

PLANNING & DEVELOPMENT

600 West Fourth Street
Davenport, Iowa 52801-1106
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Christopher Mathias
Director

To: Mahesh Sharma, County Administrator
From: Chris Mathias, Planning Director
Date: April 4, 2022

Re: Staff recommendation on the State Construction Permit Application of Sievers Family Farms, LLC in the S½NE¼ of Section 32, T80N, R1E (Liberty Township), for a construction permit for the expansion of an existing confined animal feeding operation, also known as Glenora Feed Yard at 26618 20th Avenue in unincorporated Scott County.

The IDNR notified Scott County it had received the application on March 18th, 2022. Scott County has 30 days from the date it is received by the DNR to submit comments and a recommendation on that application. A public hearing was held on March 31st, 2022. Notice of the receipt of this application, as well as notice of the public hearing, were published in two area newspapers (*North Scott Press*, *Quad City Times*) as required by the IDNR.. While IDNR does not require a public hearing on this matter, the Scott County Board of Supervisors has always had a public hearing on CAFO expansion applications.

This request is for the construction of a second anaerobic digester, consisting of a covered earthen basin with an HDPE liner and cover along with all the associated manure pumps and pipelines. These improvements will be made to farmland located on 20th Avenue in Section 32 of Liberty Township and require compliance with the scoring of the Master Matrix.

The Health Department and Planning and Development staff have reviewed the applicant's scoring of this application for compliance with the Master Matrix and CAFO standards. The minimum total required points for a CAFO expansion is **440** points. The application must also meet the minimum point thresholds of **53.38** for air, **67.75** for water and **101.13** for community. Glenora Feed Yard took 455 total points, 15 more than the required minimum. The application also surpasses the minimums in each category with **92.50** for air, **116.50** for water and **246.00** for community.

Staff has not received any written, emailed or telephone comments on this request. The applicants spoke on their own behalf at the recent public hearing and no objecting opinions were presented at the public hearing.

Staff has determined that this application meets the scoring requirements of the Master Matrix as submitted and recommends the Iowa DNR approve the permit on that basis. The Board can consider the resolution stating that finding at its regular meeting agenda on April 14th.

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Chris Mathias
Director

April 15, 2022

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

RE: Scott County Board of Supervisor's recommendation to approve the State Construction Permit Application of Sievers Family Farms LLC in the S ½ of NE ¼ of Section 32, T80N, R1E (Liberty Township) for the expansion of a confined animal feeding operation located at 26618 20th Avenue

Dear Mr. Petitti:

Enclosed are the materials submitted by the Scott County Board of Supervisors related to its review and recommendation for approval of the application submitted by Sievers Family Farms, LLC. Included is the Resolution, passed by the Scott County Board of Supervisors at their regular meeting held on April 14, 2022, recommending approval of the State construction permit application. This Resolution indicates that the Board concurred with the applicant's scoring of the Master Matrix.

Prior to passing the Resolution the Board held a public hearing on March 31, 2022 to take public comments. The applicant and family members were present and spoke on behalf of the application. Included are copies of the Public Notice and the Notice of Public Hearing as well as proof of publication for each. Also included are staff's reports to the Board.

Scott County received notice of this application from the DNR on March 21, 2022. The Board's Resolution recommending approval passed on April 14, 2022, and is being forwarded along with supporting documents on April 15, 2022. Please feel free to contact me if you require any additional information.

Sincerely,

Chris Mathias
Planning & Development Director

Scott County Scoring of Master Matrix for Sievers Family Farms LLC, 2022 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)	10	0.00	10.00	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
#9 Distance between the proposed confinement structure and the nearest containment facility that has a submitted department MMP	25	7.5	7.5	10.0
#10 Separation distance from closest high quality waters	30	0.00	22.50	7.50

Scoring Criteria	Total Score	Air	Water	Community
#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
#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
#24 Facility Size	10	0.00	0.00	10.00

Proposed Site Operation and Manure Management Practices

Scoring Criteria	Total Score	Air	Water	Community
#26 Methane digester is used to generate energy from manure and remaining manure is surface-applied under the requirements of an approved department manure management plan	10	3.00	3.00	4.00
#29 No manure application on HEL farmland	10	0.00	10.00	0.00
#31 No manure application on HEL farmland	5	2.00	0.00	3.00
#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
#33 Additional Separation distance of 50 feet or well is properly closed	10	0.00	8.00	2.00
#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
#39 Economic value to local community	10	0.00	0.0	10.00
#40 Construction permit application contains an emergency action plan	5	0.00	2.50	2.50
#41 Closure Plan	5	0.00	2.5	2.5
Total Scoring by Sievers Family Farms LLC	455	92.50	116.50	246.00
Total Scoring by Scott County	455	92.50	116.50	246.00
<i>Minimum Score required to Pass Master Matrix</i>	<i>440</i>	<i>53.38</i>	<i>67.75</i>	<i>101.13</i>

SIEVERS FAMILY FARMS, LLC MASTER MATRIX FOR THE EXPANSION OF A CONFINED ANIMAL FEEDING OPERATION

**Scott County Board of Supervisors
Committee of the Whole Meeting**

April 12, 2022

SIEVERS FAMILY FARMS, LLC

- **Iowa Department of Natural Resources notified Scott County of receipt of application on March 18th**
 - **Scott County statutorily has 30 days to submit recommendation**
 - **Deadline is April 20th to notify IDNR of approval/denial**
-

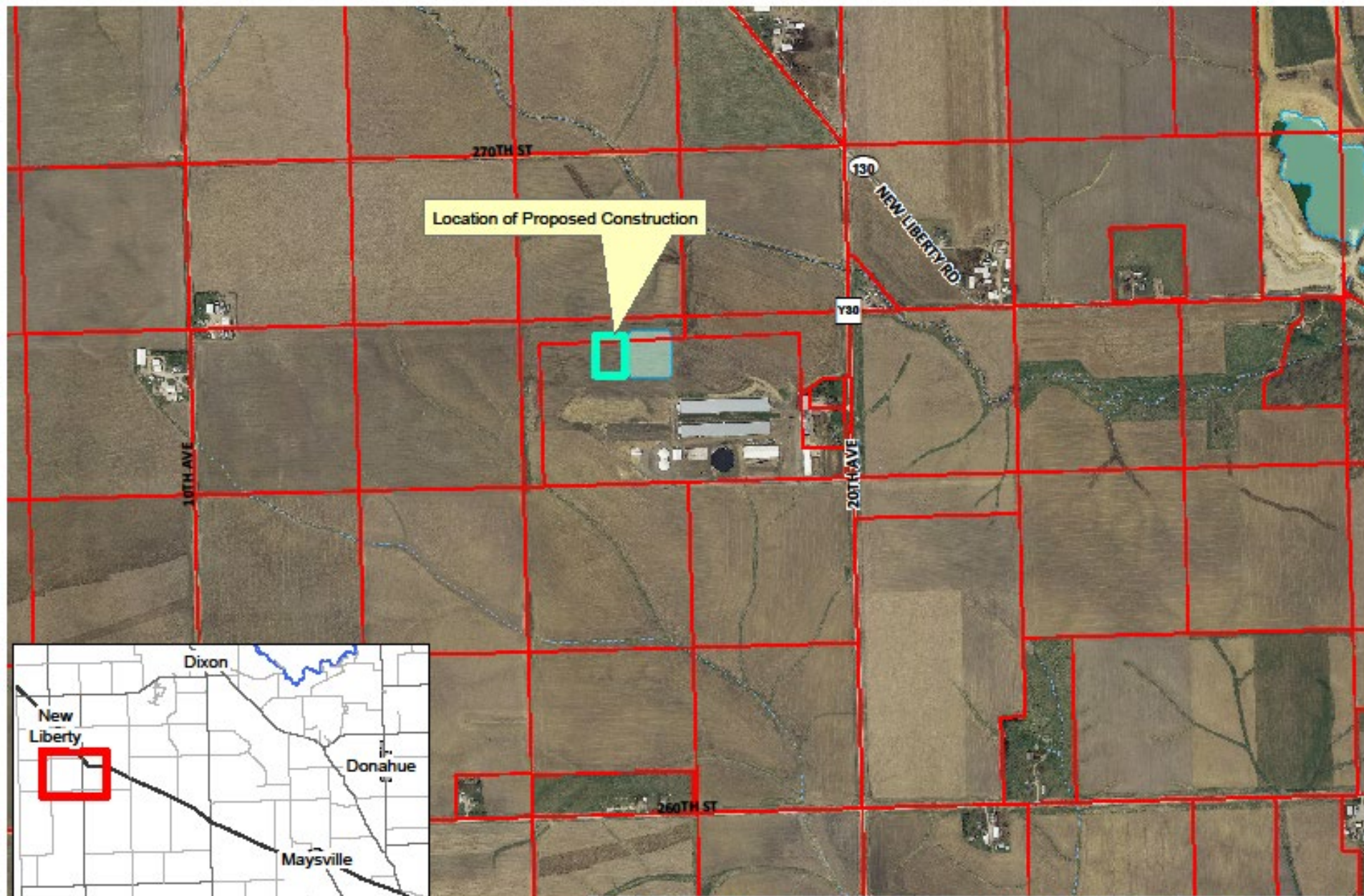
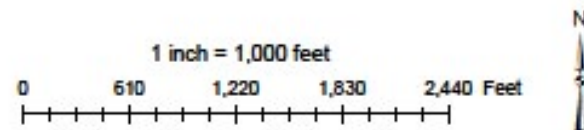
- **The Public Hearing was held on March 31st**
 - **Applicant presented, no objectors**
 - **Board can act on recommendation on April 14th**
 - **Notices of Public Hearing and Receipt of Application published in the North Scott Press and Quad City Times.**
-

- **1 new structure**: A second anaerobic digester consisting of a covered earthen basin with an HDPE liner and cover along with all the associated manure pumps and pipelines
 - **Current Animal Unit Capacity (AUC)**: 4,888 cattle, but that is being lowered to 2,444 cattle with this application.
-



Location of Glenora Feed Yard Construction

Scott County, Iowa



Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for local laws, property boundaries, easements, or other information. If more detailed information is needed, please contact the Earth & Space Records Department.



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Nicholas J. Rowe Date *3/16/22*

Nicholas J. Rowe, P.E.

License number 18651

My license renewal date is December 31, 2023

Pages or sheets covered by this seal: *Sheet 1-7*

"THE PROPOSED CONFINEMENT OPERATION STRUCTURES COMPLY WITH THE DESIGN STANDARDS OF IOWA CODE SECTION 459 AND 567 IAC 65."

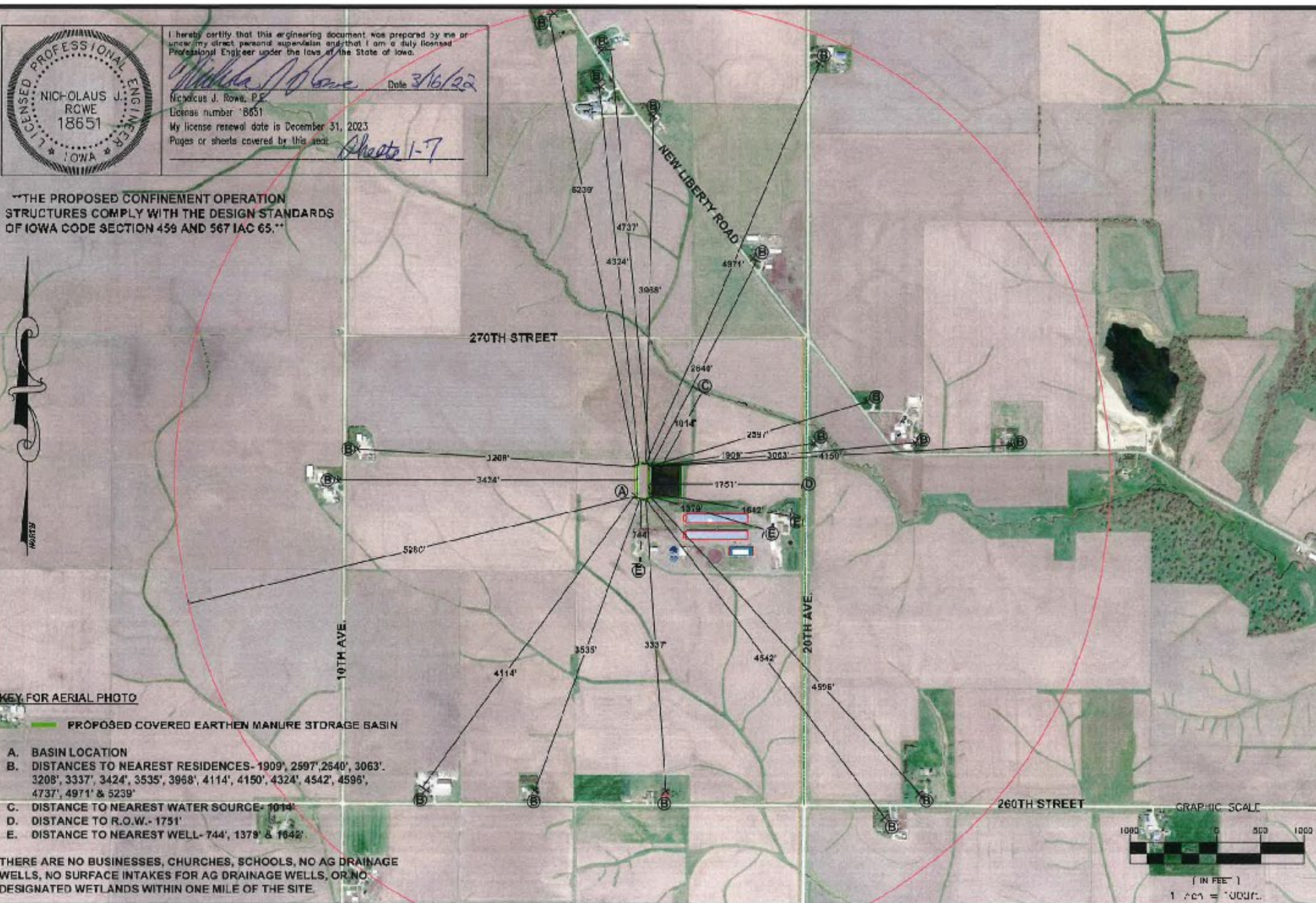


KEY FOR AERIAL PHOTO

— PROPOSED COVERED EARTHEN MANURE STORAGE BASIN

- A. BASIN LOCATION
- B. DISTANCES TO NEAREST RESIDENCES- 1909', 2597', 2540', 3063', 3208', 3337', 3424', 3535', 3968', 4114', 4150', 4324', 4542', 4596', 4737', 4971' & 5239'
- C. DISTANCE TO NEAREST WATER SOURCE- 1014'
- D. DISTANCE TO R.O.W.- 1751'
- E. DISTANCE TO NEAREST WELL- 744', 1379' & 1642'

THERE ARE NO BUSINESSES, CHURCHES, SCHOOLS, NO AG DRAINAGE WELLS, NO SURFACE INTAKES FOR AG DRAINAGE WELLS, OR NO DESIGNATED WETLANDS WITHIN ONE MILE OF THE SITE.



Scoring Criteria	Total Score	AIR	WATER	COMMUNITY
Total Score Possible	880	213.5	271	404.5
Total Score Required to Pass	440	53.38	67.75	101.13
Glenora Feed Yard Total Score	460	92.00	142.00	226.0

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
April 14, 2022
ADOPTING A RECOMMENDATION TO THE IOWA DEPARTMENT OF NATURAL
RESOURCES TO APPROVE THE CONSTRUCTION PERMIT APPLICATION OF
SIEVERS FAMILY FARMS LLC FOR THE EXPANSION OF AN EXISTING CONFINED
ANIMAL FEEDING OPERATION IN SECTION 32 OF LIBERTY TOWNSHIP

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

- Section 1. Sievers Family Farms LLC in the S ½ of NE ¼ of Section 32, T80N, R1E (Liberty 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 26618 20th Avenue 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 31, 2022 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 Sievers Family Farms LLC 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.