



## REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS  
Aquatic Invasive Species • Septic Inspector  
Drainage Inspector • Agricultural Inspector*

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### REDWOOD COUNTY PLANNING COMMISSION

#### *MINUTES*

**Meeting Date: June 20, 2016**

A meeting of the Redwood County Planning Commission convened on Monday, the 20<sup>th</sup> day of June, 2016, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mark Madsen, John Rohlik, Jr., Kent Runkel, Dave Mattison and Commissioner Lon Walling. Mike Scheffler was absent. Also present were the following individuals: Redwood County Environmental Director Scott Wold, Redwood County Land Use & Zoning Supervisor Nick Brozek, Greg Boerboom, Matt Boerboom, Mike Boerboom, Jeff Bauman, Bill Lightfoot, Ryan Goblirsch, Denis Goblirsch, and Mike Marotzke.

At approximately 1:00 p.m., Vice-Chair Rohlik called the meeting to order.

Vice-Chair Rohlik read aloud the rules of the meeting.

Vice-Chair Rohlik called to order a continued public hearing on Application for Animal Confinement Feedlot Conditional Use Permit #24-15 submitted by Boerboom Ag Resources.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Boerboom permit application:

1. The Boerboom application was tabled indefinitely at the April 11<sup>th</sup>, 2016, Planning Commission meeting. The reason for tabling the application is that a final decision had not been made by the State of Minnesota in connection with the environmental review (EAW) process, and it was not clear when such determination would be made.
2. The State of Minnesota, via its agent the Commissioner of the Pollution Control Agency, issued an Order on the EAW on June 3<sup>rd</sup>, 2016. The Order states that "there are no potentially significant environmental effects reasonably expected to occur from the [project] and that there is no need for an Environmental Impact Statement." This means that the state environmental review process is complete and local permits may now be issued.
3. Notice of this continued hearing was published in the Thursday, June 9<sup>th</sup> Edition of the Redwood Gazette and was mailed to all property owners within one quarter of a mile of the project site.
4. A selection of the December Planning Commission informational memorandum summarizing the project is copied below for your convenience:

5. Boerboom is proposing to construct and operate a sow farm in Section 21 of Underwood Township, on 305<sup>th</sup> Street about ¼ of a mile west of CSAH 8. The feedlot will house 3392 sows and 1190 gilts (State animal unit total = 1713.8; County animal unit total = 1832.8).
6. The feedlot facility will consist of one 162' by 492' breeding and gestation barn with 10' deep poured concrete manure pit, one 148' by 272' farrowing barn with pull plug pit, and one 66' by 111' gilt development barn with 8' deep poured concrete manure pit. The feedlot will also have a compost structure, office, loading area, and driving and parking areas.
7. The feedlot will be set back 514' from the right of way line of 305<sup>th</sup> Street, 300' from County Ditch No. 80, and about 200' from the property lines.
8. The three nearest dwellings to the proposed site are as follows: Michael & Lynne Marotzke, 12579 305<sup>th</sup> Street, Vesta, about 2600 feet north of the site; Daryl & Karen Leach, 29749 County Hwy 8, Vesta, about 2800 feet southeast of the site; and Robert & Suzanne Kirsch, 29859 Balsa Ave., Milroy, about 3500 feet southwest of the site.
9. Additionally, the Underwood Township Hall is located 1500 feet northeast of the site, and a Redwood Electric Cooperative substation is located 2230 feet southeast of the site.
10. Manure will be stockpiled in the deep pits and spread on area fields. Boerboom has agreements with a number of landowners in section 20, 21, 22, 26, 27, 28, 29, 30, 32, NS 34 OF Underwood Twp., and Section 5 of Westline Twp. Boerboom estimates that 1366 acres is needed for manure. They have signed agreements for about 1600 acres. Manure will be applied once per year, via drag line.
11. Odor management will include the planting of trees, use of pit additive, notification of neighbors prior to pumping, and avoidance of pumping on holidays.
12. Traffic at the site is estimated to include 4 semi loads of feed per week, 2 semi loads of weaned piglets outbound each week, 1 semi load of outbound cull sows every three weeks, 1 semi load of inbound breeding stock per month, for an estimated total of 25-30 trucks per month. Additionally, 7 full time employees will enter and exit daily.
13. Due to the large number of animals proposed on the site, Boerbooms must undergo a mandatory Environmental Assessment Worksheet (EAW) process. Additionally, they must obtain an NPDES permit from the MPCA and a water appropriations permit from the DNR. They plan to hook the site up to Rural Water.
14. The full Findings of Fact, Conclusions of Law, and Order issued by MPCA Commissioner John Linc Stine is enclosed for your review. The contents are summarized below.

#### What is an EAW?

An EAW is a document setting out the basic facts needed for the State to determine whether potential environmental effects are likely, which should be studied in more detail via an Environmental Impact Statement (EIS). An EAW is required for the construction of any new feedlot exceeding 1000 AUs.

The mandatory 30-day comment period for the EAW ended on May 18<sup>th</sup>, 2016. During the comment period, the EAW was published in the Environmental Quality Board Monitor and on the MPCA website. Furthermore, a news release was sent to the Redwood Gazette. Comments were received from the US Army Corps of Engineers, the DNR, MPCA Southwest Regional Development Corporation (SRDC), and three private citizens. All the comments were satisfactorily responded to or did not require a response. Comments included concerns regarding manure storage capacity, manure handling and oversight, effect on the public water system, and road maintenance. These will be summarized on more detail later on.

The criteria which must be considered and satisfied under an EAW are as follows:

1. The type, extent and reversibility of environmental effects
2. The cumulative potential effects
3. Mitigation of the effects by ongoing regulation of the project
4. Anticipation and control of effects

### Findings of Fact

Two types of potential environmental effects were identified: water quality and air quality.

1. Water Quality:
  - a. The Feedlot Permit regulates water runoff and manure management and will mitigate impacts on water quality
  - b. Manure application improves soil quality which decreases runoff problems
  - c. There will be no significant irreversible effects on water quality
2. Water appropriation:
  - a. Site will receive water from Rural Water – 5.8 million gallons per year
  - b. A well will also be drilled and regulated by DNR
  - c. DNR Water Appropriations Permit regulates water use in relation to other users. There are standard procedures to make corrections if the use interferes with others
3. Air Quality:
  - a. AERMOD modelling shows hydrogen sulfide (H<sub>2</sub>S) and Ammonia emissions below the legal maximum levels measured at the project property lines and neighboring residences.
  - b. Furthermore, it shows odor levels at no more than “faint” odor measured at the property line.
  - c. Excessive emissions would be correctible with maintenance changes

### Cumulative Effects:

1. Feedlot Permit requires zero discharge to water
2. AERMOD calculated acceptable ambient levels at the 50 closest residences to the project site

Ongoing Regulatory Authority: Ongoing regulatory authority exists through permitting at the State and local levels:

1. MPCA Feedlot Permit, with manure management plan, National Pollutant Discharge Elimination System (NPDES) permit, and Construction Stormwater Permit.
2. MDNR Water Appropriation Permit
3. MDNR Well Construction Assessment and Permit
4. Conditional Use Permit and Zoning Permit
5. Manure application oversight by MN Dept. of Ag

Anticipation and Control of Effects: Data reviewed to determine no EIS:

1. EAW
2. Feedlot Permit and attachments
  
3. AERMOD report
4. Permits and EAWs from similar facilities

#### Conclusions of Law, and Order

1. No significant environmental effects
2. EIS not required

#### Comments

1. Bob Paetzel, 4-6-16:
  - a. Comment: is there sufficient reserve manure capacity
    - i. Response: 298 days, allows storage when ground is frozen
  - b. C: who oversees application?
    - i. R: licensed applicator, Dept. of Ag, Feedlot Permit (MPCA)
2. Graden West, 4-21-16:
  - a. C: impact drain tile from manure
    - i. R: applicator must observe setback, will incorporate and apply at agronomic rates
3. US Army Corps of Engineers, 4-27-16
  - a. C: received a copy of the EAW
    - i. R: no response needed
4. Cynde Livingston, Balaton Publishing, 5-3-16
  - a. C: impressed with existing Boerboom site – no odor
    - i. R: no response needed
5. SRDC, 5-13-16
  - a. C: EAW identifies all concerns, setbacks are met
    - i. R: no response needed
  - b. C: could impact roads
    - i. R: project owner will take road conditions into account during construction and hauling
6. DNR, 4-6-16
  - a. C: no comment at this time
    - i. R: no response needed

Mike Boerboom and Greg Boerboom were present to explain the project. The Boerbooms made the following statements to the Planning Commission:

- Since last meeting, the EAW has been completed and a negative declaration received from the state, meaning that the Environmental Review process is complete.
- Six comments were received: three acknowledgments of receipt of notice, one compliment, and two questions about manure handling.
- Regarding the County application – Boerbooms have decided to be their own general contractor.
- Construction is planned for July, to get concrete poured before October 15.
- They are adding a 40' x 60' cold storage shed to the site, to store their skid loader and other equipment. This shed will be the first structure built and will be used on a short term basis as a staging area for the rest of the construction project.
- No other changes to the plans.

Brozek provided a summary of the EAW and the Order issued by the Commissioners of the MPCA.

Runkel asked the Boerbooms about their plan to compost the dead swine, specifically whether they compost at their existing site already. They replied that they do compost at their existing site and that the compost setup proposed for their new site is an improvement.

Bill Lightfoot of Underwood Township stated that he received a letter from Mike Boerboom regarding Boerbooms repairing the township road if damaged during construction of the feedlot. Lightfoot wants a letter also stating that Boerbooms will repair the road if it is damaged during operation of the feedlot. Mike said he would send such a letter and that any damage caused by spring and fall hauling will be corrected by Boerbooms.

Lightfoot asked whether the site will have 3-phase electrical power and where the line will come from. Mike Boerboom stated that the electrical line will come from the south, from 300<sup>th</sup> street, and will be buried across Boerboom's property.

Lightfoot expressed concern that not many neighboring residences were included in the ¼ mile setback for mailed notice of the hearings. Brozek provided Lightfoot with a map showing the notification area and the distances between the feedlot and the nearest three residences. Madsen stated that the fact that there were few neighbors to notify was a good thing because it meant the feedlot will not have the potential to affect very many residences.

Mike Marotzke expressed concern about the odor caused by the feedlot and its effect on his residence north of the site. He asked who he should call and what he can do if odor is a problem. Brozek stated that he can call the Environmental Office or the MPCA in Marshall.

Jeff Bauman of Anez consulting stated that the EAW addresses air quality concerns and that the air quality models used factor in 5 years' worth of meteorological data.

Walling stated that the proposed conditions allow the County Board to address odor in the future by placing additional conditions on the permit.

Lightfoot asked if Boerbooms will use any sort of filter system to address odor. Mike Boerboom responded that there are issues with filters: they promote rodents, they affect the fans, and they often are subject to settling when constructed too soon after barn construction.

Lightfoot asked how wild animals will be kept out of the composting area. Boerbooms replied that the composting facility will have walls on three sides and a gate on the fourth side. Brozek asked whether the Boerbooms are aware of and will follow the Board of Animal Health rules for composting. Mike Boerboom indicated that they are aware of the rules and will follow them.

Marotzke asked if the project will be inspected during construction. He was informed that the site will be inspected by the State, by the engineer, and by the County. Greg Boerboom said that they are investing a lot of money in this project and they want it to be done right.

Nick relayed a concern from local landowner Dave Swedzinski regarding manure hauling. Swedzinski owns a field just north of one of the fields which will receive manure (Coudron's field east of the township hall). Swedzinski has a field approach just north of the property line with Coudron and he wants to make sure this approach will not be used for hauling.

Vice-Chair Rohlik closed the public meeting at 1:40 p.m.

Madsen made a motion to recommend approval of Animal Confinement Feedlot Conditional Use Permit application #24-15, subject to the conditions proposed by staff. Mattison seconded the motion and it passed unanimously.

Wold discussed the possibility of expanding the notification radius for mailing notice of public hearing on Conditional Use Permits to neighboring landowners.

Brozek discussed the upcoming joint Planning Commission/Board of Adjustment, County Board of Commissioners meeting scheduled for June 21<sup>st</sup>.

Walling shared his personal experiences (good) with manure handling and dead hog composting.

On a motion by Madsen, seconded by Runkel, and passed unanimously, the meeting was adjourned at 1:50 p.m.



Nick Brozek  
Land Use & Zoning Supervisor  
Redwood County Environmental Office



John Rohlik, Vice-Chair  
Redwood County Planning Commission