

**PLANNING & DEVELOPMENT**

500 West Fourth Street  
Davenport, Iowa 52801-1106  
E-mail: [planning@scottcountyiaowa.com](mailto:planning@scottcountyiaowa.com)  
Office: (563) 326-8643 Fax: (563) 326-8257



---

Timothy Huey  
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning Director

Date: February 27, 2017

**Re: Public hearing and presentation of staff recommendation on the Construction Permit Application of Grandview Farms, Inc in the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 7 and NW<sup>1</sup>/<sub>4</sub> of Section 18, T79N, R3E (Sheridan Township), and SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 12, T79N, R2E (Hickory Grove Township) has submitted an application to the Iowa Department of Natural Resources (IDNR) for a construction permit for the expansion of an existing confined animal feeding operation at 11872/12090/12139 240<sup>th</sup> Street in unincorporated Scott County.**

Scott County's adoption of the Master Matrix allows the County to review applications for State construction permits for confined animal feeding operations. The Master Matrix rewards points for additional separation distances above the State required minimums. Points are also rewarded based upon the design and operation of the site, such as the development of an emergency action plan, responsible manure application, among others. Points are awarded in the three categories of air, water, and community. A minimum score is required for each of these categories, with a total minimum score of 440 points required to pass the Matrix.

The IDNR notified Scott County it had received the application on February 14<sup>th</sup>, 2017. Scott County has 30 days from the date the IDNR notifies the County that it has received the application to submit comments and a recommendation on that application. Notice of the receipt of this application, as well as notice of a public hearing to be held on the application at the March 9<sup>th</sup> Board meeting, were published in two area newspapers (*North Scott Press*, *Quad City Times*) as required by the IDNR. A public hearing is not required by the IDNR rules, but the Board of Supervisors has the option to hold such hearings. The Board has held a public hearing on all such applications.

This request is similar to the expansion of this existing hog confinement operation situated in Sheridan and Hickory Grove Townships that was approved in January. That approval was voided when the applicant submitted the current plans for a smaller expansion with different buildings in slightly different locations. The current request requires compliance with the standards of the Master Matrix as did the previous request reviewed just a few weeks ago that was voided.

Planning & Development staff met with the applicants at the time their application was being submitted in order to better understand the details of this request. Due to the size of Grandview Farms' operation, any expansion requires a State construction permit, and therefore a Master Matrix review by Scott County. This current expansion would increase the capacity to 1,338.4

AUC, bringing the total to 6,480.4 AUC. The expansion would include the construction of five (5) new structures: one (1) 130' x 276' farrowing barn, (1) 102' x 266'10" gestation barn, two (2) 61'2" x 271' gilt finishing barns, and one (1) 122' x 55'6" gilt nursery barn. The new buildings would be constructed as formed manure storage structures with 8' deep concrete pits below the slatted floors, except for the gestation barn which would have a 10' deep concrete pit.

In reviewing the submitted application, this expansion meets the minimum required points to pass the Matrix. Grandview Farms took 460 total points, 20 more than the required minimum of 440 points. The application meets the minimum scores for each of the three categories of air, water, and community.

In addition to publishing public notice, staff has also mailed notice of the public hearing to property owners within 500 feet of the property. Staff will include any written comments and a summary of any verbal comments received at the public hearing with the Board's recommendation to the IDNR.

Staff would recommend that the Board pass a resolution approving the construction permit, to be forwarded to the Iowa DNR.

# Scott County Scoring of Master Matrix for Grandview Farms, 2017 Expansion

The Master Matrix has 44 possible scoring criteria:

The first 25 are listed under **Proposed Site Characteristics**,

The remaining 19 are listed under **Proposed Site Operation and Manure Management Practices**.

Applicants can choose amongst the various criteria in order to score points. Each criterion has a total point value which is then divided and weighted between any of the three subcategories of Air, Water, and Community.

The County can review each criterion upon which the applicant has scored and concur or not concur that the points are accurately taken. The County only reviews the criteria the applicant has used to score points, other criterion for which points are not taken are not evaluated, even though the application may meet that criterion. The selection of scoring criteria is the applicant's option. Evaluating that scoring is the County's option by adopting the Master Matrix.

## Proposed Site Characteristics

Scoring Criteria	Total Score	Air	Water	Community
#2 Additional separation distance to the closest Public use area (greater than 1,500 feet)	30	12.00	0.00	18.00
#3 Additional separation distance from closest school, church or business (greater than 1,500 feet)	30	12.00	0.00	18.00
#4 Additional separation distance, above 500 foot minimum, to closest water source (751 - 1,000 feet)	15	0.00	15.00	0.00
#5 Separation distance of 300 feet or more from the Proposed confinement structure to the nearest Thoroughfare (300 feet or greater)	30	9.00	0.00	21.00
#6 Additional separation distance, above minimum Of 1,875 feet, from confinement to the closest critical public area (500 feet or greater)	10	4.00	0.00	6.00
#8 Additional separation distance over the minimum 1,000 feet from drainage well, known sink hole or major water source (greater than 2,500 feet)	50	5.00	25.00	20.00
#10 Separation distance from closest high quality waters or protected water area (2x the minimum separation distance of 500 feet)	30	0.00	22.50	7.50

<b>Scoring Criteria</b>	<b>Total Score</b>	<b>Air</b>	<b>Water</b>	<b>Community</b>
#12 Liquid manure storage structures are covered	30	27.00	0.00	3.00
#16 Enhancement, above minimum requirements, of structures used in stockpiling and composting activities, such as an impermeable pad and a roof or cover	30	9.00	18.00	3.00
#17 Proposed Manure Storage Structure is Formed	30	0.00	27.00	3.00
#19 Truck Turnaround	20	0.00	0.00	20.00
#20 No history of Administrative Orders in last five years	30	0.00	0.00	30.00
#22 Homestead Tax Exemption	25	0.00	0.00	25.00
#23 Family Farm Tax Credit	25	0.00	0.00	25.00
#25 Construction permit application includes livestock feeding and watering systems that significantly reduce manure volume	25	0.00	12.50	12.50

### **Proposed Site Operation and Manure Management Practices**

<b>Scoring Criteria</b>	<b>Total Score</b>	<b>Air</b>	<b>Water</b>	<b>Community</b>
#26 Injection or incorporation of manure on the same date it is land applied	30	12.00	12.00	6.00
#32 Additional Separation distance of 200 feet for land application of manure to closest school, church, or business	5	2.00	0.00	3.00
#35 Additional separation distance of 400 feet above minimum requirements for the land application of manure to closest high quality waters or protected water area	10	0.00	7.50	2.50
#40 Construction permit application contains an emergency action plan	5	0.00	2.50	2.50
<b>Total Scoring by Grandview Farms</b>	<b>460</b>	<b>92.00</b>	<b>142.00</b>	<b>226.00</b>
<b>Total Scoring by Scott County</b>	<b>460</b>	<b>92.00</b>	<b>142.00</b>	<b>226.00</b>
<i>Minimum Score required to Pass Master Matrix</i>	<i>440</i>	<i>53.38</i>	<i>67.75</i>	<i>101.13</i>

WEST SITE

EXISTING FACILITIES

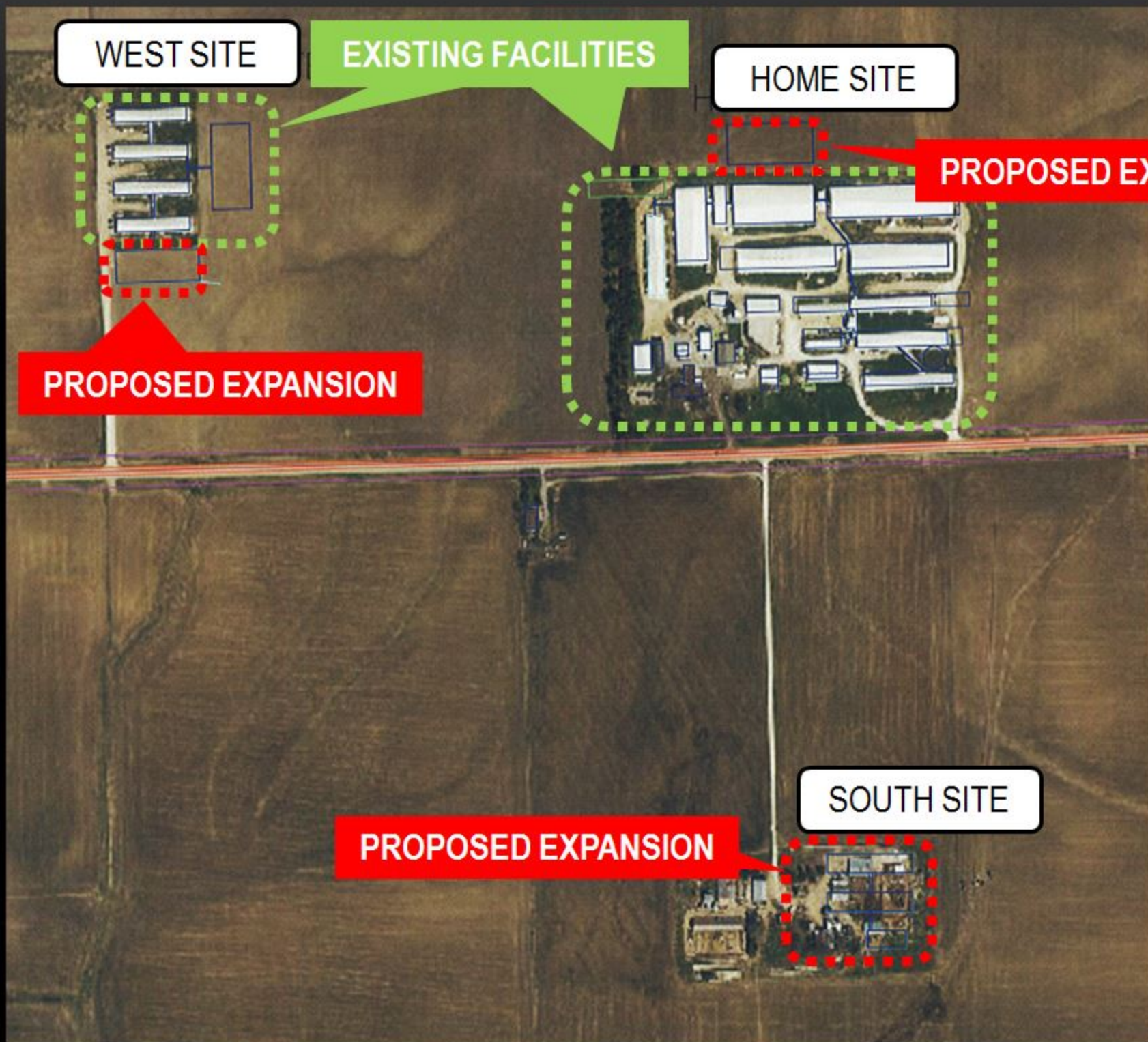
HOME SITE

PROPOSED EXPANSION

PROPOSED EXPANSION

SOUTH SITE

PROPOSED EXPANSION



# DETAILS OF SCORING THE MASTER MATRIX

ENVIRONMENTAL SERVICES DIVISION | [WWW.IOWADNR.GOV](http://WWW.IOWADNR.GOV)



*The DNR field office does a site inspection prior to approving or denying a construction permit application. Counties with a master matrix can accompany DNR staff on the inspection. Find more about construction permits and the master matrix on the DNR website: [www.iowadnr.gov/afol](http://www.iowadnr.gov/afol).*

## CONSTRUCTION PERMITS

### THE MASTER MATRIX

The master matrix is a process that the county can choose to participate in, which should result in a proposed confinement feeding operation adhering to higher standards than required by law. A confinement feeding operation required to use the master matrix will likely have increased separation distances to objects and a more conservative manure management plan (MMP). The master matrix is a tool for the county Board of Supervisors to provide input into a proposed confinement feeding operation.

Every year all counties in Iowa have the opportunity to enroll in the master matrix by adopting a Construction Evaluation Resolution. All counties are notified in December to enroll for the following calendar year. Counties that enroll have the responsibility to evaluate the completed master matrix by each construction permit applicant during that year.

Not all permit applications require a master matrix:

- If the county did not enroll for that year, then no master matrix is required.
- If an existing confinement facility is expanding, and the original construction on the site was before April 1, 2002, and the proposed total animal unit capacity after expansion is 1,667 AU or less, then no master matrix is required.

The master matrix consists of 44 criteria which further describe the potential site for the proposed confinement facility. The applicant may qualify for any or all criteria

and be awarded points for each criterion. An applicant chooses which criteria they would like to claim points on. An applicant must score an overall minimum point total of 440 points as well as one-fourth of the available point total in three subcategories (Air, Water and Community).

If a construction permit application containing a master matrix is received by the county and the instruction notice is received from the DNR, then the county is required to review and score the master matrix items where points were claimed by the applicant. Some of the criteria require documentation or proof that points can be claimed by the applicant. It is the duty of the county to examine the documentation while scoring the master matrix. The county Board of Supervisors may select a representative of the county (zoning official, sanitarian, county engineer or supervisor, etc.) to review and score the master matrix. The county may elect to review and score the master matrix as a group. Scoring the master matrix will require time and effort.

The county may elect to review the master matrix using the documentation (e.g. maps) submitted by the applicant or the county may choose to use computer mapping programs to verify distances claimed by the applicant or measure and confirm any distances at the site survey. The local DNR field office will notify the county representative prior to conducting the site survey. This usually occurs within 30 days of the DNR receiving the application. During the site visit, DNR staff will verify the separation distances required by state law for all construction permit applications.

The county designee may accompany the local DNR field office during the site survey to verify additional matrix separation distances claimed by the applicant.

It is the county's obligation to verify the additional distances claimed by applicant in the matrix and verify objects such as a business or residence. Some master matrix items may require the county to search websites for information while other items may simply require the county to review documentation provided by the applicant and either agree or disagree on the content.

It is the county's obligation to score the matrix in a professional manner. The scoring must be objective. Evaluate and score all matrix items where the applicant claimed points. Award appropriate points for each matrix item where the applicant claimed points. Conversely, deny or reduce points only when you have a reason, e.g., distance error, lack of sufficient documentation such as a design, operation and maintenance plan. The county should not award or deny points arbitrarily. The county cannot award points for items the applicant did not score.

Find a blank copy of the master matrix on the DNR website at [www.iowadnr.gov/Environment/LandStewardship/AnimalFeedingOperations/Confinements/ConstructionRequirements/Permitted/MasterMatrix.aspx](http://www.iowadnr.gov/Environment/LandStewardship/AnimalFeedingOperations/Confinements/ConstructionRequirements/Permitted/MasterMatrix.aspx)

Counties may print this copy, fill out the county's scores, submit it to the DNR. The county should also submit its recommendation, proof of publication and any documentation on specific master matrix items that are denied or challenged.

### COUNTY APPROVAL

If the county agrees with the master matrix scoring as submitted by the applicant or scores the matrix with a passing score, the county must still submit to the DNR a



recommendation to approve or disapprove the construction permit application.

The DNR shall preliminarily approve the construction permit application provided the application and siting of the building(s) comply with the requirements of Chapter 567 IAC 65 and Iowa Code Chapter 455B. If the construction application does not meet the requirements of Chapter 567 IAC 65 and Iowa Code Chapter 455B, regardless of the outcome of the master matrix, the DNR shall preliminarily disapprove the permit application.

### FAILING SCORE ON MATRIX

If the county's scoring results in a failing score of the master matrix then the county must still submit

to the DNR a recommendation to approve or disapprove the construction permit application.

The DNR shall preliminarily disapprove the application if the construction application does not meet the requirements of state law (Chapter 567 Iowa Administrative Code 65 and Iowa Code Chapter 455B, regardless of the county's scoring of the master matrix. If the application meets the requirements of state law, the DNR will conduct an independent evaluation of the master matrix points claimed by the applicant. If the DNR's evaluation shows an acceptable score, the DNR shall preliminarily approve the application. If the DNR's evaluation indicated the score is unacceptable, the DNR shall preliminarily disapprove the application.

### APPEALS

Both the applicant and county may contest a preliminary decision to approve or disapprove the construction permit application by demanding a hearing with the state Environmental Protection Commission. The preliminary permit and preliminary denial letter will contain specific instructions for appeal.

### FINAL DECISION

A preliminary approval or disapproval becomes final after 14 days if no appeal is submitted.

IMPORTANT LINKS	IOWA DNR FIELD OFFICES
<p>DNR Animal Feeding Operations <a href="http://www.iowadnr.gov/afo/">www.iowadnr.gov/afo/</a></p> <p>Iowa State Association of Counties <a href="http://www.iowacounties.org/News/Topics%20of%20Interest/Matrix%20Information/NewMasterMatrix.htm">www.iowacounties.org/News/Topics%20of%20Interest/Matrix%20Information/NewMasterMatrix.htm</a></p> <p>Questions: Call Gene Tinker at 563-927-2640 or 515-210-1593, or email Kristi Harshbarger at <a href="mailto:kharshbarter@iowacounties.org">kharshbarter@iowacounties.org</a>.</p>	<p><b>Northeast</b>   Manchester   563-927-2640</p> <p><b>North central</b>   Mason City   641-424-4073</p> <p><b>Northwest</b>   Spencer   712-262-4177</p> <p><b>Southwest</b>   Atlantic   712-243-1934</p> <p><b>South central</b>   Des Moines   515-725-0268</p> <p><b>Southeast</b>   Washington   319-653-2135</p>

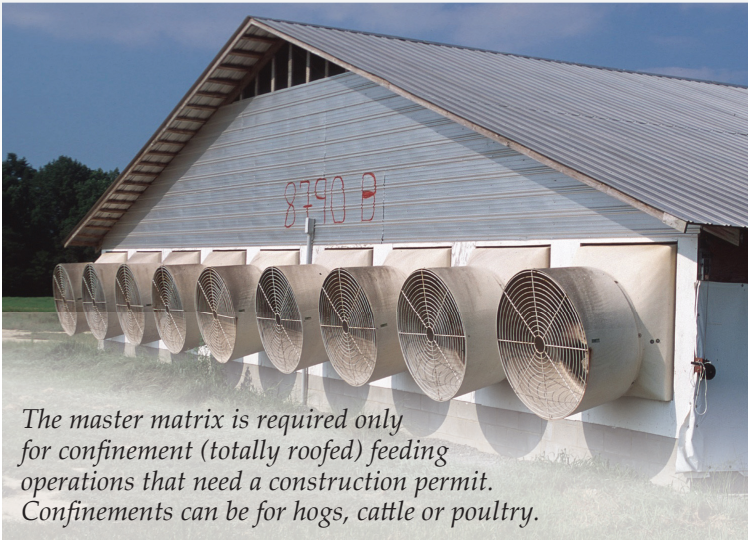


IOWA DEPARTMENT OF NATURAL RESOURCES

CAUTION: This document is only a summary of administrative rules contained in 567 IAC chapters 65; it is a guidance document and should not be used as replacement for the administrative rules. While every effort has been made to assure the accuracy of this information, the administrative rules will prevail in the event of a conflict between this document and the administrative rules.

# CONSTRUCTION PERMIT APPLICATIONS AND THE MASTER MATRIX

ENVIRONMENTAL SERVICES DIVISION | WWW.IOWADNR.GOV



*The master matrix is required only for confinement (totally roofed) feeding operations that need a construction permit. Confinements can be for hogs, cattle or poultry.*

## CONSTRUCTION PERMITS

### THE APPLICATION

This fact sheet is designed to assist county supervisors as they process construction permit applications for confinement feeding operations, especially those using the master matrix. The state of Iowa requires construction permits for confinement animal feeding operations of 1,000 animal units (AU) or more. As an example 1,000 AU is 2,500 head of finishing swine, 1,000 head of beef cattle or 100,000 broiler chickens. The construction permit applicant must deliver, either in person or by certified mail, a copy of the complete permit application to the county.

Counties are required by law to perform some actions regarding the proposed application. A complete permit application should include the construction permit application form, a construction design statement (CDS) or Professional Engineer (P.E.) certification form, a manure management plan (MMP) and master matrix, if applicable.

### COUNTY RESPONSIBILITIES

When the applicant delivers the application, the county needs to perform the following steps:

**1) DOCUMENT:** Review the application to be sure all the components of the application are included as checked off on the County Receipt form. Time and date stamp the application. Sign and date the County Verification of Receipt form. The applicant is responsible for sending this receipt along with their application to the Iowa Department of Natural Resources (DNR).

**2) PROVIDE PUBLIC NOTICE:** The DNR logs in the project after formally receiving the construction permit application and the completed County Verification of Receipt form. The DNR then sends a notice to the county by fax and email with instructions to the county. If the application is incomplete, the DNR will request additional material from the applicant.

If there are significant changes, the DNR will request a new county receipt. In this case, several weeks may pass before the DNR sends out the notice to the county. (See sample notice.)

All counties must publish a public notice in the paper, regardless if the master matrix was adopted or not. Publish the notice after the DNR sends an official instruction notice to the county. The DNR's notice will include a sample public notice and provide due dates for completing actions. The county will need to act quickly because public notice is required within 14 days of the county receiving the DNR's official instruction notice. The public notice must include all of the following:

- The name of the person applying to receive the construction permit.
- The name of the township where the confinement feeding operation structure is proposed.
- Each type of confinement feeding operation structure proposed.
- The animal unit capacity of the confinement feeding operation if the construction permit is approved.
- The time and place where the public may examine the application as provided in Iowa Code section 22.2 (the Public Records Law).
- Procedures for providing public comments to the board as provided by the board.

**3) SCORE THE MASTER MATRIX:** Each year every county has the opportunity to adopt a "construction evaluation resolution" allowing the county to actively participate in the construction permit application process. The resolution is commonly referred to as the master matrix. The



master matrix is a list of additional conditions that an applicant can choose from in order to receive points. The applicant must have 440 out of 880 available points, with one-fourth of the points in three categories in order to obtain a permit. The conditions are intended to lessen the potential impact of the confinement facility to the surrounding area.

The county is required to score the master matrix items claimed by the applicant to see if the claimed points appear acceptable. See the DNR fact sheet “Details of Scoring the Master Matrix “ for a more comprehensive master matrix discussion.

**4) VISIT THE SITE:** The local DNR field office will contact the county designee and invite them to the site survey at the proposed site. This usually occurs within 30 days of the DNR receiving the application. During the site visit, DNR staff will verify the required separation distances.

**5) KEEP A COPY FOR PUBLIC INSPECTION:** Keep a copy of the construction permit application on file for public inspection. The application includes the manure management plan and the master matrix.

**6) PROVIDE PROOF OF PUBLICATION:** If the proposed project does not require a master matrix, then only a proof of publication must be sent to the DNR.

Send a copy of the proof of publication to:

Paul Petitti  
Iowa DNR  
1900 N Grand Avenue  
Gateway N, Suite E17  
Spencer, IA 51301  
Phone: 712-262-4177  
Fax: 712-262-2901  
Paul.Petitti@dnr.iowa.gov

**7) PROVIDE A PUBLIC HEARING (OPTIONAL):** The county may hold a public hearing for any permit application (master matrix or non-master matrix project). The time and place should be on the public notice. The county may submit any comments from the public hearing to the DNR.

**8) MAKE A RECOMMENDATION:** On a master matrix project, the county must submit its recommendation to either approve or disapprove the permit application. This recommendation is independent of the county’s master matrix scoring. More information can be found in the DNR fact sheet “Details of Scoring the Master Matrix.”

**9) SUBMIT TO THE DNR:** The county must submit the following documents to the DNR’s Paul Petitti at the address listed above **within 30 days of the county receiving the DNR official instruction notice.** It must be received by the DNR (not just postmarked) within the 30-day time limit:

- a) The written county recommendation to approve or disapprove the permit application, regardless of the master matrix scoring.
- b) The board’s scoring of the matrix along with documentation and justification if points are denied. If the county agrees with the scoring submitted by the applicant, a sentence to that effect is acceptable and no matrix scoring needs to be submitted.
- c) The proof of publication.
- d) The county may also submit any other relevant documents, including those received by interested parties.

Once all materials are received, the DNR begins reviewing the construction permit application. Find more information on the DNR website.

IMPORTANT LINKS	IOWA DNR FIELD OFFICES
<p>DNR Animal Feeding Operations <a href="http://www.iowadnr.gov/afo/">www.iowadnr.gov/afo/</a></p> <p>Iowa State Association of Counties <a href="http://www.iowacounties.org/News/Topics%20of%20Interest/Matrix%20Information/NewMasterMatrix.htm">www.iowacounties.org/News/Topics%20of%20Interest/Matrix%20Information/NewMasterMatrix.htm</a></p> <p>Questions: Call Gene Tinker at 563-927-2640 or 515-210-1593, or email Kristi Harshbarger at <a href="mailto:kharshbarter@iowacounties.org">kharshbarter@iowacounties.org</a>.</p>	<p><b>Northeast</b>   Manchester   563-927-2640</p> <p><b>North central</b>   Mason City   641-424-4073</p> <p><b>Northwest</b>   Spencer   712-262-4177</p> <p><b>Southwest</b>   Atlantic   712-243-1934</p> <p><b>South central</b>   Des Moines   515-725-0268</p> <p><b>Southeast</b>   Washington   319-653-2135</p>



IOWA DEPARTMENT OF NATURAL RESOURCES

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 9, 2017**  
**ADOPTING A RECOMMENDATION TO THE IOWA DEPARTMENT OF NATURAL**  
**RESOURCES TO APPROVE THE CONSTRUCTION PERMIT APPLICATION OF**  
**THOMAS DITTMER FOR THE EXPANSION OF AN EXISTING CONFINED ANIMAL**  
**FEEDING OPERATION IN SECTIONS 7 AND 18 OF SHERIDAN TOWNSHIP**  
**AND SECTION 12 OF HICKORY GROVE TOWNSHIP**

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

- Section 1. Grandview Farms, Inc in the SW ¼ SW ¼ of Section 7 and NW ¼ of Section 18, T79N, R3E (Sheridan Township), and SE ¼ SE ¼ of Section 12, T79N, R2E (Hickory Grove Township) has submitted an application to the Iowa Department of Natural Resources (IDNR) for a construction permit for the expansion of an existing confined animal feeding operation at 11872/12090/12139 240<sup>th</sup> Street in unincorporated Scott County.
- Section 2. The Scott County Health Department and the Scott County Planning and Development Department have reviewed the construction permit application and the manure management plan and determined that both appear to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules.
- Section 3. The Scott County Board of Supervisors has determined that there are not any additional objects or locations not included in the application that are within the required separation distances, the soils and hydrology of the site appear to be suitable for the proposed expansion, and the applicant has adequate land for the application of manure originating from this confinement feeding operation available.
- Section 4. The Scott County Board of Supervisors published public notice of the receipt of said application, accepted written and electronic comments on the application and held a public hearing on March 9, 2017 during its regularly scheduled meeting to receive public comments on the application.
- Section 5. The Scott County Board of Supervisors will submit to the Iowa DNR the written reports it received from the Scott County Planning and Development and Health Departments on which its determination is based, and the documentation of publication of the required public notices. The Board will also submit all the written or electronic comments from the general public it received on this application.
- Section 6. The Scott County Board of Supervisors would recommend that the construction permit application of Grandview Farms be approved based on its compliance with the requirements of the Master Matrix, Iowa DNR rules and Iowa Code regulations for such applications.
- Section 7. This resolution shall take effect immediately.