm sure there are, yes.

11 MR. MAIERS: Okay.

12 HEARING OFFICER: Other questions? Thank
13 you very much.

14 Entered into the record as Exhibit No. 12 is
15 the information from Ms. Wolter.

16 (Exhibit No. 12 entered.)

17 HEARING OFFICER: Next up is Kyle
18 Winkelmann.

19 MR. WINKELMANN: Kyle Winkelmann,
20 W-I-N-K-E-L-M-A-N-N.

21 (Whereupon Kyle Winkelmann was duly sworn.)

22 MR. WINKELMANN: Hello. My name is Kyle
23 Winkelmann. I am a local farmer. I live east of
24 Talulla off 123, and when I first heard about the

1 hog farm, I, you know, thought wow, that's great,
2 what a great spot for a hog farm, you know. It is
3 out in the middle of nowhere. I mean, not a lot of
4 activity out there. There is plenty of space to
5 put the manure, and there is good farmers.

6 I think it is part of a sustainable ag
7 model. You have got the pig that makes the manure
8 that makes the corn to feed to the pig, and that's
9 what we are all after, a little more
10 sustainability.

11 I guess I was a little taken aback by the
12 attitude of the community. Menard County has had
13 history of hog farming really. If you look back --
14 I can only get data for back to 1920, but if you
15 look like the 70's and 80's, there was as much as
16 60 to 70,000 hogs in Menard County which was great
17 for the local economy, kept everything going, you
18 know.

19 Then the hog numbers started to dwindle and
20 here the most recent data we are at a 90-year low
21 for hogs. You know, at one time there was hogs
22 everywhere, within a half mile of the city limits,
23 I know there was hogs all around Greenvew and
24 Oakford as well, and I never really remember

1 smelling hogs when I was in those communities.

2 So I think where they're sitting this hog
3 farm is a good enough distance away from New Salem
4 and Jim Edgar Panther Creek that the hog smell
5 should not be an issue. If I thought in any way
6 this was detrimental to our tourist activities, New
7 Salem and Panther Creek, I'd be the first one
8 standing up here to be against it, but I just don't
9 believe that to be the case.

10 But anyway, to get on, because of the most
11 recent downturn in hog numbers, that's why all this
12 week I have been taking corn out of my bin, hauling
13 it to Waverly so they can put it on a train that
14 goes to Texas so they can feed it to their
15 livestock. That's something that Illinois should
16 not have to rely on Texas to raise livestock. We
17 should be able to do it ourselves. Illinois
18 livestock should eat Illinois corn, and the meat
19 should be sold to Illinois people. It is a more
20 sustainable model.

21 As far as the nutrient management plan,
22 although I'm not a livestock farmer, I am a grain
23 farmer, I do follow the nutrient management plan,
24 and I can tell you they are effective. There is a

1 lot of science that goes into making a nutrient
2 management plan, and if it is followed it will be
3 beneficial to the environment.

4 To wrap it up, you know, in recent
5 conversations a lot of people preface everything
6 with I support the local farmers. Here is your
7 chance to support the local farmer and hear me out.

8 I believe a nutrient management plan can
9 work, and I think it is a -- I think the hog farm
10 is going to be part of a more sustainable future
11 for Menard County.

12 HEARING OFFICER: Are there questions for
13 this witness?

14 MR. WINKELMANN: Yes. Sorry.

15 MR. SINCLAIR: Dale Sinclair,
16 S-I-N-C-L-A-I-R. How many hogs do you have?

17 MR. WINKELMANN: I believe I said that I was
18 not a grain -- or sorry, I am not a hog farmer, I'm
19 a grain farmer. So zero.

20 MR. SINCLAIR: Would this, would this hog
21 farm be considered agriculture?

22 MR. WINKELMANN: Yeah, livestock.

23 MR. SINCLAIR: Would they be on the -- would
24 they be drawing a government check like --

1 MR. WINKELMANN: Well, I suppose you would
2 have to ask them about their dealings with the
3 government.

4 I don't know, do you receive a government
5 check, sir?

6 MR. SINCLAIR: Yes. Yes, I do.

7 MR. WINKELMANN: Okay.

8 MR. SINCLAIR: I draw a government check
9 because I'm a DAV member.

10 MR. WINKELMANN: Thank you for your service.

11 HEARING OFFICER: Any other questions for
12 this witness? Ms. Martin?

13 MS. MARTIN: This is 930 head of hog. Do
14 you think that's agriculture?

15 What if it was 300,000 head hog finishing,
16 would it still be agriculture?

17 MR. WINKELMANN: I'm confused on when it
18 ceases to be agriculture.

19 Is there a line somewhere that has been
20 drawn to where it ceases to become agriculture?

21 There has not been, no.

22 MS. MARTIN: I'm asking you, is it. You
23 don't --

24 MR. WINKELMANN: Yes, it is still

1 agriculture. No, I do not have a line.

2 MS. MARTIN: There is 300,000 hog finisher
3 in Kansas. There is 1.6 million hog finisher in
4 Utah. Is that agriculture?

5 MR. WINKELMANN: Yeah.

6 MS. MARTIN: So if they put a 300,000 head
7 hog finisher in this county, that would be
8 agriculture?

9 MR. WINKELMANN: I believe so, yes, it
10 would.

11 HEARING OFFICER: Other questions? Okay.
12 Thank you.

13 Next up we have Marty Marr. State your
14 name.

15 MR. MARR: Marty Marr, M-A-R-R.

16 (Whereupon Marty Marr was duly sworn.)

17 HEARING OFFICER: You may proceed.

18 MR. MARR: Good evening. Good evening. My
19 name is Marty Marr. I raise corn, soybeans and
20 cattle. My family farm is in the New Berlin area,
21 so I understand the challenges and contributions of
22 a livestock operation. I have also had family
23 members that were also hog producers.

24 The Grigsby livestock farms represents the

1 opportunity to market more grain in our area, and
2 hog farmers need a healthy market to sustain our
3 business. This proposed operation would consume
4 168,000 bushels of estimated corn and around 40,000
5 bushels of beans on a yearly basis contributing to
6 our local markets.

7 I'm also a father that currently farms with
8 my brother and two sons, and livestock is a major
9 part of our business plan not only to diversify but
10 provide a living for our entire family and our
11 operation. Providing opportunities for my sons to
12 join the operation cannot be possible without
13 growing markets. I cannot hope to grow more crops
14 without having a place to sell them to another
15 farmer or livestock operation to use them. Markets
16 like this all contribute to our good, good markets
17 in this area.

18 I'm also a board member of the Illinois Corn
19 Growers Association. We represent corn farmers
20 throughout the state, and we try to make sure that
21 being a family farmer remains a viable way to raise
22 a family in our state. Growth in our livestock
23 industry is key to that goal.

24 In order for family members to make a living

1 and support their family, we must have places to
2 sell our corn with supporting industries. This
3 opportunity and this facility are perfect examples
4 of growth and vitality right here in Menard County
5 and all over the state to give farmers a chance to
6 keep doing what they love to do every day. They
7 are a truly dedicated group of people.

8 I'm excited to welcome the grigsby family
9 and this opportunity into central Illinois. I hope
10 it is approved. Furthermore, I think the business
11 plan is responsible and prepared to be good
12 stewards.

13 All things considered, this business and
14 family will be a good neighbor and an asset to this
15 area in Menard County. Agriculture is ever
16 evolving. I hope the livestock industry stays
17 strong for the good of all family farms. Thank you
18 very much.

19 HEARING OFFICER: Questions for this
20 witness? Ms. Martin?

21 MS. MARTIN: Of the 168,000 bushels of corn?

22 MR. MARR: Yes.

23 MS. MARTIN: Are you saying that the
24 Grigsbys cannot produce that on their own land;

1 that they would actually buy from other people?

2 MR. MARR: I'm saying they are part of the
3 process. They are using 168,000 bushels of total
4 amount of grain grown in this state, and they are
5 helping provide a market for all corn farmers and
6 hog farmers.

7 MS. MARTIN: How do they form a market if
8 they sell it to themselves?

9 MR. MARR: It is a means of using a natural
10 resource.

11 HEARING OFFICER: Yes, ma'am?

12 MS. CHALCRAFT: Valerie Chalcraft,
13 C-H-A-L-C-R-A-F-T.

14 Just because you mentioned family farm, I
15 just was curious. What would the difference
16 between a factory farm and a family farm be to you?

17 MR. MARR: Well, it is a good question.
18 Knowing the background of all the people that are
19 involved in these operations, I think it all
20 depends and comes back to family. I think they all
21 support the family in one way, shape or form, and
22 there is different levels of ambition, and that
23 doesn't mean they are not a viable part of
24 agriculture, and so I support operations like this.

1 HEARING OFFICER: Are there questions?

2 Thank you very much.

3 Next up we have Jeff Mahoney. State your
4 name.

5 MR. MAHONEY: Jeff Mahoney, M-A-H-O-N-E-Y.

6 (Whereupon Jeff Mahoney was duly sworn.)

7 MR. MAHONEY: Good evening, everyone. It is
8 nice to see so many familiar faces in the crowd
9 tonight. If you guys don't know, I'm Jeff Mahoney.
10 I was born and raised over in Ashland, Illinois,
11 graduated from AC Central High School. My wife and
12 I still live over that direction today. Very proud
13 to call this community part of our family, part of
14 our home.

15 I'm the director of production operations
16 for the Maschhoffs. This farm will be part of our
17 team's responsibility, and I can promise you with
18 the utmost care we will take the most
19 responsibility for these pigs and also for the
20 environment that these pigs are part of and the
21 environment surrounding the community.

22 The benefit of this -- an operation like
23 this has extreme benefit for livestock of the
24 state, also for grain. We have heard a lot of

1 testimony how agriculture is the backbone of a lot
2 of what goes on inside of this state and is a very
3 renewable resource and very sustainable across the
4 entire operation.

5 As part of this, as part of this operation,
6 we have got very well defined protocols and
7 standards that we will adhere to at this facility
8 to ensure that the well-being of the pigs are cared
9 for and also for the environment.

10 Personally in my position I am out in the
11 field three to four days a week adhering to these
12 standards and assuring that we are being compliant
13 with all the standards and regulations that we need
14 to meet today.

15 It was on a family farm in Ashland, Illinois
16 that I grew up and learned the true benefit of
17 agriculture, learned it from many generations of
18 our family farm, and it is a great, great
19 opportunity to work for a company like the
20 Maschhoffs. It gives us the opportunity to provide
21 a high quality protein source to millions and
22 millions of people across the entire world.

23 With this responsibility -- with this
24 opportunity comes a huge responsibility that us, as

1 an entire company as the Maschhoffs, take very,
2 very seriously, and I can assure you this
3 particular proposed site will take very serious as
4 well. Thank you.

5 HEARING OFFICER: Are there any questions?
6 Questions? Yes, down here.

7 MS. CLANIN: My name is Debbie Clanin,
8 C-L-A-N-I-N.

9 Again, tell me about the animal welfare in
10 these CAFO's. Are they not confined in crates?

11 MR. MAHONEY: This facility they will not be
12 confined in crates.

13 MS. CLANIN: Why are they called a CAFO? A
14 CAFO is a concentrated animal feeding operation.

15 MR. MAHONEY: So the definition of
16 concentration and crate would not be the same.
17 This facility would not have animals in crates.

18 HEARING OFFICER: Ms. Martin?

19 MS. MARTIN: What is the expected mortality
20 rate for the Maschhoff industry?

21 MR. MAHONEY: It varies a lot. Our target
22 would be around 4 or 5%.

23 MS. MARTIN: Are you guys -- he said they
24 were picked up by a rendering company. Do you know

1 what the name of that company is?

2 MR. MAHONEY: Darling International.

3 MS. MARTIN: Darlin?

4 MR. MAHONEY: Darling.

5 MS. MARTIN: Darling?

6 MR. MAHONEY: International.

7 HEARING OFFICER: Other questions? Yes, in

8 THE back. State your name, please?

9 MR. SINCLAIR: George Sinclair,

10 S-I-N-C-L-A-I-R.

11 Next year when they go to no low level

12 antibiotic in feed, how do you plan on dealing with

13 the spread of infection?

14 MR. MAHONEY: The low level antibiotic in

15 the feed does not -- it is not for prevention of

16 disease. So antibiotic use is directed by our herd

17 vets and veterinarians. It would still be legal,

18 just not the low dose for growth promotant. So

19 your question would not be relevant.

20 MR. SINCLAIR: Well, let me change it, then.

21 If they are not -- are they going to be injecting

22 each hog, then, with antibiotics to keep them from

23 getting sick or spreading germs?

24 MR. MAHONEY: We treat our livestock just

1 like you guys treat your own kids. We only would
2 treat, individually treat the animals that would be
3 sick. No different than we take our kids to the
4 doctor or the hospital when they are sick. We
5 would treat the individual pigs that would have an
6 illness that would require us to treat them.

7 MR. SINCLAIR: And how would you locate
8 those pigs if they are in -- if you have got 9,000
9 of them in one barn?

10 I mean, do you have lights on in there
11 during the daytime or during the nighttime, or how
12 would you locate a sick pig?

13 MR. MAHONEY: We have a very well -- I
14 appreciate the question. We have very well defined
15 management practices that I spoke to. That's part
16 of my job and my team's job is to train our
17 caretakers. The four or five employees that we
18 would have full-time at these jobs, it would be
19 part of our training practice to treat those
20 individuals on how to properly identify sick picks,
21 how to properly administer the appropriate
22 antibiotic.

23 MR. SINCLAIR: Thank you.

24 MR. MAHONEY: You're welcome.

1 UNIDENTIFIED: A follow-up on the four to
2 five people working. Are those Maschhoff
3 employees? Is it going to be just four to five
4 people working that facility every day?

5 MR. MAHONEY: So the question came up
6 earlier. I will clarify a little bit, too. This
7 facility will have the Maschhoff management in
8 there. They will be Maschhoff company employees
9 that are employed at these farms, at this
10 particular farm. We also manage several other
11 farms across central and west central Illinois that
12 we have got a very proven track record of being
13 able to provide very good results of these farms.

14 So yes, we'd have four to five people there
15 full-time and also individuals from my team, field
16 team, field team support and also herd vets that
17 would be visiting the farm. Four to five in
18 particular and also people visiting that farm.

19 UNIDENTIFIED: So four to five people, but
20 are they Maschhoff employees?

21 MR. MAHONEY: Yes, ma'am, that's what I
22 said.

23 UNIDENTIFIED: Okay.

24 HEARING OFFICER: Mr. Anderson?

1 MR. ANDERSON: Yeah, Nick Anderson. Jeff,
2 are you in charge of hiring, or do you hire for
3 this site? Are there jobs available if this goes
4 forward?

5 MR. MAHONEY: If this would be approved,
6 yes, it would be a part of my team that we would be
7 interviewing and hiring these positions.

8 MR. ANDERSON: They would have to contact
9 you for an application?

10 MR. MAHONEY: Yes, sir, it would be on the
11 web site. There would be positions posted.

12 MR. ANDERSON: That would be great.

13 HEARING OFFICER: Ms. Hall?

14 MS. HALL: The Maschhoffs were cited by the
15 FDA.

16 HEARING OFFICER: Speak up a little bit.

17 MS. HALL: Yes. The Maschhoffs were cited
18 in a warning letter by the FDA in 2012 because of a
19 pig at the Carlyle facility had been sold for
20 slaughter that had a banned drug in it, penicillin.

21 Can you tell me what steps Maschhoff has
22 taken to make sure that banned drugs are not being
23 administered to animals being sold for food?

24 MR. MAHONEY: So we have got -- we have

1 spoke about it earlier. We have got our standard
2 operating procedure, our plans we have got in place
3 that approve when we have medication in place that
4 would meet the withdrawal time.

5 So your particular example would be outside
6 of my scope. I can't speak to that specific
7 example. But on these farms we have very
8 designated plans of which antibiotics would meet
9 the withdrawal times and if they do not meet
10 withdrawal time, they would not physically be on
11 the site. We would not have the possibility to
12 administer a product that would not meet
13 regulations.

14 HEARING OFFICER: Ms. Martin?

15 MS. MARTIN: Just a follow-up. Just a
16 follow-up on mortality. You said 4 to 5% of 9,306
17 hogs. So that's 372 hogs per turn, and there is
18 two turns per year. So that would be about 744
19 dead animals?

20 MR. MAHONEY: I don't have a calculator on
21 me, ma'am.

22 MS. MARTIN: Well, if you just go with me,
23 I have had a lot of experience on this. Those are
24 going to happen on a daily basis, on a weekly

1 basis, right?

2 MR. MAHONEY: We would not lose that many a
3 week. That would be the entire term.

4 MS. MARTIN: No, like one or two a day every
5 day of the year? You don't know?

6 MR. MAHONEY: It varies by site. There is
7 not a projected mortality that happens every single
8 day.

9 MS. MARTIN: Okay. But is the receptor that
10 holds these animals, is it refrigerated in the
11 summer?

12 MR. MAHONEY: It is not refrigerated in the
13 summer. We increase the frequency of pick-ups.
14 That way we do not have a problem with the summer
15 heat.

16 MS. MARTIN: Is it lined? Is there a liner?

17 MR. MAHONEY: Yes, it is.

18 MS. MARTIN: A gate?

19 MR. MAHONEY: It is covered, lined walls, it
20 is a structure that will contain all the mortality.

21 MS. MARTIN: Thank you.

22 HEARING OFFICER: Other questions? Yes,
23 ma'am, state your name.

24 MS. STOENS: Carol Stoens. Did I hear you

1 state it was the FDA that --

2 HEARING OFFICER: Can you speak up a little
3 bit, please?

4 Did I hear you state that the FDA enforced
5 the withdrawal of the antibiotics on regular use?

6 MR. MAHONEY: I did not say that, ma'am.

7 MR. STOENS: Did somebody in your group back
8 there say that? Am I hearing things?

9 I wondered if you knew why they were
10 withdrawing antibiotics on regular use?

11 MR. MAHONEY: I do not know that. That
12 would be outside of my scope.

13 HEARING OFFICER: Other questions? Yes,
14 sir.

15 MR. WILLIAMS: Dan Williams. I was just
16 wondering if in these facilities your workers have
17 to wear respirators or other protective clothing?

18 MR. MAHONEY: It is not a requirement to
19 wear respirators or other ones. If we have
20 employees that request them, we will provide them
21 to them.

22 Like I said, I have worked for this company
23 for over seven years now. I personally don't and
24 have had zero health challenges. Many of our

1 employees don't, and employees in the barns will be
2 at, I, the assume biggest risk if there is risk.
3 We do not, but if they choose to we'd gladly
4 provide them to our employees.

5 HEARING OFFICER: Other questions?
6 Mr. Grosboll?

7 MR. GROSBOLL: I apologize for this very
8 tough question. So did you support school
9 consolidation?

10 HEARING OFFICER: Other questions?

11 MR. MAHONEY: Yes, I did.

12 HEARING OFFICER: Next up we have Rebecca
13 Rowe.

14 MS. ROWE: Rebecca Rowe, R-O-W-E.

15 (Rebecca Rowe was duly sworn.)

16 MS. ROWE: I have a letter I would like to
17 read that we received from a group in Iowa about
18 the Maschhoff record on manure spills and things.
19 Members of the Iowa Citizens for Community
20 Improvement recommend denying any application the
21 Maschhoffs are providing to build a hog confinement
22 in your area because of their disregard of
23 environmental protection and threat of repeat
24 manure spills that can enter local waterways.

1 In November of 2013, a coalition of
2 community environmental and animal welfare
3 organizations sent a notice of intent to sue the
4 Illinois-based Maschhoffs over repeated discharges
5 of hog manure to waterways from one of its Iowa
6 factory farms.

7 One of their sow facilities located in Van
8 Buren County, Iowa near the Des Moines River, is
9 one of the largest factory farms in Iowa and
10 annually produces more than 11 million gallons of
11 toxic manure that is spread on less than 600 acres
12 of surrounding land.

13 In November 2013, a clogged pipe at the
14 facility's manure management system caused the
15 discharge of thousands of gallons of waste into an
16 on-site creek. The creek empties into a section of
17 the Des Moines River that is listed as impaired due
18 to biological pollutants.

19 The facility has a record of similar spills.
20 In 2011 another clogged pipe at the facility caused
21 more than 9,000 gallons of manure to flow into the
22 same creek. And in 2007 operators failed to move
23 the center pivot irrigator used to spray liquid
24 waste on fields leading to a discharge of close to

1 6,000 gallons of manure.

2 They have other violations including
3 incomplete or untimely submitted management manure
4 plans and other manure spreading violations.

5 Per Iowa DNR records, the Maschhoffs are a
6 repeat manure violator with at least six documented
7 manure spills between 2010 and 2013. This is only,
8 this is just the sites that are fully owned by
9 Maschhoffs, not where they have partnered,
10 production partners.

11 In our experience we do not recommend
12 allowing the Maschhoffs to built a confinement in
13 your area due to their disregard for our
14 environment and laws meant to protect the
15 environment. Signed, Jess Mizour who is with the
16 Iowa Citizens for that.

17 I am concerned about the Maschhoffs' record.
18 Earlier this evening Mr. Maschhoff said there will
19 not be any kind of filter system on the ventilation
20 system that is going to be in that building. Even
21 today's vacuum cleaners have a filter on them. I
22 can't believe nothing is going to be filtered
23 through this.

24 I live about two and a half miles from the

1 proposed facility, one and a half miles from the
2 fields where it, the manure could be applied. We
3 live in the country. We expect to smell livestock
4 occasionally. What worries me are the pollutants
5 coming from the facility that I can't smell.

6 We are not a heating to air conditioning
7 family. We use our windows. We enjoy our porches
8 and our decks, and we enjoy our creek that runs
9 through the back of our property. I don't want to
10 have this kind of thing in our facility, and the
11 proposed hog operation does not fit the eighth
12 criteria, nor does it fit in Menard County.

13 I understand diversification, but the
14 Grigsby family does not live in Menard County.
15 They are not affected by this. I would like to see
16 our County Board vote no. I would like see the
17 Department of Ag vote no. Thank you.

18 HEARING OFFICER: Questions for this
19 witness? Yes, sir?

20 MR. ENTWISTLE: Terry Entwistle,
21 E-N-T-W-I-S-T-L-E. What is a factory farm?

22 HEARING OFFICER: Speak up, please.

23 MR. ENTWISTLE: What is a factory farm?

24 MS. ROWE: A concentrated animal feeding

1 operation, which this is 9,000 hogs.

2 HEARING OFFICER: Can you use the
3 microphone?

4 MS. ROWE: A factory farm, that is my
5 understanding is what is considered a CAFO, A
6 concentrated animal feeding operation.

7 MR. ENTWISTLE: I have got one other
8 question. On the facility that had the spill in
9 Iowa, was it constructed by the Maschhoffs, or was
10 it one that had been acquired by the Maschhoffs?

11 MS. ROWE: I can't answer that question.

12 MR. ENTWISTLE: It was acquired by the
13 Maschhoffs. It was not one under their
14 construction.

15 MS. ROWE: But they owned it at the time
16 that it happened.

17 MR. ENTWISTLE: That's right, but it was not
18 built for their standards.

19 HEARING OFFICER: Are there questions? Yes,
20 sir?

21 MR. POLETTI: Ben Poletti, P-O-L-E-T-T-I.

22 Ma'am, I'm curious, does that statement give
23 any indication why they did not follow through with
24 the lawsuit?

1 MS. ROWE: I am sorry?

2 MR. POLETTI: Does it say anything why they
3 did not follow through with the lawsuit?

4 MS. ROWE: It just says intent to sue.

5 MR. POLETTI: Okay. Did it also state
6 anything about the fact that the Maschhoffs
7 self-reported those spills and that they never
8 entered waters of the state and they also followed
9 all reporting and requirements to do a clean-up on
10 the spills?

11 MS. ROWE: Doesn't say that in this letter.

12 MR. POLETTI: Thank you.

13 MS. ROWE: But in the other documentation
14 that I have there is a suit where they were filed
15 with -- they were cited with violations and had to
16 pay at least a \$10,000 fine for some of those
17 spills and for discharge from a grain mill they
18 owned in Iowa.

19 HEARING OFFICER: Are there other questions?
20 Ms. Martin?

21 MS. MARTIN: If a hog farm causes a spill
22 and cleans it up, does that really change how it
23 impacts the environment when these people here said
24 that it would be highly unlikely there would ever

1 be a spill? Do you know what I'm saying?

2 Like if they didn't expect it to happen, but
3 oh, it happened, but we cleaned it up, what does
4 that tell you?

5 What does that mean to you when you hear
6 that type of business philosophy?

7 MS. ROWE: Well, I'm sure no one ever
8 expects a spill, but when you put this many hogs
9 into a confined operation, then that manure has to
10 come out through a pipe, I understand, to the
11 machine that knifes it into the ground, there is,
12 there is always chance of a spill. And clean up as
13 you may, you are not going to get rid of all of the
14 pollutants.

15 HEARING OFFICER: Ms. Martin?

16 MS. MARTIN: This particular facility, have
17 you seen it on a map?

18 Isn't it located like right near the
19 watershed of Codington Creek?

20 It is not way out in crop land, it is tucked
21 in where the creeks are; isn't that true?

22 MS. ROWE: From what I have seen on the map
23 and my understanding, yes, it sits up a little
24 higher, and so any run-off is definitely going to

1 go into Codington Creek, eventually into Clary
2 Creek and eventually into the Sangamon River.

3 HEARING OFFICER: Mr. Anderson?

4 MR. ANDERSON: Nick Anderson. How far is it
5 from the creek?

6 MS. ROWE: I am sorry?

7 MR. ANDERSON: How far is it from the creek?

8 MS. ROWE: I can't tell you that.

9 MR. ANDERSON: So you are debating a
10 question about the creek --

11 MS. ROWE: It is not very far, but I can't
12 tell you. I can get a map and certainly get that
13 information for you.

14 MR. ANDERSON: Have you applied manure
15 before or raised pigs?

16 MS. ROWE: I have raised pigs, yes.

17 MR. ANDERSON: Do you have experience
18 applying manure?

19 MS. ROWE: I do not.

20 MR. ANDERSON: You don't. How did you get
21 rid of your manure?

22 MS. ROWE: Sorry?

23 MR. ANDERSON: How did you get rid of the
24 nutrient manure?

1 MS. ROWE: I didn't do that, my father did.

2 MR. ANDERSON: But you raised pigs and
3 somebody else took care of it?

4 MS. ROWE: No, I didn't say that.

5 HEARING OFFICER: Other questions?
6 Mr. Sinclair?

7 MR. SINCLAIR: Dale Sinclair,
8 S-I-N-C-L-A-I-R.

9 If there is a negative impact from this hog
10 farm on the quality of life of those in the
11 community, the surrounding area or some
12 environmental thing that could have a lasting
13 effect, do they have any plans to discontinue that
14 operation or are they just going to continue and
15 people have to go ahead and accept what's been laid
16 upon them?

17 MS. ROWE: Well, I can't answer that, but
18 maybe if any of the Maschhoffs are still here, they
19 can do that.

20 HEARING OFFICER: These are questions for
21 you.

22 MS. ROWE: I can't answer that question.

23 HEARING OFFICER: Other questions? Yes,
24 sir?

1 MR. FUNK: Ted Funk, F-U-N-K. You mentioned
2 putting filters on ventilation fans.

3 Have you ever seen filters for ventilation
4 fans of that size?

5 MS. ROWE: No, sir. You know what? I have
6 learned more about concentrated animal feeding
7 operations than I ever thought I would know in the
8 last month, and I can only look at what I can find
9 on the internet.

10 And there are filters that can be used. I
11 would think if they think this is such a great
12 thing, but they know there are emissions, they know
13 there are pollutants that come out.

14 My goodness, we're talking about millions of
15 gallons or hundreds of thousands of gallons of
16 manure. Why wouldn't you want to do the best for
17 the community that you think is so good for us?

18 HEARING OFFICER: Other questions? Yes,
19 sir?

20 MR. BROOKE: Ian Brooke, B R-O-O-K-E. Can
21 you describe for us what these filters look like or
22 what they do or how they operate?

23 MS. ROWE: I can certainly get you some
24 information on it if you would like.

1 HEARING OFFICER: Other questions? Any

2 other questions? Thank you very much.

3 I think I stated this earlier, but entered
4 into the record is Exhibit No. 4, information from
5 Ms. Rowe.

6 Next up we have Shirley McCombs. State your
7 name and spell it, please.

8 MS. McCOMBS: Shirley McCombs,
9 M-C-C-O-M-B-S.

10 HEARING OFFICER: Raise your right hand.

11 (Whereupon Shirley McCombs was duly sworn.)

12 MS. McCOMBS: I recently wrote a letter to
13 the editor. I'm going to read that. My main
14 concern is health. I'm objecting to the hog
15 confinement in Menard County. I have been
16 diagnosed with chronic obstructive pulmonary
17 disease, COPD and emphysema, had lung cancer and
18 had the lower lobe of my lung removed. I currently
19 use a medical inhaler and take medication to help
20 ease my breathing.

21 I live across the street or across the road
22 from one of the fields where the manure will be
23 applied. My pulmonologist in Springfield has
24 warned me if this hog operation goes through, I

1 must wear a mask anytime I'm outside to help
2 protect my lungs, but even wearing a mask I
3 understand it will not eliminate all of the harmful
4 effects from the stench.

5 It is best for me either to not go outside
6 at all because of the stench or because the stench
7 can also seep into the house and then I'd have to
8 leave the house entirely. I understand that I may
9 also be forced to go on oxygen full-time which thus
10 far thankfully I have been able to avoid.

11 I'm 77 years old. I have lived in my
12 farmhouse for over 40 years. At that time I have
13 planted or during that time I have planted many
14 trees, flowers on my property and look forward to
15 the many years of gardening. I especially enjoy
16 going out in the early spring to enjoy my gazebo in
17 the morning and watch the bird feeders.

18 Because I do most of my own maintenance
19 outside, I spend a lot of my time outdoors during
20 the rest of the year as well. Furthermore, over
21 the years I have had countless backyard barbeques
22 from various groups ranging from family reunions to
23 political gatherings. If the hog operation goes
24 in, of course that would end all of that.

1 Over the years I put my blood, sweat, and
2 tears into my house inside and out to make it the
3 home that it is, the home that I love, the home
4 that I plan to live in until the day I die, but now
5 I'm faced with the prospect of being forced out.
6 Not only do I not want to sell my home, but to who
7 whom would I sell it to and who would buy it?

8 And I have a letter from my pulmonologist,
9 Dr. Sangwan in Springfield, and it says the patient,
10 Shirley McCombs, was in to see Dr. Sangwan, the
11 pulmonologist today. Her cancer was or concern was
12 voiced about a hog confinement coming into the
13 area. The patient states that there will be manure
14 and chemicals on the fields directly across the
15 road from her residence. We have advised that the
16 patient wear a mask at all times when she is
17 outside her home and to make sure she always has
18 her inhaler with her to help with her lung function
19 when this happens. Dr. Sangwan stated that this
20 will probably, will have probable effects on
21 patient's pulmonary condition. He signed the
22 letter. I will leave that as --

23 HEARING OFFICER: Are there questions for
24 this witness?

1 Entered into the record as Exhibit No. 13 is
2 information provided by Ms. McCombs.

3 (Exhibit No. 13 entered.)

4 HEARING OFFICER: Next up we have Jason
5 Beggs.

6 MR. BEGGS: Jason Beggs, B-E-G-G-S.

7 (Whereupon Jason Beggs was duly sworn.)

8 HEARING OFFICER: You may proceed.

9 MR. BEGGS: Good evening. My name is Jason
10 Beggs. I am not a farmer. I'm a member of this
11 community. What I have to state is for the people
12 of this community. It has nothing to do with
13 special interest groups that have found their way
14 here tonight.

15 I live 312 yards from an open air lagoon hog
16 confinement that is currently in service, has been
17 since the day I bought my house. I'm a husband,
18 I'm the father of a 4-year-old boy. We are
19 directly downwind of this confinement. I married
20 my wife in my backyard. We had the reception in
21 the shed. Not one complaint was said about the hog
22 farm.

23 My son is four years old, wants to be an
24 athlete, and there is nothing that will keep him

1 inside, even Illinois winters. We are outside
2 every day. The hog confinement never kept us
3 scared to go outside.

4 My concern is for the individuals who live
5 in Petersburg or the surrounding area who have not
6 had to live in the actual country. They hear
7 horror stories. I have seen these and whether it
8 be the local newspaper, internet posts or inside a
9 coffee shop just hearing guys talk, are concerned
10 the smell is going to run off the entire activities
11 that go on inside of this community.

12 There is a possibility that you are going to
13 smell it. You are not going to smell it every day.
14 I probably smell it eight times a year on average.
15 I'm 310 yards basically from a confinement. That's
16 less than once a month. It will not affect your
17 life if you don't look for an excuse to let it
18 affect your life.

19 I have nothing more to say. I just wanted
20 to state my opinion.

21 HEARING OFFICER: Are there questions for
22 this witness? Yes, sir?

23 MR. ENTWISTLE: Terry Entwistle,
24 E-N-T-W-I-S-T-L-E.

1 Jason, how close is your closest neighbor?

2 MR. BEGGS: My closest neighbor is 168 yards
3 east of me.

4 HEARING OFFICER: Speak up, please.

5 MR. BEGGS: Sorry. Thought I was doing
6 good.

7 HEARING OFFICER: Sorry. Mr. Entwistle, can
8 you speak up, please?

9 MR. ENTWISTLE: Has the neighbor ever
10 complained about the smell?

11 MR. BEGGS: My neighbor has not. I actually
12 resided at that residence prior to owning mine now,
13 and I never once noticed a odor at that residence.
14 I was there for approximately a year.

15 MS. SINCLAIR: Georgia Sinclair,
16 S-I-N-C-L-A-I-R. How many hogs that you are
17 smelling, how many in their confinement?

18 MR. BEGGS: I'm not certain of the exact
19 number. It is not my business.

20 MS. SINCLAIR: Is it 9,000?

21 MR. BEGGS: I'm not certain.

22 HEARING OFFICER: Other questions? Can you
23 speak up, please? State your name and speak up.

24 MS. STOENS: How big are their barns? That

1 might be an indication of how many hogs they have.

2 Do you ever see them outside?

3 MR. BEGGS: I understood your question about
4 the size of the barns. What do you mean have I
5 seen them outside?

6 MS. STOENS: Have you seen the hogs outside?
7 Do they get out or are they always --

8 MR. BEGGS: I have never once seen a live
9 hog outside. I have seen a dead hog outside ready
10 to be picked up and removed. As far as the size of
11 the barns, I have never measured them.

12 UNIDENTIFIED: Football field?

13 MR. BEGGS: Football field by half a
14 football field.

15 MS. STOENS: Football field by --

16 MR. BEGGS: Football field by half of a
17 football field would be close. That would be
18 roughly 120 yards by 35, 40 yards.

19 HEARING OFFICER: Down here in front.

20 MS. WROCZYNSKI: Diana Wroczynski,
21 W-R-O-C-Z-Y-N-S-K-I.

22 What I hear you saying is that the outward
23 smell living near is bearable. I wonder how you
24 would you feel if your son had asthma, your wife

1 had lung cancer. Do you -- are you concerned at
2 all about health implications if you saw the
3 studies that proved it?

4 MR. BEGGS: Health is a major concern. My
5 four-year-old son is my only concern. Health and
6 studies, there are individuals in the public
7 sector, private sector, every sector that you can
8 come up with who do that all day long for the job,
9 eight hours a day, went to school for it before I
10 got onto Google and typed in a couple key questions
11 and click through the ones until I found the answer
12 that I wanted, which it sounds like several people
13 in here are awfully good at getting on Google.

14 MS. WROCZYNSKI: The reports I read are the
15 only ones that matter which is Center for Disease
16 Control. They are like the definitive place that
17 doctors, hospitals go to for information. Their
18 reports are there saying that there is increased
19 risk.

20 If you knew that for a certainty, would you
21 be more concerned about living closer?

22 Would it matter to you I guess is what I
23 want to know. I don't understand the people that
24 ignore the health part. The woman who just

1 testified --

2 MR. BEGGS: I have to ask you -- okay. I do
3 agree if I think there is pertinent information
4 that says it is unhealthy for me to live next to a
5 hog farm, I should take that into consideration.

6 But I must pose a question to you of similar
7 ilk. Have you ever seen information saying it is
8 not safe to drive a car? How did you get here?

9 MS. WROCZYNSKI: Yeah, it is all a matter --

10 MR. BEGGS: It is a matter of how you are
11 going to die. I'm going to die happy living in my
12 home. Risk, benefits, we make our choices.

13 MS. WROCZYNSKI: You wouldn't choose to live
14 close to something where I knew the risks were
15 higher.

16 MR. BEGGS: You chose to drive a car, didn't
17 you?

18 MS. WROCZYNSKI: Yeah, or riding in one
19 scares me to death.

20 MR. BEGGS: Well, you made your choice to be
21 scared. I make mine.

22 MS. WROCZYNSKI: It is a good point. It is
23 a good comparison.

24 MR. BEGGS: Thank you.

1 HEARING OFFICER: Are there other questions?

2 Yes, ma'am? State your name.

3 MS. STIER SANTOS: Margaret Stier Santos.

4 Was the facility there when you purchased your
5 home?

6 MR. BEGGS: Yes, ma'am.

7 MS. STIER SANTOS: So it was not a fact
8 where you purchased your home and then all of a
9 sudden this moved in, correct?

10 MR. BEGGS: No, ma'am.

11 MS. STIER SANTOS: Thank you.

12 HEARING OFFICER: Mr. Anderson?

13 MR. ANDERSON: You mentioned you had another
14 home close to you. Did it hurt your property value
15 when it came to sell, or did that cause any
16 conflict?

17 MR. BEGGS: No, actually that would have
18 been a rental at that point in time.

19 MR. ANDERSON: Okay.

20 MR. BEGGS: But if you -- to further your
21 question, myself and my neighbor have standing
22 offers for our house if we should choose to sell at
23 any point, and they are not from a corporation,
24 they are from individuals.

1 HEARING OFFICER: Somebody? Yes, sir, in
2 the back?

3 MR. SCHONEWEIS: Jeff Schoneweis,
4 S-C-H-O-N-E-W-E-I-S. Have you ever had to take
5 your kid to the doctor for any type of breathing,
6 any type of breathing issues?

7 MR. BEGGS: He has sinus congestion in his
8 nose. His mother and I both do. That's about
9 ill-being of him. We did go through an ear
10 infection about a week and a half ago, bad deal.

11 MR. SCHONEWEIS: How often have you taken
12 your son in for sinuses?

13 MR. BEGGS: He is four years old. We have
14 been twice.

15 MR. SCHONEWEIS: Okay. Thank you.

16 MR. BEGGS: Yes, sir.

17 HEARING OFFICER: Ms. Martin?

18 MS. MARTIN: If the barns you described are
19 half the size of this facility, so it is probably
20 half the animals. Does that make sense?

21 MR. BEGGS: I don't know what the size of
22 the proposed facility is, and I also -- like I said
23 earlier, I have never been in the one across the --

24 MS. MARTIN: I understand you don't know,

1 but you are very emphatic that everybody else
2 should listen to your opinion because you live by a
3 hog farm, and it doesn't bother you.

4 So I'm asking you. If you don't even know
5 how many hogs are there, why are you asking us, a
6 roomful of people, to believe you when you say it
7 doesn't smell at 1,000 feet, okay?

8 The facility being proposed here, did you
9 know that they can expand to almost 16,000 head in
10 two years?

11 MR. BEGGS: I understand there is provisions
12 based upon that with the state, yeah.

13 MS. MARTIN: And then again --

14 MR. BEGGS: Hold on. Before you -- let's
15 get back to the original question you asked me,
16 which was -- go ahead and finish the question so I
17 will have something to answer.

18 MS. MARTIN: Well, this facility can
19 continue to expand. The only setback it ever
20 enjoys is today, this community enjoys, and then it
21 can go ahead and expand. If it can prove through a
22 little financial monkey business that
23 reconstructing it completely from the same or the
24 costs would be different or whatever, but they

1 basically can double. They can go every two years.

2 So in four years there could be 20,000 hogs there
3 without too much trouble.

4 Do you think it would smell then?

5 MR. BEGGS: I don't know. I never been in
6 that circumstance, but I'm assuming, yeah, there
7 would be some odor unless the Maschhoffs and the
8 Grigsbys did their due diligence to provide what
9 they could. I doubt they would grow to 20,000 hogs
10 unless they were doing something right in the first
11 place.

12 MS. MARTIN: Well, if they are making money.

13 MR. BEGGS: How do you make money if you're
14 involved with the EPA constantly?

15 MS. MARTIN: Does not regulate odor.

16 MR. BEGGS: I'm not -- I don't have nearly
17 your Google intelligence on EPA. However, I do
18 deal with EPA in my trade. I know if there is a
19 spill my company or myself will be held liable for
20 it, which will be levied in fines. So do not say
21 the EPA does not have an effect on them. If there
22 is a spill, they are accountable.

23 MS. MARTIN: Do you own the company?

24 MR. BEGGS: Do I own? No, ma'am.

1 HEARING OFFICER: We need to move on. Are
2 there other questions? Thank you very much.

3 State your name.

4 MS. SIX: Genny Six, S-I-X.

5 (Whereupon Ms. Six was duly sworn.)

6 MS. SIX: Good evening. My name is Genny
7 Six. I'm a farmer's daughter at heart, I'm an
8 agriculturalist by training, and I am a farmer by
9 profession. I love agriculture, and I'm here in
10 support of this farm.

11 My family, the family I grew up in, we built
12 our first hog building in 1978. I was raised --
13 they called me the cloth diaper baby because we
14 went through hard times me being raised in a hog
15 barn during the tumultuous times of the 80's and
16 the hog market.

17 I loved working in the hog barn. It gave me
18 the work ethic that I have today. I'm so grateful
19 I married a hog farmer from Morgan County, and we
20 built our first hog building with my in-laws five
21 years ago. That hog building is three and a half
22 miles from Triopia High School.

23 Anyone that knows anything about Triopia, we
24 are big football fans. We have a huge crowd Friday

1 nights. We have never, ever received a complaint
2 about the smell of our hog barns.

3 We have been able to expand our hog barns
4 which has brought three sons to come back and farm.
5 Both my husband and I are raising our kids up in
6 our hog barns. We work in there daily with our
7 kids, one and three, and they -- I hope they learn
8 work ethic like my parents have taught us.

9 My husband and I -- well, he started working
10 for the Maschhoffs as an employee of a barn like
11 the one proposed today. He started working 12
12 years ago, was able to pay his way through college
13 through that way, and now we are able to continue
14 on working with the Maschhoffs, but now we are
15 building our own barns. So this summer we will be
16 able to build another barn, be able to continue to
17 our grow the family now with three sons back on the
18 farm.

19 We love teaching our kids about how to care
20 well for livestock and to provide financial means
21 for our family to be able to stay in Morgan County.

22 The barns being discussed this evening will
23 not only provide for employment opportunities like
24 we have been afforded but also be able to supply

1 other indirect jobs.

2 We regularly employ college students and
3 seasonal employees to come in to work in our hog
4 barns. We also rely on local repair shops,
5 electricians, welders, plumbers to help us work in
6 our hog barns.

7 Our communities are successful when farms
8 are successful. In Illinois the pork industry
9 provides 10,000 jobs and over \$170 million in tax
10 revenue. This project has the potential to provide
11 great jobs in our state. Nationwide we are seeing
12 rural communities struggling to provide employment
13 opportunities to keep local productive citizens
14 residing in our communities.

15 In our family our kids are the sixth
16 generation to come back and farm and not only farm
17 but to invest in our local community.

18 While it is important for citizens to invest
19 in their communities, they must have a beneficial
20 means to come back and keep them there. Tonight by
21 showing our support for the facilities we would
22 afford local citizens an opportunity to work like
23 us.

24 In the end I think it comes down to one

1 question: Are we pro ag in Illinois or not?

2 I pray for me and our children's generation
3 that we choose wisely. Thank you.

4 HEARING OFFICER: Questions for this
5 witness? Yes, sir, Mr. Schoneweis?

6 MR. SCHONEWEIS: Have you had any issues
7 with your health or your husband's health by being
8 raised in a barn? Ever Been to a doctor for sinus
9 or any other issues?

10 MS. SIX: I'll be really frank. I'm a very
11 transparent person. I am 34-years-old, and I don't
12 have any problems like that, neither does my
13 husband. He is one of five children, I'm one of
14 four.

15 MR. SCHONEWEIS: How about your kids?

16 MS. SIX: No, our kids are healthy.

17 MR. SCHONEWEIS: Great. Thank you.

18 HEARING OFFICER: Yes, sir, Mr. Sinclair?

19 MR. SINCLAIR: Just another question.

20 HEARING OFFICER: Hang on just a second.

21 MR. SINCLAIR: Just another question. This
22 comes down to something you mentioned, financial.
23 I'm sure that if it was not a financial
24 opportunity, they wouldn't be interested in doing

1 this.

2 So do you agree that's okay regardless of
3 the impact that it has on neighbors and the
4 community and the surrounding area? Do you agree?

5 MS. SIX: Sir, I mean this with the utmost
6 respect. I'm sixth generation. We have put blood,
7 sweat and tears in our land. No one cares for our
8 land like I do. I love where we farm, our ways, we
9 live, we die. I think I would not make a choice if
10 it was not good for our land and for us to provide
11 a sustainable practice to bring our kids back.

12 MR. SINCLAIR: I was talking about the
13 neighbors. I'm talking about the other people in
14 the community, the other people surrounding. Where
15 do they come into this?

16 MS. SIX: Sure. I wouldn't ask them to live
17 there if I was not living there. I go to church
18 with these people, I'm in mom's groups with these
19 moms, I live in the same community where these
20 people live. I think it is a healthy, sustainable
21 practice.

22 MR. SINCLAIR: But you are the one that's
23 making the financial, not your neighbor.

24 MS. SINCLAIR: Sure, but I also believe in

1 the Lord's commandment, treat others as you would
2 yourself.

3 MR. SINCLAIR: So do I. I do, too, and that
4 goes both ways.

5 HEARING OFFICER: Any other questions? Yes,
6 ma'am?

7 MS. CLANIN: I'm Debbie Clanin, C-L-A-N-I-N.
8 This is your choice. How about our choice?

9 We are in a county of 13,000 people. It has
10 been approved for a 20,000 pig farm. More people
11 than our county. How would you feel about that?

12 MS. SIX: Well, ma'am, first of all, I think
13 we need to get back to the issue tonight. This is
14 not about your hog farm, this is about the Grigsby
15 farm.

16 MS. CLANIN: You are talking about your hog
17 farm. This is your choice. Our choice, where does
18 our choice lie?

19 MS. SIX: Thank you, ma'am.

20 MS. CLANIN: You didn't answer my question?

21 MS. SIX: So you are asking how I feel about
22 a 20,000 hog sow farm?

23 MS. CLANIN: About your neighbors?

24 MS. SIX: How do I care about my neighbors?

1 Ma'am, like I said, I live with these
2 neighbors. I go to school with them. Our
3 neighbors aren't upset about our hog confinements.
4 I think that if a hog farm is built correctly, it
5 will not be of concern. I have seen state research
6 done and private research done. Things are done
7 very sustainably.

8 HEARING OFFICER: Ms. Martin?

9 MS. MARTIN: You said you had one Maschhoff
10 farm. How many hogs is that?

11 MS. SIX: We manage two sites. We own one
12 and we manage one. There is a total of 6400 head
13 on our farm right now.

14 MS. MARTIN: The one you own, how many is
15 that?

16 MS. SIX: 2400 head.

17 MS. MARTIN: That's considered one barn?

18 MS. SIX: Correct. So at this facility one
19 barn is 4500. Do you recognize it is significantly
20 bigger?

21 MS. SIX: We are building that same size
22 barn on our farm a mile from our house, and it will
23 be constructed this March. Thank you.

24 HEARING OFFICER: Next up we have Rich

1 Vanderpool.

2 MR. VANDERPOOL: Rich Vanderpool,

3 V-A-N-D-E-R-P-O-O-L.

4 (Whereupon Rich Vanderpool was duly sworn.)

5 HEARING OFFICER: You may proceed.

6 MR. VANDERPOOL: Frankly speaking,

7 Mr. Frank, I will do my best to keep my comments as

8 frank as possible. I feel like I'm going to be

9 thrown to the wolves coming up here after that last

10 one. The young lady stood strong.

11 First of all, I'd like to thank Warren

12 Goetsch and Scott Frank, the Department of Ag and

13 Mr. Leka, Mr. Maschhoff, Mr. West for coming here

14 this evening and standing in front of this crowd

15 and sharing their story what this project is all

16 about.

17 Fear of the unknown is an ominous thing.

18 The monster in the closet is very big until the

19 light gets turned on to show you what is really in

20 there.

21 I'm not here to say whether this is a

22 monster or not. I respect everybody's opinion.

23 People take sides on issues. That happens all of

24 the time. But I do applaud this meeting tonight

1 and those that have presented and everybody that
2 came here to get an informed decision. Whether you
3 leave here tonight with a change of your opinion or
4 it is the same, I applaud you for coming here and
5 listening and having an informed decision.

6 I guess the point I'm driving at here before
7 Scott pulls me off the stage here, I live at Lake
8 Petersburg. I will tell you from my personal
9 opinion just from me living on that lake, owning a
10 house, I'm not worried about a devaluation of my
11 property because of this hog farm potentially being
12 built if it is approved.

13 I have invested in that property. I don't
14 want it to be devalued. I'm not worried about it
15 being devalued. I'm not worried about going out on
16 my porch on a Saturday morning with my paper and
17 smelling hog manure or smelling that from time to
18 time or that affecting us negatively on the lake.

19 I guess the reason -- I didn't intend to
20 come here to speak to that tonight. The reason I'm
21 bringing that up is about a month and a half ago
22 there was an election of board members for the
23 lake, and at the Petersburg High School there was a
24 meeting on a Saturday morning. And when I went in

1 there and signed in, there were some petition
2 sheets sitting there, which is fine. I respect
3 whichever position you take on this.

4 The one thing disturbed me is there was a
5 group of people there. One person said to a group
6 of three, they said, hey, are you going to sign
7 this petition.

8 They said, what is that all about? It is
9 about that hog farm.

10 They said, well, I don't know whether I
11 should sign it or not.

12 This person -- all these residents live on
13 the lake, and this person made the comment and
14 said, you know what, you are going to smell hog
15 manure if they build this thing. You are going to
16 smell it. Oh, really, we don't want to smell that,
17 so let's sign it.

18 And I am not so sure that was an informed
19 decision. I know these petitions are being
20 submitted to whomever, whether it is the County
21 Board or whatever. I am not saying -- I am just
22 concerned that those that are signing that to make
23 sure you have an informed decision whichever side.
24 You're entitled to your opinion, but make sure you

1 are informed of that.

2 And I guess I'm just here to say, to wrap
3 this up, in my opinion I am not concerned about
4 loss of value of my property on the lake or loss of
5 quality of life. Thank you.

6 HEARING OFFICER: Mr. Vanderpool --

7 MR. VANDERPOOL: No questions for me.

8 HEARING OFFICER: Ma'am, ma'am, ma'am, just
9 a second. State your name, please.

10 MS. WROCYNSKI: Diane Wroczynski. Just a
11 quick comment. Just because you are not concerned
12 about property values doesn't mean they won't go
13 down. That's all I'm saying.

14 MR. VANDERPOOL: Correct, correct.

15 MS. WROCYNSKI: It is good you are not
16 concerned, but it doesn't mean it won't happen.

17 MR. VANDERPOOL: Right.

18 HEARING OFFICER: Other questions for the
19 witness. Behind Ms. Martin?

20 MS. CHALCRAFT: Valerie Chalcraft. I like
21 your analogy about the monster in the closet and
22 turning on the light.

23 How do you see the light in this scenario?

24 How would you characterize the light or

1 transparency?

2 MR. VANDERPOOL: I guess I would
3 characterize -- that is a good question. I
4 characterize that the light is you and everybody
5 else coming here to listen to the facts and what's
6 being presented, constructively challenging the
7 facts.

8 There's been a few comments, not necessarily
9 in this meeting but in one I was at before when it
10 almost became a feeding frenzy, and it was like
11 okay, it is a monster, I don't care what you say it
12 is, what it isn't, my mind is made up. Just like
13 those three individuals that signed that petition,
14 oh, it is going to smell, we have got to sign it.

15 Personally -- and that's simply my opinion,
16 I may be wrong, but that wasn't an informed
17 decision to sign a petition that is going to show
18 up somewhere with a bunch of names on there. If
19 people here sign that petition, you are informed.
20 You know, I mean, that's great. Just make an
21 informed decision is all I'm asking on that.

22 So that to me that's what turning on the
23 light. If it is still a monster in your mind and
24 you are against it, I respect your opinion.

1 HEARING OFFICER: Ms. Martin?

2 MS. MARTIN: Kathy Martin. So the facility
3 is going to have three and a half million gallons
4 of manure. So that would -- if you put that in
5 like people terms, let's say a 1,000 gallon septic
6 tank, it would be like 3500 septic tanks sitting
7 out there.

8 Would that bother you if there was a big
9 housing development with 3500 septic tanks?

10 MR. VANDERPOOL: Would that bother me? If
11 they are set up based on the statutes like what the
12 Department of Ag or State of Illinois sets forth
13 and it is done right, there is a lot of, there is a
14 lot of septic tanks and things around the lake that
15 are the new style they are going to around there.
16 So there is 365 homes there. So we have got a lake
17 right there.

18 Does that worry me? As long as they are set
19 up right.

20 I guarantee you Lake Petersburg is done
21 right. That water is great. I wouldn't want to be
22 close to Lake Springfield. Maybe one of you guys
23 live there, I don't know. But you get sick with
24 water splashing on me. Their beach has been closed

1 had seven years in a row, E. Coli in it. That's a
2 whole different story, but we are digressing.

3 MS. MARTIN: One follow-up. So on a septic
4 tank, the state requires a perc. test?

5 MR. VANDERPOOL: Okay.

6 MS. MARTIN: Do you realize that?

7 So if that were 3500 septic tanks, there
8 would be 3500 hundred perc. tests being done.

9 Do you know how many perc. tests would be
10 done for the hog farm?

11 MR. VANDERPOOL: No. Ma'am, I am going to
12 admit I'm not a septic tank expert. You are asking
13 the wrong dude on that one seriously.

14 MS. MARTIN: It was just real easy math,
15 sir, but there is --

16 MR. VANDERPOOL: Let me go get my
17 calculator.

18 You know, I will make one last comment
19 before Scott does truly -- in my professional
20 career over 20 years ago when the Department of Ag
21 and they changed, upgraded, changed some of the
22 regulation, I have worked with people with hogs
23 before, okay? I worked in the agriculture
24 industry. It was in Morgan County, Martin Farms,

1 Gary Martin, Marvin Martin. They spread hog
2 manure and all that on their fields. One of their
3 houses was less than a quarter of a mile away from
4 where this manure was being spread on the fields.
5 They drank that well water. They tested it
6 regularly throughout the year obviously because
7 they were drinking that water. They never had any
8 issues.

9 Now, that may not be relevant to this
10 situation, but, you know, there are regulations. I
11 have a lot of faith. I have to work with the
12 Department of Ag in the business that I am in. We
13 have to go through a lot of hoops and hurdles. If
14 we don't meet them, we don't go forward. I applaud
15 them for the statutes and everything that they have
16 got. They have got a certain set of parameters
17 they have got to go by.

18 HEARING OFFICER: Thank you, Mr. Vanderpool.
19 Next up we have Dereke Dunkirk.

20 MR. DUNKIRK: Dereke Dunkirk, D-U-N-K-I-R-K.

21 (Whereupon Dereke Dunkirk was duly sworn.)

22 MR. DUNKIRK: Hello. I'm Dereke Dunkirk.
23 I'm a pork producer from Morrisonville, Illinois,
24 Christian County. I'm also a past president,

1 served as the District 9 director on Illinois Pork
2 Producers Association Board. I'm a fifth
3 generation farmer with my wife, our three kids, my
4 parents. We own three swine confinement
5 operations. We also have grain and soybean
6 operation and a small trucking firm.

7 As a proud owner of a CAFO I wanted to set
8 the record straight on some often distorted views
9 described about my farm and others like it.

10 The term "CAFO" is often used by anti-ag
11 groups to scare people into believing these farms
12 are bad.

13 CAFO is a term by the EPA. It just means a
14 building that houses animals. The majority of pigs
15 these days are raised inside barns. My family has
16 been raising pigs over 70 years. We have been
17 inside and outside in all different phases of
18 production.

19 There is definitely advantages to raising
20 pigs indoors. That can definitely be seen the last
21 couple days in extreme weather conditions. Also
22 helps us protect animals from disease and
23 predators.

24 I can also better control the valuable

1 manure by applying it as needed to my crops at
2 appropriate the times and the at appropriate rates.

3 Although hog farms have gotten larger over
4 the years and more specialized in what we do, we
5 are still good stewards of the land and good
6 neighbors.

7 According to a 2011 Illinois EPA livestock
8 facility investigation report, there is 14 swine
9 farms of the 2900 in Illinois that received odor
10 complaints. That's less than half of a percent.
11 Fifty percent of those complaints were
12 unsubstantiated. Also there were ten swine farms
13 that received violation notices for water
14 pollution. That means in total there was only 24
15 farms that were cited -- there was only 24 farms
16 that received complaints. That's less than 1% of
17 the total farms in the state.

18 I'd like to offer a couple comments in
19 support of the Grigsby farm specifically addressing
20 siting criteria 2 and no. 8, no. 2 and no. 8,

21 Protecting the environment: Pork producers
22 are citizens just like everybody else. We are
23 extremely aware of how important the environment is
24 to our long-term interest of our farm, our family

1 and our communities.

2 This proposed hog farm meets and exceeds all
3 design construction standards of the LMFA
4 guidelines which are based on scientific
5 engineering standards.

6 The manure will be contained in deep pits
7 constructed with reinforced concrete and water
8 stops and has more than a year of manure storage
9 capacity which is more than double the required 150
10 day. It will allow manure to be applied at
11 appropriate rates and appropriate times.

12 We are held to the zero discharge standard
13 in the management of manure. Any system that is
14 properly managed does not contaminate ground water
15 or surface water resources.

16 In terms of siting criteria no. 8, our local
17 economics are directly connected to the future
18 success of our agricultural industry. Communities
19 grow and prosper along with agriculture. Pork
20 producers are one of the largest consumers of corn
21 and soybeans in the nation. This farm will help
22 bolster corn and soybean production.

23 Also, along with tourism my own county,
24 Christian County, has a statue of Abraham Lincoln

1 with a pig. That's help bolster our tourism.

2 Thank you.

3 HEARING OFFICER: Are there questions for
4 this witness? Mr. Foote?

5 MR. FOOTE: I appreciate your presentation,
6 I really do. I understand where you are coming
7 from. I have raised hogs. I thought about having
8 a confinement setup.

9 But I guess what I ask you, one thing -- and
10 I don't disagree with a lot of things that have
11 been said here that don't go along with what people
12 who are against hog farms say. However, if you
13 were to have a problem with a situation that you
14 have, one of your hog farms, and heaven forbid
15 something went wrong and your neighbor somehow or
16 another really was adversely affected either
17 through the smell blowing across, breaking the
18 thing and it flooded their yard, whatever the case
19 was, would you take care of them?

20 MR. DUNKIRK: I certainly hope so, sir. All
21 my neighbors are family members.

22 MR. FOOTE: The gentleman before you was
23 talking about -- people need to talk about this.
24 Seriously. I was going to build a confinement

1 setup, but I didn't want to adversely affect
2 everybody.

3 Now, if you had a situation, and sometimes
4 things go wrong, would you, because the person
5 before you who was talking talked about the monster
6 in the closet. These people are worried about the
7 -- they are not hog farmers. They are worried
8 about what might come down the pike and then what
9 happens to them if they have invested their whole
10 life and now you created a problem for them and the
11 State maybe doesn't take care, doesn't take care.
12 So how would you take care of that?

13 MR. DUNKIRK: Well, I am speaking to the
14 last individual. I'm -- certainly his analogy,
15 correct me if I am wrong, but when you turn the
16 lights on, the monster went away. That is how I
17 took the analogy.

18 MR. FOOTE: But the case is -- will you
19 admit it might be possible the monster might be a
20 monster?

21 MR. DUNKIRK: I'm not sure.

22 MR. FOOTE: You can't look anywhere on the
23 internet and find anyplace where there has been a
24 terrible injustice to the neighbor of a hog farm

1 because something went to hell?

2 MR. DUNKIRK: You can find anything on the
3 internet.

4 MR. FOOTE: Yeah, but if you were the guy
5 responsible for it. That's all I'm going to say.

6 HEARING OFFICER: Yes, ma'am?

7 MS. CLANIN: Debbie Clanin, C-L-A-N-I-N. Do
8 you know where most of this CAFO meat, the pork is
9 sold?

10 MR. DUNKIRK: Do I know where the Maschhoffs
11 market their animals?

12 MS. CLANIN: No, just CAFO pork, where is it
13 sold?

14 MR. DUNKIRK: I guess I don't understand
15 your question entirely. This CAFO or all CAFO's?

16 MS. CLANIN: China.

17 HEARING OFFICER: Yes, ma'am?

18 HEARING OFFICER: Just a second. Quiet,
19 please, so we can hear.

20 UNIDENTIFIED: You were talking about the
21 benefits of having hogs inside, not outside, and I
22 understand that the ammonia can cause lung damage
23 in the hogs. Of course, they're exposed 24/7
24 unlike humans.

1 But do you, in your facility, recommend
2 respirators? Does anyone wear respirators?

3 MR. DUNKIRK: None of our employees do, no.
4 None of us do.

5 UNIDENTIFIED: Is there a reason why not?
6 Is it maybe like helmets aren't cool to wear on
7 motorcycles?

8 MR. DUNKIRK: We don't deem them necessary.

9 HEARING OFFICER: Other questions? All
10 right. Thank you.

11 Just to keep you informed, we have had 16
12 people provide testimony, and we have 29 more, and
13 it is 11:07.

14 Okay. Next up we have Rachel Frost.

15 MS. FROST: Rachel Frost, R-A-C-H-E-L
16 F-R-O-S-T.

17 (Whereupon Rachel Frost was duly sworn.)

18 MS. FROST: In the essence of time, a great
19 deal of what I had prepared to speak about has been
20 said, but there are a few things that do still need
21 to be clarified.

22 First of all, I think we all need to take a
23 step back. A lot of this is creating a very
24 divisive atmosphere in which there is a lack of

1 understanding for some factual information. We all
2 need to remember that agriculture is the backbone
3 of our country, our state, and this county.

4 I would like to quote from the web site
5 Menard County, Illinois, the home page. It says,
6 "A large number of southern settlers and European
7 immigrants came to Menard County to farm. The
8 county continues to be known for its agriculture
9 and rural character."

10 That's Menard County. Menard County
11 agriculture strives to carry on a rich heritage.
12 Menard County is an agricultrual county. We are
13 located in the Midwest. The Midwest is the ideal
14 location for having animal agriculture. There is a
15 great supply of the grain and necessary feed stuff,
16 there is ample water supply, and we are close to
17 consumer markets. So this is a very sustainable
18 and viable industry.

19 Addressing some terminology that's been
20 used; factory farm. Factory farm is a phrase
21 coined by PETA, People for Ethical Treatment of
22 Animals, which is known to be very anti-animal
23 agriculture association. It was coined by PETA and
24 has taken on a very negative connotation.

1 Just because a farmer, an agriculturalist
2 chooses to produce a great number of product does
3 not make that person a negative person. The farmer
4 is doing what he knows best. One percent of our
5 nation is farmers, and that 1% feeds themselves and
6 other the 99% of our nation plus a great deal of
7 our world. Farmers do this in an efficient manner.

8 In regards to the act that we have addressed
9 a great deal tonight, this act was not created just
10 in a flippant manner and passed through legislature
11 in our state. I say my husband was part of this
12 act, and he was part of the revision of the act.
13 he worked for the Illinois Beef Association.
14 Agriculturists were involved in this and the best
15 interests of the state and all people was
16 considered in this act. When the act is followed,
17 the interests of the people are preserved.

18 Corporation is a term that's been brought
19 up. It is simply a way to organize a business so
20 that a business can be passed onto another
21 generation and to allow future generations to enter
22 into an industry.

23 We must continue supporting agriculture.

24 In closing, I have lived on the site where

1 this place, where this proposed site will be. I
2 have lived there. It is on coal ground. Ladies
3 and gentlemen, there is no underground water there
4 to be contaminated. Coal ground doesn't hold
5 water. There is no contamination. It is far from
6 anyplace that will be contaminated. The run-off
7 will be buffered if there is run-off. There is
8 natural -- mother nature is going to filter the
9 air.

10 So, again, I support the Maschhoffs and
11 Grigsbys and all the agriculturists in Menard
12 County and our state. Thank you.

13 HEARING OFFICER: Questions for this
14 witness?

15 I see none. Thank you very much.

16 John Stiltz?

17 UNIDENTIFIED: Pass.

18 HEARING OFFICER: He passes. Thank you.
19 Bill Stone? Is Bill Stone here? I guess he
20 passes. Jack Schaddel?

21 MR. SCHADDEL: Jack Schaddel,
22 S-C-H-A-D-D-E-L.

23 (Whereupon Jack Schaddel was duly sworn.)

24 HEARING OFFICER: You may proceed.

1 MR. SCHADDEL: The reason I'm here today is
2 because I'm a neighbor of the Grigsbys. I'm a
3 grain farmer, and I abut on their south end of
4 their farming operation.

5 As far as being a family farm, they
6 definitely are. I know Harold Hale, Joe Grigsby
7 and also Robert Grigsby. He also passed away while
8 he was actually spraying a cornfield. So yes, I --
9 they definitely are a family farm.

10 Also, I decided to speak for the Grigsbys,
11 too, because when Randy Leka took over the
12 management of the operation 25 years ago, he came
13 to me, and he said I want to be a good neighbor,
14 and that has stuck with me for 25 years. I really
15 appreciate that.

16 And everything that we have done that we
17 needed help on, they have been there to help.
18 There has not been any time I have ever had an
19 issue with them as a neighbor or them as a family.
20 And that's why really I am here, just to speak on
21 their behalf because they are definitely good
22 people.

23 There is a lot of things that's been said
24 here tonight that I disagree with. I do not have

1 the knowledge that a lot of people here that think
2 they have the knowledge but they don't, and I will
3 not speak about that because I do not have the
4 knowledge on hogs. I'm a grain farmer.

5 So that's the reason why I'm here. I just
6 want to say that I support the Grigsbys.

7 HEARING OFFICER: Are there questions for
8 this witness? Yes, ma'am?

9 MS. CLANIN: Debbie Clanin. How would you
10 feel if your neighbors snuck around behind your
11 back when he knew perfectly well what he was doing,
12 bringing this hog factory into our county, into our
13 neighborhood but did not have the nerve to come
14 around and tell any of us? How would you feel
15 about that?

16 MR. SCHADDEL: I don't know what you're
17 talking about.

18 MS. CLANIN: How would you feel if your
19 neighbor went around and snuck behind your back?

20 MR. SCHADDEL: You know, if I had knew what
21 you were talking about, I could answer that, but I
22 have no idea.

23 HEARING OFFICER: Ms. Martin?

24 MS. MARTIN: Kathy Martin. Do you know the

1 financial relationship between Grigsby Grain and
2 First National Bank of Springfield?

3 MR. SCHADDEL: Yeah, I am glad you asked
4 that. When the ground was under Commonwealth
5 Edison, they were managed by First National Bank.
6 That's where Randy Leka came from.

7 So what you are looking at, you are looking
8 at probably an old plat book that still has the
9 First National Bank on that, and it has not
10 probably been -- it is transferred. I'm sure, you
11 know, Randy can tell you. I'm sure it says the
12 Grigsbys on there now.

13 MS. MARTIN: Just a follow-up question. You
14 understand that the plat map I'm speaking of was
15 submitted in the permit application by the
16 applicant?

17 MR. SCHADDEL: I have no idea, no.

18 MS. MARTIN: Well, I'm glad you don't.

19 MR. SCHADDEL: But I do no --

20 MS. MARTIN: I got the information from the
21 applicant, not from an old plat book. It is a
22 current plat book, okay? It is what the applicant
23 submitted.

24 MR. SCHADDEL: Yeah, I can't --

1 MS. MARTIN: I was curious if you knew.

2 Could you explain -- can you explain again?

3 You think the Grigsbys own that land now?

4 MR. SCHADDEL: Oh, they definitely own the

5 ground, and, you know, I was, I was in this

6 community long before they were. So I know what

7 happened, I know how it happened, and they bought

8 that from Commonwealth Edison, and they managed it.

9 Commonwealth had First National Bank manage it. So

10 that's why it probably had First National Bank on

11 the plat book whatever. I do know that.

12 MS. MARTIN: Did you say Commonwealth

13 Edison?

14 MR. SCHADDEL: They originally owned the

15 ground.

16 MS. MARTIN: Okay. Thank you.

17 HEARING OFFICER: Other questions? I see

18 none. Thank you.

19 Brian Satorius?

20 MR. SATORIUS: Brian A. Satorius,

21 S-A-T-O-R-I-U-S.

22 (Whereupon Brian A. Satorius was duly sworn.)

23 HEARING OFFICER: You may proceed.

24 MR. SATORIUS: I don't know if it is good

1 morning yet, but good morning. Hello. My name is
2 Brian Satorius. I'm proud to continue my family's
3 100-year farming tradition in western Menard
4 County, eastern Cass County.

5 My family resides two and three miles from
6 either proposed site. We have got deep roots that
7 run through this part of the state. Like most of
8 us sitting in this room, I'm proud to call this
9 area my home, and I believe in the importance of
10 preserving and growing this great part of the
11 state.

12 Because of that, in 2003 I joined an
13 organization in our community called PREP. PREP
14 stands for the Plan to Revitalize and Energize
15 Petersburg. In all there was 60 of us who joined
16 the original task force.

17 Going into the project it was understood
18 that collectively there would be differing views on
19 how we would achieve our goals which is obviously
20 where we find ourselves tonight.

21 The PREP vision statement describes
22 Petersburg as a thriving, progressive community
23 renowned for its business-friendly environment. In
24 the PREP report there are multiple mentions of a

1 need to attract new businesses, and there -- in
2 PREP there are business development and marketing
3 communication groups set up specifically.

4 The proposed livestock facility would help
5 achieve all of these goals. Agricultural in
6 general and livestock production specifically are
7 huge economic drivers for our state. In fact,
8 agriculture is the state's number one industry in
9 terms of revenue generating.

10 Just a relevant number for this evening, the
11 total economic, total direct economic output of the
12 Illinois livestock industry is 1.9 billion
13 annually. The livestock industry in Illinois
14 generates 292 million in total tax dollars; 138
15 million of that are paid in state and local taxes.

16 In another interesting stat, of the 348
17 students we have at PORTA school, 90 of those
18 students are involved in agriculture. That is 24%
19 of the high school. Of those 90 students, of the
20 90 students the same are involved in PORTA, in
21 PORTA FFA.

22 So as it can be said, ag is prominent in our
23 community, and our future is bright. So when we
24 talk about economic development as part of PREP, I

1 see the proposed hog facility as being a positive
2 contributor.

3 Pork production has long been the fabric of
4 Menard County. We went over several stats tonight.
5 I will skip that in the need of time here.

6 But in closing, the point is that livestock
7 production here is nothing new. Agriculture and
8 other economic sectors have peacefully co-existed
9 in this community, Menard County, for 90 years.

10 Because Menard County's long tradition of
11 sustainable agriculture and the positive economic
12 impact of livestock in this state, I support this
13 project and urge the County Board to do the same.
14 Thanks.

15 HEARING OFFICER: Are there questions for
16 this witness?

17 I see none. Thank you.

18 Matt Bradshaw?

19 MR. BRADSHAW: Matt Bradshaw,
20 B-R-A-D-S-H-A-W.

21 (Whereupon Matt Bradshaw was duly sworn.)

22 HEARING OFFICER: You may proceed.

23 MR. BRADSHAW: My name is Matt Bradshaw from
24 Griggsville, Illinois, Pike County. My wife, Lori,

1 and I, in 2008, partnered with the Maschhoffs to
2 build a site identical to the one you have proposed
3 today.

4 During the first 10 to 12 years of operation
5 most all of the profit will come from the form of
6 fertilizer in the manure. The days of the manure
7 being a wasted product are in the past.

8 The livestock industry, the Illinois Pork
9 Producers, the Department of Ag, the IEPA have
10 developed strict standards for the construction,
11 operation and manure application from these farms.

12 Manure application rates are based on a
13 comprehensive nutrient management plan that matches
14 up to the nutrient needs of a crop's annual
15 production. The application rate goes along with a
16 long list of best management practices we follow
17 including but not limited to soil, water and manure
18 testing, application and facility operation
19 training, setbacks for construction, and manure
20 application and record keeping. All have been
21 developed for us and by us to become better
22 environmental stewards.

23 Tourism has grown in Pike County during the
24 last nine years at the same time that the hog

1 numbers have grown. According to the National Ag
2 Statistics Service, the total hog inventory in Pike
3 County has increased 101% from 2004 to 2012.

4 According to the data from the Pike County
5 Economic Development Corporation, tourism during
6 the same time frame has increased 34%, from
7 \$17,270,000 in 2004 to \$23,170,000 in 2012.

8 Pike County is known for world class deer
9 hunting and has many hunting lodges located
10 throughout the county, many near hog farms. My
11 facility has been in operation for over six years
12 now. It is located within a mile of a heavily used
13 state Illinois conservation area. We have not
14 received one complaint, verbal or written, from
15 anyone local or not.

16 My brother owns one of the more successful
17 hunting lodges in the county, and it is located
18 within a half mile of a hog farm owned and operated
19 by my cousins with no negative effect.

20 Pike County has 12 times the number of pigs
21 than Menard County has; 240,000 head in Pike County
22 versus 19,500 in Menard. This is a great example
23 of a similar rural county that relies heavily on
24 tourism and has a large number of hog farms in the

1 county.

2 This demonstrates that hog farms have not
3 shown any negative impact to tourism in Pike
4 County. I would except the same results in Menard
5 County.

6 The Illinois livestock industry has provided
7 many opportunities for my family, my friends and
8 myself. A few beneficiaries include taxes,
9 trucking, construction, manure application, grain
10 farmers, work force, engineers, utilities and
11 insurance agencies.

12 HEARING OFFICER: If you can conclude.

13 MR. BRADSHAW: I have got two more lines.
14 Please review all of the facts presented here
15 tonight and consider how this facility will improve
16 your rural economy. I thank you for your time and
17 your continued support of livestock production.

18 HEARING OFFICER: Are there questions for
19 this witness? Ms. Martin?

20 MS. MARTIN: Okay. So your facility is 9306
21 or thereabouts finished?

22 MR. BRADSHAW: It is the same, same
23 facility.

24 MS. MARTIN: How much did it cost you to

1 build that?

2 MR. BRADSHAW: \$1.9 million.

3 MS. MARTIN: And did you have to put up land
4 for collateral, or did the Maschhoffs help you with
5 the --

6 MR. BRADSHAW: I did it on my own. I
7 borrowed the money.

8 HEARING OFFICER: Yes, ma'am? Can you
9 state your name?

10 MS. STIER SANTOS: Margaret Stier Santos.
11 When you put yours in, did your neighbors have any
12 concerns, or did they just accept it when you did
13 it?

14 MR. BRADSHAW: I talked to all my neighbors
15 at the time before the facility went in, and my
16 facility went in without any fanfare and without a
17 public hearing.

18 MS. STIER SANTOS: So your neighbors had no
19 concerns?

20 MR. BRADSHAW: They had no objections.

21 MS. STIER SANTOS: Thank you.

22 HEARING OFFICER: Mr. Sinclair?

23 MS. SINCLAIR: Thank you. George Sinclair.

24 If you spent \$1.9 million constructing a facility,

1 when is your break-even point?

2 MR. BRADSHAW: A long time.

3 HEARING OFFICER: Any other questions?

4 Thank you very much.

5 Next we have Ellen Fliss.

6 MS. FLISS: Ellen Fliss, F-L-I-S-S.

7 (Whereupon Ellen Fliss was duly sworn.)

8 HEARING OFFICER: You may proceed.

9 MS. FLISS: It's been a long time since I
10 have been up this late, but I do want to talk about
11 criteria 6. Criteria 6 indicates --

12 HEARING OFFICER: Could you step up to the
13 microphone, please?

14 MS. FLISS: Is that better?

15 Criteria 6 indicates -- I'm going to hold
16 the thing -- that an odor control plan needs to be
17 innovative and include reasonable technologies that
18 are available today.

19 What I saw presented tonight was trees.
20 That's not really new, it is not really innovative.
21 We also talked about microbial additives. They
22 have been around for awhile. And if these things
23 really worked, people wouldn't be complaining about
24 the smell.

1 There are some other things out there that
2 are available. About 17 years ago there was a
3 purification from Yale Environmental Protection
4 Clinic. They developed a handbook to deal with
5 controlling odors.

6 What they said is that there were products
7 called biofilters, and that if you use biofilters,
8 it would reduce odors in swine buildings by 90%.

9 So that was in 1998. It is 2015, and we are
10 not adding these things.

11 There is another publication that came out
12 in 2011 that was published by our own United States
13 Department of Agriculture. They, again, said,
14 quote, biofilters are a proven and effective method
15 for reducing odor and other omissions from animal
16 facilities. If they are used correctly, they'd
17 remove 95% of the hydrogen sulfide and odors and up
18 to 80% of the ammonia.

19 These are endorsed by the United States
20 Department of Agriculture. So I don't understand
21 why these innovative technologies that have been
22 around for quite awhile that are proven aren't
23 required here.

24 I don't think in any way, shape or form

1 anyone can say that criteria 6 has been met. I'm
2 finished.

3 HEARING OFFICER: Are there questions for
4 this witness? I see none. Thank you.

5 Next up we have --

6 MS. FLISS: These are the studies that I
7 referred to.

8 HEARING OFFICER: Entered into the record as
9 Exhibit No. 14 are two documents from Ellen Fliss,
10 excuse me.

11 (Exhibit No. 14 entered.)

12 HEARING OFFICER: Next up we have looks like
13 Bruce Decoursy, D-E-C-O-U --

14 UNIDENTIFIED: Decoursy. He is gone.

15 HEARING OFFICER: He is gone. All right.
16 Adam Winkelman?

17 MR. WINKELMAN: Adam Winkelman,
18 W-I-N-K-E-L-M-A-N.

19 (Whereupon Adam Winkelman was duly sworn.)

20 HEARING OFFICER: You may proceed.

21 MR. WINKELMAN: Hi. My name is Adam
22 Winkelman, fifth generation grain and livestock
23 farmer from Cass and Morgan County. Pardon my
24 voice tonight. I have been fighting a cold.

1 But I had a chance in 2009 to partner with
2 the Maschhoffs. It was an opportunity I took and
3 haven't looked back from. I built my first barn,
4 like I say, in 2009.

5 There has been a lot of talk about expansion
6 tonight. I expanded in 2012.

7 Raising hogs has allowed me to stay home and
8 farm full-time which I wouldn't have been able to
9 do without the Maschhoffs and the opportunity they
10 have given me here.

11 In addition to farming I operate a small
12 trucking company, haul livestock out of 15
13 different states. I don't get as much windshield
14 time as I used to but been to at least 400
15 different farms. Of all the farms I have been to,
16 I can't think of a single farm that is in close
17 proximity to as many upper middle class homes as
18 mine.

19 My farm is located about one mile from
20 Triopia High School. In between Triopia High
21 School and my barn is a subdivision. A lot of very
22 nice homes. In the last, going on six years now I
23 have not received a single complaint. Usually if
24 you stop at a convenience store, everybody just

1 wants to know how the pigs are doing, how big are
2 they. That's about all we ever get. It has had a
3 very positive impact on our community.

4 The road commissioner chipped the road going
5 all the way back this summer. It is a mile and a
6 half road that dead ends at the farm. Didn't have
7 to do that for us, but we just have not had a
8 negative impact on the community.

9 This is, from what I have seen tonight, an
10 excellent position for a hog barn to be able to
11 pump all their manure that close. You don't find
12 that everywhere.

13 So I guess they have got my support, and
14 that's all I have got to say.

15 HEARING OFFICER: Are there questions for
16 this witness? Ms. Martin?

17 MS. MARTIN: So the other gentleman said his
18 hog farm cost 1.9 million, but do you have a
19 contract with Maschhoffs? Do they pay you a rental
20 for hog space?

21 MR. WINKELMAN: I don't see that's relevant
22 to this. I am paid for producing pigs for them.

23 MS. MARTIN: You are paid for --

24 MR. WINKELMAN: They pay me to take care of

1 the pigs.

2 MS. MARTIN: Right. The purpose of
3 understanding the financial relationship is to
4 understand what kind of money would be available to
5 fix environmental problems.

6 MR. WINKELMAN: Ma'am, I don't believe that
7 is -- I see where you are coming from with your
8 question, but it is -- you are not directed in the
9 right position. That's more of an insurance policy
10 than it is what they are paying me.

11 Every farm has got liability insurance,
12 whether it be \$100,000 or a million dollar
13 liability insurance. So your question is pretty
14 irrelevant.

15 HEARING OFFICER: Yes, ma'am?

16 MS. CHALCRAFT: Valerie Chalcraft. I'm
17 curious, what is the ratio of pigs to humans on
18 farm that you work at?

19 MR. WINKELMAN: Well, we raise about 10,000
20 pigs, and there is two people. So not very many.

21 With that being said, there is a lot of
22 homes pretty close. We actually had a guy that
23 lives in town, owns 200 and some odd acres that
24 borders us. Before I built my second barn he came

1 in and placed his getaway house within my setback.
2 So I was a little concerned hey, is he messing me
3 up on expanding.

4 The point of the story is after my barn was
5 there for a couple years he obviously was not
6 concerned with odor.

7 MS. CHALCRAFT: I guess I am more curious
8 about your people can take care of so many animals
9 effectively.

10 MR. WINKELMAN: Unless you have worked on a
11 farm you probably wouldn't understand. Nights like
12 this are not uncommon, so --

13 HEARING OFFICER: Ms. Hall?

14 MS. HALL: We have heard from a number of
15 farmers about personnel not being an issue, and I
16 can respect that.

17 Is it not true that things like weather
18 conditions, winds and all kinds of other factors
19 affect when and where an odor can be smelled or
20 gases are traveling or, you know, prevailing winds?

21 MR. WINKELMAN: Absolutely, but, I mean, at
22 what point do we draw the line and just say enough
23 is enough, we can't all live in a bubble. I think
24 everybody probably ate before they came tonight.

1 You know, I don't like things my neighbors do, but
2 it is a part of life.

3 MS. HALL: The question is not everyone that
4 lives near one of these, depending on where they
5 are and direction of the winds prevailing, so on,
6 not everyone is going to be --

7 MR. WINKELMAN: I understand what you are
8 saying. I would also add in the subdivision there
9 is a new brick home going up that's got to cost
10 over a half million dollars. No one in the
11 subdivision is concerned.

12 HEARING OFFICER: One at a time, please.

13 MS. HALL: I'm not talking about your
14 particular situation. I'm simply saying are you
15 saying you never smell it anywhere; nobody living
16 anywhere or any distance away ever experiences
17 odors from one of these farms?

18 MR. WINKELMAN: No. I see what you are
19 saying. It is just a pretty invalid argument in my
20 opinion.

21 There used to be a lot of hogs outdoors
22 before we went to the confinement livestock. Every
23 time it would rain the odor would be more prevalent
24 than it is now in the confinements.

1 HEARING OFFICER: Can you state your name?

2 MS. SMITH: Leslie Smith. So what you are
3 saying there, you used to have them outdoors.

4 Were you always on the same property you are
5 on now?

6 MR. WINKELMAN: Yes, we are fifth
7 generation. My great great grandfather
8 homesteaded.

9 MS. SMITH: Do you think maybe part of the
10 reason why your neighbors aren't upset by it is it
11 has been there?

12 MR. WINKELMAN: The confinement has not been
13 there the whole time.

14 MS. SMITH: No, but you had hogs there
15 before, right?

16 MR. WINKELMAN: Yes.

17 MS. SMITH: There would have always been --

18 MR. WINKELMAN: There was a span of time
19 when we did not have hogs there.

20 MS. SMITH: The majority of neighbors, you
21 probably had hogs normally the whole time?

22 MR. WINKELMAN: I mean, you could argue that
23 with anything.

24 MS. SMITH: No, not really.

1 MR. WINKELMAN: You could.

2 MS. SMITH: No. I guess if there was, you
3 know, a bunch of neighbors and then a bunch of hogs
4 moved in, then they could say no, it didn't smell
5 like hogs before we moved in, but with yours, your
6 neighbors moved in and there was already hogs
7 there, it just always smelled like hogs.

8 MR. WINKELMAN: But there weren't hogs
9 there. There was, then there wasn't, and the
10 subdivision came. Now there is, and there is no
11 issues.

12 HEARING OFFICER: Other questions? Thank
13 you.

14 Priscilla Reynolds?

15 MS. REYNOLDS: Thank you. I'm going to
16 pass.

17 HEARING OFFICER: Thank you. Jeff
18 Schoneweis?

19 MR. SCHONEWEIS: Jeff Schoneweis,
20 S-C-H-O-N-E-W-E-I-S.

21 (Whereupon Jeff Schoneweis was duly sworn.)

22 MR. SCHONEWEIS: I don't want to make any
23 farmers mad because I'm a farmer, too. I
24 understand there is a differences of opinion.

1 That's why it is a free country.

2 My concern is I have got a couple of kids.

3 I don't know, I don't -- the smell is not going to
4 be what -- the smell is not going to be a big issue
5 I don't believe.

6 Now, what is in the smell I am not sure
7 about, and I can't seem to find a whole lot about,
8 and the EPA doesn't have a whole lot to say about
9 it.

10 Now, coming from the United States Public
11 Health Service, epidemiological studies of
12 communities exposed to hydrogen sulfide reported
13 symptoms such as asthma, chronic bronchitis,
14 shortness of breath, eye irritation, nausea and
15 headaches, loss of sleep.

16 And from Iowa State University, University
17 of Iowa study group, high exposure to hydrogen
18 sulfide, an asphyxiate, can cause loss of
19 consciousness, shock, pulmonary edema, coma, and
20 dead. In Iowa alone there have been at least 19
21 deaths of CAFO workers resulting from sudden
22 hydrogen exposure from liquid manure agitation.
23 Now that we are going to have it, I don't want work
24 in a building. You guys, it is a free world.

1 Everybody gets to do what they want to do. That's
2 why we call it America.

3 But I am not sure why everybody else has to
4 be exposed to this. Maybe it won't hurt us, maybe
5 it will. We don't really know. I know I don't
6 want to be exposed long-term to it.

7 Studies on younger children, you know, a kid
8 takes it in -- children two years of age and under
9 have ten times the risk of adults from exposure to
10 toxins.

11 Both my daughters have asthma. I have got a
12 little bit of asthma. A lot of you guys up here
13 talking tonight seem you have got a little rasp in
14 your voice. I don't know if it is from working in
15 a hog barn or not. You know, doesn't really matter
16 if it is or not, it is your choice to do it.

17 You know, it is not the smell that is going
18 to hurt you. I think it is what is in the smell
19 that we don't know about. I think that's our big
20 issue.

21 So according to that, that's why I don't
22 believe they meet no. 2 on protecting the
23 environment, no. 4 on protecting the safety of the
24 area, and no. 8 on growth and tourism, I don't know

1 if it is going to help on growth and tourism. I
2 don't think it will, but that's another story.

3 The other issue that I have, they do have a
4 right to expand, and they do have -- they have
5 applied to build another facility in Cass County.
6 We are going to have around 18,000 head of hogs.
7 They can expand in two years 50% without further
8 permits is what I thought, but you guys said that
9 was not correct.

10 Is that correct? Do they have to have a
11 permit to expand 50%?

12 HEARING OFFICER: Give your testimony.

13 MR. SCHONEWEIS: Okay. All right. So if
14 they do, you know, in 20 years we could have
15 136,000 head of hogs out there if they can without
16 any public input.

17 So is it right? I don't know.

18 Is it fair? I don't know.

19 Is it legal? Sounds like it.

20 Is there anything wrong with this picture?

21 I will get you guys be the judge.

22 That's about all that I have. Thank you
23 very much.

24 HEARING OFFICER: Are there questions for

1 this witness? Mr. Foote?

2 MR. FOOTE: I'm puzzled. I like what you
3 have just said. What I'm wondering is how did you
4 get all the, you know, intelligence to become so
5 knowledgeable about what you are saying?

6 It makes more sense than most everything I
7 have heard.

8 MR. SCHONEWEIS: I'm not very smart because
9 a lot of people will tell you that. But everybody
10 is complaining about finding stuff on the internet.
11 That's where I found this.

12 Like Rachel said, Rachel is a good friend of
13 mine. She taught my kids how to swim.

14 One other issue I would like to make, it is
15 causing quite a bit of dissension among friends and
16 family, other hog producers. I don't want to piss
17 them off. I'm trying not to. I'm just trying to
18 protect the air a little bit, and if, you know, it
19 is not a big issue, it is not a big issue, but if
20 it is, I'd like to see --

21 I don't think the Maschhoffs want to do
22 anything wrong. That's not -- I'm not blaming the
23 Maschhoffs for anything. I'm just saying I think
24 there might be some filters. I don't know what it

1 costs, but if you can do it better, protect us,
2 everybody would be happy, and we can all get along
3 a little bit better.

4 HEARING OFFICER: Mr. Anderson?

5 MR. ANDERSON: Jeff, you are a farmer, and
6 at one of the last meetings, forgive me if I quote
7 you wrong, also a board meeting you talked about
8 the odor and your little daughter.

9 Did you research those studies about hog
10 farm that was down the road from you on your
11 family's health?

12 MR. SCHONEWEIS: No. I have been keeping.
13 Since January 1st I only smelled it four times, so,
14 I mean, that's a couple times a month.

15 MR. ANDERSON: Hog farms weren't an issue
16 with you before all this came up and --

17 MR. SCHONEWEIS: I don't know -- until they
18 started having sinus and asthma issues, I don't
19 know what caused it. It could -- I lived in a
20 double wide trailer for 20 years. Could have been
21 that. I live in a brick home now, and we still
22 have it. I don't know if it come from the hogs.

23 MR. ANDERSON: A question that I had, do you
24 use chemicals on the farm?

1 MR. SCHONEWEIS: Sure do.

2 MR. ANDERSON: Are you concerned about
3 those?

4 MR. SCHONEWEIS: That's why I have Brandt
5 supply them because I don't want to breathe them,
6 touch them. We used to use Furadan and Lorsban.
7 I'd get nose bleeds. I m pretty sure that's why
8 I'm in as bad shape as I am.

9 MR. ANDERSON: Spray that on crops around
10 your field and your children still live in the
11 country where that product is.

12 MR. SCHONEWEIS: I don't let them go out
13 when they are spraying, though. Like I said, Nick,
14 I'm not worried about the smell. What is in it I
15 don't know. Nobody seems to tell me what is in it.
16 I know hydrogen sulfide is in it, and it can cause
17 damage. It will get attached to the clouds and
18 dust. I don't know if it is going to go two miles
19 or 22 miles.

20 MR. ANDERSON: Do you have the same concerns
21 about farming practices now?

22 MR. SCHONEWEIS: Yeah, I do. I have the
23 same concerns, but I don't stink anything up. I'm
24 not emitting hydrogen sulfide out of my tractor.

1 MR. ANDERSON: Or chemicals?

2 MR. SCHONEWEIS: I don't apply chemicals. I
3 don't want the liability from it. I let Brandt do
4 that.

5 MR. ANDERSON: It is still in the country,
6 though, still in the atmosphere and ground and
7 leaches.

8 MR. SCHONEWEIS: I'm not sure farm chemicals
9 and what these hogs are emitting are the same
10 thing. I don't know how to answer that really.

11 MR. ANDERSON: Okay. Fair enough.

12 HEARING OFFICER: Other questions? Thank
13 you very much.

14 MR. SCHONEWEIS: Thank you. I would like
15 everybody to get along, though, and one other
16 thing --

17 HEARING OFFICER: Mr. Schoneweis, you need
18 to move on.

19 Next we have Thomas Titus.

20 MR. TITUS: Thomas Titus, T-I-T-U-S.

21 (Whereupon Thomas Titus was duly sworn.)

22 MR. TITUS: Ms. Martin, do you see all this?

23 HEARING OFFICER: Sir, please use the
24 microphone.

1 MR. TITUS: I can talk pretty loud. This is
2 what you hate. I'm a fifth generation farmer. I'm
3 raising the sixth generation to come back to my
4 farm, and we are a large CAFO. I'm from Logan
5 County, and I raise my children around livestock.
6 I have a great passion for livestock. I farm with
7 my wife's family, David Conrady and Brett Conrady.
8 We are raising our young children to come back to
9 our family farm at one point in time.

10 That's why I am here tonight, because I want
11 to talk to the residents of Petersburg because this
12 is our livelihood. This is how we provide for our
13 family. We go into the exact same grocery stores
14 you guys do. We are pulling that same gallon of
15 milk off the shelf, and we have the exact same
16 concerns everyone else does, too, because we are
17 proceeding a meal for our own family.

18 My young daughter IS three. She loves
19 nothing more than hogs. She comes out into the pig
20 barn with me all the time. We also raise show
21 pigs. She is an avid showman. We had her in the
22 ring since she was she years old. She loves
23 animals.

24 Honestly I have a predisposition to have

1 challenges with asthma. My dad has asthma, his dad
2 had asthma, I do not have asthma. I'm in a hog
3 building every single day. I'm healthy as a horse.
4 I eat 3600 calories every day and burn them off
5 because I'm working 8 to 12, sometimes 16 hours a
6 day so I can provide food for not only my own
7 family but yours as well. I work extremely hard
8 out there. I have absolutely no health ailments.
9 My young daughter has no health ailments.

10 Honestly we just went through the LMFA
11 process. We put up a facility at our own home 30
12 yards from our house. The only noxious smell we
13 smell inside our home is whenever my wife makes
14 pork meatballs. That's from me.

15 My brother-in-law, Brett Conrady, we have
16 6,000 pigs right behind him not 20 yards from his
17 family. They live inside of their home. They have
18 two healthy, young, strapping boys. If you saw
19 Rider, he is a pretty big boy.

20 So what I'm trying to say is we raise our
21 families in this environment. We live, we live
22 there, we drink the water, we breathe the air. We
23 are passionate about what we do.

24 I'm not here advocating for the Maschhoffs.

1 I have worked around them. I have been involved in
2 a number of organizations with them, and if I was
3 ever going to put up a building, I would do it for
4 the Maschhoffs because I know they do what's right.

5 Also, to address a question about MRSA, I
6 went ahead and reviewed that study that was
7 presented earlier, and there was actually no
8 correlation between antibiotic resistance and
9 animals and MRSA.

10 All that study performed or displayed was
11 that MRSA can be passed from human to human, from
12 human to animal and animal to human. But there was
13 no reference to any antibiotic resistant strains of
14 MRSA in that study.

15 Then property values, I just referenced we
16 built our own facility at our house. Our property
17 values increase by \$70,000 in the last year. So, I
18 mean, our property values have not been affected at
19 all.

20 So let's have some questions, guys. I see
21 Ms. Martin, you got your Google out. Let's do it.

22 UNIDENTIFIED: Thomas, in regards to MRSA,
23 has there been a single case documented of a
24 transmission from a pig to a human?

1 MR. TITUS: From pig to human?

2 UNIDENTIFIED: Yes.

3 MR. TITUS: I cannot speak to that
4 specifically, but since you are a veterinarian and
5 you're shaking your head no, I am going to say no.

6 Any other questions?

7 UNIDENTIFIED: Are you aware of numerous
8 scientific and medical studies that show those who
9 work in or live near these facilities are three
10 times more likely to colonize MRSA than people who
11 don't have those environmental conditions?

12 MR. TITUS: I have lived and worked in the
13 pork --

14 UNIDENTIFIED: I'm not speaking to your
15 specific --

16 MR. TITUS: Okay. I'm speaking to your
17 question. Can I answer your question?

18 UNIDENTIFIED: The question is are you aware
19 of the scientific and medical research that shows
20 that likelihood is greater because of these kinds
21 of facilities?

22 MR. TITUS: What kind of facility?

23 Don't shake your head like that. That's how
24 you are acting towards me.

1 UNIDENTIFIED: Hog confinements.

2 MR. TITUS: Okay. I have worked within the
3 pork industry. I'm going to respond to your
4 question the exact same way I intended to.

5 The majority of my friends are hog farmers
6 or pig farmers. The majority of my friends work
7 within the agriculture industry. I don't know a
8 single person -- and I know a lot of people -- that
9 have ever been affected by MRSA or the colonization
10 or have any challenges.

11 As the veterinarian just stated, there's
12 been no documented cases of MRSA spreading from an
13 animal to a human.

14 UNIDENTIFIED: Are you saying there are no
15 documented studies or cases of this ever happening?

16 MR. TITUS: I'm not a scientist. Are you a
17 scientist?

18 UNIDENTIFIED: Are you a medical doctor?

19 MR. TITUS: I'm not, but I can get Google
20 out real quick.

21 Yes, Ms. Martin, let's do this.

22 HEARING OFFICER: Ms. Martin?

23 MR. TITUS: Yes.

24 HEARING OFFICER: Ms. Martin?

1 MS. MARTIN: I was waiting for the
2 facilitator.

3 Because I ask tough questions doesn't mean I
4 hate anybody, so you are clear on that. That seems
5 to be a -- so I want you to be clear on that.

6 Okay. How many hogs are at your facility?

7 MR. TITUS: At my facility?

8 MS. MARTIN: Yeah.

9 MR. TITUS: We will have anywhere from
10 around 5500 to 6,000 in any given time.

11 MS. MARTIN: So about half the size of this
12 proposed facility?

13 MR. TITUS: A little more than half
14 actually.

15 MS. MARTIN: But not the same size?

16 MR. TITUS: Well, I mean, half would be --
17 half of 12,000 would be 6. So, I mean, this
18 facility is 10.

19 MS. MARTIN: It is getting late in the day.
20 But you said you built this within 100 feet of your
21 house?

22 MR. TITUS: Yes.

23 MS. MARTIN: On purpose?

24 MR. TITUS: Yes, we purchased the property.

1 MS. MARTIN: I just wanted to make sure I
2 understood.

3 MR. TITUS: I guess I might be crazy, but, I
4 mean, we live there. I mean, honestly we don't
5 notice the challenge. I know that's not going to
6 appease some of the concerns here. But, I mean, we
7 live right around it and haven't noticed any
8 issues.

9 MS. MARTIN: But you recognize your nose can
10 burn out faster because you are exposed to it every
11 day? You understand that, right?

12 MR. TITUS: I mean, are there any documented
13 studies? Are you a medical doctor?

14 MS. MARTIN: That's all right if you don't
15 understand it.

16 MR. TITUS: No, I completely understand it
17 but --

18 HEARING OFFICER: Are there other questions?
19 Yes, Mr. Foote?

20 MR. FOOTE: I'm glad to see your positive
21 attitude. I hope you can retain that.

22 MR. TITUS: Yes, sir.

23 MR. FOOTE: Do you feel that either the Lord
24 has been looking out for you or maybe you are a

1 lucky man?

2 MR. TITUS: Well, I don't know if I'd say
3 that. My grandfather was stricken with heart
4 disease. Cancer runs on my -- maternally on my
5 mother's side. I'm healthy as I can be. I never
6 go to the doctor unless I'm absolutely forced to
7 because typically I am healthy. I never had any
8 challenges. No real respiratory issues.

9 I was born in the pig pin. I mean, there is
10 pictures to almost prove it.

11 MR. FOOTE: I was, too, but I have grown to
12 find out I'm not quite as healthy as you are now.

13 HEARING OFFICER: Are there questions?
14 Thank you very much.

15 George Sinclair?

16 MR. SINCLAIR: George Sinclair,
17 S-I-N-C-L-A-I-R.

18 (Whereupon George Sinclair was duly sworn.)

19 MR. SINCLAIR: Hello. My name is George
20 Sinclair. I'm a longtime resident of Menard County
21 now living in Sangamon County, and I came here to
22 speak mainly to the effects of the antibiotics,
23 which I have got a report here from the Johns
24 Hopkins Bloomberg School of Public Health. I will

1 site their conclusions.

2 They say high level of multi-resistant,
3 drug-resistant bacteria present in CAFO air and in
4 surface and groundwater downstream. The CAFO
5 workers and growers are at high risk of exposure to
6 airborne isolates. Neighbors can be exposed to
7 both airborne and water-borne resistant bacteria
8 through inhalation and ingestion, and air and water
9 contaminated by swine CAFO's may serve as exposure
10 pathways for the transfer of resistant bacteria
11 from swine to humans.

12 If you think about all the genetic work
13 that's been done, that same genetic work that we
14 use to produce better hogs and better animals is at
15 work with trillions of microbes that are in our
16 hospitals, in our communities and on our farms.

17 So it just seems that we are rolling the
18 dice, and, you know, we are doing it in a very
19 dangerous way, and the consequences of which we are
20 really not proposed to deal with.

21 But enough has been said about all that.
22 You can ask me questions on it later if you would
23 like to, but there is a few things I have noticed
24 just being here in the room tonight.

1 People talked about all the people came to
2 Menard County to farm, and it was a good thing.
3 But now we have 1% or less of the population in
4 farming.

5 Almost every farmer that's come up here
6 tonight has talked about being fourth, fifth, sixth
7 generation on the farm, but if this trend
8 continues, how are your children going to remain
9 farmers?

10 It seems to me we are, we have kind of
11 overshot our mark, and we need to kind of swing
12 back the other way to where we have more farmers
13 producing high quality products, the animals maybe
14 not needing such intense doses of antibiotics to
15 keep them alive.

16 So I have got a question. When I was in
17 school, the FFA stood for Future Farmers of
18 America. Does anybody know what it stands for now?

19 UNIDENTIFIED: I will address that. The FFA
20 association --

21 HEARING OFFICER: Ma'am, his testimony --
22 Mr. Sinclair, you can proceed with your testimony.

23 MR. SINCLAIR: I'm done.

24 HEARING OFFICER: Okay.

1 MS. FROST: Do you want me to answer that
2 question to clarify for information or no?

3 My name is Rachel Frost. FFA now is just
4 the FFA Association. They have changed the
5 nomenclature of it or naming of it because
6 admitting, expanding it to include all forms of
7 agriculture rather than just farming, and so they
8 changed the name to encompass all of agriculture.

9 HEARING OFFICER: Are there questions for
10 this witness? Pardon, who is --

11 MS. HALL: Sorry, Molly Hall.

12 HEARING OFFICER: Ms. Hall?

13 MS. HALL: You have some experience in this
14 area in terms of what ends up in meat, the kinds of
15 things that are promoting or, excuse me, that are
16 contributing to the trend to the more naturally
17 raised livestock, Chipotle and things like that.

18 Can you talk about the work you have done in
19 the educational field and just speak to what we
20 know is contained in some of this meat?

21 MR. SINCLAIR: Well, I'm not really an
22 expert to take it all the way down to the chemical
23 level. My expertise really has been dealing with
24 the emergence of urban gardening or urban farming

1 and the decentralization of the agricultrual
2 business.

3 You have seen immense growth in the farmers
4 markets around the world or around the United
5 States, and I think that as people are starting to
6 ask themselves where did my food come from, where
7 is my food coming from, they like to see local
8 solutions.

9 I think the farmers that are here present
10 today, they want strong local economies, they want
11 strong local markets. I just think working
12 together we can achieve that. We are better off
13 not fighting each other but trying to welcome
14 what's good with both systems, maybe work towards a
15 more centered position.

16 HEARING OFFICER: Are there other questions
17 for this witness? Thank you.

18 Next we have Kay Tasset.

19 MS. TASSET: Kay Tasset, T-A-S-S-E-T.

20 (Whereupon Katie Tasset was duly sworn.)

21 MS. TASSET: Hi, I'm Kay Frank Tasset. Many
22 of you have been to our farms, mainly for Christmas
23 trees, but my husband and I, my late husband and I
24 have farmed in Menard County for over 40 years. He

1 passed away, and I continued the hog operation and
2 partnered with the Maschhoffs.

3 They have been a wonderful company to work
4 with. We -- it is a partnership, and we are always
5 talked about as production partners. It is not a
6 relationship of employee or owner. You know, we
7 have always done things hand in hand.

8 I have been in the Grigsbys' shoes. Twenty
9 years ago my husband and I took the blueprints and
10 talked to our neighbors across kitchen tables and
11 tried to, you know, get that monster out of the
12 closet, and people who aren't -- I have been
13 learning, you know, what hogs are all about and how
14 to be a farmer's wife and how to manage a farm for
15 40 years.

16 I was born and raised on a farm. My dad had
17 cattle, and I was one of 12 kids. We worked hard.
18 It was a great work ethic growing up.

19 Many of you -- I respect all of your
20 questions, but there is a lot of fear and also, you
21 know, just the knowledge to run a hog operation is
22 immense. There is so much involved. The
23 technology has changed. Now the operation has
24 gotten better and better and better over the last

1 20 years that we started our hog operation, and it
2 was blessing for me to become a partner with
3 Maschhoffs. They have the expertise, the
4 knowledge, they are extremely environmentally
5 conscious and very good stewards of the soil, the
6 environment and everything that they do.

7 You know, we all make mistakes, but we find
8 answers, and they are the first ones to step up to
9 the plate and do the right thing for the
10 environment.

11 You know, we had hogs, we have cattle,
12 Christmas trees and so of all the 20 years that
13 people came on our farm, not one single time did
14 anybody complain about the hog operation smelling
15 because they had to, you know, pass the hog
16 operation if they were coming from Springfield to
17 get to the Christmas tree operation. We never had
18 any problems.

19 Shit stinks. Let's all admit it. You know,
20 I don't know if you are different than mine, but it
21 is a part of life, and some things we have to
22 accept. But once we -- we have a lagoon. Once we
23 had the microbial action developed, I mean, it is
24 extremely rare to smell anything. I smell ADM in

1 Decatur more often than I smell my own hog
2 operation. I live a mile away from the hog
3 operation. I go by it almost every single day. It
4 is not really a problem.

5 HEARING OFFICER: Wrap it up, please.

6 MS. TASSET: One last sentence. I went and
7 visited one of my neighbors. She did not know that
8 I had the hog operation, and she just by chance
9 asked, you know, do you know who those people are
10 that have those four buildings right there on Route
11 29.

12 I said, well, as a matter of fact, I own
13 them, and she said, they always look so nice and
14 they are, you know, well groomed, and I never smell
15 them, so --

16 HEARING OFFICER: Are there questions for
17 this witness? Yes, ma'am?

18 MS. OLESEN: You are talking about Frank --

19 HEARING OFFICER: Could you state your name?

20 MS. OLESEN: Kathy Olesen. Sorry. You are
21 talking about Frank Farms over there on 29, and you
22 are saying that you have never been told that
23 smells?

24 MS. TASSET: We had a few complaints the

1 first couple of years when the microbial system in
2 the lagoon was being developed, but, I mean, it is
3 rare, very rare.

4 MS. OLESEN: I think people have been being
5 really nice to you because it smells. I mean, I'm
6 sorry. But I realize yours is a lagoon, and this
7 is going to be a whole different, you know, whole
8 different thing, which is good because if --

9 MS. TASSET: No, there is less smell with
10 deep pits than there is with lagoons.

11 MS. OLESEN: That's what I'm saying.

12 MS. TASSET: I mean, I have, I have not
13 smelled -- I mean, we sit in our backyard all of
14 the time in the summer.

15 MS. OLESEN: Because I knew people that
16 lived across from you.

17 MS. TASSET: Who is that?

18 MS. OLESEN: Hopwoods. I bought a car from
19 them, and that was the one thing we discussed, and
20 they talked about, you know, how much --

21 MS. TASSET: Joel and --

22 MS. OLESEN: I go past there all of the
23 time, and I know people that live in Athens. I
24 mean, somebody wasn't totally honest with you

1 because --

2 MS. TASSET: Well, I mean --

3 MS. OLESEN: -- it smelled.

4 MS. TASSET: A 10 or 15 minute drive by
5 inconvenience, you know.

6 MS. OLESEN: You know, I just --

7 HEARING OFFICER: Are there other questions
8 for this witness? Ms. Smith?

9 MS. SMITH: Leslie Smith. I was curious. I
10 have noticed there is a lot of Maschhoff hog barns.

11 HEARING OFFICER: Can you speak up a little
12 bit, please?

13 MS. SMITH: I notice there is a lot of
14 Maschhoff hog barn owners here today. It seems
15 like there has been like ten of you up there. I
16 don't know if you are all in this county or people
17 are coming in, but I have not noticed any neighbors
18 of Maschhoff hog barns, which is kind of like she
19 is saying.

20 Like, if none of these hog barns smell, why
21 aren't there more people that don't own hog barns
22 coming here and telling us how great they are?

23 MS. TASSET: They could have showed up
24 tonight if they had an issue.

1 MS. SMITH: Well, I think a lot of times,
2 you know, a lot of these people by hog barns that
3 aren't in Menard County probably don't know there
4 is a hearing for a hog barn in Menard County.

5 MS. TASSET: It was on the front page of the
6 paper.

7 HEARING OFFICER: Ms. Hall?

8 MS. HALL: Are you aware that residents that
9 live in that subdivision have suffered reduced
10 property values and difficulty selling their homes?

11 MS. TASSET: They have issued no concerns
12 to me.

13 MS. HALL: Are you aware that Menard County
14 the Board has a letter from a local realtor to that
15 effect?

16 MS. TASSET: No, I don't. I'm not aware of
17 that, and the woman that I talked to built over a
18 half million dollar house. She knew the hog
19 buildings were there before she built.

20 HEARING OFFICER: Other questions? Thank
21 you. Sean Londrigan? Mr. Londrigan?

22 UNIDENTIFIED: He left. Sean Londrigan?

23 Jeff Lynn?

24 UNIDENTIFIED: Jeff left also.

1 HEARING OFFICER: Carrie Winkelmann?

2 MS. WINKELMANN: Carrie, C-A-R-R-I-E,
3 Winkelmann, W-I-N-K-E-L-M-A-N-N.

4 (Whereupon Carrie Winkelmann was duly sworn.)

5 MS. WINKELMANN: Good evening. Thank you
6 for those who stayed around to hear the rest of the
7 testimony. My name is Carrie Winkelmann. I reside
8 in rural Tallula. My husband and I raise corn and
9 soybeans, and we live and raise our family on our
10 farm.

11 I'm here to speak tonight as a farmer, a
12 community member, an educator, a mother, and
13 director on the board of the Illinois Soybean
14 Association in support of this proposed hog farm
15 and animal agriculture as a whole.

16 I grew up on a grain and livestock farm,
17 received my bachelor's degree in agriculture
18 science from the University of Illinois and my
19 master's degree in agriculture education, and I
20 have spent my career dedicating to teaching about
21 agriculture.

22 I support all of agriculture from my farming
23 friends who run their own small organic CSA's and
24 vegetable stands to my friends who own hundreds of

1 acres of farmland to my friends who manage hundreds
2 of cows, pigs, chickens and turkeys, to my dad who
3 has 20 cows, 30 sheep, 15 chickens and 2 dogs.

4 Farming is not a one size fits all business.
5 As in all facets of life, farming has to involve
6 all sizes to succeed, and succeed it does. Farmers
7 who make up a small portion of our population work
8 hard no matter their farm size to provide enough
9 food for the other 98%, and they do it following
10 best management practices, all the EPA standards
11 and their own moral compass while still trying to
12 make a living.

13 I support this farm and animal agriculture
14 throughout the state as my farm's number one
15 customer. Pigs eat a lot of corn and a lot of
16 soybeans, and their manure is a valuable resource
17 for local and sustainable fertilizer that goes back
18 into growing those same crops.

19 I love our community, spending almost every
20 weekend in good weather here in New Salem with my
21 two kids visiting their horse, Sam. We fish, hike
22 in Jim Edgar Panther Creek and spend time with
23 friends who live at the lake.

24 I support this proposed hog farm, and I'm

1 confident that its installation will cause no harm
2 to my farm and home which are close by, no harm to
3 New Salem, Lake Petersburg, the town or community.

4 I encourage the County Board to give a
5 positive recommendation for this farm as it either
6 meets or exceeds all the eight section criteria.

7 Thank you.

8 HEARING OFFICER: Are there questions for
9 this witness? Ms. Martin?

10 MS. MARTIN: I didn't hear you. Are you a
11 lobbyist for a soybean group?

12 MS. WINKELMANN: No, I'm a volunteer on the
13 board.

14 MS. MARTIN: You volunteer. Thank you very
15 much.

16 HEARING OFFICER: Ms. Hall?

17 MS. HALL: You have a lot of expertise
18 clearly, and can you speak to the tremendous
19 decline in the number of family farms and why
20 that's happening?

21 MS. WINKELMANN: I really can't speak to the
22 decline in family farms. I know it is a statistic,
23 but everyone I know who farms has farmed.

24 MS. HALL: Are you familiar with the WalMart

1 effect?

2 This is the equivalent of a WalMart coming
3 in and setting down next to a mom and pop grocery
4 store and for every one of these that come in, 11
5 family farms will go out of business. Have you not
6 heard of that?

7 MS. WINKELMANN: I have heard of the WalMart
8 effect and in regards to WalMart. In regards to
9 farming, I do not feel that that is a true
10 correlation.

11 MS. HALL: So you are not aware of any
12 statistical finding by any organization, government
13 or otherwise, that indicates that the proliferation
14 of large livestock facilities has driven out the
15 farmers that were doing sustainable agriculture in
16 smaller numbers?

17 MS. WINKELMANN: I'm not. Are you
18 testifying to that, Molly?

19 MS. HALL: No, I'm just asking have you not
20 seen any of those studies or reports?

21 MS. WINKELMANN: In my college career I
22 studied a huge amount on rural sociology and animal
23 agriculture, and in my classes I don't believe that
24 that was considered a fact that we were taught.

1 HEARING OFFICER: Ms. Martin?

2 MS. MARTIN: So in your -- did you get an ag
3 degree?

4 MS. WINKELMANN: My degree is a bachelor's
5 in agriculture science.

6 MS. MARTIN: Okay. Cool. So did you learn
7 how the slaughterhouse prefers a lot of small hog
8 farmers so that they have little or no control over
9 quality, or did you learn that the slaughterhouses
10 like uniform quality of the hogs? Which way did it
11 go?

12 MS. WINKELMANN: I learned best management
13 practices for running hog facilities.

14 MS. MARTIN: But the buyer is a
15 slaughterhouse. Which slaughterhouse do you sell
16 to?

17 MS. WINKELMANN: I'm not a hog farmer.

18 MS. MARTIN: Okay.

19 HEARING OFFICER: Other questions? Thank
20 you. Sorry. I didn't hear you. Can you speak up?

21 MS. WINKELMANN: There are entire graduate
22 level courses to running hog farms. I mean, the
23 practices are mainly what you have heard through
24 the statutes of law.

1 HEARING OFFICER: Linda Bowen?

2 MS. BOWEN: Respectfully pass.

3 HEARING OFFICER: Pardon?

4 MS. BOWEN: Pass.

5 HEARING OFFICER: Pass. Molly Hall?

6 MS. HALL: I was honestly on the shorter
7 sheet. I thought I was signing the shorter sheet.
8 Molly Hall, H-A-L-L.

9 (Whereupon Molly Hall was duly sworn.)

10 MS. HALL: I had written comments, and with
11 everything else that's been said, I don't have
12 written comments now. So I am going to try and
13 refer to a few notes.

14 I mean no disrespect to any of you, and I
15 can't speak to what your operations and whether or
16 not, you know, your neighbors are great with
17 everything, what it's done to your communities or
18 anything like that. So please don't consider any
19 of this a blanket statement.

20 But what I can tell you is that there has
21 been the experience of thousands of communities in
22 Illinois and across this country where the outcome
23 was not good, and you don't have to take my word
24 for it. There are documented studies, research

1 reports. Illinois State University did a study of
2 1,000 communities in Illinois, more than 1,000 with
3 CAFO's and came to the conclusion in all of those
4 communities the overall impacts were negative
5 financially.

6 And I can't speak to what you have seen in
7 your areas, but there have been contaminated wells.
8 There is one well -- one family in Illinois that
9 the E. coli levels in their well were so high they
10 were advised not take a bath in it.

11 There is just a lot out there with this. I
12 am going to mention that the Center for Disease
13 Control, the Pugh Institute, USEPA, National
14 Association of Local Boards of Public Health, those
15 aren't PETA groups, these are science based --
16 Johns Hopkins University, these are science based
17 organizations that have done extensive research
18 looking at very large amounts of data and, you
19 know, polluted water supplies, streams and rivers.
20 It is all out there in documentation.

21 I don't know what the experience is in your
22 communities, and I appreciate you coming here, but
23 you can't look at the people that come here with
24 very real concerns who have looked at the

1 experiences elsewhere, who have looked at the
2 evidence and say oh, we just went out and Googled
3 it. That's disrespectful to us. We are people who
4 care about our community. We are people that know
5 there are no guarantees with these facilities.

6 Those flexible hoses, they bust, they
7 rupture, they spill. It has happened over and over
8 again in this country. Air pollution, odors, I
9 have a study here from the National Association of
10 Boards of Local Health documenting that they travel
11 five to six miles away and more.

12 And let me just read from that. I won't go
13 through all of the different compounds in there.
14 These odors are worse than smells formerly
15 associated with smaller livestock farms. the
16 anaerobic reaction that occurs when manure stored
17 in pits for long amounts of time is a primary cause
18 of smells -- or lagoons. Odors from waste are
19 carried away in dust and other air particles
20 depending on things like weather conditions,
21 farming techniques. CAFO odors can be smelled from
22 as much as five or six miles away.

23 So you don't have to take our word for it.
24 There is documentation, and there is lots of it.

1 It comes from highly regarded, well respected
2 medical sources, research scientists and social
3 scientists, appraisal groups.

4 Our concerns are real. They are not
5 unfounded. It is not that we don't support
6 farming. We support farming. We know that the big
7 guys have pushed a lot of the small guys out. We
8 are concerned about our community. There is a lot
9 that we hold dear here.

10 I know I'm out of time, but nothing in the
11 Menard County zoning ordinance or comprehensive
12 plan or the PREP document that some of the farmers
13 you heard about that were part that group created
14 had anything that noted this as desired economic
15 development for this county. It is tourism, it is
16 historic preservation, it is recreation, and
17 business development that was discussed was not the
18 kind that's being proposed here.

19 HEARING OFFICER: Are there questions for
20 this witness? Mr. Anderson?

21 MR. ANDERSON: And Molly, the Citizens for
22 Clean Air and Water, are you part of that group?

23 MS. HALL: I am.

24 MR. ANDERSON: And animal rights issues, the

1 links to those pages, is that what your concern is,
2 or is it all environmental?

3 MS. HALL: I eat meat.

4 MR. ANDERSON: But the reference on that web
5 site to animal rights issues and how animals are
6 raised, that's not part of your group's agenda?

7 MS. HALL: No.

8 MR. ANDERSON: So it is going to continue to
9 be on the web site?

10 MS. HALL: We have put a lot of research out
11 there. I can't speak specifically to what you are
12 talking about.

13 I can also tell you, though, the Center for
14 Disease Control, Pugh Research Institute, Johns
15 Hopkins and many of these other science based
16 medical reports are out there. There are documents
17 specific to this particular application and
18 location.

19 So there is a lot of information out there.
20 I can't speak specifically to the one or two items
21 you might referring to.

22 MR. ANDERSON: Just to get to a couple
23 points. I think we have all learned a lot here
24 tonight.

1 You mentioned in one of your editorials and
2 at the last board meeting about the expansion
3 clause; that they didn't have any official process
4 to go through, you know, they can double their
5 size.

6 You learned tonight that's not quite what is
7 accurate, right?

8 MS. HALL: Our understanding is they do not
9 have to reapply to go through that process the way
10 it is stated in the law.

11 MR. ANDERSON: I think that might have been
12 mentioned differently here, but that's okay.

13 MS. HALL: And it does sound like they have
14 to do something with the Department. They
15 certainly --

16 MR. ANDERSON: I hope you will correct that
17 in your information that you share with people. I
18 understand that --

19 MS. HALL: We have a copy of the act out on
20 the web site, too.

21 MR. ANDERSON: Do you have a background
22 within this area or --

23 MS. HALL: I am a long-time resident. I am
24 actually someone who went to college, established a

1 career, came back to raise my own family here and
2 have invested heavily in my own home.

3 MR. ANDERSON: Have you been affected by
4 George Brauer's farm?

5 MS. HALL: I don't live anywhere close to
6 them.

7 MR. ANDERSON: Huh?

8 MS. HALL: I don't live anywhere close.

9 MR. ANDERSON: How far do you live?

10 MS. HALL: I'm not sure. I live out at Lake
11 Petersburg.

12 MR. ANDERSON: Right. But over the years
13 you had not -- Petersburg has not been impacted or
14 have you heard stories that's --

15 MS. HALL: I have heard stories, yes, heard
16 about people who lost their wells, all kinds of
17 things from those facilities.

18 MR. ANDERSON: From George Brauer's farm?

19 MS. HALL: Yes.

20 MS. ANDERSON: Do you have documentation?

21 MS. HALL: I don't have documentation. You
22 asked if I had heard stories. I have heard
23 stories.

24 MR. ANDERSON: Just asking.

1 HEARING OFFICER: Yes, sir?

2 MR. BORGIC: Mike Borgic, B-O-R-G-I-C. You
3 made reference to a study with the Illinois State
4 University about the economic impact of large hog
5 farms, correct?

6 MR. HALL: Yes.

7 MR. BORGIC: Okay. Can you tell me when was
8 that study done?

9 MS. HALL: It was done in 2000.

10 MR. BORGIC: Okay. How about the towns?
11 How many towns were referenced in that?

12 MS. HALL: More than 1,000.

13 MR. BORGIC: Okay. Are you aware that of
14 that study, actually only 307 of those towns were
15 considered hog producing?

16 MS. HALL: I don't know that.

17 MR. BORGIC: Okay. And that also that the
18 study done in 2000, but the information was from
19 1984 to 1997, so it was 20, 30 years old?

20 MS. HALL: I'm aware of that, yes. I have
21 noticed there is a lot of documentation along with
22 the other things related in this application and
23 the FOIA materials that goes back to 1992. So
24 there is a lot of older information all the way

1 around.

2 MR. BORGIC: And one more question on that
3 study.

4 MS. HALL: But I can give you a 2007
5 appraisal report that talks about reduced property
6 values, and I can give you other reports that are
7 more recent that talk about an overall economic
8 decline.

9 I am not saying the farmers aren't doing
10 well from this, but there is evidence and it is
11 more recent than the Gomez report that there have
12 been negative financial impacts on communities,
13 some of it from road damage, some of it from
14 reduced property values, some of it from the
15 inability to attract other forms of business to the
16 community.

17 MR. BORGIC: One final question on the
18 Illinois State study.

19 MS. HALL: You can have that study. If you
20 want more, I will get you some more.

21 MR. BORGIC: I have it right here. I was
22 wanting to know if you also read in that study that
23 it said that, I quote, among rural towns growth was
24 higher in hog producing towns than in other rural

1 towns.

2 MS. HALL: I did not see that. I only saw
3 their overall conclusion that the general impact on
4 these communities was negative and that the
5 proliferation of these facilities is likely to
6 continue or create additional decline. I saw that
7 conclusion.

8 HEARING OFFICER: Yes, sir?

9 DR. MILLER: Jay Miller. Could you define
10 bias to me?

11 MS. HALL: A propensity to take one point of
12 view over another.

13 DR. MILLER: Okay. Do you think in any of
14 the scientific research you have presented or
15 talked about numerous times tonight there is any
16 bias?

17 MS. HALL: I can't speak to that, but I can
18 tell you that researchers themselves are highly
19 credentialed, that we have got medical doctors in
20 there, that we have got scientific researchers,
21 PhD's and others.

22 I know that when I did my own research, I
23 couldn't find a lot of positive about this stuff.

24 MR. BORGIC: Define a lot. Well, my

1 question to you --

2 HEARING OFFICER: We have got more. Yes,
3 ma'am?

4 MS. FLISS: Ellen Fliss. There is reference
5 earlier tonight about petitions.

6 Do you know how many petitions have been
7 collected asking for this to be denied by our
8 county commissioners?

9 MS. HALL: Yes, there are more than 600
10 signatures at this time and people contacting the
11 group about turning in more daily.

12 What I can also tell you is that we have
13 talked to hundreds of area residents who have said
14 to us if they held a referendum, they would vote
15 no, but because of business relationships or
16 concerns about offending other people, they weren't
17 going to sign their names.

18 I'm going also to mention that some of them
19 were farmers, and they were farmers here in Menard
20 County who said this is not agriculture, this is
21 industrial factory farming, and I do not support
22 it, and it is forcing us out of business.

23 I will say the reason they did not put their
24 name on the form is they fear retribution from the

1 Department of Ag, the Farm Bureau and other
2 agribusiness interests that are promoting these.

3 So we have good farmers in Menard County who
4 don't think this is a good idea. Unfortunately
5 they are too intimidated to come in here and tell
6 you that themselves.

7 HEARING OFFICER: Are there other questions?
8 Ms. Frost?

9 MS. FROST: Rachel Frost. Molly, I have a
10 question for you. Have you visited any large hog
11 operations that would be similar to the one being
12 proposed in this county?

13 MS. HALL: You know, it is interesting. I
14 was offered an opportunity to go visit a maschhoff
15 facility, and the offer was withdrawn. So I had
16 planned to go on a tour, and the tour offer was
17 withdrawn. So I didn't get that opportunity.

18 MS. FROST: So you have not visited?

19 MS. HALL: I have not, no.

20 MS. FROST: Okay. Have you ever been to
21 Brauer Pork or Oasis Farms?

22 MS. HALL: No, I have not. I will tell you,
23 though, my husband who is sitting up here used to
24 be a television photographer, videographer, and he

1 and a reporter went out to visit a hog confinement
2 for a story. They came back reeking so bad. I
3 mean, it was in the newsroom. People were like
4 what is that smell, and they were like oh, you
5 guys, get out.

6 The car that they were in, it literally had
7 to be aired out for a few days before the smell
8 went away. The editing bay they were in, which is
9 like a small room, no one would go in there to edit
10 for a couple of days, and literally they were
11 disinfecting and spraying air deodorizer and all
12 kinds of things trying to get rid of the smell.

13 I do have that personal experience, but it
14 is a very limited one. I have not been in a
15 confinement. I would have loved to have gone to
16 the Maschhoff facility. I am sorry I didn't get
17 that chance.

18 HEARING OFFICER: Mr. Anderson?

19 MR. ANDERSON: Yeah, Nick Anderson. Molly,
20 which Maschhoff invited you to the facility?

21 MS. HALL: I was invited by someone who was
22 invited and was told they could bring others.

23 MR. ANDERSON: They were told to bring
24 others?

1 MS. HALL: They were told they could bring
2 others.

3 MR. ANDERSON: That's the way you understood
4 it?

5 MS. HALL: Uh-huh.

6 MR. ANDERSON: But you weren't invited
7 personally?

8 MS. HALL: No, no. I would have gone if I
9 had been invited personally, though, because I am
10 here to learn.

11 MR. ANDERSON: Do you know why it might have
12 been rejected?

13 MS. HALL: I have no idea.

14 MR. ANDERSON: Could a scheduling change --

15 MS. HALL: Could have been the fact my name
16 was on the list.

17 HEARING OFFICER: Mr. Maiers?

18 MR. MAIERS: Tim Maiers, M-A-I-E-R-S.
19 Molly, you mentioned some studies that you found
20 that showed negative aspects of CAFO's.

21 Did you find any that showed there weren't
22 any --

23 MS. HALL: There was one --

24 MR. MAIERS: -- in relation or association

1 with that?

2 MS. HALL: There was one report that looked
3 at a conglomeration of studies, and there were 57
4 studies that concluded negative reports, very
5 negative reports, then another percentage of like
6 18% that had some negative results, and then there
7 was a percentage of like 16% that had no negative
8 results.

9 So yes, I will say that there are probably
10 studies that have been looked at that concluded
11 that there weren't negative impacts, but there is a
12 greater preponderance of material out there
13 documenting overall negative effects than not.

14 MR. MAIERS: Are you aware the Iowa
15 Department of Public Health study they did revealed
16 no significant correlation between swine farms in
17 Iowa -- we are talking about a lot more swine farms
18 than we have in Illinois -- and neighbors and any
19 health problems? Are you familiar?

20 MS. HALL: I'm not familiar with that study.

21 HEARING OFFICER: Other questions? Mr.
22 Foote?

23 MR. FOOTE: You were asked a question about
24 bias a little bit ago. I have been watching, and I

1 know you have been watching the whole proceeding
2 this evening as I have and everybody else that is
3 here right now.

4 For some reason I kind of -- I have to ask
5 you, have you noticed any bias from the comments
6 from people who are dyed in the wool hell for true
7 hog farmers?

8 Which I happen to be a hog farmer. I, too,
9 was a hog farmer for a long time and even recently,
10 but I'm sort of amazed at it is like this is so
11 perfect that there is no fault. I never knew
12 anything in my life that didn't have some sort of
13 fault.

14 Is that bias or is that not bias?

15 MS. HALL: I have noticed there are some
16 people in here that came in here with a
17 predisposition to a certain point of view.

18 And I do mean no disrespect to the
19 agriculture community, I really don't. And, you
20 know, if you have got neighbors that are not
21 unhappy and you are running fine operations, good
22 for you. That's wonderful.

23 But there have been spills in Illinois,
24 there have been contaminated streams, there has

1 been run-off, there have been fish kills, there has
2 been pollution in rivers, streams and lakes in
3 Illinois because of these, and so to tell someone
4 because they did some research it never happens and
5 it never has happened and never will happen defies
6 the experience that's out there.

7 HEARING OFFICER: Other questions for this
8 witness?

9 I see none. Next we have Dick Moss.

10 UNIDENTIFIED: Mr. Moss is gone.

11 HEARING OFFICER: Isaiah Roberts?

12 Oh, I'm sorry. I thought I heard somebody
13 say you left.

14 MR. MOSS: Richard Moss, M-O-S-S.

15 (Whereupon Dick Moss was duly sworn.)

16 MR. MOSS: Many of you talked about how many
17 generations you have been on a farm. I bet`almost
18 99.9% of the people in here have a farming
19 background. I have a lot of great friends who are
20 farmers, and Menard County predominantly is a
21 farming community or farming county, but it is not
22 the only thing.

23 Farming is number one. Number two is
24 probably tourism, and even though tourism was

1 mentioned as a factor, not one soul has mentioned
2 it, but since I'm on the Menard County Tourism
3 Council, I have to defend our position.

4 By the way, I sat amongst the Grigsbys
5 earlier. They look like very fine people, and it
6 pains me to have to oppose their deal, but I am
7 bound to look after the tourism interest in the
8 county.

9 Menard County, as we all know for its place
10 in history as home to a young Abraham Lincoln. New
11 Salem draws approximately 400,000 visitors each
12 year. Just a few feet away from this hearing
13 tonight is the Theater in the Park where
14 approximately 10,000 people from far and wide come
15 to enjoy the outdoor performances throughout the
16 summer as they did for nearly 100 years.

17 Menard County is host to over 20 festivals
18 and major events each year while the area's parks
19 and the Sangamon River, Jim Edgar Panther Creek are
20 a vital part of the county's economy. These sites
21 and events draw fishermen, hunters, boaters,
22 campers, hikers, bikers, performers and many nature
23 enthusiasts. They stay at our local lodge and B &
24 B's and they eat here and shop here. Smelling hog

1 manure would be a disaster to tourism.

2 Given, I realize there is a wide range of
3 opinion about that, but given the prevailing winds
4 out of the west oftentimes gusty, the effect would
5 be very damaging to tourism, recreation and quality
6 of life for thousands of citizens downwind of such
7 a large operation.

8 We have been told that we won't smell manure
9 that is approximately five miles away. A report
10 published by the National Association of Local
11 Boards of Health titled Understanding CAFO's and
12 Their Impact on Communities, states depending on
13 things like weather conditions and farming
14 techniques, CAFO odors can be smelled from as much
15 as five or six miles away.

16 Who will guarantee manure won't be smelled
17 on windy days or those days where the news media
18 covers images like topsoil blowing around?

19 Property boundaries suggested by the state
20 are meaningless against wind temperature
21 inversions, floods, spills, run-off and other
22 events that do, in fact, occur despite rules, best
23 practices and good intentions.

24 Considering Menard County is home to the

1 state's top tourist site that attracts visitors
2 from throughout the world, tourism is a major state
3 industry and a significant Menard County industry,
4 The damage to tourism from unwanted irritating
5 manure smells would be irreversible.

6 Accidents can and do happen. Spills and
7 run-off could impact waterways, streams and
8 ultimately recreation and tourism at Jim Edgar
9 Panther Creek.

10 On behalf of Menard County Tourism Council
11 we suggest that the only way to guarantee our
12 tourism, recreation, historical preservation and
13 business development and quality life is preserved
14 is for Menard County to reject the proposed
15 concentrated hog operation.

16 HEARING OFFICER: Any questions for this
17 witness? Ms. Frost?

18 MS. FROST: Rachel Frost. Dick, being in
19 tourism here Menard County you are probably well
20 aware that the state has given the proposal and
21 probably will follow through that New Salem will be
22 closed Mondays and Tuesdays all throughout the
23 tourist season.

24 MR. MOSS: Yes.

1 MS. FROST: Do you think that will have an
2 impact on your tourism greater than what a hog
3 operation six and a half miles away will?

4 MR. MOSS: Frankly, the hog operation five,
5 six miles away won't have any impact unless it
6 smells, and we don't know. Nobody will guarantee
7 it won't smell, but yes, that will have a very bad
8 impact.

9 MS. FROST: Another question for you. You
10 have been to Oakford, right?

11 MR. MOSS: Yes.

12 MS. FROST: Do you smell Brauer Pork?

13 MR. MOSS: Not in Oakford, no. That's about
14 eight miles out of town.

15 MS. FROST: No, I believe it is a little bit
16 closer.

17 MR. MOSS: Well, there are some closer ones,
18 and there are some that are further away.

19 MS. FROST: I'm talking about, always used
20 to be unit 1, the main unit.

21 MR. MOSS: I don't smell them in the Town of
22 Oakford.

23 MS. FROST: Okay. Thank you.

24 HEARING OFFICER: Mr. Maiers?

1 MR. MAIERS: Tim Maiers. Did you hear the
2 numbers from the Pike County example given about
3 tourism numbers?

4 MR. MOSS: Yes. I think that Pike County is
5 quite different. It is about, I don't know, maybe
6 ten times the size of Menard County and spread out.
7 It's got a lot of trees, hills and some natural
8 areas, and I think it is probably a great hog
9 operation area for that. The deer hunters just
10 love it, and they don't love the hogs necessarily
11 or hate them, but they have some excellent deer
12 hunting there, and they have got natural terrain
13 and environment and lot of corn to eat alongside.

14 You know, yes, it has increased tourism, but
15 I think it is such a large county so spread out, I
16 don't think it can be compared to Menard County.

17 MR. MAIERS: Do you think the fact they do
18 have 12 times the amount of pigs that are in Menard
19 County and tourism is still up, do you think that
20 has any -- I mean, you are trying to look at what
21 could happen. I understand you are trying to say
22 that that should be --

23 MR. MOSS: I guess I would --

24 MR. MAIERS: Just looking at other -- I

1 know there is differences in county, but I guess do
2 you see any kind of -- that's an example of a
3 somewhat close county.

4 Do you see any kind of maybe they are
5 co-existing with hogs?

6 MR. MOSS: That's quite possible. I don't
7 know what the nature of their tourism is, do you?

8 MR. MAIERS: I think it is a lot of hunting.

9 MR. MOSS: Deer hunting.

10 MR. MAIERS: Lodges have been built.

11 MR. MOSS: But again, those are out -- those
12 guys, you know, they will do anything to get deer.

13 MR. MAIERS: They're out where the hogs are
14 out, too. They are out in the countryside as well?

15 MR. MOSS: I think it is such a massively
16 larger county that, you know, 12 % or 30% is
17 immaterial. What we have is natural historical
18 advantages in New Salem and some other sites. We
19 have a lot of deer hunters here, too. They love to
20 go out to Jim Edgar.

21 I think that most of our activities, it is
22 surprising how many of our activities are outdoors.
23 You know, even though it is historic, people walk
24 around the village, go to the Theater in the Park.

1 It is outside. It is amazing.

2 I'm a guy that likes air conditioning. I
3 don't go out to those things anymore than I have
4 to.

5 Canoeing on the river, there is just a lot
6 of things outdoor orientated as Pike County is,
7 too. I know it is a beautiful area, and I think
8 that deer hunting is so popular is just overwhelms
9 everything else.

10 A lot of people I know have done some things
11 to really go after and attract deer hunters and for
12 good reason. They have got great hunting there. I
13 don't know if the hogs have anything to do with it
14 or not.

15 HEARING OFFICER: Ma'am?

16 UNIDENTIFIED: Dick, you are like from the
17 tourism?

18 MR. MOSS: Yes.

19 UNIDENTIFIED: Is it just the tourism board
20 that has expressed concern about this, or are there
21 other businesses or other groups that have told you
22 they are concerned, too?

23 MR. MOSS: There have, but I really haven't
24 -- I'm just addressing the tourism aspect of things

1 because it is -- I think -- I don't have great
2 financial proof, but I think it's got to be our
3 second largest industry.

4 UNIDENTIFIED: Oh, yeah.

5 MR. MOSS: So farming is very important. It
6 is a farming county, it is just not the only thing.

7 UNIDENTIFIED: Yeah.

8 HEARING OFFICER: Ma'am, could you state
9 your name again?

10 MS. OLESEN: Kathy Olesen.

11 HEARING OFFICER: Thank you.

12 MS. OLESEN: What I meant was are there
13 other -- you know, like is the Lincoln League in
14 support? I mean --

15 MR. MOSS: Oh, right.

16 MS. OLESEN: Are most groups --

17 MR. MOSS: Well, the Lincoln League opposes
18 it for the same reason.

19 I can't tell you what the chances of it
20 getting here, the smell getting here anymore than
21 anybody can tell me it won't for sure. I mean,
22 they can tell me it won't for sure, but nobody will
23 guarantee it.

24 HEARING OFFICER: Any other questions?

1 Thank you very much.

2 Isaiah Robert?

3 MR. ROBERTS: I-S-A-I-A-H R-O-B-E-R-T-S.

4 (Whereupon Isaiah Roberts was duly sworn.)

5 MR. ROBERTS: All right. I think I can
6 almost say goodnight because I think when I signed
7 up I was near the end.

8 A little bit about me. My name is Isaiah
9 Roberts, and I'm from Marshall County. And a
10 little background. I grew up in a farmhouse
11 surrounded by farmland on all sides, had cattle
12 growing up around us, even some hogs, everything
13 from lamas to whatever other kind of animal that
14 our neighbors had.

15 So first off, I just wanted to say that I
16 thought it spoke volumes there was a lot of people
17 here tonight. I think is awesome on both sides
18 regardless whichever opinion you have, whichever
19 side you support.

20 One thing I did want to note and did want to
21 applaud was I did think it was a really respectable
22 decision that the farm manager and the family made
23 to resubmit the application so that this hearing
24 could be made public and so it could have the best

1 turnout. Regardless of whatever opinion that you
2 have, I think that it is awesome that the community
3 gets to come together no matter how long it takes
4 and just discuss both sides and really feel like
5 their opinions got heard.

6 You know, as I sit here in the crowd I can't
7 help but feel somewhat encouraged because nothing
8 would make me happier than to have some of the
9 experiences that some of you have had with your hog
10 farms. I would love to be able to come back and
11 say that I don't smell it or that I have not had a
12 lot of the concerns that I do have.

13 But when looking at some of the hog
14 facilities around us, I can't help but worry. I
15 can't help but worry that the house and the home
16 that I grew up in that my parents have owned for 30
17 years will not be affected by this.

18 What I did want to read into the record was
19 just a letter written to a group of my neighbors
20 and I by Judy Koehler who was a justice on the
21 Illinois Appellate Court and is now retired. This
22 was to David Leitch who was an Illinois State
23 Representative.

24 Dear David, as you know, I represented

1 Marshall County and a portion of the LaSalle County
2 affected by 20,000 a year sow operation proposed to
3 be built near the Big Sandy Creek which empties
4 into the Illinois River at Henry where me and my
5 family resided.

6 I agreed to assist SOS to work to strengthen
7 the safeguards in the Livestock Management
8 Facilities Act because I know now that hundreds of
9 hog factories are being quietly built around rural
10 Illinois without a whimper from the state decision
11 makers as to the short and long-term effects of
12 water pollution, air pollution, reduction in
13 property values of surrounding landowners and
14 destruction of enjoyment of peace and quiet of
15 rural life. SOS asked me to write you about my
16 personal experience with my neighbor's hog factory.

17 I'm the fourth generation to own my family's
18 farm near Lima where we raise purebred Hampshire
19 hogs. The Illinois Department of Agriculture
20 approved my neighbor, Steve Duke of D & B Farms,
21 LLC's application, allowing D & B to finish 10,000
22 hogs yearly over a concrete waste pit holding a
23 year's worth of manure located just 500 feet from
24 home site on my farm. The hog factory was built on

1 a hilltop that slopes down into the streams which
2 travels downstream 500 feet into my stream. In the
3 event of a manure spill my stream would be
4 polluted. Yet the hog factory does not have to
5 file a waste management plan with the state or
6 county, only self-report manure spills to the IEPA
7 at an 800 number.

8 The pit is located over highly erodable
9 soil, porous limestone containing deep cracks and
10 sinkholes and characterized by underground caves
11 and streams. Waste can seep through the concrete
12 pit and contaminate groundwater. Sink holes can
13 form at any time, compromising the structure's
14 integrity. Lima obtains its drinking water from an
15 aquifer underneath the hog factory.

16 I know it is time to finish up. I just want
17 to read in conclusion, in the Illinois legislature
18 I enjoyed a near perfect record on ag issues.
19 CAFO's are not ag, but industrial operations. We
20 are asking your help to enact stronger groundwater
21 protections, waste management requirement and
22 setback distances from residence.

23 HEARING OFFICER: Are there questions for
24 this witness?

1 MS. FROST: Rachel Frost. Mr. Roberts, I
2 will ask you, have you been in one of these hog
3 operations?

4 MR. ROBERTS: Yes, I have, not quite to this
5 size, but I have been in one.

6 MS. FROST: Okay. What is your analysis?
7 What was your reaction to being in one of these hog
8 operations?

9 If you would address things like cleanliness
10 and comfort of the environment, things of this
11 nature?

12 MR. ROBERTS: We actually had some close
13 friends who ran a hog facility, and my brother and
14 my dad would actually work there over the summer,
15 and, you know, one of the things I can attest to is
16 the smell. I mean, certainly when they came home
17 they showered outside with a hose, we washed their
18 clothes. And so really this was years ago in my
19 younger age. I specifically just remember the
20 smell.

21 MS. FROST: Okay. And do you understand any
22 current practices such as shower in, shower out
23 practices and saunas for the workers?

24 Are you aware of any of those types of

1 practices that are considered best practice in hog
2 management?

3 MR. ROBERTS: No, to be honest I'm not aware
4 of those specific ones regarding the sauna or
5 shower in shower out. However, they sound like
6 great practices that they have enacted.

7 MS. FROST: Yes, they are. They help a
8 great deal.

9 HEARING OFFICER: Other questions? I see
10 none. Thank you.

11 Entered into record as Exhibit No. 15 is the
12 letter that Mr. Roberts just read.

13 (Exhibit No. 15 entered.)

14 HEARING OFFICER: Mr. Foote? John Foote?

15 MR. FOOTE: I will try and let people go
16 home quicker.

17 HEARING OFFICER: Okay. Thank you.

18 Mr. Foote passes.

19 Allan Grosboll?

20 (Whereupon Allan Grosboll was duly sworn.)

21 MR. GROSBOLL: So I think I know this county
22 well, and I think I know why you are here. I mean,
23 just to tell you, there are no door prizes, so
24 don't check below your chairs.

1 So earlier tonight people were talking a
2 little bit about this process. I just want to make
3 an observation that I actually think tonight is one
4 of the great representations of democracy that we
5 are all going to get a chance to participate in.

6 People have come to talk about what they
7 want to do in terms of business. Others have had
8 an opportunity to express their concerns to me.
9 That is what democracy is about. It's been a very
10 civil conversation, and for the most part it's been
11 respectful. So I think we should all feel very
12 good about that.

13 So my concerns are that as we have gone
14 through the evening, there have been a lot of
15 concerns that have been raised, and I'm going to
16 just read a couple things so it will go quicker.

17 My concern is that we have talked a little
18 bit about people's worries about streams and
19 waterways, but we have heard very little tonight
20 about baseline water testing, what we are going to
21 do for ongoing water testing, how it is going to be
22 monitored, who would pay for it, and if there are
23 problems who is going to fix it and how it would be
24 fixed. I think people have a right to ask those

1 types of questions about water supplies in their
2 area.

3 We have heard almost nothing tonight about
4 baseline testing of underground or of ground water,
5 ongoing testing and, again, the question of who is
6 going to pay for it and what happens if there is
7 contamination.

8 Again, I think it is fair for people to ask
9 for that to be discussed and for people to get
10 assurances in terms of how that will be handled.

11 We have heard a little tonight about the
12 issue of water quantity in terms of, again, what
13 happens if people who do live nearby begin to see
14 their wells going dry sooner than they otherwise
15 would have or maybe have never seen it happen.

16 Again, it seems to me people need to have
17 assurances in terms of what would happen if they do
18 experience that.

19 There has been some assurance, but I don't
20 know there's been enough assurance for people who
21 are worried about their own personal health or the
22 health of children and seniors, people with asthma
23 and other issues. It seems to me that's a fair
24 issue for people to ask. Regardless how we feel

1 about this topic, it seems we need to address that,
2 and we need to address the issue what about people
3 that have particular health issues that are nearby
4 the facility or nearby fields.

5 I can go on with a list of other things like
6 that. All of those, I think, are fair issues. It
7 is fair for people, it is justifiable for people to
8 express concerns. It is not a monster in a closet,
9 it is things that people are concerned about.

10 So let me conclude by just simply saying
11 this: I think it would be appropriate for the
12 Department to at least hold this up for the purpose
13 of getting the developers to sit down with local
14 citizens, local elected officials and walk through
15 some of these issues and to talk about what
16 assurances can be provided, how we will respond to
17 this, how we will set up monitoring issues, et
18 cetera.

19 These problems, I realize that we are not
20 going to be able to say 100% certain that these
21 things are going to happen just as those proponents
22 can't say 100% they will never happen. But it
23 seems to me it is reasonable for people to sit down
24 and try to walk through these and to see, in fact,

1 maybe there is more agreement than we realize or if
2 certain assurances can made.

3 So my suggestion is we hold this until
4 people can sit down and try to walk through some of
5 this. Thank you.

6 HEARING OFFICER: Are there questions for
7 this witness? Ms. Frost?

8 MS. FROST: Rachel frost. Allan, a couple
9 of questions for you. Have you visited any of
10 these operations?

11 MR. GROSBOLL: I have been to several of
12 them, and I have been inside a couple. I was in
13 Tommy's years ago.

14 MS. FROST: Recently?

15 MR. GROSBOLL: Not of late. Same situation,
16 I was also invited to participate in a recent tour
17 that was cancelled. I was going to be in Chicago
18 and couldn't make it, but I was invited, and I'd go
19 if I had that opportunity.

20 As I mentioned, I have been in them before.
21 My cousin, Tom, as you know had an operation. The
22 family name has never been the same since but, you,
23 know --

24 MS. FROST: How long ago was that?

1 MR. GROSBOLL: Oh, Tommy's was several years
2 ago.

3 MS. FROST: So several as in?

4 MR. GROSBOLL: I don't know, Rachel. It is
5 late. I don't know how many years ago it.

6 MS. FROST: About 20? And then another
7 question.

8 MR. GROSBOLL: I didn't say that.

9 MS. FROST: What?

10 MR. GROSBOLL: I didn't say that.

11 MS. FROST: I was just asking for
12 clarification.

13 MR. GROSBOLL: It's several years ago. I
14 don't know how many.

15 MS. FROST: Okay. Thank you.

16 MR. GROSBOLL: If it is important, call Tom.

17 MS. FROST: Okay. And then another
18 question. Growing up you visited Oasis and Brauer
19 Pork at points in time, and, for instance, when
20 they had the, you know, hog roast, did the odors
21 offend the people who were present?

22 MR. GROSBOLL: Not generally, but I think
23 those snapshots, those moments are not necessarily
24 a reflection of the year-long cycle of the

1 operations, and I know there were odors at times
2 associated with that.

3 MS. FROST: All right. How close proximity
4 were those gatherings?

5 MR. GROSBOLL: I have no idea at this stage.

6 MS. FROST: Thank you.

7 MR. GROSBOLL: It is years ago.

8 HEARING OFFICER: Other questions? I see
9 none. Thank you very much.

10 MR. GROSBOLL: Thank you.

11 HEARING OFFICER: Nick Anderson?

12 MR. ANDERSON: Nick Anderson,
13 A-N-D-E-R-S-O-N.

14 (Whereupon Nick Anderson was duly sworn.)

15 MR. ANDERSON: Thanks. I realize it is a
16 late hour. I want to thank the Board. This is one
17 of the first times I have seen the Board stick
18 around for this long a meeting, and I'm not sure
19 they knew what they got into when they wanted to
20 have this meeting. But I think it has been
21 beneficial for a lot of us to understand the
22 community's concerns, and I know it is contentious
23 at times.

24 Really what our goal is -- and I work with

1 the livestock industry in the State of Illinois.

2 Our goal is to grow the livestock industry and live
3 in communities that we have always lived in. And I
4 realize operations are going to change. We really
5 want to talk about honest, truthful information.

6 I think we clarified the statement about
7 expansion, and I hope we reflect it in the Menard
8 citizen groups' pages that expansion does take a
9 process.

10 There was also a point about water usage,
11 and I'm not here to pick on anybody about it, but
12 in Petersburg, Illinois there is 300,000 gallons
13 water used every day in the City of Petersburg. It
14 also returns back to their sewer system of over
15 200,000 gallons of untreated waste, and they surely
16 do treat it. But they don't check for antibiotics,
17 my diabetic pills, my cancer pills, my Alzheimer's
18 pills. They test for BOD and chloride.

19 And by the way, the City of Petersburg had
20 61 EPA violations in their water and waste water
21 treatments. The City of Tallula had 38. I
22 understand that happens. They also have permits to
23 discharge raw effluent. Not that they want to or
24 intend to, but they have clay-lined lagoons.

1 So I want people to understand that waste
2 management -- and that's just liquid waste. There
3 is a lot of solid waste out there and there is
4 waste as we go to town and work and storm water
5 waste from the streets and cities that have no
6 control that go into our rivers and streams, and
7 that's why the Sangamon river is impaired and maybe
8 the creek is with different chemicals. It is a
9 part of human nature that that happens.

10 Our goal in the pork industry and livestock
11 industry is to do our best to resolve that, and
12 there is enforcement. EPA can come on your farm
13 any day they like to. If there are violations,
14 there are strong penalties. If there are not
15 enough, my guess is that can be changed to make
16 that fit the law.

17 And there is conformance. If you fix that
18 problem and correct it and do it the right way, you
19 can continue your business and put those safeguards
20 in so those things don't happen.

21 If something should happen at Grigsby's,
22 without communication we can't resolve those
23 problems, whether they need more trees or they need
24 to do something different or I did smell it.

1 And I realize the Franks, whether she heard
2 a complaint or not, if she didn't hear a complaint
3 she is honest about it. Somebody was being
4 dishonest to her about those issues that might
5 surround their farm.

6 But when you drive by and through their
7 barnyard, it is a much different scenario than five
8 miles from town. In my experience in the livestock
9 industry and my whole life, five miles is a long
10 way.

11 I hope I can answer some questions that
12 educate you about issues and topics that are out
13 there. I would be happy to do that. I have become
14 villainized. I will take that role out here.
15 Somebody has got to be a bad guy. But we want to
16 take those answers and address those answers, and
17 like John Foote said, I mean, John is a
18 compassionate, good guy. He wants to know answers,
19 and sometimes when somebody opposes for the wrong
20 reasons, he still is in that group, and his good
21 intentions have to be compared to other folks that
22 might not see it the same way he does. I hope that
23 doesn't happen in this group, but we are genuinely
24 concerned to try and work with the community. I

1 will open it for questions.

2 HEARING OFFICER: Are there questions for
3 this witness? Ms. Hall?

4 MS. HALL: You are saying the livestock
5 industry is not opposed to more EPA oversight such
6 as a proactive permitting and monitoring and
7 testing process?

8 MR. ANDERSON: If it is -- I would put it
9 this way. If the EPA is going to impose so there
10 is violation and penalties involved, they have had
11 free range to do that in the past. If society
12 thinks there should be larger penalties, whatever
13 it might be, if they're reasonable and that becomes
14 another debate in another forum --

15 MS. HALL: My question was proactive
16 permitting and monitoring. Does the livestock
17 industry support that?

18 MR. ANDERSON: Monitoring odor, water,
19 which?

20 MS. HALL: Anything. Any environmental
21 concern.

22 MR. ANDERSON: EPA does that now. EPA takes
23 odor tests, take water test. When they come out
24 they take water samples on the farm.

1 MS. HALL: At facilities like these they do?

2 MR. ANDERSON: Sure. They can go walk out
3 there every day. They take those samples. It can
4 be driven by complaints, it can be driven by a
5 schedule that says we are visiting these farms.

6 You can ask any EPA inspector out there.
7 They are going to address complaints like the law
8 says, and they have a list.

9 MS. HALL: I'm not talking about complaints.

10 MR. ANDERSON: Let's talk about regular
11 scheduled visits.

12 MS. HALL: Why has the livestock industry
13 continued to vehemently oppose any activity that
14 EPA can do proactively to monitor before and during
15 rather than wait for a disaster?

16 MR. ANDERSON: That's a misstatement. We
17 have conferences.

18 MS. HALL: That's not misstatement, that is
19 law, that's practice.

20 MR. ANDERSON: Of the livestock industry?
21 The practice of what?

22 Our goal with EPA sits down and talks about
23 rules and regulations, how we are going to
24 implement, how inspectors are going come onto the

1 farms and monitor and look at those issues.

2 MS. HALL: Has the livestock industry ever
3 opposed proactive monitoring?

4 MR. ANDERSON: You have to be a little more
5 decisive on what that entails. That might be
6 another topic. Let's talk about that somewhere
7 else.

8 MS. HALL: It is my understanding that in
9 various efforts to bring some oversight to it, that
10 the livestock industry has been vehemently opposed.
11 is that not true?

12 MR. ANDERSON: Not, not on unreasonable
13 requests. If they are unreasonable it does become
14 that.

15 Now, if you want to have a definition and
16 debate about that we can sure do that. Let's not
17 take up these folks' time.

18 MS. HALL: For example, no permitting
19 process in advance for CAFO's. That's why EPA does
20 not have documentation on several hundred large
21 CAFO's in Illinois. So --

22 MR. ANDERSON: Let me make this statement.
23 This past year there has been 150 of Notices of
24 Intent to Construct. Ag's requirement, as they go

1 through the application process, EPA is notified of
2 those. They have those on a list.

3 By the way, in the last 17 years there's
4 been 1250 what you deem CAFO's, factory farms,
5 whatever your definition is, that have gone through
6 the LMFA. This past year there might have been
7 three or four contentious. But I tell you what;
8 140 of them went in with the neighbors okay with
9 it. We are growing the livestock industry. EPA is
10 aware of all those numbers. EPA knows where all
11 those are.

12 MS. HALL: They are aware what happened
13 since 1996, yes, but would you not agree that as
14 required under the Federal Clean Water Act, they
15 have not gone out and identified hundreds of large
16 facilities that were constructed before the LMFA?

17 MR. ANDERSON: Are you talking about USEPA
18 or Illinois? There are regulatory bodies there.

19 MS. HALL: Illinois EPA.

20 MR. ANDERSON: And have not found large --

21 MS. HALL: There was a reference earlier to
22 the agreement between the Illinois EPA and USEPA to
23 catalogue these CAFO's by 2016.

24 MR. ANDERSON: Large CAFO's or all?

1 MS. HALL: Large CAFO's.

2 MR. ANDERSON: Okay. Actually that was in
3 the talks. That's already in the process.

4 The thing is when you call it a CAFO, is it
5 small -- what is the definition of small -- medium,
6 or large?

7 MS. HALL: The bottom line is there has not
8 been an embracing of having greater oversight.

9 MR. ANDERSON: I don't know anybody embraces
10 the EPA in general, but those laws are being
11 enforced now. They have every site that the
12 Department of Agriculture ever approved, the EPA
13 has it on their desk.

14 MS. HALL: Since '96.

15 HEARING OFFICER: I think we need to move
16 on. Another question? Go ahead, state your name.

17 MS. REYNOLDS: Priscilla Reynolds. Sorry.
18 Do you have any idea how many EPA inspectors there
19 are for livestock facilities?

20 MR. ANDERSON: They are broken up into
21 regions, and they, the USEPA settlement said they
22 have to hire more people. That's taken place in
23 the last couple of years. So each region is going
24 to have, I don't know, somebody throw a flag up,

1 10, 15 that are out there.

2 MS. REYNOLDS: In the whole state?

3 MR. ANDERSON: Let me put it this way. So
4 there are field people, and then there is another
5 system of people behind that, that do letters,
6 inspections, compliance issues. I don't know,
7 that's pretty --

8 MS. REYNOLDS: You don't know how many
9 actually go to farms and inspect?

10 MR. ANDERSON: There is probably 10 to 15 in
11 the marketplace for that.

12 MS. REYNOLDS: In the whole state?

13 MR. ANDERSON: They also share sometimes
14 responsibility that somebody else is doing
15 industrial inspection or gas stations. That
16 doesn't happen a lot, but they try to spread the
17 labor or somebody fills in. You know, that is
18 probably the number.

19 HEARING OFFICER: Another question?
20 Mr. Grosboll?

21 MR. GROSBOLL: Mr. Anderson, you talked a
22 lot tonight about honesty.

23 MR. ANDERSON: Yep.

24 MR. GROSBOLL: So when this meeting began

1 there were people here that had a lot of questions.

2 A lot of local people needed to know things?

3 MR. ANDERSON: Yep.

4 MR. GROSBOLL: You must have asked 20
5 questions tonight. Most people, particularly when
6 you started, just assumed you were a citizen with
7 innocent questions. You never identified who you
8 were.

9 MR. ANDERSON: Sure.

10 MR. GROSBOLL: Most people who sat here are
11 now gone and have no idea you work for the
12 industry. I even said to you, you should identify
13 yourself.

14 Why did you not identify yourself and
15 instead quietly kept submitting nice questions to
16 various folks to get --

17 MR. ANDERSON: I'm a citizen of Illinois. I
18 live in Sangamon County.

19 HEARING OFFICER: Just a second. Let's have
20 one question at a time.

21 MR. GROSBOLL: I asked you a simple
22 question. You talked about honesty. Why didn't
23 you identify who you are?

24 MR. ANDERSON: I don't know that it was

1 necessary. My identified my name was Nick
2 Anderson. I don't work for the Illinois
3 Environmental Agency or the group that you work
4 for. I understand you're a citizen here, but the
5 legislation that's going to be changed in the
6 marketplace is your champion.

7 Does everybody know that you have that
8 champion behind you?

9 MR. GROSBOLL: Do you not understand that
10 that comes across --

11 MR. ANDERSON: I have never hidden my
12 identity from anybody at any meeting. My intention
13 was not to hide.

14 MR. GROSBOLL: Every person that has left
15 this room had no idea who you were.

16 MR. ANDERSON: It is funny because when I
17 look at the Facebook page Molly had, Nick Anderson
18 is plastered all over. I think they know who I am.

19 MR. GROSBOLL: Most people who came tonight
20 do not.

21 MR. ANDERSON: I apologize.

22 HEARING OFFICER: Let's move on. Is there
23 another question? Yes?

24 MS. CLANIN: Debbie Clanin, C-L-A-N-I-N. Do

1 you live near a hog factory, Nick?

2 MR. ANDERSON: Give me the definition of
3 factory.

4 MS. CLANIN: Do you live near a hog farm?

5 MR. ANDERSON: Tell me what near is. I live
6 within five miles like this location of a hog farm.
7 I actually live four miles from a dairy, and I grew
8 up on a hog farm in northern Illinois, about 2400
9 head my dad and my brother owned. I lived there my
10 whole life.

11 The largest dairy in Illinois is about 3600
12 cows, and neighbors were upset back about the year
13 2000, and they filed lawsuits against that
14 dairyman. That dairyman built a new house and the
15 very neighbor that lived on the quarter section
16 built a brand new house, and he was involved in the
17 lawsuit. It astonishes me a guy so vehemently to
18 sue somebody would go back and build a brand new
19 house in the same location.

20 I have got another place in McLean County,
21 same thing, a hog farm, and the property values
22 have skyrocketed. I can't say that there is not
23 depreciation or escalation, but there is give and
24 take, and all has to do with best management, how

1 the farm is run, how it is perceived and how
2 somebody takes care their house. And if they
3 invest in it, the house is going to retain its
4 value over the retail market like I did in my rural
5 community.

6 My assessments have gone up the 22 years
7 that I have lived there. I live five miles from a
8 hog farm and four miles from a dairy. I've always
9 continued to escalate my property value and taxes.

10 MS. CLANIN: I asked you the same question
11 almost a year ago at the Lacon county courthouse
12 and you told me no, but I have relatives that
13 live --

14 MR. ANDERSON: Well, the reason I added that
15 addition was because at that meeting the setbacks
16 that were being discussed were a mile and a half
17 and a mile, and I don't live a mile from a farm or
18 mile and a half, but I do live within five miles
19 and four miles. So it appropriate for this setting
20 and this farm.

21 HEARING OFFICER: Another question? Yes,
22 ma'am.

23 MS. CHALCRAFT: Valerie Chalcraft. In the
24 spirit of turning the light on in the closet,

1 there's been some questions about who has visited
2 what facility.

3 Could those of us who are concerned visit a
4 large scale CAFO?

5 MR. ANDERSON: Well, from the industry side
6 of things I can sure try to do to that in
7 association with pork producers if there are some
8 people that would like to take that visit. From --
9 I can't speak for the Maschhoffs, and that sure is
10 something to be taken up with them.

11 It becomes a little disingenuous to me that
12 some people had some interest in that, and that
13 invitation was provided to them and by the way, all
14 of a sudden Molly is on the trip. She wasn't
15 invited, and whether it is through association or
16 not, but that's not the way the rules were.
17 Actually the weather and circumstances behind that
18 farm changed. That is why that invitation got
19 cancelled.

20 But my guess is that can be opened up in the
21 future, and we can look at setbacks five miles
22 away, four miles away, three miles away. I think
23 it would be very educational.

24 MS. CHALCRAFT: So we follow-up with you on

1 that?

2 MR. ANDERSON: Either me or Tim Maiers here
3 with the pork producers. My hope is the Maschhoffs
4 would like a visit about that, too, if it is
5 appropriate.

6 MS. CHALCRAFT: Thank you.

7 HEARING OFFICER: Sir on the outside.

8 MR. KININGHAM: Ben Kinningham. A simple
9 question. Mrs. Maschhoff was in Congress pushing
10 for federal EPA -- it is getting late -- water and
11 air regulations. They want less stringent air and
12 water regulations, and yet our concerns here in
13 Menard County tonight are about that issue. Your
14 position?

15 MR. ANDERSON: Well, I can't speak to what
16 she testified to. I was unaware.

17 MR. KININGHAM: I am talking about you.

18 MR. ANDERSON: We do not want increased air
19 emissions and quality. We think what exists there,
20 the limits that are there today and the standards
21 that are there are very capable of doing that.

22 The challenge is all of you folks have heard
23 about farmers, small farmers and big farmers.
24 Regulation in any form or shape is going to hurt

1 the smallest farmer in the production system that
2 we live in before it hurts the big ones, and the
3 big ones can spread the cost out over those added
4 costs. Eventually, even though the farm pays for
5 that, in the end the consumer pays for that cost of
6 food or whatever it might be.

7 It is bigger than Menard County. I said at
8 the last meeting that people couldn't make it to --
9 and I identified myself at those meetings also when
10 I got up to speak -- the challenges, I think it is
11 pretty neat Menard County can be a part of feeding
12 the world in pork. They have done it in the past.

13 If you think about George Brauer and
14 confinement operation, it can happen here, and it
15 can happen co-existing with what goes on. Nothing
16 new.

17 Actually our technology, application, our
18 science management is much better. We are in a
19 much better spot to raise hogs. This is the same
20 reason George Brauer brought them in. We were
21 tearing up the environment outside with that many
22 pigs. They were susceptible to rain, and pig care
23 became a challenge. That's why we brought them
24 inside. He is one of the original inventors of the

1 barns along with, by the way, Wayne Maschhoff that
2 started on a small farm with his farmer in southern
3 Illinois as a family farm.

4 MR. KININGHAM: Thanks.

5 HEARING OFFICER: Mr. Grosboll?

6 MR. GROSBOLL: I don't know if it is for
7 Mr. Anderson or who. There is still an issue
8 hanging over where some people think there is
9 clarity, and there may not be. This is the issue
10 of when expansion occurs, what process has -- do we
11 have to go through.

12 It is my understanding, and I knew this
13 before tonight, there is part of a permitting
14 process that has to go on, but it is also my
15 understanding -- and again, correct me if I am
16 wrong -- that the process of going back through the
17 county does not reoccur.

18 MR. ANDERSON: To make things fair, I think
19 I know that well enough to speak to it.

20 MR. GROSBOLL: Yeah.

21 MR. ANDERSON: It is the same discussion
22 that the communities of science and environment
23 went through back in '96 when this law came up.
24 The same debates happened.

1 So the expansion law is that I can grow my
2 farm by 50% of capital investment every two years,
3 and the Department of Agriculture sets that
4 anniversary date by the application or whatever
5 that process is.

6 MR. GROSBOLL: I need to stop you. I
7 totally understand that. I have asked a simple
8 question.

9 MR. ANDERSON: They do not notify the County
10 Board.

11 MR. GROSBOLL: You said that we were all
12 wrong about this. I think you are missing the
13 point many of us have tried to make which is isn't
14 it true that that expansion occurs whether it is
15 one expansion, two, three, five expansions, that it
16 does not go back to the county? That's a yes or
17 no. Am I correct on that?

18 MR. ANDERSON: Let me --

19 MR. GROSBOLL: Am I correct on that?

20 MR. ANDERSON: For that, the way you stated
21 that, yes, you are correct.

22 MR. GROSBOLL: That's all I'm saying. So on
23 that point our group was not misinformed that that
24 process -- I guess the question I would have is I

1 totally get that a business needs to have the
2 ability to grow and increase its size. That's a
3 reasonable thing.

4 But it does seem to me that when large
5 issues of siting occur, there ought to be some way
6 which something rises so large that it is
7 rereviewed or at least some element. As of right
8 now 9,000 could be 16 or 15 and eventually it could
9 75 or 100 or 200.

10 MR. ANDERSON: Let me make this statement to
11 try and address that question so you have a better
12 understanding. But I would like to clarify and I
13 pulled this off the web site that the Clean Air Act
14 or Menard County folks had.

15 Once approved CAFO's may legally expand in
16 size by 50% every two years with no public notice
17 or consultation.

18 What that means, consultation, the
19 Department of Agriculture is notified. That's a
20 public notification to them.

21 MR. GROSBOLL: Is Menard County --

22 HEARING OFFICER: One, one --

23 MR. GROSBOLL: Let me finish the question I
24 started to ask. He is answering something I didn't

1 ask.

2 MR. ANDERSON: I'm referring -- I answered
3 that question and I am explaining that they, the
4 farm notifies them of expansion. It goes on their
5 public web site of every expansion whether it is
6 any hog farm or livestock farm that's new,
7 expanded. It is all listed there whether it is --
8 sometimes I'd like to see it updated less or more,
9 but that goes on that site, and that information is
10 public information. As soon as it goes to the
11 Department, that no longer is the ownership of the
12 farm.

13 So that is a public notification, and that
14 law says that I can expand 50% of my capital
15 expenditure every two years as long as I build
16 closer to me than I do to my nearest neighbor, and
17 the reason back in '96 when that came in was
18 because it was a compromise between reverse
19 setbacks because somebody in the country can move
20 out there and build next to me and cause a
21 nuisance, and I can't control that.

22 So that's the answer to that, that I can
23 grow without somebody beating me up.

24 MR. GROSBOLL: I get it, and the only

1 thing --

2 MR. ANDERSON: I was doing that for the
3 benefit --

4 HEARING OFFICER: We need to move on. We
5 need to move on. We still have four people that
6 need to testify.

7 MR. ANDERSON: To answer that other complete
8 -- the issue we'd like to -- it makes no sense to
9 grow a farm immeasurably if you can't utilize the
10 resources.

11 So it is better off if I build 1,000 head
12 here and I have the property on to do it. If I
13 have to pump that further, haul it further, I am
14 better off to go another two miles away and put in
15 another 1,000 head and utilize my labor.

16 That's why farms don't grow exponentially
17 because there is not enough input ground, and a
18 farmer might want to keep the inputs for him or he
19 has to find another location because we have got to
20 meet the standards of the act. You just can't
21 sequentially grow and grow. It is not going to
22 make business sense.

23 HEARING OFFICER: Okay. We need to move on
24 here. Next up, Margaret Stier Santos.

1 MS. STIER SANTOS: Margaret Stier Santos,
2 S-T-I-E-R S-A-N-T-O-S.

3 (Whereupon Margaret Stier Santos was duly sworn.)

4 MS. STIER SANTOS: I have to say whenever
5 this came up I was greatly concerned.

6 HEARING OFFICER: Could you use the
7 microphone?

8 MS. STIER SANTOS: Oh, I am sorry. I have
9 to say I was greatly concerned when this issue came
10 up, and I think the saddest part is how I seen it
11 divide our community. I have seen friends that
12 have always been friends hardly speaking to each
13 other, and I hope that doesn't continue.

14 I hope we can find a medium, and we can have
15 this where we can come and learn and we can
16 question. I think we do have concerns about our
17 community.

18 Menard County is a very special place
19 whether it is to the Maschhoffs, the Grigsbys or
20 our family. We all live here together, and yes, we
21 do have concerns. There's been criteria 2
22 mentioned, criteria 7 mentioned criteria 8
23 mentioned.

24 I think with criteria 5, addressing whether

1 the owner or operator has submitted plans for
2 operation that minimizes the likelihood of any
3 environmental damage to the surrounding area of
4 spills, run-off and leaching, I think we have
5 concerns, and I don't think that anybody can say we
6 don't.

7 I'm sure even hog farmers have concerns.
8 They have concerns about their hogs, they have
9 concerns about their business, and they have
10 concerns about the community that they live in.

11 We are no different. We have concerns, and
12 we have come here to question to learn and to be
13 better citizens for our community.

14 The developers cannot certify that a spill
15 or a leakage will never contaminate our rivers, our
16 streams, our community. They cannot assert with
17 100% assurance that the land values will be
18 maintained and protected. No one can.

19 Further, they cannot guarantee with absolute
20 certainty that the odor, the water run-off, the air
21 pollution associated with an industrial livestock
22 operation will never marr or degrade the county's
23 beauty, its assets, cultural heritage, its
24 recreational attractiveness.

1 I think all of our goals here is to make our
2 community special, safe and a place we can be proud
3 to call home.

4 I thank you for your attention. I hope we
5 all can find a spot where we can come to an
6 agreement, but for now I must say that I would ask
7 the County to vote no. I think we do need more
8 information. I think we do need those talks. I
9 think we do need to sit down and find that middle
10 ground. So I thank you for your time.

11 HEARING OFFICER: Are there questions for
12 this witness?

13 MS. HALL: Are you familiar with
14 agriculture?

15 MS. STIER SANTOS: Yes, I was raised on a
16 farm. I'm still very involved.

17 MS. HALL: Is that a multi-generational
18 farm?

19 MS. STIER SANTOS: Yes, I live on -- my
20 parents live on a centennial farm. I have moved
21 back to be even closer. I had moved to Springfield
22 for a short time.

23 MS. HALL: Are you aware of other farmers in
24 Menard County that are long-term multi-generational

1 family farmers who are concerned about this
2 proposed facility?

3 MS. STIER SANTOS: Yes.

4 HEARING OFFICER: Are there other questions?
5 Yes?

6 MR. KININGHAM: Ben Kiningham. Based on
7 your research, are there large, large hog farms up
8 near the Galena area, we are called the little
9 Galena or downstate Galena?

10 MS. STIER SANTOS: I'm not -- I was -- some
11 of the information that I was given was that some
12 counties have opted now, some county commissioners
13 have voted no. It is my understanding Pike County,
14 Champaign County, McDonough County, Jo Daviess
15 County, those counties had potentially had one of
16 these coming to go them, and for whatever reason
17 they decided not to.

18 MR. KININGHAM: It was Jo Daviess County.

19 MS. STIER SANTOS: I'm not familiar with
20 exactly what county that was.

21 You know, everybody has said it is an uphill
22 battle. Well, agriculture runs in all of our
23 blood. I mean, that's obvious. Look around,
24 folks. We all farm. We all have to get along

1 whether it is raising chickens, raising hogs,
2 raising corn. I think that's what everybody --
3 that should be the goal.

4 You know, we have concerns. You are
5 bringing something into our community we are
6 unfamiliar with. 9,306 hogs, that's a lot of hogs.
7 We are concerned, and I think if you aren't
8 concerned you are not a responsible citizen.

9 You need to stand up and educate yourself
10 and be concerned about what is going on in your
11 community whether it is hogs, whether it is a
12 business coming in, whatever it is. That's being
13 responsible.

14 It is no more different than going to the
15 poll and casting your ballot to vote. That is your
16 responsibility. You are responsible. You are a
17 citizen. Your ancestors sacrificed. They gave up
18 their lives, their fortunes, they gave up
19 everything to come to this country and start a new
20 life.

21 HEARING OFFICER: Are there other questions
22 for this witness? Yes, sir?

23 MR. MEISS: David Meiss. It's been
24 mentioned several times tonight, and I'm actually a

1 pretty nice guy. So if I ask you the question, it
2 would be like I am being a little bit not nice to
3 you as I would like to be.

4 But to ask somebody to guarantee something
5 or to assure them nothing is going to happen, that
6 is like asking you are you going to for sure never
7 have an accident with your car.

8 When they built the railroads, speaking
9 about when they came over, you can't get a railroad
10 to tell you you will never get hit by a train or a
11 train will never derail or if you take your kids to
12 amusement parks.

13 So I guess I just would like to make sure
14 people understand you are asking someone to
15 guarantee something they can't guarantee.

16 MS. STIER SANTOS: But I feel like I am
17 being asked to be -- to accept something
18 wholeheartedly there is never going to be a
19 problem. MR. MEISS: That's the way it is when
20 you go out on the road. You are basically saying
21 -- you are allowing to be out on the road knowing
22 there is a risk and danger. There is not as much
23 risk and danger here as there is driving a car.

24 I am saying you have got to be fair about

1 this, and you can't ask a farmer to guarantee you
2 that something is out there that --

3 MS. STIER SANTOS: I agree, but I think on
4 the other side of it, I feel like I'm being asked
5 to accept 9,306 hogs, that there is never going to
6 be a problem, never going to be a smell, that it is
7 always going to be okay and nothing is ever going
8 to happen, and I have to question that because just
9 like you say, there are going to be things that
10 happen, there are going to be odors, there are
11 going to be spills.

12 I think that's where our concern is, is what
13 happens? What happens if there is a spill? What
14 -- I don't know what I don't know because I don't
15 know I don't know it.

16 I think sometimes that's where we are at is
17 when this first came up, I didn't know what to ask
18 because I didn't know what I didn't know because I
19 didn't know I didn't know it. I didn't know
20 anything about hogs. I know a whole lot more about
21 hogs than I did 30 days ago.

22 So I think you are right. It is -- you
23 can't guarantee anything 100% like I can't accept
24 100% there is never going to be a problem with a

1 barn with 9,306 hogs in it.

2 HEARING OFFICER: One last question. Ms.
3 Hall?

4 MS. HALL: Can you speak to the idea that
5 some risks are risks that we personally take and
6 other risks are risk that are put on us by others
7 and we have no choice in whether or not to accept
8 those risks ourselves?

9 MS. STIER SANTOS: I think that's part of
10 why we are here. I think we are here because this
11 is moving into the community. It was not like we
12 were here and it was already here. I think it is
13 coming into our community, and we are ready to ask
14 some questions.

15 HEARING OFFICER: Okay. Thank you very
16 much. Michael Strickler?

17 MR. STRICKLER: I decline. Thank you. 1:30
18 in the morning.

19 HEARING OFFICER: Yes, you are right. Kathy
20 Martin.

21 MS. MARTIN: Kathy Martin, K-A-T-H-Y
22 M-A-R-T-I-N.

23 (Whereupon Kathy Martin was duly sworn.)

24 MS. MARTIN: Okay. Still the true applicant

1 is not identified and need some sort of proof
2 besides the plat map that shows the land belongs to
3 First National Bank of Springfield Trust to reflect
4 whatever the neighbor said, that the Grigsbys own
5 that land. The plat map was dated 2014.

6 I looked everywhere in the FOIA documents
7 that were presented to the Menard County Citizens
8 for Clean Air and Water, and I could not find any
9 waste calculation. I could finding examples that
10 you are supposed to follow, but I couldn't find the
11 actual waste calculation for this facility.

12 And by the way I am a licensed professional
13 engineer in civil engineering in the State of
14 Oklahoma and New Mexico. I have been looking at
15 CAFO's for 17 years and I in 21 states in the
16 United States. Okay. And probably, I don't, at
17 least 200 hog facilities, okay, of which about less
18 than a dozen here in Illinois.

19 The water source during a drought, somebody
20 said if there was a drought, their secondary water
21 source would be an impoundment. I don't know how
22 you get rainwater in a drought.

23 All right. There was another weird thing
24 that was said, that anaerobic pathogens in the deep

1 pit would not thrive.

2 Well, the pathogens that we are concerned
3 about in manure like Salmonella and Listeria,
4 Campylobacter, those are anaerobic pathogens in the
5 guts of the animals. It comes out in the feces.
6 They like an anaerobic environment.

7 So a deep pit anaerobic environment full of
8 carbon and nitrogen for cell mass growth, they will
9 thrive in there. I don't know what the
10 veterinarian was talking about.

11 The suggestion of using feed additives to
12 lower ammonia and phosphate but not promised.
13 Since 1997 I have heard the industry promise to use
14 phytase. I have never actually seen anybody do it
15 in a permit application, like promise they are
16 going to do it in a permit application.

17 And speaking of that, the presentation that
18 was presented here was not part of any of the FOIA
19 results. So we didn't have a copy of the traffic
20 study.

21 Is that going to be made available before
22 the end of the public comment period? That's my
23 question to Warren who is giving me weird looks.

24 Then, but anyway, just because you say there

1 is things that you can add, I didn't really hear a
2 promise from the Maschhoffs that is what they put
3 if their feed, okay? It is not the Grigsbys that
4 are going to determine the feed, it is the
5 Maschhoffs.

6 Spray irrigation can absolutely occur with
7 deep pits by blending it with fresh water from an
8 irrigation well, and to say otherwise was a little
9 absurd.

10 This facility will generate about a quarter
11 million pounds of nitrogen per year of which 30%
12 will be lost out of the barn due to exhausting the
13 ammonia, okay? Thirty percent. That's 75,000
14 pounds of nitrogen blown into the wind every year.
15 That's not what I call waste management.

16 Then my last question comment, there are
17 biofilters. They're on the market. They are from
18 land grant universities like South Dakota. They do
19 work. The industry just does not want to use them.
20 We do wish they would use them. Like in every
21 technology, the more people who alpha and beta
22 test, the better that technology gets, the cheaper
23 it gets, and everybody can have access to it.
24 That's what we would like to see happen.

1 HEARING OFFICER: Are there questions for
2 this witness? Ms. Frost?

3 MS. FROST: Rachel Frost. A couple
4 questions. When you have visited these large hog
5 operations that you spoke of, what was your
6 capacity?

7 Were you a consulting engineer, were you a
8 design engineer for the people erecting these and
9 putting up these facilities? What was your role in
10 visiting these?

11 MS. MARTIN: Right. I have done permit
12 reviews for 17 years as a consultant for the
13 adjacent landowners in an administrative appeal
14 process, meaning I pretty much act as a third party
15 engineering evaluation of the permit application.
16 I look for technical and regulatory deficiencies
17 and make a report and either submit -- the citizens
18 submit the report to the state and/or I testify in
19 an administrative hearing, and it is all about
20 whether or not the permit application is complete
21 according to the rules and regulation of the state
22 MS. FROST: And have you visited the site
23 where this proposed operation is going to be?
24 MS. MARTIN: I have not visited this site.

1 I don't think I could get access to this site, but
2 I did look at it on all the maps that were
3 provided. And that's all that was provided to the
4 public. No private visits were included in the
5 permit application.

6 These gentlemen are restricted to the
7 information that's in the permit application. All
8 kinds of promises that were made tonight, if they
9 are not in the permit application it is as if they
10 don't exist.

11 HEARING OFFICER: Okay. Other questions?
12 Mr. Maiers?

13 MR. MAIERS: Ms. Martin, you know a lot
14 about manure obviously. Have you ever written a
15 manure management plan? I was just curious if
16 that's something you have ever done.

17 MS. MARTIN: I have not worked for a hog
18 farm ever, but I have made a career for 17 years
19 evaluating hog farms and dairy farms and poultry
20 facilities.

21 MR. MAIERS: Never taken and figured out the
22 nutrient balance and how to apply that?

23 MS. MARTIN: I actually -- sorry, I didn't
24 mean to talk over. He wants to know if I ever have

1 written a nutrient management plan.

2 When I do an engineering review, I take
3 whatever software you used or whatever design
4 factors you use, whether it MidWest Plan Services
5 or the Animal Waste Management Field Handbook or
6 SNAP Plus or some software done by the local
7 extension office, and I plug in numbers into that
8 same exact program and see if I can come up with
9 the same results. That's what engineers do when
10 they go and check other engineers' work.

11 So in that respect I have double-checked
12 many, many, many, many, many nutrient management
13 plans, and I have found errors, mathematical errors
14 in software in Kentucky and other places. It is
15 amazing when somebody is looking for an error, they
16 find it.

17 Now -- but I have never offered services to
18 work for a hog facility, if that answers your
19 question.

20 HEARING OFFICER: Yes, ma'am.

21 MS. WINKELMANN: Carrie Winkelmann. So who
22 are you working for now?

23 MS. MARTIN: I was asked to come here by the
24 Menard County Citizens for Clean Air and Water. I

1 think I said it right.

2 MS. WINKELMANN: You are being paid?

3 MS. MARTIN: I beg your pardon?

4 MS. WINKELMANN: You are being paid for your
5 services?

6 MS. MARTIN: Yes.

7 MS. WINKELMANN: Thank you.

8 HEARING OFFICER: Other questions? Sorry.
9 Ms. Hall?

10 MS. HALL: Is the Menard Citizens for Clean
11 Air and Water group which we are all involved with
12 actually paying for --

13 MS. MARTIN: No, you are not paying for me,
14 no. I have a client that's a non-profit
15 organization that will -- that I'm on a stipend,
16 and I do things for them. I also -- I've been on
17 the road for two weeks. I have worked for other
18 clients as well, and I just happened to have the
19 time to slip in here and review the permit
20 application and give a brief comment.

21 But I usually have a much more complicated
22 report. I apologize. It is just a very, very
23 brief review.

24 Does that make it clear about who paid who?

1 I know you were concerned that I was getting
2 paid, and they did not pay me. Is that clear?

3 HEARING OFFICER: A question way in the
4 back.

5 MR. BROOKE: Ian Brooke, B-R-O-O-K-E. Has
6 there ever been a livestock facility that you have
7 found that met your standards or you approved?

8 MS. MARTIN: The standards that I am looking
9 at are not my standards. They are whatever rules
10 and regulations of the state that I am reviewing it
11 in.

12 So in this case it would be the eight siting
13 criteria and the LMFA for Illinois. If we were in
14 Missouri it would be a completely different review.

15 Like I said, I have worked in 21 states. I
16 would have completely different comments or
17 concerns depending what state I have. Illinois has
18 very little regulation, very little as compared to
19 some. I think Iowa has much less. But you have
20 very little to work with. It is not as easy.

21 Like in Wisconsin they do hundreds of soil
22 borings, they do stormwater run-off, programs that
23 generate -- I don't know, some of my stacks of
24 paper are two or three reams of paper. So actually

1 the stuff to review here is very minimal, and it
2 was very repetitive.

3 MR. BROOKE: My question is have you ever
4 been in favor of a livestock facility?

5 MS. MARTIN: I am not in favor or in favor.
6 I think you are totally misunderstanding what I do
7 for a living. I look for deficiencies in a permit
8 application. If there aren't any deficiencies,
9 then there is no deficiencies. It doesn't matter
10 if I like it or not.

11 For example, if the rule required there to
12 be a map with water wells posted on it, okay. It
13 is not like oh, I love maps with water wells posted
14 on it, that's the rule. So if there is a map in
15 the permit application with water wells posted on
16 it, then it is administratively correct. But if
17 water well is plotted in the wrong place, it is a
18 technical deficiency.

19 Does that make sense?

20 If there is no map with a water well then it
21 is deficiency. It doesn't matter if I like maps
22 with water wells on them, it is whether the rules
23 require it, okay?

24 HEARING OFFICER: Okay. I think we can move

1 on. Good news is we are on the last page. The
2 even better name is there is only one name on that
3 page. Mr. Maiers?

4 MR. MAIERS: Tim Maiers, M-A-I-E-R-S.

5 (Whereupon Tim Maiers was duly sworn.)

6 MR. MAIERS: Well, just as soon be the last
7 speaker, keep it very brief. I appreciate
8 everyone's attention and questions, and I am Tim
9 Maiers. I work for the Illinois Pork Producers
10 Association. I'm very proud to work for the many
11 people that you saw here tonight. I have been very
12 impressed with the people that are involved in the
13 pork industry, and I guess that's why I feel
14 passionate about it. I think that's why you have
15 seen the passion that they have. I realize the
16 folks have passion on the other side of the issue
17 as well, and I appreciate that.

18 I guess the thing I would just like to say
19 is that we talk a lot, about a lot of what-if
20 scenarios and possibilities, and, you know, I think
21 we have talked before we can't guarantee there
22 won't be any problems just as you can't guarantee
23 there will be problems.

24 So I guess what I look at is what do we have

1 to base our decisions on. Like I said, we can find
2 a lot of studies both ways, and we can agree to
3 that, that whatever we want to find we can find out
4 there and have a certain thing.

5 I guess I look at the track record that we
6 have in Illinois for pork industry, you know, the
7 fact that less than 1% of the hog farmers in
8 Illinois have had any problems with EPA, any odor
9 complaints, any water pollution.

10 Does that mean there has not been problems?
11 No, that doesn't. We are not saying there has not
12 but a very small percentage.

13 So I think the people that you have here for
14 this particular facility, the Grigsby family,
15 Randy, the Maschhoffs, are quality people who are
16 concerned and want to do the right thing.

17 And I think it has also been impressive
18 tonight the young people involved in the pork
19 industry that have come up here and testified about
20 their industry and why you say that you might not
21 be attacking them but if you say CAFO's aren't
22 agriculture, CAFO's aren't family farms, those
23 folks are family farms. They are a CAFO, and they
24 feel attacked in what they are doing. Whether it

1 is intentional or not, it comes across.

2 So we have nothing to hide in the pork
3 industry. I think we have been very transparent in
4 taking groups out. We have worked to have Chicago
5 moms out to farms in the Chicago area. There's
6 been interest -- if folks are interested in a tour
7 of a hog farm, by all means we would love to try
8 and coordinate something, and, you know, folks that
9 are wanting to learn and see firsthand, you know,
10 contact me and talk to me afterwards. I would be
11 happy to try to help.

12 Like I said, we want to be open. You know,
13 it does the industry no good, it does Randy, the
14 Maschhoffs no good to have a farm and be a problem
15 for neighbors or for the community. That's not
16 what we want. We don't want that.

17 So as much as we can to work as been
18 mentioned several times together to try to
19 accomplish that, that's our goal because we want to
20 be good neighbors, and we are passionate about what
21 we do. I think you have seen that for the folks
22 here tonight.

23 So with that I will close and take any
24 questions there might be.

1 HEARING OFFICER: Are there questions for
2 this witness? Mr. Kinningham?

3 MR. KINNINGHAM: Ben Kinningham: Will there
4 be a pork shop on a stick at the State Fair?

5 MR. MAIERS: There will be, and there is a
6 good chance it may have come from a CAFO, I'm just
7 saying. I don't know.

8 But a statement was made earlier where the
9 pork is made. I guess I want to clarify. It does
10 not -- only about 26, 27% of our pork in US is
11 exported. China is a percentage of that. It is
12 not the number one export. The rest of that is
13 consumed domestically. So the majority of that
14 production is being consumed here in United States.

15 But yes, that's a good place to come taste
16 some good Illinois pork, you bet.

17 HEARING OFFICER: Ma'am?

18 MS. TREACY: Terri Treacy. Does air
19 temperature affect the odor issue?

20 If there was going to be odor, what
21 temperature would be most prevalent?

22 MR. MAIERS: Sure. It was mentioned before
23 meteorological, you know, air temperature, and
24 yeah, that will have some, will have, will play a

1 factor in that, you bet, yep.

2 MS. TREACY: Which way does it go? Like
3 can you speak to that? What -- in hot weather is
4 it likely to be more odor, cold whether?

5 MR. MAIERS: I guess depends a lot on type
6 of farm and, but I would say probably more chances
7 maybe in the warmer weather, you know, potentially
8 warmer weather could have potentially more odor.

9 But, again, if a farm's being managed
10 properly, I mean, a lot comes to -- you know, we
11 have siting criteria. We go through all of this.
12 But then it's got to be managed right.

13 I guess I look at it as you have some folks
14 here that have done this before. This is not the
15 first time they have done this. They have got a
16 lot of good experience and a lot of good knowledge
17 to know how to operate it in the right way.

18 MS. TREACY: I guess my point is if citizens
19 are going to go on a tour, probably this week isn't
20 a good week really to know what it might be like.

21 I want to establish that maybe we need to
22 think about timing.

23 MR. MAIERS: And like I said, I don't know
24 that's going to play a big factor on where -- if

1 you are looking at by the barn, I mean, typically
2 where you are going to have any odor is right next
3 to the barn anyway. From there it is going to
4 diminish from there. But if you want to wait until
5 summertime to go, then that's --

6 MS. TREACY: Just asking you. You are the
7 expert.

8 HEARING OFFICER: Ms. Smith?

9 MS. SMITH: I had a question earlier I was
10 going to ask Mr. Anderson and we got cut off.
11 I was gong to ask --

12 HEARING OFFICER: Can you speak up, please?

13 MS. SMITH: Yes. I was going to ask earlier
14 when Mr. Anderson was talking, he was saying how, I
15 believe he said the Maschhoffs like some other pork
16 producers, things like that don't want the EPA to
17 have stricter regulations like on air quality and
18 things like that around CAFO's, correct?

19 MR. MAIERS: I think he said that.

20 MS. SMITH: What are their current standards
21 on air quality, do you know, from EPA?

22 MR. MAIERS: As far as air quality for EPA?

23 MS. SMITH: Around CAFO's. Do they regulate
24 that at all?

1 MR. MAIERS: Livestock production cannot
2 cause harm to the environment whether it is water
3 --

4 MS. SMITH: Do they have regulations? Are
5 there like limits on air pollution for CAFO's?

6 MR. MAIERS: On standards, as far as
7 through the USEPA, there are, yes.

8 MS. SMITH: Does Illinois enforce --

9 MR. MAIERS: That would be under the Clean
10 Air Act, so that would have to be enforceable.

11 MS. SMITH: Is there like a limit, like
12 particular a amount that can be in the air?

13 MR. MAIERS: Yes. I don't know what all
14 those limits are.

15 MS. SMITH: I was under the impression
16 agriculture was exempt from that. Like CAFO's,
17 they don't test the air coming out of those to see
18 how much like gases are in there, right?

19 Like if I test the air in my house and a
20 CAFO is next door, like what is EPA going to do?
21 Do they have an amount like if it goes over, then
22 they can go after the CAFO?

23 I didn't think they had established limits.
24 It didn't seem like they wanted stricter

1 regulation, but from what I have looked into it,
2 there are none for air quality. So they are like
3 worried about getting strict, but like right now it
4 is nothing. Anything is stricter than nothing, but
5 it doesn't seem like there really is anything now.
6 So air quality, that kind bothers me like right
7 now.

8 MR. MAIERS: I don't know all the standards
9 on air emissions. Sorry, I can't speak to that
10 specifically on what those.

11 MS. SMITH: Okay.

12 MR. MAIERS: -- are, but I can try to get
13 more information, get it to you, and that would be
14 something that I can definitely find out.

15 MS. SMITH: Nick Anderson knows how to get a
16 hold of me.

17 HEARING OFFICER: Ma'am?

18 MS. STIER SANTOS: Margaret Stier Santos. I
19 just had a question regarding pork production.
20 Some of the articles that I have read are saying
21 more farms are going organic.

22 Have you seen that as a trend in the
23 industry yet, or is that just more or less in the
24 news?

1 MR. MAIERS: I think it is more or less in
2 the news. I mean, I have not -- I don't think -- I
3 have not seen more hog farms becoming organic.

4 I think it was mentioned, you know, an
5 increase in farmers market, some niche markets that
6 some produces may be doing, but as far as more and
7 more organic farms, you know, I don't know. I
8 think that's a niche market that some producers are
9 definitely doing, and that's fine. That's part of
10 the industry as well, too.

11 MS. STIER SANTOS: My follow-up question is
12 like when I go to the grocery store you are seeing
13 more in the stores. So I am just wondering if that
14 was -- you are seeing more organic chicken or more
15 organic products. I was just curious if that was
16 something that the pork producers see coming as
17 maybe a trend.

18 MR. MAIERS: I think it is still a small,
19 very small segment of the amount of pork that we
20 sell. It may be growing, but I would say it is
21 still a small segment of the overall pork that we
22 are selling.

23 So is it growing yes, but I would say it is
24 still a very small, small percentage of the pork we

1 are selling nationwide.

2 MS. STIER SANTOS: Thank you.

3 HEARING OFFICER: Ms. Hall?

4 MS. HALL: Can you speak to the decline in
5 the number of pork producers in Illinois?

6 MR. MAIERS: Sure. I think we can talk
7 about decline of pork producers, beef producers,
8 farmers. It is specific to the pork industry.

9 MS. HALL: Why has that been?

10 MR. MAIERS: Why has that been? A lot of
11 factors. I mean, you get -- you look at one, you
12 know, I think this concerns me the most is just
13 trying to get young people back to the farm, and,
14 you know, I guess it concerns me.

15 We talk a lot about trying, wanting young
16 people to come back to our rural communities, and
17 pork production is something that offers a lot of
18 young people a chance to come back to the farm
19 because they can, as a grain farmer, they can add a
20 building and have that next generation.

21 MS. HALL: I will be more specific. Have we
22 seen a proliferation of the large confinement
23 operations have an impact that served to reduce the
24 number of smaller pork producers?

1 MR. MAIERS: Well, to say that's been
2 attributed to the larger farms, I would say that is
3 not a fair assessment.

4 You mentioned earlier about not many family
5 farms. 97% of the farms in Illinois are still
6 family owned and operated.

7 MS. HALL: I'm talking about the number.

8 MR. MAIERS: Sure, there is fewer. Yes,
9 there is fewer because the costs have went up. It
10 cost more to raise -- you know, those factors have
11 all played a part into, you know, how many people
12 are eligible to invest in farms and keep up with
13 regulations. Regulations have definitely played a
14 part of that. The cost of regulation --

15 MS. HALL: Speaking of regulation, there has
16 been a lot of talk about very minimal EPA reporting
17 spills and environmental advantage.

18 Can you clarify what you are talking about
19 with the number of actions or so on with the
20 Illinois EPA?

21 MR. MAIERS: With the numbers I stated
22 earlier?

23 MS. HALL: Yes.

24 MR. MAIERS: Okay. That came from the 2011

1 Illinois EPA inspection report they put out. That
2 is the most current one they have got on the web
3 site. You can go to the web site and pull it off.
4 That shows exactly what the EPA has found on a
5 yearly basis from any inspections they have done.
6 So, like I said, that's on the web site that you
7 can find.

8 MS. HALL: Okay. You are saying the number
9 of complaints has been very, very low?

10 MR. MAIERS: Yes.

11 MS. HALL: The number of spills has been
12 very, very low?

13 MR. MAIERS: Compared to the total amount of
14 the industry, yes, looking at less than 1% for the
15 number of hog farms in the state.

16 MS. HALL: And isn't it true that there are
17 a number of issues that have been experienced by
18 other communities that haven't always resulted in
19 EPA action or may go unnoticed, unreported?

20 MR. MAIERS: No, no, I have not -- I have
21 never known EPA not to respond to any pollution
22 problem, and they are required -- if they receive a
23 complaint, they are required to respond. So I have
24 not known any instance where EPA has not responded

1 to any kind of problem that's occurring.

2 MS. HALL: Are livestock producers required
3 by law to report any discharge or spill?

4 MR. MAIERS: Any discharge greater than 25
5 gallons they are required to report within 24
6 hours, yes.

7 MS. HALL: And what is a discharge?

8 MR. MAIERS: Any kind of release of manure
9 into the environment.

10 MS. HALL: So if we get a five-inch rain
11 after manure has been applied, that's not
12 considered a discharge?

13 If it causes run-off into streams and rivers
14 and lakes and so on, that's not considered a
15 reportable offense and not considered something
16 that IEPA would come in and investigate and
17 consider a complaint?

18 MR. MAIERS: If it causes water pollution,
19 then yes, the EPA has every right to come in, and
20 if it causes water pollution, EPA's role is to come
21 in and take care that.

22 MS. HALL: It takes complaint process in
23 order for that to happen?

24 MR. MAIERS: Yes, in that situation for a

1 farmer reporting in a five-inch rain scenario,
2 that's correct. That is not something a farmer
3 would report. It is not -- but in this situation
4 they would be injecting manure. That would not be
5 a relevant comparison I would say.

6 MS. HALL: Under the law, while it is stated
7 it will be injected, there is nothing under the law
8 that requires that to be the practice once the
9 operation is up and running; is that not correct?

10 MR. MAIERS: Within residences there is a
11 requirement that must be incorporated or injected.

12 MS. HALL: I'm saying if they say this is
13 how we are going to apply it everywhere, once the
14 operation is up and running is there anything that
15 requires to do that as they stated in the
16 application?

17 MR. MAIERS: There is nothing in the law
18 that requires that, but I would say the economics
19 of that would be to their advantage to do that
20 because they don't want to lose those nutrients.

21 Just as much as you don't want those
22 nutrients in the waters, why do they want to lose
23 those nutrients that are valuable to them they are
24 using as a fertilizer source?

1 So injecting that manure has become standard
2 practice not because it is required by law, because
3 it makes the most sense and makes the most
4 economical sense to do and saves the environment.

5 MS. HALL: I guess what I'm getting at, the
6 law doesn't require practices outlined in the
7 application to be followed once --

8 MR. MAIERS: They are doing it on their own
9 and exceeding standards, yes.

10 MS. HALL: And no one goes in from the
11 Department of Ag to ensure the operation is running
12 the way it is stated in the application?

13 MR. MAIERS: But again, if there are
14 issues, if they cause water pollution, regardless
15 what they do with their manure application, the EPA
16 is involved. It is not that they once they do this
17 permit process they can do whatever they want. If
18 water pollution occurs regardless of the type of
19 system they use, EPA will become involved.

20 HEARING OFFICER: Okay. I have to ask this
21 question. Thank you, Mr. Maiers.

22 Is there anyone else who would like to
23 provide any testimony? And I see none. Thank you.

24 Entered into the record as Exhibit No. 16 is

1 oral testimony sign-in sheets.

2 Entered into the record as Exhibit No. 17 is
3 the attendance sign-in sheet.

4 (Exhibit No. 17 and No. 18
5 entered.)

6 HEARING OFFICER: Are there any closing
7 remarks from the facility?

8 MS. POUND: Good morning. My name is
9 Christy Hale Pound. I'm a member of the Grigsby
10 family.

11 Just a couple things I would like to address
12 after hearing tonight's comments. The Grigsby
13 family does own the property that this hog farm
14 will be situated on. Our family has a long and
15 varied tradition in agriculture including 25 years
16 in Menard and Cass County. So we are not new to
17 this community. It is a tradition that I'm very
18 proud of as family member.

19 We continue to look for ways to grow our
20 family -- to grow our business, grow our farm as
21 our family continues to grow. We would not take on
22 an endeavor that we felt like would jeopardize what
23 our family's previous generation have worked very
24 hard to build.

1 We'd just like to say thank you for
2 everybody coming out tonight, sitting through eight
3 hours of presentation and all of your comments.

4 Thank you.

5 MR. LEKA: Just first I'd like to say
6 Shirley McCombs, if you give me your contact
7 information, I would be sure to notify you as I
8 promised. So make sure that you get that to me.

9 On behalf of the Grigsby family and the
10 Maschhoffs, I want to thank the Department of
11 Agriculture for presiding over these hearings.

12 Again, the Grigsby family initiated this
13 process through a withdrawal and resubmittal. We
14 have come here with a clear conscience that we have
15 a strong proposal that this site is well located
16 within the county.

17 These operations, I know it has been said
18 this is something new to the county, but we have a
19 neighbor to the south of us within three miles or
20 so that's got a similar size site that has been in
21 existence for probably ten years.

22 And it's been said here tonight that the
23 Brauer family has operated a much larger capacity
24 than what we are talking about here for years and

1 kind of on the Menard Cass County line.

2 So we like to come here, to bring people
3 that live this every day, that work in these
4 facilities, that, you know, are obviously good
5 stewards, that believe in what they do, and we,
6 too, feel like we have done a lot of homework.

7 We are going to be -- our facility -- I
8 failed to mention this earlier, but our
9 headquarters are the closest occupied structures to
10 this facility.

11 Ask yourself why would we do this if we
12 truly believed that there was any potential for
13 harming the surrounding environment, exposing
14 ourselves or any of our neighbors or community.

15 Anybody that knows our operation knows that
16 we embrace best management practices, we fully
17 intend with this addition to our operation to
18 embrace all state local regulations. We will
19 attempt to always exceed rather than just meet,
20 and, you know, we appreciate your opinion.

21 We hope everybody came here with an open
22 mind. Certainly we have listened to what you have
23 said, and hopefully you have listened to what we
24 have said.

1 We all know that many issues are divided,
2 you know. We live them every day. Very few issues
3 do you have 100% consensus.

4 So, you know, again, we respect what you
5 have said. Hopefully you have listened to what we
6 say. We feel that this site is very well located.
7 We believe we have partnered with the right
8 industry leader, and I think if we can build this
9 site, most of you will never know it was there once
10 it is there. It will that well ran.

11 So thank you for your time and thank you to
12 the County Board for being here, staying here and
13 listening. We are asking for your support. We
14 hope that regardless of your decision that you will
15 notify us if you decide otherwise than supporting
16 this project of what your reasons for not
17 supporting it are. Thanks to all of you.

18 HEARING OFFICER: Thank you very much for
19 your attendance here tonight. This public
20 information meeting is hereby closed.

21 (Hearing concluded at 2:06 a.m.)

22
23
24

1 CERTIFICATE OF REPORTER

2

3 I, JENNIFER L. CROWE, a Certified

4 Shorthand Reporter within and for the State of

5 Illinois, do hereby certify that proceeding was

6 taken by me to the best of my ability and

7 thereafter reduced to typewriting under my

8 direction; that I am neither counsel for, related

9 to, nor employed by any of the parties to the

10 action in which this proceeding was taken, and

11 further that I am not a relative or employee of any

12 attorney or counsel employed by the parties

13 thereto, nor financially or otherwise interested in

14 the outcome of the action.

15

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18 License No. 084.003786

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