

**PLANNING & DEVELOPMENT**

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Timothy Huey  
Director

To: Dee F. Bruemmer, County Administrator

From: Timothy Huey, Planning Director

Date: March 17, 2015

**Re: Waiver of right to appeal the issuance of a final construction permit by the Iowa DNR within 14 days after receipt of the draft permit for Grandview Farms expansion of its confined animal feeding operation located at 12090 and 11872 240<sup>th</sup> Street.**

On March 12<sup>th</sup> The Board approved the resolution with its determination that the Construction Permit application submitted to the Iowa DNR by Grandview Farms met the requirements of the Master Matrix and recommended issuance of the State construction permit. This was the fifth construction permit application for Grandview Farms expansions that the Board has reviewed for compliance with the requirements of the Master Matrix since 2005. Under Iowa DNR procedures; following notification of the Board's recommendation, the Iowa DNR conducts its own review and notifies the Board of the issuance of a "draft" permit. The Board then has a 14-day window to appeal that issuance. With the previous four reviews, Grandview Farms has requested the Board waive this 14-day review period to allow the DNR to issue the final permit without a two week delay. The Board has approved this waiver with all the previous four applications.

Grandview Farms' request for the Board to again waive this 14 day appeal period is attached as well as a draft of the letter to the DNR.

Grandview Farms, Inc.

12090 240th St.  
Eldridge, IA 52748  
563-285-4006  
bdittmer13@gmail.com  
tadittmer@aol.com

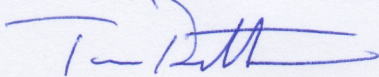
March 11, 2015

To: The Scott County Board of Supervisors

Dear Board,

We would like to cordially request the Scott County Board of Supervisors to waive its 14 day right to appeal the DNR's decision after their 30 day review of our construction permit application.

Sincerely yours,



Tom Dittmer

President, Grandview Farms



Ben Dittmer

Vice President, Grandview Farms

**BOARD OF SUPERVISORS**

600 West Fourth Street  
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TOM SUNDERBRUCH, Chair  
JIM HANCOCK, Vice-Chair  
CAROL T. EARNHARDT  
DIANE HOLST  
BRINSON L.KINZER

March 26, 2015

Mr. Paul Petitti  
IDNR Field Office #3  
Gateway North Mall  
1900 North Grand Avenue  
Spencer, Iowa 51301

DRAFT-DRAFT-DRAFT-DRAFT-DRAFT

Re: Grandview Farms Construction Permit – Facility ID# 59556

Dear Mr. Petitti:

The Scott County Board of Supervisors has reviewed and recommended approval of the Grandview Farms – Home Sow Farm confinement State construction permit. The Board understands that it has the right to appeal the issuance of a final construction permit within 14 days after its receipt of the draft permit under Iowa Code Section 459.304 and Iowa Administrative Rule 567-65.10(7).

After consideration of this matter the Board supports allowing construction to begin as soon as possible. The Board voted unanimously to unconditionally and irrevocably waive its rights to appeal the issuance of the above-referenced construction permit and we would ask that the Iowa DNR issue the final permit to Grandview Farms immediately.

By waiving its rights to appeal the Grandview Farms permit, the Board does not in any way waive its rights to appeal any other confinement construction permits that may be issued by the Iowa DNR to livestock producers in Scott County in the future.

Sincerely,

Tom Sunderbruch, Chair  
Scott County Board of Supervisors



THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT  
THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY  
THE BOARD OF SUPERVISORS ON \_\_\_\_\_  
DATE

\_\_\_\_\_  
SCOTT COUNTY AUDITOR

**RESOLUTION**

**SCOTT COUNTY BOARD OF SUPERVISORS**

**March 26, 2015**

**APPROVAL OF WAIVER OF SCOTT COUNTY'S RIGHT TO APPEAL ISSUANCE OF  
FINAL CONSTRUCTION PERMIT BY THE IOWA DEPARTMENT OF NATURAL  
RESOURCES FOR THE EXPANSION OF GRANDVIEW FARMS CONFINED  
ANIMAL FEEDING OPERATION**

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

- Section 1. The Scott County Board of Supervisors has recommended that the Iowa Department of Natural Resources (DNR) approve a State construction permit to Thomas Dittmer, dba Grandview Farms, Inc for the construction of additional confined animal feeding operation buildings at 12090 240<sup>th</sup> Street in unincorporated Scott County.
- Section 2. The Scott County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on March 12, 2015.
- Section 3. The Scott County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit
- Section 4. The Scott County Board of Supervisors encourages the Iowa DNR to issue the Final Permit as soon as possible.
- Section 5. The Scott County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.
- Section 6. This resolution shall take effect immediately.