



WOODBURY COUNTY BOARD OF ADJUSTMENT

Monday, June 3, 2024 at 6:00 PM

The Woodbury County Board of Adjustment will hold a public meeting on **Monday, June 3, 2024 at 6:00 PM** in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. Please use the 7th St. entrance. Public access to the conversation of the meeting will also be made available during the meeting by telephone. Persons wanting to participate in the public meeting may attend in person or call: **(712) 454-1133** and enter the **Conference ID: 742 346 123#** during the meeting to listen or comment. It is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems.

| AGENDA | |
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| 1 | CALL TO ORDER |
| 2 | ROLL CALL |
| 3 | PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA |
| 4 | APPROVAL OF PREVIOUS MEETING MINUTES: 5/6/24 |
| 5 | ITEM(S) OF ACTION / BUSINESS |
| » | ACTION ITEM: PUBLIC HEARING - CONDITIONAL USE PERMIT APPLICATION: ASPHALT MIXING (TEMPORARY) SITE TO SUPPORT THE HIGHWAY 20 RESURFACING PROJECT ON PARCEL #894431100010 and PARCEL #894431100011 Consideration of a Conditional Use Permit application by Knife River Midwest LLC (Applicant) and Robert A. Davis (Property Owner) for an asphalt mixing (temporary) site, to support the Highway 20 resurfacing project, on Parcel #894431100010 and Parcel #894431100011. The proposed location is about one-half mile west of Merville on the north side of Highway 20. Both parcels are located in the Agricultural Preservation (AP) Zoning District. Portions of the property are located within the Special Flood Hazard Area. Applicant(s)/Owner(s): Knife River LLC, 2220 Hawkeye Drive, Sioux City, IA 51105; Robert A. Davis, 1520 Grundy Ave., Merville, IA 51039. Property locations: Parcel #894431100010, T89N R44W (Arlington Township), Section 31, SE 1/4 of the NW 1/4 and Parcel #894431100011, T89N R44W (Arlington Township), Section 31, SE 1/4 of the NW 1/4. Location Address: 1541 Grundy Ave., Merville, IA 51039. |
| 6 | PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA |
| 7 | STAFF UPDATE |
| 8 | BOARD MEMBER COMMENT OR INQUIRY |
| 9 | ADJOURN |

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Minutes - Woodbury County Board of Adjustment – May 6, 2024

The Board of Adjustment meeting convened on the 6th of May 2024 at 6:01 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse. The meeting was also made available for public access via teleconference.

Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Board of Adjustment "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/board_of_adjustment/
 - YouTube Direct Link:
 - o <https://youtu.be/01JYvG1nKyQ?si=5-yNfd8P0rNhKsAz>
-

BA Members Present :
County Staff Present:
Public Present:

Daniel Hair, Doyle Turner, Pam Clark, Tom Thiesen, Ashley Christensen
Dan Priestley, Dawn Norton
Dan Bittinger, Glenna Tevis, Cheryl Tevis, Lynne Boulden, Dennis Boulden, Deborah Sulsberger, Kim Sulsberger, Tyler Sulsberger, Zach Allen, Nathan Silknitter, Patty Silknitter, Jesse Beem, Robin Beem, Randy Hunt, Larry Hunt, Dennis Gallagher, Micheal Gallagher, Anita Tevis, Carla Tevis, Justin Sprague, Abe Sandquist, John **Schechinger**, Zachary Greder, Tim Ericksen

Call to Order

Chair Daniel Hair formally called the meeting to order at 6:01 PM.

Public Comment on Matters Not on the Agenda

None

Approval of Minutes

The March 4, 2024 minutes were approved with the following additions/corrections: Election of Chair and Vice Chair for 2024. Daniel Hair as Chair, Pam Clark as Vice-Chair. Motion by Hair to approve with corrections; Second by Clark. Motion passed 5-0.

Action Item: Public hearing – Consideration of a Conditional Use Permit Application: Proposed Waste Composting Site on Parcel #864505400001 and Parcel #864505400002:

Hair opened the Public Hearing. Hair, Clark and Thiesen stated they visited the proposed site.

Priestley stated additional comments were received after the printing of the agenda and backup materials. Priestley requested that the comments be received into record (Received Materials available in the Appendix):

- Comments/Material from Cheryl Tevis received May 2, 2024. Christensen motioned to receive. Second by Turner. Carried 5-0.
- Comments/Material from Glenna Tevis received May 2, 2024. Clark motioned to receive. Second by Turner. Carried 5-0.
- Comments/Material from Steven Burns received May 2, 2024. Clark motioned to receive. Second by Turner. Carried 5-0.
- Comments/Material from Kim Sulsberger received May 2, 2024. Hair motioned to receive. Second by Christensen. Carried 5-0.
- Comments/Material from Abe Sandquist received May 3, 2024. Hair motioned to receive. Second by Christensen. Carried 5-0.

Priestley read staff report into record. Applicant Abe Sandquist and Timothy A. Ericksen (Property Owner) filed a Conditional Use Permit application by Natural Fertilizer Products, Inc. for a waste composting site on Parcel #864505400001 and Parcel #864505400002. The proposed location is about 3.7 miles north of Hornick, IA and about 6.7 miles northeast of Sloan, IA. Both parcels are located in the Agricultural Preservation (AP) Zoning District. Applicant(s)/Owner(s): Natural Fertilizer Products, Inc. (Applicant - Abe Sandquist), 414 Walker St., Woodbine, Iowa 51579; Timothy A. Ericksen (Owner), 2369 Buchanan Ave., Sergeant Bluff, IA 51054. Property locations: Parcel #864505400001, T86N R45W (Willow Township), Section 5, NW 1/4 of the SE 1/4 and Parcel #864505400002, T86N R45W (Willow Township), Section 5, NE 1/4 of the SE 1/4. Property Address: 2553 Old Hwy 141, Hornick, IA 51026. The Zoning Commission members were presented with the application for review at their March 22 meeting. Three Commissioners were present, they voted 3-0. Their recommendation was to deny

the application and forward the application to the Board of Adjustment. Priestley stated criteria in the Zoning Ordinance for Conditional Use Permit approval is based on standards and considerations to see how the application would fit within the ordinance. Staff recommended a series of conditions, ultimately the Zoning Commission recommended denial. The applicant was encouraged to describe in more detail their request when presenting it to the Board of Adjustment.

Abe Sandquist approached the Board with material to be accepted into the record. Turner motioned to receive. Second by Clark. Carried 5-0 (Received Materials available in the Appendix).

Mr. Sandquist introduced himself and gave a presentation of the proposed waste composting site. He is an agronomist, manure broker, and conservationist. He is vice-chair of the Composting Council for the State of Iowa. His project recycles waste by-products into organic material to be used as fertilizer. He has a degree in agronomy, worked as a soil conservationist at a large-scale animal feeding operation and helped develop a comprehensive nutrient management plan. He decided to develop a business of brokering manure when a farmer had too much phosphate and couldn't apply it to his fields. He suggested the farmer sell it to his neighbor. From that idea he started thinking of other waste streams that were not being utilized, such as food waste and waste by-products from processing plants. Instead of hauling the material to a landfill where it creates methane gas which causes air quality issues, he suggests organically composting to be reused. He was contacted by Reuter's magazine in 2022 and was asked about marketing manure and the process. There is a concern about nutrient supply chain because of the Russian Ukraine war, and a possible shortage of fertilizer for growing crops because the US imports, most from Ukraine. The Fertilizer Expansion Program came out for anyone with a business plan to create renewable sustainable fertilizer locally. He stated they met all the requirements and was accepted. The next steps are to find suitable land and met all the environmental regulations withing state, federal and county guidelines. He chose this location because it would be close to where a lot of the end product would be used. It would be taking land out of crop production, but he feels the project produces an ag related end product that will be used on farmland, with better productivity by using renewable recycled organic matter. Mr. Sandquist stated Iowa DNR has selected him as 1 of 15 members to rewrite a section in Iowa Code. IDNR wants to see compost facilities grow to keep materials out of landfills. Mr. Sandquist showed pictures of what the facility would look like, and a bag of finished product. He stated the facility would be kept neat and clean to avoid product loss and also to minimize smell. Correct management is very important. The goal in processing is to get a 25 to 1 carbon nitrogen ratio and about 40-60% moisture. After about a week, the pile temperature reaches about 140 degrees, at that temp the bacteria is being killed off by the different pathogens. The temperature also kills off the smell. DNR regulates that raw material needs to be in a pile within 24 hours, if regulations are not met, a permit won't be issued or renewed.

Christensen asked if there were any other facilities in Iowa. Sandquist stated it's a new concept and there are 2 in Iowa, some starting in Nebraska, Minnesota, North Carolina, and they are required in California.

Thiesen asked about product analysis, is it analyzed when received or before it's accepted. Sandquist stated every load has a nutrient analysis done. Thiesen asked about Chapter 200 DNR manure license and commercial fertilizer license, Sandquist answered the DNR monitors the sales and production site and they would get a commercial fertilizer license. Thiesen asked about problems with combustion. Sandquist stated they haven't composted food waste, but animal manures haven't been a problem, they wet down the product because the biology needs moisture for the composting process. Christensen asked if a lab is on site to test samples, Sandquist stated the source where the material comes from would do analysis and they would physically take a bag to a lab to have it analyzed. Theisen asked what the PH levels usually are, Sandquist stated it's usually neutral or 7 PH, they can add other mixtures to adjust the PH and create custom orders. To start they will put it in a big feed mixer or side dump and mix it like cattle feed. The material would be laid out in wind rows, then large compost turners would go over it to stir. Hair asked what type of by-product material they would be receiving, and how long he thinks the business would last. Sandquist stated the product would come from sources such as Tyson, Gelita, and AGP. DNR has to be notified when any new ingredients are brought in. Sanquist expects this to be a long-term venture. If it won't work at this site, he will continue to look for a site. The grant project is like a USDA grant, they look at the business plan. If you receive the grant you use the set amount received. Sanquist expects the grant portion to cover about 40% of the cost. Materials brought in would be bone meal, products with nitrogen content phosphates, calcium. DAFF material may be another material used. Turner asked about the risk of Avian flu and how birds would be kept from the piles. Sanquist said the piles would be hot and birds wouldn't be likely to get into them. Also, Sandquist stated composting is the only process to truly kill Avian flu, and the facilities that had Avian flu used composting to dispose of the birds. Sandquist said they won't take birds. Only beef, pork, and possibly chicken. No chicken manure would be accepted because it would get to hot. Also, products brought in

would already have gone through a heated and cooked process. Turner asked about food waste attracting unwanted animals, Sandquist said the piles would be too hot for them, and raw ingredients should be in a pile within 24 hours. Hair asked how long by-products would sit at a processor site before they would be picked up, Sandquist said the processors don't want it sitting around so they would be received within 24 hours. Hair asked about truck traffic, Sandquist stated it could start out as 6-10 trucks a day, although some days may be more like 25-30 trucks of product going out a day, probably on side dump trailers. Hours of operation would be 6:00 am – 3 pm. They would try to get piles turned around in 24 hours. The process on average for the entire process would be around 60 to 90 days. Sandquist was asked about concerns with waste animal material being next to a feed lot. He answered that the material has already been heated and cooked so it's not raw. Thiesen asked if they would do the custom application themselves, Sandquist yes. They have 30,000 acres of land they have signed up on their permit on the grant application, not in this area but would haul it out to other locations. The product would be loaded and delivered to the truck in the field. Sandquist stated he would only do food waste if, for example, Hy-Vee would call with a truckload of bad bananas they could mix them in.

Mr. Sandquist asked Justin Sprague from Pro Ag Engineering to speak. Mr. Sandquist asked him to review his site and advise on site feasibility and DNR requirements. DNR has three levels of composting facilities allowed in Iowa. DNR has specific setback requirements of 500 ft from composting facility to a residence, no composting is allowed in a designated wetland, separation to a public well is 100 ft and to a private well 50 ft to the property line and 100 ft from a water source. DNR also specifies water management, both surface and groundwater. There has to be surfacing for the compost facility that's impermeable so that 1"10us 7cm per second so its not going to soak through the surface and get into the groundwater but has to be all weather accessible at the same time. Best practices are addressed to minimize odor, dust, noise, litter, and varmints. Also, a DNR requirement is all feed stock coming into the property has to be identified, along with their frequency and volume. If the example of Hy-Vee bananas came up as a possible material, he could not receive them if they weren't already listed as a material to be used. The management plan would need to include an offtake plan to be sure he gets rid of all the feed stock; any finished feed stock can not remain on the site longer than 18 months or he would no longer be in compliance. There are annual reporting requirements, also financial reporting requirements. A closure report would need to be filed with DNR no less than two months before closing the facility. The permit is good for three years; a renewal would need to be filed at least 90 days prior to expiration. Mr. Sprague explained DAFF as dissolved air flotation – DAFF is a way to remove proteins, fats and other fibers that can't be mechanically removed from wastewater any other way, so they put dissolved air up trough the water to help separate out the solid products. Currently most sludge is taken to landfills, with the exception of sludge applied to ag ground. If it is applied at two dry tons per acre a permit is not required. Sludge from packing plants in Iowa is currently sent out and applied to land under that exemption. Mr. Sandquist asked Sprague to review his sites for feasibility and advise on all permit limitations. It is his opinion that it meets all DNR requirements for sighting and the preliminary business plan is the skeleton that can be developed into his permit application. Turner asked when the soil is made impermeable, it is not concrete, so the soil is made impermeable. Sprague stated the requirement is an impermeable surface which could include concrete, asphalt, compacted granular fill or compacted soil. Most commonly it's compacted clay. A geotechnical review of the site would include samples from the area where composting surface and runoff containment would be, to make sure the material would meet the requirements. They would also look at groundwater and make sure there is separation distance as well as shallow lime rock sand pockets and anything else that doesn't show up on the general map review. Turner asked about bringing in clay before the samples are done since it would not be known what material would be permeable. The Loess Hills soils don't get compacted and meet that requirement. The parent material underneath the topsoil surfaces the map review says that the lower strata of soils does have clay material, which is a two foot of compacted clay would meet that impermeable surface but that isn't enough, a site-specific evaluation would need to be done, which would get DNR review.

Turner asked what soil type it is? Sprague stated he didn't bring that information with him but could provide it.

Hair said he saw in the application where Sandquist has plans to build a 100 ft shed in one stage and possibly another 200 ft shed. Asked if they would have roofs to over sheds and wondering where stormwater run-off would go. Sprague stated as far as stormwater, there would be added impermeable surface on the pad and the wastewater would be designed to go into a different holding basin.

Hair about asked stormwater run-off from structures where the water would go; Sprague said it would be managed separately from the water off the composting facility, as a design requirement from the DNR. There are DNR requirements for pre-construction so no sediment or anything leaves the site, and post construction requirements.

DNR has requirements for storm water control are split up into different design storms, short intense storm and the longer you know the steady rainstorm, and steady rainstorm all will be managed without changing the direction of any current runoff. Stormwater will be captured and held in a runoff containment basin so the total volume of water leaving the site would be less, there may be a clean stormwater pond. There is a variety of different controls in a retention cell infiltration area that will meet DNR post construction stormwater plan so a high-volume flow off the site will be controlled release of clean water. What is looked at in the preliminary site design layout is setbacks and making sure all requirements are met. A final design would include all clean water design elements.

The public was invited to address the board with comments.

Glenna Tevis - 2539 Old Hwy 141 – Landowner adjoining the site to the north. Her driveway is about ½ mile from the proposed driveway for the site. She opposes the facility. The land has been owned and farmed by generations of her late husband's family. Feels that if the Conditional Use Permit is granted it will have adverse effects on the health, safety, and welfare of the surrounding community by increased noise, smell, possibly air and water contamination, traffic safety, and the Scenic Byway. Ms. Tevis presented a petition to present to the Board. Hair motioned to receive. Second by Turner. Carried 5-0 (Received Materials available in the Appendix).

Jesse Beem – 2829 Grundy Ave.- Landowner approximately 500 ft adjacent to proposed site. Presented maps to be received into record. Motion by Hair. Second by Turner. Carried 5-0 (Received Materials available in the Appendix). Not opposed to the business, but the location of the site. Concerns with location of Loess Hills, drinking wells, air quality and odor, chemical emissions, and property values. Also listed concerns with excessive truck traffic, run-off, and noise quality. Asked Board members about their commitment to preservation of the Loess Hills and the Owego Wetland area. Happy some members visited the proposed site. Suggested this use would be better in an Industrial area. Mentioned there are some sites available by AGP.

Cheryl Tevis – 187 H Ave, Pilot Mound – Grew up in this area. Objects to the CUP approval as it is not an appropriate site. Concerns with runoff washing down Loess Hills soil, pollution, traffic safety and damage to roads from truck traffic. Feels product would be outsourced to other areas, environmental and health repercussions of the project. Concerns about oversight of companies like Tyson and Gelita and their organic waste stream. Organic waste composting is experimental and work in progress, doesn't feel farmers would want to pay more for it than commercial fertilizer. Concerns with material being left on site if operation closes; damage to Loess Hills, soil being torn down. Worried about people traveling along roadways, and wildlife being affected. Questions ethics and character because of lack of communication with landowners.

Nathan Silkknitter – 2835 Grundy Ave – landowner on opposite side of proposed site, lived there 10 years. Has come to understand Loess Hills is 'scared land', rare and protected. Concerned with truck traffic noise, smell during the processing, turn around time for by-products. Operation attracting varmints and predators, concerns with livestock. Not opposed to the business, just not in this area, suggests another location by Gelita. The road has been reinforced to accommodate heavy trucks and its close to the source of material to be processed, which is industrial waste.

Kim Sulsberger – 2853 Grundy Ave – landowner approximately 180 ft to the east property line, or 480-680 ft from the proposed facility. Concerned about odor, their animals, traffic, and bus route safety. Has concerns about the health and well-being of the community. Other concerns are air quality and runoff from site downhill to her property affecting well water quality. The Zoning Commission meeting mentioned at their April 22 meeting that if so many conditions need to be added, maybe this isn't the right site.

Michael Gallagher – 2941 Merville Blacktop – thanked Board for taking questions. Feels Mr. Sandquist gave did a good job giving reasons why this facility might be beneficial, but he has concerns it is not the right location. This CUP would set a standard and an emerging industry like this would be good for the County, Board needs to be aware of what standard they are setting.

Hair motioned to close public hearing. Second by Thiesen. Carried 5-0.

Hair stated due the complexity of this application, and with any CUP application, the Board of Adjustment has up to 35 days to render a decision in case a decision is not made at the meeting. Public asked how and where they will be informed of a decision. Priestley explained the decision would have to be made at another public meeting, the Board of Adjustment meets monthly, next meeting is scheduled for June 3, so within that time frame it could be done, or a special meeting. Public asked if it would be posted in the Grapevine. Priestley stated it would be an

agenda item and would be posted within 24 hours at central location in the Courthouse. The Board could make a decision at this meeting or a week from now, but it would be officially posted in the Courthouse and on the department website as an agenda item in the packet material.

Turner thanked both sides of the issue for their comments and being fair-minded. He feels Mr. Sandquist was honest enough to say some things that didn't really help his case. Turner stated people aren't against this per se, just this isn't the right place to put it. He agrees that the Loess Hills soil can be tricky to play with. He recalled a dairy proposal in the Loess Hills, they assumed clay was 40 ft below the surface, well test were 32 ft and the State told them they would have to go to 40 ft and actually found there was clay down there. The dairy pulled the application because they would not be able to build a lagoon to hold water in the way they wanted. He understands the neighbor's concerns because of the issues with the soil. He has no problem with composting, the end product is very usable, and smell isn't really a problem with it's done right but has an issue with it being close to a feed lot. The Sulsberger cattle yard is well run, but putting a facility like this next to a cattle yard is a huge environmental risk with possible pathogens crossing species and bringing products from other sources and blending them together. He would lean toward no on this CUP.

Clark agrees with Turner on commending both sides for their preparation and research. Mr. Sanquist has a wonderful idea and futuristic way of looking forward for fertilizer business because it's a natural product but understands the local people's concern and speaking with Mr. Erikson he has given different ideas on how to use the property. He may use it for farming and use some of the Loess Hills not currently under cultivation. Her opinion is this project is more detrimental to the Loess Hills than taking 20 acres out of production. From what she has heard, most are not against the idea of compost, just don't want it in their neighborhood. Mr. Sanquist addressed issues of runoff, and odor and the ideas he has come up with look good on paper, but he should explore other sites. He feels this would be a good location because it's above the floodplain. He would be open to suggestions on other locations. Clark stated she's on the fence because a natural compost alternative to expensive fertilizer prices today. She empathizes with those living in the Loess Hills and the increase of traffic. She can see both sides and at this point can't decide.

Christensen thinks the arguments and information from both sides was thorough, but not sure the route she's leaning. The Zoning Commission's decision to not recommend it is playing into her consideration. She asked Mr. Sandquist if he would consider if presented with additional option for a site. Sandquist said he would, but the site could not be in a floodplain per DNR. He is a consultant for DNR and works with large cattle feed lots. Some are taking composting materials on sites that maybe shouldn't be. He thanked the Board of their consideration. Christensen needs additional information before deciding.

Hair feels it is a very thorough application and can see a lot of time was put into it. He has read through Woodbury County zoning ordinances and stated there are several requirements that need to be followed for a CUP. A couple of them stand out for instance requirement C on the CUP application. 'The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, and the character of the neighborhood traffic conditions, parking, utilities, facilities, and other factors affecting the public health, safety, and general welfare.' And Item D: 'The proposed use and development will be located, designed, constructed and operated in such a manner that will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property.' Hair noted he has not seen a crowd this big or a petition in his tenure on the Board of Adjustment. A couple points brought up that got his attention is the school bus route, and Loess Hills is a Scenic By-way. He has concerns with the increased amount of truck traffic, heavy loads and varying amounts of loads per day. Hair would recommend denying this permit.

Thiesen has concerns with the location in the Loess Hills and increased traffic concerns. He would vote against approval.

Christensen appreciated Hair going through the ordinance which really helped with her decision. Because of concerns with traffic and the welfare of the community, along with the Zoning Commission's recommendation, she would vote to deny.

Clark restated that she thinks it's a great project, but it would fit better in an industrial area.

Turner stated while the location of the project might be 'out of site and out of mind', it wouldn't be for the neighboring landowners. Believes master plan is focused on homes and this use doesn't fit there.

Question from public – Is the vote majority or how does it work. Hair answered yes, majority vote.

Theisen motioned to deny CUP application. Second by Turner. Hair asked Priestley to clarify if an explanation was needed with the denial, Priestley answered yes. Hair asked Thiesen to incorporate some of the reasons that were given for denial and asked for a withdrawal/restatement. Thiesen withdrew his motion for it to be amended/restated. Motion to deny application because of reasons of the preservation of the Loess Hills and the uncertainty of what could happen with the compost piles with the different products that are bring brought in with too many unknowns, that the way I feel about it and the traffic part of it. Hair requested to amend the motion further with Thiesen's concurrence to include the zoning ordinance C and D standards (Section 2.02-9 F(C) & (D)) to represent the safety and well-being of those who live in the area and the use of the area, so we have a good reason to deny based on increase heavy truck traffic on the scenic byway and school bus route. Hair checked for clarification of the motion and clarified the two criteria C & D (Section 2.02-9 F(C) & (D)), traffic, school bus route and the general well-being of the community that lives in the area and the safety. Turner seconded the motion as amended. Motion carried. 5-0.

Public Comment on Matters Not on the Agenda

None

Staff Update

Priestley mentioned the Board of Supervisors will have the third and final public hearings on the Comprehensive Plan, the Utility Solar Permitting and regulations in the General Industrial district, and Floodplain requirements. He also mentioned the CoZO conference May 22-24 being held in Sioux City. Zoning Commissioners, Board of Adjustment members, Board of Supervisor's and general public are invited to attend. Registration deadline is May 10.

Board Member Comment or Inquiry

None

Motion to adjourn Clark. Second Christensen. Carried 5-0. Meeting adjourned at 7:44 pm

Daniel Priestley

From: Cheryl Tevis <cltevis@wccta.net>
Sent: Thursday, May 2, 2024 4:38 PM
To: Daniel Priestley
Subject: Comments from Cheryl Tevis for the Woodbury County Board of Adjustment regarding the Organic Waste Compost Facility on Old Highway 141 near Hornick
Attachments: Woodbury County Board of Adjustment-2024.docx

CAUTION: This email originated from OUTSIDE of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.

Hello, Mr. Priestley:

Thank you for the opportunity to submit additional comments. Please let me know that my comments have been received, and I ask that these be entered into the public record. Thank you.

Cheryl Tevis
Pilot Mound, Iowa
515-240-1785-cell
515-353-4433-home

**Comments to Woodbury County Board of Adjustment on Conditional Permit Application for
Organic Waste Compost Facility at 2553 Old Highway 141, Hornick, Iowa
May 2, 2024**

My name is Cheryl Tevis. Thank you for the opportunity to comment on the conditional use permit for an organic waste composting facility submitted by Tim Ericksen and Abe Sanquist, Natural Fertilizer Products. I grew up on an adjacent farm, and have farmed with my husband in Boone County, Iowa for 40 years. I also worked at a national farm magazine based in Des Moines for 36 years as a Risk Management and Issues editor. I currently write a weekly Substack column, and my writing has been published by the Iowa Capital Dispatch.

I object to the approval of this permit. I also submitted written comments prior to the Planning & Zoning meeting, and I hope you've had an opportunity to review these. These additional comments are more specifically focused on the following objections:

- (1) It's not possible to construct this facility without irreparably damaging the fragile soils and the ecosystem of the Loess Hills, one of the most unique assets of Woodbury County and Iowa.
- (2) The operator, Mr. Sanquist, has no significant previous experience in adding food waste into a fertilizer compost, and the learning curve is steep.
- (3) The proposed location overlooking the Loess Hills Byway on a two-lane paved road without shoulders would create significant traffic safety hazards, and the subsequent wear-and-tear of the pavement will require more frequent repair and expense to the county.
- (4) The cost/benefit scale should include significant weight regarding the potential environmental repercussions impacting the health and well-being of Loess Hill neighbors.

Adverse Effect on Loess Hills

(1) Under Criteria 6 of the Zoning Ordinance for Board Approval: *The Proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic, or historic features of the subject property or adjacent properties* (Woodbury County Zoning Ordinance, Sec. 2.02-9).

According to Mr. Sanquist's spoken comments at the April 22 Planning & Zoning meeting: "We have to tear down the soil . . ." This sounds like an adverse effect on a significant natural feature of the subject property, doesn't it? Once this land is rezoned from Ag Preservation, and altered in the way that's being proposed, it would result in an irrevocable change. There are two houses on this property. Will anyone choose to live here, raise a family, and enjoy the incomparable serenity and beauty of the Loess Hills after this facility is installed? Regarding Mr. Erickson, the owner of the property, does he plan to move back and live there now that he's purchased it from his mother's estate?

Furthermore, it is a 5-year grant. What happens in year 6? Will another even less welcome business venture locate there? Mr. Sanquist states in his comments that this is "the ideal site." It seems to me that he's trying to fit a square peg into a round hole, and in the process re-zoning Ag Preservation land to use for an admittedly experimental enterprise that would alter

the property forever. The Loess Hills isn't an appropriate location for this type of experimentation. It's a place to preserve for the generations to come.

(2) Does Mr. Sanquist offer any specific experience demonstrating his food waste management skills in preventing the "harmful environmental impacts" he mentions? What training and experience will the 2-3 hired site operators have, and what oversight will Mr. Sanquist provide to them from his distant home base? Mr. Sanquist has described this organic waste composting as "something new and it's coming. . ." Perhaps, someday, somewhere. In the meantime, this community and the longtime neighbors will be sacrificial guinea pigs for this 5-year trial-and-error process. Another quote I noted from Mr. Sanquist's presentation at the Planning & Zoning board meeting: "If the product mix is proper, there's almost no smell. . ." What if the mix isn't proper? So the neighbors and community are supposed to take one for the team? Mr. Sanquist says he hasn't received many complaints from residents regarding his Woodward manure composting facility. But it doesn't incorporate food waste, right? It's not comparable. It's also not comparable to the Iowa State University composting facility highlighted in his PowerPoint, since its food waste is from campus cafeterias. I am concerned that the Board should be aware of greenwashing: *the effort to make a product or practice appear more environmentally favorable than it is*. Maybe it's true that food waste shouldn't be in landfills. But, why not set up an organic waste composting facility next to a landfill or near the food processor or the source of the manure? It shouldn't be introduced into a rural residential area near small towns.

(3) As I mentioned at the Planning & Zoning meeting, the driveway of the proposed site is sandwiched between a curve around a bulging bluff to the south and a hill immediately to the north. It's dangerous to add to the mix multiple daily truckloads of waste to the road, along with cyclists and motorcyclists, farm machinery, as well as leisurely drivers along the Loess Hills National Scenic Byway. I hope that the Board has had an opportunity to drive Old Highway 141 from D38 out of Sergeant Bluff to the proposed site and see this 90-degree turn driveway in person?

(4) Mr. Sanquist says he will be soliciting processed organic waste streams from companies like Gelita, Tyson, AGP, Cargill, truck washes, and municipalities. Who will monitor the possibly unsafe or contaminated wastes? Will it be employees of these corporations, before the truckloads leave their plants? Or, will it be Mr. Sanquist, when the loads arrive at the facility? Or, more often the 2 or 3 employees hired to work there, allowing Mr. Sanquist to divide his time shuttling between his home location of Woodbine, his business in Onawa, as well as this location near Hornick? Will monitoring logs be kept? Where is the manure coming from? I hope that the Board considers the complex responsibility involved in getting all the compostable waste separated, collected, transported, and monitored through the entire composting process.

If the entire process of installing an organic waste compost is "new" and "a coming thing," according to Mr. Sanquist, doesn't it also follow that the effects on human health from detrimental air quality, or run-off also won't be obvious for some time as well? We know that particulate pollution is a growing concern, since tiny particles are lodged into human hearts and

lungs. We also know there's been research on human health effects of ammonia from livestock waste. What about leaks and spills and noxious fumes from the two lagoons?

How would members of the Woodbury County Board of Adjustment enjoy living next door to these types of wastes?

Another question I asked in my earlier comments hasn't been answered: What is the Western Iowa Nutrient Recycling Center mentioned in this application? I cannot find it listed as a current business. Does it have a track record or reputation? Is it the name of this newly created business entity?

What about OTHER CONSIDERATION 1: *The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community (Woodbury County Zoning Ordinance, Sec. 2.-02-9).*

Who will benefit from this? Mr. Sanquist and Mr. Erickson possibly would make some money from this venture. Mr. Erickson would be paying higher property taxes. What is the amount of the grant? This hasn't been disclosed, but it's a USDA grant from our government, and as citizens, it should be public information.

What would the neighbors and community derive from this? What would farmers get out of this? Would the product be sold in bulk and hauled out? Or, would it be packaged at the site, or trucked somewhere else? Would the costs of doing business be outsourced to the environment, the Loess Hills National Scenic Byway, and to the neighbors, outweighing any potential benefits?

One of my former farm magazine colleagues, with years of experience as a crops and soils editor, cautioned me: "My radar always goes up against a company billing itself as making/selling 'natural fertilizer'. There is a 'natural fertilizer' and it's been around for thousands of years--manure! I know farmers and the ag industry often lament regulation, but this fertilizer area is an area with little regulation, and the end result is often 'quack' products under the banner of 'natural' or 'organic'. So, automatically, I'm pretty skeptical of this. Lots of times, these 'natural' fertilizers are accompanied by a pretty hefty price tag." If you're interested, I am sure my former colleague would be happy to visit with you, more about this.

Organic waste compost, combining vegetation, manure, and food waste, is a work in progress, even in the most progressive areas of the world; very little is standardized. Despite the downsides of synthetic fertilizer, farmers know exactly what they're adding to the soil, exactly how much to add, and roughly what they might expect to gain. Compost is much more variable.

If farmers are not likely to gain much, due to the product's cost or their lack of experience applying it, what does the neighborhood or community or county gain? I can assure you that residents don't consider this facility in the public interest or contributing to the general welfare

of the neighborhood or community, as is stated in Woodbury County Zoning ordinance, Sec. 2 - 02-9.

in conclusion, adjoining neighbors were ***provided almost zero notice*** of this waste composting facility proposal. How neighborly is this? How does the effort to sneak it under the radar into this rural neighborhood under the cover of darkness in-between property owned by two recent, grieving widows promote a sense of community? How many other comments would have been submitted if actual stakeholders would have notified by the property owner or applicant in a timely way?

I strongly urge the members of the Woodbury County Board of Adjustment to reject this conditional permit. Thank you so much for your consideration.

Daniel Priestley

From: gtevis@aol.com
Sent: Thursday, May 2, 2024 7:37 PM
To: Daniel Priestley
Subject: Public Comments for Woodbury County Board of Adjustment Meeting 5-6-2024
Attachments: Comments to Board of Adjustment.docx

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Hello Daniel:

Attached please find a document containing additional comments for the Woodbury County Board of Adjustment meeting on Monday, May 6. Please enter them into the public record.

Thank you.
Glenna Tevis

**Comments to the Woodbury County Board of Adjustment
Regarding a Conditional Use Permit for a
Proposed Organic Composting Facility at 2553 Old Highway 141, Hornick, Iowa
May 2, 2024**

My name is Glenna Tevis. Thank you for the opportunity to provide additional public comments related to the issuance of a conditional use permit for an organic composting facility to be built at 2553 Old Highway 141, Hornick, Iowa. I own and live on a small Century farm located at 2539 Old Highway 141, Hornick, Iowa. My property is located on both the east and west sides of Old Highway 141. On the east side of Old Highway 141, my property adjoins the proposed facility site on the north; the project site is visible from my kitchen and upstairs south-facing windows. It is approximately 0.5 mile from my driveway to the driveway of the proposed project.

I have questions and concerns in addition to those made in my comments to the Planning and Zoning Commission dated April 18, 2024. The page numbers listed in the narrative below refer to pages in the application submitted by Natural Fertilizer Products (Abe Sandquist) and Timothy A. Ericksen, dated March 28, 2024.

Questions related to the application submitted to Woodbury County Planning and Zoning by Natural Fertilizer Products (Abe Sandquist)/Timothy A. Ericksen

Specific Description and Project Narrative (pp. 2-3)

1. What is the Western Iowa Nutrient Recycling Center? Is it a currently existing entity or will it be formed in the future? Is it this project? The Iowa Nutrient Research Center is headquartered at Iowa State University but I don't think this is the entity being referred to.
2. What previous experience do the applicants have with waste compost manufacturing that includes both plant and animal waste streams? At the Planning and Zoning Commission meeting on April 22, 2024, Mr. Sandquist said this would be "something new to me." Who will design and monitor the "recipe" for the mixture? What qualifications will that person need to be able to mitigate contamination and maintain proper composting temperatures?
3. How can the facility be constructed with the environment in mind when it is to be built in the Loess Hills by "tearing the soil" (Mr. Sandquist's words) and on a National Scenic Byway?

4. How specifically will this project benefit the local economy? Will the site operators and truck drivers live in the Hornick community? Will they use community services?
5. Will there be site supervisors on-site 24/7? Are 2 or 3 supervisors the only workers? What will the applicants' roles be? Will they be on-site?

Applicant response to Criteria 1 (p. 6)—*The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied (Woodbury County Zoning Ordinance, Sec. 2.02-9).*

1. In point #5, the applicants state that the project was awarded The Fertilizer Product Expansion Program (FPEP) grant. Who submitted this grant? When was this grant awarded? On the website given in the application, this project is not found on the list of granted awarded as of March 25, 2024. Was it awarded after March 25, 2024, but before the application was submitted on March 28, 2024?
2. If the grant was awarded, did the grant application state that the project would be sited in the Loess Hills and on a National Scenic Byway?

Section B. Attachment – How Natural Fertilizer Products Waste Composting Project meets the General Development Plan (pp. 8-9)

1. How does this project align with these sections of the Vision for Rural Woodbury County: strong sense of community, government existing to serve people and protect the public health, safety, and welfare? The applicants do not live in the community, the project was not announced to the community in a timely manner (adjacent landowners received a letter on Wednesday, April 17 prior to the Zoning Commission meeting on April 22) or in any public way (many people living within 5 miles of the project are still unaware of the project). Is this developing a strong sense of community?
2. Agricultural Goal—Section 3.1 Did the applicants conduct a needs assessment in the local community to determine whether local farmers are anxious to purchase their proposed product? If so, where is this needs assessment data? If not, why not?
3. Agricultural Goal—Section 3.5 From how far away will manure be trucked in? How many farmers willing to sell manure live within 10 miles of the proposed facility? What percentage of manure required does this represent?

Applicant response to Criteria 3 (p.10) – *The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting public health, safety and general welfare (Woodbury County Zoning Ordinance, Sec. 2.02-9).*

1. What type of assessments did the applicants conduct to determine if there would be any adverse effects on property values, air and water contamination, on types and amount of traffic already traveling on this narrow, winding, and hilly road with scant shoulders (those being grass) and few places to safely pass, and on the number of driveways and roads and lanes that intersect Old Highway 141? The applicant merely states that they wanted a hard surface road to avoid dust. Out in the county, trucks traveling on hard surfaced roads still create dust, especially when they slow down to turn into or out of a dirt/gravel driveway. What happens in the winter when snow and ice covers roads and driveways? How will big trucks get up the driveway?
2. Community members have concerns over air and water contamination, over the noise of in-coming and out-going trucks, over the steady, obtrusive noise of facility machinery, and over the creation of even more hazardous conditions on the road for motorists, cyclists, and residents. Mail carriers travel that section of road daily and make many stops at residents' mailboxes. The curves and hills pose a particular safety hazard for residents who live along the section of Old Highway 141 just to the north of the proposed site. If I were crossing the road from my house on the east side of Old Highway 141 to do something on my property on the west side of the road and a loaded truck were traveling south on Old Highway 141 and came around the last curve and over the last hill before my house, I might not hear the truck in time and the driver might not see me in time to avoid a tragic accident. Similarly, there could be a tragic accident involving a truck and a car backing out of a driveway.
3. Coyotes, deer, raccoons, opossums, skunks, and even a mountain lion or two live in the hills and trees surrounding the proposed site where "there might be 6 to 7 acres of manure in rows both inside and outside" (Mr. Sandquist's words at the Zoning Commission meeting on April 22, 2024). How will the applicants prevent an increase in wild animal activity around the site? Other creatures such as rats, flies, mosquitoes, and eventually turkey vultures may also proliferate, especially with the addition of animal byproducts and food waste. Wildlife is already a road hazard and does not need to increase.
4. Will yard lights be erected on the property for safety? If so, they may create enough light pollution that will interfere with the ability of close neighbors watch the moon, stars, and planets at night.

Applicant response to Criteria 4 (p.10) – *The proposed use and development will be located designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development, and improvement of surrounding property (Woodbury County Zoning Ordinance, Sec. 2.02-9).*

1. If the applicants install fences and signs for safety as they claim, and if they widen the access road to accommodate two-way truck traffic, it will be obvious to anyone passing by that the facility is there.
2. Contrary to what the applicant says in #3, the general neighborhood is not used to the continuous sounds of machinery, livestock, and the smell of manure.
3. If, at some point in the future, I decide to build another house at the far south end of my property, I would be unable to do so and expect people to live in it because it would be too close to the proposed facility. It would be like living in the city with the compost facility one block away (assuming 10 city blocks to a mile). My current house would be approximately 5 blocks away—still too close.
4. At some point in the future, the cedar trees at the south end of my property may be removed because they are invasive. If this occurs, the proposed facility would become more visible.

Applicant response to Criteria 5 (p.10) – *Essential public facilities and services will adequately serve the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).*

1. Is the Hornick Volunteer Fire Department equipped to respond to the type of fires (explosion and combustion) that may occur in this proposed facility?

Applicant response to Criteria 6 (p. 11) – *The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties (Woodbury County Zoning Ordinance, Sec. 2.02-9).*

1. The proposed location is on the front edge of the Loess Hills—a significant natural geologic resource in western Iowa. Loess soil is highly permeable, allowing rain and snow melt and any pathogens in the runoff to be absorbed into the ground and perhaps into the water table. Loess soil is also highly erodible, especially when wet. This type of facility with much truck traffic is likely to create adverse effects on the Loess Hills.
2. The proposed location is on a section of the road designated as the Loess Hills National Scenic Byway. Regardless of attempts to “hide” the facility and its

accompanying traffic and odor, anyone traveling along this section of the road will know it is there and be repulsed. If this is not an adverse effect on the scenic features of the Byway, what would be?

Other Consideration 1 (p. 11): *The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community (Woodbury County Zoning Ordinance, Sec. 2.02-9).*

1. It is important to look for ways to preserve or replenish the soil. It is also important to find ways to reduce the amount of waste that goes into landfills. However, putting a waste composting facility at this particular location in the Loess Hills is unnecessary and undesirable. It will not contribute to the general welfare of the close neighbors nor the community. In fact, it will produce a number of adverse effects to the health and safety of the residents, to the safety of travelers along Old Highway 141, and to the health and future of the Loess Hills.
2. In this proposal, the applicants do not seem to be interested in the general welfare of the community. They seem uninformed or unconcerned with the very real health and safety hazards that can and will occur. Neither applicant lives in the community. A handful of people were informed of the project by mail just a few days before the Zoning Commission meeting, with little time to respond. Perhaps the applicants knew the proposed site was not the right one and that the community might oppose having the proposed facility in the community and kept it quiet by choice.

According to the Woodbury County vision statement, one of the roles of the county government is to serve people and protect the public health, safety, and welfare. Please do so by denying this conditional use permit.

Thank you. Please enter these comments into the public record.
Glenna Tevis

Daniel Priestley

From: Steven Burns <spburns50@gmail.com>
Sent: Thursday, May 2, 2024 8:30 PM
To: Daniel Priestley
Subject: Attached Comments Re: Proposed Organic Composting Facility near Hornick, Iowa
Attachments: Comments to the Woodbury County Board of Adjustment-SB 050224.pdf

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Mr. Priestley:

My name is Steven Burns and I live near Duluth, Minnesota. I was contacted by family members about a proposed Organic Composting Facility at 2553 Old Highway 141, Hornick, Iowa. They told me that a meeting of the Woodbury County Board of Adjustment is scheduled for Monday, May 6, 2024 in which comments will be received and heard prior to making a decision regarding the composting facility.

Having lived and grown up on that very farm as a child, I decided I needed to offer my comments for review and discussion at Monday's meeting regarding the future of that farmstead. My comments are attached.

Thank you for allowing me to submit comments, which I hope the members of the board will carefully consider in their final decision.

Respectfully,

Steven Burns

(I apologize for accidentally sending the partial email earlier.)

May 2, 2024

**Comments to the Woodbury County Board of Adjustment regarding:
The Proposed Organic Composting Facility at 2553 Old Highway 141, Hornick, Iowa**

My name is Steven Burns. Thank you for this opportunity to offer comments regarding the Conditional Use Permit for the proposed organic composting facility. I am a cousin to the Tevis family that lives at 2539 Old Highway 141, Hornick, Iowa about 0.5 mile north of the subject farm at 2553 and whose land borders the Timothy Ericksen property. It just so happens that my grandfather and my father both lived on the subject farm at 2553 where I grew up in the 1950's and 1960's. My grandfather built the two-story house, and my father moved the one-story house onto the farm just before I was born. I received an engineering degree from Iowa State University and worked in the Duluth, Minnesota area until my retirement in 2015.

I would like to make it clear that I do not oppose the use of composted organic waste for farm field fertilizer for many of the reasons Mr. Sandquist stated in his application. The purpose of the comments I am submitting to the Board of Adjustment is to question the location of this proposed facility.

It was quite a surprise to me when I learned that this location is being considered for a waste composting facility. The site is indeed hidden by the terrain and the trees and it does lie above the flood plain, but in my opinion, those are the only positives. I will list some of the drawbacks to this location.

Transportation and Safety

This section of Old Highway 141 is a portion of the Loess Hills National Scenic Byway. It is a narrow two-lane, hilly, winding, paved road with narrow, dirt shoulders. It has a 50 mph speed limit and is anything but a great transportation link for large trucks carrying loads of waste. There is poor visibility to the north of the driveway at 2553 due to a hill, which would make it a challenge for trucks turning in and out. At a minimum, turning lanes should be constructed and warning signs installed along the highway to let motorists know trucks are turning ahead and prevent a serious collision.

Any trucks coming from the south into this facility or traveling south leaving the facility will have to drive through one of two small towns. Old Highway 141 passes through Holly Springs in about 1.5 miles going east, and it intersects K46 in about one mile to head south about 3 miles passing through Hornick to Highway 141.

Trucks going to or coming from the north on Old Highway 141 would travel either to or from Sioux City, about 20 miles away, or to or from Sergeant Bluff, also about 20 miles away, via the D38 cutoff. This reinforces the idea that 2553 Old Highway 141, Hornick, Iowa is a remote farm location not well connected to any major highway system.

There are numerous farms along Old Highway 141 where the layout includes property on both sides of the highway. People are crossing the highway on foot and with machinery to perform their daily chores.

As a scenic byway, in the spring, summer, and fall months there are often motorists, including motorcyclists, traveling along Old Highway 141 enjoying the scenery.

Environmental

The Loess Hills make up a very fragile ecosystem where erosion is a persistent enemy. The vegetation is very important to hold the soils. That is why when we farmed the land we let the natural grasses grow on the hills from the highway all the way to the eastern boundary. We planted crops only in the valley between the hills going back east of the buildings. The hills on the north and south sides were designated permanent hay and pasture land. To minimize erosion, a government project was initiated in the 1950's to build terraces along the contours of some of the hills.

The proposed waste composting facility will eliminate much of the vegetation to the east of the old farm buildings and change the natural drainage of the valley. There will be far less vegetation and soil to slow and absorb the runoff. Leveling large areas for sizeable buildings with large roofs and installing impervious turning and parking areas along with the main driveway and roadways will create drainage issues from the runoff during hard rains. The runoff will carry contamination to the east for sure, and, possibly, down the driveway to the west out to Old Highway 141. The driveway will have to be paved due to the historically slippery, muddy conditions when wet.

The proposed "process runoff containment basin" of the facility will be critical to prevent the spread of contamination to the east of the property and will need to be carefully engineered and maintained.

Some Questions to Consider Regarding Water Runoff (Reference the Site Plan Drawing No. 21-055)

- 1) How was the "process runoff containment basin" designed? Is the design size and depth adequate for the expected maximum process runoff?
- 2) Will the "clean water runoff diversion" system actually divert runoff around the facility as suggested, and how will this be maintained? If the "clean water runoff diversion" system fails, the "process runoff containment basin" will be overwhelmed and overflow.
- 3) What is the purpose of the "freshwater pond structure"? Will this help control the release of "fresh" water and "clean" water as it passes on to the east?

Comments on some of the Criteria for Conditional Use Permits set forth by the Woodbury County Zoning Ordinance, Sec 2.02-9:

Criteria 3 – "The proposed use and development will not have a substantial or undue adverse effect upon.....traffic conditions.....and other factors affecting the public health, safety, and general welfare."

When Mr Sandquist says they will have a "wide easy access driveway", more specifics are needed. Access to a driveway for truck traffic off Old Highway 141 would require modification to the highway, not just the driveway to promote safety as previously mentioned.

Criteria 4 – "The proposed use and development....will be compatible with the immediate neighborhood and....not interfere with....development and improvement of surrounding property."

Mr. Sandquist states that, "the property to the south is a large permitted beef cattle open feedlot", so his facility should not be anything new to the neighbors. But his proposed facility would become a feedlot on steroids in terms of noise and odor with 10-20 truckloads of waste being hauled in and unloaded daily.

A waste composting facility could decrease land values in the area and discourage development and improvement of surrounding properties.

Criteria 5 – "Essential public facilities and services will....serve the proposed use or development."

In granting Mr. Sandquist a permit to build this proposed facility, the Iowa Department of Natural Resources is taking a risk that he will meet the environmental requirements. There is no guarantee that this proposed project as laid out on the Site Plan can meet the environmental requirements.

The constant truck traffic would likely cause deterioration of Old Highway 141 over time requiring an increase in highway maintenance costs (requiring public services). Also, the need for warning signs and turning lanes off Old Highway 141 will enlist the involvement of the highway department.

Criteria 6 – "The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic, or historic features of the subject property or adjacent properties."

The proposed facility will have adverse effects on the natural and scenic environment along the Loess Hills National Scenic Byway. While the production of natural compost fertilizers is a desirable service to the farming community, this location holds too many safety and environmental challenges for the proposed use.

Summary

From a careful reading of the Stakeholder Review, I do not see where Mr. Sandquist has operated such a facility before, especially on this scale. In the "Executive Summary and Background" narrative he states, "NFP is poised to expand into the realm of waste compost manufacturing with the Western Iowa Nutrient Recycling Center". (When I looked online for the WINRC, I was directed to Iowa DNR – Regional Collection Centers.) Normally, it would be advised to research other such facilities operated by Mr. Sandquist to verify that his proposals and design truly deliver the desired results (quality of product and environmental safeguards). However, this facility appears to be a prototype design full of promises but few assurances. If the waste composting facility is built, it is likely that Old Highway 141 will become less safe; and there will be excessive truck noise, constant odors, and possible DNR violations for contaminated runoff water escaping property boundaries.

I believe that a more reasonable, common sense approach to a proposed Organic Composting Facility would be to locate it on flat ground closer to an industrial area with access to a major highway system. It could be located in a remote rural area provided there are not environmental and natural preservation concerns as in the Loess Hills, and there is access to a major highway system.

I respectfully urge the Board of Adjustment to consider denying the Conditional Use Permit for the subject proposed facility at 2553 Old Highway 141, Hornick, Iowa. Thank you for your consideration.

Steven Burns

Daniel Priestley

From: Kim Sulsberger <ksulsberger@gmail.com>
Sent: Thursday, May 2, 2024 9:24 PM
To: Daniel Priestley
Subject: Public Comments for Woodbury County Board of Adjustment 5/6/24 Meeting
Attachments: 1C44434-Opposition to Conditional Use.pdf; Photo Attachment (reduced).pdf

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Daniel

Please see attached statement and pictures I would like to have submitted into the public record for the Woodbury County Board of Adjustment meeting to be held on 5/6/24.

Thank you,
Kim Sulsberger

Kim Sulsberger
2853 Grundy Ave.
Hornick, Iowa 51026

Dan Priestly
Woodbury County Community and Economic Development
6th Floor, Woodbury County Courthouse
620 Douglas St.
Sioux City, Iowa 51101

Via email: (dpriestly@woodburycountyiowa.gov)

Re: Opposition to Conditional Use Permit Request—Waste Composting Site Property
Address: 2553 Old Hwy 141, Hornick, Iowa 51206

Dear Mr. Priestly and Board of Adjustment:

I am writing in opposition to the Conditional Use Permit Request made by Natural Fertilizer Products (Applicant—Abe Sandquist) and Timothy A. Erikson for a waste composting site next to my house in Hornick. Please accept these written comments into the record for this conditional permit and for the upcoming Board of Adjustment meeting scheduled for May 6, 2024. In short, I am concerned that this proposed use will be detrimental to my property, safety, and neighborhood. I am also concerned that the Conditional Use Application does not include sufficient conditions to keep me and my property safe from harm. As such, I write to request the Board of Adjustment deny the conditional use permit application.

Background

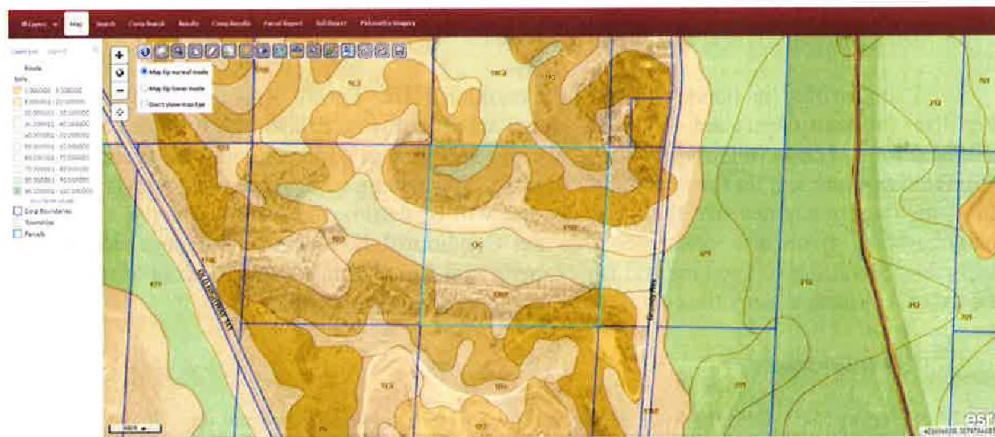
I live at 2853 Grundy Ave., Hornick, Iowa 51026, which is directly east of the proposed project. My property is highlighted in blue in the photo below.



My house is on the parcel directly adjacent to the proposed project and is roughly 180 feet from the property line and is very close to both the proposed waste site and containment basin. Yet, the first time I learned of this project was when I received notice regarding the Conditional Use Permit Application not from the Applicant. After I reviewed the Application and researched the proposed project, I concluded that this project should not go forward at the proposed site. The application was deficient in regards to several criteria, each of which I will address below.

The proposed use and development will not be in harmony with the general purpose and intent of the general plan.

The Applicant attached a document to the application in this case to show how the application meets the general development plan, but it is inadequate. In particular, criteria 3.4 states that the project should “protect prime farmland as determined by high corn suitability ratings (i.e. over 65 CSR) from conversion to other land uses. The Applicant did not address this factor. While some of the land has timber and ridges, the actual site of the waste will be on some of the best rated soil possible, with a CSR2 soil rating of 89 (see below photo).



The composting facility will certainly disrupt this highly rated soil. At the county zoning board meeting, the Applicant explained that he would strip the soil and add a two-foot fat clay layer under this soil to protect the groundwater from possible leachate. That will certainly destroy the highly rated topsoil in this area, which is not consistent with the development plan.

While I care about the soil, the Applicant’s proposal highlights a dilemma; a two-foot clay layer is necessary to protect my land and health from dangerous leachate, but it will also destroy the highly rated soil in the Loess Hills region. Rain and snow that falls on this facility will almost certainly carry harmful chemicals and heavy metals that could endanger both my health and land.¹ There is no condition that can both protect the soil (as is required by the development plan) and

¹ Dany Roy, et. al., *Composting Leachate: Characterization, Treatment, and Future Perspectives* (February 14, 2018) <https://espace.irs.ca/dspace/handle/6889/1/P3294.pdf>.

protect my health (as is required by the permit application). As such, this site is not suitable for this project, and the Board of Adjusters should deny the conditional use permit.

The proposed use will have a substantial or undue adverse effect upon my adjacent property, the character of my neighborhood, the traffic conditions and several other factors affecting the health, safety, and general welfare of me and my neighbors.

As highlighted above, this proposed project is in the wrong place and affects my adjacent property, my neighborhood, and the safety of this area. I am seriously concerned about water runoff and leachate damaging my property. As for runoff, my property is downhill from the proposed project and any water from rain and snow melt will go directly towards my property. The only barrier between my property and the proposed project is a berm that has already failed in the past. This project should not go forward unless the Applicant updates the berm with better lining, such as concrete or rock, and it should be built taller to provide more protection. The stormwater containment basin should also be setback further from where it is currently proposed so my property will not be impacted by any runoff.

I am also concerned about water leachate next to my property. As is the case with many homes in this area, my home's water is supplied by a well. I fear that this proposed project could impact my water supply with harmful chemicals. The Applicant has not submitted any engineering to show how leachate will be handled. Without a detailed engineering analysis, I fear my drinking water could be impacted by the proposed project.

Beyond just the water impacts, I am also highly concerned about the increased traffic in the area. The Applicant suggests 10-20 trucks per day will be traveling to and from this facility. These will be large trucks, and the proposed site is on a curvy stretch of road. As illustrated by the attached photos (taken on this road traveling from Sioux City to the proposed site) there are many blind turns, narrow shoulders, and driveways in this area. Adding more heavy truck traffic is simply asking for a serious accident. This stretch will become especially dangerous during the fall when farmers are using this stretch of road, and winter will be even worse when these already dangerous roads are covered by ice and snow. There is no safe condition that can be put in place to mitigate the potential for accidents in this place. Accordingly, I request the Board of Adjusters deny the conditional use permit application.

The proposed use and development will interfere with the orderly use, development and improvement of surrounding property.

Another criterion that this Board looks to when reviewing conditional use permit applications states that the proposed use and development will not interfere with the orderly use and development of the surrounding property. The Applicant suggests that the facility will be compatible with the community because there is a feedlot directly south, but the feedlot is not the entire neighborhood. There are houses, fields, pastures, and timber all around this area. Also, there is a marked difference between an agricultural facility and an industrial waste compost facility—especially one that will be trucking in waste from industries in Sioux City.

I am also concerned that waste being trucked in will have a serious odor. Even blogs and websites that are “pro-compost” recognize that “it always smells.”² The Applicant suggests that it will not smell any worse or different than the feedlot, but the waste coming in will be different. The Applicant will be hauling in waste from several Sioux City industries that are much different than the cattle at the feedlot. I have also lived next to the feedlot for decades, and the odor from that facility is not noticeable year-round. I am concerned the Applicant is using the feedlot to bait-and-switch the neighborhood about the actual odor that will take place. For all those reasons, I recommend the Board of Adjusters deny the conditional use permit.

The proposed development will result in unnecessary adverse effects upon significant natural, scenic, and historic features.

Finally, I am concerned that an industrial composting facility is being considered in the Loess Hills along a scenic byway. The Loess Hills are an incredible piece of Iowa natural history that should not be converted into an industrial facility. Also, the Owego Wetland Complex is less than a mile from this facility, but the Applicant did not submit any engineering showing that the wetlands will not be impacted. This commission’s staff analysis already recommended that the conditional use permit be granted only with an archeological study that clears the area from any designation of historical significance. An archeological study will not be enough to determine whether the wetlands or hills will be impacted, and I suggest a detailed engineering study should be done to show that the proposed project will not result in any unnecessary adverse effects upon this area that is rich in natural, scenic, and historic significance.

This Board should deny the conditional use permit outright, but if it does approve the conditional use permit, it should add several conditions.

While I believe that the Board of Adjusters should outright deny the conditional use permit because there is no way to safely implement this project in this area, I recommend the following conditions be added if the Board of Adjusters approves a conditional use permit.

- The Applicant should conduct an engineering analysis showing the hydrology of this project to ensure my property will not be impacted by runoff. This analysis should also include any groundwater impacts.
- The Applicant should conduct an air dispersion analysis to show how odor will travel in the area and demonstrate that it will not impact my property.
- The Conditional Use Permit should include provisions with appropriate setbacks from my property line, both for the facility and the stormwater containment basin. Engineering will likely be necessary to determine how far the setbacks should be from my property.

² ECS Staff, *Odors – Nuisance, Complaints and Best Management Practices for Compost Facilities* (February 4, 2021) <https://compostsystems.com/odors-nuisance-complaints-and-best-management-practices-for-compost-facilities/>.

- And finally, the Applicant should modify the berm located near my property line. The berm is currently on the Applicant's parcel, and it should be lined with rock or concrete and made taller.

Conclusion

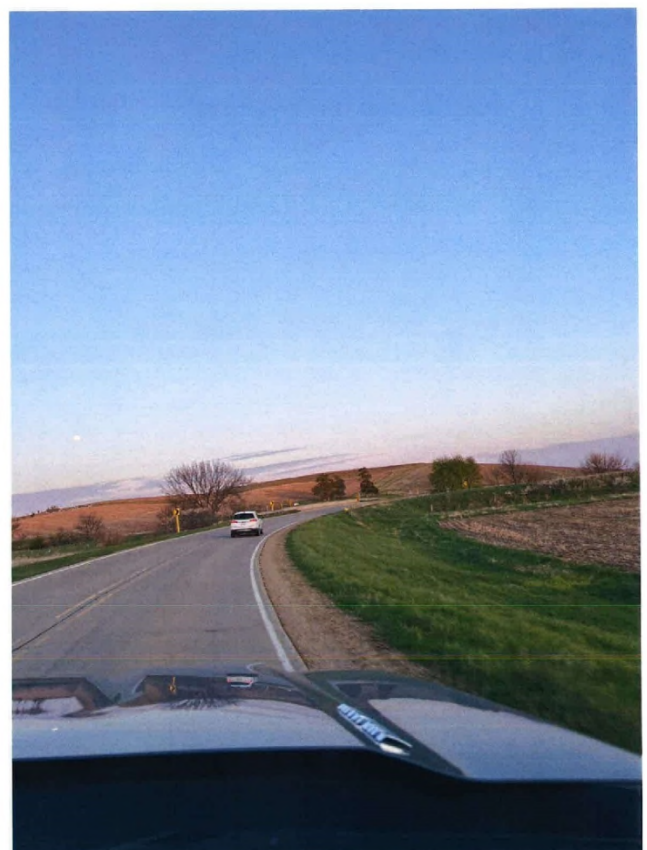
I have several concerns about the waste compost facility that is currently being proposed to the Board of Adjustment. I do not believe the Applicant has sufficiently demonstrated the ability to implement this site in a way that will not have a significant detrimental effect on me and my neighbors. Simply put, this site is the wrong place for this composting waste facility. For all those reasons, I request the Board of Adjustment deny the conditional use permit.

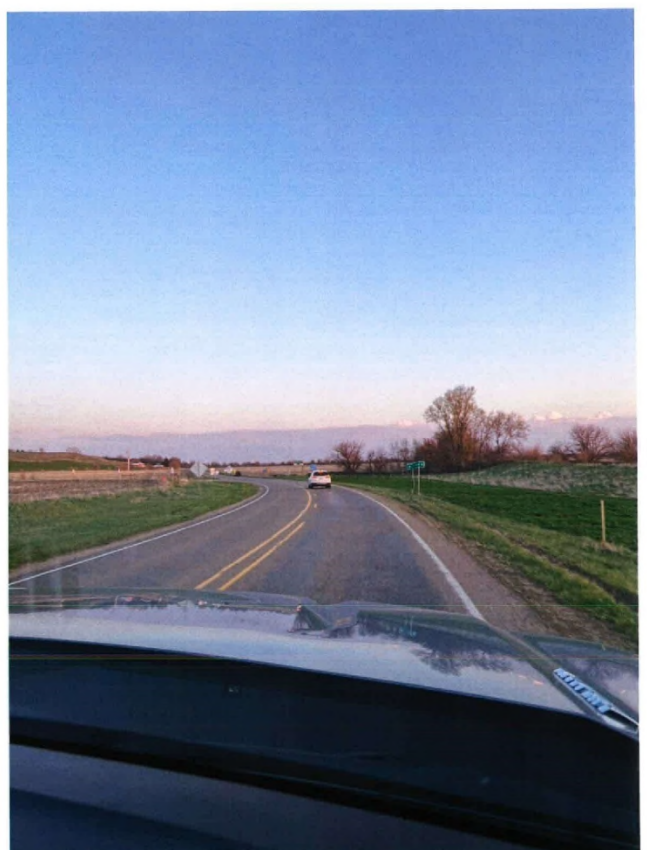
Thank you for your time.

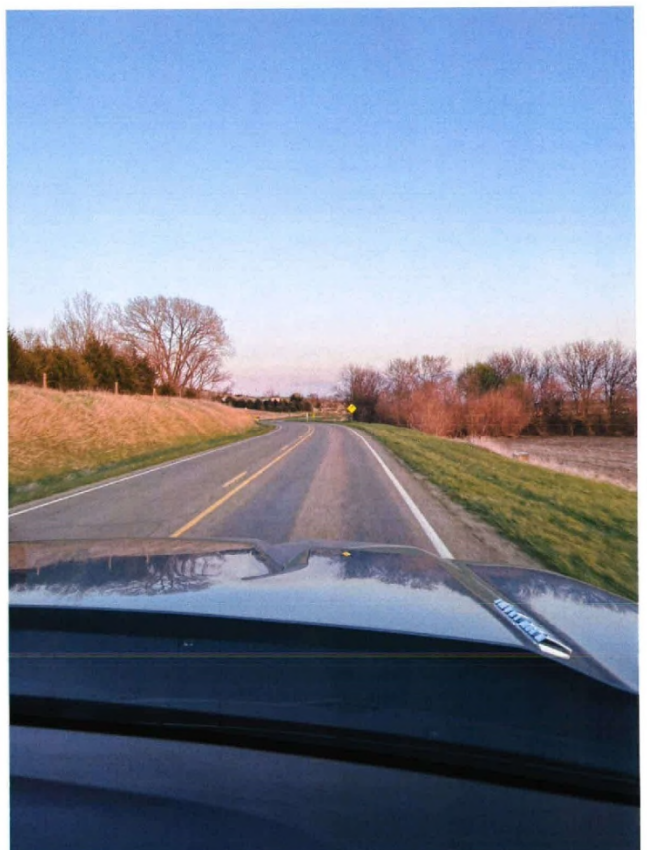
Kimberly Sulsberger
2853 Grundy Ave
Hornick, IA 51026

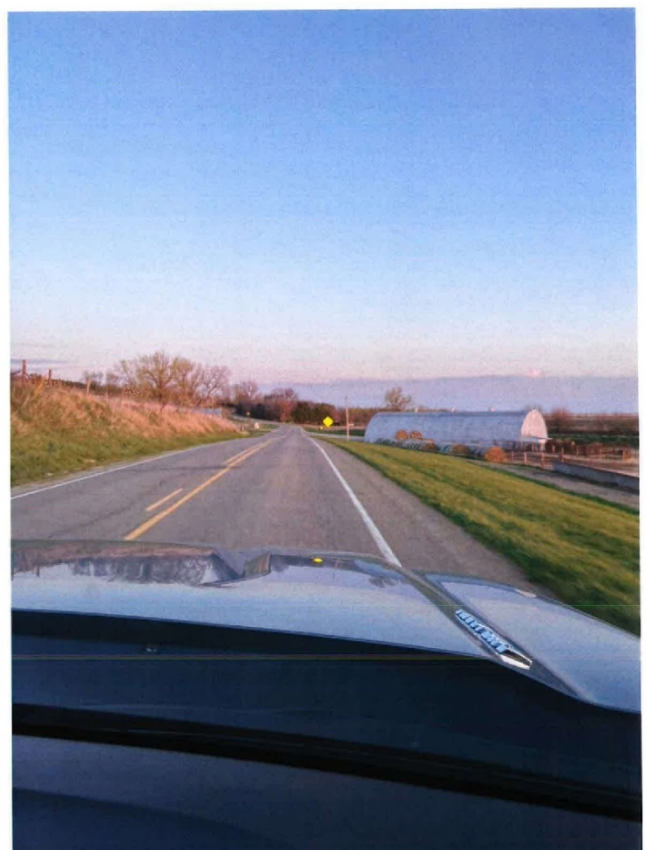
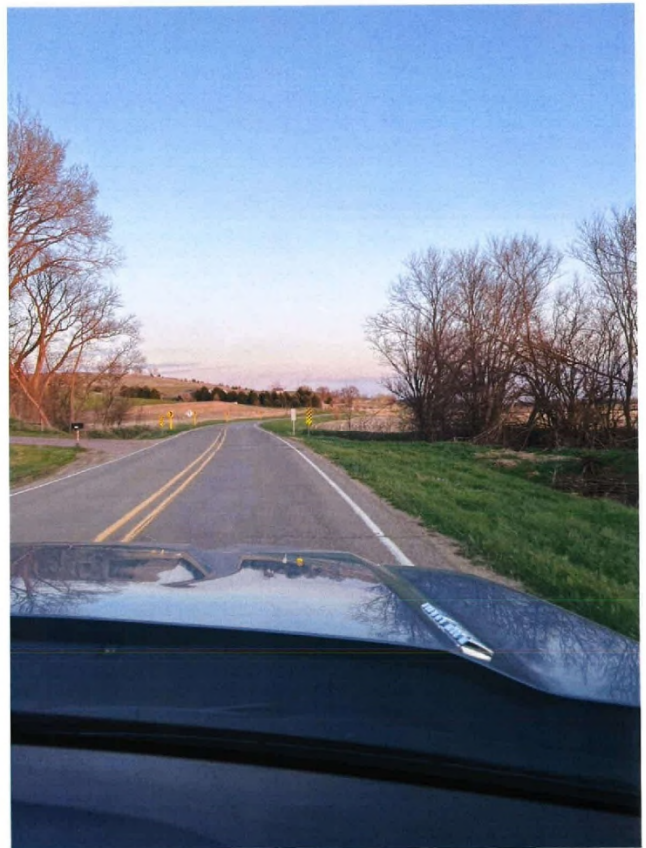
Please enter these comments into the public record.

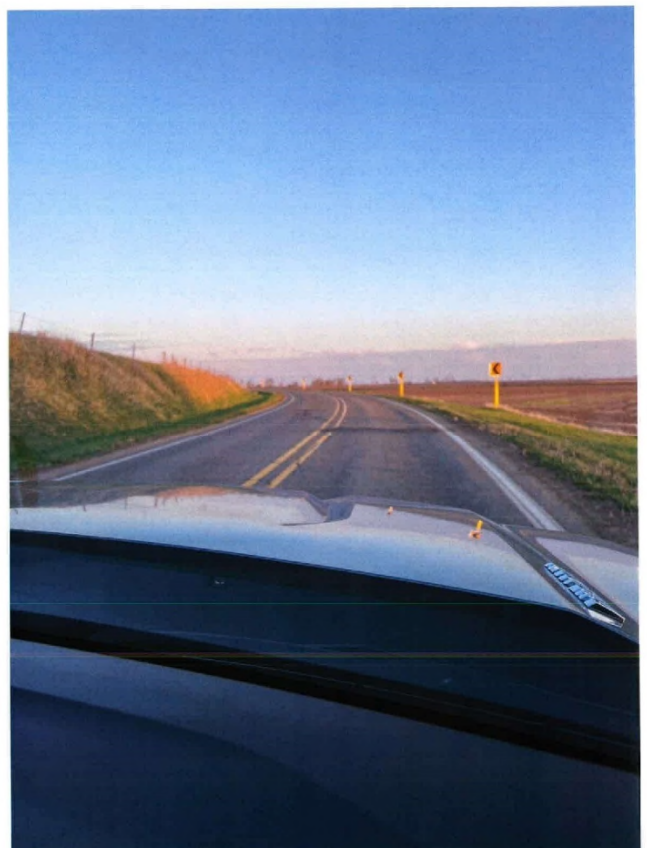
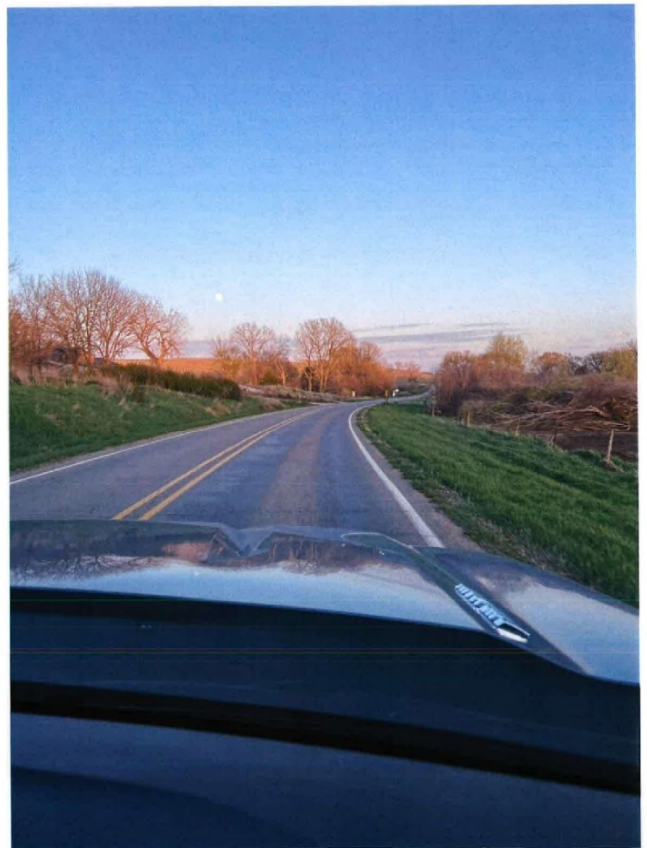


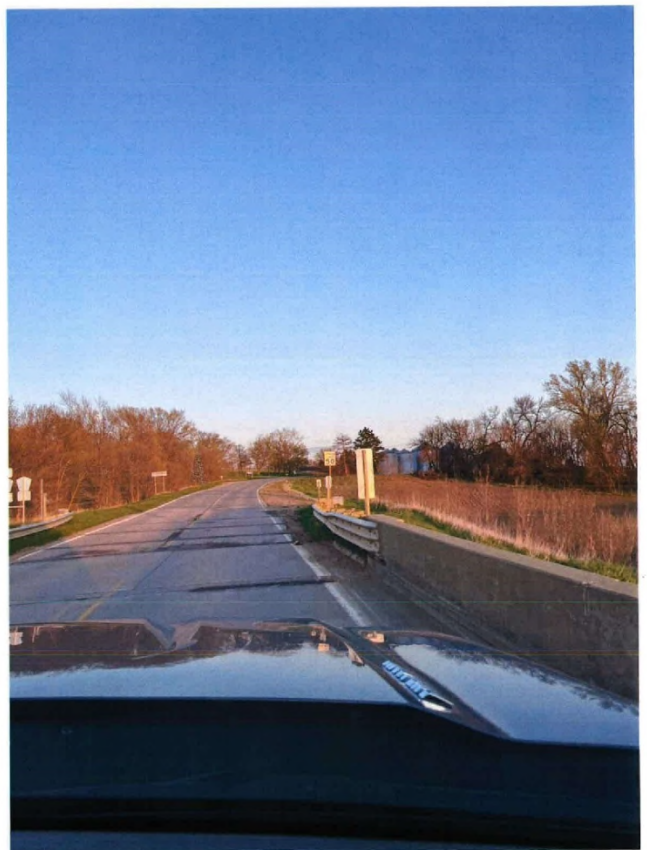


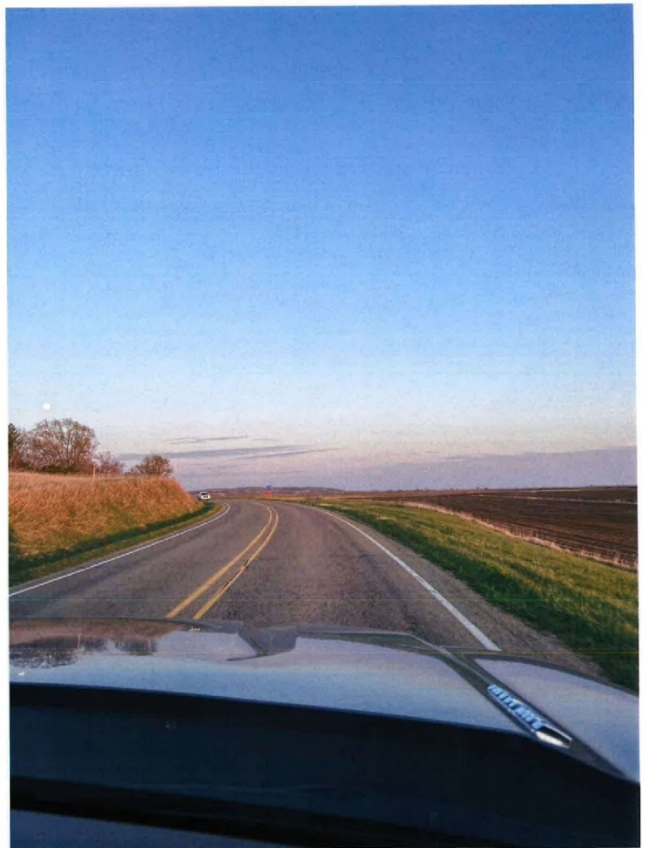


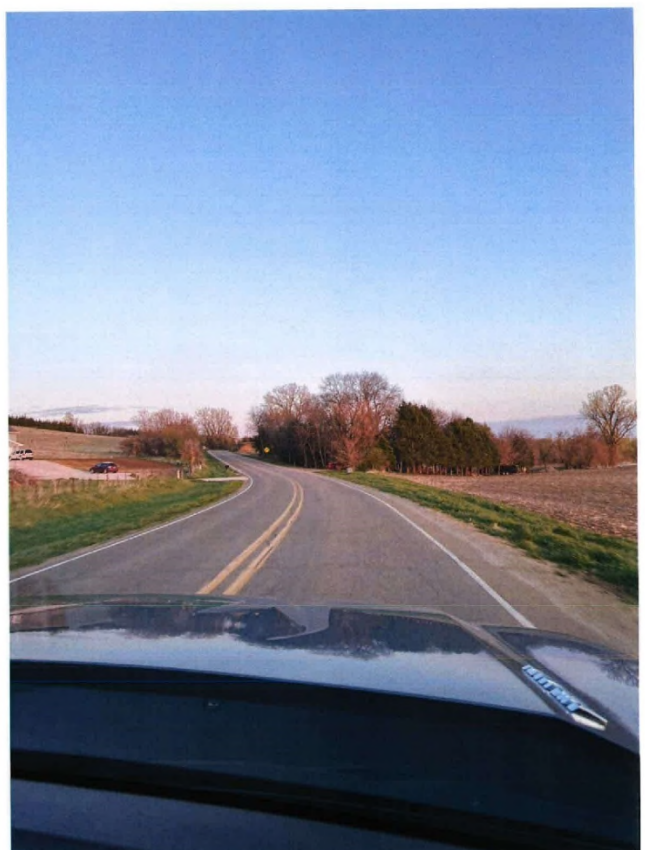


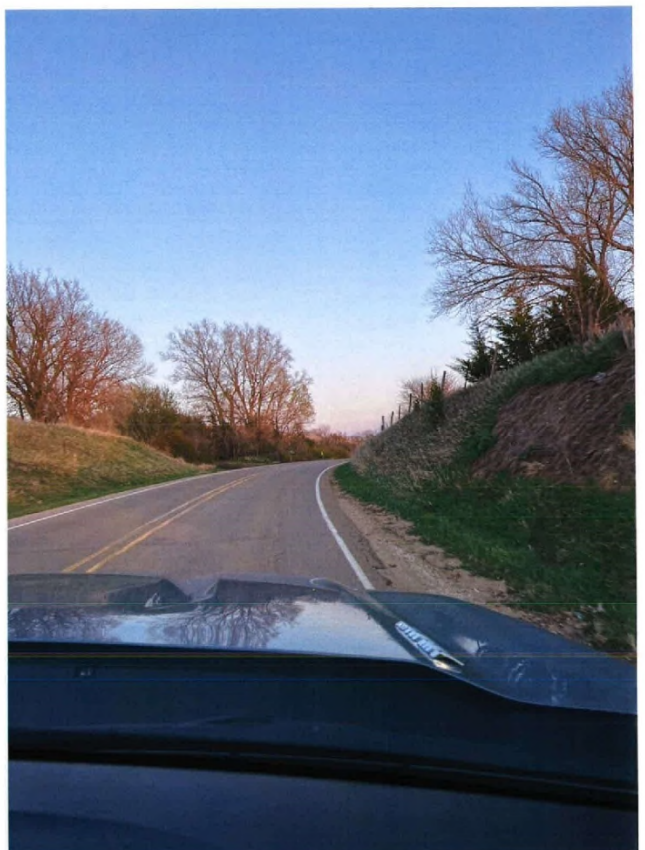
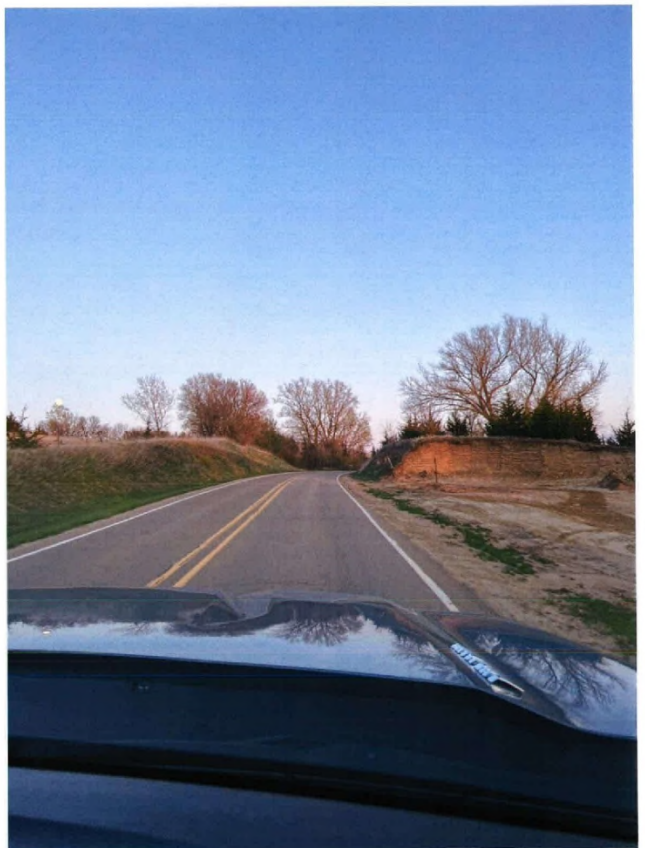


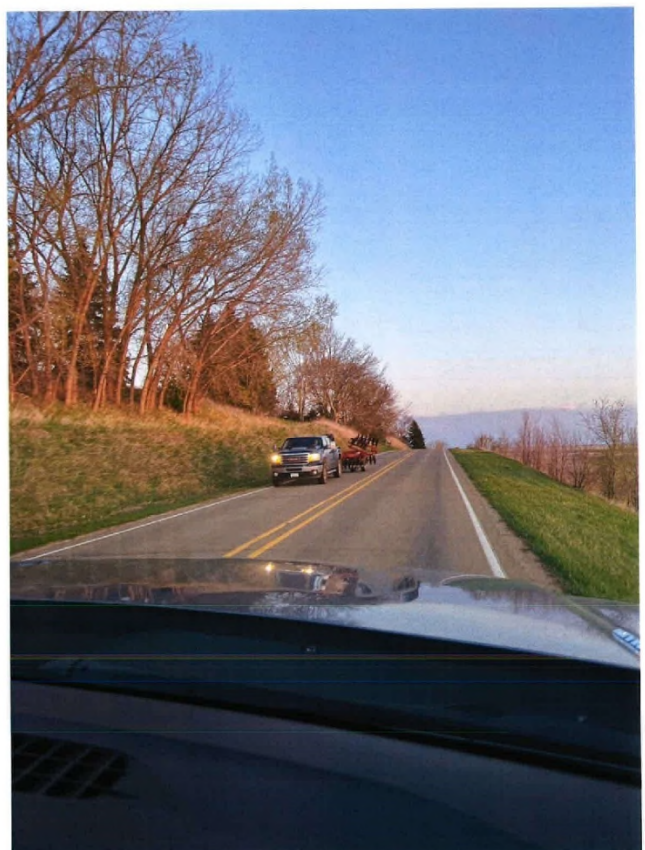
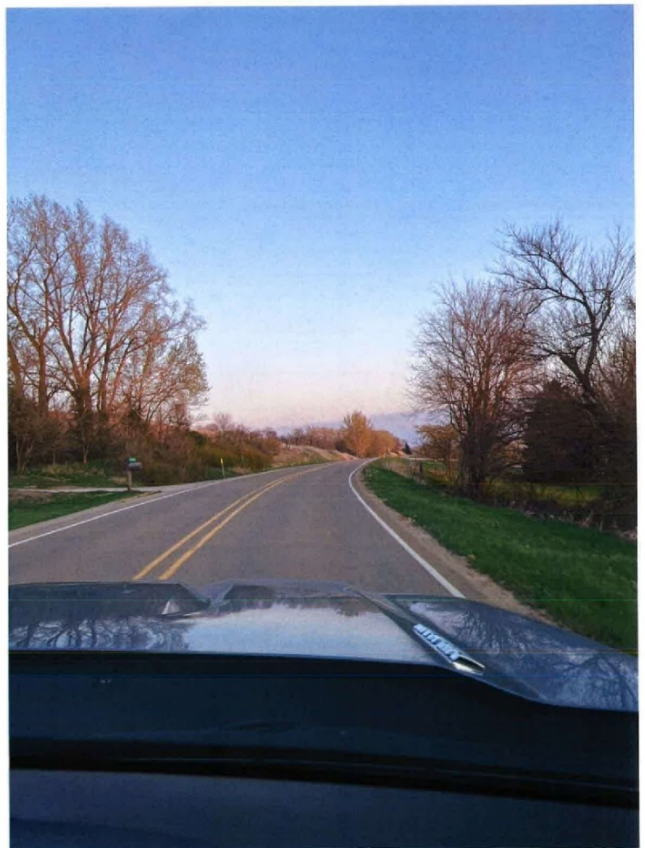


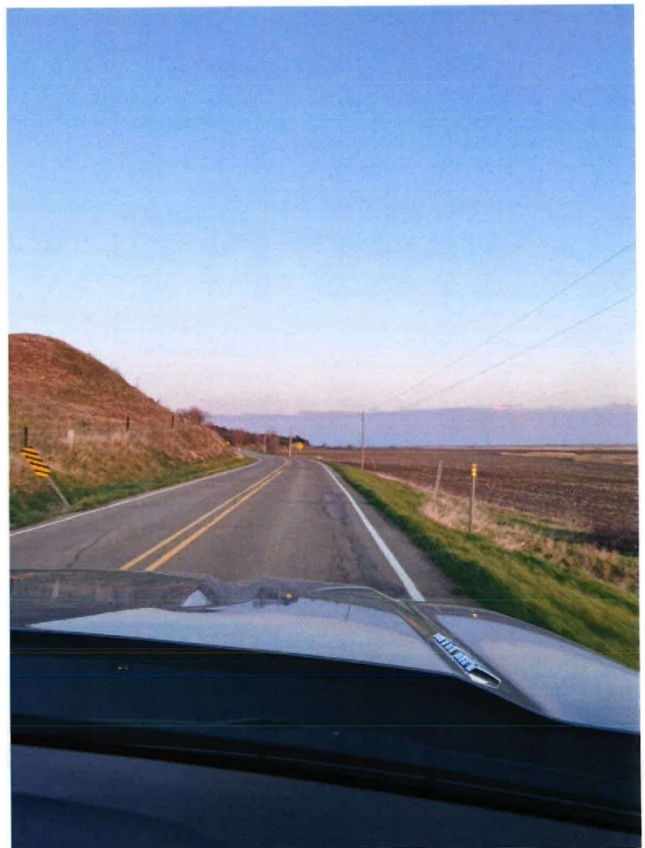














Daniel Priestley

From: Abe Sandquist <abesandquist@gmail.com>
Sent: Friday, May 3, 2024 5:41 PM
To: Daniel Priestley
Subject: Fwd: Experiment on Composting Bone Residues.
Attachments: 20240503_171222.jpg; 20240424_191542.jpg; 20240425_081444.jpg

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

----- Forwarded message -----

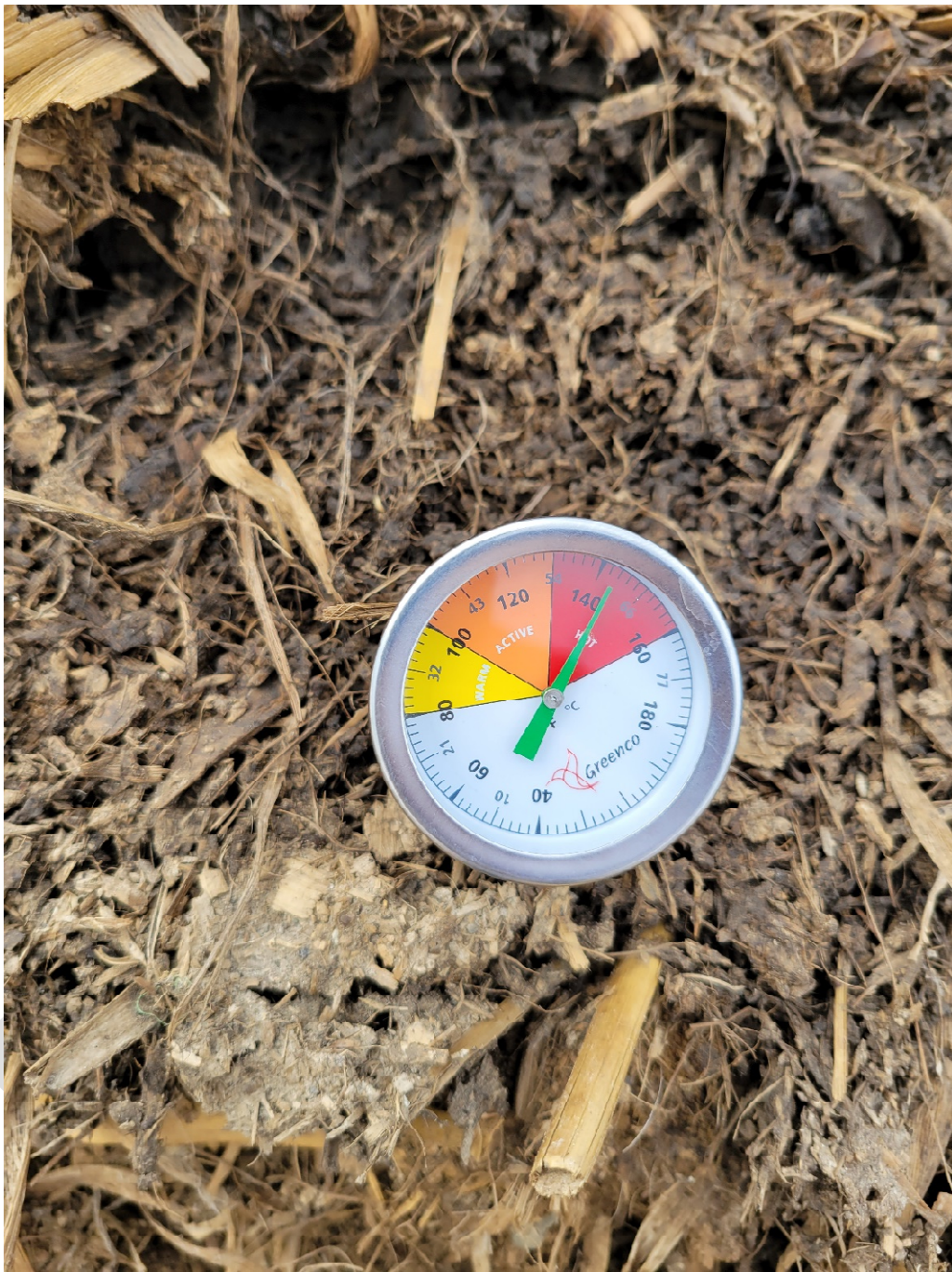
From: **Abe Sandquist** <abesandquist@gmail.com>
Date: Fri, May 3, 2024, 5:34 PM
Subject: Experiment on Composting Bone Residues.
To: Allan Goldberg <algae@post.com>, Justin Sprague <justin@proageng.com>

Please see the below pictures. We brought a load of bone residue in and mixed it within 8 hours. Smells were mitigated instantly. 1 week later and still no smell and temperature up to 140 degrees.

Mixer is

12 ton bone residue (85% moisture)
1.2 tons corn stalks
12 tons truck wash wood chips
6 tons bedded confinement cattle manure

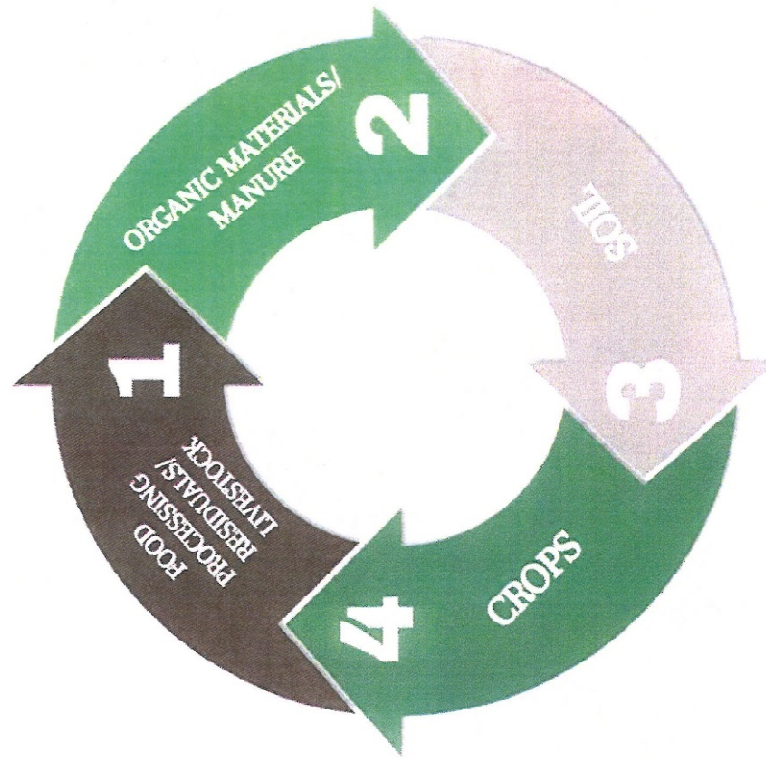
Proof management will mitigate smell and create a really nice product.







DR



**NATURAL FERTILIZER**
nature's potential realized

Completing The Nutrient Cycle

FEBRUARY 7, 2024

ABE SANDQUIST
CCA - USDA TSP

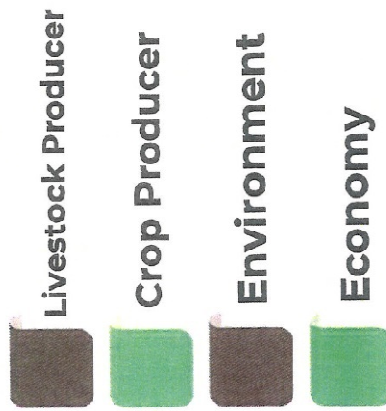
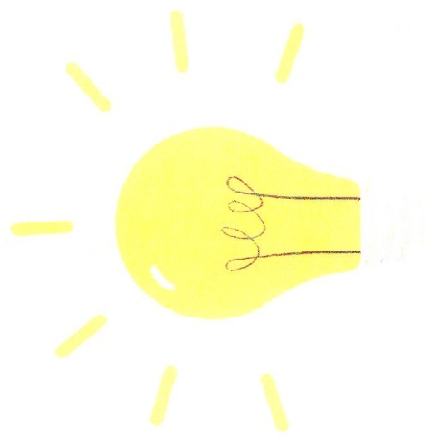
Who Am I?



- Northwest Missouri State graduate
- Previous NRCS soil conservationist
- Own and Operate Natural Fertilizer (Woodbine) and Soil Solutions (Onawa)
- We consult with feeding operations on environmental compliance
- Our goal is to repurpose and reuse natural waste

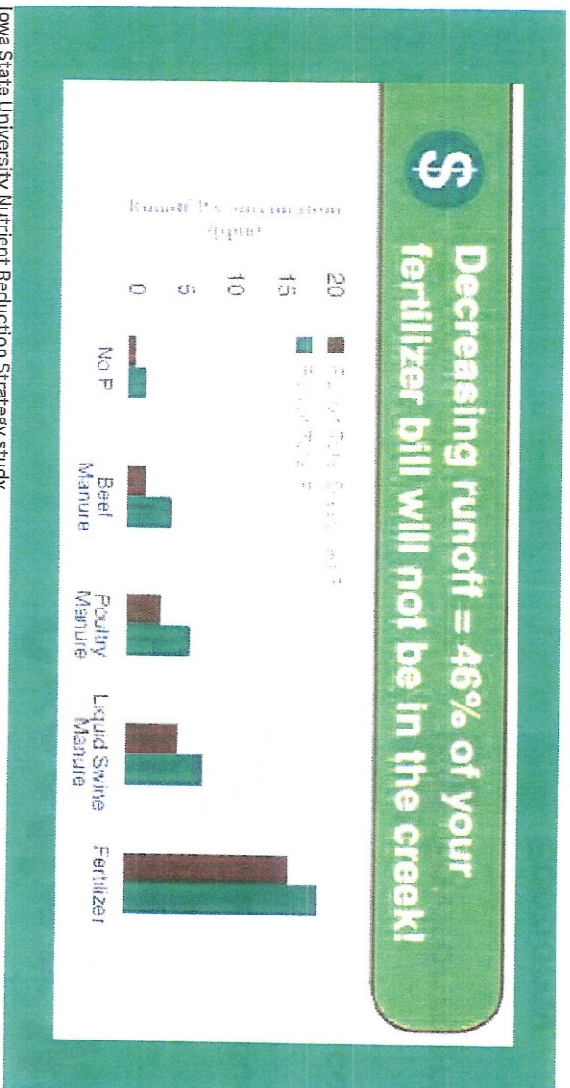


Creating WINS



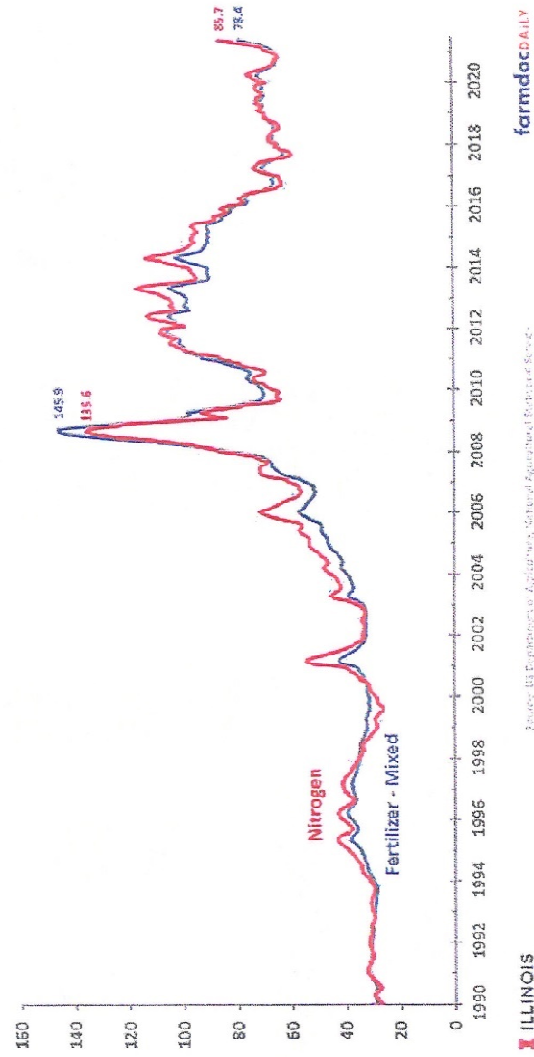
"If everyone wins it's impossible to fail."
- Abe Sandquist

Need for better Environmental Stewardship

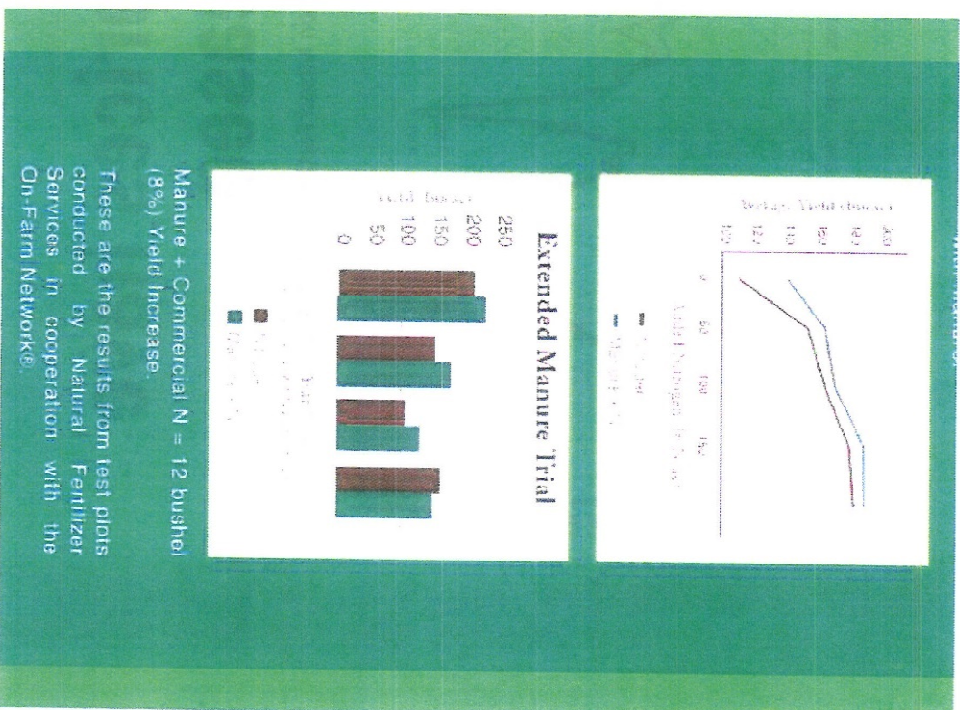
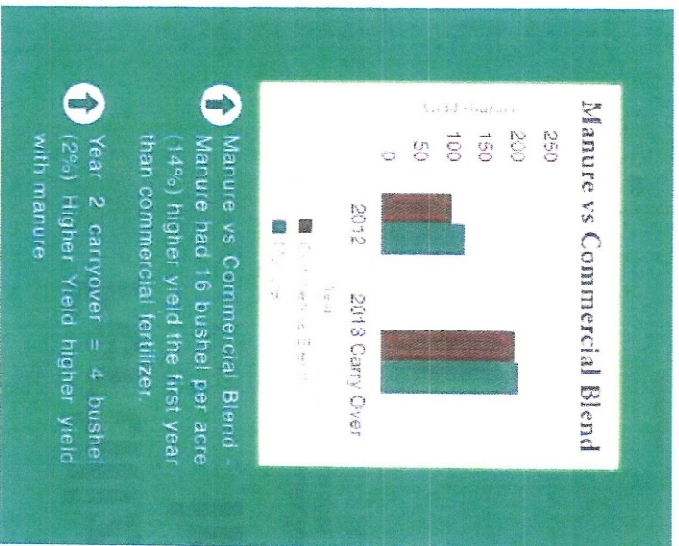


Fertilizer prices have increased

Figure 1. USDA Fertilizer Index for Prices Paid on Mixed Fertilizers and Nitrogen Fertilizers from Jan 1990 to Jun 2021 (2011 = 100)



Improving soils and yields



**Not enough manure to
fertilizer the midwest**

By **REUTERS** April 6, 2022

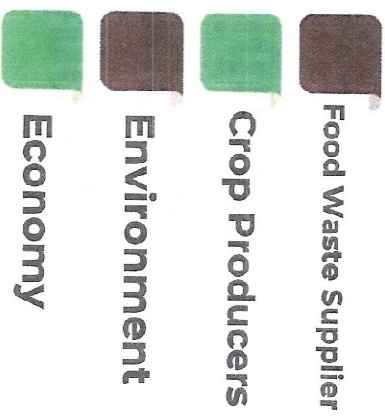
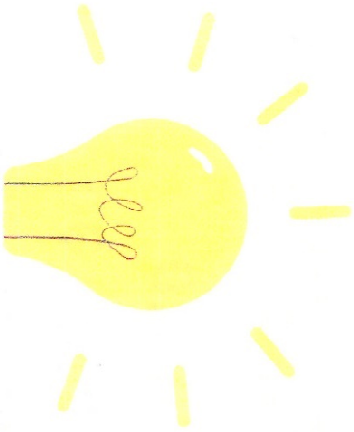
For nearly two decades, Abe Sandquist has used every marketing tool he can think of to sell the back end of a cow. Poop, after all, needs to go somewhere. The Midwestern entrepreneur has worked hard to woo farmers on its benefits for their crops.

Now, facing a global shortage of commercial fertilizers made worse by Russia's invasion of Ukraine, more U.S. growers are knocking on his door. Sandquist says they're clamoring to get their hands on something Old MacDonald would swear by: old-fashioned animal manure.

"I wish we had more to sell," said Sandquist, founder of Natural Fertilizer Services Inc, a nutrient management firm based in the U.S. state of Iowa. **"But there's not enough to meet the demand."**

**Can the same “wins” and benefits
be created while repurposing
other organic residuals?**

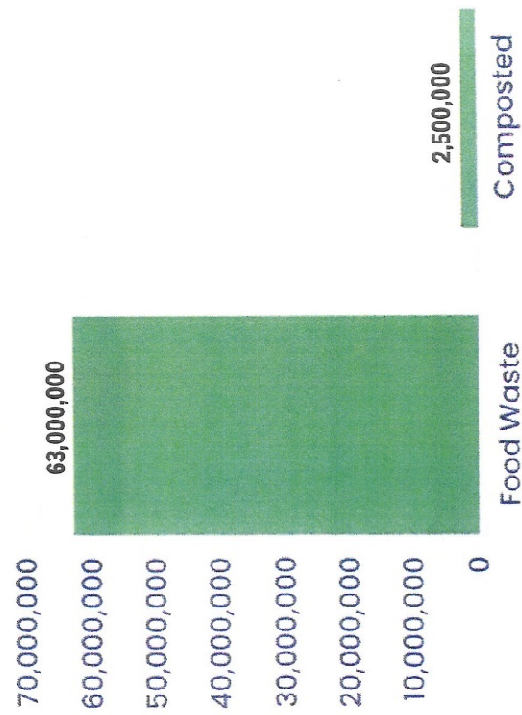
Creating WINS



"If everyone wins it's impossible to fail."

- Abe Sandquist

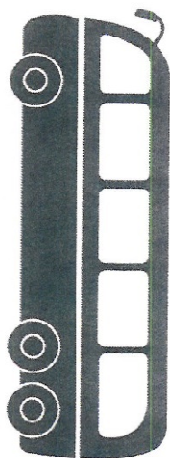
EPA STUDY 2018 IN US TONS



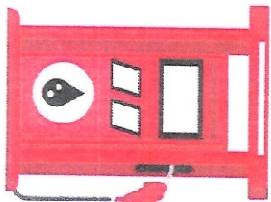
NATURAL FERTILIZER

Composting of food waste can reduce carbon dioxide emissions by 1.4 million metric tons.

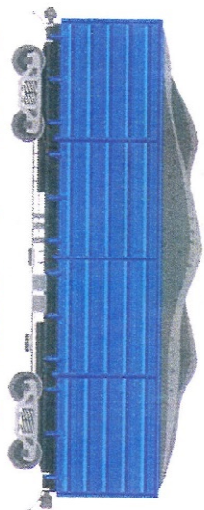
This would be like...



removing emissions from 303,000 passenger vehicles a year



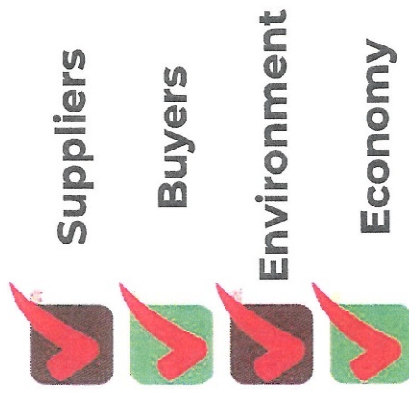
conserving nearly 162 million gallons of gasoline



or not burning 7,700 railcars of coal.

*Iowa DNR 2022 Iowa Outdoor Magazine data

Creating **WINS** with the nutrient cycle



"If everyone wins it's impossible to fail."

- Abe Sandquist

Fertilizer Production Expansion Program

What does this program do?

The Fertilizer Production Expansion Program (FPEP) provides grants to help eligible applicants increase or expand the manufacturing and processing of fertilizer and nutrient alternatives in the United States and its territories.

Who can apply?

The program is open to for-profit businesses and corporations, nonprofit entities, Tribes and Tribal organizations, producer-owned cooperatives and corporations, certified benefit corporations, and state or local governments. Private entities must be independently owned and operated.

Eligible applicants must:

- Operate in the United States or one of its territories
- Follow all federal, state, Tribal, and local regulations governing fertilizer and nutrient manufacturing, processing, storage, distribution, and waste management

- Be registered in the System for Award Management (SAM), and maintain a valid SAM registration during the application process and throughout the entire award term. You can learn more about how to register in SAM at this link: <https://sam.gov/content/entity-registration>.

Eligible applicants — including their affiliates — must certify they do not hold a market share (in either manufacturing, processing, or distribution) greater than or equal to the entity that holds the fourth largest share of that market for the following nutrients or components: nitrogen, phosphate, potash, or any combination of the three. No certification is required if you are manufacturing, processing, or planning to manufacture or process eligible nutrients not listed above.

How can funds be used?

Grant funds must be used to increase or otherwise expand the manufacturing and processing of fertilizer and nutrient alternatives in the United States and its territories. Funds can support activities such as:

- Building a new facility, buying an existing facility, or purchasing land
- Covering pre-development costs like engineering and other professional fees
- Providing working capital to expand capacity or increase outputs
- Modernizing or expanding an existing facility, including making updates to existing buildings or constructing new buildings on site
- Purchasing or modernizing processing and manufacturing equipment
- Developing, customizing, and installing equipment, devices, and technology to improve processing functions, worker conditions, or safety

- Installing or updating climate-smart equipment that reduces greenhouse gas emissions, increases fertilizer use efficiency, improves air and water quality, or meets one or more of USDA's climate action goals (information is available at this link: <https://go.usa.gov/XSFTW>)
- Ensuring legal compliance with packaging and labeling requirements such as sealing, boxing, labeling, and conveying, among others

How can funds be used? (Continued)

- Confirming legal compliance with occupational and safety regulations
- Engaging in workforce recruitment, training, apprenticeships, and retention to ensure expansion projects are adequately staffed

What are the grant terms?

The minimum award is \$1 million, and the maximum award is \$100 million. The grant period is five years.

What are some other requirements?

FPEP supports the production of agricultural commodities through the manufacturing and processing of fertilizer, nutrient alternatives, and other nutrient-management products and technologies that are:

- **Independent**, and outside the orbit of dominant fertilizer suppliers. Because the program's goal is to increase competition, market share restrictions apply.
- **Made in America**. FPEP products must be produced by companies located in the U.S. or its territories, create good-paying jobs at home, and reduce the reliance on potentially-unstable or inconsistent foreign supplies.
- **Innovative** and improve fertilizer production methods and efficient-use technologies to jumpstart the next generation of fertilizers, nutrient alternatives, and other nutrient management products.
- **Sustainable**. Ideally, products will reduce the greenhouse gas impact of transportation, production, and use through renewable energy sources, feedstocks, and formulations, incentivizing greater precision in fertilizer use.
- **Farmer-focused**. Like other Commodity Credit Corporation (CCC) investments, a driving factor is providing support and opportunities for U.S. agricultural commodity producers.

What governs this program?

The FPEP is authorized by the CCC Charter Act (information is available at this link: <https://www.usda.gov/ccg>) to assist agricultural producers through loans, purchases, payments, and other operations. USDA Rural Development's Rural Business-Cooperative Service (RBCS) administers the grant program.

How do I apply?

Check the Request for Applications (RFA) posted September 26, 2022, at <https://www.grants.gov/>.

NOTE: Because information is subject to change, always consult official program instructions or contact your local Rural Development office for help. A list is available at this link: <https://go.usa.gov/xJHPE>. You will find additional resources, forms, and program information at <https://rd.usda.gov>. USDA is an equal opportunity provider, employer, and lender.

Last Updated September 2022

The Iowa Department of Natural Resources (DNR) has selected the following individuals to serve on workgroups for the Executive Order 10 (EO10) administrative rule process for rules assigned to the Land Quality Bureau's Solid Waste and Financial & Business Assistance Sections.

Landfill - Chapters 103, 113, 114 & 115

Lead: Brian Rath, DNR 515-537-4051 Brian.Rath@dnr.iowa.gov

- Nicole Crain, Iowa Association of Business and Industry

- Gina Wilming, Foth Infrastructure & Environment, LLC

- Doug Lutzbak, HLW Engineering

- Tim Buelow, SCS Engineers

- Jamie Wallerstedt, WM (Waste Management)

- John Foster, Black Hawk County Solid Waste Management Commission

- Garrett Prestegard, Cedar Rapids Linn County Solid Waste Agency

- Dan Chism, City of Spencer

- Brian Seals, Waste Commission of Scott County

- Tim Harden, Alliant Energy

Beneficial Use - Chapter 108

Lead: Chad Stobbe, DNR 515-201-8272 Chad.Stobbe@dnr.iowa.gov

- Brian Seals, Waste Commission of Scott County

- Chris Polley, John Deere

- Joshua Love, MidAmerican Energy

- Karmin McShane, Cedar Rapids Linn County Solid Waste Agency

- Kenneth Miller, DMASWA/City of Dubuque

- Kevin Jensen, SCS Engineers

- Bill Robinson, Lee Crawford Quarry

Comprehensive Planning - Chapters 101 & 111

Lead: Laurie Rasmus, 515-474-4921 Laurie.Rasmus@dnr.iowa.gov

- Mary Wittry, Carroll County Solid Waste Management Commission

- Dixit Solanki, Foth Infrastructure & Environment, LLC

- Nicole Crain, Iowa Association of Business and Industry

- Kenneth Grove, NCIRSWA

- Hannah Spertsilage, SCS Engineers

- Bryce Stalcup, Waste Commission of Scott County

- Julie Ketchum, WM (Waste Management)

Composting - Chapter 105

Lead: Theresa Stiner, DNR 515-721-7979 Theresa.Stiner@dnr.iowa.gov

- Jennifer Trent, Iowa Waste Exchange

- Jeff Phillips, SCS Engineers

- Lloyd Krutzfeldt, Iowa Dept. of Agriculture

- Chris Gruenhagen, Farm Bureau

- Karmin McShane, Cedar Rapids Linn County Solid Waste Agency

- Jennifer Jordan, Iowa City Landfill and Recycling Center

- Kapil Arora, Iowa State University

- Abe Sandquist, Natural Fertilizer Services, Inc.

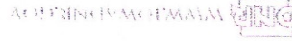
- Justin Sprague, Pro Ag Engineering

- Doug MacCrea, Red Barn Acres / Chamness

- Dan Bacehowski, HDR

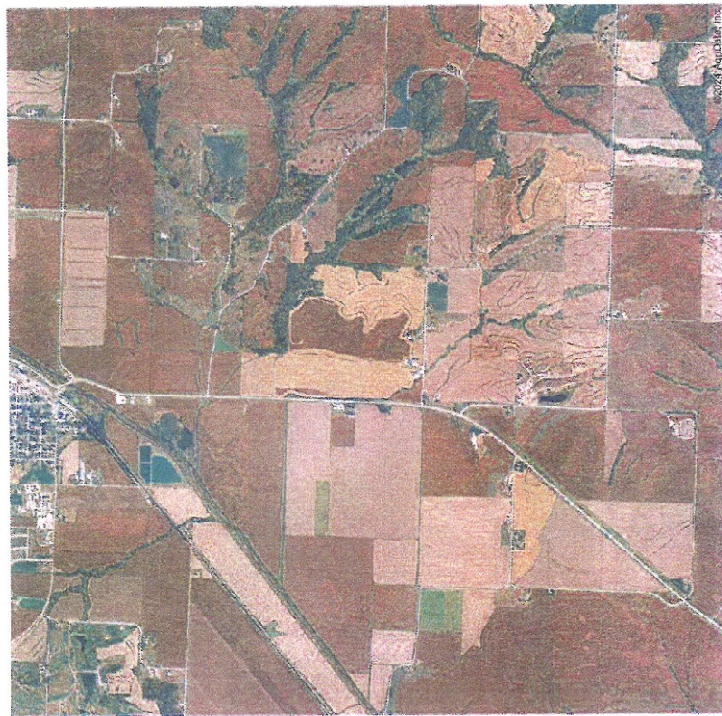
- Allison Manz, DNR Field Office 4

- Laurie Rasmus, DNR FABA



Additional workgroups may be proposed in the future to cover other administrative rules. Besides workgroups, other opportunities for stakeholder input and feedback will be available along the EO10 process. At any time, comments and questions may be directed to go10.solidwaste@dnr.iowa.gov.

Natural Fertilizer Products Current Livestock Manure Compost Sites





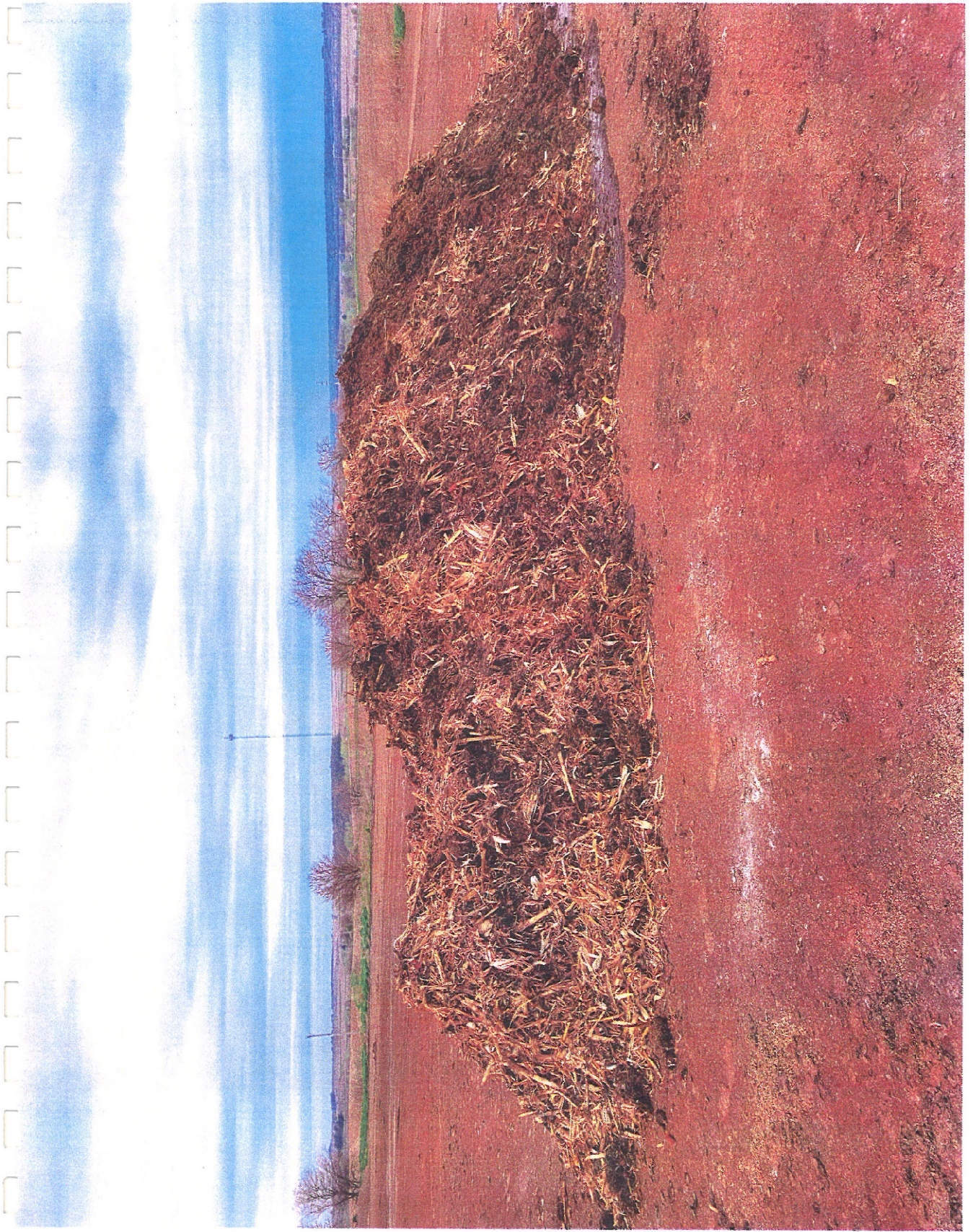
Please see the below pictures. We brought a load of bone residue in and mixed it within 8 hours. Smells were mitigated instantly. 1 week later and still no smell and temperature up to 140 degrees.

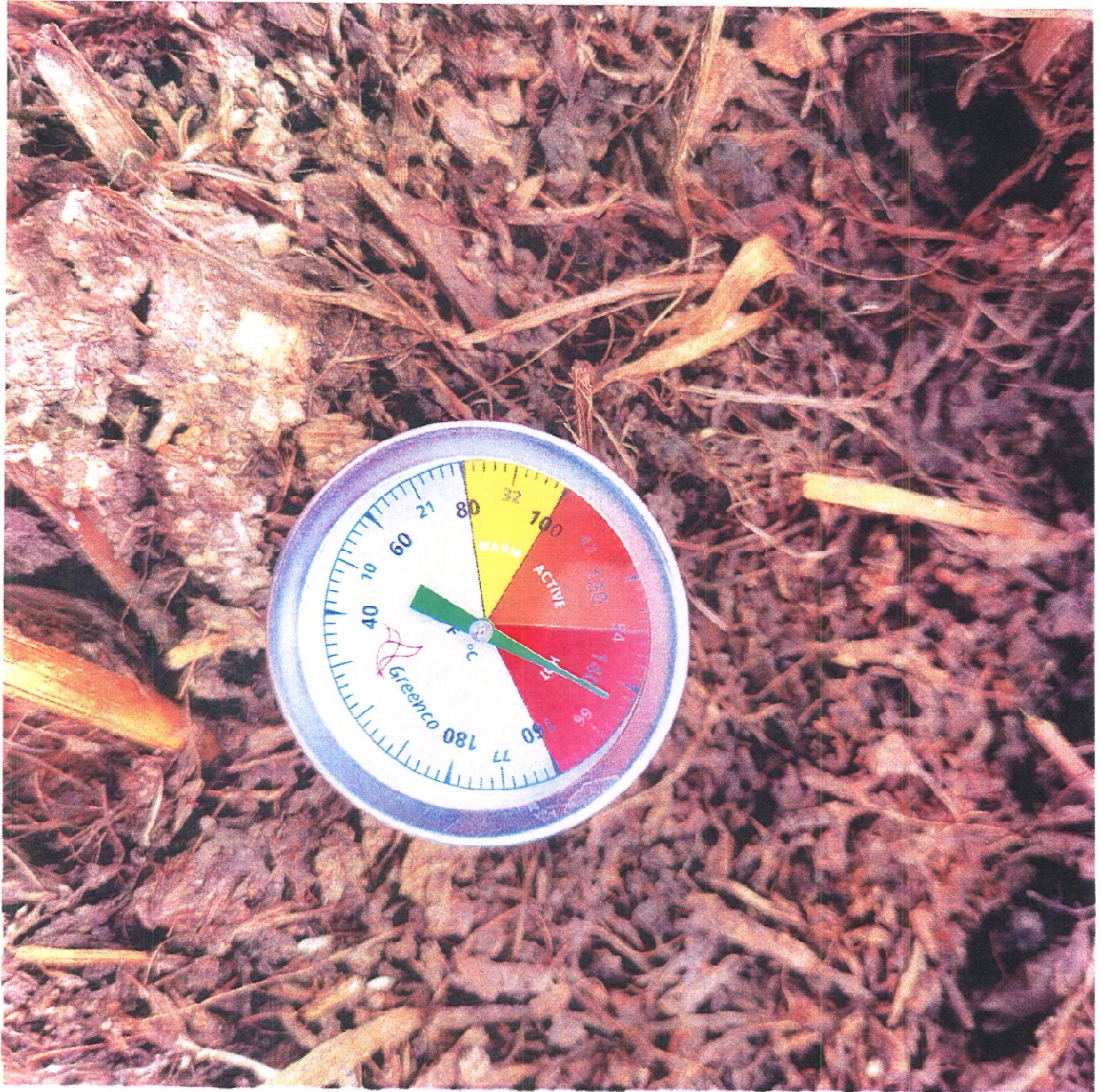
Mixer is

12 ton bone residue (85% moisture)
1.2 tons corn stalks
12 tons truck wash wood chips
6 tons bedded confinement cattle manure

Proof management will mitigate smell and create a really nice product.







A.L. Goldberg
Des Moines, Iowa
algae@post.com 515-480-9323

In support of Natural Fertilizer Products, Inc proposed compost site
5-86N-45W, Woodbury County, Iowa

I am a retired DNR Field Office #6 Supervisor of the Environmental Protection Division, located in Southeast Iowa. Currently I consult for clients that have environmental concerns.

- Practical hands-on experience regulating, inspecting and approving locations of compost sites, sanitary landfills and other waste management facilities.
- Prepared briefs that include sampling results, photos and inspection reports of sanitary landfills and compost sites that failed to meet DNR permit or operating requirements, resulting in enforcement action and fines.
- I am qualified to give a professional opinion of a potential compost site from my DNR field experience and education.

My consulting referrals are primarily by word of mouth and I research potential clients before accepting a client/consultant relationship. Abe Sandquist of Natural Fertilizer, Woodbine, IA contacted me because I was referred by an ISU professor that Abe was working with regarding composting waste.

I researched Abe's business and there have been **NO** notices of violation or any sort of enforcement action in all the years of his business. I agreed to make this short introduction because I believe Abe is the sort of business owner that is going to comply with the permit and operating conditions of his composting permit.

Abe Sandquist founded Natural Fertilizer Services, Inc. (NFS) in 2007, on the heels of his employment with the USDA Natural Resources Conservation Service. While developing Nutrient Management Plans as a soil conservationist, he learned that there were many agricultural waste products not being used to their maximum potential by crop and livestock producers.

I met Abe and visited the potential compost site in Woodbury County. Below are some of the reasons why I recommend the site:

- The boundaries of the site are surrounded by trees making it invisible from the road
- The entrance to site will be easy to secure
- Separation distances mandated by the DNR to nearby residences and other items of concern will be addressed and exceeded
- There is a paved road to the entrance of the proposed site, preventing gravel dust complaints
- Although the site is currently zoned agricultural and reportedly needs to be rezoned, all of the materials in the compost piles will be ag related
- Composting materials at this site will divert solid waste from the sanitary landfill, therefore increasing the life span of the local landfill
- Abe is a person of purpose; his whole career has been successfully changing waste streams to resources

A.L. Goldberg
Des Moines, Iowa
algae@post.com 515-480-9323

Iowa Administrative Rules Chapter 105
"Organic Materials Composting Facilities"
in part states:

The following is a brief summary of the requirements that Abe Sandquist will need to obtain a compost permit from the DNR. An operating permit assures that the plans of a composting site are well thought out, protect the environment and prevent nuisance complaints.

"Compostable material" means an organic material that undergoes degradation by biological processes during composting to yield carbon dioxide, water, inorganic compounds and biomass

General Requirements

- The composting facility shall be 500 feet from any existing inhabited residence
- Composting must be done outside of wetlands, at least 200 feet from public wells, 100 feet from private wells, 50 feet from property lines, and 100 feet from flowing or intermittent streams, lakes, or ponds
- Measures shall be taken to prevent water from running onto the facility from adjacent land and to prevent compost leachate and runoff from leaving the composting facility
- Composting must be done on an all-weather surface

The Design and operation documents must be prepared by an Iowa-licensed professional engineer and must include the following:

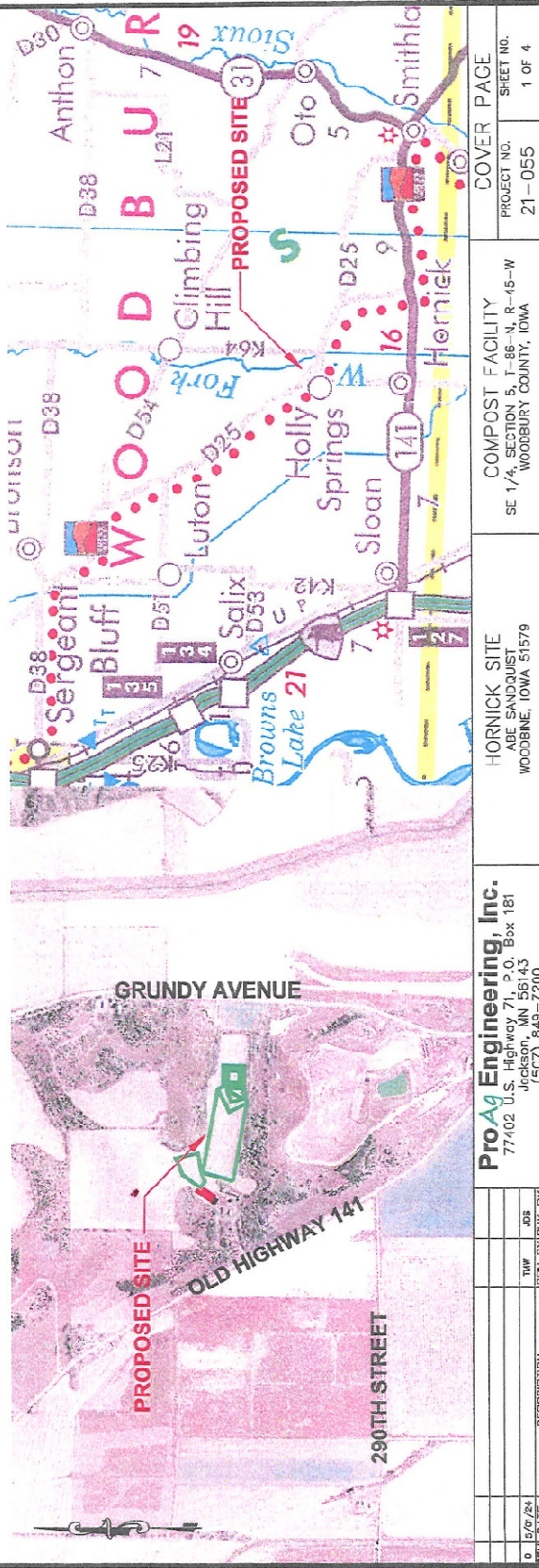
- Design calculations justifying the size of the composting areas
- Method of composting
- Equipment, litter control devices, pollution control devices, fire control devices, landscaping, gates, personnel and maintenance facilities, processing, production, curing, and storage areas
- Descriptions, specifications, and capacities of proposed equipment to be used
- Flow diagram of all operating steps
- Duration of composting with a time frame for completing the process
- Description of storage of raw materials including quantity and types
- Description of the aeration method to be used to maintain aerobic conditions
- Dimensions, details, and capacities of storm water run-on and runoff management systems
- Description of the methods to minimize and manage odors, dust, vectors, noise and litter
- Plans for using or marketing the finished compost
- Proof of the applicant's ownership of the site and legal entitlement to use the site as a composting facility

Other permit requirements for composting facilities

- The facility must be inspected & approved by the department before it begins operation
- Access to the facility shall be restricted with a lockable gate at the entrance to the facility
- Access to the facility shall be allowed only when an employee is on duty
- Composting facility permits shall be issued for a period of three years

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| SHEET 2-- | ROAD MAP |
| SHEET 3-- | HALF MILE RADIUS |
| SHEET 4-- | SITE PLAN |
| SHEET 5-- | GRADING PLAN |



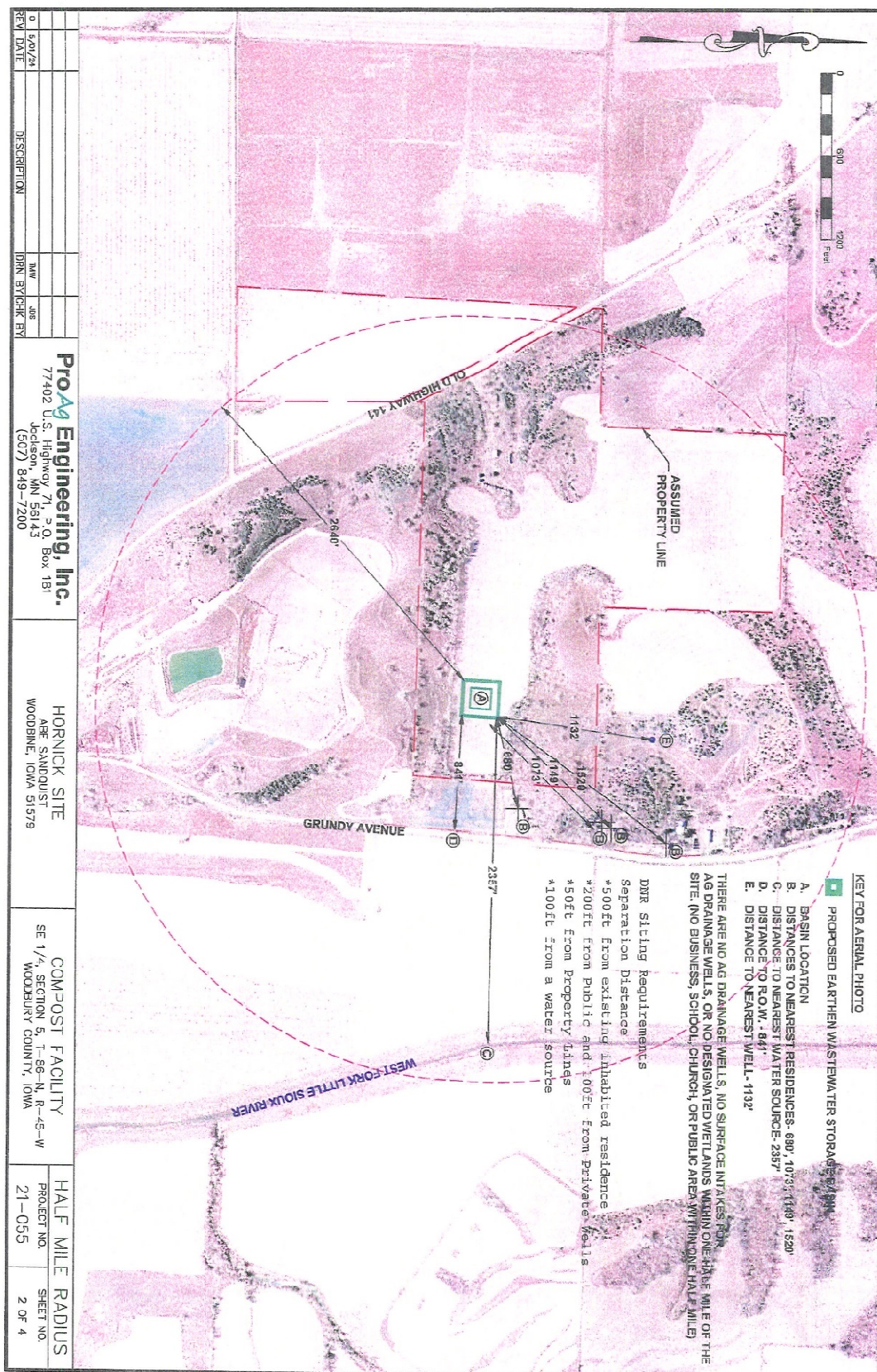
ProAg Engineering, Inc.
 77402 U.S. Highway 71, P.O. Box 181
 Jackson, MN 55143
 (507) 849-7200

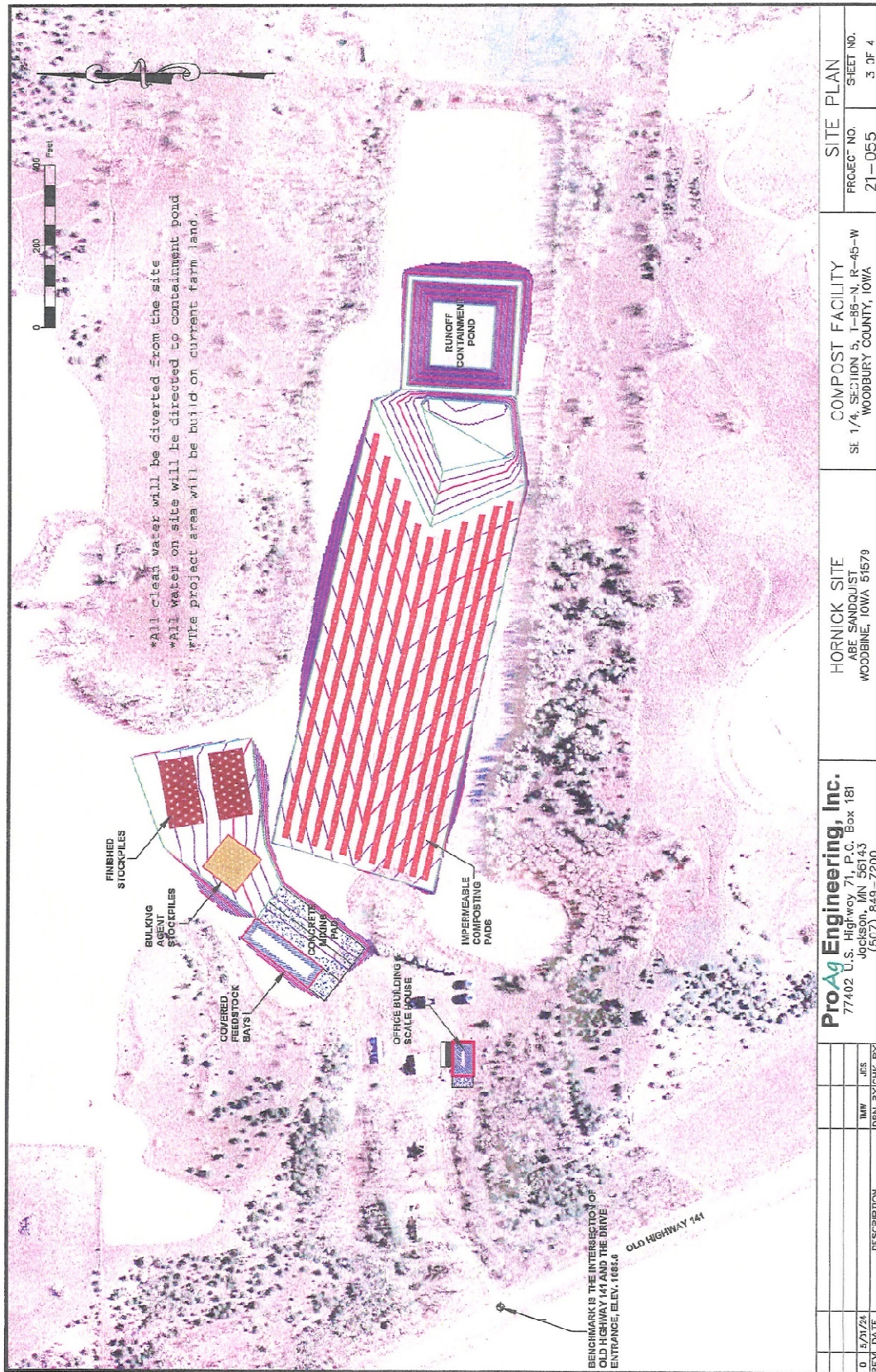
HORNICK SITE
 AGE ENDOQUIST
 WOODBINE, IOWA 51579

COMPOST FACILITY
 SE 1/4, SECTION 5, T. 88-N, R. 45-W
 WOODBURY COUNTY, IOWA

COVER PAGE
 PROJECT NO. 21-055
 SHEET NO. 1 OF 4

| REV | DATE | DESCRIPTION | BY | CHK |
|-----|--------|-------------|----|-----|
| 0 | 5/5/24 | | TW | JOS |





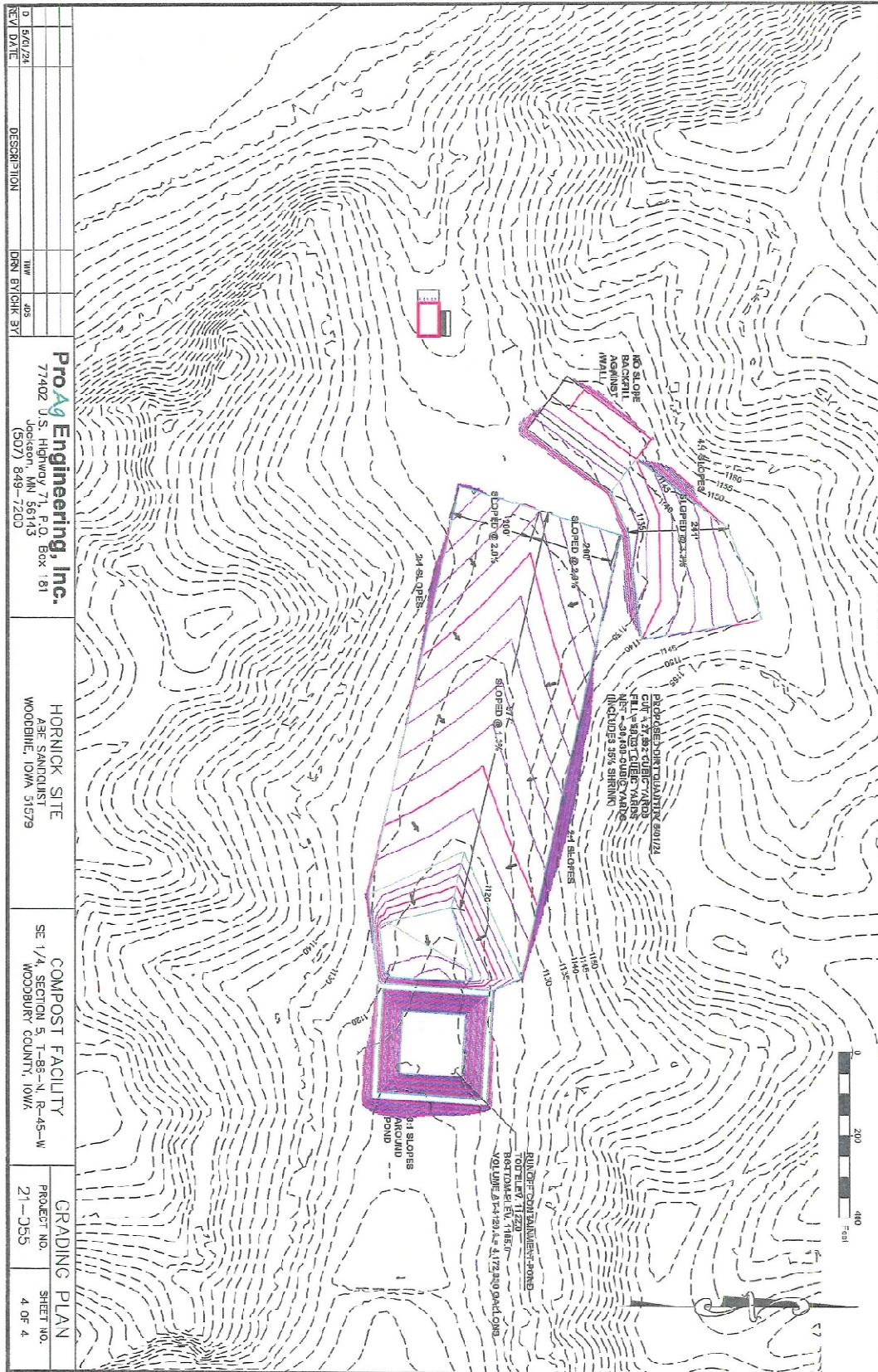
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 77402 U.S. Highway 71, P.O. Box 181
 Jackson, MN 56143
 (507) 849-7200

| REV | DATE | DESCRIPTION | DRN | CHK | BY |
|-----|---------|-------------|-----|-----|----|
| 0 | 5/17/24 | | | | |
| | | | MMW | JES | |

SITE PLAN
 PROJECT NO.
 21-055
 SHEET NO.
 3 OF 4

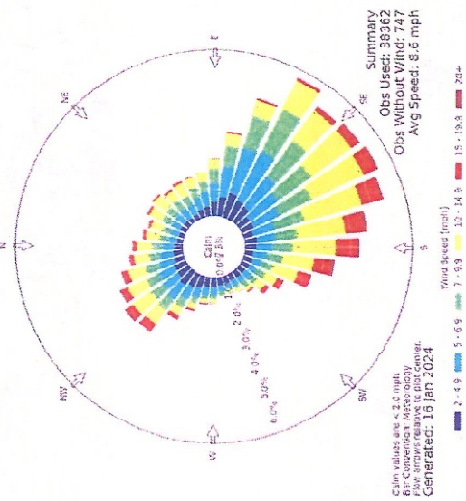
COMPOST FACILITY
 SL 1/4, SECTION 5, T-88-N, R-45-W
 WOODBURY COUNTY, IOWA

HORNICK SITE
 ABE SANDQUIST
 WOODBINE, IOWA 51579

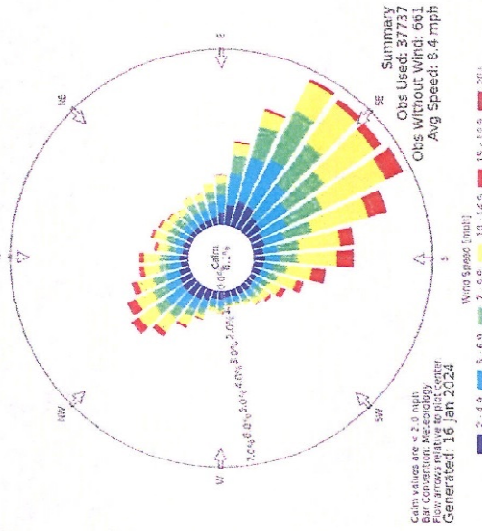


ISU Wind Charts

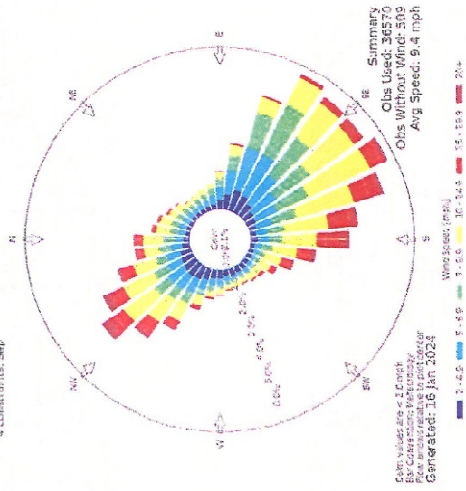
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Obs Between: 01 Jan 1970 01:00 AM - 31 Jul 2023 11:52 PM America/Chicago
U constraints: Jul



Windrose Plot for ISU at SIOUX CITY
Obs Between: 01 Aug 1970 01:00 AM - 31 Aug 2023 08:52 PM America/Chicago
U constraints: Aug



Windrose Plot for ISU at SIOUX CITY
Obs Between: 01 Sep 1970 01:00 AM - 30 Sep 2023 11:52 PM America/Chicago
U constraints: Sep





Thank You

Abe Sandquist

Certified Crop Advisor (CCA)

USDA Technical Service Provider (TSP)



Petition to the Woodbury County (Iowa) Board of Adjustment
for their meeting on May 6, 2024

WE, THE UNDERSIGNED, HEREBY PETITION the Woodbury County (Iowa) Board of Adjustment to deny a Conditional Use Permit to Natural Fertilizer Products/Timothy Erickson for the purpose of using Parcel #864505400001 and Parcel #864505400002 as a waste composting site. The proposed location is on the east side of Old Highway 141 about 0.25 miles north of the point where 290th Street intersects with Old Highway 141. It is approximately 4.5 miles north of the town of Hornick and 4.7 miles south of the intersection of County Road D38 (the Luton Road) and Old Highway 141. The maps on the attached page show the boundaries of the property to be used for this facility.

WE STATE OR BELIEVE:

1. That the petitioners own and/or reside on land bordering the proposed waste composting facility or within 5 miles of the facility.
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5. That the accompanying trucks to and from the facility negatively affect the condition of the road and the enjoyment of those who traverse the Loess Hills National Scenic Byway.
6. That the proposed facility endangers the fragility of the Loess Hills through leveling and compacting of the soil.

Signatures:

| Date | Signature | Printed Name | Address |
|---------|-----------------------|-----------------------|---|
| 4/18/24 | Deborah C. Sulsberger | Deborah C. Sulsberger | 2595 Old Hwy 141, Co Rd D38 Hornick |
| 5/1/24 | William P. Carlsberg | William P. Carlsberg | 3049 Moville Blacktop Hornick |
| 5/1/24 | Daryl Carr | Daryl Carr | 615 Sunset St, Moville, Iowa |
| 5/1/24 | Barbara Carr | Barbara Carr | 615 Sunset St, Moville, IA |
| 5/1/24 | Linda Olsen | Linda Olsen | 3246 Moville Blacktop Hornick, IA 51026 |
| 5/1/24 | Gary Olsen | Gary Olsen | 3246 Moville Blacktop Hornick, IA 51026 |
| 5/1/24 | Roger Sulsberger | Roger Sulsberger | 2381 Old Highway 141, Hornick IA |
| 5/1/24 | Carolyn Sulsberger | Carolyn Sulsberger | 3391 Old Hwy 141, Hornick, IA |
| 5/1/24 | Edna Carlsberg | Edna Carlsberg | 2742 Grand Ave Hornick, IA |
| 5/1/24 | Scott Sulsberger | Scott Sulsberger | 2375 Old Hwy 141 Hornick, IA |
| 5/1/24 | Robert Carlsberg | Robert Carlsberg | 2339 Old Hwy 141 Hornick, IA |
| 5/1/24 | Bruce Tevis | Bruce Tevis | 2537 Old Hwy 141 Hornick, IA |

Petition to the Woodbury County (Iowa) Board of Adjustment
for their meeting on May 6, 2024

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Signatures:

| Date | Signature | Printed Name | Address |
|--------|---------------------------|--------------------|-----------------------------|
| 5/1/24 | <i>Scott D Matthias</i> | SCOTT D MATTHIAS | 610 STEINHOFF AVE HORNICK |
| 5/1/24 | <i>Scott D Matthias</i> | Lori Matthias | 1010 Steinhoff Ave Hornick |
| 5/1/24 | <i>Scott D Matthias</i> | Jesse Versect | 610 STEINHOFF AVE Hornick |
| 5/2/24 | <i>Byron Sexton</i> | Byron Sexton | 2413 Old Hwy 141 - Hornick |
| 5-2-24 | <i>Susan V. Sexton</i> | Susan V. Sexton | 2413 Old Hwy 141 - Hornick |
| 5/2/24 | <i>Angela Mooney</i> | Angela Mooney | 2299 County Rd D-25 Hornick |
| 5/2/24 | <i>Michael J. Mooney</i> | Michael J. Mooney | 2299 County Rd D-25 Hornick |
| 5/2/24 | <i>David J. Crawford</i> | DAVID J. CRAWFORD | 2299 County Rd D-25 Hornick |
| 5/2/24 | <i>Robert Lorenzen</i> | ROBERT LORENZEN | 2703 County Road D25 |
| 5/2/24 | <i>Jennifer Lorenzen</i> | Jennifer Lorenzen | 2703 County Rd D-25 Hornick |
| 5-3-24 | <i>Janet L. Tardewing</i> | Janet L. Tardewing | 2477 County Rd D25 Hornick |
| 5-3-24 | <i>Tom Tardewing</i> | Tom Tardewing | 2477 County Rd D25 Hornick |

Petition Circulator: Glenna J. Tevis - 2539 Old Highway 141, Hornick, IA 51026

Page 2 of 7

Petition to the Woodbury County (Iowa) Board of Adjustment
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Signatures:

| Date | Signature | Printed Name | Address |
|--------|-------------------|-------------------|---|
| 5-3-24 | Glenna J. Tevis | Glenna J. Tevis | 1551 County Road D38 D38 Hornick, IA 51026 |
| 5-3-24 | Pat Smith | Pat Smith | 201 5 th St. Hornick, IA |
| 5-3-24 | Dennis Gallagher | Dennis Gallagher | 263 298 th St. Hornick, IA 51026 |
| 5-3-24 | Lori Gallagher | Lori Gallagher | 266 328 th St. Hornick, IA 51026 |
| 5-3-24 | Michael Gallagher | Michael Gallagher | 294 Mobile Blacktop Hornick, IA 51026 |
| 5-3-24 | Maria Gallagher | Maria Gallagher | 2941 Mobile Blacktop Hornick, IA 51026 |
| 5/3/24 | Tim Byers | Tim Byers | 108 5 th Ave. Hornick, IA 51026 |
| 5/3/24 | Wade Sulberg | Wade Sulberg | 3644 Hancock Ave. Hornick, IA 51026 |
| 5/3/24 | Susan Mathias | Susan Mathias | 3386 Hancock Ave. Smithland, IA |
| 5/3/24 | Harvey Mathias | Harvey Mathias | 3386 Hancock Ave. Smithland, IA |
| 5/3/24 | William A. Smith | William A. Smith | 201 5 th St. Hornick, Iowa 51026 |
| 5/3/24 | Paula Rose | Paula Rose | Box 143 Hornick Iowa 51026 |

Petition Circulator: Glenna J. Tevis - 2539 Old Highway 141, Hornick, IA 51026

Petition to the Woodbury County (Iowa) Board of Adjustment
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Signatures:

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|--------|-------------------|-------------------|--|
| 5/4/24 | Marian Gallagher | Marian Gallagher | 2938 Grundy Ave. : Hornick, IA 51026 |
| 5/5/24 | Rachel Sulzberger | Rachel Sulzberger | 3044 Hancock Circle Hornick IA 51026 |
| 5/5/24 | Anna Sulzberger | Anna Sulzberger | 2755 Grundy Ave Hornick, IA 51026 |
| 5/5/24 | Shelley Sattler | Shelley Sattler | " " |
| 5/5/24 | Cathy Newman | Cathy Newman | 516 4 th Ave P.O. Box 154 Hornick, IA |
| 5/5/24 | Kristin Holst | Kristin Holst | 307 4 th Ave, P.O. Box 166, Hornick, IA 51026 |
| 5/5/24 | Madison Holst | Madison Holst | 307 4 th Ave, P.O. Box 166, Hornick, IA 51026 |
| 5/5/24 | Stacy Holst | Stacy Holst | 307 4 th Ave, P.O. Box 166, Hornick, IA 51026 |
| 5/5/24 | John Newman | John Newman | 516 4 th Ave P.O. Box 154 Hornick, IA 51026 |
| 5/6/24 | Colin Madlin | Colin Madlin | 237 S O RD 25 Hornick IA 51026 |
| 5/6/24 | Lori J Teel | Lori J Teel | 401 4 th Ave Hornick, IA 51026 |
| 5/6/24 | Tammi C. Hummel | Tammi C. Hummel | 514 Main St Hornick IA 51026 |

Petition to the Woodbury County (Iowa) Board of Adjustment
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Signatures:

| Date | Signature | Printed Name | Address |
|----------|------------------|------------------|------------------------------------|
| 5-4-2024 | Jesse Beem | Jesse Beem | 2829 Grundy Ave, Hornick, IA 51026 |
| 5-4-2024 | Robin Beem | Robin Beem | 2829 Grundy Ave, Hornick, IA 51026 |
| 5-4-2024 | Patty Silknitter | Patty Silknitter | 2835 Grundy Ave, Hornick, IA 51026 |
| 5-4-2024 | Warren Plummer | Warren Plummer | 2835 Grundy Ave, Hornick, IA 51026 |
| 5-6-2024 | Warren Plummer | Warren Plummer | 514 Main St, Hornick, IA 51026 |
| | | | |
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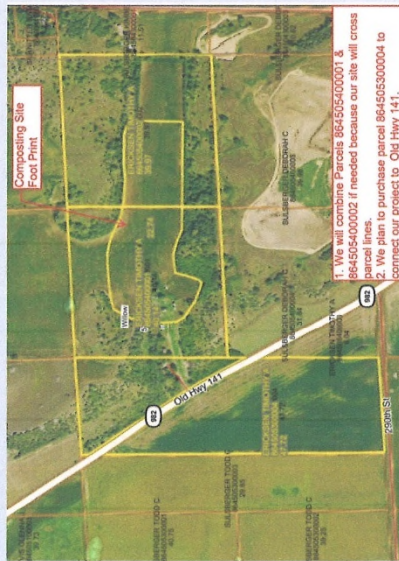
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Signatures:

| Date | Signature | Printed Name | Address |
|----------|--------------------------|------------------|--|
| 5-5-2024 | <i>Jessica Steinhoff</i> | Teresa Steinhoff | 2946 Merville Blacktop Hornick, IA 51026 |
| 5-6-2024 | <i>Glenna Jervis</i> | Glenna Jervis | 2539 Old Hwy 41 (D25), Hornick IA 51026 |
| 5-6-2024 | <i>Kim Sulberger</i> | Kim Sulberger | 2853 Gundy Ave Hornick IA 51028 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
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| | | | |

Attachment to the Petition to the Woodbury County Board of Adjustment

AERIAL MAP OF THE PROPOSED WASTE COMPOSTING FACILITY



South



North



WOODBURY COUNTY PLANNING & ZONING

620 Douglas Street, Sixth Floor, Sioux City, Iowa 51101
712.279.6609 – 712.279.6530 (Fax)

Daniel J. Priestley, MPA – Zoning Coordinator
dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk
dnorton@woodburycountyiowa.gov

STAFF AND ZONING COMMISSION REPORT – MAY 30, 2024 ASPHALT MIXING TEMPORARY – CONDITIONAL USE PERMIT PROPOSAL

APPLICATION DETAILS

| | |
|-------------------------------------|---|
| Applicant(s)/Owner(s): | Knife River Midwest LLC / Robert A. Davis |
| Application Type: | Conditional Use Permit for Asphalt Mixing (Temporary) |
| Zoning District: | Agricultural Preservation (AP) |
| Total Acres: | 32.32 |
| Current Use: | AG – Row Crop and Grain Storage |
| Proposed Use: | Asphalt Mixing (Temp) |
| Pre-application Meeting: | April 15, 2024 |
| Application Date: | May 1, 2024 |
| Legal Notice Date: | May 18, 2024 (BoA) |
| Neighbor(s) Notice Date: | May 16, 2024 |
| Stakeholder(s) Notice Date: | May 6, 2024 |
| Zoning Commission Review: | May 29, 2024 |
| Board of Adjustment Public Hearing: | June 3, 2024 |

PROPERTY DETAILS

| | |
|-------------------|---------------------------------------|
| Parcel(s): | 894431100010 & 894431100011 |
| Township/Range: | T89N R44W (Arlington) |
| Section: | 31 |
| Quarter: | SE 1/4 of the NW 1/4 |
| Zoning District: | Agricultural Preservation (AP) |
| Floodplain: | Zone A – (Portions in the Floodplain) |
| Property Address: | 1541 Grundy Ave., Merville, IA 51039 |

CONTENTS

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|--|--|
| Recommendation | |
| Specific Description and Project Narrative | |
| Zoning Ordinance Criteria for Board Approval | |
| Application | |
| Public Notification Information | |
| Supplemental Information | |

SUMMARY

Knife River Midwest LLC (Applicant) and Robert A. Davis (Property Owner) have filed a conditional use permit application to request to use the parcels designated as Parcel #894431100010 and Parcel #894431100011 to operate an asphalt mixing (temporary) site to support the Highway 20 resurfacing project. Both parcels are located in T89N R44W (Arlington Township), in the SE 1/4 of the NW 1/4 of Section 31, Agricultural Preservation (AP) Zoning District. The property is located about a half mile west of Merville on the north side of Highway 20. Portions of the property are located within the Special Flood Hazard Area (Zone A). This proposal has been noticed in the Sioux City Journals legal section on May 18, 2024. The neighbors within 500 feet were duly notified via a May 16, 2024 letter about the June 3, 2024 Board of Adjustment public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been requested to comment. Under Section 3.03.4: Land Use Table of Allowed Uses in each Zoning District in the Zoning Ordinance, "Asphalt mixing (temporary)" is authorized for consideration of a conditional use permit. The Woodbury County Zoning Commission voted 4-0 to recommend approval of this conditional use permit with conditions that all Iowa DNR regulations be complied with including applicable floodplain development permits and following all permitting guidelines set forth.

AERIAL MAP



SITE PLAN



ZONING COMMISSION AND STAFF RECOMMENDATION

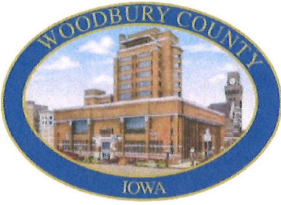
The Woodbury County Zoning Commission voted 4-0 to recommend approval of this conditional use permit with conditions that all Iowa DNR regulations be complied with including applicable floodplain development permits and following all permitting guidelines set forth.

Meeting Audio:

For specific content including the Zoning Commission recommendations, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/zoning_commission/
- The meeting audio is available in three (3) parts. All three links are below:
 - o PART 1 - <https://www.youtube.com/watch?v=P3ZzHDdZIXM>
 - o PART 2 - <https://www.youtube.com/watch?v=uzj-CscxbYw>
 - o PART 3 - <https://www.youtube.com/watch?v=kUaruN29I14>

Staff recommends approval of this proposal as it is an integral part of completing the Hwy 20 resurfacing project. The suggested motion is to approve the conditional use permit with the condition that the applicant(s)/property owner(s) comply with any and all grading and floodplain regulations including that any and all equipment associated with the project not be placed in any location designated as the floodway in the Zone A floodplain. Staff also recommends including a date of completion/expiration with the permit.



WOODBURY COUNTY
ZONING COMMISSION
WOODBURY COUNTY COURTHOUSE
620 DOUGLAS STREET
SIOUX CITY, IA 51101

Woodbury County Board of Adjustment
620 Douglas Street
Sioux City, Iowa 51101

RE: Zoning Commission 5/29/24 Recommendation to the Board of Adjustment:

CONDITIONAL USE PERMIT APPLICATION DETAILS:

| | |
|------------------------|---|
| Applicant(s)/Owner(s): | Knife River Midwest LLC / Robert A. Davis |
| Application Type: | Conditional Use Permit for Asphalt Mixing (Temporary) |
| Zoning District: | Agricultural Preservation (AP) |
| Total Acres: | 32.32 |
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| Floodplain: | Zone A – (Portions in the Floodplain) |
| Property Address: | 1541 Grundy Ave., Merville, IA 51039 |

Dear Board of Adjustment:

This letter is to inform you that the Woodbury County Zoning Commission reviewed the conditional use permit application submitted from Knife River Midwest LLC / Robert A. Davis to request to use the parcels designated as Parcel #894431100010 and Parcel #894431100011 as an asphalt mixing (temporary) site to support the Highway 20 resurfacing project at the May 29, 2024 special meeting of the Zoning Commission.

The Commission voted 4-0 with the recommendation to **approve** / **deny** the conditional use permit application.

Please refer to the draft copy of the Zoning Commission minutes for details about the Commission's recommendation.

Dated this 29 day of May, 2024


Christine Zellmer Zant, Chair
Woodbury County Zoning Commission

Minutes - Woodbury County Zoning Commission – Special Meeting – May 29, 2024

The Zoning Commission (ZC) meeting convened on the 29th day of May, 2024 at 5:00 PM in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, IA. The meeting was also made available via teleconference.

Meeting Audio:

For specific content of this meeting, refer to the recorded video on the Woodbury County Zoning Commission "Committee Page" on the Woodbury County website:

- County Website Link:
 - o https://www.woodburycountyiowa.gov/committees/zoning_commission/
- YouTube Direct Link:
 - o <https://www.youtube.com/watch?v=P3ZzHDdZIXM> (Part 1)
 - o <https://www.youtube.com/watch?v=uzj-CscxbYw> (Part 2)
 - o <https://www.youtube.com/watch?v=kUaruN29114> (Part 3)

ZC Members Present:

Jeff Hanson, Tom Bride, Corey Meister, Chris Zant

County Staff Present:

Dan Priestley, Dawn Norton

Public Present:

Les Thompson, Erica Thompson, Mary Thompson, Mark Thompson, Colin Chatterton, Jason Gall, Dolf Ivener, Kevin Alexander

CALL TO ORDER

Chair Chris Zant called the meeting to order at 5:08 p.m. Barb Parker absent.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

None

APPROVAL OF MINUTES: April 22, 2024 minutes – Motion by Hanson to approve. Second by Bride. Meister and Zant abstained. Vote 2-0. Approval of the minutes failed and will be brought forward at the next available meeting of the Zoning Commission.

PUBLIC HEARING (ACTION ITEM) FOR PROPOSED MINOR SUBDIVISION – THOMPSON FARM ADDITION.

Priestley read the staff summary into the record. The Mark W. and Mary J. Thompson Joint Revocable Trust has filed for a one (1) lot minor subdivision on the property identified as Parcel #884621200002 and referenced above. This subdivision is being completed to establish a 2.24 acre lot. This minor subdivision proposal has been properly noticed in the Sioux City Journal legal section on May 14, 2024. The neighbors within 1000 FT have been duly notified via a May 10, 2024 letter about the May 29, 2024 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and the portion to be subdivided is not located in the Special Flood Hazard Area (SFHA) – Zone X. The City of Bronson waived their extraterritorial review authority with the approval of Resolution No. 8-2024. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets appropriate criteria for approval. Staff recommends approval. Motion to close public hearing: Bride. Second: Hanson. Carried: 4-0. No questions or comments from public or board members. Motion to recommend approval of the Thompson Farm Addition final plat to the Board of Supervisors: Bride. Second: Hanson. Carried: 4-0.

PUBLIC HEARING (ACTION ITEM) FOR PROPOSED MINOR SUBDIVISION – HUSEN 2ND ADDITION.

Priestley read the staff summary into the record. Dolf Ivener / Maxys Family Farm LLC & Brian & Bonnie Ivener Trust has filed for a seven (7) lot and one (1) outlot minor subdivision on the property identified as Parcel #874705200001 and referenced above. This subdivision is being completed to establish lots for residential purposes which also requires a Zoning Ordinance Map Amendment (Rezone) to the Agricultural Estates (AE) Zoning District. This minor subdivision proposal has been properly noticed in the Sioux City Journal legal section on May 14, 2024. The neighbors within 1000 FT have been duly notified via a May 10, 2024 letter about the May 29, 2024 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer

found the proposal in compliance with Iowa Code closure requirements and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The Iowa DNR has reported a Base Flood Elevation Level of 1085.1 FT. The City of Sergeant Bluff exercised their extraterritorial review authority with the acceptance and approval of the Husen 2nd Additional, Woodbury County, Iowa final plat with the passage of Resolution No. 24-11. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets appropriate criteria for approval. Based on the County Engineer's recommendation, staff recommends approval with the condition that the property owner's sign a pavement agreement for any future improvements to 220th Street. Kevin Alexander addressed the Commission with concerns about water runoff in the area including the area where the previous subdivision, Husen Addition was located. Alexander shared a video with the Commission showing areas where water was collected. Dolf Ivener also addressed the Commission and indicated that this is a good proposal. Zellmer-Zant suggested that this process went through the County Engineer and the City of Sergeant Bluff and the Commission relies on the expertise of the stakeholders involved. Bride discussed future land use map and the area being removed from the floodplain. Motion by Bride to close the public hearing. Second by Meister. Carried 3-0. Meister motioned to recommend the Thompson Farm Addition to the Board of Supervisors with the condition a paving agreement be signed. Second: Bride. Carried: 3-0. Hanson abstained.

PUBLIC HEARING (ACTION ITEM) FOR PROPOSED ZONING ORDINANCE MAP AMENDMENT (REZONE) FROM AGRICULTURAL PRESERVATION (AP) TO THE AGRICULTURAL ESTATES (AE) ZONING DISTRICT ON PARCEL #874705200001.

Priestley read the staff summary into the record. The proposal is to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for a 17.56-acre portion of the property located in the NW 1/4 of the NE 1/4 of Section 5, T87N R47W (Liberty Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #874705200001. Property Owner(s): Maxys Family Farm, LLC, 3701 Cheyenne Blvd., Sioux City, IA 51104 and Brian and Bonnie Ivener Trust UTD July 6, 2006, 3701 Cheyenne Blvd., Sioux City, IA 51104. Petitioner Applicant(s): Dolf Ivener representing Maxys Family Farm, LLC and the Brian and Bonnie Ivener Trust UTD July 6, 2006. Bride reiterated his comments about the future land use map as discussed during the previous agenda item. Motion by Bride to close public hearing. Second by Meister. Carried: 3-0. Motion to recommend approval of the Zoning Ordinance Map Amendment (Rezone) from AP to AE on a portion of Parcel #874705200001 to the Woodbury County Board of Supervisors: Bride. Second: Meister. Carried: 3-0. Hanson abstained.

REVIEW OF CONDITIONAL USE PERMIT APPLICATION (ACTION ITEM): PROPOSED ASPHALT MIXING (TEMPORARY) SITE ON PARCEL #894431100010 and PARCEL #894431100011.

Priestley read the staff summary into the record. Consideration for a recommendation to the Board of Adjustment of the Conditional Use Permit application by Knife River Midwest LLC (Applicant) and Robert A. Davis (Property Owner) for an asphalt mixing (temporary) site, to support the Highway 20 resurfacing project, on Parcel #894431100010 and Parcel #894431100011. The proposed location is about one-half mile west of Merville on the north side of Highway 20. Both parcels are located in the Agricultural Preservation (AP) Zoning District. Portions of the property are located within the Special Flood Hazard Area. Applicant(s)/Owner(s): Knife River LLC, 2220 Hawkeye Drive, Sioux City, IA 51105; Robert A. Davis, 1520 Grundy Ave., Merville, IA 51039. Property locations: Parcel #894431100010, T89N R44W (Arlington Township), Section 31, SE 1/4 of the NW 1/4 and Parcel #894431100011, T89N R44W (Arlington Township), Section 31, SE 1/4 of the NW 1/4. Location Address: 1541 Grundy Ave., Merville, IA 51039. Colin Chatterton and Jason Gall addressed the Commission discussing the proposal including having their assets movable from the floodplain when necessary. They also discussed the project timeframe through the end of the year. Motion by Bride to recommend approval of the conditional use permit application to the Board of Adjustment with conditions that all Iowa Department of Natural Resources (IDNR) regulations be complied with including applicable floodplain development permits and following all permitting guidelines set forth. Second: Hansen. Carried: 4-0.

NO PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

None.

STAFF UPDATE

Priestley updated the Commission concerning the CoZo Conference. He also stated that the Board of Supervisors passed the solar ordinance amendments, floodplain amendments, and comprehensive plan. The floodplain maps will go into effect on July 17, 2024.

NO COMMISSIONER COMMENT OF INQUIRY

MOTION TO ADJOURN:

Meister. Second: Hanson. Carried 4-0. Meeting ended 5:56 PM.

ZONING ORDINANCE CRITERIA FOR BOARD APPROVAL

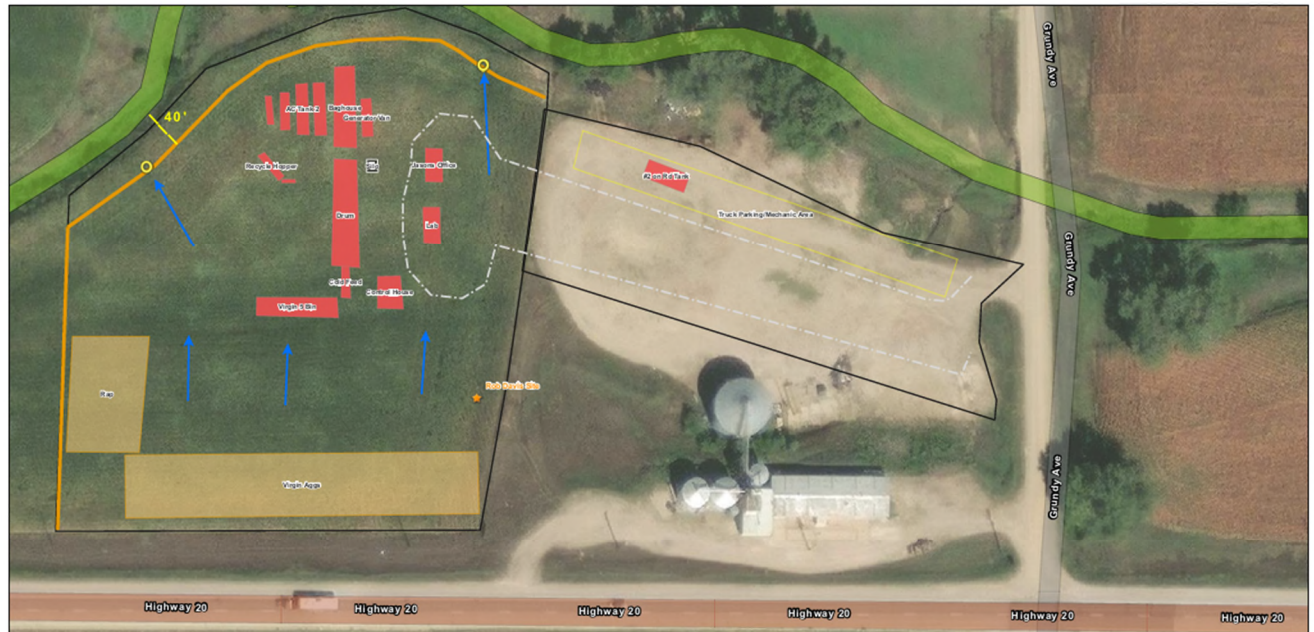
Conditional Use Permits are determined by a review of the following criteria by the Zoning Commission (ZC) and Board of Adjustment (BOA). The ZC makes a recommendation to the BOA which will decide following a public hearing before the Board.

APPLICANT'S DESCRIPTION OF THE PROPOSED CONDITIONAL USE:

Knife River Midwest proposes to utilize 5 acres of land tied to parcels 894431100010 and 894431100011 to place a hot mix asphalt plant. This is in support of a local Iowa DOT highway project to repave Highway 20 from Lawton, through Moville, to County Road D22. The plant consists of a drum with a baghouse for air quality control, and oil tanks. Auxiliary to that will be aggregate piles for utilization in road paving mixes. The portion of the site that is already gravel will be utilized for parking of vehicles.

MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OF IMPROVEMENT, PROVIDED BY ATTACHMENT

Rob Davis Plant Site SWPPP - 5.21.24 Update



CRITERIA 1: The conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

Section 3.03-4 of the Woodbury County Ordinances allows for temporary use of AP land for asphalt mixing. This would apply to our batch plant and associated activity. Knife River will ensure compliance with all AP County Ordinances, including setbacks and structure heights. All other stipulations determined necessary by the Zoning Commission and Board of Adjustment will be adhered to.

STAFF ANALYSIS:

The requested uses are acceptable for the consideration of a CUP and compatible with Sections 3.03.3 and 3.03.4 of the Zoning Ordinance.

CRITERIA 2: The proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

Allowing Knife River Midwest to utilize this site as a temporary batching facility will assist the County with meeting several goals within the General Development Plan. This assists with the transportation goal by aiding the DOT with their efforts to upgrade a deteriorating stretch of US Highway 20. The Agricultural goal will be supported by upgrading the local infrastructure to aid transport of agricultural goods, and by ensuring the prior use of cropland is restored once the lease agreement has been terminated. The economic development goal will be supported as well through improvement of local infrastructure. Conservation and Environmental goals of the County will be supported via adherence to local grading permit, and DNR stormwater permit.

STAFF ANALYSIS:

This temporary project offers support to the completion of the IDOT Hwy 20 project.

CRITERIA 3: The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

Placement of the HMA plant will coincide with the DOT construction project that will already have traffic restrictions and controls in place. The plant site will not add any more hardship to traffic. The plant will be placed on a rural parcel near grain bins, so it will not adversely affect the aesthetics of the surroundings. Knife River takes public safety seriously and will ensure safe and effective use of the subject property and surrounding roads. The portable plant is governed by Iowa DNR air quality and stormwater quality permits ensuring best practices will be implemented to reduce impact to nearby resources and the surrounding area. Stormwater best management practices will be utilized and a baghouse will operate at all times during production to ensure Iowa Construction Air Quality permit standards are met. The property is located directly adjacent to the highway project, so the haul route will utilize the short stretch of Grundy Ave and travel west to Lawton or east to Ida Ave.

STAFF ANALYSIS:

As with the complete Hwy 20 project, this proposal would have a temporary impact on the neighborhood. The applicant should comply with any and all grading and floodplain development regulations including those within Section 5.03 of the Zoning Ordinance. No structures should be placed in any areas designated as the "floodway." There does not appear to be any significant impact to parking, or other factors impacting public health.

CRITERIA 4: The proposed use and development will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

No significant changes are planned to the subject property. Ingress and egress will remain as it currently is, no structures will be altered, and the site will be kept orderly and clean. There will be some grading to prepare the site for placement of the plant. The plant will be placed near to an existing use that blends well and it is not immediately surrounded by dense residential lots. The placement at this property will be optimal for impact to surrounding properties and support of the nearby highway project. Operating hours will typically be 6 AM to 6 PM, but at times it may be sunup to sundown depending on project needs.

STAFF ANALYSIS:

The site plan appears to be located, designed, and presented in a manner that will have minimal impact to the area during the time of use.

CRITERIA 5: Essential public facilities and services will adequately serve the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

No extra burden will be placed on existing public facilities and services in the area.
 This project is temporary in nature and intended to coincide with paving of the local highway project.
 No individuals will be relocating to this area in a permanent fashion, and the plant will not be connected to local power or other utilities. Knife River intends to hold a safety meeting with local emergency responders and local leadership to go over the site and what a potential emergency response may entail as a precaution to ensure the most efficient use of local manpower and time in the event of an unlikely incident.

STAFF ANALYSIS:

Staff concurs with the applicant's response.

CRITERIA 6: The proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties (Woodbury County Zoning Ordinance, Sec. 2.02-9).

APPLICANT RESPONSE:

No historical sites will be impacted by the proposed use of the subject property and potential impacts to nearby natural resources will be properly mitigated.
 Knife River operates under applicable NPDES and Air Quality program permits given by the Iowa DNR. These permits dictate appropriate measures to be undertaken by the permittee (Knife River) to avoid unwanted negative impacts to nearby natural resources and citizens.

STAFF ANALYSIS:

The applicant must perform the temporary work in a manner that does not adversely impact the property or the adjacent properties.

OTHER CONSIDERATION 1: The proposed use or development, at the particular location is necessary or desirable to provide a service or facility that is in the public interest or will contribute to the general welfare of the neighborhood or community (Woodbury County Zoning Ordinance, Sec. 2.02-9).

STAFF ANALYSIS:

As noted, this application is being requested to support the Hwy 20 project. This can be construed as a service in the public interest to complete improvements to local transportation.

OTHER CONSIDRATION 2: All possible efforts, including building and site design, landscaping and screening have been undertaken to minimize any adverse effects of the proposed use or development (Woodbury County Zoning Ordinance, Sec. 2.02-9).

STAFF ANALYSIS:

The applicant shall comply with any and all grading and floodplain development regulations. Steps should be taken to return the property to an acceptable state.



WOODBURY COUNTY COMMUNITY AND ECONOMIC DEVELOPMENT

Zoning Ordinance
Section 2.02(9)

Page 1 of 6

CONDITIONAL USE PERMIT APPLICATION

| | |
|--|---|
| Owner Information: Owner <u>Robert A Davis</u> Address <u>1520 Grundy Ave, Merville, IA 51039</u> Phone <u>(712) 253-1281</u> | Applicant Information: Applicant <u>Knife River Midwest LLC</u> Address <u>2220 Hawkeye Drive, Sioux City, IA 51105</u> Phone <u>(712) 577-6757</u> |
| We, the undersigned, hereby apply to the Woodbury County Board of Adjustment for permission to: <u>Temporarily place a hot mix asphalt plant on property that is currently zoned for agricultural preservation.</u> | |
| Property Information: Property Address or Address Range <u>1541 Grundy Ave, Merville, IA 51039</u> Quarter/Quarter <u>SE/NW</u> Sec <u>31</u> Twnshp/Range <u>89N/45W</u> Parcel ID # <u>894431100010/894431100011</u> GIS # <u>860732/860731</u> 32.32 total - use Total Acres will need 5 ac. Current Use <u>Ag - row crop and grain storage</u> Proposed Use <u>Asphalt Mixing (Temp)</u> Current Zoning <u>AP - Ag Preservation</u> | |
| <p>The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(9)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p> Pre-app mtg. date <u>4/15/2024</u> Staff present <u>Dan Priestley</u> | |
| <p>The undersigned is/are the owners(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Community and Economic Development staff, Zoning Commission and Board of Adjustment members to conduct site visits and photograph the subject property.</p> <p>This Conditional Use Permit Application is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Owner <u><i>Robert A Davis</i></u> Date <u>5-1-24</u> </div> <div style="width: 45%;"> Applicant <u><i>Calvin</i></u> Date <u>5/1/2024</u> </div> </div> | |
| Fee: <u>\$300*</u> Case #: <u>6982</u> Check #: <u>40037459</u> Receipt #: _____ | Date Received <div style="border: 2px solid blue; padding: 10px; margin: 0 auto; width: 150px;"> <div style="border-top: 1px solid blue; border-bottom: 1px solid blue; padding: 5px 0;">RECEIVED</div> <div style="text-align: center; color: red; font-weight: bold;">MAY - 6 2024</div> <div style="text-align: center; font-weight: bold;">WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT</div> </div> |

**COMMUNITY AND ECONOMIC DEVELOPMENT
FEE SCHEDULE**

| BUILDING PERMITS | FEE |
|--|------------|
| New Dwelling | \$250 |
| New Dwelling with Attached/Detached Garage under 300 sq. ft. | \$300 |
| New Dwelling with Attached/Detached Garage over 300 sq. ft. | \$500 |
| Accessory Structure under 300 sq. ft. | \$50 |
| Accessory Structure over 300 sq. ft. | \$250 |
| Commercial/Industrial Building (0-10,000 sq. ft.) | \$500 |
| Commercial/Industrial Building over 10,000 sq. ft. – (\$50 for each additional 1,000 sq. ft. over 10,000)..... | \$500+ |

| SUBDIVISIONS | FEE |
|---|------------|
| Final Plat for Minor Subdivision 4 Lots or Less | \$300* |
| Final Plat for Minor Subdivision more than 4 Lots (\$5 for each additional lot) | \$300+* |
| Preliminary Plat for Major Subdivision 4 Lots or Less | \$350* |
| Preliminary Plat for Major Subdivision more than 4 Lots (\$5 for each additional lot) | \$350+* |
| Final Plat for Major Subdivision 4 Lots or Less | \$350* |
| Final Plat for Major Subdivision More than 4 Lots (\$5 for each additional lot) | \$350+* |

| OTHER LAND USE PERMITS | FEE |
|-------------------------------------|------------|
| Conditional Use Permit | \$300* |
| Floodplain Development Permit | \$110 |
| Grading Permit | \$0 |
| Sign Permit | \$50 |
| Fence | \$50 |

| TELECOMMUNICATION TOWERS | FEE |
|---------------------------------|------------|
| Tower Development Permit | \$500* |

| ADMINISTRATIVE REQUESTS/ACTIONS | FEE |
|---|------------|
| Zoning Ordinance Amendment (text or map) | \$400* |
| Planned Development | \$400* |
| Variance | \$300* |
| Appeal of Administrator's Decision | \$300* |
| Research and Staff Investigation Time (\$40.00 per hour – minimum charge 2 hours) | |
| Photocopies (\$0.50 per page) | |

| *ADDITIONAL FEES |
|---|
| *Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00. |

Application review including the public hearing(s) shall not commence until all necessary documents and payments have been received.

The Zoning Director may reserve the right to waive permit fees for other political subdivisions or governmental bodies.

Fees will be doubled if constructor commences prior to obtaining a permit.

Adopted on August 2, 2022

PER SECTION 2.02(9)(C)(2 (d) PROVIDE A SPECIFIC DESCRIPTION OF THE PROPOSED CONDITIONAL USE: (Tab at the end of each line to continue)

Knife River Midwest proposes to utilize 5 acres of land tied to parcels 894431100010 and 894431100011 to place a hot mix asphalt plant. This is in support of a local Iowa DOT highway project to repave Highway 20 from Lawton, through Merville, to County Road D22. The plant consists of a drum with a baghouse for air quality control, and oil tanks. Auxiliary to that will be aggregate piles for utilization in road paving mixes. The portion of the site that is already gravel will be utilized for parking of vehicles.

PER SECTION 2.02(9) (C)(2)(e) PROVIDE A MAP DRAWN TO SCALE, SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS, WITH THE PROPOSED CONDITIONAL USE IDENTIFIED PER STRUCTURE OR IMPROVEMENT . PROVIDE BY ATTACHMENT.

PER SECTION 2.02(9) (C)(2)(e) PROVIDE A STATEMENT IN RESPONSE TO EACH OF SIX BELOW CRITERIA AND STANDARDS FOR APPROVAL OF CONDITIONAL USES AS LISTED IN SECTION 2.02(9)F OF THE ORDINANCES. (Tab at the end of each line to continue)

- (a) Provide a statement to why you feel the conditional use requested is authorized as a conditional use in the zoning district within which the property is located and that any specific conditions or standards described as part of that authorization have been or will be satisfied.

Section 3.03-4 of the Woodbury County Ordinances allows for temporary use of AP land for asphalt mixing. This would apply to our batch plant and associated activity. Knife River will ensure compliance with all AP County Ordinances, including setbacks and structure heights. All other stipulations determined necessary by the Zoning Commission and Board of Adjustment will be adhered to.

- (b) Provide a statement to why the proposed use and development will be in harmony with the general purpose and intent of this ordinance and the goals, objectives and standards of the general plan. (Tab at the end of each line to continue)

Allowing Knife River Midwest to utilize this site as a temporary batching facility will assist the County with meeting several goals within the General Development Plan. This assists with the transportation goal by aiding the DOT with their efforts to upgrade a deteriorating stretch of US Highway 20. The Agricultural goal will be supported by upgrading the local infrastructure to aid transport of agricultural goods, and by ensuring the prior use of cropland is restored once the lease agreement has been terminated. The economic development goal will be supported as well through improvement of local infrastructure. Conservation and Environmental goals of the County will be supported via adherence to local grading permit, and DNR stormwater permit.

- (c) Provide a statement to why the proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other factors affecting the public health, safety and general welfare. (Tab at the end of each line to continue)

Placement of the HMA plant will coincide with the DOT construction project that will already have traffic restrictions and controls in place. The plant site will not add any more hardship to traffic. The plant will be placed on a rural parcel near grain bins, so it will not adversely affect the aesthetics of the surroundings. Knife River takes public safety seriously and will ensure safe and effective use of the subject property and surrounding roads. The portable plant is governed by Iowa DNR air quality and stormwater quality permits ensuring best practices will be implemented to reduce impact to nearby resources and the surrounding area. Stormwater best management practices will be utilized and a baghouse will operate at all times during production to ensure Iowa Construction Air Quality permit standards are met. The property is located directly adjacent to the highway project, so the haul route will utilize the short stretch of Grundy Ave and travel west to Lawton or east to Ida Ave.

- (d) Provide a statement to why the proposed use and development will be located, designed, constructed and operated in such a manner that it will be compatible with the immediate neighborhood and will not interfere with the orderly use, development and improvement of surrounding property. (Tab at the end of each line to continue)

No significant changes are planned to the subject property. Ingress and egress will remain as it currently is, no structures will be altered, and the site will be kept orderly and clean.

There will be some grading to prepare the site for placement of the plant. The plant will be placed near to an existing use that blends well and it is not immediately surrounded by dense residential lots. The placement at this property will be optimal for impact to surrounding properties and support of the nearby highway project. Operating hours will typically be 6 AM to 6 PM, but at times it may be sunup to sundown depending on project needs.

- (e) Provide a statement to why essential public facilities and services will adequately serve the proposed use or development. (Tab at the end of each line to continue)

No extra burden will be placed on existing public facilities and services in the area.

This project is temporary in nature and intended to coincide with paving of the local highway project.

No individuals will be relocating to this area in a permanent fashion, and the plant will not be connected to local power or other utilities. Knife River intends to hold a safety meeting with local emergency responders and local leadership to go over the site and what a potential emergency response may entail as a precaution to ensure the most efficient use of local manpower and time in the event of an unlikely incident.

- (f) Provide a statement to why the proposed use or development will not result in unnecessary adverse effects upon any significant natural, scenic or historic features of the subject property or adjacent properties. (Tab at the end of each line to continue)

No historical sites will be impacted by the proposed use of the subject property and potential impacts to nearby natural resources will be properly mitigated.

Knife River operates under applicable NPDES and Air Quality program permits given by the Iowa DNR. These permits dictate appropriate measures to be undertaken by the permittee (Knife River) to avoid unwanted negative impacts to nearby natural resources and citizens.

**CONDITIONAL USE PERMIT APPLICATION
INSTRUCTIONS AND DOCUMENTATION REQUIRED**

WOODBURY COUNTY ZONING ORDINANCE 2.02-9-C REQUIRES THE FOLLOWING DOCUMENTATION BE SUBMITTED AS PART OF A CONDITIONAL USE PERMIT APPLICATION:

1. SPECIFIC DESCRIPTION OF THE PROPOSED CONDITIONAL USE.
2. MAPPING DRAWN TO SCALE SHOWING THE SUBJECT PROPERTY, ALL STRUCTURES AND OTHER IMPROVEMENTS WITH THE PROPOSED CONDITIONAL USE IDENTIFIED THEREON.
3. A STATEMENT IN RESPONSE TO THE CRITERIA AND STANDARDS FOR APPROVAL OF CONDITIONAL USE WITHIN SUBSECTION 2.02-9.F OF WOODBURY COUNTY ZONING ORDINANCES.
4. A CERTIFIED ABTRACTOR'S LISTING OF NAMES AND MAILING ADDRESSES OF ALL OWNERS OF REAL PROPERTY LYING WITHIN 500 FEET OF THE SUBJECT PROPERTY.
5. A FILING FEE OF \$300.00 PAYABLE TO THE WOODBURY COUNTY TREASURER

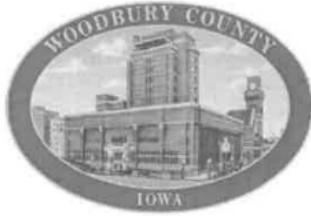
*Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

APPLICATIONS RECEIVED WITHOUT ALL THE AFOREMENTIONED DOCUMENTATION WILL BE RETURNED.

The Steps taken within the conditional use permit process are as follows:

1. Application for conditional use permit is filed with Planning and Zoning Office
2. Application is placed upon the Zoning Commission agenda for review and recommendation.
3. Zoning Commission submits findings and recommendation report to the Board of Adjustment.
4. The Board of Adjustment holds a public hearing.
5. Board of adjustment renders decision on conditional use application based upon criteria within 2.02-9.F

The Woodbury County Zoning Commission meets on the 4th Monday of each month. The Woodbury County Board of Adjustment meets on the 1st Monday of each month. The conditional use permit application filing deadline is the 1st day of the month to be placed upon that month's Zoning Commission meeting agenda. See attached the specific ordinances referred to within this conditional use permit application.



WOODBURY COUNTY

Floodplain Development Permit Application

Date: 4/30/2024

TO THE ADMINISTRATOR: The undersigned hereby makes application for a Permit to develop in a flood plain. The work to be performed, including flood protection works, is as described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Woodbury County Flood Plain Management Ordinance and with all other applicable county ordinances and the laws and regulations of the State of Iowa.

Robert A Davis

(Owner or Agent)

1520 Grundy Ave, Merville, IA 51039

(Address)

712-253-1281

Telephone #

Knife River Midwest LLC

(Builder)

2220 Hawkeye Drive, Sioux City, IA 51105

(Address)

712-577-6757

Telephone #

1. Location: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 089N Range 044W

Street Address: 1548-1544 Grundy Ave, Merville, IA 51039 (Google Maps)

GIS # 894431100010/894431100011

2. Type of Development: Grading and Placement of Portable HMA Plant

Filling _____ Grading X _____ Excavation _____ Routine Maintenance _____

Minor Improvement _____ Substantial Improvement _____ New Construction _____

3. Description of Development: Grading and Placement of Portable HMA Plant

No foundations or permanent structures involved.

4. Premises: Size of site: _____ ft. x _____ ft. Area of Site: 210,395 sq. ft. Estimated cost: _____

Principal Use: Agricultural

Accessory Uses (Storage, parking, etc.): Parking and Grain Storage

5. Addition or modification to non-conforming use? Yes _____ No X Assessed value of structure \$ _____

6. Is property located in a designated Floodway (FW District)? Yes _____ No X

IF ANSWERED YES, CERTIFICATION MUST BE PROVIDED PRIOR TO THE ISSUANCE OF A PERMIT TO DEVELOP, THAT THE PROPOSED DEVELOPMENT WILL RESULT IN NO INCREASE IN THE 100 YEAR (BASE) FLOOD ELEVATION.

7. Property located in a designated Floodway District (FW), Floodway Fringe (FF) General Flood Plain District (FP), Shallow Flooding District (SF), or Dam Failure Inundation District (DI)?

Yes X No _____ If so, indicate which one: FP

a. Elevation of the 100 year (Base) flood (identify source if other than FIRM): _____

b. Elevation of the proposed development site (natural ground): 1180 to 1160 MSL/NGVD

c. Required elevation/flood-proofing level for lowest floor: NA MSL/NGVD

- d. Proposed elevation/flood-proofing level for lowest floor (including basement): NA MSL/NGVD
e. Other flood plain information (identify and describe source)

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF ANY NEW OR SUBSTANTIALLY IMPROVED RESIDENTIAL BUILDING WILL BE ELEVATED AT LEAST 1.0 FOOT ABOVE THE 100 YR. (BASE) FLOOD ELEVATION. IF THE PROPOSED DEVELOPMENT IS A NON-RESIDENTIAL BUILDING, THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE LOWEST FLOOR (INCLUDING BASEMENT) OF A NEW OR SUBSTANTIALLY IMPROVED NON-RESIDENTIAL BUILDING WILL BE ELEVATED OR FLOOD-PROOFED TO AT LEAST 1.0 FOOT ABOVE THE 100 YR. (BASE) FLOOD ELEVATION.

8. Other permits required?

Iowa Department of Natural Resources: Yes _____ No X If yes, permit # _____
Date Received: _____

Corps of Engineers: Yes _____ No X If yes, permit # _____
Date Received: _____

Other: _____

All provisions of the County of Woodbury Flood Plain Management Ordinance (Ordinance # : 5.03) shall be complied with.

THIS PERMIT IS ISSUED WITH THE CONDITION THAT THE DEVELOPER/OWNER WILL PROVIDE CERTIFICATION BY A REGISTERED ENGINEER, ARCHITECT, OR LAND SURVEYOR OF THE "AS-BUILT" LOWEST FLOOR (INCLUDING BASEMENT) ELEVATION OF ANY NEW OR SUBSTANTIALLY IMPROVED BUILDING COVERED BY THIS PERMIT.

Plans and Specifications Approved this _____ Day of _____, 20 ____ .

Rob Dancy
(Signature of Developer/Owner)

(Authorizing Official)

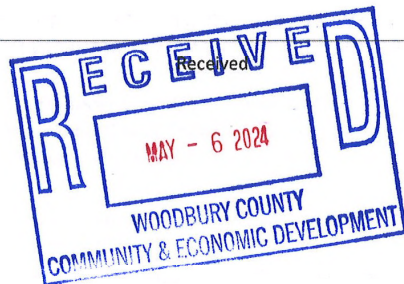
Cc: Water Resources Section
Iowa Department of Natural Resources
Wallace State Office Building
East 9th and Grand
Des Moines, IA 50319

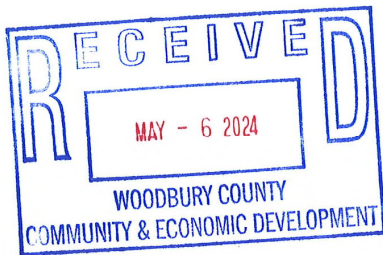
Calvin
Applicant - Knife River

Date: 5/1/2024

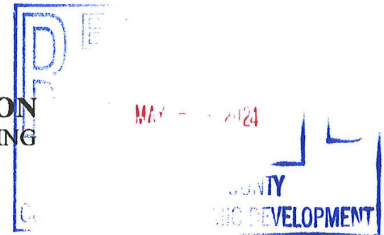
For Office Use Only

| | |
|---------------------------|-------------------|
| FPDP #: <u>6983 F</u> | Fee: <u>\$110</u> |
| Approved: _____ | Denied: _____ |
| Check #: <u>40037459</u> | Receipt #: _____ |
| Map Panel #: <u>252 D</u> | SFHA: _____ |





GRADING PERMIT APPLICATION
WOODBURY COUNTY PLANNING & ZONING
6TH FLOOR COURT HOUSE
620 DOUGLAS STREET
SIOUX CITY, IOWA 51102



Applicant's Information:

Property Owner(s) Name: Robert A Davis (owner) Knife River Midwest (Applicant)
Mailing Address: 1520 Grundy Ave, Merville, IA 51039 (owner) 2220 Hawkeye DR, Sioux City, IA 51105 (Applicant)
Phone No. (712) 253-1281 (owner) E-mail Address: colin.chatterton@kniferiver.com
(712) 577-6757 (Applicant)

Grading Contractor's Information:

Property Owner(s) name: Knife River Midwest LLC
Mailing Address: 2220 Hawkeye Drive, Sioux City, IA 51105
Phone No. (712) 577-6757 E-mail Address: colin.chatterton@kniferiver.com

Property and location Information:


Property Address: 1541 Grundy Ave, Merville, IA 51039
GIS Parcel Number: 860732/860731 Quarter: NW Section 31 Township 89N/45W
Purpose for Grading Permit Application: Stripping topsoil and placing on site before laying sub base for
hot mix asphalt plant and aggregate piles.

Will Earthen Material be removed from the parcel? Yes No X No. of Cubic Yards

Will Earthen Material be brought to the parcel? Yes No X No. of Cubic Yards

Anticipated Start Date of Grading: 6/17/24 Anticipated End Date of Grading: 6/28/24

Any Other Information: The grading will be minimal in order to ensure the plant can be safely placed
on site. Topsoil will be preserved on site and put back in place.


PROPERTY OWNER(S) SIGNATURE


CONTRACTOR'S SIGNATURE

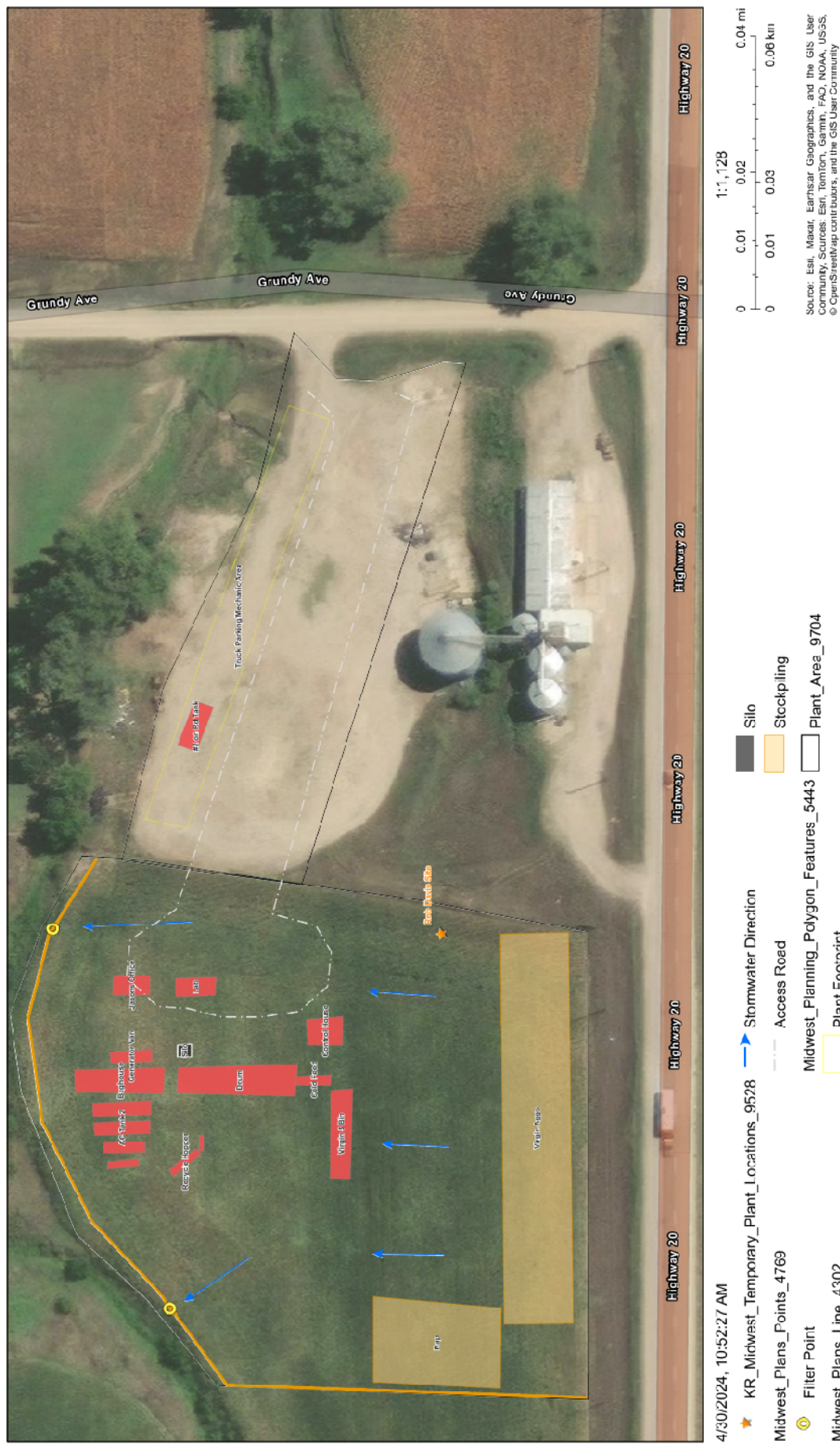
APPROVED: DATE: 5-1-24
PLANNING AND ZONING DIRECTOR

AFTER THE APPLICATION HAS BEEN APPROVED AND THE PERMIT ISSUED, THIS PERMIT BECOMES
NULL AND VOID IF GRADING HAS NOT COMMENCED WITHIN 180 DAYS. THE PERMIT EXPIRES TWELVE
(12) MONTHS FROM ISSUANCE AND MUST BE RENEWED IF GRADING IS TO CONTINUE.

Below -Office Use Only:

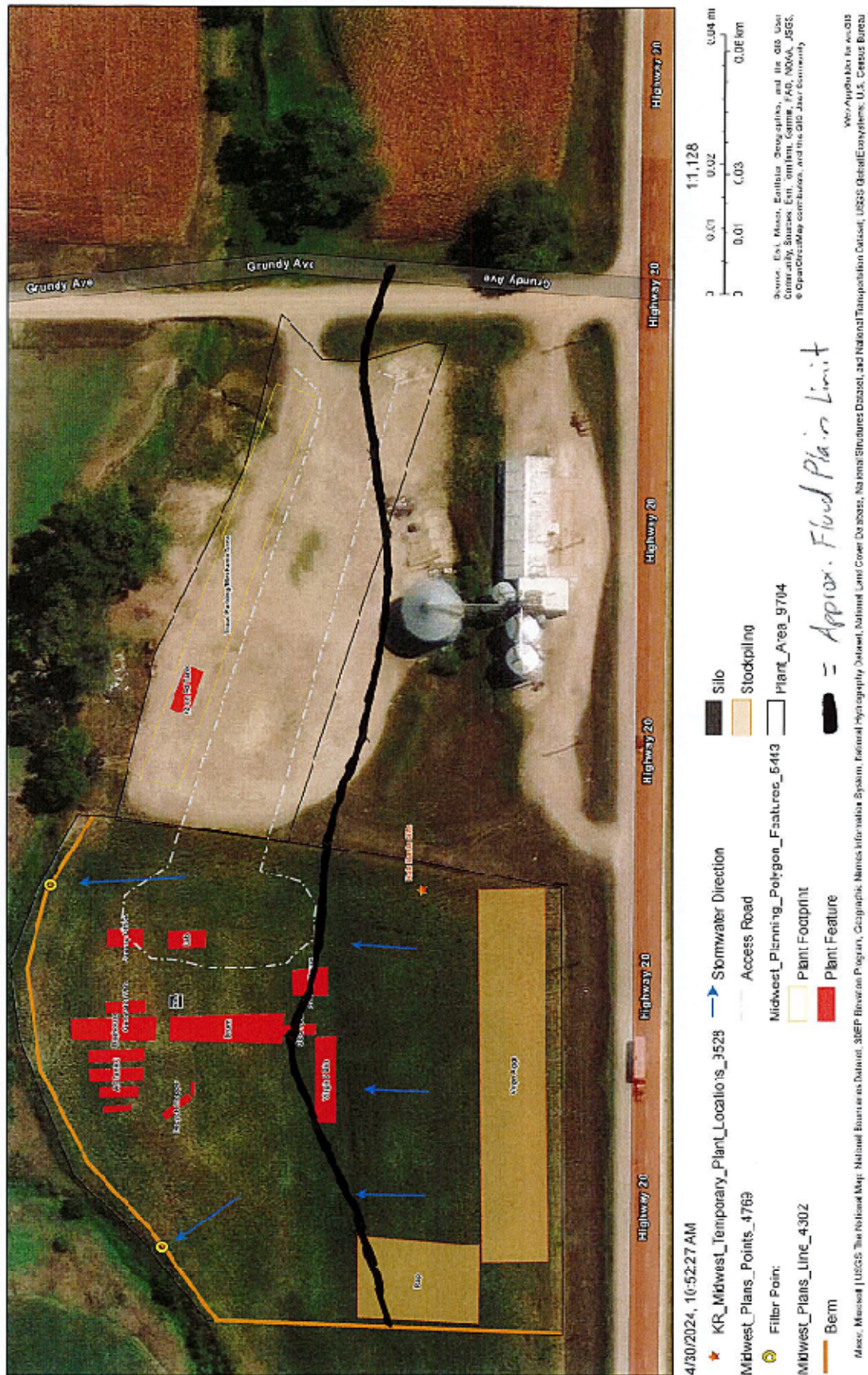
Application Number: 6984 Date:
Parcel's Zoning: AP Parcel's Flood Zone: A Map Panel No: 2520
Permit Issue Date: Expiration Date:
Approved: Denied:

Rob Davis Site SWPPP Map - KRMW Plant 3



Web AppBuilder for ArcGIS

Rob Davis Site SWPPP Map - KRMW Plant 3



Daniel Priestley

From: Chatterton, Colin <colin.chatterton@kniferiver.com>
Sent: Tuesday, May 21, 2024 3:21 PM
To: Daniel Priestley
Cc: Luse, Skylar; Gall, Jason
Subject: RE: Floodway and NPDES Permits
Attachments: Rob Davis Site SWPPP Map - 5.21.24 Update.pdf

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

Dan,

I have attached an updated map showing we will keep our equipment and berm outside of the approximate floodway determined by DNR staff. As for the permitting, please refer to the SWPPP and permit authorization that was sent on 4/30/2024. Grading and site preparation are covered activities under GP3. We will ensure best management practices are in place per the site map and SWPPP.

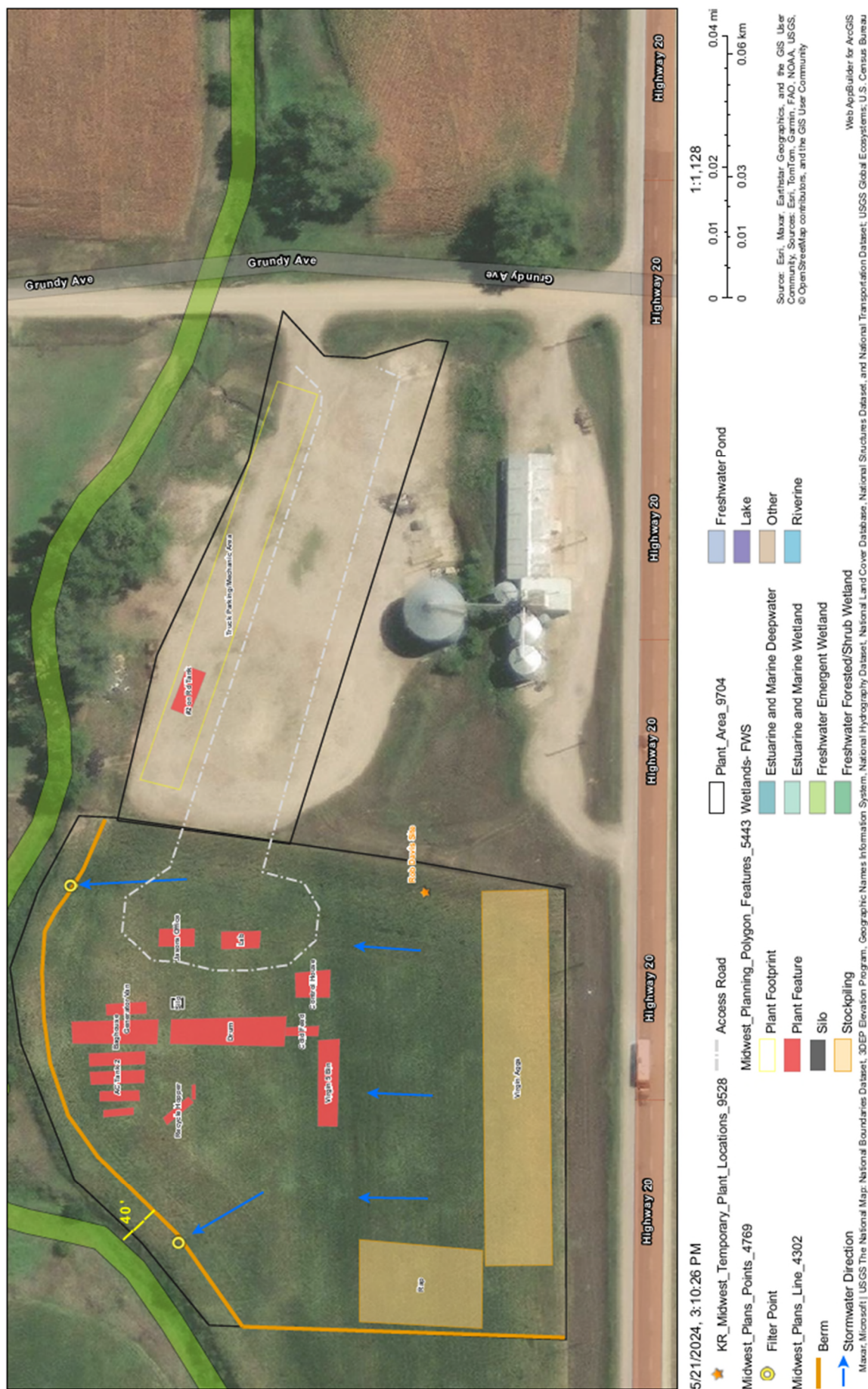
Please let me know if you have any other questions.

Cheers,

Colin Chatterton, CPESC
Environmental Manager – KRSD & KRMW



Rob Davis Plant Site SWPPP - 5.21.24 Update





2220 Hawkeye Drive
Sioux City, IA 51105

KNIFE RIVER®

Phone: (712) 252-2766
(Administration) Fax: (712) 252-0079

RE: Knife River Midwest Portable HMA Site Flood Response Plan

As all pieces of the portable HMA operations can be moved, Knife River Midwest intends to respond to site flooding impacts utilizing the following steps:

- Once a flood watch is issued, applicable data will be consulted twice daily (precipitation and river/stream stages).
- If data is beginning to show probable impacts to the site currently in use, necessary resources will begin to be diverted in case plant pieces need to be removed from active floodplain.
- All pieces of the plant are on wheels and simply need to be hooked up to a tractor or truck to be pulled to high ground.
- Anticipated amount of time for teardown and moving of plant is 6 hours.
- Stockpiling of material will be kept out of the floodplain as much as physically possible.
- If there is the possibility of material loss due to flooding, equipment is on site at all times that can begin to move stockpiles to a better location.

DEPARTMENT OF NATURAL RESOURCES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
NOTICE OF GENERAL PERMIT COVERAGE UNDER
GENERAL PERMIT NO. 3**STORM WATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY FOR
ASPHALT PLANTS, CONCRETE BATCH PLANTS, ROCK CRUSHING PLANTS, AND
CONSTRUCTION SAND AND GRAVEL FACILITIES**

This notice of general permit coverage for a storm water discharge associated with construction activity is issued pursuant to the authority of section 402 (b) of the Clean Water Act (U.S.C. 1342(b)), Iowa Code 455B.174, and subrule 567--64.4(2), Iowa Administrative Code. A Notice of Intent has been filed with the Iowa Department of Natural Resources that this storm water discharge complies with the terms and conditions of NPDES General Permit No. 3. Authorization is hereby issued to discharge storm water associated with industrial activity as defined in Part VIII of the Iowa Department of Natural Resources NPDES General Permit No. 3 in accordance with the terms and conditions set forth in the permit.

Owner:

**KNIFE RIVER MIDWEST
2220 HAWKEYE DR.
SIOUX CITY IA 51105
(712)279-7517**

Contact:

**COLIN CHATTERTON
KNIFE RIVER
1500 N SWEETMAN PL
SIOUX FALLS SD 57107
(605)336-5776**

Permit Coverage Issued To:

**KNIFE RIVER MIDWEST PORTABLE ASPHALT PLANT 3
4305 BIRCH AVE
in HAWARDEN, SIOUX COUNTY
located at**

| 1/4 Section | Section | Township | Range |
|-------------|---------|----------|-------|
| SW | 22 | 95 | 48W |

Coverage Provided Through: 12/1/2025
NPDES Permit Discharge Authorization Number: 31681 - 31444
Discharge Authorization Date: 12/1/2017

**Project Description: ASPHALT PLANT PREVIOUS IOWA LOCATION -
CURRENTLY IN NEBRASKA**



KNIFE RIVER®

2220 Hawkeye Drive
Sioux City, IA 51105

Phone: (712) 252-2766
(Administration) Fax: (712) 252-0079

RE: Portable HMA Plant Site Grading and Preparation

Grading and site preparation for portable plant sites includes the following items:

- Clearing vegetation that is present and removing top 6" of topsoil.
- Avoid need to clear and grub trees and shrubs.
- Minimal changes to existing grades and topography.
- Placement of topsoil around outer edges of site, creating 3- to 5-foot-tall berm.
- Stabilization of site access point with gravel if necessary.
- For a 5 acre site, the amount of soil moved would be around 3,000 cubic yards.



Stormwater Pollution Prevention Plan

For:

Knife River Midwest, LLC Sioux City Asphalt Plant #3
Sioux City, IA

SWPPP Contact:

Knife River Midwest
Colin Chatterton
2220 Hawkeye Drive
Sioux City, IA 51105
(712) 577-6757

SWPPP Preparation Date:

March 8, 2024

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SECTION 1: Facility Description and P2 Team

1.1 Facility Information

Knife River Midwest Portable Asphalt Plant 3 is headquartered at 2220 Hawkeye Drive Sioux City, IA 51105 and is a portable plant. This plant typically sits on a 7-10 acre site and is comprised of several construction material operations including an office, hot mix asphalt batch plant, and aggregate/recycled asphalt storage. The site is bounded entirely by an earthen berm with filter drains.

This facility has a primary SIC codes: 2951 Hot Mix Asphalt Production

This Stormwater Pollution Plan is written in accordance with the following Iowa Department of Natural Resource permits

| Permit/Permit # | Permit/Permit # | Permit/Permit # |
|-----------------|--------------------------|---------------------|
| Iowa ISW-GP | Nebraska ISW-GP | South Dakota ISW-GP |
| IA 31681-31444 | Facility NDEQ ID: 109874 | SDR00C132 |

1.2 Contact Information/Responsible Parties

Facility Operator:

Knife River Midwest
2220 Hawkeye Drive
Sioux City, IA 51105
(712) 279-7570
colin.chatterton@kniferiver.com

Facility Owner:

Knife River Midwest
2220 Hawkeye Drive
Sioux City, IA 51105
(712) 279-7570
colin.chatterton@kniferiver.com

SWPPP Contact:

Colin Chatterton
(712) 577-6757
colin.chatterton@kniferiver.com

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1.3 Pollution Prevention Team

| Staff Names | Individual Responsibilities |
|------------------|--|
| Clark Meyer | President: Responsible for daily operations compliance with the SWPPP. Directs personnel to comply, maintain, and support the SWPPP. |
| Chris Winkel | Vice President and General Manager. Responsible for the daily aggregate operations compliance with the SWPPP. Must direct personnel in SWPPP implementation and maintenance. Trained to conduct inspections. |
| Ron Klinker | Regional Environmental Manager. Responsible for writing and maintenance of SWPPP. Trains company personnel in SWPPP compliance. |
| Colin Chatterton | Environmental Manager. Responsible for writing and maintenance of SWPPP. Trains company personnel in SWPPP compliance. |
| Skylar Luse | Environmental Coordinator. Responsible for writing and maintenance of SWPPP. Certified to perform all necessary inspections. |
| Dillon Ray | Asphalt Plant Superintendent. Implementation of Plan and inspections. Maintenance of BMP's. Notify Managers of any Plan deficiency. |
| Jason Gall | Asphalt General Superintendent. Implementation of Plan and inspections. Maintenance of BMP's. Notify Managers of any Plan deficiency. |
| Suzie Green | Asphalt Plant Operator. Implementation of Plan and inspections. Maintenance of BMP's. Notify Managers of any Plan deficiency. |
| Production Staff | Implementation of Plan and inspections. Maintenance of BMP's. Notify Managers of any Plan deficiency. |

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SECTION 2: Inventory of Significant Materials

2.1 Asphalt Operations

Aggregate materials
Asphalt cement
Fuel oils
Release agents
Recycled Asphalt Pavement

SECTION 3: Risk Identification and Summary of Potential Pollutant Sources

| Industrial Activity- Storage | Assessment |
|---|---|
| Excavation, site preparation | All these activities and materials have potential to increase pollutant load on discharged stormwater. By implementing the Plan BMP's, impact will be minimized. |
| Crushing/Screening | |
| Stockpiling | |
| Raw material/final product storage | It is Knife River Midwest's goal that whenever possible, all stormwater is retained on site and allowed to infiltrate and/evaporate via some form of containment. If containment is infeasible, noted significant materials must be handled and stored in a manner that will minimize exposure to stormwater. Stormwater will then be directed to ponding areas with filter berms for drainage. |
| Waste products | |
| Aggregate washing | |
| Material loading/unloading | Infeasible, noted significant materials must be handled and stored in a manner that will minimize exposure to stormwater. Stormwater will then be directed to ponding areas with filter berms for drainage. |
| Vehicle and equipment maintenance/fueling | |
| Petroleum/fuel storage | |
| Recycled asphalt pavement storage | Infeasible, noted significant materials must be handled and stored in a manner that will minimize exposure to stormwater. Stormwater will then be directed to ponding areas with filter berms for drainage. |
| Recycled concrete crushing and storage | |
| | |
| Significant Materials | |
| Aggregate materials | |
| Petroleum products | |
| Industrial Activity- Hot Mix Asphalt | |
| Storage of aggregate materials | |
| Petroleum storage and transfer | |
| Release agent storage and application | |
| Vehicle and equipment maintenance/fueling | |
| Petroleum/fuel storage | |
| Asphalt stock | |
| Significant Materials | |
| Aggregate materials | |
| Asphalt cement | |
| Fuel oils | |
| Release agents | |
| Petroleum/fuel storage | |
| Pigments | |
| Petroleum Products | |

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SECTION 4 Best Management Practices

4.1 Description of Structural Controls

Storm water for plant 3 is contained on site for infiltration. The site is completely bermed to maintain water onsite. Should water need to be discharged, rock filter berms will be designed at low points of the site.

4.2 Good Housekeeping

Every effort will be made to keep the site clean and to store potential pollutants in enclosures. Any maintenance waste (grease tubes, rags, and used fluids) generated will be disposed of properly.

Some used equipment is stored outside. As a part of daily pre- and post-trip inspections, each piece of equipment is inspected for leaks. Should a leak occur, the operator and/or manager for that area is to be notified and the contamination removed.

4.3 Preventive Maintenance

If needed, all facility BMP's shall be maintained monthly when the site is active. Prior to being temporarily inactive, all BMP's will be inspected to ensure they are in place and stable. The need for maintenance shall be determined during monthly inspections.

If it is determined that BMPs are not functioning properly, the BMP shall be replaced, maintained, or repaired within seven (7) calendar days of discovery. If BMP replacement, maintenance, or repair cannot be completed within seven (7) calendar days, implementation of effective backup BMPs (temporary or permanent) must be completed, until effectiveness of the original BMPs can be restored. If extended replacement, maintenance, or repair schedule of the failed BMP is required, documentation of justification must be made and stored with the SWPPP.

The dates of all maintenance and repairs must be recorded on the monthly inspection sheet.

4.4 Spill Prevention and Response

See Section 6.

4.5 Inspections

An inspection will be conducted once per calendar month that the facility is active and staffed. A minimum of one (1) inspection per calendar year shall be conducted within 24 hours of a storm event greater than 0.1 inches, or snowmelt large enough to cause runoff. If earth disturbing

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activities are occurring, inspections must take place every two weeks and after a 0.5" rain.

All facility inspections shall include the following:

- An evaluation of the facility to determine that the SWPPP accurately reflects site conditions. The inspection shall include storage tank areas, waste disposal areas, raw material, intermediate products, by-product and final product storage areas, maintenance areas, and loading/unloading areas.
 - An evaluation of the facility to determine whether new exposed industrial materials or activities have been added to the site since completion of the SWPPP.
 - During an inspection conducted during a runoff event, an evaluation of the stormwater runoff to determine if it is discolored or if other contaminants are visible in the runoff (e.g., oil and grease).
 - An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function.
 - An evaluation of the completeness and accuracy of the plan.
- An inspection form can be found in Appendix A.

4.6 Employee Training

All company employees who work receive general stormwater pollution prevention training during the winter training period (January-March). All employees, including plant supervisor, yard workers, equipment operators, drivers, and mechanics receive specific SWPPP training. In the spring (April-June) each plant supervisor will receive individualized training at their plant. Training will be conducted by the Company Environmental Manager. The following employees have listed responsibilities related to stormwater management:

Environmental Manager, General Managers, Plant Supervisor

- overseeing implementation of, revising, and amending the SWPPP

Plant supervisor, yard workers, and equipment operators

- performing installation, inspection, maintenance, and repair of BMPs

Environmental Manager, Plant Supervisor

- conduct stormwater discharge monitoring

Training topics will include:

- spill response procedures
- good housekeeping
- material management practices
- stormwater discharge monitoring procedures
- BMP operation and maintenance

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4.7 Non-Stormwater Discharges

All discharge from the site has been tested or evaluated for the presence of non-stormwater discharges.

Date of evaluation:

- _____

Description of the evaluation criteria used:

- Determination that there are no connections to municipal sanitary or storm sewers at this site through building and site inspection and facility personnel interviews. Evaluation of site practices to determine if process water could combine with stormwater.
- See 4.9 Dry Weather Screening, below.

List of the outfall points that were directly observed during the evaluation:

- Dependent on site, will be identified on map

Different types of non-stormwater discharge(s) and source locations:

Non-Stormwater Discharge Certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

By _____ Title _____

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4.8 Sediment and Erosion Control

Berms are used to contain storm water on site. If the outside slope of the berm has the potential to discharge to surface water, additional sediment control BMP's such as silt fence will be deployed until the slope is vegetated and stable.

The entrances to the activities at this site are stable, so tracking should not be an issue. In the event tracking of sediment occurs, the site entrance/exit will be swept. If sediment escapes the facility, it must be removed as soon as possible to minimize off site impacts.

4.9 Dry Weather Screening

During an inspection as outlined in section 4.5, discharge conveyances on site will be evaluated to determine if liquids other than storm water are discharging off site. This will be done during dry weather.

This evaluation will be a visual with documentation indicating:

- Date
- Time of inspection
- Weather at time of inspection (temperature, overcast, windspeed)
- Discharges (if any)
- Source of discharge if discharge were to be occurring

SECTION 5: Site Map

A representative site map is included in Appendix B. Each new site will have a site map tailored to local conditions and available upon request.

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Spill reporting documentation for this plan is kept to the most recent 3 years. Additional information may be found in the Environmental Manager's offices.

SECTION 7 Sampling Data

Iowa General Permit Requirement:

During the calendar year, one grab sample will be taken at the discharge point if the site discharges and tested for the following parameters:

- * total suspended solids (TSS) (mg/L);
- * any pollutant limited in an effluent guideline to which the facility is subject
- * the date and duration (in hours) of the storm event(s) sampled;
- * rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff;
- * the duration between the storm event sampled and the end of the previous measurable (greater than 0.5 inch rainfall) storm event; and
- * an estimate of the total volume (in gallons) of the discharge sampled shall be provided;

The following requirements are what is needed to take the sample:

All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.5 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the site. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or non-process water, then where practicable, permittees must attempt to sample the storm water discharge before it mixes with non-storm water discharge.

Nebraska General Permit Requirement:

Sampling is to be undertaken as follows:

- * TSS quarterly and PAH 2 times/yr during 0.1" or greater event
- TSS Benchmark is 100mg/L - If average of yearly samples is above benchmark, AIM requirements referenced in NDEB Perm it NER920000 will be followed.
- PAH Indicator Monitoring is required for the 16 individual PAHs identified at Appendix A to 40 CFR Part 423: naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene.

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SECTION 6: Spills and Leaks

Spill prevention and response procedures for the site are addressed the facility Spill Prevention Control and Countermeasure Plan (SPCC). The plan is in the site Environmental Manual.

Tanks on site will either have secondary containment, or in the case of asphalt cement tanks, active measures to contain a spill.

Every spill is preventable. Should one occur, we are responsible for the cleanup. All spills need to be reported to the environmental manager with:

- What happened.
- What is the equipment that is leaking or spilled.
- The amount and what the substance is.
- Time of incident.
- Clean-up remedial activities.
- Who should be contacted until the environmental manager can get there.
- Documenter, meaning person designated to take pictures and notes of incident.

The environmental manager will report the spill to the state, depending on the amount spilled and the hazard it poses to public, environment, or personal health. If a spill or a leak occurs, prevent contact with storm water, surface water or direct conduits to groundwater.

Contact information for individuals, and emergency and regulatory agencies that must be notified in the event of a spill are included in these plans. Any spill or discharge of a potentially polluting material shall immediately be reported to the Company Environmental Manager at (320) 529-2725 or (712) 279-7570. If the spill meets the following conditions, it must be reported to the Iowa Department of Natural Resources at (515) 275-8694:

- The hazardous substance has the potential to leave the property by run-off, sewers, tile lines, culverts, drains, utility lines, or some other conduit
- The hazardous substance has the potential to reach a water of the state – either surface water or groundwater
- The hazardous substance can be detected in the air at the boundaries of the facility property by the senses (sight and smell) or by monitoring equipment
- There is a potential threat to the public health and safety
- Local officials (Fire department, law enforcement, Hazmat, public health, and emergency management) respond to the incident
- The release exceeds a Federal Reportable Quantity (RQ).

Should the spill happen in Nebraska, the following must be followed and called in to NDEQ (402/471-2186 or 402/471-4545):

A release to the surface of the land of 100lbs or greater of hazardous substance and/or exceeds 25 gallons of oil must be reported to the State of Nebraska immediately (within 15 minutes as interpreted by NDEQ). If the spill is confined and expected to stay confined within a building or fully enclosed structure that is made of non-earthed materials, and is cleaned up within 24 hours of discovery, then notification is not required.

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SECTION 8 Signatory Certification of Plan

This plan was written with intention of complying with applicable permits for the portable plants owned and operated by Knife River Midwest.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Colin Chatterton, CPESC

Title: Environmental Manager

Date: 3/8/2024

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Chatterton, Colin

From: branden.scott@email.iowaeda.com
Sent: Monday, April 29, 2024 7:10 AM
To: Chatterton, Colin
Cc: Luse, Skylar
Subject: R&C - 00051333 - - Woodbury - Knife River Midwest LLC Portable Asphalt Plant 03 - Woodbury County Site

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Mr. Chatterton:

We have received your submittal for the above referenced technical assistance request. At this time, we are unaware of a federal nexus for this project that would necessitate formal Section 106 of the National Historic Preservation Act review. Should this project become a federal undertaking, additional consultation with our office and other interested parties might be necessary in accordance with 36 CFR 800.

Regarding this project, please see the following comments:

R&C - 00051333 - - Woodbury - Knife River Midwest LLC Portable Asphalt Plant 03 - Woodbury County Site - Develop a farm field site for use of a portable hot mix asphalt batch plant. Minor site grading and placement of plant and aggregate piles.

We are unsure what exactly is triggering this review and the basis of county ordinances that might be governing your project. However, we do have an interest in historic properties throughout the State of Iowa, and we recommend the following to determine if your project might affect historic properties.

1) We note buildings/structures immediately adjacent to your proposed project area. We are unclear the ages of these buildings/structures. If they are at least 45 years old or older, we recommend architectural reconnaissance documentation to determine if a historic property is present.

2) The vast majority of the project area has been previously surveyed for archaeological resources in association with Highway 20 improvements. Only a small portion of the area does not appear to be previously surveyed. The project area appears to be associated with alluvial landforms that could deeply bury archaeological deposits. At present, we do not have enough resources available to determine if past survey work on this parcel adequately documented geological conditions/potential for archaeological site preservation in deeply buried contexts. We recommend an archaeological desktop assessment to determine the nature of past work and its implications for your project.

I will be returning this case to you so that you can upload additional information should you seek to provide it and when it becomes available. You will not receive a hard copy of this email. It is the submitter's responsibility to maintain the official file of record. If you have any questions or comments, please feel free to contact our office.

With kind regards,
Branden K. Scott
Archaeologist, State Historic Preservation Office
branden.scott@email.iowaeda.com | 515.348.6291 | culture.iowaeda.com/shpo

LEGAL NOTIFICATION – May 18, 2024, Sioux City Journal

The Woodbury County Zoning Commission meeting is a regular agenda item for review of the application for a recommendation to the Board of Adjustment. The public hearing is to be held before the Board of Adjustment on June 3, 2024 at 6:00 PM.

Sioux City Journal

AFFIDAVIT OF PUBLICATION

Sioux City Journal
2802 Castles Gate Drive
Sioux City 51106
(712) 293-4250

State of Pennsylvania, County of Lancaster, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Sioux City Journal, printed and published by Journal Communications, in Sioux City in Woodbury County and issued daily and Sunday and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

May. 18, 2024

NOTICE ID: OfKWKfFZJcBv2lr2nr8

PUBLISHER ID: COL-IA-500368

NOTICE NAME: BOA-6-3-24-Revised

Publication Fee: \$41.04

(Signed) Yuade Moore

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 05/20/2024

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING BEFORE THE WOODBURY COUNTY BOARD OF ADJUSTMENT REGARDING A CONDITIONAL USE PERMIT APPLICATION FOR AN ASPHALT MIXING (TEMPORARY) SITE

The Woodbury County Board of Adjustment will hold a public hearing on the following item hereafter described in detail on **June 3, 2024 at 6:00 PM** or as soon thereafter as the matter may be considered. Said hearing will be held in the Board of Supervisors' meeting room in the Basement of the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa. Copies of said item may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th Floor of said courthouse by any interested persons. All persons who wish to be heard in respect to the matter should appear at the aforesaid hearing in person or call: **712-454-1133** and enter the Conference ID: **742 346 123#** during the meeting to listen or comment. However, it is recommended to attend in person as there is the possibility for technical difficulties with phone and computer systems. You may forward your written comments by mail or email to: Woodbury County Community and Economic Development, 6th Floor, Woodbury County Courthouse, 620 Douglas St., Sioux City, IA 51101; Emails should be sent to Daniel Priestley at: dpriestley@woodburycountyiowa.gov. Only signed comments will be considered and should be received no later than 10:00 AM on Fri., May 31, 2024.

Item One (1)

Pursuant to Section 335 of the Code of Iowa, the Woodbury County Board of Adjustment will hold a public hearing to consider the Conditional Use Permit application by Knife River Midwest LLC (Applicant) and Robert A. Davis (Property Owner) for an asphalt mixing (temporary) site, to support the Highway 20 resurfacing project, on Parcel #894431100010 and Parcel #894431100011. The proposed location is about one-half mile west of Merville on the north side of Highway 20. Both parcels are located in the Agricultural Preservation (AP) Zoning District. Portions of the property are located within the Special Flood Hazard Area. Applicant(s)/Owner(s): Knife River LLC, 2220 Hawkeye Drive, Sioux City, IA 51105; Robert A. Davis, 1520 Grundy Ave., Merville, IA 51039. Property locations: Parcel #894431100010, T89N R44W (Arlington Township), Section 31, SE 1/4 of the NW 1/4 and Parcel #894431100011, T89N R44W (Arlington Township), Section 31, SE 1/4 of the NW 1/4. Location Address: 1541 Grundy Ave., Merville, IA 51039.
COL-IA-500368

PROPERTY OWNER(S) NOTIFICATION

| | |
|--|---------------------|
| Total Property Owners within 1000 FT via Certified Abstractor's Listing: | 5 |
| Notification Letter Date: | May 16, 2024 |
| Public Hearing Board: | Board of Adjustment |
| Public Hearing Date: | June 3, 2024 |
| Phone Inquiries: | 0 |
| Written Inquiries: | 0 |
| The names of the property owners are listed below. | |
| When more comments are received after the printing of this packet, they will be provided at the meeting. | |



| PROPERTY OWNER(S) | MAILING ADDRESS | COMMENTS |
|--|--|----------|
| Robert A. Davis Trust | 1520 Grundy Ave. Merville IA 51039-8022 | None |
| Davy's & Jim's Feed Store Inc. | PO Box 505 Merville IA 51039-0505 | None |
| Darlene L. Davis Trust | 1529 Grundy Ave. Merville IA 51039 | None |
| Ellis Bruce Johnson & Sharon Irene Johnson | 101 23rd St. Sioux City IA 51104 | None |
| Witt Family Trust B c/o Marlene Witt | 36 Eastview Apt. 113 Sioux City IA 51106 | None |

STAKEHOLDER COMMENTS

| | |
|---|---|
| 911 COMMUNICATIONS CENTER: | None |
| ARLINGTON TOWNSHIP: | None |
| FIBERCOMM: | None |
| IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR): | SEE EMAIL FROM ASIA AZAM BELOW, 5/20/24 |
| IOWA DEPARTMENT OF TRANSPORTATION (IDOT): | None |
| LOESS HILLS NATIONAL SCENIC BYWAY: | None |
| LOESS HILLS PROGRAM: | None |
| LONGLINES: | None |
| LUMEN: | None |
| MAGELLAN PIPELINE: | None |
| MIDAMERICAN ENERGY COMPANY (Electrical Division): | I have reviewed the following conditional use permit for MEC electric, and we have no conflicts. The Petitioner should be aware that any requested relocation or extension of distribution facilities is subject to customer contribution. – Casey Meinen, 5/6/24. |
| MIDAMERICAN ENERGY COMPANY (Gas Division): | No conflicts for MEC "Gas". – Tyler Ahlquist, 5/6/24. |
| NATURAL RESOURCES CONSERVATION SERVICES (NRCS): | None |
| NORTHERN NATURAL GAS: | None |
| NORTHWEST IOWA POWER COOPERATIVE (NIPCO): | Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 5/8/24. |
| NUSTAR PIPELINE: | None |
| SIOUXLAND DISTRICT HEALTH DEPARTMENT: | None |
| WIATEL: | None |
| WOODBURY COUNTY ASSESSOR: | None |
| WOODBURY COUNTY CONSERVATION: | None |
| WOODBURY COUNTY EMERGENCY MANAGEMENT: | None |
| WOODBURY COUNTY EMERGENCY SERVICES: | None |
| WOODBURY COUNTY ENGINEER: | I recommend the temporary conditional use of the above captioned parcel. The location is optimal for the pending reconstruction of Highway 20, is already gravel surfaced, not used for row crop or pasture agriculture, and is a reasonable temporary land use for this parcel. I recommend approval of the temporary conditional use permit. – Mark J. Nagra, PE., 5/20/24. |
| WOODBURY COUNTY RECORDER: | No comments. – Diane Swoboda Peterson, 5/6/24. |
| WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC): | None |
| WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT: | The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 5/6/24. |

Daniel Priestley

From: Azam, Asia <asia.azam@dnr.iowa.gov>
Sent: Monday, May 20, 2024 11:05 AM
To: colin.chatterton@kniferiver.com
Cc: Daniel Priestley
Subject: Floodway offset for a Portable Asphalt mixing plant near Merville, IA
Attachments: Floodway offset-2024-0670.PNG

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WCICC and DO NOT ENTER any data.**

Colin,

Attached is the site map where I have marked an approximate offset for the floodway of this unnamed creek where you are planning to have the portable asphalt plant for some work along Hwy 20.

Dan-As I mentioned over the phone, this offset is approximate and should only be used for this project. Detailed calculations were not performed for this request due to the temporary nature of the project and time constraint.

Please let me know if you have any questions.

Thanks!

Asia

Asia Azam
Environmental Engineer Senior
Flood Plain and Dam Safety Section
Iowa Department of Natural Resources
502 E. 9th Street, Des Moines, IA 50319
Cell: 515-669-2335
<http://floodplain.iowadnr.gov>





Woodbury County, IA / Sioux City

Summary

Parcel ID 894431100010
 Alternate ID 860732
 Property Address N/A
 Sec/Twp/Rng 31-89-44
 Brief PT OF NW1/4 COM SE COR THEC N 60° TO POB: THEC N 312.58';NWLY 419.11';SWLY 428.38' & E 475' 31-
 Tax Description 89-44
 (Note: Not to be used on legal documents)
 Deed Book/Page 1081-615 (3/17/1965)
 Gross Acres 3.75
 Net Acres 3.75
 Adjusted CSR Pts 0
 Zoning AP - AGRICULTURAL PRESERVATION
 District 0049 ARLINGTON/WD-C
 School District WOODBURY CENTRAL
 Neighborhood N/A



Owner

Deed Holder
 DAVY'S & JIM'S FEED STORE INC
 PO BOX 505
 MOVILLE IA 51039-0505
 Contract Holder
 Mailing Address
 DAVY'S & JIM'S FEED STORE INC
 PO BOX 505
 MOVILLE IA 51039-0505

Land

Lot Area 3.75 Acres :163,350 SF

Commercial Buildings

| Type | Base Area | Year Built |
|-------------------------------------|-----------|------------|
| Steel Grain Storage Bin | 0 | 1969 |
| Steel Grain Storage Bin | 0 | 1969 |
| Metal Warehouse - Rigid Steel Frame | 3200 | 1965 |
| Warehouse (Storage) | 0 | 1960 |
| Steel Grain Storage Bin | 0 | 1982 |

Yard Extras

#1 - (1) Scale - Truck 58 Length, 10 Width, Readout-No, 50 Tons, Built 1965
 #2 - (1) Enclosed Drive 864 SF, Steel Frame, Average Pricing, Built 1969
 #3 - (1) Dump Pit Average Pricing, Built 1969
 #4 - (1) Bucket Conveyor (Leg) 2,000 Cap., Conv. Hght 50 Ft, Heads=None, Built 1969
 #5 - (1) Distributor Head Manual-Typical, Range Average, Built 1969
 #6 - (1) 12X12 STL BIN AREA(4 BINS) Quantity=1.00, Units=Units, Height=15, Built 1969
 #7 - (1) Grain Dryer - Cont. Flow or Batch 500 BU/Hour, Low Pricing, Built 1975
 #8 - (1) Tank - Containment Area 136 Square Feet, R.Concrete Wall, Average Pricing, Built 1982
 #9 - (1) Tank - Containment Area 280 Square Feet, R.Concrete Floor, Average Pricing, Built 1982
 #10 - (1) Tank - Containment Area 448 Square Feet, Spill Pads, Average Pricing, Built 1996
 #11 - (1) Tank - Containment Area 120 Square Feet, R.Concrete Wall, Average Pricing, Built 1996
 #12 - (1) Tank - Containment Area 644 Square Feet, R.Concrete Floor, Average Pricing, Built 1996
 #13 - (1) MTL CONTAINMENT WALL-44" HIGH Quantity=360.00, Units=Lineal Feet, Height=0, Built 1996
 #14 - (1) Tank - Large Storage Steel 125,000 Gallons, Piping/Metering: Yes, Built 1960
 #15 - (1) Tank - Small Bulk Vert. Steel-Single, 25,000 Gal, Built 1960
 #16 - (4) Tank - Small Bulk Vert. Steel-Single, 8,000 Gal, Built 1960
 #17 - (1) Tank - Small Bulk Vert. Fiberglass-Single, 6,500 Gal, Built 1960
 #18 - (1) Tank - Small Bulk Vert. Fiberglass-Single, 3,000 Gal, Built 1960
 #19 - (1) Tank - Small Bulk Vert. Steel-Single, 11,000 Gal, Built 1960

Valuation

| | 2024 | 2023 | 2022 | 2021 | 2020 |
|---------------------------|------------|------------|------------|------------|------------|
| Classification | Commercial | Commercial | Commercial | Commercial | Commercial |
| + Assessed Land Value | \$38,230 | \$38,230 | \$38,230 | \$38,230 | \$37,810 |
| + Assessed Building Value | \$89,490 | \$110,400 | \$80,650 | \$80,650 | \$79,760 |
| + Assessed Dwelling Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| = Gross Assessed Value | \$127,720 | \$148,630 | \$118,880 | \$118,880 | \$117,570 |
| - Exempt Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| = Net Assessed Value | \$127,720 | \$148,630 | \$118,880 | \$118,880 | \$117,570 |

Woodbury County, IA / Sioux City

Summary

| | |
|------------------|---|
| Parcel ID | 894431100011 |
| Alternate ID | 860731 |
| Property Address | N/A |
| Sec/Twp/Rng | 31-89-44 |
| Brief | ARLINGTON TOWNSHIP SE NW OF 31-89-44 (EX AN IRREG TCT DESCRIBED AS COM AT SE COR OF SE NW THNC N 60' TO POB; THNC N |
| Tax Description | 312.58;THNC NW 419.11;THNC SW 428.38;THNC E 475' TO POB); (EX A TCT DESCRIBED AS COM AT SE COR OF SE NW THNC N 656.80' TO POB; THNC W 5 |
| | (Note: Not to be used on legal documents) |
| Deed Book/Page | 761-5967 (10/25/2018) |
| Gross Acres | 28.57 |
| Net Acres | 28.57 |
| Zoning | AP - AGRICULTURAL PRESERVATION |
| District | 0049 ARLINGTON/WD-C |
| School District | WOODBURY CENTRAL |
| Neighborhood | N/A |

Owner

Deed Holder
[DAVIS ROBERT A TRUST](#)
[1520 GRUNDY AVE](#)
MOVILLE IA 51039-8022
Contract Holder
Mailing Address
DAVIS ROBERT A TRUST
1520 GRUNDY AVE
MOVILLE IA 51039-8022

Land

Lot Area 28.57 Acres ;1,244,509 SF

Sales

| Date | Seller | Buyer | Recording | Sale Condition - NUTC | Type | Multi Parcel | Amount |
|------------|-----------------------|----------------------|-----------|-----------------------|------|--------------|--------|
| 10/25/2018 | DAVIS DARLENE L TRUST | DAVIS ROBERT A TRUST | 761-5967 | Split or division | Deed | | \$0.00 |

☐ Show There are other parcels involved in one or more of the above sales:

Valuation

| | 2024 | 2023 | 2022 | 2021 | 2020 |
|---------------------------|-------------|-------------|-------------|-------------|-------------|
| Classi cation | Agriculture | Agriculture | Agriculture | Agriculture | Agriculture |
| + Assessed Land Value | \$44,500 | \$44,500 | \$34,560 | \$34,560 | \$33,100 |
| + Assessed Building Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| + Assessed Dwelling Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| = Gross Assessed Value | \$44,500 | \$44,500 | \$34,560 | \$34,560 | \$33,100 |
| - Exempt Value | \$0 | \$0 | \$0 | \$0 | \$0 |
| = Net Assessed Value | \$44,500 | \$44,500 | \$34,560 | \$34,560 | \$33,100 |

Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

Woodbury County Tax Credit Applications

Apply for Homestead, Military or Business Property Tax Credits

No data available for the following modules: Residential Dwellings, Commercial Buildings, Agricultural Buildings, Yard Extras, Permits, Sioux City Tax Credit Applications, Sioux City Board of Review Petition, Photos, Sketches.

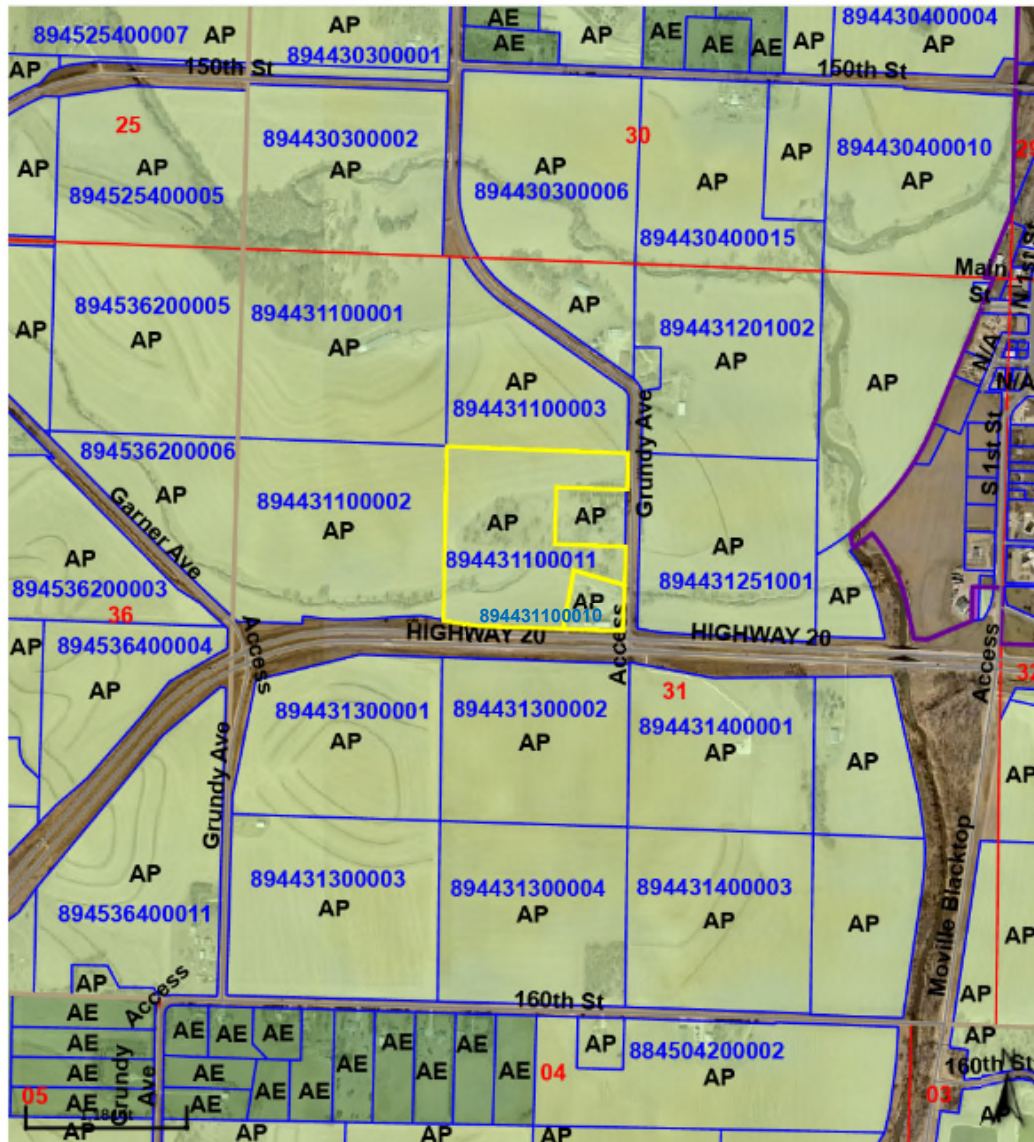
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Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels
- County Zoning
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

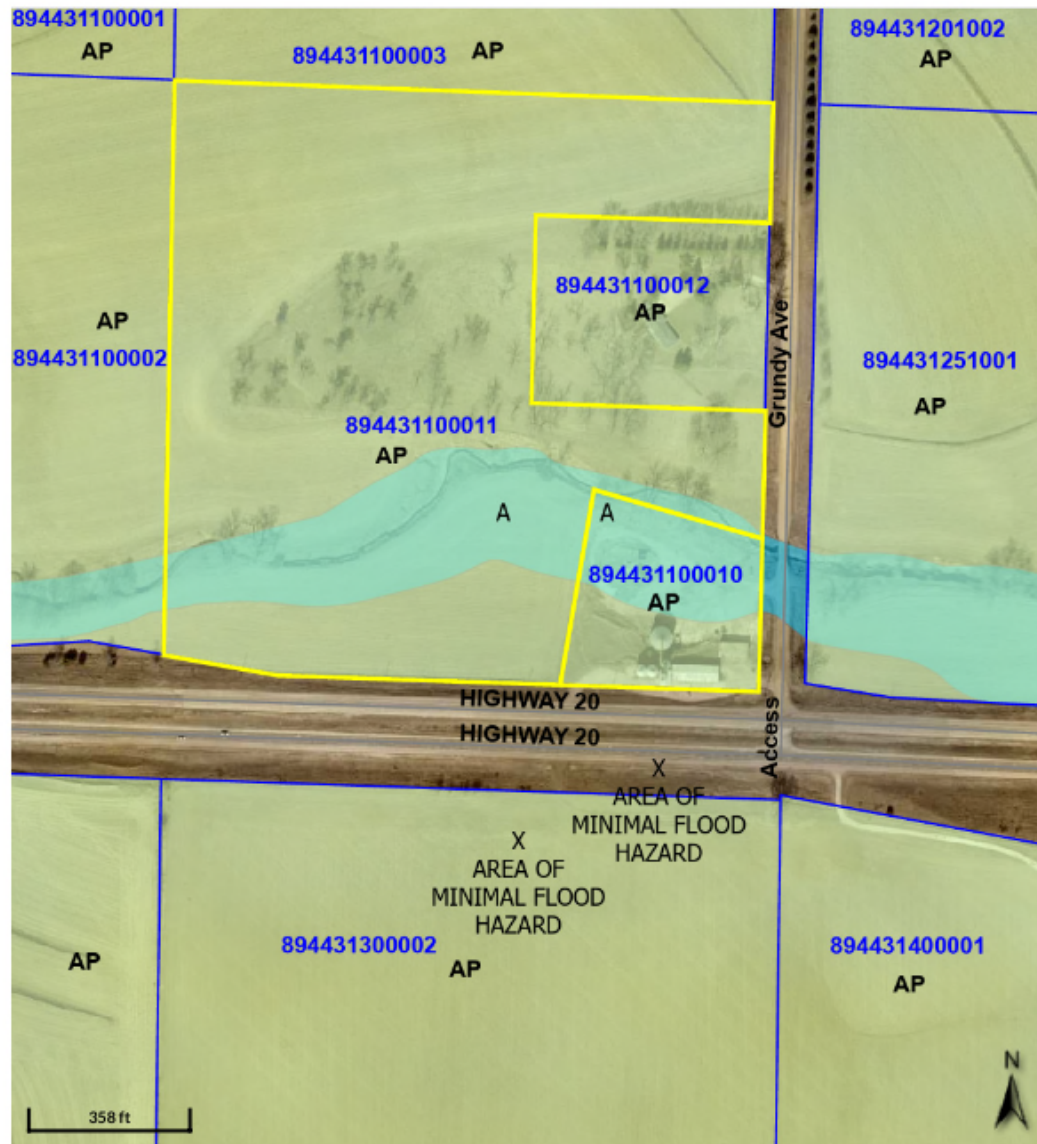
Date created: 5/5/2024

Last Data Uploaded: 5/4/2024 1:01:15 AM

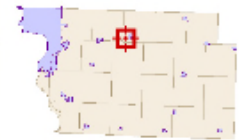
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SPECIAL FLOOD HAZARD AREA (SFHA) MAP

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

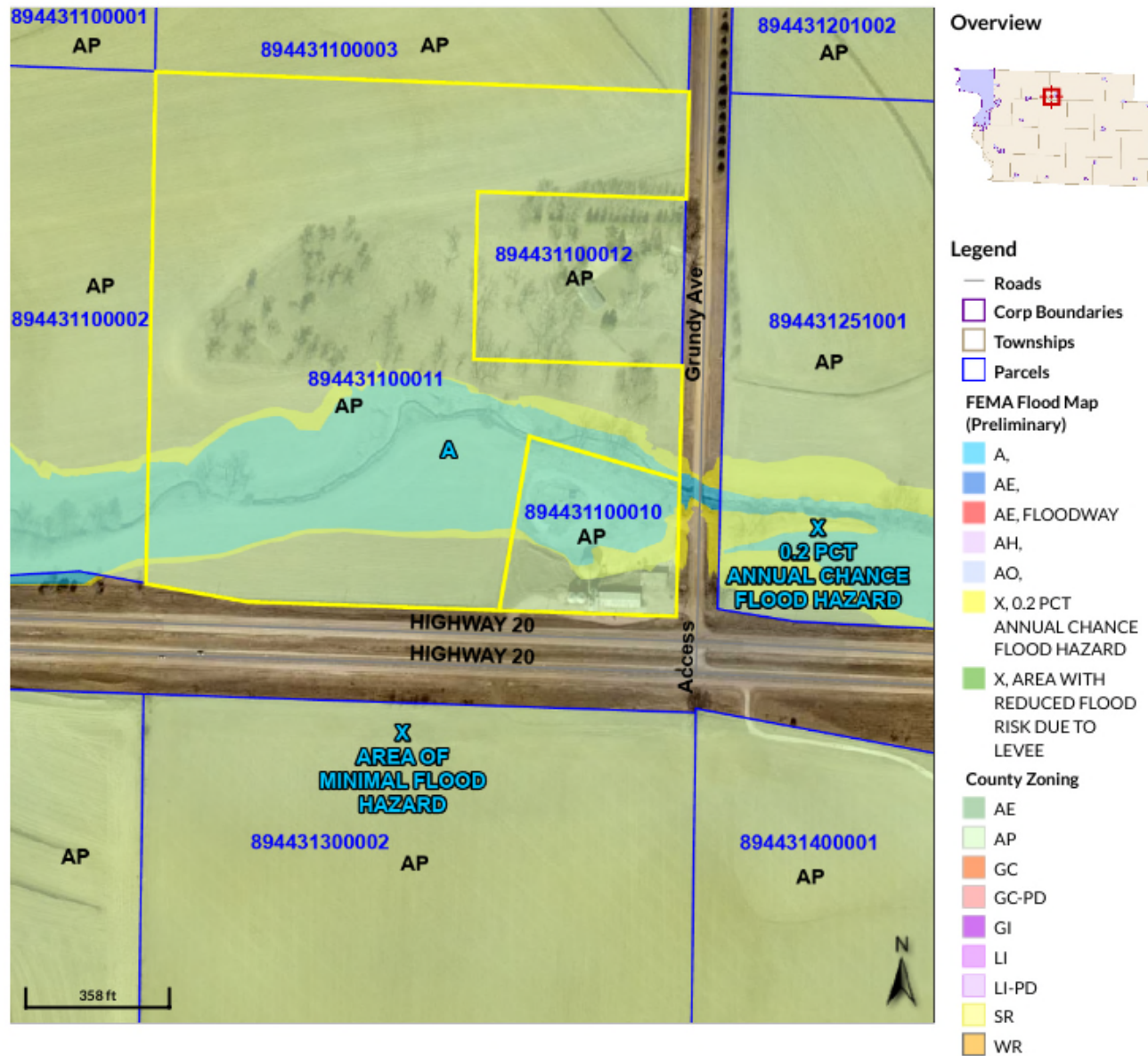
- Roads
- Corp Boundaries
- Townships
- Parcels
- FEMA Flood Map**
 - A,
 - AE,
 - AE,FLOODWAY
 - AH,
 - X,0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - X,AREA WITH REDUCED FLOOD RISK DUE TO LEVEE
- County Zoning**
 - AE
 - AP
 - GC
 - GC-PD
 - GI
 - LI
 - LI-PD
 - SR
 - WR

Date created: 5/5/2024

Last Data Uploaded: 5/4/2024 1:01:15 AM

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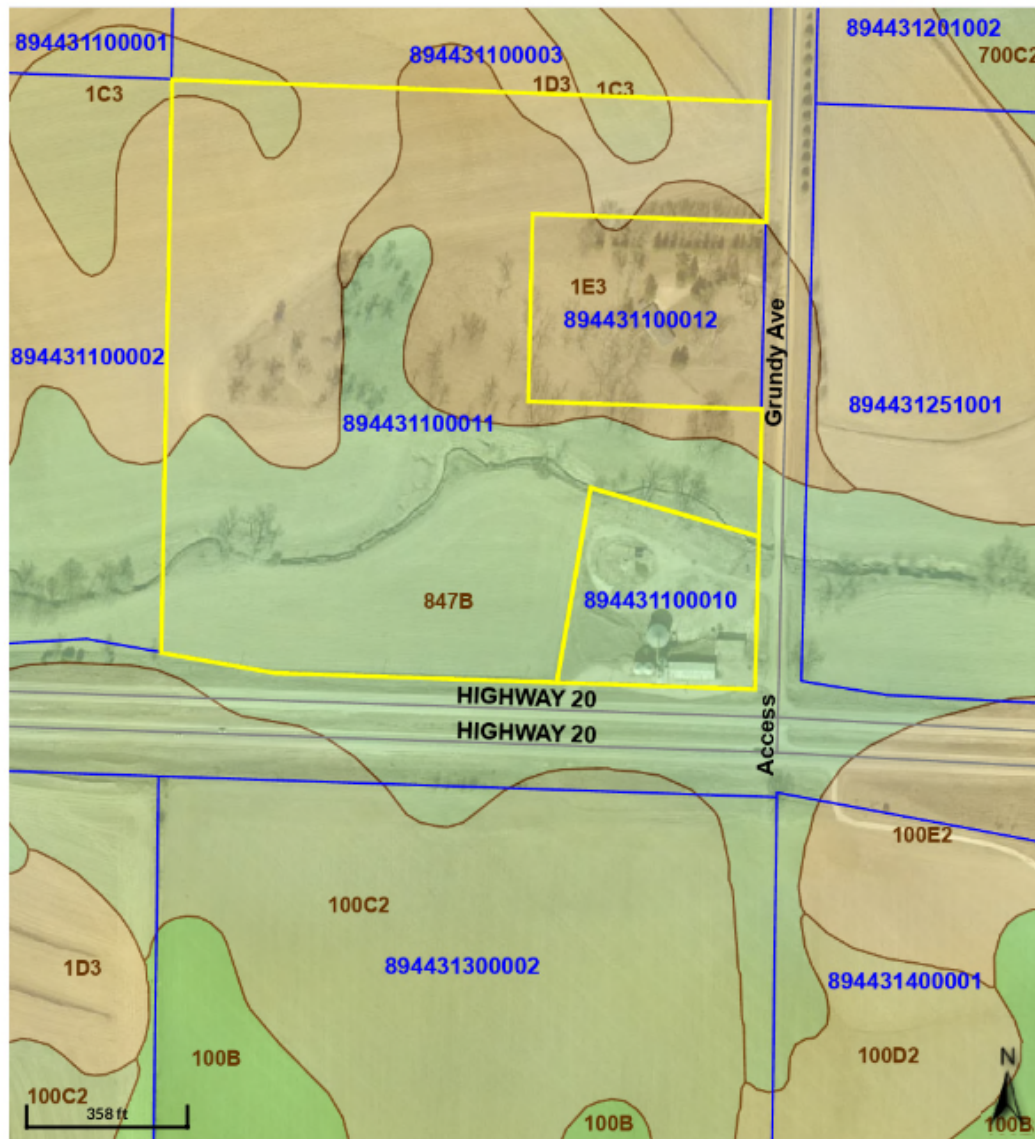
Date created: 5/5/2024
Last Data Uploaded: 5/4/2024 1:01:15 AM

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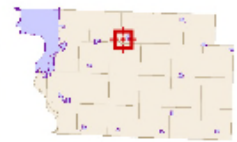
ELEVATION MAP



BeaconTM Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Soils
 - 0.000000 - 5.000000
 - 5.000001 - 20.000000
 - 20.000001 - 30.000000
 - 30.000001 - 40.000000
 - 40.000001 - 50.000000
 - 50.000001 - 60.000000
 - 60.000001 - 70.000000
 - 70.000001 - 80.000000
 - 80.000001 - 90.000000
 - 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels

Date created: 5/5/2024
 Last Data Uploaded: 5/4/2024 1:01:15 AM
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 GEOSPATIAL

Not available for Parcel #894431100010

Woodbury County, IA / Sioux City

Summary

| | |
|-------------------------|---|
| Parcel ID | 894431100011 |
| Gross Acres | 28.57 |
| ROW Acres | 0.00 |
| Gross Taxable Acres | 28.57 |
| Exempt Acres | 0.00 |
| Net Taxable Acres | 28.57 (Gross Taxable Acres - Exempt Land) |
| Average Unadjusted CSR2 | 55.02 (1571.82 CSR2 Points / 28.57 Gross Taxable Acres) |

Agland Active Con g 2017 CSR2

Sub Parcel Summary

| Description | Acres | CSR2 | Unadjusted CSR2 Points | Adjusted CSR2 Points |
|--------------|--------------|-------|------------------------|----------------------|
| 100% Value | 19.02 | 54.31 | 1,032.92 | 1,032.92 |
| Non-Crop | 9.55 | 56.43 | 538.90 | 333.60 |
| Total | 28.57 | | 1,571.82 | 1,366.52 |

Soil Summary

| Description | SMS | Soil Name | CSR2 | Adjusted Acres | Unadjusted CSR2 Points | Adjusted CSR2 Points |
|--------------|------|---|-------|----------------|------------------------|----------------------|
| 100% Value | 847B | JUDSON-RAWLES COMPLEX, 2 TO 5 PERCENT SLOPES | 86.00 | 8.21 | 706.06 | 706.06 |
| 100% Value | 1C3 | IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED | 58.00 | 0.99 | 57.42 | 57.42 |
| 100% Value | 1D3 | IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED | 32.00 | 6.62 | 211.84 | 211.84 |
| 100% Value | 1E3 | IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED | 18.00 | 3.20 | 57.60 | 57.60 |
| Non-Crop | 847B | JUDSON-RAWLES COMPLEX, 2 TO 5 PERCENT SLOPES | 86.00 | 5.01 | 430.86 | 226.95 |
| Non-Crop | 1D3 | IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED | 32.00 | 1.88 | 60.16 | 58.77 |
| Non-Crop | 1E3 | IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED | 18.00 | 2.66 | 47.88 | 47.88 |
| Total | | | | 28.57 | 1,571.82 | 1,366.52 |

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