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ILLINOIS DEPARTMENT OF AGRICULTURE

IN RE: PETE CHRISTENSEN SWINE FACILITY

PUBLIC HEARING

December 14, 2011

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ILLINOIS DEPARTMENT OF AGRICULTURE

IN RE: PETE CHRISTENSEN SWINE FACILITY

THE PUBLIC HEARING called for examination pursuant to the provisions of the Illinois Department of Agriculture as they apply to the taking of public hearings, taken before Kathy L. Johnson, C.S.R., a Notary Public in and for the County of Henry, State of Illinois, on December 14, 2011, at the hour of 6:00 p.m., at the Bureau County Metro Center, 837 Park Avenue West, Shoemake Hall, Princeton, Illinois, 61356.

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A P P E A R A N C E S

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1 (Hearing start time: 6:00 p.m.)

2 MR. FRANK: Good evening. On behalf
3 of Jim Larkin, Acting Director of the Illinois
4 Department of Agriculture, we thank you very much
5 for the invitation to come to Bureau County
6 today. My name is Scott Frank. I'm with the
7 Illinois Department of Agriculture, and I'll be
8 serving as the hearing officer for tonight's
9 public informational hearing.

10 Also with me on behalf of the
11 Department of Agriculture are Warren Goetsch,
12 Bureau Chief of Environmental Programs, and Brad
13 Beaver, Manager of the Bureau's Livestock
14 Program.

15 This meeting is being conducted
16 pursuant to Section 12 of the Livestock
17 Management Facilities Act. The informational
18 meeting is being held at the request of the
19 Bureau County Board and is to afford members of
20 the public an opportunity to ask questions and
21 present oral and written testimony regarding the
22 proposed construction of the 992 animal unit
23 swine addition to an existing facility owned by
24 Pete Christensen.

1 My task this evening is to ensure that
2 this meeting is conducted in an orderly fashion,
3 and to ensure that all comments and testimony
4 received are entered into the record.

5 Tonight's meeting is being
6 transcribed, and the transcript of the meeting
7 will be sent to the Bureau County Board as well
8 as used by the Department of Agriculture in
9 making its determination regarding the proposed
10 construction of this swine facility.

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

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

1 After their presentation I will open
2 the meeting to questions. Anyone wishing to ask
3 questions of the facility representatives or the
4 Department of Agriculture will be given an
5 opportunity to do so.

6 During the question and answer session
7 I will ask that you state your name and spell
8 your last name for the court reporter. You then
9 may ask your question.

10 Depending upon the number of people
11 who wish to testify in the oral testimony phase
12 of the meeting, which is right after the question
13 phase, there may be a time limit placed on this
14 questioning phase.

15 Following the question and answer
16 session I will ask for oral testimony from the
17 public. Sign-in sheets were placed in the back
18 of the room as you came in, one sheet for
19 attendance and a second sheet for testimony.

20 People who wish to provide comments during this
21 oral testimony phase are asked to sign the oral
22 testimony sheet.

23 People providing oral comments will be
24 sworn in and will be subject to questioning from

1 the public. At that time each person will be
2 given three to five minutes to provide his or her
3 comments. Legal counsel speaking on behalf of
4 multiple clients will be given six to 10 minutes
5 to provide comment and will be asked to state the
6 names of those persons on whose behalf he or she
7 is speaking.

8 Depending upon the number of
9 individuals wishing to provide comment, the
10 aforementioned time limits may need to be
11 adjusted to ensure that the meeting ends at a
12 reasonable time.

13 Following the oral testimony I will
14 ask for written testimony. Written testimony
15 will be accepted in paper form and will be
16 entered into the record for this proceeding. The
17 meeting will then conclude with closing comments
18 from the Facility and from the Department.

19 To summarize the procedure tonight, we
20 will have comments from the Department, comments
21 from the Facility, questions directed to the
22 Department and the Facility, oral testimony,
23 written testimony, and then finally closing
24 comments.

1 Again, we very much appreciate your
2 hospitality in inviting us here tonight to
3 consider the proposed construction of the Peter
4 Christensen swine facility. Please remember to
5 confine your comments and questions to that
6 subject as we continue. I will now turn the
7 proceedings over to Warren Goetsch for remarks
8 from the Illinois Department of Agriculture.

9 MR. GOETSCH: Thank you, Mr. Frank.
10 Good evening. Again, my name is Warren Goetsch.
11 I currently serve as the Bureau Chief of
12 Environmental Programs at the Illinois Department
13 of Agriculture. One of our responsibilities at
14 the Department is the administration of the
15 Livestock Management Facilities Act.

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

23 The Livestock Management Facilities
24 Act was originally passed and became law on

1 May 21st of 1996. Since that time the Act has
2 been amended three times; first during the
3 General Assembly's 1997 fall veto session.
4 Second, during the General Assembly's 1999 spring
5 session. And most recently during the 2007
6 spring session of the General Assembly.

7 The Act could be generally described
8 as covering five major areas, those being
9 facility design standards, waste management
10 planning, facility operator training and testing,
11 anaerobic lagoon financial responsibility
12 demonstrations, and facility setback
13 requirements.

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

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

1 these requirements to the livestock industry in
2 this state.

3 Now, regarding the current status of
4 this project, the Department received a formal
5 notice of Intent to Construct application for the
6 proposed construction of the swine facility
7 expansion on October 14th of 2011. The proposed
8 expansion project is to consist of one 72 feet by
9 280 foot swine finishing building, with a ten
10 foot deep concrete under-building livestock waste
11 handling construction.

12 The project is proposed to be located
13 approximately 4.5 miles northeast of Mineral,
14 Illinois. The application was submitted by
15 Maurer-Stutz, Incorporated on behalf of Mr. N.P.
16 Christensen, Pete Christensen Swine. The maximum
17 design capacity of the proposed facility
18 expansion is 992 animal units, or 2480 head of
19 swine greater than 55 pounds. The total maximum
20 design capacity for the overall facility would
21 then be 1,192 animal units.

22 As I mentioned earlier, the Department
23 received the Notice of Intent to Construct
24 application on October 14th and reviewed it for

1 compliance with the applicable provisions of the
2 Act. On November 9th the Department determined
3 that the notice was complete, forwarded a copy of
4 the completed application to the Bureau County
5 Board, and caused notice of that application to
6 be published in the appropriate newspapers.

7 The design capacity of the proposed
8 facility requires compliance with the residential
9 setback distance of not less than 1320 feet, and
10 a populated area setback distance of not less
11 than 2640 feet.

12 On November 28th the Department
13 received notice from the Bureau County Board
14 requesting that a public informational meeting be
15 scheduled regarding the proposal. After further
16 consultation with the County Board the Department
17 scheduled this meeting and caused notice of the
18 meeting to be published in the appropriate
19 newspapers.

20 An additional requirement of the
21 Livestock Management Facilities Act deals with
22 the design and construction plans of the
23 livestock waste handling facility. At this time
24 the Department has not received a formal

1 submittal of detailed engineering design plans
2 and specifications for the proposed project
3 under-building livestock waste handling facility.

4 Upon receipt, the Department will make
5 a detailed review of those plans to determine
6 compliance with the statutory requirements. We
7 are here this evening to receive testimony
8 regarding the proposed construction of the
9 livestock management facility and its compliance
10 with the eight siting criteria as defined in
11 Section 12, paragraph D, of the Livestock
12 Management Facilities Act.

13 In general, information about the
14 proposed addition's impact on waste management
15 planning, potential impact on the surrounding
16 area's character, whether the proposed facility
17 is located within any flood plains or other
18 sensitive areas, the facility's odor control
19 plans, possible impact on existing traffic
20 patterns, and possible impact on community
21 growth, tourism and recreation for economic
22 development will be accepted.

23 The specific criteria were available
24 on the table with the sign-in sheets. If anyone

1 would like to have a copy but didn't pick one up
2 please just raise your hand and Brad will make
3 sure that you get one.

4 Finally, the process that will be
5 followed after this evening's meeting is as
6 follows: The County Board will have up to 30
7 business days from today's meeting to submit to
8 the Department a non-binding recommendation
9 relative to the proposed addition of the building
10 to the site. This recommendation from the Bureau
11 County Board is due then at the Department on or
12 before January 30th.

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

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

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

4 Mr. Hearing Officer, at this time I'd
5 like to submit a completed Notice of Intent to
6 Construct application and its associated
7 corresponding file for formal entry into the
8 record as an exhibit, and I'd also like to submit
9 a copy of the power point presentation that we
10 just saw formal entry into the record as an
11 additional exhibit.

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

16 (Exhibits Nos. 1 and 2 marked for
17 identification.)

18 MR. FRANK: Thank you, Mr. Goetsch.
19 Entered into the record as Exhibit Number One is
20 the completed Notice of Intent to Construct
21 including correspondence between the Department
22 and the applicant, notices of the public
23 informational meeting, and correspondence with
24 Bureau County officials.

1 Also entered into the record as
2 Exhibit Number Two is a copy of the Department's
3 power point presentation. At this time we will
4 hear comments from the facility. For those who
5 will be presenting information, please state your
6 name and spell your last name and then I will
7 swear you in. State your name and spell your
8 name first.

9 MR. FELDMANN: Terry Feldmann.
10 T-e-r-r-y, F-e-l-d-m-a-n-n.

11 MR. FRANK: Are you going to be
12 presenting information?

13 MR. CHRISTENSEN: I may, yes.

14 MR. FRANK: Go ahead and state your
15 name and spell the last name.

16 MR. CHRISTENSEN: Pete Christensen.
17 P-e-t-e, C-h-r-i-s-t-e-n-s-e-n.

18 (Both witnesses sworn at this time.)

19 MR. FRANK: You may proceed.

20 MR. FELDMANN: Good evening. My
21 name's Terry Feldmann. I'm with Maurer-Stutz.
22 I'll give you a little bit of background. This
23 is my client Pete Christensen. We're here to
24 talk about his swine facility. I'm an

1 agricultural engineer.

2 I graduated from the University of
3 Illinois. I am a licensed professional engineer
4 in Illinois and other states, and I'm gonna kind
5 of go through the details of the eight siting
6 criteria. Some of them were more straightforward
7 than others, but we'll try to get through it.

8 Okay. The proposed facility has an
9 existing 500 head building, and what is proposed
10 is one new wean/finish building with a deep pit
11 280, approximately 280 foot long and 72 foot
12 wide. The pit's going to be ten foot deep. It's
13 a fully slotted floor, a full pit below the
14 building. The new barn has the capacity of 2480
15 head, so the total site will have 2980 head,
16 which is 1192 animal units.

17 The pit's going to provide for over a
18 year's worth of storage. The Livestock
19 Management Facilities Act, the requirement is
20 150 days of storage, so we're exceeding that.
21 The pigs are going to enter the facility about
22 the size of that guy there, 15 pounds, maybe 12.
23 They will be marketed maybe plus or minus around
24 260.

1 The notice of intent to construct, as
2 the Department mentioned we filed on the 13th,
3 they got it on the 14th. They visited the site,
4 verified the setbacks and then determined on
5 November 9th that the notice was complete. I
6 believe that's when they sent it to the County
7 Board and to Pete.

8 The setback requirements; the required
9 setback for the nearest residence is 1320 feet
10 and it's about 2000 feet to the nearest occupied
11 residence. I have a map I'll show you in a
12 little bit.

13 For the nearest populated area it's
14 2640 feet, and we're over 4000 feet from that.
15 We mailed a completed copy of the Notice of
16 Intent to Construct to property owners within the
17 half mile setback area on November 30th.

18 And with regard to the facility waste
19 management plan, it will meet the Livestock
20 Management Facilities Act. Pete has to have that
21 done prior to having 1000 animal units at the
22 site, so prior to filling the existing barn plus
23 the new barn.

24 So prior to having it completely full

1 he's got to have that plan done and actually then
2 send a certification to the Department that he
3 has the plan completed.

4 Here's an aerial photograph showing
5 the proposed facility location. You can see the
6 existing facility. The proposed building is
7 about 100 foot away from the existing building
8 that's there now. Pretty much lines up with it.
9 This first ring here is the residential setback
10 area, and there are no residences, no occupied
11 residences, within that area as you can see.

12 And the nearest occupied residence is
13 over here to the east at about 2000 feet. The
14 populated area setback you can see here is this
15 outer ring. It's a half mile from the facility.

16 And there are no common places of
17 assembly within that populated area setback
18 because there are no, there are not 10 non-farm
19 residences, nor is there a common place of
20 assembly that has that because there would have
21 to be 50 people per week and, let's see.

22 Over here, I guess it's off the map.
23 You can kind of just see that the edge will be
24 the nearest commonplace of assembly as we believe

1 and that's the Hennepin Canal State Park or
2 something along those lines along the canal.
3 They have trails up and down that.

4 One of the things, while I've got this
5 big aerial, I'll show you some pictures as well
6 that I want to point out. If you look at the map
7 here is all the existing trees on the, around the
8 facility. There's some along the north side.
9 Most of them are on the east side and they're
10 planned to stay.

11 A couple of them that are in the
12 middle that, where the barn will be, there's a
13 couple trees that will come out. But for the
14 most part all those trees along the north, south,
15 and east side will stay. And then on the west
16 side is the existing building. Okay. So, well,
17 wait a minute. Let me back up. To finish up
18 with criteria one, I talked about the waste
19 management plan.

20 In Pete's case here, I'll check my
21 notes. For the number of animals that he has,
22 and he's going to need somewhere in the vicinity,
23 somewhere around 300 acres per year. We could be
24 corn, about 200 pounds per acre of nitrogen. So

1 that's on the nitrogen basis he will likely need.
2 So that he doesn't build up phosphorus, double
3 that. 600 acres.

4 And Pete's got about 700 acres, you
5 know, within a mile of the facility that he's
6 planning on applying to. So he's got more than
7 enough. So moving on to criteria two. Criteria
8 two asks will the design, location and proposed
9 operation be consistent with the guidelines
10 outlined in the Livestock Management Facilities
11 Act. Yes, it will.

12 The reasons are (1) is the facility
13 design requirements that are being followed. One
14 of the things is it's being designed by licensed
15 professional and licensed structural engineers.
16 Back at our firm we have licensed structural
17 engineers in addition to professional engineers
18 like myself.

19 And it's going to be based on the
20 Livestock Management Facilities Act, the American
21 Society of Agriculture Biological Engineers'
22 standards, and the Midwest Plan Services 36,
23 which is referenced in the regulations.

24 Site investigation is being conducted

1 under yours truly, a licensed professional
2 engineer. Actually, me and/or Jason Olmstead,
3 another licensed professional engineer with our
4 firm. And the facility is going to have a
5 reinforced concrete pit with steel, based on
6 steel spacing, sizing, grades and stuff according
7 to Midwest Plan Services that also meet ACI3
8 building code requirements for reinforced
9 concrete.

10 A couple other details about the
11 concrete pit; it will provide about over a year's
12 worth of storage even though we only need to have
13 150 days. All the joints and pipe penetrations
14 will have water stops to prevent leaks or seepage
15 of liquids. It will be an eight inch thick
16 concrete wall, 10 foot tall with concrete
17 footings.

18 It will use pre-cast concrete slotted
19 pourings supported by, poured in place reinforced
20 concrete columns and also pre-cast concrete
21 beams. You can see a couple of the details here.
22 This is a wall controlled joint, and you can see
23 the water stop here in a vertical wall control
24 joint. And this is the floor slab here and joint

1 there. You can see a water stop in that detail
2 also.

3 You can see reinforcing bars,
4 reinforcement, in each of those. A detail of the
5 wall, you can see reinforcing bars in the wall
6 and a water stop right here also. Okay. Another
7 part of this siting criteria is whether or not,
8 as to whether or not the facility is within a
9 hundred year flood plain.

10 Here's a FEMA map, and you can see
11 this is the hundred year floodplain map down here
12 in the hatched area, and this is where the
13 facility is up along the road. So it's not
14 within the hundred year floodplain so we're okay
15 there.

16 Also, asked about karst regions, karst
17 areas. Okay. We're up here in Bureau County,
18 this is where the facility's at. We're not
19 within one of these karst regions, so we wouldn't
20 expect to find karst.

21 But we look at the more detailed
22 section of the karst map, Illinois map, I-map
23 Eight, and the sites up here, and there's no
24 single areas in the vicinity of the facility or

1 anywhere close, or anywhere shown on this map.

2 One thing I'll point out too is that this hatched
3 area here, there's a legend on the map.

4 What that means is there's greater
5 than 50 foot of drift below the facility, or
6 below the surface, the existing ground surface
7 there. Drift otherwise known as glacial till or
8 diamicton, depending on if you're a geologist or
9 if you're whatever, but basically the glaciers
10 put greater than 50 foot of stuff in place, so
11 that's pretty protective of groundwater and stuff
12 in the area.

13 The site itself, the surface soils are
14 actually, it's on kind of a sand hill so to speak
15 so I'll get to that in a minute. But it has a
16 wind blown sand deposit on top of the glacial
17 till or glacial drift. So in accordance, just in
18 summary, for criteria two in conformance with the
19 Livestock Management Facilities Act, the facility
20 is not in the floodplain, it's not in a karst
21 area.

22 We do have the existing sandy sub
23 soil. It is considered aquifer material because
24 of the percentage of sand particles, sand size

1 particles as opposed to silt and clay particles.
2 And that will be within, certainly within five
3 foot of the bottom of the facility.

4 So since we have that sandy soil we do
5 have to incorporate some required safety measures
6 into the design, and these are the ones that are
7 planned. One is the concrete pit footings, the
8 foundation, will be placed below the maximum
9 frost depth. That's a requirement of the Act
10 where you have aquifer material or the sandy
11 soils.

12 It will have water stops, and it will
13 have reinforcing steel as required to hold
14 everything together and be liquid tight. Another
15 part of criteria two deals with the proposed
16 operations of the facility, so I'm going to talk
17 about a couple of those things.

18 All of the manure will be stored in
19 the pit, could be applied by injection at
20 agronomic rates, injection or incorporation to
21 row crops for use as fertilizer. The facility
22 will be operated by a certified livestock
23 manager, so they have to go through Mr. Beaver's
24 training and testing actually too.

1 The facility will be compatible with
2 the surrounding area's character. This, moving
3 onto criteria three, because one, it's located in
4 an agricultural area. I mean, it's got an
5 existing swine facility there already. That's
6 probably enough said, but in addition to that
7 it's located in an agricultural area zoned for
8 agricultural use and it complies with the LMFA
9 setback requirements for residence, populated
10 areas, wells, you know, things along those lines.
11 All the setbacks.

12 This is some pictures of the facility.
13 You can see the existing barn right here, and
14 it's looking to the east. The new barn's going
15 to go back in here east of the existing barn, and
16 you can see the existing trees. They're all
17 pretty much all evergreen trees. Again, okay.
18 So this is the south side of the existing barn, a
19 pretty good row of trees along the south, an
20 awful lot to the east.

21 Then this is the north side of, and
22 back in here is where the proposed barn is going
23 to be so you can see the row of trees along the
24 north side of it also and the existing barn. The

1 facility is, moving onto criteria four.

2 Environmental sensitivity.

3 Well, it's not located, the facility
4 is not located in a hundred year floodplain.

5 It's outside of that. Nor is it located in a
6 karst area. The construction standards that
7 we're following are consistent with the goal of
8 protecting the area.

9 The building will be built such that
10 existing ground surface around the facility will
11 be diverted so that surface water is diverted
12 away from the facility rather than towards the
13 pit. The setbacks that we're using, the water
14 stops and the design standards by Midwest Plan
15 Services and the American Society of Agricultural
16 Biological Engineers, they protect the
17 groundwater, the physical water, and the
18 structural integrity, all these things that we're
19 incorporating into the design.

20 Moving onto criteria five, operation
21 plans. You guys will get a chance to ask
22 questions later, so if I'm moving too fast,
23 Mr. Goetsch likes it when I keep things moving.
24 So operation plans; the facility plans for

1 operations to minimize the likelihood of
2 environmental damage to the area from spills,
3 leaching and runoff.

4 One of the ways it does that is the
5 design has over 365 days of storage versus just
6 150 days. That allows you to apply the manure,
7 inject the manure, just once a year, typically in
8 the fall. And being able to do that and wait for
9 the optimum conditions to apply manure to the
10 fields reduces the potential for leaching,
11 reduces the runoff potential.

12 Other things that reduce the
13 likelihood of spills and runoff potential is that
14 Pete's going to use subsurface injections or
15 incorporation of all the manure. It will also be
16 applied at agronomic rates, you know, to supply
17 nutrients for the crop when appropriate soil
18 conditions exist and nutrient levels dictate the
19 application is appropriate. All these things
20 reduce the potential for runoff and nutrient
21 leaching. So that's criteria five.

22 Moving onto criteria number six, which
23 is odor control. What the siting criteria states
24 is that given the current state of technology the

1 odor control plans are reasonable and incorporate
2 innovative odor reduction technologies. Okay.
3 So Pete's following several reasonable
4 technologies here.

5 One is, and relatively innovative here
6 is manure injection. That's actually found in
7 the American Society of Agriculture and
8 Biological Engineers Engineering Practice 379,
9 Section 6.5.1. Also, another ASAD standard
10 entitled Manure Odors he's following using a
11 couple other technologies such as fully slotted
12 pre-cast floors.

13 And then he also has the existing
14 trees around the facility which will both help to
15 filter dust, and dust carries odor as well as
16 provide some dispersion. Here's just a diagram
17 of the pre-cast flooring panel, otherwise known
18 as a gang slat. Typically it would be four foot
19 wide by ten foot long, have reinforcing in it.
20 There's a picture of them right here.

21 And you can see pigs raised on fully
22 slotted floors stay pretty clean, and as a result
23 as compared to a facility where manure will build
24 up pigs stay clean and that greatly reduces the

1 odor potential.

2 I don't know if that's good, but
3 anyway, additional odor control methods, actually
4 we already talked about this just, but just a
5 picture. You can see a tank there with injection
6 knives injecting manure.

7 I mentioned the trees again around the
8 facility. So the, let me go back to that. So
9 the barn's going to be kind of tucked in. You've
10 got trees on the south and the north and then on
11 the east, and it's going to be kind of tucked in
12 for the most part right in between those trees.

13 I threw in a wind row's diagram, what
14 I think is the airport down in Peoria, and I
15 picked a typical summer one. Anyway, you can
16 see, my point is I was going to look to see what
17 I could tell about it.

18 But anyway, the predominant wind
19 direction is out of the south, so if I live right
20 across from to the north of this facility I'd
21 have some, a lot more concern than if I lived any
22 other direction from it, but there's nobody
23 living to the north of the facility for quite a
24 ways.

1 I plugged in some of the parameters to
2 an odor modeling program that was primarily
3 designed by L.M. Williams. He's retired now from
4 Illinois State Water Survey. And I'm not sure
5 any odor modeling program is perfect, but anyway,
6 this one's fairly easy to use. It's specific for
7 swine, so I used it.

8 And I plugged into, this is a wean to
9 finish facility, and the program doesn't have
10 parameters for a wean to finish facility, but it
11 does have grow/finish and it also has nursery
12 pigs, so that's essentially a wean to finish
13 facility. And I used 2000 head of grow/finish
14 and 180 head of nursery pigs, and these are the
15 results that I got.

16 Five percent of the time or less
17 you'll have a perceptible odor detected 484 feet
18 from the facility. Perceptible means that you
19 can sense something, you might, not necessarily
20 strong.

21 You can just barely tell it's, it's
22 not necessarily strong enough to be able to tell
23 whether it's pigs or cows or necessarily
24 livestock, but one percent of the time or less of

1 perceptible odor will be detected at 1753 feet
2 from the facility according to our model here.

3 Now, all of these percentages that I'm
4 giving would be actually for due north of the
5 facility. If you're any other direction, if a
6 receptor is any other direction from the facility
7 based on the prevailing winds, either you look at
8 the percent of time is going to be less or the
9 distance from the facility that you'll detect an
10 odor will be less than the distance here.

11 For the last one here, one percent of
12 the time or less a faint odor, now, a faint odor
13 is where it's probably not very strong but you
14 can pick up I smell pigs, or I smell manure, and
15 it will be detected 642 feet from the facility.

16 Essentially the proposed facility is
17 going to look, other than being bigger, similar
18 to the one that he has there now, a completely
19 roofed structure. I think it will even have
20 curtains on the sides, although it will also have
21 power ventilation in the design. By the way, I'm
22 going to let Pete speak in just a minute here.

23 Criteria number seven deals with
24 minimized, whether or not we're minimizing

1 effects on existing traffic patterns. So here's
2 the routes that existing traffic flows to and
3 from not only the existing facility there that
4 Pete has, but if you guys have ever drove down
5 this road back further in green to the west you
6 know that there's four at least additional hog
7 facilities back down that road.

8 And so the traffic goes, most of the
9 feed goes down this road here in the green and
10 some of the live hogs might come and go that way
11 too. But this other route here in purple,
12 usually most of the hogs come out here and go
13 down Route 40 to the interstate, so there will be
14 some of the hog traffic.

15 We're projecting a ballpark of around
16 30 or so trucks to haul the animals per year, and
17 somewhere in the neighborhood of around 100 to
18 supply feed. I found a typo. I actually
19 changed, I got the hundred is about right but
20 this is, actually should have been 2908 head.
21 You and I both looked at that and didn't catch
22 it. Sorry about that. You ready? Here you go.
23 I'm going to let Pete do this one.

24 MR. CHRISTENSEN: I guess what we're

1 doing out there is an expansion of an existing
2 facility. I've been involved in pork production
3 for 35 years, and this is my best option of
4 continuing to be involved in pork production by
5 putting up this building.

6 The industry's changed over the years
7 and larger sites are what's being demanded and
8 we're trying to, like I say, continue to be
9 involved in pork production. It also adds, you
10 know, it has some benefits to the county and the
11 school district. The tax base is pretty
12 substantial so there's benefits that way.

13 And, you know, it's the direction
14 we're going. It's a family farm and, like I
15 said, we've been involved with it for years and
16 looking to continue to be involved in it.

17 MR. FELDMANN: That's all we have.

18 MR. FRANK: Thank you very much. Do
19 you have a copy of your presentation? A paper
20 copy?

21 MR. FELDMANN: I don't have a paper
22 copy so I'm happy to submit the electronic copy
23 as an, as the presentation.

24 MR. FRANK: All right. We will now

1 open the meeting for any questions that you may
2 have of the facility or of the Department. If
3 you have a question that you would like to ask
4 please raise your hand, and when called upon
5 please state your name and spell your last name
6 for the reporter.

7 Please indicate to whom you are
8 directing your question. I will remind you that
9 this portion of the meeting will be limited to
10 questions only. After this section there will be
11 a section dedicated to public testimony where you
12 can provide your oral comments, so please limit
13 this section to questions only. Are there any
14 questions of the facility or of the Department?

15 MR. HURLEY: My name's Pat Hurley,
16 H-u-r-l-e-y. My question is, what do you
17 consider incorporation of the hog waste? I'd
18 like a definition of incorporation. I read in
19 your information that it has to be incorporated
20 the same day it's applied, and I'd like to know
21 what that consists of?

22 MR. FRANK: Mr. Feldmann?

23 MR. FELDMANN: I'd be happy to answer
24 that. It will either be injection which will be

1 sub surface injection below the surface, you
2 know, knives, and that's going to be probably
3 primarily most of it. There may be an
4 alternative where you surface apply but then you
5 incorporate it on the same day of application.

6 The Act requires and it meets the
7 nutrient management plan, and will dictate
8 according to following the regulations that the
9 corporation, where you're within a quarter mile
10 of the residence has to be within the same day.
11 Not, they don't give you 24 hours, just the same
12 day.

13 So if you apply, you know, at 8:00 in
14 the morning, by midnight that's the way I think
15 we interpret that. And if that's different
16 Warren will tell me.

17 You know, and they don't specify, you
18 know, whether you're using a disk or field
19 cultivator or, you know, what specific implement,
20 but we're using some kind of implement, and one
21 of the common ones is a lightweight finishing
22 disk to do that.

23 MR. HURLEY: So does that mean that,
24 does that mean that the animal waste is mixed

1 with the soil and it's not left on top of the
2 ground? Is that your interpretation of
3 incorporation?

4 MR. FELDMANN: Yes.

5 MR. HURLEY: I've got another question
6 about runoff from the manure application. I live
7 within 2000 feet of the proposed facility, so I'm
8 the one that's going to be most affected by it
9 and I'm concerned about my well water and the
10 environment from possible runoff and how close is
11 the application from this animal waste allowed to
12 my well?

13 MR. GOETSCH: Before he, before he, if
14 I can answer that for you. It would be 150 feet
15 from, the Livestock Management Facilities Act
16 does have a setback of 150 feet.

17 MR. HURLEY: Okay. That's all the
18 questions that I have right now.

19 MR. FRANK: Other questions? Are
20 there any other questions? Mr. Anderson?

21 MR. ANDERSON: Nic Anderson,
22 A-n-d-e-r-s-o-n. Pete, with your existing
23 operation there and your field applications of
24 manure over the years have you had any challenges

1 with the incorporation or applying manure in your
2 neighborhood?

3 MR. CHRISTENSEN: Well, we've gone to
4 a, we put a plow so we can deep inject it so
5 that's the direction we've gone, you know,
6 probably for the last, well, it's been 15 years
7 probably. We added a plow to it 13 years ago.

8 MR. ANDERSON: So is that technology
9 addressing runoff issues?

10 MR. CHRISTENSEN: Yeah. When it's
11 deep injected there shouldn't be runoff.

12 MR. ANDERSON: Thanks.

13 MR. FRANK: Anyone else have a
14 question? I see none. Thank you very much.
15 We'll be just a second here while we get
16 testimony sheets. I have the oral testimony
17 sign-in sheet. I'll go down the list and call
18 the names of those who wish to testify.

19 When called upon please state your
20 name and spell your name, your last name. I will
21 then swear you in. Remember, you'll have three
22 minutes to speak. The first name on the list is
23 Greg, I'm not sure about the last name, but from
24 Princeton.

1 MR. STEELE: Greg Steele, S-t-e-e-l-e.

2 (Witness sworn.)

3 MR. FRANK: You may proceed.

4 MR. STEELE: Thank you. I'm here
5 tonight to support Pete's family in adding this
6 pork production facility. I think that as long
7 as the requirements that are put together by the
8 Department of Agriculture and the State which
9 we've worked on since the nineties have been
10 fulfilled.

11 We need to support this and need you
12 to move forward. It increases the tax base for
13 Bureau County. It increases labor on a daily
14 basis to take care of the pigs, to feed the pigs,
15 to get the manure out, and we're getting broad
16 and jobs and it's not taking government money to
17 do it.

18 It's a private entrepreneur that's
19 bringing the jobs to our county. It's a
20 positive. It also uses corn and soybean meal
21 that we produce in this county, and that's very
22 important. It also will use less imported
23 fertilizer from around the world. He's going to
24 be able to use that manure to raise his corn and

1 beans, and that's very positive.

2 About 24 percent of all the hogs that
3 are produced in the country are being exported
4 right now. That helps with the balance of trade
5 issues in our country. It's outstanding that
6 pork is that demanded around the country. We
7 need to be proud of what we're producing, what
8 Pete's going to be producing.

9 When I started farming in the early
10 seventies we were challenged to plant corn and
11 beans from fence row to fence row. Today the
12 challenge is that farmers must feed the world. I
13 don't know the farmer that doesn't give it his
14 best every year to try to do that, but here is an
15 example of a family that's willing to put some, a
16 lot of money into an effort to try to bring food
17 to the rest of the world.

18 I think it's, they need to be
19 complimented on their effort to make this thing
20 happen. The State regs should be followed. It
21 should be done by the State level. We need to
22 have this hearing by the county, but we need to
23 have, we should not have local control. We have
24 a good plan and we need to keep this plan in

1 place so we can move forward. If we don't there
2 will be nothing built in the State of Illinois,
3 and we need to make sure this happens and we need
4 to work on it. Everybody.

5 So Pete, I compliment you and your
6 family to make this thing happen. I think it's
7 outstanding, and I hope that the Department of Ag
8 will support his endeavor. Thank you.

9 MR. FRANK: Are there questions for
10 this witness? Any questions? I see none. Thank
11 you. Next on the list we have Pat Hurley. Would
12 you state your name and spell your last name,
13 please?

14 MR. HURLEY: Pat Hurley, H-u-r-l-e-y.
15 (Witness sworn.)

16 MR. FRANK: You may proceed.

17 MR. HURLEY: I have got severe
18 reservations about the facility and the waste
19 handling that's going to be involved with it from
20 past experiences. I have got topographic
21 evidence that the manure was applied closer than
22 150 feet to my well. And even though they used a
23 knife-in applicator there was an awful lot of
24 manure left on top of the ground, and it wasn't

1 incorporated, I want to say, within two weeks.

2 This was right next to my property
3 line, and I know hogs smell but there should be a
4 little bit of common sense and consideration for
5 your neighbors when you do this stuff. You can
6 imagine what my home smells like. It reeked.
7 And I want some assurances that this kind of
8 thing isn't going to happen in the future.

9 I didn't know that there was a
10 150-foot limit as to how close the well could be
11 to where they applicated until I started
12 researching it, and I've got photographic
13 evidence, and I don't trust them not to. So
14 those are my concerns and that's my statement.
15 I'll leave it at that.

16 MR. FRANK: Are there questions for
17 this witness? Pat, Mr. Hurley.

18 MR. GOETSCH: You say that you had a
19 situation where application was made. Is this,
20 has this happened more than once, how long ago?
21 Could you give us a few more details?

22 MR. HURLEY: It was this spring. It
23 was in the spring of 2011.

24 MR. GOETSCH: Has it happened, had it

1 ever happened before that?

2 MR. HURLEY: Several times before,
3 yeah. The one this spring is the only one that I
4 have documentation on.

5 MR. GOETSCH: Okay. Thank you.

6 MR. FRANK: Any other questions?
7 Thank you, Mr. Hurley. Next on the list we have
8 Bill Naffziger.

9 MR. NAFFZIGER: Bill Naffziger,
10 N-a-f-f-z-i-g-e-r.

11 (Witness sworn.)

12 MR. FRANK: You may proceed.

13 MR. NAFFZIGER: My name is Bill
14 Naffziger. I represent the Bureau County Farm
15 Bureau, and I'm president of that organization,
16 and I'm also a grain farmer in the county, and
17 we're here to support this project as long as it
18 does support and follow the rules and
19 regulations.

20 We think that a strong animal
21 agriculture is necessary in our county as long as
22 the operations are managed properly and the
23 environment is protected. Today's modern
24 livestock operations are efficient and provides

1 for the animals' needs and comforts and produce
2 food that is safe and wholesome. Larger hog
3 facilities are built according to the LMFA, and
4 we have shown many times that process continues
5 to work.

6 It's a science-based system to site
7 new and expanding facilities and the requirements
8 set in this system address many different areas,
9 including animal welfare, setback provisions, and
10 other environmental concerns.

11 Livestock farmers are proud of their
12 track record, and we support well managed
13 livestock operations. Additionally, Bureau
14 County is an agricultural area. It's well suited
15 for livestock production. Corn and soybean
16 farmers in Bureau County rely on a strong
17 agricultural industry.

18 Livestock are the number one market
19 for the crops we grow in this county. And just
20 using an example of a site that produces maybe a
21 little larger, or a 10,000 head facility, will
22 utilize approximately 85,000 bushels of corn and
23 about 600 tons of soybean meal which equates to
24 over \$600,000 dollars injected, of the local

1 dollars, injected back into the community. So it
2 makes sense to place livestock near the food
3 source to recycle the nutrients back to the soil
4 and bring economic development to our county.
5 Thank you. I'll submit this for the record as
6 well.

7 (Exhibit No. 3 marked for identification.)

8 MR. FRANK: Are there questions for
9 this witness? Thank you. Next we have Jim Rapp.

10 MR. RAPP: Jim Rapp, R-a-p-p.

11 (Witness sworn.)

12 MR. FRANK: You may proceed.

13 MR. RAPP: Hi. I'm a corn grower from
14 Princeton, and I also serve as the Director of
15 the Illinois Corn and Marketing Board in District
16 Four, and I'm going to read a statement here I
17 prepared.

18 The Illinois Corn Farmers and both the
19 Illinois Corn Growers Association and the
20 Illinois Corn Marketing Board support livestock
21 farmers.

22 We recognize the need for a vibrant
23 agricultural community in order for all of us to
24 thrive. A site that finishes 10,000 head of hogs

1 per year utilizes 85,000 bushels of corn,
2 600 tons of soybean meal. It makes sense to
3 place livestock near a feed source and recycle
4 the nutrients back to the soil. Livestock is the
5 largest market for corn in the U.S.

6 Livestock facilities like this one
7 proposed in Bureau County will ensure that we all
8 have a market for many years to come. I know
9 that today's modern livestock operations are
10 efficient, provide for the animals' needs and
11 comforts, and produce food that is safe and
12 wholesome. I am confident of this fact.

13 Illinois Corn supports the LMFA as it
14 has been proven to work. Science, not emotion,
15 should be, should always prevail when we site new
16 and expanding facilities. Science says that this
17 livestock expansion is an appropriate location
18 and will cause no harm to local communities, and
19 therefore I support this expansion.

20 Livestock farmers are proud of their
21 track record and we support livestock operations
22 that are managed well, protect the environment,
23 and provide a high degree of animal welfare.
24 Bureau County is an agricultural area, well

1 suited for animal agriculture. The corn and
2 soybean farmers in Bureau County rely on a strong
3 animal agriculture sector. Livestock is the
4 number one market for crops we grow in this
5 county. I know that consumers want safe food
6 that is raised well because I want the same thing
7 for my family.

8 I believe the site will deliver safe
9 and wholesome food. Pork producers are held to a
10 zero discharge standard in their management of
11 the manure. All manure is required to be
12 completely contained in manure handling
13 structures such as concrete pits and then applied
14 to fields according to crop needs.

15 Our local economies are directly
16 connected to the future success of agriculture
17 in Bureau County. For our communities to grow
18 and prosper we must allow farmers the ability to
19 change and compete to survive. Thank you.

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

22 MR. RAPP: Thank you.

23 MR. FRANK: Next we have Dave
24 Anderson.

1 MR. ANDERSON: Pass on that.

2 MR. FRANK: Mr. Anderson passes. Jim
3 McCune.

4 MR. MCCUNE: I'm passing too.

5 MR. FRANK: Mr. McCune passes. Nic
6 Anderson?

7 MR. ANDERSON: No comment.

8 MR. FRANK: Okay. Mr. Anderson
9 passes. Jim Kaitschuck?

10 MR. KAITSCUECK: No, sir, I'm good.

11 MR. FRANK: Thank you very much. Is
12 there anyone else who would like to provide any
13 oral testimony? I see none. This concludes the,
14 sorry, the oral testimony phase. I will enter
15 into the record as Exhibit Number Three the
16 statement from Mr. Bill Naffziger, President of
17 the Bureau County Farm Bureau.

18 Is there any other written testimony
19 that anyone would like to enter into the record?

20 MR. MCCUNE: Do we get to ask Pete
21 questions or --

22 MR. FRANK: Could you speak up,
23 please?

24 MR. MCCUNE: -- is there a question

1 period coming up?

2 MR. FRANK: We had the question period
3 right before the oral testimony. Do you still
4 have a question for Mr. Christensen?

5 MR. MCCUNE: Yeah, I do. Yeah. Do I
6 have to be sworn in?

7 MR. FRANK: Mr. Beaver will bring the
8 microphone to you.

9 MR. MCCUNE: James McCune. It's
10 M-c-C-u-n-e. Okay. Can you hear me now? Have
11 you had any EPA violations in the past?

12 MR. CHRISTENSEN: No.

13 MR. MCCUNE: Have you had any
14 complaints filed against you?

15 MR. CHRISTENSEN: No.

16 MR. FRANK: Please use the microphone
17 that's there.

18 MR. CHRISTENSEN: No.

19 MR. MCCUNE: I guess those are the
20 only questions I had. I mean, there's nothing,
21 nothing you've done wrong in the past that's hog
22 related?

23 MR. CHRISTENSEN: I'm not aware of any
24 EPA violations.

1 MR. MCCUNE: Okay. That's all I have.

2 MR. FRANK: Okay. Thank you. I'll
3 ask again, any written testimony?

4 MR. HURLEY: I have photographs. Is
5 that written?

6 MR. FRANK: You have what? I'm sorry.

7 MR. HURLEY: I have photographs.

8 MR. FRANK: Photographs of what? Just
9 photographs of what, sir?

10 MR. HURLEY: Liquid manure on top of
11 the ground.

12 MR. FRANK: Does it relate to this
13 particular facility that we're discussing here
14 tonight?

15 MR. HURLEY: It relates to the one
16 that's there now.

17 MR. FRANK: Okay. Why don't you bring
18 them up? I'll take a look at them. Well, I'll
19 go ahead and enter these photos into the record.
20 However, there's very little identification as to
21 where some of these pictures may have come from,
22 but I'll go ahead and enter them into the record.

23 (Exhibit No. 4 marked for identification.)

24 All right. Thank you. I'll enter

1 into the record as Exhibit Number Four some
2 pictures from Mr. Pat Hurley.

3 (Exhibits Nos. 5 and 6 marked for
4 identification.)

5 I will also enter into the record as
6 Exhibit Number Five a copy of the oral testimony
7 sign-in sheet, and I will enter into the record
8 as Exhibit Number Six a copy of the attendance
9 sign-in sheet for this meeting tonight. Are
10 there any closing comments from the facility?

11 MR. FELDMANN: No.

12 MR. FRANK: None. All right. Any
13 closing comments from the Department?

14 MR. ANDERSON: Sir, can I make one
15 more comment on the manure?

16 MR. FRANK: What? Sir, we really had
17 ample opportunity tonight to provide testimony,
18 to ask questions.

19 MR. ANDERSON: Well, an issue didn't
20 come up until recently that I know the issue
21 was --

22 MR. FRANK: Is this a question?

23 MR. ANDERSON: Yes. On the existing
24 facility with the --

1 MR. FRANK: Is this a question for the
2 facility?

3 MR. ANDERSON: Yes.

4 MR. FRANK: Okay. Go ahead and state
5 your name, spell your last name.

6 MR. ANDERSON: David Anderson,
7 A-n-d-e-r-s-o-n. My question is, the current
8 facility is only 500 animal units. Does that
9 fall under the same manure incorporation rules as
10 the larger livestock facilities?

11 MR. FELDMANN: Yeah. The existing
12 facility's 500 animals, 200 animal units. But
13 no, it does not. The additional regulations of
14 the corporation requirements within a quarter
15 mile of the residence as well as the setback to a
16 well, all those regulations kick in when you
17 reach 1000 animal units, but for smaller
18 facilities it's not applicable. Or the
19 regulations are not applicable.

20 MR. ANDERSON: Thank you.

21 MR. FRANK: As I mentioned earlier, a
22 copy of the transcript will be provided to the
23 County Board. For others desiring a copy of the
24 transcript, it will be available by contacting

1 the court reporter. You can talk to her after
2 the meeting here tonight.

3 Thank you for your attendance at this
4 public informational meeting tonight. This
5 meeting is hereby closed. Thank you very much.

6

7 (Whereby, the meeting was concluded at
8 7:15 p.m.)

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CERTIFICATE OF REPORTER

I, Kathy L. Johnson, a Certified Court Reporter, and Notary Public within and for the State of Illinois, DO HEREBY CERTIFY that the testimony of all witnesses in the foregoing hearing were duly sworn to testify to the truth and nothing but the truth; that the testimony of said witnesses was taken by stenographic means by me to the best of my ability and thereafter reduced to print under my direction.

I further certify that I am neither attorney nor counsel for, nor related, nor employed by any of the parties to the action in which this deposition was taken; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in this action.

Kathy Johnson
Notary Public within and
For the State of Illinois.