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Hog farm plans become a divisive issue in Marshall County

Sandy Creek Lane LLC, a company managed by VMC Management Corp. of Williamsburg, Iowa, has submitted a proposal to build a hog confinement facility 3.5 miles north of Wenona.

FIRST OF THREE PARTS

MARSHALL COUNTY — Leslie Smith didn't panic at first.

Last March she found a short article online about a large hog operation looking to set up shop in Marshall County.

In the coming days, however, as information about the size and location of the facility began to filter through the community, Smith and her husband, Tim, started losing sleep.

"We were just in shock," said Smith. "They can put 20,000 pigs right next to you and not even tell you? I felt sick — I just couldn't believe it."

The Smiths, their two young children, and Tim's mother live in a 100-year-old house built by Tim Smith's family. They moved there in 2009 after spending about \$350,000 improving the home and three acre property. The Smiths weren't worried about what they spent, because they planned to stay there forever. But everything changed when Sandy Creek Lane LLC, a company managed by VMC Management Corp. of Williamsburg, Iowa, submitted a proposal to build a hog confinement facility 1.2 miles south of their home. They're now planning to move.

"The chance that we would be affected by the smell is very high," said Leslie Smith. "We're down-wind of the facility. I've driven past these places, and I know they smell horrible. There's one near DeKalb on I-39 — when you drive by, it smells like rotten eggs. It makes you want to vomit." The Smiths are concerned pollution blown over their property will cause health problems.

'Adamantly opposed'

Longtime farmer Mike Salz is selling about 15 acres to Sandy Creek LLC for the proposed facility. The permit applicant for the project is an acquaintance of Salz's, Dr. Nicolas Rippel, a Toluca native and veterinarian in a Williamsburg, Iowa, mixed animal practice named Veterinary Medical Center.

"The veterinary owners of Veterinary Medical Center are the same owners of VMC Management," Rippel said during the April 17, 2014, public meeting for the proposed facility in Wenona. "VMC Management is our sow farm management business. It was started in 1998."

VMC manages 27,000 sows in 12 sow farms in eastern Iowa. Rippel said he will be the veterinarian at Sandy Creek Lane LLC, visiting the facility every two weeks.

Rippel defended the location of the project.

"In my opinion, and I know it will be challenged today, but in my opinion this is a great location," he said. "We are no closer than three and a half miles to the nearest community, and that is Wenona. After that there is four miles to Lostant, over five to Toluca, seven to Varna, eight and a half to Lake Wildwood."

Another positive for the site is the fact that there are no other large hog facilities nearby, he said.

"That's good for you," Rippel said. "I'm not adding even more hogs into a hog-dense area. ... It's great for the sow farm because the less hog-dense an area, the less disease transmission there is between farms."

Rippel said other positives for area residents include the creation of jobs — 15 to 20 at the facility, and temporary work for skilled tradesmen while the facility is being built. There will also be groundskeeping and manure application jobs, he said. More dollars could come into the community when the facility purchases feed — 210,000 bushels of corn every year. And then there's property taxes, about \$70,000, said Rippel.

As Rippel and representatives from the Illinois Department of Agriculture gave background on the project, a packed room of residents waited for their turn to speak. About 300 people attended the public meeting, including representatives from nearby townships concerned about the impact heavy truck traffic could have on their roads. The meeting, filled with many impromptu debates, went on for six hours.

In the following days, area residents grappled with the best way to fight Sandy Creek Lane LLC. They named their effort SOS — Save Our Sandy — in honor of the well-loved Big Sandy Creek meandering through farmland one-third mile south of the proposed facility.

As part of the official process for siting a large confined animal feeding operation, or CAFO, the Marshall County Board voted on the project a few weeks after the public hearing. They voted 10-1 against it, and later sent the IDA a seven-page letter stating they were "ADAMANTLY OPPOSED" to building the facility at the proposed site.

Despite the mandate, on Oct. 28 the IDA gave Sandy Creek Lane LLC tentative approval to build. Construction could begin this spring.



PHOTO/ LESLIE RENKEN/JOURNAL STAR

Farmer John Foote, 70, has lived across the road from the Big Sandy Creek in Marshall County since 1973. Even though he once raised hogs himself, Foote is concerned about the size of the 20,000 swine facility that has been approved for construction 1/2 mile from his home. "Everybody thinks bigger is better, but not necessarily. There are consequences," he said.

The IDA has the sole right to approve placement of CAFOs. It's a power granted by the Illinois Livestock Management Facilities Act, the law governing the placement and construction of livestock facilities. There are different siting process for different sizes and types of facilities, but for large facilities like Sandy Creek LLC, county boards can voice their opinion through a vote, but their decision is only advisory.

"We felt that they could have picked a better spot," said Gary Kroeschen, chairman of the Marshall County Board. "There's a waterway that's pretty close, and there's a lot of residential very close to it. We want ag in Marshall County — as far as farmers raising livestock, we want that. I'm just not sure the size and location on this one was correct."

Kroeschen wonders how much the IDA took the board's mandate into consideration.

"If the vote had been 5-7, then I might have a little bit different opinion, but since it was overwhelming that the board was against the project, I think the state should have listened to what was going on," he said. He and other leaders in neighboring counties are concerned the issue may arise again in the future.

"I understand a lot of surrounding counties have been keeping an eye on the situation, too," he said. "Unfortunately, the department of agriculture has all the power, and it will be that way until somebody in Springfield decides to change the legislation."

An ugly battle

Water resource scientist Stacy James and her colleagues have been working to make key changes in the Illinois Livestock Management Facilities Act for several years.

James has a B.S. in biology and Ph.D. in biological sciences and conservation biology. She has worked for the Champaign-based, not-for-profit Prairie Rivers Network, an independent, state affiliate of the National Wildlife Federation, since 2006. Prairie Rivers Network advocates for clean water and healthy rivers in Illinois. About twice a year, James gets called by rural homeowners distressed to learn a CAFO is being considered for a location nearby.

"They're searching around for someone to help them," said James. "People recruit us to help with the public hearing." James assisted SOS with the public hearing in April. The people who call James are concerned about the same things — water and air pollution.

"In the days of old, people might have had a few thousand hogs, but now we're getting these huge facilities," said James. "The amount of waste they produce is enormous. This facility may produce 10 million gallons of waste a year. That waste has to be disposed of in a manner that doesn't pollute nearby wells and streams. The waste pits under the buildings may be emptied out only once a year, which means the odors are being fanned out into the community year-round — they use fans to distribute the smell out of the facility so the animals don't suffocate."

James first became acquainted with the Illinois Livestock Management Facilities Act in 2008 while working with a group in Jo Daviess County fighting the construction of a dairy.

"It made a lot of press back then because it was going to be the state's largest dairy," she said. "I knew CAFOs were an issue prior to then, but it was their call to me that made me sit down and read the state's regulations. I became concerned that the act doesn't have enough requirements in it to protect neighbors and water from pollution from factory farms."

In 2010, James and a colleague wrote a bill to amend the Illinois Livestock Management Facilities Act. It was introduced in the Illinois legislature last year as House Bill 5637. It died a short time later.

"We did some lobbying of some of the agriculture committee members, but it was apparent that they were not going to vote our way," said James. "By the end of March we knew it was dead."

The bill contained changes that would have increased required setbacks between factory farms and neighbors, and added required setbacks from waterways. It would have also given neighbors more rights in the process of siting new facilities and required expanding factory farms to meet similar requirements as new farms.

"We feel the Livestock Facilities Management Act needs some more protections for the neighbors," said James. "Until it gets updated, you are going to keep running into people like SOS, who don't feel the law is adequately protective of them, and therefore fear their new neighbor will not be a good neighbor." James is looking for a sponsor to introduce a streamlined version of the bill again this year.

One of the most controversial changes proposed in HB5637 gave communities unified in opposition of a new facility the right to reject it — HB5637 would have stopped Sandy Creek Lane LLC. It's a measure that makes the bill unacceptable to factory farm advocates, said state Rep. David Leitch, R-Peoria, whose district includes Marshall County.

"That was the biggest issue in the passage of the (Illinois Livestock Management Facilities Act in 1996)," said Leitch. "The belief is that, if that requirement was part of the law, there would be no hog farms in Illinois."

Leitch was involved in drafting the Illinois Livestock Management Facilities Act in the 1990s.

"In the '90s, the governor (Jim Edgar) had heard enough complaints about CAFOs that he said we need to write a law to address the issue," said James. "Apparently, it was an ugly, ugly battle."

Leitch recalled the effort with a shake of his head.

"It was really a heater — very emotional," he said "CAFOs are very controversial. People are afraid of a number of things — the odor, potential water pollution, what the traffic from their trucks will do to the rural roads."

The issue was further complicated by the fact that the family farmer was struggling in the '90s, Leitch said.

"They were taking contracts to grow hogs from Cargill and other big companies so they could make enough money to pass the farm onto the next generation," said Leitch. "It was a tough time."

The resulting legislation made no one happy — the farmers didn't like dealing with complicated regulations, and environmentalists said the bill had too many loopholes and didn't provide enough protection from pollution for neighbors.

"This thing was a compromise put in place after some very tough negotiations," said Leitch. "We thought it was a good bill and it was going to work for quite a while. You never find perfection; you find a reasonable bill."

While Leitch champions livestock production in Illinois, the fourth largest producer of pork in the United States, he is not indifferent to the concerns of SOS members and other rural residents living near CAFOs.

"There are a lot of very legitimate reasons to be worried about a hog farm, especially if you live within a mile and a half," he said. "They stink — I've been around them. I'm sympathetic, but at the same time, who wants to stop livestock production in Illinois?"

Changing industry

Curt Zehr lived the first 30 years of his life in a house standing less than 300 feet from a CAFO — the smell doesn't bother him.

"Some people's noses are just a lot more sensitive than others," he said. "What I might consider nothing some people consider just horrendous."

Zehr is a lifelong hog farmer and the newly sworn-in president of the Illinois Pork Producers Association. He owns a medium-sized CAFO between Eureka and Washington. Though his grandfather raised hogs, it was Zehr's father who took the operation to a higher level in the late 1950s. Today, Zehr Farms Premium Pork raises about 2,500 hogs a year, farrow to finish. He also sells genetics to other farmers and produces high-quality branded pork products sold in area grocery stores.

Over the years, Zehr, 55, has witnessed a lot of changes in the industry. He's seen profit margins narrow, regulations increase and a lot of small operations fold. He's also witnessed the rise of public sentiment against CAFOs.

"It's been in the last 15 to 20 years that these types of situations have started to arise," said Zehr, in reference to the fight SOS is waging in Marshall County. He attended the public meeting on Sandy Creek Lane LLC last April.

"I was a little bit offended at that meeting that they painted all pork producers with a very broad brush, in a very bad light," said Zehr. "As in any business, accidents happen, and I'm not going to say that there haven't been things that have happened in poorly run production systems. But I think, for the most part, people are not trying to blatantly pollute. The vast majority of livestock producers, whether big or small or in between, are trying to do the right thing as far as the environment, or treating pigs, or the neighbors."

Though Sandy Creek Lane LLC will be a large CAFO, Zehr pointed out that about 12,000 of the 20,000 hogs in the facility will weigh less than 15 pounds. Baby pigs produce less excrement than full-grown pigs. But just the fact that it's large doesn't mean it will smell worse, he said.

"I don't believe that size and odor go hand-in-hand. I think it's more the management of the facility. A lot of these bigger units go to tremendous lengths to control odor. There's a lot of technology that is being developed to control smell, but in reality you are never going to get away from livestock farms that have some kind of smell."

When asked about his opinion on the siting procedure for new CAFOs, Zehr said giving local citizens the right to reject factory farms in their counties is not a good idea.

"I'm not in favor of local control. I think we need to have statewide rules, because personalities get involved too much locally," he said. "People want cheap meat, cheap food, but they don't want it grown 'in my backyard.' "

Zehr credits the rise in public sentiment against large livestock facilities to the fact that fewer people today are farming.

"If you look at a map of our road, 50 years ago every residence on this road was owned by a farmer who had some livestock, who farmed some ground," he said. "Today the vast majority of houses on this road are owned by people who don't have any connection to agriculture."

Most people buy their food at the grocery store and have no idea what it takes to raise a pig, grow a bushel of corn, or produce a gallon of milk, said Zehr. The people producing food today have had to make the choice of getting bigger or getting out of the business. While large livestock facilities require more capital up front, they are more efficient in the long run, helping farmers stay competitive in spite of shrinking profit margins.

"Most people have this idealized picture of the Gothic farmer, the guy and his wife with the pitchfork," he said. "But that is so far from reality anymore."

Proposed hog farm

VMC Management Corp. of Williamsburg, Iowa, has plans to build a hog confinement facility, Sandy Creek Lane LLC, in Marshall County, 3.5 miles north of Wenona. The project received Illinois Department of Agriculture tentative approval Oct. 28, 2014.

Details of the plan:

- ▶ The facility will contain 7,560 head of swine greater than 55 pounds, and 12,000 head of swine less than 55 pounds.
- ▶ At the farrowing facility, sows will be bred, give birth and nurse their litters for three weeks until they are weaned. Weaned piglets will be sent to a separate facility, where they will live until they are big enough to go to slaughter.
- ▶ Constructed on about 15 acres, the facility will have three buildings: one for gestation, one for farrowing (giving birth), and one for gilt development — gilts are replacement females.
- ▶ The facility will be constructed with manure pits beneath the buildings, which will be emptied at least once a year. The facility will produce about 10 million gallons of manure a year.

SOURCE: The application for special use permit submitted by Sandy Creek Lane LLC, and the minutes from the April 17, 2014, public hearing.

PART TWO OF THREE PARTS: [Concern about Big Sandy Creek drives group in its protest of hog farm.](#)

PART THREE OF THREE PARTS: [Odors from hog plants prompt health research, questions about regulation.](#)

Read The Northern Circuit Blog: [A History of the Marshall County Hog Fight.](#)

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