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Written Testimony of the Illinois Milk Producers' Association

Jim Fraley, Manager
Pollution Control Board Hearing
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Construction Standards

STATE OF ILLINOIS
Pollution Control Board

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Our organization represents more than 80% of the state's milk through our five member cooperatives and two independent producer groups. We have been involved in the development of the Livestock Management Facilities Act (LMFA), since its inception.

The need for some type of vehicle to help support the state's livestock industry is desperately needed – it needs to allow for responsible growth and not discourage producers with burdensome regulations that are too expensive to implement. We have lost one-third of our dairy farms in Illinois, just since 1996, and our cow numbers threaten to drop below 100,000 within a few years. Illinois is on the verge of losing a significant portion of its number-one agricultural economic resource.

In the five years since the LMFA has been enacted, 23 persons have indicated an interest in building a dairy in Illinois by filing a Notice of Intent to Construct with the IDOA, yet only six have actually moved forward and have been built. Why haven't these been built? A variety of reasons, I'm sure. But I have heard from many producers about the onerous cost of regulation that has come along with the development of the LMFA. Groundwater monitoring, engineering assistance, nutrient management plan development, and construction standards are all examples of additional costs that are borne by the producer – a person who is a price-taker and cannot pass along these added costs.

We specifically would like to address the areas of lagoon construction and construction standards.

Lagoons are an integral part of managing nutrients from a dairy operation. Most of the dairies in the state utilize a lagoon or holding pond system for the storage or treatment of manure. By mandating a blanket guideline that requires producers to install "...rigid material such as concrete or steel (in areas of karst topography)" these rules discourage the construction of any new lagoons or expansion of existing facilities. The dairy areas of the state happen to be located in the areas that happen to have karst topography. By discouraging the dairy industry, more producers will switch to row crop farming in lieu of alfalfa, oats, and other conservation crops. These crops are not well-suited for these sections of the country.

It has been shown that a minimum hydraulic conductivity of 1×10^{-7} cm/second for a properly-installed clay liner will prove to be virtually impermeable. The movement of water through this type of liner is about one inch per decade. By requiring these additional – and unnecessary measures – it greatly adds to the cost of lagoon construction and would further erode the producer's bottom line with little or no environmental benefit.

Our state is blessed with an abundance of feed, excellent locations in which to expand current dairies and establish new ones, and a solid transportation system. Please help keep our state economically competitive with other states in the nation. Do not implement these restrictive mandates for lagoon construction.