

PUBLIC AFFAIRS COMMITTEE MINUTES

MAY 6, 2008

The meeting was called to order by Chairperson Sellers at 5:05 p.m.

MEMBERS PRESENT: Leah Sellers, John Marshall Excused: Deborah Groat

OTHERS PRESENT: Dan Fogt, Dave Thornton (Liberty Township Trustee), Jean Thornton, Pam Williams, John Hixson (OSU Extension Office)

AGENDA:

Hi Q Egg Farm

Ms. Sellers explained this issue was referred to Public Affairs Committee by President Gore at the April 24th City Council Meeting.

Mr. Hixson shared his concerns with some of the things he's been reading. Some are not very factual in terms of the way agriculture is represented and implications made in articles in the paper. For example, manure will be dumped into the stream is implying that farmers in general do not treat both their ground and the applications they make with care and consideration. It seems that agriculture is not being portrayed in a very positive light, and this is coming from people who are apparently living in agriculture. In terms of what he's read in regard to manure ending up in the stream, any farmer that has any economic sense or environmental responsibility is not going to allow that to happen unless it's by accident. Manure is very valuable. Fertilizer prices have doubled over the last year, and the new trends in manure make it a valuable commodity, not just in Union County but throughout the state. Farmers who purchase it, want to apply it in a manner that they will be utilizing (inaudible) and not waste it. He's concerned that it's portrayed that the nutrients will end up in the stream, etc. etc. That has happened on occasion with farmers in the County, but it hasn't been intentional. He is surprised that there hasn't been any, at least from the governmental bodies involved, interest in searching for people at Ohio State and other places that have worked in this area for many years. He said Jon Rausch works in providing educational programs for the Manure Hauler's Association, which he was responsible for organizing, and has not been contacted or questioned in regard to what's going on. In terms of agriculture in the County, it's a very

important entity in the County this year with crop prices the way they are. It'll be well over \$100M in income in the County. Any entity in the agriculture business that develops in the County isn't just selling their product. There is an economic multiplier involved regardless of what type of agricultural enterprise it is. That is important regardless of the entity.

The other area of concern that there hasn't been much emphasis on is marketing, that would be associated with either an egg farm or any type of livestock farm that does provide a very important cash market. Comments that he's heard are not based upon what he's heard for the last 25 years that he's been an Agriculture Extension Agent. He doesn't think that is very accurate information considering that is an important entity for the farmers in the County.

Mr. Marshall asked if it's Mr. Hixson's contention that if the Rausch family has a 100-head dairy operation, that there is no difference between a 100-head dairy farm and this chicken farm, as far as the potential danger to the environment with off-target nutrient pollution and the affect on the amount of water they're pulling out of the aquifer, you're weighting those as equal? Mr. Hixson said he is not weighting those as equal at all. To his knowledge, the question on aquifer hasn't been looked into at all. The Department of Natural Resources has monitoring wells that have been in the County and monitored for forty years. He asked if anyone has looked at those records. That's not his contention at all, and he's not here to debate that this evening.

Mr. Marshall just wants to understand where Mr. Hixson is coming from. Manure dumped on frozen ground will have potential for runoff and pollution. Feels this is a much different situation. We're talking about family-owned farms which are by far the majority in the County, versus a corporate farm with a highly concentrated production of chickens in a very small area. Feels we have different parameters that we need to measure everything with. Mr. Hixson agreed with that, but a lot of the assumptions that have been publicized are that manure is all going into a watershed and that won't and shouldn't happen. He started as Agriculture Extension Agent in 1984. At that time, Day Lay was a very unpopular entity in the County, and rightly so. The things that they did and the things that would be done now in that same situation can't and shouldn't happen.

Mr. Marshall asked for contact information so he could get some further information on this issue. Well records for the past 40 years can be viewed on line. There are experts at the Division of Water that can review the information with anyone who is interested. Mr. Hixson gave the Committee some sample

information on the well monitoring in that area. Also gave a fact sheet on ground water in the County. There are a lot of resources available. There are specialists in all areas of agronomic crop production, as well as livestock at Ohio State. All can be accessed in his office. His main concern is that all sides of the topic aren't being looked at.

Ms. Sellers said she had reviewed the County objections to the farm, as well as the documents provided by the Northwest Neighborhood Alliance and all the news articles. This is a fact-finding meeting. She appreciates the information from Mr. Hixson. She asked if he had reviewed specific data regarding jobs and economic benefit there will be for this farm. Mr. Hixson had not. He researched some information but not for this purpose, in terms of providing some written materials on better publicizing to the County the importance of agriculture, and the multiplier affects range from 1.3 to 1.8 in terms of an economic multiplier, in addition to the product sales. The multiplier is comprised of income generated from the jobs and the use of local resources.

Ms. Sellers said as a City, they do have a specific issue they need to look at, and that's the water quality and quantity.

As far as marketing, from comments that Mr. Hixson has read, the cash market for corn will not be important to the County agriculture. He disagreed with that and felt many farmers would disagree as well. Ms. Sellers asked how marketing relates to the egg farm. Mr. Hixson said the comments have been made, and he read a comment in the newspaper today, that said much of the corn purchased by the egg farm would not be purchased in the County. He's not sure that statement can be backed up. That hasn't been true with the current egg farm in the County, because most of the corn has been purchased in the County and has been very important to many farmers. Ms. Sellers asked Mr. Hixson if he had voiced his concerns with the County during their review. He said he wasn't even made aware that they were doing that.

Pam Williams addressed the Committee. She is President of Northwest Neighborhood Alliance. Their main concern is the Hi Q Egg Products proposed facility for York Township and it's affect on their environment. It's not that it's one farm; it's the concentration in their area that is a concern. There are currently 3 million birds permitted in their area. They understand the stresses they live with already and to add 6 million more at this facility and 2 million more at the end of the county line, all within three miles of this, would bring the total of 11M birds to one area. This has never been done in such a small area. The Group is not against

farming; most members are farmers. They're not trying to put agriculture in a bad light; they're just saying concentrating this many in one area is not a good idea. Current ODA regulations allow no caps to be put on a concentration. There is nothing to address concentration issues. Inherent in that concentration are issues that they feel the outlying areas should be concerned about, specifically the water issues. The manure will be brokered, so that broker will make a deal with the farmers, so you don't know where it will go. The possibility of runoff is a concern. Huge amounts of manure will be spread far and wide and should concern people, not just in the immediate area. The group has had very little contact with the company, which is a concern. Hi Q reps have not come to any entity meetings. This company operates a facility of 5M birds in Iowa and have had runoff issues. Eleven million (11M) birds in one small area is a huge concern.

Mr. Dave Thornton addressed the Committee. Mr. Hixson mentioned two watersheds. Essentially that's where the bulk of this manure will be spread, the Bokes Creek and Mill Creek watersheds. There is a limitation economically on how far you truck manure with the cost of diesel fuel. They talked to an agronomist who said to properly apply this amount of manure (inaudible) 75 (inaudible) 37,000 acres. The group talked to the broker and he said typically they don't haul more than 20 miles away because it's cost prohibitive. That's where the proximity issue came about. Mr. Thornton said they are not saying that anyone is going to intentionally dump in the stream. The potential is so much greater than they've ever seen for an accident when handling that volume of manure. They've seen it happen already with the existing egg farms and don't feel the proposed egg farm would be run that much different.

As far as Mr. Marshall's comment about the aquifer, Mr. Thornton showed a map from the DNR. The northern part of Union County is in a weaker aquifer. Through the EPA, Hi Q is permitted to drill four wells that produce 400 gallons per minute each. They have already built a test well, which will become one of the four wells. That well will yield what they need in that test well, but the problem is they don't take into consideration what else is being drawn. They are not allowed to look at how many wells are in the area.

Ms. Thornton commented that they have observed piles of manure that have been left for a long period of time at the existing egg farms, so that could happen at the proposed egg farm.

Mr. Fogt asked Mr. Thornton to explain what one well would produce. He didn't have that information with him. He said the four wells are equal in size.

They (Hi Q?) said they will pump 360,000 gallons per day. When Mr. Thornton talked to the EPA, they said they didn't think so; they'll have the potential to pump 2M gallons per day. He questioned why they would need so many wells if this is all they're using. Mr. Fogt said how could they pump all that water without hurting all the homeowners in the area, as well as Honda. He said when Honda drilled wells, a lot of people complained that their wells went dry, so Honda ended up drilling many wells for the local people.

Mr. Marshall reminded the group that they need to focus on the boundaries they represent and the issue is surface water that most directly affects the City. County has a different level of concern. Ms. Seller said surface water is the City's biggest concern. She talked to Rick Varner, Water/Wastewater Supt., and he said that in the Water Master Plan, the City, 20 years in the future, still needs to rely on our wells, so there is some issue with aquifer to be concerned about. It warrants further study on the specific impact. Mr. Marshall wondered if there is data available about the current situation. Ms. Williams said Bokes Creek is in 90% non-attainment, which means they have a total minimum daily load document on file with the Soil and Water District because of past problems, and Day Lay is mentioned in that document as the source of contamination. \$189,000 of public money was used to mitigate the situation, and Day Lay was forced to install a wetland and to mitigate the damage that they had done from runoff from their facility. Mr. Marshall asked with the current manure issue, is it known of the manure that's being produced now, what percentage is going on in the County. Ms. Williams said that information is unknown. That information is not public information. The company just has to prove to the ODA that the levels in the soil can take the manure.

The Group realizes that local officials cannot stop this project, but they're trying to present a united concern of the surrounding communities. That was successful in Logan County and Williams County.

As far as the progress of this project, the permits have not been approved. Applications are considered very incomplete at this time. Mr. Marshall said part of the Committee's responsibility may be to understand where they would participate in that process so that they make sure they mitigate possible liability if there is a significant spill that's getting into our water supply, which then gets dumped into our reservoir resulting in XYZ damage. Who is liable?

Ms. Sellers said the two issues she sees affecting Marysville is water quality, which is an application issue, and the second is water quantity. There might be a

smaller percentage of likelihood that our water quantity will be affected than our water quality. She would like more information on this.

Ms. Williams said once the draft permit is issued, it's time for public comment. Once it's reached draft permit, ODA has never denied a permit. Ms. Sellers asked, "What are the possible grounds for denial." Ms. Williams didn't know since it's never been done before. Once the draft permit is issued, that means that they "have all their ducks in a row." If the Group could possibly prove that one of their acceptance lines in the permit is not correct, it could possibly be denied.

Ms. Sellers said she would like to see a resolution that says since the City has a partnership with the County, we are concurring with the County's concerns, plus County's caveats in its resolution and also the partnerships with other townships. Mr. Marshall and Ms. Sellers feel it's better to do something rather than just sit back and let it happen.

Ms. Sellers expressed her opposition to this kind of farming based on her own research. She is against factory farming.

When writing the resolution, it should be in line with what the County wrote, but tailored to specific concerns of the City. Keeping in mind Mr. Hixson's concerns, Ms. Sellers wants to talk to Jon Rausch about the hauling, issue a concurrence of the County's resolution, then have specific objections based on water quality and quantity, such as, "we are concerned that this plant will have a negative impact on the quality and quantity of Marysville's water supply and that their permit should not be issued without further study of specific impact." Mr. Marshall feels whatever resolution is written, should be delivered to the company itself, along with a copy to ODA. City could be a little more specific on water quantity than the County in their resolution.

Mr. Fogt feels specific information about water quantity would be hard to come up with. Mr. Marshall thinks Rick Varner may be able to come up with sufficient information saying this is the possible liability that City would face and the citizens of Marysville, short of contamination where City can't use their water supply, and this is the cost of clean-up or maintenance to get it back to usable form. There is no way to say exactly how much it's going to cost. Mr. Fogt said there is no way to know how much manure is going to be spread in the Mill Creek watershed. He feels the resolution should show general statement of concern, but

support the County's objections. If it affects Honda, it does affect Marysville's economics. It's going to be too hard to get hard facts.

Ms. Sellers will talk with Rick Varner to see what detail she can get. It should be noted in the resolution that there are certain liability concerns and we expect this company to address them prior to coming on site. She will draft the resolution based on Mr. Varner's ability to give specific data, get it to Committee members for their review. Plan is to put it on May 22nd Council agenda. Submitting the resolution as an emergency was discussed or the need to put it on the consent calendar for May 8th meeting. The best approach would be to have two readings on the legislation, with the possibility of waiving the 3rd reading. Ms. Sellers will draft the legislation after talking to Mr. Varner and possibly put it on the consent calendar on May 8th.

Meeting adjourned at 6:05 p.m.