

**MINUTES  
OF THE  
ENVIRONMENTAL PROTECTION COMMISSION  
MEETING  
DECEMBER 20, 2016**

**IOWA STATE CAPITOL  
1007 EAST GRAND AVE  
DES MOINES, IOWA**

**APPROVED 1-18-17 BY EPC**

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## MEETING MINUTES

### CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Mary Boote at 10:00 a.m. on December 20, 2016 at the State of Iowa Capitol in Des Moines, Iowa.

### COMMISSIONERS PRESENT

Mary Boote, Chair  
Nancy Couser  
Cindy Greiman, Secretary  
Chad Ingels, Vice Chair  
LaQuanda Hoskins

Ralph Lents  
Bob Sinclair  
Joe Riding  
Gene Ver Steeg

### COMMISSIONERS ABSENT

None

### ADOPTION OF AGENDA

Kelli Book, DNR Attorney, shared with the Commission the request from Cherokee County to withdraw the Demand for Hearing from the agenda. The parties involved had come to a resolution.

*Motion was made by Joe Riding to approve the agenda as amended removing the Cherokee County Demand for Hearing. Seconded by Ralph Lents. Motion carried unanimously.*

**APPROVED AS AMENDED**

### APPROVAL OF MINUTES

*Motion was made by Gene Ver Steeg to approve the November 15, 2016 EPC meeting minutes. Seconded by Cindy Greiman. Motion carried unanimously.*

**APPROVED AS PRESENTED**

### MONTHLY REPORTS

- Bill Ehm shared with the Commission the 40% increase over the past 10 years of the Manure Management Plans which is now around 7,000 annually. He gathered a team of producers, service providers, counties, and DNR staff to streamline the process and offer an electronic option to submitters. Phase 1 will develop a Short Form submission which is estimated to be available in January 2018.
- Bill Ehm shared with the Commission Barb Lynch, Bureau Chief of the Field Services and Compliance Bureau, will be retiring after 38 great years of service. He summarized a number of the environmental accomplishments she has been involved in such as junk yard and tire pile remediation and water quality improvements.

- The following monthly reports have been posted on the DNR website under the appropriate meeting month:  
<http://www.iowadnr.gov/InsideDNR/BoardsCommissions.aspx>
1. Rulemaking Status Report
  2. Variance Report
  3. Enforcement Status Report
  4. Administrative Penalty Report
  5. Attorney General Referrals Report
  6. Contested Case Status Report

<b>INFORMATION</b>
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## **PUBLIC COMMENT**

### **Shari Hawk – Iowa Citizens for Community Improvement**

Shari Hawk shared with the Commission an article from the Jefferson County Farmer and Neighbors group that farming was once considered the soul of Iowa but industrialization has evolved farming into the gravest threat. Factory farms corrupt the soul of Iowa. She believes in her heart that the soul of Iowa is our children and grandchildren. She believes the EPC should change their name to Every Person's Child protection commission. Every child should be able to play outside without the stench or have a picnic without flies. Children deserve a moratorium on AFOs for the soul of our state. Also, the DNR needs funding to keep our soul intact.

### **Suzanne Robinson – Iowa Citizens for Community Improvement**

Suzanne Robinson shared with the Commission the ICCI research on the DNR budget which has dropped dramatically from \$27.1 million to \$15.3 million in less than 10 years. She was surprised to see such a small budget in comparison to all the work the DNR must do, which is ever increasing in size. Now is not the time for fewer dollars to inspect AFOs, maintain parks, and fix water quality problems.

### **Sharon Donovan – Iowa Citizens for Community Improvement**

Sharon Donovan also representing Moms Across America shared with the Commission that Iowa is the most toxic state in the union because of the 22 million hogs. Iowa produces 1/3 of the nation's hogs which is a lot of feces. She showed a poster with the amount of funds dedicated to environmental protection, natural resources, and public land which showed a high of Wisconsin at \$575 million and Iowa at the low end at \$79 million. From the information, she believes Iowa is under budgeted.

### **Erica Blair – Iowa Citizens for Community Improvement**

Erica Blair shared with the Commission her disappointment to see DNR's requested budget for 2018. This is not the time for funding to be reduced from \$27 million in 2009 to \$15 million in 2016 when the state is in a water crisis and it is getting worse. A status quo budget is not right. She asked the Commission to fight for Iowans and call for a larger budget.

### **Jack Troeger – Self**

Jack Troeger shared with the Commission the Lorax spoke for the trees while he speaks for all species and earth. He recommended for the Commission to read the author Derrick Jensen. He paraphrased a portion of Derrick's book about a bathtub overflowing and the illogic to empty the water with a cup or water dropper rather than shut off the water. Anointed and appointed individuals including the Commission don't get it. Earth is waiting. Stop scamming us with nonsense and solve Iowa's problems. Turn off the faucets. Reach over and turn them off. Do it now. Do it today. Stop building new hog factories and eliminate those that exist. When visiting his fiancé's family farm many years ago there was no smell even on the hottest and most humid day. We can't go there today because it

smells. You can stop it. You are supposed to be in charge here. Tell Mr. Gipp to demand 10 times or 100 times more funds and not to do what big ag tells them to do. Earth first in thoughts and deeds.

**Written Comments Submitted**

- None received or submitted

**END OF PUBLIC COMMENT**

**DIRECTORS REMARKS**

Director Gipp shared with the Commission the Revenue Estimating Committee (REC) estimate regarding Iowa's annual revenue. The legislature and Governor build their budgets based on the estimate. REC determined Iowa's revenue is not coming in as forecasted and will be \$96 million short. This legislative session the Legislature will have to develop supplemental appropriations for Medicare and de-appropriate general fund budgets. The DNR will be impacted by a general fund reduction for state parks and for use in meeting the non-federal portion of federal grant monies. Both the NRC and EPC will be briefed during their joint January meeting on the impacts to the department. With Medicare and education removed, the remaining state budget is 25% for all other programs and agencies.

<b>INFORMATION</b>
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## CLEAN WATER AND DRINKING WATER STATE REVOLVING LOAN FUND – THIRD QUARTER UPDATES TO THE FY 2017 INTENDED USE PLANS

Patti Cale-Finnegan, SRF Coordinator of the Water Quality Bureau, presented the following item.

Commission approval was requested for the third quarter updates to the Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) Intended Use Plans (IUPs) for FY 2017 (July 1, 2016 – June 30, 2017).

The State Revolving Fund programs are authorized through federal legislation and administered by the State of Iowa under the oversight of the U.S. Environmental Protection Agency. The CWSRF finances publicly owned wastewater and sewer facilities, storm water management for water quality, and nonpoint source control practices to keep pollution out of Iowa’s water. The DWSRF covers water system projects, including source water, treatment, storage, and distribution and transmission, as well as consolidation and connections.

The Iowa SRF is operated through a coordinated partnership between the Department of Natural Resources (DNR) and the Iowa Finance Authority (IFA). DNR administers the environmental and permitting aspects of the programs, with IFA providing financial assistance including loan approval and disbursements. Other important partners include the Iowa Department of Agriculture and Land Stewardship, Soil and Water Conservation Districts, county sanitarians, participating lenders, and others.

The FY 2017 IUPs include plans of action for the SRF programs, including goals and objectives, an analysis of current and projected financial capability, financial management strategies, the project priority lists, discussion of set-aside programs and efforts, and planned uses for administrative accounts.

The project priority lists include the following requested amounts:

- Clean Water SRF: \$561 million
- Drinking Water SRF: \$130 million

Loan forgiveness for Drinking Water SRF projects is recommended for two projects this quarter, including the following:

- Gallery Acres West Homeowners Association, to address arsenic levels in water supply that are above the Maximum Contaminant Level – 75%
- Lacina Meadows Public Water Supply, to address radionuclide levels in water supply that are above the Maximum Contaminant Level – 75%

Applications were accepted for Water Resource Restoration Sponsored Projects this quarter. The following projects are recommended for funding for the round of applications submitted September 1, 2016:

<b>SRF Number</b>	<b>Applicant</b>	<b>Project Description</b>	<b>Project Partners</b>
WRR16-007	City of Lenox	Improve water quality in the Platte River through distributed stormwater best management practices	IDALS, NRCS
WRR16-008	City of Readlyn	Address stormwater runoff and improve water quality in the Upper Wapsipinicon River watershed	Bremer County Drainage District 5, Bremer County SWCD, Johnson County SWCD, IDALS
WRR16-009	City of Grinnell	Improve water quality in the headwaters of the three watersheds Grinnell	English River WMA, Poweshiek SWCD, Johnson

		contributes to through sustainable methods (Little Bear Creek, Sugar Creek, and English River)	County SWCD, IDALS
WRR16-010	City of Waukee	Reduce suspended solids and nutrient loadings in stormwater runoff and improve water quality in Sugar Creek and Little Walnut Creek watersheds	Des Moines Wastewater Reclamation Authority, Polk SWCD, Walnut Creek WMA
WRR16-011	City of Roland	Use a variety of water quality best management practices to address critical locations in the Bear Creek watershed	IDALS, Story SWCD, Iowa State University, Bear Creek Watershed Project
WRR16-013	City of Des Moines	Stream restoration practices in the upstream Yeader Creek as part of the Easter Lake Water Quality Management Plan	Polk County Conservation Board, Polk SWCD, IDALS, DNR, NRCS
WRR16-015	City of Algona	Implement low impact development practices to reduce pollution in runoff to the East Fork of the Des Moines River	Kossuth SWCD, IDALS
WRR16-016	Wastewater Reclamation Authority	Improve stream corridor stability in Sugar Creek in support of Raccoon River Water Quality Master Plan	Polk SWCD
WRR16-017	City of Pleasantville	Construct stormwater infiltration practices in three subwatersheds (Coal Creek, Wildcat Creek, and Butcher Creek)	Marion SWCD, IDALS

The IUPs are developed and updated quarterly, in June, September, December, and March or more often as needed. Each draft IUP and update is released for public comment, and then presented for approval to the Commission. A public meeting was held November 10, 2016 to receive comments on the proposed IUP updates. There were no attendees. The written comment period closed on November 17, 2016. There were no written comments.

The Sources and Uses tables for both CWSRF and DWSRF show that funds are available or obtainable to provide anticipated disbursements. The IUPs will be updated one more time during FY 2017.

Patti Cale-Finnegan and Bill Ehm answered questions from the Commission which covered the recruitment of communities, prioritization of public health impacted communities, and comparisons of Iowa’s programs to the nation.

*Motion was made by Ralph Lents to approve the agenda item as presented. Seconded by Nancy Couser. Motion carried unanimously*

**APPROVED AS PRESENTED**

## **NOTICE OF INTENDED ACTION: EASE OF APPLICATION RULES - CHAPTER 22**

Christine Paulson, Environmental Specialist Senior of the Air Quality Bureau, presented the following item.

The Department requested permission from the Commission to proceed with the rulemaking process and publish a Notice of Intended Action to amend Chapter 22, “Controlling Pollution,” of the 567 Iowa Administrative Code.

### **Reason for Rulemaking**

The purpose of the proposed air quality rule changes is to formalize permitting process improvements identified during the “Lean” events involving the Department and the Office of Lean Enterprise in the Department of Management and stakeholders from 3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc. Lean is a collection of principles, methods, and tools that improve the speed and efficiency of any process by eliminating waste.

### **Summary of Proposed Rule Changes**

The rule changes clarify what types of mail services may be used to submit construction permit and Title V permit applications and to make clear that applications are not required to be submitted by certified mail. The rule changes also describe what constitutes a valid electronic signature for construction permit and Title V permit applications that may be submitted electronically, and the electronic media submission requirements for compliance with the federal Cross Media Electronic Reporting Rule.

For example, submittal of an application by electronic mail or other electronic program would be acceptable if the application bears a valid electronic signature and otherwise complies with the requirements of the Cross Media Electronic Reporting Rule. However, the Department’s current electronic submittal system does not accommodate the use of a valid electronic signature. Therefore, an applicant could e-mail all the pages of an application to the Department except the signature page(s). The signature page(s) would need to be submitted in accordance with the Cross Media Electronic Reporting Rule (e.g., faxed or submitted via a paper copy). The Department anticipates making available an electronic application system that does accommodate a valid electronic signature that complies with the Cross Media Electronic Reporting Rule in the near future.

Additionally, the proposed changes reduce the regulatory burden for construction permit applications for projects that do not emit or will not emit greenhouse gases (GHG) by eliminating the requirement to submit the current 3-page GHG form. The proposed rule also eliminates the requirement to submit two copies of the Title V permit application to the Department, only one copy is now required (a similar change was made for construction permit applications in the Regulatory Certainty rules package).

### **Stakeholder Involvement**

The Department prepared a draft rulemaking package and, on August 22, 2016, announced the opportunity for informal public input on the draft proposal. The Department announced the public input period through the air quality list serve and posted the draft proposal on its air quality public input page [www.iowadnr.gov/airstakeholder](http://www.iowadnr.gov/airstakeholder). The air quality list serve has about 2,600 recipients, of which 485 opened the email announcement. Additionally, the Department discussed the draft proposal at the Air Quality Client Contact Meeting on August 18, 2016, which hosted approximately 48



participants. All stakeholders that participated in the Lean events (3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc.) were provided the opportunity through the list serve or direct contact to provide input on the draft rulemaking.

The Department received two general questions during the informal review period ending on September 16, 2016. The Department provided information for the two inquiries, and has not received any additional questions or comments on the draft rulemaking package.

**Public Comments and Public Hearing**

If the Commission approves the proposed rulemaking, the Department will hold a public hearing on Monday, February 20, 2017, at 1:00 p.m. at the DNR Air Quality Bureau office. The Department will accept written public comments until 4:30 p.m. on Monday, February 20, 2017.

*Motion was made by Bob Sinclair to approve the agenda item as presented. Seconded by LaQuanda Hoskins. Motion carried unanimously*

**APPROVED AS PRESENTED**

**CONTRACT WITH IDALS FOR DRY RUN CREEK WATERSHED PROJECT (PHASE 1C)**

Mary Beth Stevenson, Iowa-Cedar River Basin Coordination of the Water Quality Bureau, presented the following item.

Commission approval was requested for a service contract with IDALS of Des Moines, Iowa. The contract will begin on January 1, 2017 and terminate on June 30, 2018. The total amount of this contract shall not exceed \$281,550.

**Funding Source:** This contract will be funded through a federal grant from the United States Environmental Protection Agency, under Section 319 of the Clean Water Act.

**Background:** The \$281,550 of Section 319 funding will fund Dry Run Creek Watershed Project Phase 1C activities, including project staffing, the implementation of urban BMPs, as well as continued outreach efforts to all landowners and residents of the watershed. Interested parties include the Black Hawk County Soil and Water Conservation District, Natural Resources Conservation Service, City of Cedar Falls, University of Northern Iowa, IDNR, and IDALS.

**Purpose:** The parties propose to enter into this contract for the purpose of implementing watershed improvement practices and water quality educational programming for the project selected.

**Scope of Work:** The outline of the Scope of Work was provided.

*Motion was made by Chad Ingels to approve the agenda item as presented. Seconded by Cindy Greiman. Motion carried unanimously*

**APPROVED AS PRESENTED**

## **CONTRACT WITH THE UNIVERSITY OF IOWA FOR FLOOD PLAIN MAPPING UPDATES AND MAINTENANCE**

Kathryne Clark, Supervisor of the GIS section of the Land Quality Bureau, presented the following item.

Commission approval was requested for a service contract with the University of Iowa Flood Center for a term of two (2) years.

The contract will begin on January 1, 2017 and terminate on December 31, 2018. The total amount of this contract shall not exceed \$100,000.00.

### **Funding Source:**

This contract will be funded through Environment First funds (HB7A).

### **Background:**

The state-wide Iowa Floodplain Mapping Program is in its sixth year. The HUD CDBG grant that originally funded this project, and was used to contract the services of the Iowa Flood Center, is expiring on December 31<sup>st</sup> of 2016. Of the original \$15.0 million in CDBG Disaster Recovery Funds, \$12,500,000.00 was granted to the Iowa Flood Center for flood plain modeling and delineation. This funding was used for the development of flood hazard data for new floodplain maps and updating of existing maps for the 85 Iowa counties listed in the federal Disaster Declaration of 5/27/2008 (Declaration FEMA-1763-DR). Two (2) cost share agreements were signed with the US Army Corps of Engineers to develop flood hazard data for the 14 non disaster-declared counties. The Iowa Flood Center, in cooperation with the USACE, has completed flood hazard data for most of Iowa.

### **Purpose:**

Due to FEMA FIRM time restrictions and other regulatory requirements, there will be a need to maintain the services of IFC GIS staff to continue maintenance and revisions of floodplain products. Changes to these products are sometimes necessary after review and comment by county public officials. Under those circumstances, there will need to be qualified, trained individuals to update the products.

### **Contract History:**

The IDNR has had a six year contract relationship with the IFC. Their expertise and experience have been integral to the development of the flood plain mapping products. We are satisfied with the performance of the IFC in developing the flood plain mapping products.

*Motion was made by Bob Sinclair to approve the agenda item as presented. Seconded by LaQuanda Hoskins. Motion carried unanimously*

**APPROVED AS PRESENTED**

**ADOPTED AND FILED – CHAPTER 61 – WATER QUALITY STANDARDS (COPPER CRITERIA UPDATE)**

Matt Dvorak, Environmental Specialist of the Water Quality Bureau presented the following item.

This rule is necessary to create additional flexibility for wastewater dischargers by adding the option to use the Biotic Ligand Model (BLM) or Water-Effect Ratio (WER) in the determination of site-specific copper criteria. Copper is found in most municipal wastewater effluents due to the corrosion of copper plumbing and it is expensive to remove. The BLM accounts for site-specific variations in the toxicity of copper due to actual levels of copper bioavailability in a given waterbody. The adoption of a Copper BLM criterion will reflect site-specific Iowa surface water conditions. The BLM accounts for several water chemistry parameters to predict the concentration of copper that would actually result in toxicity to an organism in a given waterbody. The following water chemistry parameters have an impact on copper toxicity due to elevated levels of copper: Temperature, pH, Dissolved Organic Carbon, Calcium, Magnesium, Sodium, Potassium, Sulfate, Chloride and Alkalinity. An Implementation Procedure for Biotic Ligand Model-Based Copper Criteria was developed for site-specific data collection and it is incorporated by rule-reference.

The WER method allows permittees to take into account the difference between the toxicity of a metal measured in laboratory water versus the toxicity of the metal measured in ambient water of the discharge site. The WER method allows facilities to calculate a ratio between the two measured toxicity levels and use it to adjust the existing copper criteria shown in IAC 61.3(3), Table 1.

The final rule amendments are protective of water quality and allow permittees the flexibility to use the existing copper criteria and the WER or the ability to use the BLM to generate copper criteria that reflect site-specific water characteristics of the receiving waterbodies for point source discharges. The Department received four public comments in response to the Notice of Intended Action. In response to comments, a responsiveness summary has been prepared and revisions to the implementation procedure have been made to provide clarification.

The revised Implementation Procedure for Biotic Ligand Model-Based Copper Criteria and responsiveness summary can be found at: <http://www.iowadnr.gov/Environmental-Protection/Water-Quality/Water-Quality-Standards>

The Commission received additional technical information of the rulemaking from Connie Dou and Jon Tack to assist with understanding the additional option for reaching compliance.

*Motion was made by Ralph Lents to approve the agenda item as presented. Seconded by Bob Sinclair. Motion carried unanimously*

**APPROVED AS PRESENTED**

## **EPC ANNUAL REPORT**

Commissioner LaQuanda Hoskins shared a draft annual report for the Commissioners to review and provide feedback. She gathered the information and will provide a final draft for their review during the January EPC meeting for their vote.

<b>INFORMATION</b>
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## **GENERAL DISCUSSION**

- Jerah Sheets provided a summary of the email transition from Outlook to Google and provided resources for Commissioners to access their email.
- Jerah Sheets offered to the Commission an eMMP report out at a future meeting.
- Jerah Sheets summarized the upcoming Joint NRC/EPC and EPC meetings in January, along with the meeting with legislators.
- Commissioners discussed various options for tours in SE Iowa. Jerah Sheets will poll the DNR for additional options for the Commissioners to select.
- Kelli Book summarized Iowa Code provisions regarding an AFO moratorium. She informed the Commissioners that there is no implied power for the EPC or DNR to take such action. Past moratoriums have been initiated by the legislature with specific program details and timeframes.

Chairperson Boote adjourned the Environmental Protection Commission meeting at 11:54 p.m., Tuesday, December 20, 2016.

**CHEROKEE COUNTY ATTORNEY'S OFFICE**  
**520 WEST MAIN STREET - DRAWER C**  
**CHEROKEE, IOWA 51012**

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**TELEPHONE: (712) 225-2835 FAX: (712) 225-6710**

**RYAN R. KOLPIN**, County Attorney [rrkolpin@co.cherokee.ia.us](mailto:rrkolpin@co.cherokee.ia.us)  
**KRISTAL L. PHILLIPS**, Assistant County Attorney [kphillips@longlines.com](mailto:kphillips@longlines.com)

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December 19, 2016

Director, Department of Natural Resources  
Henry A. Wallace Building  
502 E. Ninth Street  
Des Moines, IA 50319

Re: RCB Porkers Site, Facility ID No. 69129  
Cherokee County

To Whom it May Concern:

Please be advised that the Parties involved in this matter have reached an agreement. Roger Bohnenkamp, d/b/a RCB Porkers, has agreed to withdraw its Application for Construction Permit dated on or about August 19, 2016, at the location as originally applied. See attached.

As a result of this agreement Cherokee County hereby withdraws its demand for hearing on the same dated November 16, 2016.

If you have any questions or concerns regarding this matter please do not hesitate to contact me.

Very truly yours,



Ryan R. Kolpin  
Cherokee County Attorney

RRK/kh

Enclosures

December 19, 2016

Director, Department of Natural Resources  
Henry A. Wallace Building  
502 E. Ninth Street  
Des Moines, IA 50319

Re: RCB Porkers Site, Facility ID No. 69129  
Cherokee County

Please be advised that I Roger Bohnenkamp d/b/a RCB Porkers, do hereby withdraw my Application for Building Permit in Cherokee filed on or about August 19, 2016. There is now an agreement between the Parties involved in this action.

Pursuant to that Agreement, I will make a new application for building permit at a different site within Cherokee County, Iowa.

Wherefore, it is no longer necessary to have a hearing on the matter as originally scheduled for on December 20, 2016.

Thank you.

Sincerely,



Roger Bohnenkamp  
D/B/A RCB Porkers

Subscribed and sworn before me on December 19, 2016.



Kara Harpenau, Paralegal



# Agenda

## Environmental Protection Commission

December 20, 2016  
State of Iowa Capitol  
Room 116  
1007 East Grand Ave  
Des Moines, Iowa

### Tuesday, December 20, 2016 - EPC Business Meeting

10:00 AM – Meeting begins

11:00 AM – Demand for Hearing – Cherokee County; Roger Bohnenkamp (RCB Porkers)

Public Participation<sup>1</sup> – Requests to speak during the business meeting Public Participation must be submitted to Jerah Sheets at [Jerah.Sheets@dnr.iowa.gov](mailto:Jerah.Sheets@dnr.iowa.gov), 502 East 9<sup>th</sup> Des Moines, IA 50319, 515-313-8909, or in-person by the start of the business meeting. Please indicate who you will be representing (yourself, an association, etc.), the agenda item of interest, and your stance of For, Opposed, or Neutral.

If you are unable to attend the business meeting, comments may be submitted via mail and email for the public record. The Commission encourages data, reports, photos, and additional information provided by noon the day before the meeting to allow ample time for review and consideration.

#### Agenda topics

- 1 Approval of Agenda
- 2 Approval of Minutes
- 3 Monthly Reports Bill Ehm  
(Information)
- 4 Public Participation
- 5 Director's Remarks Chuck Gipp  
(Information)
- 6 Clean Water and Drinking Water State Revolving Loan Fund – Third Quarter Updates to the FY 2017 Intended Use Plans Patti Cale-Finnegan  
(Decision)
- 7 Notice of Intended Action: Ease of Application Rules - Chapter 22 Christine Paulson  
(Decision)
- 8 Contract with IDALS for Dry Run Creek Watershed Project (Phase 1C) Mary Beth Stevenson  
(Decision)
- 9 Demand for Hearing – Cherokee County; Roger Bohnenkamp (RCB Porkers) Kelli Book  
(Decision)
- 10 Contract with the University of Iowa for Flood Plain Mapping Updates and Maintenance Kathryne Clark  
(Decision)
- 11 Final Rule – Chapter 61 – Water Quality Standards (Copper Criteria Update) Jon Tack  
(Decision)
- 12 EPC Annual Report
- 13 General Discussion
- 14 Items for Next Month's Meeting
  - Wednesday, January 18, 2017 – 10 a.m. Joint NRC/EPC Meeting

- Wednesday, January 18, 2017 – 1 p.m. EPC Business Meeting
- Tuesday, February 21, 2017 – EPC Business Meeting

For details on the EPC meeting schedule, visit  
<http://www.iowadnr.gov/InsideDNR/BoardsCommissions.aspx>

<sup>1</sup> Comments during the public participation period regarding proposed rules or notices of intended action are not included in the official comments for that rule package unless they are submitted as required in the Notice of Intended Action.

Any person attending the public meeting and has special requirements such as those related to mobility or hearing impairments should contact the DNR or ADA Coordinator at 515-725-8200, Relay Iowa TTY Service 800-735-7942, or [Webmaster@dnr.iowa.gov](mailto:Webmaster@dnr.iowa.gov), and advise of specific needs.



**Monthly Variance Report**

#####

Item No.	Facility/City	Program	DNR Reviewer	Subject
1	Valero Renewable Fuels	Air Quality	Dennis Thielen	Valero is requesting to operate the TO below the minimum temperature required in permit 04-A-438-S9 to conduct engineering testing.
2	Storm Water Pump-Over Structures	Flood Plain Management & Dam Safety	Andrew Jensen	The applicant (City of Eddyville) is requesting a minimum protection level (MPL) waiver / variance to IAC IAC 567—72.11(1)b for miscellaneous structures. The MPL criterion specifies that a structure provide at least one foot above the Q500 elevation
3	Marion Municipal Water Department	Water Supply Construction	Tara Naber	Construct water main of DIP w/ nitrile gaskets where water main crosses under a storm sewer rather than constructing the storm sewer of water main material (Ch 12.5.8.5 IA Wastewater Facilities Design Standards).The min. clearance will be maintained.
4	Polaris Industries	Air Quality	Shawn Corbin	Waiver of Initial Stack Testing Requirement.
5	POET Biorefining - Gowrie	Air Quality	Ann Seda	POET – Gowrie submitted a variance requests to loadout undenatured ethanol from emission point Flare. Iowa DNR Construction permit 04-A-515-S4 allows denatured ethanol to be loaded out. Facility wants to be able to load out both types of ethanol.
6	CF Industries Nitrogen	Air Quality	Dennis Thielen	CF Industries is requesting to operate the EP 08 outside the permit conditions required 14B and 14C during testing in October/November/December.
7	Big River Resources West Burlington	Air Quality	Dennis Thielen	Big River is requesting a variance from operating conditions set during the August test to retest during a November stack test.
8	Grain Processing Corp.	Air Quality	Dennis Thielen	GPC is requesting an extension to the deadline to perform stack testing due to process and equipment issues related to the installation of the scrubber.
9	IPL - Lansing	Air Quality	Dennis Thielen	IPL - Lansing has requested a variance to operate its Boiler #4 using a blend of bituminous coal with subbituminous coal for up to 4 months or 25,000 tons of bituminous coal.
10	Asbury Municipal Water System	Water Supply Construction	Tara Naber	Construct storm sewer with "O" ring gasketed RCP for one pipe length instead of water main material at crossing where water main crosses below the storm sewer, while maintaining the minimum vertical separation.
11	West Des Moines Water Works	Water Supply Construction	Tara Naber	Periodically use sound testing equipment (TriCorr Touch Correlator) in place of permanent sampling taps w/ a meter to detect leaks for water main crossing under a stream (Ten States Standards Part 8.9.2.c).
12	Monogram Prepared Meats	Air Quality	Priyanka Painuly	Waiver of Initial Stack Testing Requirement.
13	New Three Span 219'x10' Trail Bridge	Flood Plain Management & Dam Safety	Chad Billings	A Q50 freeboard criteria waiver/variance to Iowa Administrative code 567—72.1(1)(c) for bridges and roadway embankments. The proposed (new) bridge does not meet the 3.0 feet Q50 freeboard requirement.
14	GKN Armstrong Wheels, Inc.	Air Quality	Priyanka Painuly	Waiver of Initial Stack Testing Requirement.
15	Waterloo Water Works	Water Supply Construction	Lanie Boas	Construct water main of DIP with nitrile gaskets or storm sewer of gasketed RCP instead of constructing storm sewers of water main material where the preferred horizontal separation cannot be maintained. Minimum separation will be maintained.
16	Waterloo Water Works	Water Supply Construction	Lanie Boas	Construct water main of DIP with nitrile gaskets or storm sewer of gasketed RCP instead of constructing storm sewers of water main material where the preferred horizontal separation cannot be maintained. Minimum separation will be maintained.
17	Replacement Bridge	Flood Plain Management & Dam Safety	Karen Smith	A Q50 freeboard criteria waiver/variance to Iowa Administrative code 567—72.1(1)(c) for bridges and roadway embankments. The proposed (new) bridge does not meet the 3.0 feet Q50 freeboard requirement.
18	Henniges Automotive Iowa	Air Quality	Shawn Corbin	Waiver of Initial Stack Testing Requirement.
19	Co-Line Welding, Inc. Rachel Quill	Air Quality	Rachel Quill	Waiver of Initial Stack Testing Requirement.
20	Wilcox Printing	Air Quality	Danjin Zulic	Waiver of Initial Stack Testing Requirement. The facility requested to waive the initial particulate matter stack testing requirement.
21	Cargill, Inc.	Air Quality	Dennis Thielen	Cargill is requesting an extension to the deadline to perform stack testing due to current operation of the emission units through a common stack shared with the coal boiler.
22	HNI Corp. - Central Campus	Air Quality	John Curtin	Waiver of Initial Stack Testing Requirement.
23	Southwest Iowa Renewable Energy, LLC	Air Quality	Reid Bermel	SIRE recently had a fire at the facility that has caused the permitted flare to be decommissioned. The temporary flare is needed until the permanent flare is repaired. The vapor recovery system is the same but just be routed to the temporary flare.
24	Van Diest	Air Quality	Ann Seda	Van Diest Supply Company has requested to initiate construction of a new Development Center Liquids prior to receiving construction permits.
25	Nevada Cellulosic Ethanol Facility	Air Quality	Rachel Quill	Waiver of Initial Stack Testing Requirement.
26	City of Thurman	Water Supply Construction	Robert Campbell	Table A of 567 IAC 43.3(7) lists a required separation of 100 feet from a deep public well site to above ground chemical storage. In this instance, the applicant requests that the required 100 feet separation distance be reduced to 25 feet.
27	Oakland Foods, LLC	Air Quality	Taylor Tomlinson	Waiver of Initial Stack Testing Requirement.
28	A to Z Drying Inc	Air Quality	Karen Kuhn	Waiver of Initial Stack Testing Requirement.
29	ADM - Clinton Corn Processing	Air Quality	Danjin Zulic	The facility requested to waive the initial PM stack testing for the enzyme fermentation and the sifting and grinding equipment. Sifting and grinding equipment stack test results indicate that the facility will meet new established limits.
30	Linwood Mining	Air Quality	Dennis Thielen	Linwood is requesting to suspend opacity testing until the permit can be modified due to the EP only operating at night.
31	Iowa Army Ammunition Plant	Air Quality	Casey Laskowski	IAAP is requesting a variance from the provisions of the Iowa Administrative Code 567 IAC 23.1 for an emergency burning of 8 ounces of explosives with faulty stabilizer. This is a safety issue and the only option as the material cannot be transported
32	Cedar Rapids Water Department	Water Supply Construction	Lanie Boas	Construct WM of DIP w/ nitrile gskts/stm sewer of gsktd RCP where Chap 12 requires sewers be WM material. Construct WM of DIP w/ nitrile gskts, stm sewer of gsktd RCP, & san sewer of WM material in lieu of 18" separation where WM crosses under sewer
33	Oelwein Municipal Water Works	Water Supply Construction	Tara Naber	To construct Water Main of DIP with nitrile gaskets in lieu of constructing the sanitary sewer of water main material where water main crosses under sewer at STA. 9+95 of plans. 18"+ vertical separation is kept. Project W2017-0025.
34	City of Ames	Water Supply Construction	Tara Naber	To use DIP with nitrile gaskets for water main material instead of replacing existing storm sewer material with water main material at a crossing where the water main crosses below a storm sewer, while maintaining the required 18" vertical separation
35	Magellan Pipeline Company	Air Quality	Reid Bermel	Magellan wants to regenerate the activated carbon. If that doesn't work, they will do a full replacement of the carbon on the VRU - up to three weeks to complete. This is work is needed so the VRU can continue to control the emissions at the loadout.
36	Tall Corn dba POET - Coon Rapids	Air Quality	Reid Bermel	POET wants to temporary change production tracking from 200 proof out production to beerfeed (input) maximum before obtaining modified
37	City of Ames	Air Quality	Gary Smith	Waiver of Initial Stack Testing Requirement.

**IOWA DEPARTMENT OF NATURAL RESOURCES  
LEGAL SERVICES BUREAU**

**DATE:** December 2016  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Attorney General Referrals

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>Status</b>	<b>Date</b>
Abatement Specialties, LLC Cedar Rapids (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	2/16/16
Cedar Rapids Community School District Cedar Rapids (1)	Air Quality	Asbestos	Referred to Attorney General	Referred	2/16/16
Feinberg, Marty; Feinberg Metals Recycling Corp. Fort Madison (6)	Solid Waste	Operation Without Permit; Illegal Disposal	Referred to Attorney General	Referred Petition filed Answer filed Trial Scheduling Conference Order Setting Trial for 5/18/17	4/14/15 7/1/16 8/10/16 10/4/16 10/5/16
Kossuth County (2)	Animal Feeding Operation	DNR Defendant	Defense	Petition for Judicial Review State's Answer P&J Pork Motion to Intervene Order Granting Motion to Intervene Kossuth County Brief State's Brief District Court Review Without Oral Argument Ruling on Petition for Judicial Review Remanded to EPC EPC Rehearing EPC Reconsideration Kossuth County Application for Rehearing Petition for Judicial Review EPC's Answer P&J Pork Motion to Intervene Kossuth County Brief State's Brief P&J Pork Joinder in State Brief Kossuth County Application for Leave To Present Evidence State's Resistance to Application District Court Review Without Oral Argument Court Hearing on County Application For Leave to Present Evidence Ruling on Motion for Remand – Remanded to EPC	9/18/14 10/08/14 11/07/14 11/20/14 2/03/15 2/13/15 3/04/15 7/30/15 10/20/15 11/17/15 12/07/15 12/15/15 1/14/16 1/15/16 2/23/16 3/11/16 3/14/16 3/21/16 3/21/16 3/21/16 4/18/16 6/07/16

Name, Location and Region Number	Program	Alleged Violation	DNR Action	Status	Date
SABEER, LLC d/b/a Sleepy Hollow Campground Oxford (6)	Wastewater Water Supply Air Quality	NPDES Permit Violations; Water Supply Permit Violations; Open Burning	Referred to Attorney General	Referred Settlement Agreement signed	6/16/15 7/12/16
Sunrise Farms, Inc. Osceola Co. (3)	Animal Feeding Operation	Construction Without Permit; Operating Violations; WQ Violations – General Criteria	Referred to Attorney General	Referred	3/23/16
City of Sioux City (3)	Wastewater		Referred to Attorney General	Referred	6/27/16
Sedore Inc.; Troy and Emily Sedore	Air Quality Solid Waste Wastewater	Open Burning; Operation Permit Violations. Illegal Disposal; SWAP Agreement Violations; Operation Without a Permit	Referred to Attorney General	Referred Petition Filed Answer-Troy Sedore Answer-Sedore Inc. <b>State’s Motion for Summary Judgment</b> <b>Order Setting Trial for 9/19/17</b>	6/27/16 9/19/16 10/12/16 10/24/16 11/18/16  11/18/16
Gary Eggers (2)	Wastewater Solid Waste	Operation Without Permit; Illegal Disposal; Prohibited Discharge	Referred to Attorney General	Referred Petition Filed <b>Application for Default</b> <b>Order Entering Default</b> <b>Motion for Default Judgment</b> <b>Order Granting Judgment on Default (\$100,000 civil penalty &amp; injunction)</b>	8/24/16 9/26/16 11/07/16 11/15/16 11/16/16 11/16/16
Swiss Valley Farms Cooperative			Referred to Attorney General	Referred	9/28/16

**IOWA DEPARTMENT OF NATURAL RESOURCES  
LEGAL SERVICES BUREAU**

**DATE:** December 2016  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Contested Cases

<b>Date Received</b>	<b>Name Of Case</b>	<b>F.O.</b>	<b>Action Appealed</b>	<b>Program</b>	<b>Assigned Attorney</b>	<b>Status</b>
3/11/10	Bondurant, City of	5	Order/Penalty	WW	Scott	11/4/16 – in final negotiation regarding penalty. <b>11/28/16 settlement reached</b>
8/27/12	Ag Processing, Inc.; Sergeant Bluff	4	Permit Conditions	AQ	Preziosi	Settled in concept. <b>Last communication with appellant 9-26-16.</b>
6/10/13	Mike Jahnke	1	Dam Application	FP	Schoenebaum	Hearing held 7/30/14. ALJ upheld the permit issued by the Department. Mr. Jahnke appealed but on 11/3/14 he asked that his appeal be put on hold until April, 2015. For various reasons has asked that the appeal be postponed through Summer 2016.
5/22/15	Cedar Ridge Vineyards	6	Order/Penalty	WW	Schoenebaum (Hansen)	Negotiating before filing.
10/12/15	Ames-Story Environmental C&D Landfill, Inc.	5	Amendment #4 to SDP	SW	Scott	DNR and the party are in negotiations concerning amended permit terms. The party requested that a hearing not be scheduled until negotiations are completed.
10/20/15	Diana Costello	6	Permit Issuance	FP	Schoenebaum	Negotiating before filing.

Date Received	Name Of Case	F.O.	Action Appealed	Program	Assigned Attorney	Status
11/15/15	Cargill, Inc.	5	Permit Conditions	AQ	Preziosi	<b>Close to settlement. Last communication with appellant was conference call on 11-17-16.</b>
2/25/16	Rathbun Area Solid Waste Commission (RASWC)	5	Permit Condition Amendments	SW	Scott	Negotiating before filing.
4/29/16	Burt's Tavern	1	Permit Conditions	WS	Schoenebaum (Hansen)	Negotiating before filing.
6/27/16	Plum River Fault Line Golf Inc.; Meadowcrest Farms, Ltd.	1	Order/Penalty	WS	Schoenebaum (Hansen)	6/27/16 – Letter received from James Holst regarding appeal.
7/25/16	Hilltop Road Association #1	6	Order/Penalty	WS	Schoenebaum (Hansen)	7/25/16 – Letter received from Association president regarding appeal.

**IOWA DEPARTMENT OF NATURAL RESOURCES  
LEGAL SERVICES BUREAU**

**DATE:** December 2016  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Enforcement Report Update

The following new enforcement actions were taken during this reporting period:

<b>Individual/Entity (County)</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>Type of Order/Action</b>	<b>Penalty Amount Due</b>	<b>Date</b>
City of Gillette Grove (Clay Co.)	Wastewater	Prohibited Discharge	Consent Order	\$0.00	10/14/2016
AKD Investments, LLC and HM Mart, Inc. (Scott Co.)	Underground Storage Tank		Rescission Administrative Order		11/4/2016
Portzen Construction, Inc. (Dubuque Co.)	Air Quality	Asbestos	Consent Order	\$2,000.00	11/8/2016
Joe Steffes (dba Iowa Foam Insulators LLC) (Story Co.)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Consent Order	\$2,442.60	11/14/2016
Cooperative Credit Company (Osceola Co.)	Animal Feeding Operations	Prohibited Discharge; Water Quality General Violations	Consent Order	\$3,000.00	11/16/2016
Albert Miller (Washington Co.)	Air Quality; Solid Waste		Amendment to Administrative Order		11/16/2016
Boerderij De Veldhoek, LLC (Butler Co.)	Animal Feeding Operations		Amendment to Administrative Order		11/16/2016
Ken Odom (Johnson Co.)	Air Quality; Solid Waste		Amendment to Administrative Order		11/16/2016
Travis Stump (O'Brien Co.)	Animal Feeding Operations	Failure Submit Manure Management Plan	Consent Order	\$3,000.00	11/16/2016
Chamness Technology, Inc. (Shelby Co.)	Wastewater	Prohibited Discharge	Consent Order	\$5,000.00	11/16/2016

<b>Individual/Entity (County)</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>Type of Order/Action</b>	<b>Penalty Amount Due</b>	<b>Date</b>
Vorthmann Legacy Farms, LLC (Pottawattamie Co.)	Animal Feeding Operations	Open Feedlot; Water Quality General Violations	Consent Order	\$2,500.00	11/17/2016
James Olchefski and Robert Nicholson (d/b/a Hidden Valley Mobile Home Park) (Wapello Co.)	Air Quality; Solid Waste	Asbestos; Open Burning; Illegal Disposal	Administrative Order	\$10,000.00	11/22/2016
Swine Graphics Enterprises, LLLP (Clarke Co.)	Animal Feeding Operations	Prohibited Discharge - Confinement; Water Quality General Violations	Consent Order	\$8,500.00	11/23/2016
Swine Graphics Enterprises, LLLP (Union Co.)	Animal Feeding Operations	Prohibited Discharge - Confinement; Water Quality General Violations	Consent Order	\$1,000.00	11/23/2016
Weiler, Inc. (Marion Co.)	Air Quality	Fugitive Dust	Consent Order	\$2,500.00	11/28/2016
B Windy Enterprises, LLC Mark/Charlotte Behmer (dba Behmer Solar Design Homes) (Story Co.)	Air Quality; Solid Waste	Fugitive Dust	Consent Order	\$1,150.00	11/28/2016
Nolan Dewall (Black Hawk Co.)	Animal Feeding Operations	Failure Submit Manure Management Plan	Consent Order	\$3,000.00	11/29/2016
NFP of Iowa, LLP (Adams Co.)	Animal Feeding Operations	Prohibited Discharge - Confinement; Water Quality General Violations	Consent Order	\$ 500.00	11/29/2016
Quad County Corn Processors Cooperative (Ida Co.)	Wastewater	Operation Permit Violations - Discharge Limits	Consent Order	\$4,000.00	11/29/2016
<b>Grand Total</b>				<b>\$48,592.60</b>	







**IOWA DEPARTMENT OF NATURAL RESOURCES  
LEGAL SERVICES BUREAU**

**DATE:** December 2016  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Summary of Administrative Penalties

**The following administrative penalties are DUE (and being collected by DRF):**

<b>NAME/LOCATION</b>	<b>PROGRAM</b>	<b>AMOUNT (remaining)</b>	<b>DUE DATE</b>
James Harter (Fairfield)	WW	1,336.00	8/1/2001
Cash Brewer (Cherokee Co.)	AFO/SW	10,000.00	8/25/2004
Harold Linnaberry (Clinton Co.)	SW	1,000.00	5/18/2005
Joel McNeill (Kossuth Co.)	AFO	2,500.00	1/21/2006
Joshua Van Der Weide (Lyon Co.)	AFO	3,500.00	2/25/2008
Jon Knabel (Clinton Co.)	AQ/SW	2,000.00	12/16/2008
Rick Renken (LeMars)	AFO	995.76	7/3/2009
Brian Lill (Sioux Co.)	AFO	755.07	7/18/2009
Denny Geer (New Market)	SW	9,476.00	10/31/2009
Shrey Petroleum; Palean Oil; Profuel Three (Keokuk)	UT	10,000.00	3/19/2010
Jerry Wernimont (Carroll)	AQ/SW	215.95	4/19/2010
LJ Unlimited, LLC (Franklin Co.)	AFO/AQ/SW	3,500.00	5/27/2010
Joe McNeill (Kossuth Co.)	AFO	2,450.00	12/23/2010
Steve Friesth (Webster Co.)	AQ/SW	6,650.24	11/26/2011
Josh Oetken (Worth Co.)	AQ/SW	8,220.00	3/11/2012
Bhupinder Gangahar/Saroj Gangahar/International Business	UT	7,935.00	4/20/2012
Terry Philips; TK Enterprises (Washington Co.)	AQ/WW	2,841.67	5/30/2012
Millard Elston III; The Earthman (Jefferson Co.)	AQ/SW	1,815.00	2/15/2013
Massey Properties, LLC; The Wharf (Dubuque)	WS	10,000.00	10/5/2013
Robert Downing (Mahaska Co.)	AQ/SW	9,029.26	11/20/2013
Randy Wise; Wise Construction (Buena Vista Co.)	AQ/SW	3,000.00	4/10/2014
Advanced Electroforming, Inc. (Cedar Co.)	AQ	1,500.00	4/3/2014
Wendall Abkes (Parkersburg)	SW	3,000.00	7/30/2014
Annie's LLC; Togie Pub (Lime Springs)	WS	2,525.00	12/22/2014
Gary Eggers (Stacyville)	SW/WW	10,000.00	10/17/2015
Dennis R. Phillips; Marty's Convenience Mart (Riverton)	UT	10,000.00	3/29/2016
Frank Robak (Little Sioux)	UT	10,000.00	6/10/2016
<b>Grand Total</b>		<b>\$135,744.82</b>	

The following administrative penalties are DUE (and being collected by DNR):

NAME/LOCATION	PROGRAM	AMOUNT (remaining)	DUE DATE
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000.00	5/7/2004
Jerry Passehl (Latimer)	SW/WW/HC	3,845.22	7/1/2009
Bret Cassens; J & J Pit Stop (Columbus Junction)	UT	400.00	6/20/2010
B Petro Corporation (Cedar Rapids)	UT	7,728.00	5/13/2013
R.H. Hummer Jr., Inc.; 2161 Highway 6 Trail (Iowa Co.)	AQ/SW	3,642.75	9/15/2013
Simon Simonson (Kossuth Co.)	SW	2,100.00	11/30/2014
Western Iowa Telephone Assoc. (Lawton)	WW	4,000.00	5/24/2014
West Central Cooperative (Halbur)	WW	4,000.00	1/4/2015
Mark Yeggy; Randalyn Yeggy (Washington Co.)	AFO	5,000.00	3/23/2015
Tim VanEaton (Orient)	AFO	6,000.00	7/21/2015
Terry McMurray; Virginia McMurray (Bussey)**	AQ	2,060.00	12/1/2015
Sedore, Inc.; Sedore Sanitation and Recycling (Stockport)	AQ/SW/WW	10,000.00	3/9/2016
Jeremy VanderVegt; Boerderij DeVeldhoek LLC (Butler Co.)	AFO	10,000.00	4/29/2016
City of Oxford Junction	WW	1,000.00	5/9/2016
Guthrie Co. Board of Supervisors; Country View Estates	WW	1,000.00	5/9/2016
Sedore, Inc.; Sedore Sanitation and Recycling (Stockport)	AQ/SW/WW	10,000.00	5/9/2016
Lavern VanLoon (O'Brien Co.)	AFO	500.00	5/15/2016
Mary Jo Engle; Doug Engle; Jo's Longbranch Bar (Cresco)	WS	4,500.00	7/26/2016
Paul Koth (Buena Vista Co.)	WW	4,000.00	3/23/2017
<b>Grand Total</b>		<b>\$85,775.97</b>	

The following administrative penalties have been COLLECTED:

NAME/LOCATION	PROGRAM	AMOUNT (Collected)
City of New Liberty	WW/WS	6,800.00
Robert Fangmann	AFO	1,092.75
Joel McNeil (Algona)	AFO	10.00
Douglas Bloomquist	AQ/SW	4,187.22
Jeffrey Gerritson	SW	118.23
Robert Downing	AQ/SW	384.74
Kenneth Odom	AQ/SW	45.00
Sheryl Sovereign (Togie Pub)	WS	195.00
Portzen Construction	AQ	2,000.00
Cyclone Cattle, LLC	AFO	10,000.00
Cooperative Credit Company	AFO	3,000.00
Cactus Family Farms LLC (Swine Graphics - Union & Clarke Co)	AFO	9,500.00
Brian Kruse	AFO	1,000.00
MAHLE Engine Components USA, Inc	WW	5,000.00
Corning Municipal Utilities	WW	10,000.00
Bret Cassens	UT	100.00
Jay Moore (NFP of Iowa, LLP)	AFO	500.00
<b>Grand Total</b>		<b>\$53,932.94</b>



**Iowa Department of Natural Resources  
Environmental Protection Commission**

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**ITEM**

**6**

**DECISION**

**TOPIC**

**Clean Water and Drinking Water State Revolving Loan Fund – Third Quarter Updates to the FY 2017 Intended Use Plans**

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Commission approval is requested for the third quarter updates to the Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) Intended Use Plans (IUPs) for FY 2017 (July 1, 2016 – June 30, 2017).

The State Revolving Fund programs are authorized through federal legislation and administered by the State of Iowa under the oversight of the U.S. Environmental Protection Agency. The CWSRF finances publicly owned wastewater and sewer facilities, storm water management for water quality, and nonpoint source control practices to keep pollution out of Iowa's water. The DWSRF covers water system projects, including source water, treatment, storage, and distribution and transmission, as well as consolidation and connections.

The Iowa SRF is operated through a coordinated partnership between the Department of Natural Resources (DNR) and the Iowa Finance Authority (IFA). DNR administers the environmental and permitting aspects of the programs, with IFA providing financial assistance including loan approval and disbursements. Other important partners include the Iowa Department of Agriculture and Land Stewardship, Soil and Water Conservation Districts, county sanitarians, participating lenders, and others.

The FY 2017 IUPs include plans of action for the SRF programs, including goals and objectives, an analysis of current and projected financial capability, financial management strategies, the project priority lists, discussion of set-aside programs and efforts, and planned uses for administrative accounts.

The project priority lists include the following requested amounts:

- Clean Water SRF: \$561 million
- Drinking Water SRF: \$130 million

Loan forgiveness for Drinking Water SRF projects is recommended for two projects this quarter, including the following:

- Gallery Acres West Homeowners Association, to address arsenic levels in water supply that are above the Maximum Contaminant Level – 75%
- Lacina Meadows Public Water Supply, to address radionuclide levels in water supply that are above the Maximum Contaminant Level – 75%

Applications were accepted for Water Resource Restoration Sponsored Projects this quarter. The following projects are recommended for funding for the round of applications submitted September 1, 2016:

<b>SRF Number</b>	<b>Applicant</b>	<b>Project Description</b>	<b>Project Partners</b>
WRR16-007	City of Lenox	Improve water quality in the Platte River through distributed stormwater best management practices	IDALS, NRCS
WRR16-008	City of Readlyn	Address stormwater runoff and improve water quality in the Upper Wapsipinicon River watershed	Bremer County Drainage District 5, Bremer County SWCD, Johnson County SWCD, IDALS
WRR16-009	City of Grinnell	Improve water quality in the headwaters of the three watersheds Grinnell contributes to through sustainable methods (Little Bear Creek, Sugar Creek, and English River)	English River WMA, Poweshiek SWCD, Johnson County SWCD, IDALS
WRR16-010	City of Waukee	Reduce suspended solids and nutrient loadings in stormwater runoff and improve water quality in Sugar Creek and Little Walnut Creek watersheds	Des Moines Wastewater Reclamation Authority, Polk SWCD, Walnut Creek WMA
WRR16-011	City of Roland	Use a variety of water quality best management practices to address critical locations in the Bear Creek watershed	IDALS, Story SWCD, Iowa State University, Bear Creek Watershed Project
WRR16-013	City of Des Moines	Stream restoration practices in the upstream Yeader Creek as part of the Easter Lake Water Quality Management Plan	Polk County Conservation Board, Polk SWCD, IDALS, DNR, NRCS
WRR16-015	City of Algona	Implement low impact development practices to reduce pollution in runoff to the East Fork of the Des Moines River	Kossuth SWCD, IDALS
WRR16-016	Wastewater Reclamation Authority	Improve stream corridor stability in Sugar Creek in support of Raccoon River Water Quality Master Plan	Polk SWCD
WRR16-017	City of Pleasantville	Construct stormwater infiltration practices in three subwatersheds (Coal Creek, Wildcat Creek, and Butcher Creek)	Marion SWCD, IDALS

The IUPs are developed and updated quarterly, in June, September, December, and March or more often as needed. Each draft IUP and update is released for public comment, and then presented for approval to the Commission. A public meeting was held November 10, 2016 to

receive comments on the proposed IUP updates. There were no attendees. The written comment period closed on November 17, 2016. There were no written comments.

The Sources and Uses tables for both CWSRF and DWSRF show that funds are available or obtainable to provide anticipated disbursements. The IUPs will be updated one more time during FY 2017.

Patti Cale-Finnegan, DNR SRF Coordinator  
Water Quality Bureau  
November 22, 2016

Project Name	DWSRF No.	Project Description	IUP Yr	Project Type	Priority Points	Quarter	Population	Project Status	Current Requests	Loan Forgiveness	Loan Signed	Original Request	Loan Amount
Armstrong	FS-32-17-DWSRF-020	Water treatment improvements	2017	A,B,E	70	3	943	P	\$ 1,100,000				
Bellevue	FS-49-17-DWSRF-021	Construction of a water treatment facility	2017	A,E	60	3	2191	P	\$ 1,819,000				
Gallery Acres West HOA (Solon)	FS-52-17-DWSRF-017	Resolve arsenic MCL through connection to another system or construction of new well and treatment	2017	A,E	60	3	43	P	\$ 1,039,000	75%			
Jewell	FS-40-17-DWSRF-015	Replace current filtering system to remove the ammonia, arsenic, and hardness in the water	2017	B,E	25	3	1215	P	\$ 1,847,766				
Lacina Meadows HOA	FS-52-17-DWSRF-022	Connecting to the City of Iowa City water supply to supply drinking water	2017	A,E	60	3	58	P	\$ 939,000	75%			
Pierson	FS-97-17-DWSRF-018	Construction of a new water treatment plant	2017	B,C,E	35	3	370	P	\$ 372,000				
Raymond	PD-DW-17-25	Construction of water main loop to increase water system flows, pressures, quality and reliability	2017	G	P&D	3	788	R	\$ 150,000				
Sheffield	FS-35-17-DWSRF-024	Watermain replacement of older undersized watermain within the drinking water distribution system with new 6" or 8" watermain	2017	B,C,E	40	3	1172	P	\$ 1,570,000				
Shenandoah (suppl)	FS-73-10-DWSRF-065(2)	Water Treatment Plant Improvements	2017	B,C,E	55	3	5150	P	\$ 2,000,000				
Swea City	FS-55-17-DWSRF-023	Replacement of approximately twenty five (25) blocks of undersized, four-inch water main that consist of asbestos cement.	2017	A,B,C,E	55	3	555	P	\$ 1,844,000				
Truro	FS-61-17-DWSRF-016	Replace all AC water distribution piping, increasing size of water mains being replaced, and modifying the height of the existing EST to improve distribution system pressure.	2017	A,B,E	45	3	485	P	\$ 866,000				
Walnut	FS-78-17-DWSRF-019	Addition of a replacement bedrock aquifer (Jordan) well and associated raw water main	2017	B,C,E	55	3	785	P	\$ 1,890,000				
Calumet	PD-DW-17-08	Install new water distribution system.	2017	G	P&D	2		L			9/23/16	\$ 132,500	\$ 132,500
Farley	FS-31-17-DWSRF-008	An HMO treatment system is proposed to remove radium from the raw well	2017	A,B,E	70	2	1537	P	\$ 2,311,000				
Farley	PD-DW-17-09	Treatment to remove radium from raw well	2017	G	P&D	2	1537	L			9/23/16	\$ 200,000	\$ 200,000
Janesville	FS-09-17-DWSRF-009	Install new water main that connects the western portion of Janesville to the eastern portion.	2017	B,E	30	2	930	P	\$ 1,015,000				
Lacina Meadows Homeowners Association	PD-DW-17-10	Connecting to the City of Iowa City water supply to supply drinking water	2017	G	P&D	2	58	R	\$ 75,000				



Lyon & Sioux Rural Water	FS-60-17-DWSRF-011	Installation of permanent emergency generators for the Klondike WTP & Larchwood WTP to treat and pump water to the distribution system during power outages	2017	B,E	25	2	1390	P	\$ 131,000	75% of cost of generator equipment and installation			
Murray	PD-DW-17-11	Improvements to existing water distribution system including water main replacement, looping, addition of main, and replacement of existing fire hydrants and valves	2017	G	P&D	2		L			9/23/16	\$ 70,000	\$ 70,000
Rathbun Regional Water (RRWA)	FS-04-17-DWSRF-010	Replacement of aging water meters with a new advanced/smart metering system.	2017	C,D	15	2	28215	P	\$ 2,902,945	30% of cost of water meter equipment and installation			
Sioux City (Western Hills/Indian Hills)	FS-97-17-DWSRF-012	Construction of a new water tank and a large capacity water main	2017	B	20	2	82759	P	\$ 5,366,375				
Sioux City (Zenith Water Treatment Plant)	FS-97-17-DWSRF-013	Add standby generator to Riverside Collector and improvements to the chemical feed systems	2017	B	15	2	82759	P	\$ 1,797,267				
Washington	PD-DW-17-12	Water Treatment Plant Improvements	2017	G	P&D	2	7266	R	\$ 507,000				
Washington	FS-92-17-DWSRF-007	Construct new treatment plant modifications	2017	B,E	25	2	7266	P	\$ 3,977,790				
Amana Society Service Company	FS-48-17-DWSRF-001	Replace with 250,00 gallon new elevated water storage and construct booster station. New 8-inch main is also proposed	2017	A,B,E	95	1	1224	P	\$ 5,603,000	75%			
Clarion	DROPPED	Water Main Improvement	2017	B,C,E	40	1	2850	D					
Fort Dodge	FS-94-17-DWSRF-006	Upgrade of all water meters and addition of automatic reading system	2017	B	20	1	25,206	P	\$ 4,347,000	30% of cost of water meter equipment and installation			
Gallery Acres West HOA (Solon)	PD-DW-17-01	Evaluation of system supply, possible construction of new well	2017	G	P&D	1	43	L			10/14/16	\$ 75,000	\$ 75,000
Kelley	FS-85-17-DWSRF-005	Connection to Xenia Rural Water System, disconnection of well, water tower rehabilitation	2017	B,E	45	1	310	P	\$ 552,000				
Oelwein	FS-33-17-DWSRF-004	Rehabilitation of existing well, new well house, chlorine feed system, emergency generator	2017	B,C,E	55	1	6415	P	\$ 1,033,000	75% of cost of generator equipment and installation			
Osceola County Rural Water System	FS-71-17-DWSRF-003	New treatment plant to remove iron and manganese, generator, ground storage reservoir, well buildings	2017	B,E	40	1	754	P	\$ 6,643,000	75% of cost of generator equipment and installation			
Sidney	PD-DW-17-02	Water Supply and Treatment Improvements	2017	G	P&D	1	1138	L			7/1/16	\$ 120,000	\$ 120,000
Amana Society Service Company	PD-DW-16-48	Solutions to pressure problems and well replacement	2016	G	P&D	4	1224	R	\$ 1,150,000				
Anamosa	PD-DW-16-49	Plant Expansion	2016	G	P&D	4	4283	R	\$ 321,350				
Anamosa	FS-53-16-DWSRF-019	Plant Expansion	2016	B,C,E	50	4	4283	P	\$ 1,660,000				
Johnston	FS-77-16-DWSRF-018	Upgrade existing aging water distribution system	2016	B	20	4	17306	P	\$ 1,810,000				

New Sharon	FS-62-16-DWSRF-017	Construction of 7,400 I.F. of 8" transmission main along with related valves, booster pump and connections. Water treatment plant improvements and 1,500 I.F. of 6" water main	2016	B,E	30	4	1293	P	\$ 1,319,050				
Osceola County Rural Water System	PD-DW-16-52	Construction of new 2,400 gpm iron and manganese removal water treatment plant	2016	G	P&D	4	4929	R	\$ 465,000				
Palmer	FS-76-16-DWSRF-020	Construction of a backwash equalization tank to discharge the backwash water into the pressure sewer system.	2016	B,C,E	35	4	165	L			10/21/16	\$ 130,000	\$ 155,000
Solon	FS-52-16-DWSRF-016	Construct additional storage capacity including 400,000 gallon storage reservoir and booster station, generator	2016	B,E	45	4	2037	p	\$ 1,692,000	75% of cost of generator equipment and installation			
Spirit Lake	FS-30-16-DWSRF-021	Proposed improvements consist of free copper ion feed equipment for zebra mussel control, additional intake line, replacement of sections buried raw water transmission mains.	2016	B,E	40	4	5578	P	\$ 2,814,000				
West Des Moines	FS-77-16-DWSRF-022	Construction of 1 Jordan aquifer and 2 shallow alluvial aquifer wells to provide redundancy of source water supply	2016	B	35	4	56609	P	\$ 8,050,000				
Alta	FS-11-16-DWSRF-011	Construction of a new well	2016	B,E	45	3	1960	P	\$ 846,000				
Bedford	FS-87-15-DWSRF-016	Water main replacement	2016	B,E	30	3	1400	R	\$ 350,000				
Cushing	FS-97-16-DWSRF-013	Construction of a new 55,000 gallon standpipe for water storage, water meters, emergency generator	2016	B,E	30	3	220	P	\$ 517,000	30% of cost of water meter equipment and installation, 75% of cost of generator equipment and installation			
Fenton	FS-55-16-DWSRF-012	Install new water tower	2016	B,C,E	55	3	281	P	\$ 392,000				
Livermore	FS-46-16-DWSRF-010	Install a new submersible pump and process piping for Well #5 to tie into existing treatment plant, water meters	2016	B,C,E	55	3	384	P	\$ 1,186,000	30% of cost of water meter equipment and installation			
Wahpeton	FS-30-16-DWSRF-014	Construction of new 150,000 gallon elevated water storage tank, generator	2016	B,E	45	3	438	P	\$ 1,392,000	75% of cost of generator equipment and installation			
Westgate	FS-33-16-DWSRF-015	Construct a new water tower	2016	B,E	45	3	211	P	\$ 568,000				
Denison	FS-24-16-DWSRF-004	Three new wells to meet peak day demand, add redundancy, and enhance capacity during drought conditions.	2016	B,E	45	2	8298	L			8/5/16	\$ 1,994,000	\$ 1,648,000
Farmington	FS-89-16-DWSRF-006	Replace old cast iron water main and underground storage tank with above ground tank	2016	B,C,E	40	2	664	P	\$ 312,000				

Keswick	FS-54-16-DWSRF-009	Replacement of all remaining cast iron main, add system looping and add new flushing hydrants, new isolation valves and service connections.	2016	B,C,E	40	2	246	P	\$ 411,497				
Marshalltown	FS-64-16-DWSRF-005	New GSR, HSP Station, generator, GSR Rehab and miscellaneous WTP Improvements	2016	B	15	2	27612	L		75% of cost of generator equipment and installation	10/29/16	\$ 8,673,000	\$ 8,344,000
Ridgeway	FS-96-16-DWSRF-007	Water main replacement project, generator	2016	B,C,E	40	2	315	P	\$ 380,000	75% of cost of generator equipment and installation			
State Center	FS-64-16-DWSRF-008	Replacement of existing treatment system with new reverse osmosis treatment system.	2016	B,E	25	2	1468	P	\$ 1,751,000				
Farley	FS-31-16-DWSRF-001	Resolve radium issues	2016	A,E	60	1	1537	L		75%	9/9/16	\$ 1,507,500	\$ 1,200,000
Grimes	FS-77-16-DWSRF-003	Construction of new lime storage silo	2016	B,E	25	1	10500	L			9/23/16	\$ 703,500	\$ 577,000
Aplington	FS-12-15-DWSRF-017 (2)	New single pedestal elevated tank solution.	2015	B,E	30	4	1158	R	\$ 227,000.00				
Dakota City	FS-46-15-DWSRF-020	Construct a 2nd well	2015	B,C,E	55	4	843	R	\$ 708,525				
Guthrie Center	FS-39-15-DWSRF-018	Water main replacement and new water service connection	2015	B,C,E	40	4	1569	P	\$ 518,660				
Sabula	FS-49-15-DWSRF-019	Water main replacement on Broad street, water meters	2015	B,C,E	40	4	576	P	\$ 787,920	30% of cost of water meter equipment and installation			
Van Meter	FS-25-15-DWSRF-020	New Water Main Treatment Plant	2015	B,E	45	4	1054	P	\$ 4,608,000				
Mt Ayr	FS-80-15-DWSRF-013	Water main replacement and water plant demo	2015	B,C,E	40	3	1691	R	\$ 1,005,000				
Sioux Rapids	FS-11-15-DWSRF-015	Water System Improvements, new treatment plant	2015	B,E	45	3	775	P	\$ 586,000				
Blencoe	DROPPED	Replace influent piping, inspect and refurbish detention tank, pressure filter improvements, misc. chemical feed improvements, update building air handling equip. new main along Main and Maple St.	2015	B,E	30	2	224	D					
Coralville	FS-52-15-DWSRF-008	Water plant expansion and pumping improvements at main booster station to provide redundancy and capacity	2015	B	15	2	18907	P	\$ 4,116,580				
Little Sioux	FS-43-15-DWSRF-010 (2)	Water distribution system improvements	2015	B,C,E	40	2	170	R	\$ 84,000				
Maquoketa (supplemental)	DROPPED	Meter replacement with addition of radio read	2015	B,D,E	35	2	6141	D					
Ruthven	FS-74-15-DWSRF-006	New well to replace Well #1, aerator rehab, control panel replacement, water main replacement to improve pressure and add new valves and hydrants	2015	B,C,E	55	2	779	P	\$ 1,316,550				
Asbury	FS-31-15-DWSRF-001	Constructing water main looping, installing new well and elevated storage tank	2015	B,E	45	1	4545	P	\$ 3,404,700				

Dyersville	FS-31-15-DWSRF-003	Hydrous Manganese Oxide (HMO) addition.	2015	A,B,E	95	1	4058	L		75%	8/5/16	\$ 1,021,080	\$ 1,373,000
Hull	FS-84-14-DWSRF-023	Upgraded water supply connection to Rock Valley Rural Water	2014	B,C,E	55	4	2185	L			10/28/16	\$ 449,000	\$ 427,000
Muscatine Power & Water	FS-70-14-DWSRF-022	Watermain replacement project, generator	2014	B	15	4	24386	R	\$ 2,432,416	75% of cost of generator equipment and installation			
Muscatine Power & Water	PD-DW-14-44	Water main replacement, generator	2014	G	P&D	4	24386	R	\$ 215,915				
North Liberty	FS-52-14-DWSRF-020	Design and construction of a new reverse osmosis water treatment plant	2014	B	30	4	13386	P	\$ 13,200,000				
Council Bluffs	FS-78-14-DWSRF-009	Purchase Property adjacent to WW to protect wells from farm contamination	2014	D	15	3	63783	R	\$ 800,000				
De Soto	FS-24-14-DWSRF-011	New water treatment facility	2014	B,E	25	3	1050	P	\$ 3,295,000				
Ida Grove	FS-47-14-DWSRF-008	Add new permanent well	2014	B,E	45	3	2158	P	\$ 339,017				
Schleswig	FS-24-14-DWSRF-006	Replacement of aging water main to reduce water loss, looping	2014	B,C,E	40	2	882	P	\$ 2,338,000				
Stanwood	FS-16-13-DWSRF-021	Construction of approx 2700 lineal feet of new 6 inch PVC pipe, including new valves, hydrants.	2013	B,C,E	40	4	684	R	\$ 786,841				
Hawkeye	FS-33-13-DWSRF-007	New well to replace failing backup well, new wellhouse and controls, generator, and water main replacement to eliminate 2" main	2013	B,C,E	55	2	449	L		75% of cost of generator equipment and installation	7/1/16	\$ 818,000	\$ 1,005,000
Sioux City	FS-97-13-DWSRF-001	I-29 Utility Relocation	2013	B	20	1	82684	R	\$ 7,000,000				
Cedar Falls Utilities	FS-07-12-DWSRF-028	Water main extension to connect homes with nitrate contaminated private wells	2012	A	35	4	39260	P	\$ 1,380,670	75%			
Shenandoah	FS-73-12-DWSRF-020	Water meter replacement	2012	B,C,D,E	45	4	5546	R	\$ 80,800	20%			
Albia	FS-68-12-DWSRF-008	Water main replacement	2012	B,C,E	40	2	3706	P	\$ 350,000				
Ralston	FS-14-11-DWSRF-034	Redundant well, booster pump installation, treatment plant upgrades	2011	B,C,E	55	4	98	P	\$ 550,000	40%			
New London	FS-44-11-DWSRF-001	New ground storage reservoir, high service pump, standby power, and water main replacement	2011	B,C,E	55	1	815	R	\$ 741,000	75% of cost of generator equipment and installation			
									\$ 129,957,634			\$ 15,893,580	\$ 15,326,500
<b>Project Status</b>	<b>Project Type</b>												
Dropped -- D	A = Water Quality and Human Health Risk-Related Criteria												
Ready for Loan -- R	B = Infrastructure and Engineering-Related Improvement												
Loan Signed -- L	C = Affordability Criteria												
Planning Stage -- P	D = Special Category Improvements												
	E = Project Serves Population less than 10,000												
	F = Supplemental Loan for Previously Approved Project												
Water and Energy Efficiency	G = Planning and Design Loan												
Emergency Generators													
Disadvantaged Communities													
Public Health Projects													

Project Name	NPDES No.	Project Number	CWSRF No.	Project Description	IUP Yr	Needs Category	Priority Points	Quarter	Project Status	Current Requests	Loan Forgiveness	Loan Signed	Original Request	Loan Amount
Ames	8503001	S2017-0017A	1920819 01	Water Pollution Control Facility	2017	I	170	3	P	\$ 625,000				
Central City			PD-CW-17-33	WWTP Expansion to include ammonia removal and disinfection. Gravity sewer expanded to allow for removal of lift station	2017	II	P&D	3	P	\$ 368,200				
Clemons			PD-CW-17-29	Construction of a new waste water lift station	2017	IIIB	P&D	3	R	\$ 43,300				
Corydon	9334004	S2014-0043	1920815 01	Wastewater Treatment Facility Improvements	2017	II	237	3	P	\$ 3,304,000				
Eagle Grove			PD-CW-17-34	Wastewater Treatment System Upgrade	2017	II	P&D	3	R	\$ 1,000,000				
Eldridge	8230003	S2015-0001	CS1920818 01	Change lagoons to equalization basins. New Lift Station, force main, gravity sewer, increased SBR treatment capacity at South Slope, addition of disinfection and sludge treatment improvements	2017	I, II, IVB	264	3	P	\$ 14,970,000				
Hubbard	425001	S2017-0079	1920817 01	Sanitary Sewer Construction and Rehabilitation	2017	IIIA	152	3	P	\$ 2,176,000				
Mediapolis			PD-CW-17-27	Renovations to Wastewater Treatment Plant and Collection System	2017	II	P&D	3	R	\$ 100,000				
Mediapolis			PD-CW-17-28	Investigative work on Sanitary Collection System	2017	IIIB	P&D	3	R	\$ 200,000				
Merrill			PD-CW-17-26	Wastewater treatment facility improvements	2017	II	P&D	3	R	\$ 49,600				
Modale			PD-CW-17-30	Lagoon Rehabilitation	2017	I	P&D	3	R	\$ 60,500				
Nora Springs	3423001	S2013-0150	1920671 02	Slip lining of 16,312 LF of 6" - 10" sewer main, 22 spot repairs 344 LF of 6" - 10" sewer pipe replacement, 87 new manhole lids, 21 new castings, 30 manhole replacement, manhole lining and grouting.	2017	IIIA	155	3	P	\$ 160,000				
Ogden	0858001	S2014-0142	1920816 01	Plant upgraded to meet NPDES Permit	2017	I,II	280	3	P	\$ 4,809,126				
Tipton			PD-CW-17-32	Wastewater treatment improvements to meet effluent ammonia, E.coli, and metals requirements in the city's NPDES Permits	2017	II	P&D	3	R	\$ 300,000				
Allison	1203001	S2014-0095	1920802 01	Wastewater Treatment Facility Improvements	2017	II	260	2	R	\$ 2,367,268				
Ames	8503001	S2013-0327	PD-CW-17-24	II correction	2017	IIIA	P&D	2	L			9/9/16	\$ 375,000	\$ 375,000
Corydon	9334004		PD-CW-17-18	Wastewater Treatment Facility Improvements	2017	II	P&D	2	R	\$ 410,000				
Eagle Grove	9926001		PD-CW-17-22	Wastewater Treatment System Upgrade	2017	II	P&D	2	R	\$ 2,000,000				
EIRUSS	2853001		PD-CW-17-20	Construction of Wastewater System to serve unincorporated unsewered Petersburg Community	2017	I	P&D	2	R	\$ 289,500				
Emerson	6520001		PD-CW-17-14	Collection System Improvements	2017	IIIA, IVB	P&D	2	R	\$ 270,000				

Fayette	3342001	S2016-0375	1920812 01	Slip lining approximately 5,320 feet of sanitary sewer main and completing spot repairs at 10 locations through the collection system.	2017	IIIA	154	2	P	\$ 319,999				
Fort Madison	5625001	S2013-0017	1920746 02	Replace aging equipment, repair structures, implement nutrient removal, add biosolids storage	2017	II	297	2	R	\$ 14,743,350				
Lake View	8127001		PD-CW-17-23	Construction of ultraviolet disinfection system	2017	II	P&D	2	L			9/23/16	\$ 140,000	\$ 140,000
Moravia			PD-CW-17-31	I&I reduction in sewer collection system	2017	IIIA	P&D	2	R	\$ 115,000				
Oxford	5260001	S2016-0049	1920804 01	Install UV disinfection system and other minor improvements	2017	II	240	2	P	\$ 650,000				
Shenandoah	3659001	S2016-0002	1920806 01	3 phase wastewater treatment facility improvements - Phase 1: Solids Treatment & Disposal - Phase 2: Collection System and Wastewater Plant Permit Compliance - Phase 3: Wastewater Treatment Facility Nutrient Reduction Strategy	2017	I,II	290	2	P	\$ 643,000				
Sioux Center	8486002		PD-CW-17-19	Wastewater Treatment Improvements to meet compliance	2017	II	P&D	2	R	\$ 5,500,000				
Sioux City	9778001	S2016-0389	1920813 01	Improve various treatment plant equipment to renew initial capacity, improve performance, improve reliability and improve life of treatment system.	2017	I,II	217	2	P	\$ 12,710,000				
Slater	8580001	S2016-0293	1920803 01	Extend sanitary collection system that includes construction of a duplex pump station	2017	IVB	122	2	P	\$ 936,000				
Wastewater Reclamation Authority	7727001	S2016-0238	1920805 01	Replace with stacked tray (HeadCell) grit removal technology in the vicinity of existing grit aerated grit chambers.	2017	I	180	2	P	\$ 9,500,000				
Wastewater Reclamation Authority	7727001		PD-CW-17-15	Sewer Relining of concrete sewers over 20 years of service to the ICA and now WRA	2017	IIIA	P&D	2	R	\$ 220,000				
Waterloo (CIPP Phase III)	0790001	S2016-0285	1920811 01	Excavating and repairing pipe using traditional methods. Rehabilitate sanitary sewers and rehabilitate manholes that have deteriorated.	2017	III-A	185	2	P	\$ 2,498,000				
Waterloo (Dry Run Creek Interceptor)	0790001	S2015-0280	1920807 01	New lift station, force main and gravity sewer are proposed	2017	IV-B	150	2	P	\$ 4,337,000				
Waterloo (Flow Equalization Facility Overflow Connection to Satellite WPCF)	0790001	S2015-0284	1920808 01	Install new gravity line from existing equalization basin to the Satellite Aeration basins. Also include discharge pipe from the Satellite basins to the Easton Aeration Basin	2017	I	170	2	P	\$ 978,000				

Waterloo (Instrumentation & Controls Systems)	0790001	S2015-0365	1920809 01	Upgrade current Programmable Logic Controllers (PLCs). Upgrade current Supervisory Control & Data Acquisition (SCADA) system communication protocol. Add fiber Optic for bringing new systems onto the network	2017	II	180	2	P	\$ 1,089,000				
Waukege	2573001	S2016-0413	1920810 01	Upgrade existing lift station and force main	2017	IV-B	119	2	P	\$ 12,537,000				
Wilton	7078801		PD-CW-17-13	Upgrade existing WWTP to meet NPDES permit limits	2017	II	P&D	2	L			9/23/16	\$ 385,000	\$ 385,000
Woodward	2576001	S2015-0344	1920814 01	Convert existing aerated lagoon to enhanced treatment aerated lagoon with the addition of a Lemna system. Addition of UV disinfection for new e.coli limits	2017	II	242	2	P	\$ 2,763,750				
Algona	5502001		PD-CW-17-01	Rehabilitation and reconstruction of the sanitary sewer collection system	2017	IIIB	P&D	1	R	\$ 130,000				
Algona	5502001	S2016-0239	1920796 01	Rehabilitation project to address I/I related and structural issues in existing sanitary sewer pipes and manholes	2017	IIIA, IIIB,	195	1	R	\$ 2,396,000				
Des Moines	77277001 (WRA)	S2016-0194	1920795 01	Construction of some new storm sewer systems, some new sanitary sewer and one pump station. Construction of a regional detention basin to mitigate increase of flooding	2017	IIIA, IIIB, IVA, V, VI	305	1	P	\$ 18,600,000				
Elkhart	7730001	S2015-0187	1920798 01	Construction of an outfall sewer leading from the existing wastewater treatment plant to the new wastewater treatment facility	2017	I, II, IVB	305	1	P	\$ 3,865,000				
Emerson	6520001	S2015-0430	1920790 01	Collection System Improvements	2017	IIIA, IVB	159	1	P	\$ 1,023,200				
Grundy Center	3833001	S2014-0337	1920801 01	Add disinfection treatment for their final effluent	2017	II	220	1	R	\$ 963,000				
Johnston	7727001		PD-CW-17-01	Installation of sanitary sewer in area currently on septic systems, implementation of green storm water infrastructure practices within the Green Meadows West Subdivision	2017	IVA, IVB, VI	P&D	1	R	\$ 288,000				
Lenox	8748001	S2013-0187	1920799 01	Construction of a submerged attached growth reactor (SAGR) system	2017	II	149	1	P	\$ 2,261,000				

Norway	0656001	S2015-0209	1920794 01	Addition of a secondary treatment that is capable of treating the ammonia-nitrogen. Disinfection facilities will be installed to meet the e.coli effluent limits	2017	I, II	222	1	P	\$ 3,065,000				
Oelwein	3353001	S2016-0256	1920793 01	Installation of two new wastewater pumps to increase capacity of existing 20th Street Lift Station. Improvements to the electrical service, existing control panel and addition of VFDs.	2017	IVB	122	1	P	\$ 248,000				
Ogden	0858001		PD-CW-17-06	Plant upgraded to meet NPDES Permit	2017	II	P&D	1	L			7/1/16	\$ 428,900	\$ 428,900
Orange City	847001	S2015-0310	1920800 01	Construction of a sequencing batch reactor treatment facility	2017	I, II	287	1	P	\$ 10,405,000				
Slater	8580001		PD-CW-17-07	Wastewater treatment plant improvements necessary in order to meet ammonia-nitrogen, dissolved oxygen and E. coli discharge limits.	2017	II	P&D	1	R	\$ 461,000				
Wastewater Reclamation Authority	7727001	S2016-0243	1920797 01	Biogas Conditioning & injection Improvements	2017	II	175	1	P	\$ 12,814,000				
Ames	8503001	S2013-0327	1920741 02	Address Infiltration and inflow into the City's sanitary sewer system utilizing a variety of rehabilitation techniques.	2016	IIIA	145	4	R	\$ 21,432,000				
Ames	8503001	S2016-0071	1920789 01	To improve screening at the WPCF city intends to replace existing channel grinder with a mechanical bar screen	2016	I	170	4	P	\$ 981,000				
Bancroft	5507002	S2014-0136	1920777 01	Increase capacity of existing controlled discharge lagoon. Piping improvements within facility will also be done.	2016	I	139	4	P	\$ 848,000				
Brandon	1011001	S2009-0160	1920779 01	Add a UV system (SAGR) to disinfect the effluent and meet the NPDES Permit requirements for E.Coli	2016	II	225	4	P	\$ 1,638,000				
Denison	2424001	S2016-0117	1920778 01	Replacement & Rehabilitation of structures and equipment approaching the end of their service lives	2016	II	190	4	P	\$ 4,020,000				
Des Moines	7727001 (WRA)	S2016-0196	1920781 01	Remove storm sewer inlets within the drainage basin that are connected to combined sewer and either eliminate or tie to dedicated storm sewers. Existing sewers will become dedicated sanitary sewers	2016	V	240	4	P	\$ 12,060,000				
Dubuque	3126001	S2016-0206	CS1920792 01	Relocation and reconstruction of sanitary sewer along Kerper Blvd.	2016	IIIB	147	4	P	\$ 2,507,000				



Fort Madison	5625001	S2016-0150	1920786 01	Construction of a new gravity sanitary sewer interceptor along H avenue to capture sanitary sewer flows from the north.	2016	IVB	152	4	P	\$ 3,250,170				
Johnston	7727001 (WRA)	S2016-0194	1920782 01	Installation of sanitary sewer in area currently on septic systems, implementation of green storm water infrastructure practices within the Green Meadows West Subdivision	2016	IVA, IVB, VI	230	4	P	\$ 15,180,000				
Lakeside	1145001	S2016-0200	1920787 01	Install a new lift station with two 500 gpm duplex submersible pumps and a new 6" force main to connect to the City of Storm lake's 24" DIP force main.	2016	IVB	119	4	P	\$ 945,000				
Manning	1457001	S2016-0188	1920785 01	Replace existing sanitary sewer using materials and construction techniques for reduction in I&I	2016	IIIA	142	4	P	\$ 600,000				
Mt Pleasant	4453001	S2015-0081	1920780 01	Main plant upgrades and sewer system SSES	2016	II	275	4	P	\$ 3,518,000				
Oelwein	3353001		PD-CW-16-40	Installation of new sanitary sewer	2016	IVA	P&D	4	R	\$ 33,500				
Reinbeck	3870001	S2015-0175	1920776 01	Construct an UV disinfection system to meet the effluent limits dictated by The Iowa Department of Natural Resources and NPDES Permitting.	2016	II	225	4	P	\$ 596,000				
Stanwood	1681001	S2016-0154	1920783 01	Removal, replacement and abandonment of gravity sanitary sewer and replace with a sanitary sewer that will reduce I/I in the collection system	2016	IIIA	127	4	R	\$ 267,800				
Templeton	1479001		PD-CW-16-41	Review city's existing 2-cell lagoon system and wastewater collection system.	2016	I	P&D	4	L			8/19/16	\$ 190,000	\$ 190,000
Tiffin	5288001	S2015-0202	1920788 01	Phase 1 - New Mechanical scree, standby generator for the lift station, 3 new pumps with VFDs to increase pumping capacity and convert duplex lift station to a triplex. Phase 2 - Separate project to include UV disinfection and expansion of activated sludge system	2016	I, II, IVB	189	4	L			9/30/16	\$ 2,211,000	\$ 2,296,000
Union	4291001	S2016-0125	1920784 01	Rehabilitation of existing sanitary sewer system and pumping facilities	2016	IIIA	154	4	P	\$ 990,000				
West Union	3383303	S2015-0356	1920791 01	Construction of equalization basin and lift station along with installation of ultraviolet disinfection system.	2016	II	225	4	P	\$ 583,000				

Cincinnati	0410001	S2014-0275	1920763 01	Utilize existing aerated lagoon for primary and secondary treatment and construct an aerated horizontal flow submerged attached growth reactor (SAGR) system for ammonia removal. Constructin of small building to house the blowers, controls, and electrical	2016	II	227	3	P	\$ 2,236,000				
Clarence	1630001	S2016-0068	1920774 01	Sewer Rehabilitation Project consisting of manhole replacement, grouting, and epoxy lining and a new CIPP lining is proposed.	2016	IIIA	125	3	R	\$ 1,060,000				
Coralville	5208001	S2014-0388	1920767 01	Improvements to the treatment system include expansion of equalizatin basin; new headworks; new aeration basins; final clarifiers, and replacement of UV disinfection system.	2016	I, II	250	3	P	\$ 27,648,000				
Davis City	2715001	S2016-0072	1920769 01	Rehabilitation of existing sanitary sewer mains and sanitary sewer manholes. Drainage & erosion improvements at the wastewater facility.	2016	IIIA	100	3	P	\$ 457,000				
Dike	3815001	S2013-0004	1920764 01	Lift Station & Collection System Improvements	2016	I, II, IIIB	290	3	R	\$ 4,850,000				
Fort Atkinson	9641001	S2015-0087	1920770 01	Construct a larger Lagoon that will only discharge once a year. Also includes an ultra violet disinfection system.	2016	I, II	290	3	P	\$ 1,249,000				
Greene	1253001	S2015-0235	1920775 01	Construct a new Submerged Attached Growth Reactor (SAGR) system for existing aerated lagoon and a new UV disinfection system.	2016	II	249	3	P	\$ 3,670,260				
Hills	0047902	S2015-0027	1920765 01	Addition of a 3rd lagoon, ultraviolet disinfectoin and a new outfall to existing treatment facilities.	2016	I, II	290	3	P	\$ 3,015,000				
Mapleton	6727001	S2015-0440	PD-CW-16-30	Wastewater Treatment Improvements to comply with ammonia nitrogen limits, maintainn TSS limits, and meet new NPDES standards	2016	I	P&D	3	R	\$ 225,000				
Marathon	1150001	S2015-0402	1920771 01	Construct a 3 cell controlled discharge lagoon to meet the NPDES Permit Limits	2016	I	162	3	P	\$ 1,171,000				
New Albin	0370001	S2013-0348	1920768 01	Replacement of secondary treatment facility including new influent pumps, preliminary screening equipment, activated slude treatment system.	2016	I	185	3	P	\$ 2,185,000				
Osage	6663001	S2015-0429	DROPPED	Sanitary Sewer Improvements Phase 1	2016	IIIA	145	3	D					

St Donatus	4979001	S2011-0308	1920773 01	Relining existing two cell lagoon and construction of lift station	2016	I, IVB	185	3	P	\$ 398,000				
West Burlington	2985001	S2014-0456	1920766 01	Improvements include additional activated sludge treatment tankage and conversion of existing aerated lagoon cells in to flow equalization basins. New headworks facility and upgrades to existing aged equipment and standby power.	2016	I	214	3	P	\$ 10,000,000				
De Soto	2529001	S2014-0066	1920759 01	Wastewater Treatment Facility Improvements	2016	II	232	2	P	\$ 2,887,000				
Grinnell	7930001	S2014-0189	1920762 01	Wastewater treatment facility improvements	2016	II	222	2	P	\$ 10,403,000				
Harris	7222001	S2015-0358	1920757 01	Sanitary Sewer Rehabilitation	2016	IIIA	145	2	P	\$ 921,685				
Hartford	9128001	S2015-0314	1920755 01	Lift Station and Wastewater System Improvements	2016	IIIA	165	2	L			8/12/16	\$ 281,000	\$ 415,000
Keota	5440001	S2015-0069	1920761 01	Construction of Submerged Attached Growth Reactors and UV system	2016	II	142	2	P	\$ 2,988,770				
Postville	0375001	S2015-0412	1920756 01	Sanitary Sewer Rehabilitation Phase II	2016	III-A	155	2	P	\$ 1,015,000				
Rock Valley	8482001	S2015-0184	1920754 01	Wastewater treatment plant improvements	2016	I	175	2	R	\$ 1,513,000				
RUSS(Moar/Powdertown)	Unsewered		PD-CW-16-11		2016	I,IVA	P&D	2	R	\$ 100,000				
Sanborn	7165001	S2012-0256	1920752 01	Improvements to Wastewater treatment facility as a result of a new NPDES permit and increase loading from and industrial facility	2016	II	167	2	P	\$ 1,946,685				
Strawberry Point	2279001	S2015-0213	1920753 01	WWTP Disinfection and Ammonia Removal	2016	II	250	2	P	\$ 426,000				
Wellman	9276001	S2015-0226	1920760 01	Wastewater Disinfection Improvements	2016	II	260	2	R	\$ 836,000				
Grimes	7736001	S2012-0348	1920751 01	Water & Wastewater Improvements	2016	I, IIIA	185	1	R	\$ 4,221,000				
Lake View	8127001	S2015-0174	1920748 01	Construction of ultraviolet disinfection system	2016	II	224	1	P	\$ 482,400				
Sabula	4975001	S2015-0208	1920749 01	Collection System Improvements	2016	IIIA	157	1	P	\$ 389,940				
Wastewater Reclamation Authority	7727001	S2015-0261	1920750 01 (Phase 27, Segment 1-8)	Eastside Interceptor	2016	IVB	135	1	P	\$ 68,340,000				
Wastewater Reclamation Authority (supplemental)	7727001	S2015-0186	1920657 02	WRA Southern Tier Interceptor Phase 10 Segment 22	2016	IVB	115	1	P	\$ 665,310				
Ames	8503001	S2013-0327	1920741 01	Sanitary Sewer Rehabilitation	2015	IIIA	160	4	R	\$ 2,588,970				
Belle Plaine	0610001	S2012-0141	1920744 01	Wastewater Disposal System Improvements	2015	II, IIIA	259	4	P	\$ 2,448,180				
Brooklyn	7909001	S2014-0047	1920735 01	Treatment Plant Upgrade	2015	II	240	4	L			8/26/16	\$ 4,120,500	\$ 2,125,000
Duncombe	9427001	S2015-0164	1920740 01	Lift Station	2015	IIIB	165	4	R	\$ 404,990				
Granville	8429001	S2015-0163	1920738 01	2015 Sanitary Sewer project	2015	IIIA	152	4	P	\$ 696,968				
Keokuk	5640001	S2015-0088	1920732 01	Sewer Rehabilitation - Phase 1	2015	IIIA	237	4	P	\$ 1,484,700				
Keystone	064001	S2014-0164	1920743 01	WWTF Upgrade	2015	II	247	4	P	\$ 3,239,919				
Northwood	0032395	S2014-0292	1920733 G1/1920733 R1	Wastewater Treatment Improvements	2015	II	260	4	R	\$ 5,470,000		8/12/16	\$ 8,970,630	\$ 3,500,000
Pleasantville	6377001	S2013-0174	1920737 01	WWTP Improvements	2015	II	229	4	P	\$ 4,120,500				
Readlyn	0965001	S2009-0030	1920736 01	WWTF Improvements	2015	II	207	4	P	\$ 3,326,500				

Spencer	2171004	S2016-0203	1920745 02	Fourth Avenue West CSO separation	2015	V		4	P	\$ 4,025,000				
Spencer	2171004	S2014-0044	1920745 01	Treatment Plant Upgrade	2015	II	300	4	L			10/7/16	\$ 3,115,500	\$ 3,600,000
Atkins	0603001	S2013-0314	1920727 01	WWTP Improvements	2015	II	247	3	L			7/8/16	\$ 8,253,000	\$ 1,750,000
Atkins	0603001	S2013-0314	1920727 01	WWTP Improvements	2015	II	247	3	L			10/21/16	\$ 8,253,000	\$ 6,503,000
Fort Dodge	9433003	S2015-0080	1920728 02	Sanitary Sewer Rehabilitation	2015	IIIA, IIIB	195	3	R	\$ 10,900,000				
Hospers	8439001		PD-CW-15-17	Wastewater treatment plant expansion	2015	II	P&D	3	R	\$ 277,000				
Postville	0375001	S2004-0442	1920726 01	Wastewater treatment facility improvements	2015	II	255	3	P	\$ 4,871,637				
Blencoe	6709001	S2014-0409	1920720 01	Main Lift Station Improvements	2015	IIIB	142	2	P	\$ 179,694				
Deloit	2421001	S2013-0234	1920716 01	Lagoon Rehabilitation	2015	I	147	2	L			9/30/16	\$ 496,634	\$ 516,000
New Hampton	1970001	S2014-0034	1920721 01	Wastewater treatment plant improvements	2015	II	224	2	R	\$ 2,095,750				
Ruthven	7465001	S2014-0412	1920719 01	Wastewater System Improvements	2015	IIIA	129	2	R	\$ 1,549,710				
Ames	8503001	S2014-0223	1920713 01	Lift Station Improvements	2015	IIIB	160	1	L			9/30/16	\$ 1,155,440	\$ 797,000
Fairfield	5131001	S2013-0368	1920705 01	Construction of a new influent and stormwater pumping building, headworks bldg, third oxidation ditch, UV disinfection system and aerobic digester.	2015	II	252	1	P	\$ 14,856,848				
Fairfield	5131001	S2013-0368	1920706 01	Construction of a forcemain	2015	IVB	157	1	P	\$ 3,817,548				
Fairfield	5131001	S2014-0008	DROPPED	Inflow & Infiltration reduction by replacing existing sewers	2015	IIIA	167	1	D					
Roland	8570001	S2014-0203	1920710 02	Cottonwood Street Sanitary Sewer	2015	IIIA	160	1	R	\$ 1,080,000				
Wastewater Reclamation Authority (supplemental)	7727001	S2009-0219	1920457 05 (Phase 17, multiple phases)	New Main Outfall, supplemental loan to finalize costs	2015	IVB	160	1	R	\$ 3,000,000				
Wastewater Reclamation Authority (supplemental)	7727001	S2009-0219	1920499 02 (Phase 17, Segment 7)	New Main Outfall, Phase 17 Segment 7 final costs	2015	IVB	160	1	R	\$ 10,400,000				
Chariton			PD-CW-14-36	Increase capacity of 12th St Lift Station and replace NW Lift Station with new structures and equipment.	2014	IVB	P&D	4	R	\$ 137,900				
Chariton	5903001	2014-0106	1920697 01	Increase capacity of 12th St Lift Station and replace NW Lift Station with new structures and equipment.	2014	IVB	135	4	R	\$ 350,000				
Ames	8503001	S2013-0326	1920686 01	WPCF Biosolids Storage Tank	2014	II	180	3	R	\$ 1,885,400				
Coralville	5208001		PD-CW-14-31	Replace manholes, reconstruct sewer lines at Oakdale trunk sewer and replace lift station and form main for Muddy Creek	2014	IIIB	P&D	3	R	\$ 270,263				
Dyersville	3130001	S2013-0342	1920690 01	SE Lift Station & Collection System Improvements	2014	IVB	127	3	P	\$ 1,476,620				
Garnavillo	2234001	S2012-0200	1920684 01	Installation of disinfection and ammonia removal and improvements to collection system	2014	II,IIIB	199	3	R	\$ 4,469,250				
Miles	4953001	S2013-0064	1920688 01	Construction of controlled discharge lagoon	2014	I	227	3	P	\$ 1,932,000				
Dyersville			DROPPED	New Lift Station	2014	IIIB	P&D	2	D					

Dyersville			DROPPED	WWTF Expansion Project	2014	II	P&D	2	D					
Martensdale	9147001	S2013-0292	1920682 01	Sewer rehabilitation	2014	IIIB	150	2	P	\$ 833,800				
Granger	2537001	S2012-0169	1920667 03	Wastewater Treatment Plant Improvements	2013			4	L			7/8/16	\$ 750,000	\$ 750,000
Wellman	92760001		PD-CW-13-32	Disinfection	2013	I	P&D	4	R	\$ 81,283				
Marengo	4843001	S2013-0052	1920661 01	Infiltration/inflow correction to address permit violations at treatment facility	2013	IIIA	162	3	R	\$ 883,000				
Mount Union	4455001	S2013-0118	1920664 01	Purchase of existing wastewater system currently owned and operated by Rural Utility Service Systems (RUSS)	2013	II	127	3	D					
Mt Pleasant	4453001	S2012-0407	1920665 01	Replacement of remaining portions of Snipe Run Interceptor to transfer flows to new wastewater treatment facility	2013	IIIB	125	3	P	\$ 1,600,000				
Patterson	6151001	S2011-0078	1920659 01	Upgrade pump station capacity, reduce inflow/infiltration, install new force main with goal of reducing sewer backups	2013	IIIB	165	3	R	\$ 54,540				
Dakota City	4622001		PD-CW-13-15	Infiltration/inflow correction through sewer relining	2013	IIIA	P&D	2	R	\$ 85,000				
Sioux City	9778001	S2010-0080	1920647 02	The Iowa Department of Transportation is constructing improvements to Interstate 29, which requires Sioux City to relocate existing sanitary sewer interceptor and storm sewers.	2013	IVB	130	1	R	\$ 34,500,000				
Calamus	2320001	S2012-0126	1920628 01	WWTP Upgrades 2011-add 3rd lagoon cell	2012	I	149	4	R	\$ 1,360,000				
Clinton (Phase II, Part 2)	2326001	S2005-0016	1920629 01	US 30/67 and Camanche Avenue (Reconstruction & Sewer Separation)	2012	V	144	4	R	\$ 3,535,000				
Elkhart	7730001	S2012-0137	1920634 01	Inflow and infiltration correction	2012	IIIA	129	4	P	\$ 609,030				
Hamburg	3621001		PD-CW-12-29		2012	II	P&D	4	R	\$ 100,000				
La Porte City	0743001	S2012-0049	1920625 01	Commercial Street Sanitary Sewer Repolacement Project	2012	IIIB	150	3	P	\$ 556,409				
La Porte City	0743001	S2009-0187	1920620 01	Wastewater treatment plant improvements	2012	I,II	220	2	P	\$ 917,822				
Nemaha	Unsewered		PD-CW-12-04		2012	I,IIIB	P&D	2	R	\$ 75,000				
North English	4858001		PD-CW-11-36		2012	II,IIIA,IIIB	P&D	1	R	\$ 140,000				
Albert City	1103001	S2014-0237	1920608 02	Phase II new lagoon, disinfection	2011	II	184	4	P	\$ 2,387,264	30%			
Dubuque (Revised Upper Bee Branch)	N/A	N/A	GNS10-5 (2)	Stream daylighting	2011	VII-K	162	4	R	\$ 7,716,000				
Wastewater Reclamation Authority	7727001	S2010-0310	1920593 03 (Phase 19 Seg 1-4)	Interceptor sewer to convey wastewater from Bondurant to the Wastewater Reclamation Facility	2011	IVB	150	2	R	\$ 16,545,820				
Bennett	1603001	S2010-0120	1920529 01	Sewer rehabilitation, pump station upgrades	2011	IIIA	137	1	R	\$ 1,971,000				
Brighton	9209001	S2009-0288	1920515 01	Sewer rehabilitation, wastewater treatment plant upgrade	2011	II,IIIB	140	1	R	\$ 2,675,000				

Lamont	1061001	S2010-0116	1920576 01	Lagoon upgrade, pump station upgrade	2011	I	140	1	R	\$ 1,169,665				
Libertyville	5148001		PD-CW-10-51		2011	I,IIIA,IIIB, VI	P&D	1	R	\$ 95,000				
Reasnor	5071001	S2009-0207	1920543 01	Lagoon expansion	2011	I	160	1	R	\$ 737,805				
Spencer	2171004	S2010-0111	1920528 01	Combined sewer separation	2011	V	185	1	R	\$ 2,300,000				
Coralville	N/A	N/A	GNS10-4	Green infrastructure practices at the Iowa River Landing	2010	VIK	120	4	P	\$ 2,950,000	30%			
Mingo	5052001	S2008-0304	1920510 G1/1920510 R1	Lagoon expansion	2010	I	172	3	R	\$ 1,365,000		9/9/16	\$ 1,515,000	\$ 150,000
Wheatland	2394001		PD-CW-10-10		2010	IIIA, IIIB,V	P&D	3	R	\$ 67,000				
										\$ 560,977,098			\$ 40,640,604	\$ 23,920,900
<b>Project Status</b>														
				<b>Needs Categories</b>										
			I	Secondary Treatment										
Dropped -- D			II	Treatment more stringent than secondary										
Ready for Loan-- R			IIIA	Infiltration/Inflow rehabilitation										
Loan Signed -- L			IIIB	Major sewer system rehabilitation										
Planning Stage -- P			IVA	New collectors and appurtenances										
			IVB	New interceptors and appurtenances										
Green Projects (*indicates that a business case is required)			V	Correction of combined sewers										
			VI	Stormwater management programs										
Add Subs			VII	Non-point source control projects; subcategories below:										
				VIIA Agricultural cropland sources										
				VIIIB Animal sources										
				VIIIC Silviculture										
				VIIID Urban sources										
				VIIIE Groundwater protection (unknown sources)										
				VIIIF Marinas										
				VIIIG Resource extraction										
				VIIIH Brownfields										
				VIIII Storage tanks										
				VIIJ Landfills										
				VIIK Hydromodification										
				XII Decentralized septic systems										

**Iowa Department of Natural Resources  
Environmental Protection Commission**

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ITEM

7

DECISION

**TOPIC**      **Notice of Intended Action: Ease of Application Rules - Chapter 22**

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The Department is requesting permission from the Commission to proceed with the rulemaking process and publish a Notice of Intended Action to amend Chapter 22, “Controlling Pollution,” of the 567 Iowa Administrative Code.

**Reason for Rulemaking**

The purpose of the proposed air quality rule changes is to formalize permitting process improvements identified during the “Lean” events involving the Department and the Office of Lean Enterprise in the Department of Management and stakeholders from 3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc. Lean is a collection of principles, methods, and tools that improve the speed and efficiency of any process by eliminating waste.

**Summary of Proposed Rule Changes**

The rule changes clarify what types of mail services may be used to submit construction permit and Title V permit applications and to make clear that applications are not required to be submitted by certified mail. The rule changes also describe what constitutes a valid electronic signature for construction permit and Title V permit applications that may be submitted electronically, and the electronic media submission requirements for compliance with the federal Cross Media Electronic Reporting Rule.

For example, submittal of an application by electronic mail or other electronic program would be acceptable if the application bears a valid electronic signature and otherwise complies with the requirements of the Cross Media Electronic Reporting Rule. However, the Department’s current electronic submittal system does not accommodate the use of a valid electronic signature. Therefore, an applicant could e-mail all the pages of an application to the Department except the signature page(s). The signature page(s) would need to be submitted in accordance with the Cross Media Electronic Reporting Rule (e.g., faxed or submitted via a paper copy). The Department anticipates making available an electronic application system that does accommodate a valid electronic signature that complies with the Cross Media Electronic Reporting Rule in the near future.

Additionally, the proposed changes reduce the regulatory burden for construction permit applications for projects that do not emit or will not emit greenhouse gases (GHG) by eliminating the requirement to submit the current 3-page GHG form. The proposed rule also eliminates the requirement to submit two copies of the Title V permit application to the Department, only one copy is now required (a similar change was made for construction permit applications in the Regulatory Certainty rules package).

**Stakeholder Involvement**

The Department prepared a draft rulemaking package and, on August 22, 2016, announced the opportunity for informal public input on the draft proposal. The Department announced the public input period through the air quality list serve and posted the draft proposal on its air quality public input page [www.iowadnr.gov/airstakeholder](http://www.iowadnr.gov/airstakeholder). The air quality list serve has about 2,600 recipients, of which 485 opened the email announcement. Additionally, the Department discussed the draft proposal at the Air Quality Client Contact Meeting on August 18, 2016, which hosted approximately 48 participants. All

stakeholders that participated in the Lean events (3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc.) were provided the opportunity through the list serve or direct contact to provide input on the draft rulemaking.

The Department received two general questions during the informal review period ending on September 16, 2016. The Department provided information for the two inquiries, and has not received any additional questions or comments on the draft rulemaking package.

**Public Comments and Public Hearing**

If the Commission approves the proposed rulemaking, the Department will hold a public hearing on Monday, February 20, 2017, at 1:00 p.m. at the DNR Air Quality Bureau office. The Department will accept written public comments until 4:30 p.m. on Monday, February 20, 2017.

Christine Paulson, Environmental Specialist Senior  
Program Development Section, Air Quality Bureau  
Environment Services Division

Memo date: November 28, 2016



## ENVIRONMENTAL PROTECTION COMMISSION [567]

### Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission (Commission) hereby gives Notice of Intended Action to amend Chapter 22 “Controlling Pollution” of 567 Iowa Administrative Code.

The purpose of the proposed rulemaking is to formalize permitting process improvements identified during “LEAN” events involving the Department of Natural Resources (Department) and the Office of Lean Enterprise in the Department of Management and stakeholders from 3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc. LEAN is a collection of principles, methods, and tools that improve the speed and efficiency of any process by eliminating waste.

**Item 1** amends the requirements for submitting construction permit applications to clarify the types of mailing services that may be used to submit applications and to make clear that applications are not required to be submitted by certified mail. Additionally, Item 1 describes what constitutes a valid electronic signature for construction permit applications that may be submitted electronically.

Item 1 also establishes electronic media submission requirements necessary for compliance with the federal Cross Media Electronic Reporting Rule adopted in 567-Chapter 15. For example, submittal of an application by electronic mail or other electronic program would be acceptable if the application bears a valid electronic signature and otherwise complies with the requirements of the Cross Media Electronic Reporting Rule. However, the Department’s current electronic submittal system does not accommodate the use of a valid electronic signature. Therefore, an applicant could e-mail all the pages of an application to the Department except the

signature page(s). The signature page(s) would need to meet the requirements of 567 – Chapter 15. The Department anticipates making available an electronic application system that does accommodate a valid electronic signature that complies with the Cross Media Electronic Reporting Rule in the near future.

**Item 2** reduces the regulatory burden for construction permit applicants for projects that will not emit Greenhouse Gases (GHG) by eliminating the requirement for those applicants to submit the current three-page GHG form. Applicants will instead be able to indicate that the application includes no GHG emissions in the project description.

**Item 3** amends the requirements for submitting Title V permit applications to clarify the types of mailing services that may be used to submit applications and to make clear that applications are not required to be submitted by certified mail. For the applicant’s convenience, the Commission is proposing to require that only one copy of the application (rather than two) be submitted to the Department. Additionally, Item 3 describes what constitutes a valid electronic signature for Title V Operating Permit applications that may be submitted electronically.

Item 3 also establishes electronic media submission requirements necessary for compliance with the federal Cross Media Electronic Reporting Rule adopted in 567-Chapter 15. For example, submittal of an application by electronic mail or other electronic program would be acceptable if the application bears a valid electronic signature and otherwise complies with the requirements of the Cross Media Electronic Reporting Rule. However, the Department’s current electronic submittal system does not accommodate the use of a valid electronic signature. Therefore, an applicant could e-mail all the pages of an application to the Department except the signature page(s). The signature page(s) would need to meet the requirements of 567—Chapter 15. As stated above, the Department anticipates making available an electronic application

system that does accommodate a valid electronic signature that complies with the Cross Media Electronic Reporting Rule in the near future.

Anyone may make written suggestions or comments on the proposed rule changes on or before February 20, 2017. Please direct written comments to Christine Paulson, Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Windsor Heights, Iowa, 50324, fax (515) 725-9501, or by E-mail to [christine.paulson@dnr.iowa.gov](mailto:christine.paulson@dnr.iowa.gov).

A public hearing will be held on Monday, February 20, 2017, at 1:00 p.m. in the conference rooms at the Department's Air Quality Bureau office located at 7900 Hickman Road, Windsor Heights, Iowa. All comments must be received no later than 4:30 p.m. on February 20, 2017.

Any person who intends to attend the public hearing and has special requirements such as those related to hearing or mobility impairments should contact Christine Paulson at (515) 725-9510, or by E-mail at [christine.paulson@dnr.iowa.gov](mailto:christine.paulson@dnr.iowa.gov) to advise of any specific needs.

### **Jobs Impact Statement**

After analysis and review, the Commission has determined the proposed amendments will have a positive impact on private sector jobs. These amendments clarify submittal aspects of the construction permit and Title V permit application processes and provide additional certainty for applications regarding the application submittal process and, in some cases, regulatory relief. For instance, facilities that had previously chosen to submit hard copy applications by certified mail are likely to realize cost savings by using another, less expensive submittal method. In addition, there will be cost and time savings with having to submit only one copy of the Title V permit application to the Department. And the requirement to submit GHG forms is being eliminated in many instances. These savings can be put back into the company (e.g., to be used

for job creation).

These amendments are intended to implement Iowa Code section 455B.133.

The following amendments are proposed.

**Item 1.** Amend subrule **22.1(3)** as follows:

**22.1(3) Construction permits.** The owner or operator of a new or modified stationary source shall apply for a construction permit. Two copies of a construction permit application for a new or modified stationary source shall be presented or mailed to Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Windsor Heights, Iowa 50324. Application submission methods may include, but are not limited to: U.S. Postal Service, private parcel delivery services, and hand delivery. Applications are not required to be submitted by certified mail. Alternatively, the owner or operator may apply for a construction permit for a new or modified stationary source through the electronic submittal format specified by the department.

Each permit application submitted to the department electronically must bear a valid electronic signature, and must otherwise comply with the requirements of 567-Chapter 15. A valid electronic signature, as defined in 567—Chapter 15, means an electronic signature on an electronic document created by using an electronic signature device that the identified signatory is uniquely entitled to use for signing the electronic document, provided the device has not been compromised and provided the signatory is an individual authorized to sign the document by virtue of legal status or relationship to the entity on whose behalf this signature is created. At a minimum, the signature page(s) of an application must contain a valid electronic signature created using an electronic signature device. The remainder of the application may be submitted

via e-mail or any other paper or electronic method. An owner or operator may submit applications with signatures that do not meet the definition of a valid electronic signature contained in 567-Chapter 15, when the documents are submitted via facsimile; electronic documents are submitted via magnetic or optical media; or non-federal, state only program information is submitted through an electronic submittal system.

The owner or operator of any new or modified industrial anaerobic lagoon or a new or modified anaerobic lagoon for an animal feeding operation other than a small operation as defined in rule 567—65.1(455B) shall apply for a construction permit. Two copies of a construction permit application for an anaerobic lagoon shall be presented or mailed to Department of Natural Resources, Water Quality Bureau, Henry A. Wallace Building, 502 East Ninth Street, Des Moines, Iowa 50319.

**Item 2.** Amend paragraph **22.1(3)"b"** by adopting a **new** subparagraph 11 as follows:

(11) For all applications for projects that will or do have greenhouse gas emissions, those emissions shall be quantified in the application. For all applications for projects that will not or do not have greenhouse gas emissions, the applicant shall indicate in the application that no greenhouse gasses will be emitted, and the applicant will not be required to file an inventory of greenhouse gases with that application, unless requested by the department.

**Item 3.** Amend subrule **22.105(1)** as follows:

**22.105(1) Duty to apply.** For each source required to obtain a Title V operating permit, the owner or operator or designated representative, where applicable, shall present or mail a complete and timely permit application in accordance with this rule to the following locations: Iowa

Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Windsor Heights, Iowa 50324 (~~two copies~~one copy); and U.S. EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101 (one copy); and, if applicable, the local permitting authority, which is either Linn County Public Health Department, Air Quality Division, 501 13th Street NW, Cedar Rapids, Iowa 52405 (one copy); or Polk County Public Works, Air Quality Division, 5885 NE 14th Street, Des Moines, Iowa 50313 (one copy). Application submission methods may include, but are not limited to: U.S. Postal Service, private parcel delivery services, or hand delivery. Applications are not required to be submitted by certified mail. Alternatively, an owner or operator may submit a complete and timely application through the electronic submittal format specified by the department.

Each permit application submitted to the department electronically must bear a valid electronic signature, and must otherwise comply with the requirements of 567-Chapter 15. A valid electronic signature, as defined in 567—Chapter 15, means an electronic signature on an electronic document created by using an electronic signature device that the identified signatory is uniquely entitled to use for signing the electronic document, provided the device has not been compromised and provided the signatory is an individual authorized to sign the document by virtue of legal status or relationship to the entity on whose behalf this signature is created. At a minimum, the signature page(s) of an application must contain a valid electronic signature created using an electronic signature device. The remainder of the application may be submitted via e-mail or any other paper or electronic method. An owner or operator may submit documents with signatures that do not meet the definition of a valid electronic signature contained in 567-Chapter 15, when the documents are submitted via facsimile; electronic documents are submitted

via magnetic or optical media; or non-federal, state only program information is submitted through an electronic submittal system.

An owner or operator of a source required to obtain a Title V permit pursuant to subrule 22.101(1) shall submit all required fees as required in 567—Chapter 30.

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Date

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Chuck Gipp, Director

**Administrative Rules  
JOBS IMPACT STATEMENT**

**1. BACKGROUND INFORMATION**

Agency:	Environmental Protection Commission / Department of Natural Resources (Department)
IAC Citation:	567 IAC Chapter 22
Agency Contact:	Christine Paulson (515) 725-9510
Statutory Authority:	Iowa Code section 455B.133
Objective:	The purpose of the proposed air quality rule changes is to formalize permitting process improvements identified during the “Lean” events involving the Department and the Office of Lean Enterprise in the Department of Management and stakeholders from 3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc. Lean is a collection of principles, methods, and tools that improve the speed and efficiency of any process by eliminating waste.
Summary:	The rule changes clarify what types of mail services may be used to submit construction permit and Title V permit applications, and make clear that applications are not required to be submitted by certified mail. The rule changes also describe what constitutes a valid electronic signature for construction permit and Title V permit applications that may be submitted electronically, and the electronic media submission requirements for compliance with the federal Cross Media Electronic Reporting Rule. Additionally, the proposed changes reduce the regulatory burden for construction permit applications for projects that do not emit or will not emit greenhouse gases (GHG) by eliminating the requirement to submit the current 3-page GHG form. The proposed rule also eliminates the requirement to submit two copies of the Title V permit application to the Department, only one copy is now required (a similar change was made for construction permit applications in the Regulatory Certainty rules package).

**2. JOB IMPACT ANALYSIS**

<input type="checkbox"/> <i>Fill in this box if impact meets these criteria:</i>
<input type="checkbox"/> No Job Impact on private sector jobs and employment opportunities in the State.
<input type="checkbox"/> Job Impact cannot be determined.



<p><u>x</u> Fill in this box if impact meets either of these criteria:</p>
<p><input checked="" type="checkbox"/> Positive Job Impact on private sector jobs and employment opportunities in the State.  <input type="checkbox"/> Negative Job Impact on private sector jobs and employment opportunities in the State.</p> <p><i>Description and quantification of the nature of the impact the proposed rule will have on private sector jobs and employment opportunities:</i></p> <p>After analysis and review, the Department has determined that the proposed changes will have a positive impact on private sector jobs. The rule changes clarify submittal aspects of the construction permit and Title V permit application processes and provide additional certainty for applications regarding the application submittal process and, in some cases, regulatory relief. For instance, facilities that had previously chosen to submit hard copy applications by certified mail are likely to realize cost savings by using another, less expensive submittal method. In addition, there will be cost and time savings with having to submit only one copy of the Title V permit application to the Department. And the requirement to submit GHG forms is being eliminated in many instances. These savings can be put back into the company (e.g., to be used for job creation).</p>
<p><i>Categories of jobs and employment opportunities that are affected by the proposed rule:</i>  These rule changes will positively affect companies in all types of industrial sectors.</p>
<p><i>Number of jobs or potential job opportunities:</i>  Cannot be determined at this time.</p>
<p><i>Regions of the state affected:</i>  All regions of the state.</p>
<p><i>Additional costs to the employer per employee due to the proposed rule: (if not possible to determine, write "Not Possible to Determine.")</i>  No additional costs to the employer.</p>

**3. COST-BENEFIT ANALYSIS**

The Agency has taken steps to minimize the adverse impact on jobs and the development of new employment opportunities before proposing a rule. See the following Cost-Benefit Analysis:

No other less intrusive or inexpensive method exists for achieving the purpose of the proposed rules.

## Administrative Rule Fiscal Impact Statement

Date: November 3, 2016

**Agency:** Environmental Protection Commission / Department of Natural Resources  
(Department)

**IAC Citation:** 567 IAC Chapter 22

**Agency Contact:** Christine Paulson

**Summary of the Rule:**

The purpose of the proposed air quality rule changes is to formalize permitting process improvements identified during the “Lean” events involving the Department and the Office of Lean Enterprise in the Department of Management and stakeholders from 3M Company, Grain Processing Corporation, Monsanto Company, Pella Corporation, and Stanley Consultants, Inc. Lean is a collection of principles, methods, and tools that improve the speed and efficiency of any process by eliminating waste.

The rule changes clarify what types of mail services may be used to submit construction permit and Title V permit applications, and make clear that applications are not required to be submitted by certified mail. The rule changes also describe what constitutes a valid electronic signature for construction permit and Title V permit applications that may be submitted electronically, and the electronic media submission requirements for compliance with the federal Cross Media Electronic Reporting Rule. Additionally, the proposed changes reduce the regulatory burden for construction permit applications for projects that do not emit or will not emit greenhouse gases (GHG) by eliminating the requirements to submit the current 3-page GHG form. The proposed rule also eliminates the requirement to submit two copies of the Title V permit application to the Department, only one copy is now required (a similar change was made for construction permit applications in the Regulatory Certainty rules package).

*Fill in this box if the impact meets these criteria:*

- No Fiscal Impact to the State.  
 Fiscal Impact of less than \$100,000 annually or \$500,000 over 5 years.  
 Fiscal Impact cannot be determined.

Brief Explanation:

The Department will use existing budget and resources to implement the rule.

*Assumptions:*

*Describe how estimates were derived:*

*Estimated Impact to the State by Fiscal Year*

	<u>Year 1 (FY 2015)</u>	<u>Year 2 (FY 2016)</u>
<b>Revenue by Each Source:</b>		
GENERAL FUND	\$0	\$0
FEDERAL FUNDS	\$0	\$0
Other (specify)	\$0	\$0
	\$0	\$0
<b><i>TOTAL REVENUE</i></b>		
<b>Expenditures:</b>		
GENERAL FUND	\$0	\$0
FEDERAL FUNDS	\$0	\$0
Other (specify)	\$0	\$0
	\$0	\$0
<b><i>TOTAL EXPENDITURES</i></b>		
	\$0	\$0
<b><i>NET IMPACT</i></b>		
<input type="checkbox"/> This rule is required by State law or Federal mandate. <i>Please identify the state or federal law:</i>		
<input type="checkbox"/> Funding has been provided for the rule change. <i>Please identify the amount provided and the funding source:</i>		
<input checked="" type="checkbox"/> Funding has not been provided for the rule. <i>Please explain how the agency will pay for the rule change:</i>		
The Department will utilize existing resources at this time.		

***Fiscal impact to persons affected by the rule:***

The Department has determined that the proposed rule changes will have positive fiscal impacts to persons affected by the rule. The rule changes clarify submittal aspects of the construction permit and Title V permit application processes and provide additional certainty for applications regarding the application submittal process and, in some cases, regulatory relief. For instance, facilities that had previously chosen to submit hard copy applications by certified mail are likely to realize cost and time savings by using another, less expensive submittal method. In addition, there will be cost and time savings with having to submit only one copy of the Title V permit application to the Department. And the requirement to submit GHG forms is being eliminated in many instances. These savings can be put back into the company (e.g., to be used for job creation).

***Fiscal impact to Counties or other Local Governments (required by Iowa Code 25B.6):***

Linn County and Polk County have state-approved local air quality programs, and would likely adopt changes to their ordinances and procedures that match any changes to state rules. It is unlikely that other cities or counties would be affected by the rule changes. However, if a city or county government is subject to the air quality rules being amended, the local governments would be benefitted in the same manner as described above for industries and businesses.

Environmental Protection Commission  
Iowa Department of Natural Resources

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ITEM

8

DECISION

TOPIC

Contract with IDALS for Dry Run Creek Watershed Project (Phase 1C)

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**Recommendations:**

Commission approval is requested for a service contract with IDALS of Des Moines, Iowa. The contract will begin on January 1, 2017 and terminate on June 30, 2018. The total amount of this contract shall not exceed \$281,550.

**Funding Source:**

This contract will be funded through a federal grant from the United States Environmental Protection Agency, under Section 319 of the Clean Water Act.

**Background:**

The \$281,550 of Section 319 funding will fund Dry Run Creek Watershed Project Phase 1C activities, including project staffing, the implementation of urban BMPs, as well as continued outreach efforts to all landowners and residents of the watershed. Interested parties include the Black Hawk County Soil and Water Conservation District, Natural Resources Conservation Service, City of Cedar Falls, University of Northern Iowa, IDNR, and IDALS.

**Purpose:**

The parties propose to enter into this contract for the purpose of implementing watershed improvement practices and water quality educational programming for the project selected.

**Scope of Work:**

For the outline of the Scope of Work, see the attached project summary.

Mary Beth Stevenson  
Iowa-Cedar River Basin Coordinator  
Water Quality Bureau, Environmental Services Division  
Submitted: November 28, 2016

Attachment: Project Summary

**Project Name:** Dry Run Creek Watershed Project (Phase 1C)

**Contract Amount:** \$281,550

**Time Frame:** January 1, 2017 – June 30, 2018

**Description:** Funding for an existing watershed project

**Project Goal:** Improve water quality in Dry Run Creek

**Project Summary:**

The Dry Run Creek watershed encompasses 15,177 acres in Black Hawk County, including agricultural areas as well as nearly half of the City of Cedar Falls. Dry Run Creek is designated for Class A1 primary contact recreation and Class B (WW-2) aquatic life. Dry Run Creek was added to Iowa's 303(d) list of impaired waters in 2002 for low biological diversity, and in 2008 for excessive levels of *E. coli* bacteria.

The primary goals of this project, as outlined in the Dry Run Creek Watershed Management Plan, include treating the runoff from the initial 1.25" of rainfall events in urban areas of the watershed, reducing sediment delivery to the stream by 30%, and improving/protecting instream habitat along 25% of the stream corridor. This project seeks funds to implement Phase 1C of the Watershed Management Plan.

The \$281,550 of Section 319 funding will be used for project staffing, the implementation of BMPs, and continued outreach efforts to all landowners and residents of the watershed. Project partners include the Black Hawk County Soil and Water Conservation District, Natural Resources Conservation Service, City of Cedar Falls, University of Northern Iowa, IDNR, and IDALS.

The project will continue to heavily promote urban conservation practices to landowners in the watershed. Practices will include streambank stabilization, bioretention cells, rain gardens, and rain barrels. In addition, the project will work with agricultural landowners using WSPF funding through IDALS to cost-share cover crops, strip till / no till, and grassed waterways.

**Iowa Department of Natural Resources  
Environmental Protection Commission**

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**ITEM**

9

**DECISION**

**TOPIC**

DEMAND FOR HEARING – CHEROKEE COUNTY; ROGER  
BOHNENKAMP (RCB PORKERS)

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On October 18, 2016, the Department issued a draft construction permit to Roger Bohnenkamp, indicating a preliminary decision to approve Mr. Bohnenkamp's application to construct two new swine confinement finishing buildings in Sheridan Township, Cherokee County. Notice of the preliminary decision was delivered to the Cherokee County Board of Supervisors (Cherokee County) via email on October 20, 2016. On November 1, 2016, Cherokee County notified the Department of its intent to file a demand for hearing, contesting the Department's preliminary approval of this application. Cherokee County's Demand For Hearing was received by the Department on November 18, 2016. Cherokee County has requested the opportunity to make oral statements. Pertinent documents relating to the Demand, and the Department's and Mr. Bohnenkamp's responses to it, will be provided to the Commission.

The Commission is requested to review this matter and render a final decision on December 20, 2016, or no later December 23, 2016, which is 35 days from the date the Department received Cherokee County's Demand For Hearing.

William Ehm  
Administrator  
Environmental Services Division

November 28, 2016

**BEFORE THE IOWA ENVIRONMENTAL PROTECTION COMMISSION**

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<p>IN THE MATTER OF:</p> <p>CHEROKEE COUNTY HEARING DEMAND: Re: Roger Bohnenkamp Facility # 69129</p>	<p style="text-align: center;">DEPARTMENT RESPONSE TO CHEROKEE COUNTY DEMAND FOR HEARING</p>
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The Iowa Department of Natural Resources (Department) responds to the Demand for Hearing submitted by Cherokee County as follows:

On November 18, 2016, the Department received a Demand for Hearing from the Cherokee County Board of Supervisors after a Notice of Intent (permit draft) was issued to Roger Bohnenkamp on October 18, 2016. The draft permit authorizes Mr. Bohnenkamp to construct two new swine confinement finishing buildings (each 101'10" x 193' x 8' with 8' below floor concrete pits) as a new confinement feeding operation. The operation will be known as RCB Porkers. The site is located in the SE ¼ of the SW ¼ of Section 20, T92N, R41W, Sheridan Township, Cherokee County, Iowa. The total animal capacity of the operation after construction is 4,800 head or 1,920 animal units.

**Department's Review History**

After receipt of the construction permit application on September 6, 2016, Department staff from Field Office 3 (FO3) conducted a site survey on September 9, 2016, and determined that the location of the proposed confinement buildings satisfy all separation distances required by Iowa law, including distances to commercial enterprises, residences, water sources and road rights-of-way. FO3 staff also reviewed the manure management plan submitted by Mr. Bohnenkamp and approved it on September 8, 2016. By letter signed October 4, 2016, Cherokee County reported that Mr. Bohnenkamp's application received a passing Master Matrix



score of 440 points (at least 440 required to pass); but the County recommended that the Department deny the application because of the unsuitable location of the proposed facility due to the biosecurity risk to a neighboring high value seed stock and show animal operation.

Department Environmental Engineer, Paul Petitti, reviewed the application for completeness, including fees; compliance with separation distance requirements; design requirements for concrete manure storage structures; proximity to karst terrain and the 100 year flood plain; and pending enforcement actions. After his review, Mr. Petitti determined that Mr. Bohnenkamp's application met all statutory and rule requirements. For this reason, Mr. Petitti issued the draft permit on October 18, 2016.

#### **Cherokee County Contentions**

In its Demand for Hearing, Cherokee County set out the following contentions:

1) Potential irreparable harm to the applicant's most immediate neighbor. The County states that Mr. Bohnenkamp's application did not take any points in the Master Matrix, Question 36 for "demonstrated community support." The County states that it received eight written comments all noting irreparable harm which likely would occur to the neighboring farrowing operation.

2) Priority to operations of a resident of Cherokee County over operations of non-residents. The County states that it believes it should give priority to the agricultural operations of an established resident of Cherokee County over the proposed agricultural operations of a non-resident. The County does state it is supportive of Mr. Bohnenkamp's application to construct a new facility; however it is opposed to the proposed location of the new facility.

#### **Department Response**

1) Potential irreparable harm to the applicant's most immediate neighbor. Mr. Bohnenkamp's application obtained the required points to pass the Master Matrix. The Master Matrix does not require the producer to take all points possible. Mr. Bohnenkamp was under no obligation to take points for Question 36 demonstrating community support. Chapter 65, Master Matrix, only states the application must score under each criterion selected by the applicant and that the proposed site must obtain a minimum overall score of 440 points. The proposed facility passed the Master Matrix; the Department does not have the authority to consider the written comments submitted to the County.

2) Priority to operations of a resident of Cherokee County over operations of non-residents. The administrative rules do not authorize the Department to give priority to one producer over another, regardless of the type of operation or the residency of the applicant. The proposed facility passed the Master Matrix; the Department does not have the authority to consider the type of operation or the residency of the applicant.

IOWA DEPARTMENT OF NATURAL RESOURCES

By:

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Kelli Brabec Book, Attorney  
Iowa Department of Natural Resources  
7900 Hickman Road, Suite 1  
Windsor Heights, Iowa 50324  
Phone: 515/725-9572

Copy to: Ryan R. Koplín, Cherokee County Attorney  
Roger Bohnenkamp

RECEIVED

CHEROKEE COUNTY ATTORNEY'S OFFICE  
520 WEST MAIN STREET - DRAWER C  
CHEROKEE, IOWA 51012

NOV 1 8 2016  
Director's Office

TELEPHONE: (712) 225-2835 FAX: (712) 225-6710

RYAN R. KOLPIN, County Attorney [rkolpin@co.cherokee.ia.us](mailto:rkolpin@co.cherokee.ia.us)  
KRISTAL L. PHILLIPS, Assistant County Attorney [kphillips@longlines.com](mailto:kphillips@longlines.com)

November 16, 2016

Director, Department of Natural Resources  
Henry A. Wallace Building  
502 E. Ninth Street  
Des Moines, Iowa 50319

RE: Demand for Hearing  
RCB Porkers Site, Facility ID No. 69129  
Cherokee County

Dear Sir:

Please accept this letter as the Cherokee County Board of Supervisors' demand for a hearing before the Environmental Protection Commission regarding the Notice of Intent to issue a Permit of Paul R. Peititi, P.E., dated October 18, 2016, for RCB Porkers' Construction Permit Application, dated August 19, 2016.

On January 4, 2016, the Board of Supervisors adopted a Construction Evaluation Resolution, a copy of which is attached hereto as Exhibit "A" and by this reference made a part hereof. Accordingly, the Board of Supervisors has authority to evaluate RCB Porkers' Construction Permit Application and to recommend its disapproval to the Department of Natural Resources.

The disapproval of the Board of Supervisors is not based upon the common concerns surrounding hog confinement facilities, i.e.: health issues, water quality issues, and odor issues. See *Simpson v. Kollasch*, 749 N.W.2d 671, 675-7 (Iowa 2008). It is based instead upon the applicant's lack of demonstrated community support, including potential irreparable harm to the applicant's most immediate neighbor.

The master matrix which accompanies the Construction Permit Application, at Line No. 36, sets forth no points or score for "demonstrated community support." More pointedly, the eight (8) written comments which were received by the Board of Supervisors at its public hearing on October 4, 2016, all noted the irreparable harm which likely would befall neighbor Mark W. Hurd's unique farrowing operation. Copies of the written

comments are attached hereto as Exhibits "B" through "I" and by this reference made a part hereof.

As noted by Mr. Hurd in his letter of September 26, 2016, his open sow yards and pig nursery are closer than 1,875 feet to the proposed confinement feeding operation. It is from Mr. Hurd's ten-acre facility that he breeds show pigs and breeding stock harvest boar semen from his stock for sale to other breeders as well as obtains boar semen.

As also noted by Mr. Hurd in his letter, the proposed confinement feeding operation "would be a biosecurity threat" to his operation. "The presence of feed trucks, of new pig deliveries, and of rendering trucks, all aggravated by south winds," would present a constant threat of disease to his boars, to his sows, and to his pigs.

Mark Carlson D.V.M., wrote on September 21, 2016, that "from a biosecurity standpoint, this specific location is a very bad idea." He continued, "I have been practicing swine medicine in Cherokee County for over 43 years and have seen this scenario happen many times." He urged the applicant "to find another site," stressing that "pork producers need to be good neighbors."

On the one hand, the Board of Supervisors believes that it should give priority to the agricultural operation of an established resident of Cherokee County over the agricultural initiative of non-residents. On the other hand, the Board of Supervisors has obtained the agreement of the landowner, Charles W. Peters, to provide a comparable site to the applicant for its confinement feeding operation all at no additional expense to the applicant.

In summary, the Board of Supervisors is supportive of the applicant's desire to construct new confinement feeding facilities in Cherokee County. It disapproves adamantly, however, of the site proposed by the applicant in its Construction Permit Application. Furthermore, the Board of Supervisors requests the opportunity to make an oral presentation before the Environmental Protection Commission regarding such disapproval.

Very truly yours,

  
Ryan R. Kolpin

CHEROKEE COUNTY ATTORNEY

RRK

Enclosures: Exhibits "A" - "I"

EXHIBIT "A"

RESOLUTION # 2016-01

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2016 and January 31, 2017 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CHEROKEE COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

*Donna J. Bland*  
Chair, Board of Supervisors

Date: 1-4-2016

ATTEST:  
*Mark W. Hurd*  
County Auditor

Date: 1-4-2016

EXHIBIT "B"  
September 26, 2016

Board of Supervisors  
c/o Cherokee County Auditor  
Dwight H  
Cherokee County Courthouse  
520 W. Main Street  
Cherokee, Iowa 51012

Gentlemen:

My wife, Kerry M. Hurd, and I live on a ten-acre parcel in Section 20 of Sheridan Township.

Our residence at 5165 H Avenue, Cleghorn, is approximately 1,880 feet from the confinement feeding operation structure proposed by Roger Behnenkamp. Furthermore, and more significantly, our open sow yards and our pig nursery are approximately 100 feet closer to the proposed structure than is our residence.

We have a farrowing operation on our acreage from which we sell show pigs and breeding stock as well as bear semen. The presence of the proposed structure would be a biosecurity threat to our operation. Specifically, the presence of feed trucks, of new pig deliveries, and of rendering trucks, all aggravated by frequent south winds, would present a constant threat of disease to our boars, to our sows, and to our pigs.

In fact, our farrowing operation is the totality of our farm business. Hence, our buildings and equipment have been designed specifically for our farrowing operation. The proposed structure also would make our business impossible to sell.

We are not opposed to the proposed confinement feeding operation. We simply are opposed to the proposed location because of its potential devastation of our farm business.

We will appreciate your thoughtful consideration of our concerns as you decide whether or not to approve Roger Behnenkamp's construction permit application.

*Mark W. Hurd*  
Mark W. Hurd  
5165 H Avenue  
Cleghorn, Iowa 51014

EXHIBIT "C"

I've been informed of a possible conflict in the siting of a hog confinement in our area. It appears that legal notice has been put in the local paper and that this site is going to be placed just outside the legal limits of another farm site that also raises hogs, but these hogs are specialized hogs that are sold as show pigs. These show pigs are raised in a set of buildings that could have no other use than the raising of these exceptional, nationally known hogs. They have a value of upwards of 100 times the value of commercially raised hogs. With the proposed proximity of the commercial swine operation and the prevailing winds that regularly occur every summer, the show pig operation, for biosecurity reasons would have no choice but to try to relocate. This would cause undue hardship for the producer and his family. I would hope the owners of the land along with the prospective buyer could find some other suitable site that would be agreeable for all parties involved. This is my hope and I am confident that some other satisfactory site could be found. If it would be of help for me to help everyone come to an alternative, favorable agreement, I would definitely try to help all parties involved come to a more perfect site.

Very truly yours,

Mark Wilcox

Mark Wilcox

EXHIBIT "D"

I'm opposed to the confinement site in section 20 of Sheridan Twp.

This location is too close to a seed stock & show pigs producer, Mark Hard, a hard working young man who will be put out of business if this is built.

Neal Bork

Neal Bork  
707 520<sup>76</sup> 54  
MARCOSS. SA 51035

EXHIBIT "E"

In reference to the proposed construction of two 2400 seed hog confinement units in Section 20 of Section Township, I am opposed to the construction because of the closeness to Mark Hard's buildings of house and hog operations.

Please deny the permit!

Mike Cronin

Mike Cronin  
5022 H Ave  
Cleghorn, IA 51014

EXHIBIT "F"

I'm opposed to the confinement SWE in section 20 of Section Twp. I believe this would put Mark Hard and his S-hog stock business out of business. Mark and his family have established a hard working Seed Stock business and they need the protection against hog confinement moving in on him.

Bryan Peterson

Bryan Peterson  
295 500th St.  
Cleghorn IA 51014

EXHIBIT "G"

I'm opposed to the confinement site scheduled to be built on section 90 of Sheldon Twp. One reason is the location is too close to Mark Hurd a seed stock and show pig producer. The proposed owner isn't from the area and he should be able to build in his area or find a different location not so close to Mark Hurd.

Dale Lundberg  
Patty Lundberg

760-520 TH 87  
CLEBORN, IA, 50114

EXHIBIT "H"

I'm writing in opposition to the proposed hog buildings in section 20 of Sheridan Township. We own land near the site & my son has a very unique hog business north of this site.

He raises breeding stock & show pigs that are worth sometimes 100-500 times more than commercial hogs. He's worth a \$72,000 for 1 boar. He also has a boar stud & lab that produces some very valuable semen for elite producers all around the USA.

His buildings are of no value for commercial hog production. They were built for specialty use & there are none like them anywhere in the area, and very few in the whole USA. If these confinements are allowed to be built his business will lose a minimum of \$20,000 to \$40,000 in value immediately.

It is to be noted that this farm is my son's only means of income. Humid air is what carries most swine diseases & a S.E. wind is always humid & very prevalent in this area. It would be a direct path to his hogs.

How can someone from another county who lives in a town far away buy 3 1/2 acres that close to you & basically destroy your livelihood. Not a word of warning.

We need to keep as many young families in the area as we can. His only mistake was putting his much trust in a neighbor that a whole other story & I could go on for pages, but I'll save that for next week at the hearing.

William D Hurd 4945 K Ave  
William D Hurd Clebourn Iowa 50114

EXHIBIT "I"

Valley Veterinary Center, P.L.C.

Dr. Mark Carlson, Dr. Steve Benson, Dr. Britt Stowater,

Dr. Clayton Riedell, Dr. Jared Bruhni, Dr. Melissa Friedrichsen

908 S. 2<sup>nd</sup> Street, Cherokee, Iowa 51012

Phone: (712) 245-5000 Fax: (712) 245-5253

211 N. Main Street, Hobstein, Iowa 51025

Phone: (712) 368-2211 Fax: (712) 368-2218

Cherokee County Board of Supervisors

520 W. Main St

Cherokee, IA 51012

September 21, 2016

I am writing this letter to comment on the proposed 4800 finishing site in Section 20 of Sheridan Township.

From a biosecurity standpoint, this specific location is a very bad idea. It would be too close to an existing genetic herd, owned by Mark Hurd. Also the predominant South, Southeast summer winds could pick up a very contagious disease and easily carry it to the Hurd site.

The Hurd operation has a boar stud selling semen all over the United States furthering the risk to other pork operations, should his herd become infected. Talk about a mess.

I have been practicing swine medicine in Cherokee County for over 43 years and have seen this scenario happen many times. I would urge Mr. Bohmenkamp to reconsider this proposal. Instead, it would be wise to find another site. Pork producers need to be good neighbors.

Sincerely yours,

*Dr. Mark Carlson D.V.M.*

Dr. Mark Carlson, D.V.M.

Valley Veterinary Center

Cherokee, IA 51012



**CHEROKEE COUNTY ATTORNEY'S OFFICE**  
520 WEST MAIN STREET - DRAWER C  
CHEROKEE, IOWA 51012

TELEPHONE: (712) 225-2835 FAX: (712) 225-6710

RYAN R. KOLPIN, County Attorney [rkolpin@co.cherokee.ia.us](mailto:rkolpin@co.cherokee.ia.us)  
KRISTAL L. PHILLIPS, Assistant County Attorney [kphillips@longlines.com](mailto:kphillips@longlines.com)

November 1, 2016

Chief of the Water Quality Bureau  
Facsimile (515)725-8202

Re: Notice of Intent to file a Demand for Hearing  
RCB Porkers Site, Facility ID #69129  
Cherokee County

To Whom it May Concern:

Pursuant to Iowa Code §459.304 and subrule 567 Iowa Administrative Code (IAC) 65.10(7) the Cherokee County Board of Supervisors hereby notifies that it intends to contest the department's preliminary decision to approve the draft permit in regards to the above referenced matter. The Cherokee Board of Supervisors intends to file a written demand for hearing with the Environmental Protection Commission within the timelines outlined in Iowa Code §459.304 and subrule 567 Iowa Administrative Code (IAC) 65.10(7).

Please do not hesitate to contact me if you have any questions, or if anything further is needed from Cherokee County at this time. Thank you.

Very truly yours,

  
Ryan R. Kolpin  
CHEROKEE COUNTY ATTORNEY

RRK/kh

**Pettiti, Paul [DNR]**

From: Kris Glienke <[kglienke@co.cherokee.ia.us](mailto:kglienke@co.cherokee.ia.us)>  
Sent: Thursday, October 20, 2016 1:40 PM  
To: Pettiti, Paul [DNR]  
Subject: RE: RCB Porkers #69129

Paul -  
Cherokee County has received the draft permit for RCB Porkers #69129 on October 20, 2016.  
Kris





**Kris Glienke**  
Cherokee County Auditor &  
Commissioner of Elections  
Cherokee County Courthouse  
520 West Main - Drawer H  
Cherokee, IA 51012  
Phone (712) 225-6704  
Fax (712) 225-6708  
[kglienke@co.cherokee.ia.us](mailto:kglienke@co.cherokee.ia.us)

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From: Pettiti, Paul [DNR] [<mailto:Paul.Pettiti@dnr.iowa.gov>]  
Sent: Thursday, October 20, 2016 1:25 PM  
To: Kris Glienke <[kglienke@co.cherokee.ia.us](mailto:kglienke@co.cherokee.ia.us)>  
Subject: RE: RCB Porkers #69129

Hi Kris, attached is the draft permit for Roger. Hard copy is in the mail. Could you please respond to this email that you did receive the draft permit and I will use that date as the official receipt date.

thanks

**PAUL PETTITI P.E., ENVIRONMENTAL ENGINEER SENIOR**  
Iowa Department of Natural Resources  
  
P 712-262-4177 | F 712-262-2901 | [paul.pettiti@dnr.iowa.gov](mailto:paul.pettiti@dnr.iowa.gov)  
1900 N Grand Ave, Gateway North, Suite E17, Spencer, IA 51301  
[WWW.IOWADNR.GOV](http://WWW.IOWADNR.GOV)     
*Leading Iowans In Caring for Our Natural Resources.*

From: Kris Glienke [<mailto:kglienke@co.cherokee.ia.us>]  
Sent: Tuesday, October 18, 2016 11:53 AM



TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

STATE OF IOWA  
DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

October 18, 2016

Roger Bohnenkamp  
411 E. 2<sup>nd</sup> Street  
Remsen, IA 51050

RE: Notice of Intent to Issue a Permit for RCB Porkers Site  
Cherokee County, Facility ID #69129

Dear Mr. Bohnenkamp:

The Iowa Department of Natural Resources (IDNR) has made a preliminary determination that your application for a construction permit to build two new swine finishing confinement buildings with beneath the floor deep concrete pits satisfies the legal requirements for issuance of a permit. A draft construction permit for your facility is enclosed.

Iowa Code Section 459.304 allows the Cherokee County Board of Supervisors to contest this decision, as explained in the attached letter. Therefore, the IDNR's intent to issue this permit is not a final decision and you are not authorized to begin construction under the terms of the permit at this time. A final permit will be issued on the 15<sup>th</sup> day following receipt of this notice by Cherokee County unless the County timely submits a facsimile (FAX) notice of intent to file a demand for hearing. If the County submits a notice of intent to file a demand for hearing, you will be notified, and the permit will not be issued until it is affirmed by the Environmental Protection Commission (EPC).

You may contest the conditions of the proposed permit as provided in 567 Iowa Administrative Code 65.10(8). A copy of this subrule is enclosed.

If you have any questions regarding this draft permit, please contact Paul Peititi, PE at paul.peititi@dnr.iowa.gov, 712.262-4177, or our field office directly.

Sincerely,  
FIELD SERVICES AND COMPLIANCE BUREAU

PAUL R. PETITTI, P.E.  
ENVIRONMENTAL ENGINEER SENIOR

c: Cherokee County Board of Supervisors  
Attn: Kris Glienke, Auditor, 520 W. Main, Box H, Cherokee, IA 51012  
Iowa DNR - Field Office #3

Ag1618rc1018-ldr.docx

FIELD OFFICE #3 / 1900 N. Grand / Gateway North, Suite E17 / Spencer, Iowa 51301-2200  
712-262-4177 / FAX 712-262-2901

567 Iowa Administrative Code 65.10(8)

**65.10(8) Applicant's demand for hearing.** The applicant may contest the department's preliminary decision to approve or disapprove an application for permit by filing a written demand for a hearing. The applicant may elect, as part of the written demand for hearing, to have the hearing conducted before the commission pursuant to paragraph 65.10(8)"a," or before an administrative law judge pursuant to paragraph 65.10(8)"b." If no such election is made, the demand for hearing shall be considered to be a request for hearing before the commission. If both the applicant and the county board of supervisors are contesting the department's preliminary decision, the applicant may request that the commission conduct the hearing on a consolidated basis.

*a. Applicant demand for hearing before the commission.* Due to the need for expedited scheduling, the applicant shall, as soon as possible but not later than 14 days following receipt of the department's notice of preliminary decision, notify the chief of the department's water quality bureau by facsimile transmission to (515)725-8202 that the applicant intends to file a demand for hearing. The demand for hearing shall be sent to Director, Department of Natural Resources, Henry A. Wallace Building, 502 East Ninth Street, Des Moines, Iowa 50319, postmarked no later than 30 days following the applicant's receipt of the department's notice of preliminary decision. If the county board of supervisors has filed a demand for hearing, the times for facsimile notification and filing a demand for hearing are extended an additional 3 business days. It is the responsibility of the applicant to communicate with the department to determine if a county demand for hearing has been filed. The demand for hearing shall include a statement setting forth all of the applicant's reasons why the application for permit should be approved or disapproved, including legal briefs and all supporting documentation, and a further statement indicating whether an oral presentation before the commission is requested.

*b. Applicant contested case appeal before an administrative law judge.* The applicant may contest the department's preliminary decision to approve or disapprove an application according to the contested case procedures set forth in 561—Chapter 7; however, if the county board of supervisors has demanded a hearing pursuant to subrule 65.10(7), the applicant shall provide facsimile notification to the department within the time frame set forth in 65.10(8)"a," that the applicant intends to contest the department's preliminary decision according to contested case procedures. In that event, the applicant may request that the hearings be consolidated and conducted as a contested case.

STATE OF IOWA  
DEPARTMENT OF NATURAL RESOURCES  
HENRY A. WALLACE BUILDING  
DES MOINES, IOWA 50319

CONSTRUCTION PERMIT

Issued Date: DRAFT

Permit No: DRAFT

Issued To:

Roger Bohnenkamp  
411 E. 2<sup>nd</sup> Street  
Remsen, IA 51050

File: Agriculture

RE: RCB Porkers Site

Facility ID No.: 69129

In accordance with the provisions of Sections 459.303 and 459.304 and 567 Iowa Administrative Code (IAC) 65.7(455B), the Director of the Department of Natural Resources does hereby issue a construction permit for:

*Two new swine confinement finishing barns (101'10" x 193' x 8' deep) to house 2400 swine finishers each for a new animal feeding operation. The manure control system consists of below the floor deep concrete pits (8' deep). The site is in the SE¼ of Section 20, T92N, R41W, Sheridan Township, Cherokee County, Iowa. The maximum animal unit capacity (AUC), after completion, of the entire operation, confined at one time, shall not exceed 1920 animal units (AU). The total animal capacity of the operation (maximum number of finishing swine to be confined at any one time), after construction, is 4800 head.*

**This permit is issued subject to the following conditions and requirements:**

1. No material change in the construction of this project shall be undertaken unless first authorized by this Department.
2. This construction permit shall expire if the authorized construction is not begun within one year. The construction of this project shall be initiated within one (1) year and completed within four (4) years of the date of issuance of this permit. A new construction permit will be required if construction is not completed within the permitted four years.
3. The design capacity of the manure storage system for the entire swine finishing operation is for a total animal unit capacity of 1920 animal units and a maximum animal capacity, to be confined at any one time, of 4800 head of finishing swine. A new construction permit shall be obtained prior to making any additions or alterations to the manure control system, making any process changes that would materially affect the manure control system, expanding the animal capacity, or increasing the volume of manure.
4. Animals shall not be placed in the new confinement buildings and manure shall not be stored in the new concrete pits until all of the following are satisfied:
  - a) Construction is completed.

b) You submit the necessary certifications (copy enclosed for your use) that the below the floor concrete manure storage pits were:

- Constructed in accordance with the current concrete design standards of 567 IAC-65.15(14);
- Constructed in accordance with the drainage tile removal standards of 567 IAC - 65.15(1) including a report of the findings and actions taken to comply with this subrule; and
- Constructed in accordance with the minimum required separation distances as outlined in 567 IAC 65, Table 6.

c) You must notify this Department's Field Office in Spencer, Iowa, at 712/262-4177 prior to the initial concrete pour for your manure storage pit floors.

d) A drainage tile system has been installed around the base of the manure storage structure (deep pit) or a licensed professional engineer has submitted his/her determination of the average annual high water table at the site which shows that the groundwater table is not above the bottom of the manure storage structure (deep pit) as required in the 567 IAC 65.15(7)"b".

e) A device to allow monitoring of the water in the drainage tile lines installed around the structure to lower the groundwater table and a device to allow shutoff of the drainage tile lines shall be installed if the drainage tile lines do not have a surface outlet accessible on the property where the formed manure storage structure is located.

f) You furnish the completed DNR Well Record Form and a site map showing the as built dimension from the well to the nearest proposed confinement structure.

g) You receive written approval from this Department.

5. If karst terrain (limestone, dolomite, or other soluble rock) is found during excavation of the permitted formed manure storage structure(s), the upgraded concrete standards set forth in 567 IAC 65.15(14)"e", must be followed. Construction of an unformed manure storage structure in karst terrain, as defined in 567 IAC 65.1(455B), is prohibited. The Department must first authorize any design changes to the project, as required in condition 1 of this permit.

6. The Master Matrix evaluation of your application by Cherokee County received on October 4, 2016, includes scores for criteria 7, 12, 17, 19 and 25. The Master Matrix requires that a (design, operation and maintenance) plan for these criteria be included in the application and that compliance with said plan be a condition of the Permit. Briefly stated:

a) Your proposed confinement structure(s) shall be a minimum of two times the required separation distance from a private or public well as listed on the current 567 IAC 65, Table 6. (criterion # 7)

b) You shall build, maintain, and operate the concrete manure storage pit according to your County-approved design, operation, and maintenance plan. (criteria # 12, and 17)

c) You shall build, maintain, and operate the truck turnaround according to your County-approved design, operation, and maintenance plan. (criterion # 19)

d) You shall build, maintain, and operate the manure volume reduction (feeding and watering) systems according to your County approved design, operation, and maintenance plan. (criterion # 25)

11. Dilution water shall not be added to the manure storage structures except during manure emptying operations.
12. Human sanitary wastes (including showers and laundry facilities) shall not be discharged to the manure storage structures.
13. A water use permit is required for the withdrawal or diversion of more than 25,000 gallons of water per day. Water purchased from municipal or rural water systems is excluded. Any future wells shall be located respective of regulated separation distances and installed according to county permit requirements. For more information or to verify permit requirements, contact Jim Neleigh at 515/725-0276.
14. No construction activities shall be initiated unless a NPDES General Permit No 2, for "Storm water discharge associated with construction activities" is obtained from this Department if the site disturbance from all construction activities equals or exceeds one (1) acre. For more information or to verify permit requirements contact Joe Griffin at 515/725-8417.
15. The issuance of this permit in no way relieves you the applicant of the responsibility for complying with all local, state and federal laws, ordinances, regulations and other requirements applying to the construction or operation of this facility.

Pursuant to Iowa Code Section 459.304, you have the right to appeal any condition of this permit as provided in 567 IAC 65.10(8).

Please contact Paul Pettiti, PE at 712/262-4177 with any questions.

For the Department of Natural Resources:

CHUCK GIPP, DIRECTOR

By: \_\_\_\_\_  
ENVIRONMENTAL SERVICES DIVISION

Date: \_\_\_\_\_  
DRAFT

c: Cherokee County Board of Supervisors  
Attn: Kris Gienke, Auditor, 520 W. Main, Box H, Cherokee, IA 51012  
Iowa DNR - Field Office #3

7. The Master Matrix evaluation of your application by Cherokee County received on October 4, 2016, includes scores for criteria 26<sup>d</sup>, 30, 31, 32, 33, 35, 40 and 41. The Master Matrix requires that the limitations or actions you accepted in choosing to receive scores for these criteria must be included as conditions of the Permit. Briefly stated:

- a) The manure produced at this confinement operation shall be injected or incorporated on the same date it is land applied. (criterion # 26 "e")
  - b) An additional separation distance of 200 feet above the minimum requirement shall be maintained during the injection or same date incorporation of manure to the closest residence not owned by the owner of the confinement feeding operation, hospital, nursing home or licensed or registered child care facility. (criterion # 30)
  - c) An additional separation distance of 200 feet above the minimum requirement shall be maintained during the injection or same date incorporation of manure to the closest public use area. (criterion # 31)
  - d) An additional separation distance of 200 feet above the minimum requirement shall be maintained during the injection or same date incorporation of manure to the closest educational institution, religious institution or commercial enterprise. (criterion # 32).
  - e) An additional separation distance of 50 feet above the minimum requirement shall be maintained during the land application of manure to the closest private or public drinking water well. (criterion # 33)
  - f) An additional separation distance of 400 feet above the minimum requirement shall be maintained during the injection or same date incorporation of manure to the closest high quality (HQ) water, high quality resource (HQR) water, or protected water area (PWA). (criterion # 35)
  - g) You shall follow the County approved emergency action plan in the event of an emergency and keep a copy of this plan on site. (criterion # 40)
  - h) The County approved closure plan shall be kept on site and followed in the event the facility is abandoned. (criterion # 41)
8. Prior to entering the winter season, a sufficient volume of manure shall be removed from the manure storage structures to provide adequate volume for storage of manure produced in the livestock production facilities during the winter season.
9. All the manure removed from the manure storage facilities shall be disposed of by land application in accordance with your approved manure management plan. You must also keep your manure management plan current and maintain records sufficient to demonstrate compliance with the plan. A copy of the approved Plan shall be kept within 30 miles of the site in accordance with 567 IAC 65.17(12).

10. Water usage in the confinement facilities that result in dilution of manure entering the manure storage structures shall be minimized.



# STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR  
DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

October 18, 2016

Cherokee County Board of Supervisors  
Attn: Kris Glienke, Auditor  
520 W. Main Street, Box H  
Cherokee, IA 51012

RE: Notice of Intent to Issue a Permit  
RCB Porkers Site, Facility ID #69129  
Cherokee County

Dear Ms. Glienke:

This department has made a preliminary determination that Roger Bohnenkamp has met the legal criteria to be issued a construction permit for two new swine finishing confinement buildings located in the SE 1/4 of the SW 1/4 of Section 20, T92N, R41W, Sheridan Township, Cherokee County, Iowa. A copy of the draft permit is enclosed for your information. The permit would authorize Roger Bohnenkamp to construct the confinement feeding operation structure(s) as described in the draft permit.

Pursuant to Iowa Code Section 459.304 and subrule 567 Iowa Administrative Code (IAC) 65.10(7), the Cherokee County Board of Supervisors may contest the draft permit by filing a timely demand for hearing before the Environmental Protection Commission. The board shall, as soon as possible but not later than fourteen (14) days following receipt of this letter, notify the Chief of the Water Quality Bureau by facsimile transmission at (515) 725-8202 that it intends to file a demand for hearing. The demand for a hearing must also be mailed to the Director, Department of Natural Resources, Henry A. Wallace Building, 502 E. Ninth Street, Des Moines, Iowa, 50319. The mailed demand for hearing shall be postmarked within thirty (30) days following receipt of this letter and accompanied by a statement that provides all the reasons why the permit should not be issued according to the legal requirements of Iowa Code Section 459 "Animal Agriculture Compliance Act" and 567 IAC chapter 65; legal briefs and any other documents to be considered by the commission or a statement indicating that no other documents will be submitted for the commission's consideration; and a statement indicating whether oral argument before the commission is desired. The matter would be heard by the commission at a time and location to be determined by the commission. The commission must render a decision within thirty-five (35) days from the date that the county board of supervisors files a demand for a hearing.

If you have any questions regarding this permit, please contact Paul Pettiti, PE at 712/262-4177.

Sincerely,  
FIELD SERVICES AND COMPLIANCE BUREAU

  
PAUL R. PETTITI, P.E.  
ENVIRONMENTAL ENGINEER SENIOR

c: Roger Bohnenkamp, Owner  
Iowa DNR - Field Office #3

FIELD OFFICE #3 / 1900 N. Grand / Gateway North, Suite E17 / Spencer, Iowa 51301-2200  
712-262-4177 / FAX 712-262-2901

Cherokee County  
Board of  
Supervisors



Dennis Bush  
Chairman  
Rick Mangjan  
Vice Chairman

Jeff Simonsen  
Garry Lundquist  
Jim Peck

Phone:  
(712) 225-6706  
Fax:  
(712) 225-6708

Kris Glienke  
Check Auditor  
520 W. Main Street  
Spencer, IA  
Cherokee, IA 51012  
Email:  
kglienke@dnr.iowa.gov

Iowa Department of Natural Resources  
1900 North Grand Avenue  
Gateway North Mall, Suite E17  
Spencer, Iowa 51301  
712-262-4177 712-262-2901 Fax

Re: Master Matrix - RCB Porkers Site #69129  
Attention: Paul Pettiti, IDNR Field Services and Compliance Bureau

### Cherokee County Master Matrix Scoring & Recommendation

The Cherokee County Board of Supervisors has reviewed the Master Matrix and Construction Permit Application for RCB Porkers Site in Section 20 of Sheridan Township.

Public Notice was published on September 14, 2016 and the proof of publication is attached.

Matrix as scored by Cherokee County = 440 points/ **Passing** / Failing

The County scored matrix is attached with justifications if totals are different from those submitted by the applicant.

Supplemental letters or documentation is being sent to DNR.  3 letters already submitted

Upon review and inspection of the construction site and documents provided, the Cherokee County Board of Supervisors recommends the construction permit application be **Approved** // **Disapproved**.

### Comments or Reason for Disapproval:

Location is unsuitable in our opinion because of the biosecurity risk to a high value seed stock and show animal operation.

Signed:  Date: 10/4/2016

Chairman

RCB Porkers  
Facility #69129

Matrix Criterion	Score	Air	Water	Community
1	0.00			
2	30.00	12.00		18.00
3	30.00	12.00		18.00
4	20.00		20.00	
5	0.00			
6	10.00	4.00		6.00
7	30.00		24.00	6.00
8	50.00	5.00	25.00	20.00
9	0.00			
10	30.00		22.50	7.50
11	0.00			
12	30.00	27.00		3.00
13	0.00			
14	0.00			
15	0.00			
16	0.00			
17	30.00		27.00	3.00
18	0.00			
19	20.00			20.00
20	30.00			30.00
21	0.00			
22	0.00			
23	0.00			
24	20.00			20.00
25	25.00		12.50	12.50
26	30.00	12.00	12.00	6.00
27	0.00			
28	0.00			
29	0.00			
30	5.00	3.25		1.75
31	5.00	2.00		3.00
32	5.00	2.00		3.00
33	10.00		8.00	2.00
34	0.00			
35	10.00		7.50	2.50
36	0.00			
37	0.00			
38	0.00			
39	10.00			10.00
40	5.00		2.50	2.50
41	5.00		2.50	2.50
42	0.00			
43	0.00			
44	0.00			
Totals	440.00	76.25	163.50	197.25
Score Required to Pass	440.00	53.38	67.75	101.13

Prepared by Cherokee County

# CHRONICLE TIMES

## PROOF OF PUBLICATION

State of Iowa, Cherokee County, ss

I, Judy Barnable, being duly sworn, do state and each that I am the Business Manager of the Chronicle Times, a newspaper printed and published in Cherokee, Cherokee County, State of Iowa, and issued week days and that the annexed printed notice was regularly published in said newspaper once each week for 1 consecutive weeks the first publication thereof being on the 14th day of Sept A.D. 2016, and the succeeding publication thereof on the same day of the week as the first publication

Business Manager

Judy Barnable  
Subscribed and sworn to before me, Judy Barnable above named, at Le Mars, in said county, this 14th day of Sept A.D. 2016.

Judy Barnable  
Notary Public in and for said County

Printer's Fee \$ 18.38

18  
0100 0900 400 01  
DNR Matrix R Bohnenkamp



4714

### PUBLIC NOTICE

The Cherokee County Board of Supervisors hereby permit application for a confinement feeding operation, more specifically described as follows:

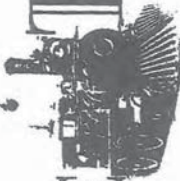
Name of Applicant: Roger Bohnenkamp  
Location of the proposed construction: Section 20 of Township 11 North, Range 10 West  
Type of confinement feeding operation structure proposed: Two new separate confinement buildings for a new swine confinement facility.

Animal Unit Capacity of the operation after Construction: 1920 animal units. (1900 head of finishing swine)

Examination: The application is on file at the County Auditor's Office and is available for public inspection during the following days: Monday through Friday and hours: 8:00 a.m. to 4:00 p.m.

Written comments may be filed at the County Auditor's Office, West Main Street, Le Mars, Iowa, IA 51012 until the following deadline: September 20, 2016.

# CHRONICLE TIMES



September 26, 2016

Board of Supervisors  
c/o Cherokee County Auditor  
Drawer H  
Cherokee County Courthouse  
520 W. Main Street  
Cherokee, Iowa 51012

Gentlemen:

My wife, Kerry M. Hurd, and I live on a ten-acre parcel in Section 20 of Sheridan Township.

Our residence at 5165 H Avenue, Cleghorn, is approximately 1,880 feet from the confinement feeding operation structure proposed by Roger Bohnenkamp. Furthermore, and more significantly, our open sow yards and our pig nursery are approximately 100 feet closer to the proposed structure than is our residence.

We have a farrowing operation on our acreage from which we sell show pigs and breeding stock as well as boar semen. The presence of the proposed structure would be a biosecurity threat to our operation. Specifically, the presence of feed trucks, of new pig deliveries, and of rendering trucks, all aggravated by frequent south winds, would present a constant threat of disease to our boars, to our sows, and to our pigs.

In fact, our farrowing operation is the totality of our farm business. Hence, our buildings and equipment have been designed specifically for our farrowing operation. The proposed structure also would make our business impossible to sell.

We are not opposed to the proposed confinement feeding operation. We simply are opposed to the proposed location because of its potential devastation of our farm business.

We will appreciate your thoughtful consideration of our concerns as you decide whether or not to approve Roger Bohnenkamp's construction permit application.

*Mark W. Hurd*  
Mark W. Hurd  
5165 H Avenue  
Cleghorn, Iowa 51014

## PROOF OF PUBLICATION

State of Iowa, Cherokee County, ss

I, Judy Barnable, being duly sworn, do state and each that I am the Business Manager of the Chronicle Times, a newspaper printed and published in Cherokee, Cherokee County, State of Iowa, and issued week days and that the annexed printed notice was regularly published in said newspaper once each week for \_\_\_\_\_ consecutive weeks the first publication thereof being on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, and the succeeding publication thereof on the same day of the week as the first publication

Business Manager

*Judy Barnable*  
Subscribed and sworn to before me, Judy Barnable above named, at Le Mars, in said county, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_.

*Lucy Beck*  
Notary Public in and for said County

Printer's Fees \$ 20.32



01000 09000 400 01  
Matrix Hearing/RcB Forkers

### PUBLIC HEARING NOTICE

The Cherokee County Board of Supervisors will hold a public hearing Tuesday, October 4, 2016 at 9:00 a.m. in the Supervisors' Room, at the Courthouse, Cherokee, Iowa, for a construction permit application for a confinement feeding operation. All interested parties are welcome to attend the Board of Supervisors.

The construction permit being described as follows:

Name of Applicant: Roger Bohnenkamp  
Location of the proposed construction: Section 20 of Sheridan Township  
Type of operation: Confinement feeding operation structure proposed  
Two new 2400 head clean air swine finisher confinement buildings (one will contain an Animal Unit Capacity of the Operation after Construction of 1920 animals, (600 head of finishing swine).

Examination: The application is on file in the Office and is available for public inspection during the following days: Monday through Friday from 8:00 a.m. to 4:30 p.m.

I've been informed of a possible conflict in the siting of a hog confinement in our area. It appears that legal notice has been put in the local paper and that this site is going to be placed just outside the legal limits of another farm site that also raises hogs, but these hogs are specialized hogs that are sold as show pigs. These show pigs are raised in a set of buildings that could have no other use than the raising of these exceptional, nationally known hogs. They have a value of upwards of 100 times the value of commercially raised hogs. With the proposed proximity of the commercial swine operation and the prevailing winds that regularly occur every summer, the show pig operation, for biosecurity reasons would have no choice but to try to relocate. This would cause undue hardship for the producer and his family. I would hope the owners of the land along with the prospective buyer could find some other suitable site that would be agreeable for all parties involved. This is my hope and I am confident that some other satisfactory site could be found. If it would be of help for me to help everyone come to an alternative, favorable agreement, I would definitely try to help all parties involved come to a more perfect site.

Very truly yours,

Mark Wilcox

Mark Wilcox

I'm opposed to the confinement  
site in section 20 of Sheridan Twp.  
This location is too close to a seed  
stock & show pig producer, Mark  
Hurd, & a hard working young man  
who will be put out of business if  
this is built.

Neal Bork

Neal Bork

707 520<sup>76</sup> 57

MARCUS, IA 51035



In reference to the proposed construction of two 2400 seed hog confinement units in Section 20 of Sheridan Township, I am opposed to the construction because of the closeness to Mark Hard's building of home and site of his hog operation.

Please deny the permit!

Mike Cronin

Mike Cronin  
5022 H Ave  
Cleghorn, IA 51014

I'm opposed to the confinement site in section 20 of Section Twp. I believe this would put Mark Hard and his Shaw Stock business out of business. Mark and his family have established a hard working Seed Stock business and they need the protection against hog confinements moving in on him.

Bryan Petersen  
795 500th St.  
Cleghorn IA 51014

I'm opposed to the confinement site scheduled to be built on section 30 of Sheldon Twp. One reason is the location is too close to Mark Hurd a seed stock and show pig producer. The proposed owner isn't from this area and he should be able to build in his area or find a different location not so close to Mark Hurd.

Dale Lunder  
Patty Lunder

760-520 TH 87  
CLEHORN, IA. 5014

I'm writing in opposition to the proposed hog buildings in section 20 of Sheridan Township. We own land near the site & my son has a very unique hog business north of this site.

He raises breeding stock & show pigs that are worth sometimes 100 - 500 times more than commercial hogs. As much as \$72,000 for 1 boar. He also has a boar stud & lab that produces some very valuable semen for elite producers all around the USA.

His buildings are of no value for commercial hog production. They were built for specialty use & there are none like them anywhere in the area, and very few in the whole USA. If these confinements are allowed to be built his business will lose a minimum of \$200,000 to \$400,000 in value immediately. This is a site. This farm is my son's only means of income.

Humid air is what carries most swine diseases & a S.E. wind is always humid & very prevalent in this area. It would be a direct path to his hogs.

How can someone from another county who lives in a town far away buy 3 1/2 acres that close to you & basically destroy your livelihood. Not a word of warning.

We need to keep as many young families in the area as we can. This only mistake was putting too much trust in a neighbor. That's a whole other story & I could go on for pages, but I'll save that for next week at the hearing.

William D Hurd 4945 K Ave  
William D Hurd Cleghorn Iowa 5014

**Valley Veterinary Center, P.L.C.**

Dr. Mark Carlson, Dr. Steve Benson, Dr. Britt Stowater,

Dr. Clayton Riedell, Dr. Jared Bruhn, Dr. Melissa Friedrichsen

908 S. 2<sup>nd</sup> Street, Cherokee, Iowa 51012  
 Phone: (712) 225-5200 Fax: (712) 225-5253  
 211 N. Main Street, Holstein, Iowa 51025  
 Phone: (712) 368-2211 Fax: (712) 368-2218

Cherokee County Board of Supervisors  
 520 W. Main St  
 Cherokee, IA 51012  
 September 21, 2016

I am writing this letter to comment on the proposed 4800 finishing site in Section 20 of Sheridan Township.

From a biosecurity standpoint, this specific location is a very bad idea. It would be too close to an existing genetic herd, owned by Mark Hurd. Also the predominant South, Southeast summer winds could pick up a very contagious disease and easily carry it to the Hurd site.

The Hurd operation has a boar stud selling semen all over the United States furthering the risk to other pork operations, should his herd become infected. Talk about a mess.

I have been practicing swine medicine in Cherokee County for over 43 years and have seen this scenario happen many times. I would urge Mr. Bohnenkamp to reconsider this proposal. Instead, it would be wise to find another site. Pork producers need to be good neighbors.

Sincerely yours,

*Dr. Mark Carlson*

Dr. Mark Carlson, D.V.M.  
 Valley Veterinary Center  
 Cherokee, IA 51012

**IOWA DEPARTMENT OF NATURAL RESOURCES  
 ENVIRONMENTAL SERVICES DIVISION  
 Field Office 3, Spencer  
 AFO Site Survey Report**

**TO: Paul Pettiti** Facility Name: RCB Porkers ID #: 69129 Facility Owner: Roger Bohenkamp  
 Location: 825 520<sup>th</sup> St. Cleghorn, Section 20, Sheridan Township, Cherokee County, Iowa  
 Animal Species: Swine Expansion? No - if yes, previous construction date(s):  
 AUC: 1920 and/or AWC: lbs  
 MMP - Approval Date: 9/8/16 or Disapproval Date:  
 Investigation Date: 9/9/16 Date Emailed to Central Office: 9/14/16  
 Persons Contacted: Roger Bohenkamp

**TABLE 6 - STRUCTURE SEPARATION DISTANCE REQUIREMENTS AND OBSERVATIONS (FT)**

Type of Structure	Residences, Businesses, Churches, Schools (Unincorporated & Incorporated Areas)	Public use areas	Major water sources <sup>1</sup> , wellhead, cistern of ag drainage well, known sinkhole	Water sources <sup>2</sup>	Designated wetlands	Right-of-way of a thoroughfare maintained by a political subdivision
Confinement buildings...						
REQUIREMENTS	1875 - 2500	2500	1000	500	2500	100
OBSERVATIONS	>1875 - >2500	>2500	>1000	>500	>2500	>100

<sup>1</sup> Residences not owned by the owner of the animal feeding operation.  
<sup>2</sup> Excluding farm ponds, privately owned lakes, or when a secondary containment barrier (SCB) is provided.

**ALL AFOs - WELL SEPARATION DISTANCES REQUIREMENTS (REQ) AND OBSERVATIONS (OBS) (FT)**

Type of Structure	Public well REQ		Public well OBS		Private well REQ		Private well OBS	
	Shallow	Deep	Shallow	Deep	Shallow	Deep	Shallow	Deep
N/A	1000	400			400	400		
Confinement building	200	100	>200	>100	200	100	>200	>100

This proposed facility as submitted by the responsible party appears to comply with the siting requirements of Chapter 459 of the Code of Iowa and Chapter 567 IAC 65. On-site observations and/or measurements document compliance with the siting requirements for this proposed facility.

Constructing a new 4,800 head swine finisher site. There were no major errors with the MMP or the Master Matrix. Kim with Tucker Consulting created the MMP and Matrix for the site. There are several fields in the MMP with soil samples which are expiring. These fields will be sampled in the fall. There were points taken in the Matrix for well separation distance.

Therefore, a deep well will be drilled 205' east of the buildings in the crop field. An easement is in place for this well to be drilled. The person who owns this field (Charles Peters) also owns all the fields which manure will be applied on in the current MMP. There is no rural water backup. There were no issues with separation distances or the permit application. Lois Benson confirmed the grass waterway behind the proposed location is not channelized and thereby, not a water source by definition.

*Michelle Sabatini*

**SPECIALIST:** Michelle Sabatini **DATE:** 9/13/2016 **REVIEWER:** Cindy Markens **DATE:** 9/13/2016

Ag16/18rc091.4-req.docx

THIS REPORT IS FINAL AND HAS NOT BEEN ALTERED ELECTRONICALLY.

Rev. 06/25/14

**Pettiti, Paul [DNR]**

**From:** Book, Kelli [DNR]  
**Sent:** Wednesday, September 07, 2016 8:21 AM  
**To:** Pettiti, Paul [DNR]  
**Subject:** RE: RCB Porkers, #69129

Nothing for Mr. Bohnenkamp. Kelli

**From:** Pettiti, Paul [DNR]  
**Sent:** Wednesday, September 07, 2016 8:17 AM  
**To:** Book, Kelli [DNR] <Kelli.Book@dnr.iowa.gov>  
**Subject:** RCB Porkers, #69129

Hi Kelli, any pending enforcement actions against a Roger Bohnenkamp of Remsen?  
thanks

**PAUL PETTITI P.E., ENVIRONMENTAL ENGINEER SENIOR**

Iowa Department of Natural Resources  
P 712-262-4177 | F 712-262-2901 | paul.pettiti@dnr.iowa.gov  
1900 N Grand Ave, Gateway North, Suite E17, Spencer, IA 51301

**WWW.IOWADNR.GOV**

Leading Iowans in Caring for Our Natural Resources.



Please staple check here



## Iowa Department of Natural Resources

### Construction Permit Application Form Confinement Feeding Operations

#### INSTRUCTIONS:

Prior to constructing, installing, modifying or expanding a confinement feeding operation structure<sup>1</sup>, answer questions 1-9 on Item 3, Section A (page 2), to determine if a construction permit is required. To calculate the animal unit capacity (AUC) of the operation, complete Table 1 (page 4). If a construction permit is required, complete the rest of the form, have the applicant(s) sign it on pages 5 and 6. Mail to the DNR (see address on page 5) this application form, documents and fees requested in Checklist No. 1 or 2 (pages 10-16). See item 5 (page 5), to determine which checklist to use. If a construction permit is not needed, some pre-construction requirements may still apply prior to the construction of a formed manure storage structure<sup>2</sup>. See page 5 for additional DNR contact information.

#### THIS APPLICATION IS FOR:

- A new confinement feeding operation
- An existing confinement feeding operation (answer all of the following questions):
  - Facility ID No. (5 digit number): 69129
  - Date when the operation was first constructed: \_\_\_\_\_
  - Date when the last construction, expansion or modification was completed: SEP 4 2016  
(Not needed if the confinement operation has previously received a construction permit from DNR.)
  - Is this also an ownership change?  Yes  No

RECEIVED

IOWA DNR  
FIELD OFFICE 3

#### ITEM 1 - LOCATION AND CONTACT INFORMATION (See page 17 for instructions and an example):

A) Name of operation: RCB Porkers  
Location: SE SW ZO T92N R41W Sheridan Cherokee  
(1/4 1/4) (Section) (Tier & Range) (Name of Township) (County)

B) Applicant information:  
Name: Roger Bohnenkamp Title: Owner  
Address: 411 E. 2nd Street Remsen, IA 51050  
Telephone: 712-548-3211 Fax: \_\_\_\_\_ Email: kayb@midlands.net

C) Person to contact with questions about this application (if different than applicant):  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Enclose aerial photo or engineering drawing showing the proposed location of the confinement feeding operation structure<sup>1</sup> and all applicable separation distances, as requested in Attachment 1 (pages 11 or 14). See example of aerial photo on pages 18 to 19, at the end of this form.

I manage or am the majority owner of another confinement feeding operation located within 2,500 feet of the proposed site. Please contact the DNR-AFO Program staff at (712) 262-4177 to verify site adjacency requirements.

<sup>1</sup> Confinement feeding operation structure = federal feeding operation structure (confinement building, manure storage structure or egg washwater storage structure) that is part of a confinement feeding operation. Manure storage structures include formed and unformed manure storage structures.

<sup>2</sup> Formed manure storage structure = covered or uncovered concrete or steel tanks, and concrete pile below the building.

**ITEM 2 – SITING INFORMATION:**

- A) Karst Determination: Go to [www.lovadnr.gov](http://www.lovadnr.gov), select the link to 'Environment, click on Mapping & GIS,' then click on 'AFO Siting Atlas' link. Click on the red push pin icon to enter a legal description of the proposed location. Make sure the karst box is checked in the left legend. If you cannot access the map, or if you have questions about this issue, contact the AFO Engineer at (712) 262-4177. Check one of the following:
- The site is not in karst or potential karst. Print and enclose the map with the name and location of the site clearly marked.
  - The site is in karst. The upgraded concrete standards of 567 IAC 65.15(14)"c" must be used. Refer to "Applicant's Submittal Checklist" on page 10 for karst documentation.

- B) Alluvial Soils Determination: Go to [www.lovadnr.gov](http://www.lovadnr.gov), select the link to 'Environment, click on Mapping & GIS,' then click on 'AFO Siting Atlas' link. Click on the red push pin icon to enter a legal description of the proposed location. Make sure the alluvial box is checked in the left legend. If you cannot access the map, or if you have questions about this issue, contact DNR Flood Plain at (866) 849-0321. Check one of the following:
- The site is not in alluvial soils. Print and enclose the map with the name and location of the site clearly marked.
  - The site is in alluvial soils. You will need to submit a request for a flood plain determination from DNR Flood Plain (866) 849-0321. After receiving determination submit one of the following:
    - Not in 100-year floodplain or does not require a flood plain permit. Include correspondence from the DNR Flood Plain Section.
    - Requires flood plain permit. Include flood plain permit.
    - Documentation has been submitted to determine site is not in alluvial soils. Refer to "Applicant's Submittal Checklist" on page 10 for alluvial soils documentation.

**ITEM 3 – OPERATION INFORMATION:**

- A) A construction permit is required prior to any of the following:
- Constructing or modifying any unformed manure storage structure<sup>3</sup>, or constructing or modifying a confinement building that uses an unformed manure storage structure<sup>3</sup>.
  - Constructing, installing or modifying a confinement building or a formed manure storage structure<sup>2</sup> at a confinement feeding operation if after construction, installation or expansion, the AUC of the operation is 1,000 animal units (AU) or more. This also applies to confinement feeding operations that store manure exclusively in a dry form.
  - Initiating a change that would result in an increase in the volume of manure or a modification in the manner in which manure is stored in any unformed manure storage structure<sup>3</sup>, even if no construction or physical alteration is necessary. Increases in the volume of manure due to an increase in animal capacity, animal weight capacity or AUC up to the limits specified in a previously issued construction permit do not require a new construction permit.
  - Initiating a change, even if no construction or physical alteration is necessary, that would result in an increase in the volume of manure or a modification in the manner in which manure is stored in a formed manure storage structure<sup>2</sup>. If, after the change, the AUC of the operation is 1,000 AU or more. Increases in the volume of manure due to an increase in animal capacity, animal weight capacity or AUC up to the limits specified in a previously issued construction permit do not require a new construction permit.
  - Constructing or modifying any egg washwater storage structure or a confinement building at a confinement feeding operation that includes an egg washwater storage structure.
  - Initiating a change that would result in an increase in the volume of egg washwater or a modification in the manner in which egg washwater is stored, even if no construction or physical alteration is necessary. Increases in the volume of egg washwater due to an increase in animal capacity, animal weight capacity or AUC up to the limits specified in a previously issued construction permit do not require a new construction permit.
  - Repopulating a confinement feeding operation if it was closed for 24 months or more and if any of the following apply:
    - The confinement feeding operation uses an unformed manure storage structure<sup>3</sup> or egg washwater storage structure;
    - The confinement feeding operation includes only confinement buildings and formed manure storage structures<sup>2</sup> and has an AUC of 1,000 AU or more.
  - Installing a permanent manure transfer piping system, unless the department determines that a construction permit is not required.

<sup>3</sup> Unformed manure storage structure – covered or uncovered anaerobic lagoon, earthen manure storage basin, aerobic earthen structure.

- B) In your own words, describe in detail, the proposed construction, expansion, installation, modification or repair being proposed in this project. (Must be completed) Attach additional pages if necessary:

Two 101'X193'X8' deep formed concrete pits underground with two 101'X193' hog finisher buildings

- C) **Master Matrix (must check one)**. If any of boxes 1 to 3 are checked, the operation is required to be evaluated with the master matrix if the county, where the confinement feeding operation structure<sup>1</sup> is or would be located, has adopted a 'Construction Evaluation Resolution' (CER). Select the one that best describes your confinement feeding operation:

- A new confinement feeding operation proposed in a county that has adopted a CER.
- An existing operation constructed on or after April 1, 2002, in a county that has adopted a CER.
- An existing operation constructed prior to April 1, 2002, with a current or proposed AUC of 1,667 AU or more, in a county that has adopted a CER.
- None of the above. Therefore, the master matrix evaluation is not required.

- D) **Qualified Operation (must check one)**. If any of boxes 1 to 4 are checked, the operation is also a 'qualified operation'. A qualified operation is required to use a manure storage structure that employs bacterial action which is maintained by the utilization of air or oxygen, and which shall include aeration equipment. However, this requirement does not apply if box 5 is checked. Select the one that best describes your confinement feeding operation:

- A swine farrowing and gestating operation with an AUC of 2,500 AU or more.
- A swine farrow-to-finish operation with an AUC of 5,400 AU or more.
- A cattle confinement feeding operation (including dairies) with an AUC of 8,500 AU or more.
- Other confinement feeding operations with an AUC of 5,333 AU or more.
- This is not a qualified operation because:
  - a.  It is below the limits shown on boxes 1 to 4.
  - b.  It includes a confinement feeding operation structure<sup>1</sup> constructed prior to May 31, 1995.
  - c.  It handles manure exclusively in a dry form (poultry).

**ITEM 4 – ANIMAL UNIT CAPACITY (AUC) and, if applicable, ANIMAL WEIGHT CAPACITY (AWC):**  
**A) Calculating AUC – Required for all operations**

For each animal species, multiply the maximum number of animals that you would ever confine at one time by the appropriate factor, then add all AU together on Table 1 (page 4). Use the maximum market weight for the appropriate animal species to select the AU factor.

You must complete all applicable columns in Table 1. Use column a) to calculate the existing AUC, before permit for existing operations only. Use column b) to calculate the "Total proposed AUC" (after a permit is issued) including new operations. The number obtained in column b) is the AUC of the operation and must be used to determine permit requirements. Use column c) to calculate the "New AU" to be added to an existing operation. To calculate the indemnity fee (see page 7), also use column c), however, if the "Existing AUC" (column a) is 500 AU or less, enter the "Total proposed AUC" (column b) in the "New AU" (column c).

In calculating the AUC of a confinement feeding operation, you must include the AUC of all confinement buildings which are part of the confinement feeding operation, unless a confinement building has been abandoned. A confinement feeding operation structure<sup>1</sup> is abandoned if the confinement feeding operation structure<sup>1</sup> has been razed, removed from the site of a confinement feeding operation, filled in with earth, or converted to uses other than a confinement feeding operation structure<sup>1</sup> so that it cannot be used as a confinement feeding operation structure<sup>1</sup> without significant reconstruction. Therefore, in Table 1, enter the animal unit capacity of all the confinement buildings, including those that are from an "adjacent" operation located within 2,500 feet. For more information, contact the AFO Program at (712) 262-4177.

**ITEM 5 - SUBMITTAL REQUIREMENTS** Checklists No. 1 or 2 (pages 10-16) describe the submittal requirements, which are based on the type of confinement/feeding operation structure<sup>1</sup> and AUC proposed. To determine which checklist to use, choose the option that best describes your confinement feeding operation:

- A)  **Formed manure storage structures<sup>2</sup>**: The proposed confinement feeding operation structure<sup>1</sup> will be or will use a formed manure storage structure<sup>2</sup>. Check one of the following boxes:
1.  A swine farrowing and gestating operation with an AUC of 1,250 AU or more. Use submittal checklist No. 2 (page 13).
  2.  A swine farrow-to-finish operation with an AUC of 2,750 AU or more. Use submittal checklist No. 2 (page 13).
  3.  A cattle confinement feeding operation (including dairies) with an AUC of 4,000 AU or more. Use submittal checklist No. 2 (page 13).
  4.  Other confinement feeding operations with an AUC of 3,000 AU or more. Use submittal checklist No. 2 (page 13).
  5.  None of the above. Use Submittal Checklist No. 1 (page 10).

If any of boxes 1 to 4 are checked, the operation meets the threshold requirements for an engineer<sup>4</sup> and a Professional Engineer (PE), licensed in Iowa, is required. For these cases, use Submittal Checklist No. 2 (pages 13-15).

If you checked box 5, your operation is below threshold requirements for an engineer<sup>4</sup> and a Professional Engineer (PE) is not required. Use Submittal Checklist No. 1 (pages 10-12).

B)  **Unformed manure storage structures<sup>2</sup>**: The proposed confinement feeding operation structure<sup>1</sup> will be or will use an unformed manure storage structure<sup>2</sup> or an egg wastewater storage structure. A Professional Engineer (PE) licensed in Iowa must design and sign the engineering documents for any size of operation. Use Submittal Checklist No. 2 (pages 13-15) and Addendum 'A' (page 16).

**ITEM 6 - SIGNATURE:**

I hereby certify that the information contained in this application is complete and accurate.

Signature of Applicant(s): Roger Bohmenkamp Date: 8-19-16

**MAILING INSTRUCTIONS:**

To expedite the application process, follow the submittal requirements explained in Checklist No. 1 or 2 (pages 10 to 16), whichever applies. Page 1 of this form should be the first page of the package. Mail all documents and fees to:

Iowa DNR  
 AFO Program  
 1900 N Grand Ave  
 Gateway North, Ste E17  
 Spencer, IA 51301

(Note: Incomplete applications will be returned to the sender.)

**Questions**

Questions about construction permit requirements or regarding this form should be directed to an engineer of the animal feeding operations (AFO) Program at (712) 262-4177. To contact the appropriate DNR Field Office, go to <http://www.iowadnr.gov/insideDNR/DNRSafieldices/Environmenta/FieldOffices.aspx>.

<sup>4</sup> Threshold requirements for an engineer apply to the construction of a formed manure storage structure<sup>2</sup>. Operations that meet or exceed the threshold requirements for an engineer are required to submit engineering documents signed by a professional engineer licensed in the state of Iowa. Please refer to Checklist No. 2 (pages 13 to 15).  
 DNR Form 542-3428  
 02/2012 cont.

**ITEM 7**

**Interested Parties Form**

**Confinement Feeding Operation**

Interest means ownership of a confinement feeding operation as a sole proprietor or a 10 percent or more ownership interest held by a person in a confinement feeding operation as a joint tenant, tenant in common, shareholder, partner, member, beneficiary or other equity interest holder. Ownership interest is an interest when it is held either directly or indirectly through a spouse or dependent child, or both.

**INSTRUCTIONS:**

Please list all persons (including corporations, partnerships, etc.) who have an interest in any part of the confinement feeding operation covered by this permit application.

Full Name	Address	City/State	Zip
Roger Bohmenkamp	411 E. 2 <sup>nd</sup> Street	Remsen, IA	51050

For each name above, please list below all other confinement feeding operations in Iowa in which that person has an interest. Check box "None", below, if there are no other confinement feeding operations in Iowa in which the above listed person(s) has or have an interest.

Operation Name	Location (1/4, 1/4, 1/4, Section, Tier, Range, Township, County)	City
<input type="checkbox"/> None [There are no other confinements in Iowa in which the above listed person(s) has or have an interest.]		
Andrew Melontree "Tree" #89	NW, SW 1/4 Sec. 21 T93N, R42W Marcus, Cherokee	Marcus

I hereby certify that the information provided on this form is complete and accurate.

Signature of Applicant(s): Roger Bohmenkamp Date: 8-19-16

ITEM B

Manure Storage Indemnity Fee Form  
for Construction Permits

CASHER'S USE ONLY  
0474-542-473A-0431  
Facility ID #  
County

Credit fees to: Roger Bohnenkamp  
Name of operation: RCB Porkers

INSTRUCTIONS:

- Use the "Total Proposed AUC" from column b), Table 1 (page 4), to select the appropriate fee line in the table below. The "Total Proposed AUC" is the AUC of the operation.
- Select the animal specie and row number (see examples). Enter the "New AU" from column c), Table 1 (page 4). The "New AU" is the number of AU to be added to an existing operation or being proposed with a new operation. **Note:** If the "Existing AUC" (column a) is 500 AU or less, enter the "Total proposed AUC" (column b) in "New AU" (column c).
- Multiply the "New AU" by the appropriate "Fee per AU". The resulting number is the indemnity fee due.
  - Example 1:** An existing swine operation is expanding from an "Existing AUC" of 1,000 AU to a "Total Proposed AUC" of 1,800 AU, and has previously paid an indemnity fee for the existing 1,000 AU. Calculate the indemnity fee as follows: The "Total Proposed AUC" is between 1,000 AU and 3,000 AU; the animal specie is other than poultry; enter 800 AU in the "New AU" column, row 4, and multiply it by \$ 0.15:  
 $(800 \text{ AU}) \times (\$ 0.15 \text{ per AU}) = \$ 120.00$
  - Example 2:** An existing poultry operation is expanding from an "Existing AUC" of 250 AU to a "Total Proposed AUC" of 2,000 AU and has not paid the indemnity fee for animals housed in the existing buildings. Calculate the indemnity fee as follows: The "Total Proposed AUC" is between 1,000 AU and 3,000 AU; the animal specie is poultry and the indemnity fee has not previously been paid, enter 2,000 AU in the "New AU" column on row 3, and multiply it by \$0.06:  
 $(2,000 \text{ AU}) \times (\$ 0.06 \text{ per AU}) = \$ 120.00$
  - Example 3:** If you are proposing a new swine confinement feeding operation with a "Total Proposed AUC" of 3,500 AU, enter 3,500 AU in the "New AU" column, row 6 and multiply it by \$ 0.20:  
 $(3,500 \text{ AU}) \times (\$ 0.20 \text{ per AU}) = \$ 700.00$
  - Example 4:** If you are applying for a construction permit but you are not increasing the AUC of the operation, and has previously paid the applicable indemnity for the animals housed in the existing buildings, there is no indemnity fee due (\$ 0.00). If no indemnity fee is due, do not submit this page.

Indemnity Fee Table:

Total Proposed AUC - (After permit) from column b), Table 1	Row	Animal species	New AU - from column c), Table 1	x	Fee per AU	Indemnity Fee
Less than 1,000 AU	1	Poultry		x	\$ 0.04 =	
	2	Other		x	\$ 0.10 =	
1,000 AU or more to less than 3,000 AU	3	Poultry		x	\$ 0.06 =	
	4	Other	1920	x	\$ 0.15 =	\$288.00
3,000 AU or more	5	Poultry		x	\$ 0.08 =	
	6	Other		x	\$ 0.20 =	

ITEM B (Cont.)

Filing Fees Form  
for Construction Permits

CASHER'S USE ONLY  
0473-542-473A-0431  
Facility ID #  
County

Credit fees to: Roger Bohnenkamp  
Name of operation: RCB Porkers

INSTRUCTIONS:

- If the operation is applying for a construction permit enclose a payment for the following:
  - Construction application fee \$ 250.00.  
(Note: This fee is non-refundable)
- A manure management plan must be submitted and you must also pay the following:
  - Manure management plan filing fee \$ 250.00  
(Note: This fee is non-refundable)
- Total filing fees: Add the fees paid in items 1 and 2 (above): \$ 500.00

SUMMARY:

- Manure Storage Indemnity Fee (see previous page) to be deposited in the Manure Storage Indemnity Fee Fund (474)	\$ 288.00
- Total filing fees (see item 3 on this page) to be deposited in the Animal Agriculture Compliance Fund (473)	\$ 500.00
<b>TOTAL DUE:</b>	<b>\$ 788.00</b>

- Make check payable to: Iowa Department of Natural Resources or Iowa DNR; and send it along with the construction application documents (See submittal checklist No. 1 or 2, pages 10-15.) Note: Do not send this fee to the county.

ITEM 9

COUNTY VERIFICATION RECEIPT OF DNR CONSTRUCTION PERMIT APPLICATION

This form provides proof that the County Board of Supervisors has been provided with a complete copy of the construction permit application documents (everything except the fees) for the confinement feeding operation:

Applicant: Roger Bohmenkamp Telephone: 712-518-3211
Name of operation: RCB Porkers
Location: SE SW 20 T92N R41W Sheridan Cherokee (County) (1/4 1/4) (Section) (Tier & Ranges) (Name of Township)

- Documents being submitted to the county:
[X] Construction permit application form: submit items 1 to 9 (see Submittal Checklist No. 1 or 2)
[X] Attachment 1 - Aerial photos: Must clearly show the location of the proposed confinement feeding operation structure and that all the separation distances are met, including those claimed for points in the master matrix (if applicable).
[X] Attachment 2 - Statement of design certification, submit any of the following (see Checklist No. 1 or 2):
[X] Construction Design Statement form
[X] Professional Engineer (PE) Design Certification form
[X] Engineering report, construction plans and technical specifications
[X] In addition, if proposing an unformed manure storage structure or an egg washwater storage structure: submit documentation required in Addendum "A" of this construction application form.
[X] Attachment 3 - Manure management plan.
[X] Attachment 4 - Master Matrix (if required). You must include supporting documents (see Checklist No. 1 or 2)

THIS SECTION IS RESERVED FOR THE COUNTY

As soon as DNR receives a construction permit application, the DNR will fax your County Auditor a "Courtesy reminder letter" explaining what actions your County Board of Supervisors must complete and the deadlines.
Public Notice is required for all construction permit applications, including those applications not required to be evaluated with the master matrix and applications in counties not participating in the Master matrix.
Counties participating in the master matrix: the county's master matrix evaluation and county's recommendation is required for the following cases:
o A new confinement feeding operation that is applying for a construction permit
o An existing confinement feeding operation that was first constructed on or after April 1, 2002 that is applying for a construction permit
o An existing confinement feeding operation that was first constructed prior to April 1, 2002 that is applying for a construction permit with an animal unit capacity (AUC) is 1,667 animal units (AU) or more.
I have read and acknowledge the county's duty with this construction permit application, as specified in 567 IAC 65.10 and Iowa Code 459.304. On behalf of the Board of Supervisors for:

COUNTY: Cherokee
NAME: Roger Bohmenkamp
TITLE: County Auditor
Date: 9-1-2016
(Member of the County Board of Supervisors or its designated official/employee)





Aerial Map



Tucker Consulting, Inc.  
 630 Ontario Street  
 Storm Lake, IA 50588  
 (712) 732-3030  
 Map Provided By  
**surety**  
 © 2016, Inc. 2016  
 www.surety.com

map center: 42.765446, -95.714416  
 20-02N-41W  
 Cherokee County  
 Iowa

0ft 1631ft 3261ft  
 N  
 W E S  
 8/18/2016

Key for aerial photo 1

Item	Separation distance requirement*
A Proposed Livestock Site	
B Neighboring residence 1891 feet	1875 feet
C Neighboring residence 2540 feet	
D Neighboring residence 3100 feet	
E Neighboring residence 3350 feet	
F Neighboring residence 4100 feet	
G Neighboring residence 5100 feet	
H Neighboring residence 5415 feet	
I Neighboring residence 5480 feet	
(No business, school, church or public area within one mile)	
J Neighboring livestock confinement 3625 feet	
K Nearest Water Source (East Bank Creek) 1610 feet	500 feet

There are no ag drainage wells, surface intakes of ag drainage wells, major water sources, or designated wetlands within one mile.

\*Separation distances based on Table 6 from DNR document Minimum Separation Distances for Construction or Expansion of Confinement Feeding Operation Structures.

**567 IAC 65.11(455B), Table 6**  
**Minimum separation distances for a new confinement feeding operation or expansion of an operation constructed on or after March 1, 2003**

Type of Structure (liquid, semi-liquid and dry manure storage)	Total Animal Unit Capacity (AUC) (AU)	Residences, Businesses, Churches, Schools		Public use areas	
		Unincorporated Areas	Incorporated Areas	Unincorporated Areas	Incorporated Areas
Anaerobic lagoons and uncovered earthen manure storage basins	500 AU or less	1,875 feet	1,875 feet	1,875 feet	1,875 feet
	501 AU to < 1,000	1,875 feet	1,875 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000	2,500 feet	2,500 feet	2,500 feet	2,500 feet
Covered earthen manure storage basins	500 AU or less	1,250 feet	1,250 feet	1,875 feet	1,875 feet
	501 AU to < 1,000	1,250 feet	1,250 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000	1,875 feet	1,875 feet	2,500 feet	2,500 feet
Uncovered formed manure storage structures	500 AU or less	None	None	None	None
	501 AU to < 1,000	1,500 feet	1,500 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000	2,000 feet	2,000 feet	2,500 feet	2,500 feet
Confinement buildings and covered formed manure storage structures	500 AU or less	None	None	None	None
	501 AU to < 1,000	1,250 feet	1,250 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000	1,875 feet	1,875 feet	2,500 feet	2,500 feet
Eggwasher Storage Structures	500 AU or less	None	None	None	None
	501 AU to < 1,000	1,000 feet	1,000 feet	1,875 feet	1,875 feet
	1,000 AU to < 3,000	1,500 feet	1,500 feet	2,500 feet	2,500 feet
	3,000 AU or more	2,000 feet	2,000 feet	3,000 feet	3,000 feet

**Distances to Wells**

Applies to all Animal Feeding Operations, regardless of the size of operation, including operations with 500 AU or less	Public well		Private well	
	Shallow	Deep	Shallow	Deep
Aerobic structure, anaerobic lagoon, earthen manure storage basin, egg washwater storage structure and open feedlot runoff control basin	1,000 feet	400 feet	400 feet	400 feet
Formed manure storage structure, confinement building, open feedlot solids settling facility and open feedlot.	200 feet	100 feet	200 feet	100 feet

**Other Distances**

Applies to all Confinement Feeding Operations, regardless of animal unit capacity, including operations with 500 AU or less, unless stated otherwise	
Major water sources, wellhead, cistern of an agricultural drainage well or known sinkhole (Excluding farm ponds, privately owned lakes or when a secondary containment barrier is provided)	1,000 feet
Water sources other than major water sources, surface intakes of an agricultural drainage well (Excluding farm ponds, privately owned lakes or when a secondary containment barrier is provided)	500 feet
Designated wetlands (owned and managed by the Federal government or the Iowa DNR)	2,500 feet
Right-of-way of a public thoroughfare (road, street or bridge) constructed or maintained by the state or a political subdivision (excluding operations with 500 AU or less)	100 feet



6. Use Tables D-3 and D-4 (on pages 8-9) if backfilling of walls will be performed with soils that are unknown or with low plasticity silts and clays with some sand or gravel (50 percent or more fines); or fine sands with silt or clay (less than 50 percent fines); or low to medium plasticity silts and clays with little sand or gravel (50 percent or more fines); or high plasticity silts and clays (see page 9 for unified soils classification). You must use Tables D-3 and D-4 if you do not submit the soils information requested in box "a", above.

Maximum spacing of steel, in inches

Description of reinforcing steel in walls	Walls where vehicles are not allowed within 5 feet (use Table D-1) <sup>a</sup>	Walls where vehicles are allowed within 5 feet (use Table D-3) <sup>b</sup>	All walls with pump-out ports and walls where vehicles are allowed within 5 feet (use Table D-4) <sup>c</sup>	Proposed horizontal steel in walls (use Table D-3)
Grade 40, No. 4				
Grade 60, No. 4				
Grade 60, No. 5				

D) Aboveground tanks or partially aboveground tanks: Liquid and semi-liquid manure (check the following box):  
 If the proposed tank is to be constructed aboveground or partially aboveground and will have an external outlet or inlet below the liquid level, the tank will also be constructed according to the 567 IAC 65.15(20).  
 E) Steel Tanks: Certification that the tank will be constructed according to the tank manufacturer's specifications:  
 Name of tank manufacturer company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Fax: \_\_\_\_\_

F) Additional construction design standards:  
 To determine the additional requirements set forth in 567 IAC 65.15(14) that would apply to the proposed formed manure storage structure<sup>2</sup>, check any of the following 3 boxes based on the information entered on Sections 3.A or 3.B (page 2):  
 If you checked boxes A.1, A.2, A.3 or B.3 (on page 2) all of the following 15 additional requirements apply. Complete the numbered items 1 to 15 (below).  
 If you checked box B.1 (on page 2), only the requirements of numbered items 1, 3, 4, 5, 6, 8 and 12 apply and need to check those boxes (below).  
 If you checked boxes A.4 or B.2 (on page 2) and the steel tank will have a concrete floor, only the requirements of numbered items 1, 3, 4, 5, 8, 9, 12, apply and need to check those boxes (below).

Additional Requirements that will be followed during construction of the formed manure storage structure(s):  
 1. Site preparation (check the following box):  
 The finished subgrade of a formed manure storage structure shall be graded and compacted to provide a uniform and level base and shall be free of vegetation, manure and debris. For the purpose of this subrule, "uniform" means a finished subgrade with similar soils.  
 2. Groundwater separation requirements (check one of the following boxes):  
 When the groundwater table, as determined in 65.15(7) "c", is above the bottom of the formed structure, a drain tile shall be installed along the footings to artificially lower the groundwater table pursuant to 65.15(7)-b(72). The drain tile shall be placed within 3 feet of the footings as indicated in Appendix D, Figure D-1, at the end of this chapter and shall be covered with a minimum of 2 inches of gravel, granular material, fabric or a combination of these materials to prevent plugging the drain tile. A device to allow monitoring of the water in the drainage tile lines installed to lower the groundwater table and a device to allow shutoff of the drainage tile lines shall be installed if the drainage tile lines do not have a surface outlet accessible on the property where the formed manure storage structure is located.  
 In lieu of the drain tile, a certification signed by a PE<sup>2</sup>, a groundwater professional certified pursuant to 567 Chapter 434, or a qualified staff from NRCS, is being submitted indicating that the groundwater elevation, according to 65.15(7) "c", is below the bottom of the formed structure.

3. Minimum as-placed concrete compressive strength (check the following box):  
 All concrete shall have the following minimum as-placed compressive strengths and shall meet American Society for Testing and Materials (ASTM) standard ASTM C-94: 4,000 pounds per square inch (psi) for walls, floors, beams, columns  
 3/0/2015 enc  
 3  
 DNR Form 542-8068

D) Karst Determinations: Go to DNR AFO Sting Atlas at <http://proceedings.kovarsir.com/maps/36/>. Search for your site by either scrolling into your location or entering an address or legal description in the bottom search bar. Left click on the location of your proposed structure. Make sure the karst layer box is checked on the map layers. If you cannot access the map, or if you have questions about this issue, contact the AFO Engineer at 712-262-4377. Check one of the following:  
 The site is not in karst or potential karst. Print and enclose the map with the name and location of the site clearly marked.  
 The Sting Atlas has indicated that the site is in karst. The upgraded concrete standards of 567 IAC 65.15(14) "c" must be used. Complete and sign Section 3.H (page 5).

E) Alluvial Soils Determinations: Go to the AFO Sting Atlas as described above. Make sure the alluvial box is checked on the map layers. If you cannot access the map, or if you have questions about this issue, contact DNR Flood Plain at 1-866-849-0321. Check one of the following:  
 The site is not in alluvial soils. Print and enclose the map with the name and location of the site clearly marked.  
 If the site is in alluvial soils contact DNR Flood Plain at 866-849-0321. You will be required to submit a petition for a declaratory order if less than 1000 AU or request a flood plain determination if 1000 AU or greater. After receiving Flood Plain determination, submit one of the following:  
 Include correspondence from the DNR showing the site is not in 100-year flood plain or does not require a Flood Plain permit.  
 Include copy of the Flood Plain permit if a Flood Plain permit is required.

Section 2 - Manure management plans:  
 An original manure management plan (MMP) is enclosed with this form, even if a MMP was previously filed.  
 Roger Bohlenkamp  
 Owner's Name (print) \_\_\_\_\_  
 Roger Bohlenkamp  
 Owner's Signature \_\_\_\_\_  
 8-26-16  
 Date

Section 3 - Construction design standards: The person responsible for constructing the formed manure storage structure(s)<sup>1</sup> must complete pages 2 to 3.  
 A) Liquid and semi-liquid manure: The proposed formed manure storage structure<sup>2</sup> will be (check one):  
 A.1  A non-circular concrete tank belowground, with walls laterally braced or below the building concrete pit designed according to 567 IAC Chapter 65, Appendix D.  
 A.2  A non-circular concrete tank belowground, walls designed according to Midwest Plan Service (MWPS), publication MWPS-36. Include design calculations.  
 A.3  A circular concrete tank, walls designed according to Midwest Plan Service (MWPS), publication MWPS TR-9. Include design calculations.  
 A.4  Will be made of steel, constructed aboveground according to the manufacturer's recommendations.

B) Dry manure: The proposed formed manure storage structure<sup>2</sup> will be (check one):  
 B.1  An aboveground concrete tank, with walls designed according to MWPS-36. Include design calculations.  
 B.2  Will be made of steel, constructed aboveground according to the manufacturer's recommendations.  
 B.3  Will be a belowground or partially belowground concrete tank, with walls laterally braced designed according to 567 IAC Chapter 65, Appendix D or MWPS-36. Include design calculations.

C) Details of the proposed design: Submit an additional completed copy of this page 2 for each formed manure storage structure<sup>2</sup> that have different dimensions. Complete all of the following information:  
 Number of buildings: 2 Building name: 2018 Finishers

Dimensions of proposed formed manure storage structure <sup>2</sup>		Height or depth	Wall thickness	Diameter (circular tanks only)
Feet	Inches			
193	101	8		
	10			

To determine the appropriate vertical steel in walls, first check one of the following boxes (must check one):  
 a. To use Tables D-1 and D-2 (on pages 7-8), backfilling of walls shall be performed with gravel, sand, silt, and clay mixtures (less than 50 percent fines), with coarse sand with silt or clay (less than 50 percent fines), or cleaner granular material (see page 9 for the unified soils classification). You will need to submit a copy of a USDA soil survey map with the proposed location of the formed manure storage structure<sup>2</sup> clearly marked showing the unified soil classification; or a statement signed by a qualified organization or NRCS staff.  
 3/0/2015 enc  
 2  
 DNR Form 542-8068

and pumpouts and 3,000 psi for the footings. The average concrete strength by testing shall not be below design strength. No single test result shall be more than 500 psi less than the minimum compressive strength.

4. Cement and aggregates specifications (check the following box):  
 Cementitious materials shall consist of Portland cement conforming to ASTM C 150. Aggregates shall conform to ASTM C 33. Blended cements with ASTM C 595 are allowed only for concrete placed between March 15 and October 15. Portland-pozzolan cement or Portland blast furnace slag blended cements shall contain at least 75 percent, by mass, of Portland cement.
5. Concrete consolidation and vibration requirements (check the following box):  
 All concrete placed for walls shall be consolidated or vibrated, by manual or mechanical means, or a combination, in a manner which meets ACI 309.
6. Minimum rebar specifications: (check the following box):  
 All rebar used shall be a minimum of grade 40 steel. All rebar, with the exception of rebar dowels connecting the walls to the floor or footings, shall be secured and tied in place prior to the placing of concrete.
7. Wall reinforcement placement specifications (check the following box):  
 All wall reinforcement shall be placed so as to have a rebar cover of 2 inches from the inside face of the wall for a belowground manure storage structure. Vertical wall reinforcement should be placed closest to the inside face. Rebar placement shall not exceed tolerances specified in ACI 318.
8. Minimum floor specifications. Complete part a) and b):  
a) Floor thickness requirements (check the following box):  
 The floor slab shall be a minimum of 5 inches thick. Nondestructive methods to verify the floor slab thickness may be required by the department. The results shall indicate that at least 95 percent of the floor slab area meets the minimum required thickness. In no case shall the floor slab thickness be less than 4½ inches.  
b) The floor slab reinforcement shall be located in the middle of the thickness of the floor slab (check one of the following boxes):  
 Formed manure storage structures with a depth of 4 feet or more shall have primary reinforcement consisting of a minimum of #4 rebar placed a maximum of 18 inches on center in each direction placed in a single mat.  
 Formed manure storage structure with a depth less than 4 feet shall have shrinkage reinforcement consisting of a minimum of 6 x 6-W1.4 x W1.4 welded wire fabric.
9. Minimum footing specifications (check the following box):  
 The footing or the area where the floor comes in contact with the walls and columns shall have a thickness equal to the wall thickness, but in no case be less than 8 inches, and the width shall be at least twice the thickness of the footing. All exterior walls shall have footings below the frostline. Tolerances shall not exceed ¼ inch of the minimum footing dimensions.
10. Requirement to connect walls to footings (check one of the following boxes):  
 The vertical steel of all walls shall be extended into the footing, and be bent at 90°, OR  
 A separate dowel shall be installed as #4 rebar that is bent at 90° with at least 20 inches of rebar in the wall and extended into the footing within 3 inches of the bottom of the footing and extended at least 3 inches horizontally, as indicated in Appendix D, Figure D-1 (page 10). Dowel spacing (bend or extended) shall be the same as the spacing for the vertical rebar.  
 As an alternative to the 90° bend, the dowel may be extended at least 12 inches into the footing, with a minimum concrete cover of 3 inches at the bottom, as indicated in Appendix D, Figure D-1 (page 10). Dowel spacing (bend or extended) shall be the same as the spacing for the vertical rebar.  
 In lieu of dowels, mechanical means or alternate methods may be used as anchorage of interior walls to footings. Please submit structural calculations and details of this proposal.
11. Concrete forms specifications (check the following box):  
 All walls shall be formed with rigid forming systems and shall not be earth-formed.
12. Curing of concrete requirements (check the following box):  
 All concrete shall be cured for at least seven days after placing, in a manner which meets ACI 308, by maintaining adequate moisture or preventing evaporation. Proper curing shall be done by ponding, spraying or fogging water, or by using a curing compound that meets ASTM C 309, or by using wet burlap, plastic sheets or similar materials.
13. Construction joints and waterstops specifications (check the following box):

All construction joints in exterior walls shall be constructed to prevent discontinuity of steel and have properly spliced rebar placed through the joint. Waterstops shall be installed in all areas where fresh concrete will meet hardened concrete as indicated in Appendix D, Figures D-1 and D-2, at the end of this chapter. The waterstops shall be made of plastic, rolled bentonite or similar materials approved by the department.

14. Backfilling of walls specifications (check the following box):  
 Backfilling of the walls shall not start until the floor slabs or permanent bracing have been installed. Backfilling shall be performed with material free of vegetation, large rocks or debris.
15. Additional design requirements (check the following box, if applicable):  
 A formed manure storage structure with a depth greater than 12 feet shall be designed by a PE or an NRCS engineer.

g) Construction Certification: The person responsible for constructing the formed manure storage structure<sup>1</sup> must sign this page. Any change(s) to the specifications of the formed manure storage structure must be first approved by DNR:

"I hereby certify that I have read and understand the minimum design and construction standards of Iowa Code chapter 459, Subchapter II, and the 567 Iowa Administrative Code (IAC) 65.15(14) "Minimum concrete standards" or 567 IAC 65 (if other than concrete). The proposed formed manure storage structure(s)<sup>1</sup> at the operation:

Name of operation: RCB Porters County: Cherokee  
Owner's name: Roger Bohnenkamp

Page 2, for each formed manure storage structure<sup>1</sup> that have different dimensions  
 Pages 3 to 5 (applicable sections)  
 Other documents (specify):  
Arch Brunner E / Derek Brunner 8-25-16 (Date)  
RCB Concrete 733 Wood 073 Shell, IA 712-439-1363 (Phone No.)  
(See page 6 for mailing instructions)

H) Upgraded Concrete Standards Certification: If "yes" was checked in Section 1.C (page 1) - site exhibits karst terrain or drains into a known sinkhole - the person responsible for constructing the formed manure storage structure must also complete this section:

567 IAC 65.15(14) "c". Karst terrain-upgraded standards. If the site of the proposed formed manure storage structure is located in an area that exhibits karst terrain or an area that drains into a known sinkhole, the minimum concrete standards set forth in 65.15(14) "a" or "b" shall apply. In addition, the following requirements apply to all formed manure storage structures that store nondry or dry manure (check all of the following boxes):

- (1) A minimum 5-foot vertical separation distance between the bottom of a formed manure storage structure and limestone, dolomite, or other soluble rock is required if the formed manure storage structure is not designed by a PE or an NRCS engineer.
- (2) If the vertical separation distance between the bottom of the proposed formed manure storage structure and limestone, dolomite, or other soluble rock is less than 5 feet, the structure shall be designed and sealed by a PE or an NRCS engineer who certifies the structural integrity of the structure. A 2-foot-thick layer of compacted clay liner material shall be constructed underneath the floor of the formed manure storage structure. However, it is recommended that any formed manure storage structure be constructed aboveground if the vertical separation distance between the bottom of the structure and the limestone, dolomite, or other soluble rock is less than 5 feet.
- (3) In addition, in an area that exhibits karst terrain or an area that drains into a known sinkhole, a PE, an NRCS engineer or a qualified organization shall submit a soil exploration study based on the results from soil borings or test pits to determine the vertical separation between the bottom of the formed structure and limestone, dolomite, or other soluble rock. A minimum of two soil borings, equally spaced within each formed structure, or two test pits outside of each formed structure, are required. After soil exploration is completed, each soil boring and pit shall be properly plugged with concrete grout, bentonite, or similar materials.
- (4) Groundwater monitoring shall be performed as specified by the department.
- (5) Backfilling shall not start until the floor slabs have been placed or permanent bracing has been installed, and shall be performed with material free of vegetation, large rocks, or debris.

"I have read and understand the upgraded concrete standards of IAC 65.15(14) "c", and certify that the proposed formed manure storage structure(s)<sup>1</sup> at the above operation will be constructed according to these standards".

Site Name: RCB Porkers Date: 8/18/2016

Matrix Item #	Actual Distance (feet) / Not Applicable (NA)	Minimum Required Distance (feet)	Actual Separation Distance above the Minimum (feet)	Claimed (X)	matrix additional feet needed	Score	Air	Water	Community
1	> 1600	1675	> 15		200-300 501-750 751-1000 1001-1250 1251-1500 1501+				
2	> 6000	2500	> 2500		250-500 501-750 751-1000 1001-1250 1251-1500 1501+				
3	> 6000	1675	> 3125		250-500 501-750 751-1000 1001-1250 1251-1500 1501+				
4	> 1610	500	> 1110		250-500 501-750 751-1000 1001-1250 1251-1500 1501+				
5	> 5000	100	> 2500		300				
6	> 200	100	> 100		500				
7	> 5000	100	> 100		100				
8	> 5000	1000	> 4000		250-500 501-750 751-1000 1001-1250 1251-1500 1501-1750 1751-2000 2001-2250 2251-2500 2501+				
9	> 1875	3960	> -2065		3960				
10	> 10000	1000	> 9000		1000				

\* Separation distance base on Table 6 from DNR document: Minimum Separation Distances for Construction or Expansion of Confinement Feeding Operation Structures.

Site Name: RCB Porkers Date: 8/18/2016

Matrix Item #	Claimed (X)	Score	Air	Water	Community
11					
12	X	30	27.00	0.00	3.00
13					
14					
15					
16					
17	X	30	0.00	27.00	3.00
18	X	20	0.00	0.00	20.00
19	X	30	0.00	0.00	30.00
20					
21					
22					
23					
24	X	20	0.00	0.00	20.00
25	X	25	0.00	12.50	12.50
26					
27					
28					
29	X	30	12.00	12.00	6.00
30					
31	X	5	3.25	0.00	1.75
32	X	5	2.00	0.00	3.00
33	X	5	2.00	0.00	3.00
34	X	10	0.00	8.00	2.00

**Design, operation and maintenance for Master Matrix**

- 12) Covered manure storage:  
**Design:** storage structure – framed wooden storage structure with roof over the pit. 101' X 193' X 8" covered confinement building with concrete floor and walls. Inside this confinement will be a 101' X 193' X 8' deep-pit. Manure will be collected and stored until hauled. The deep-pit will have 1 year of storage. The manure will be land applied.  
**Operation:** Fans will move air in regards to the health of the animals, odor control, and utility management. Visual Inspection of pit will be completed after pit is emptied.  
**Maintenance:** Fan maintenance will be completed as needed. Pit walls showing cracks will be covered.

- 17) **Formed Storage:**  
**Design:** See CDS- will meet DNR minimum standards.  
**Operation:** Manure will be removed semi-annually or annually as needed to protect structure and overflow concerns.  
**Maintenance:** Annual walk around looking for structural cracks and defects in pit wall. Monthly pit level readings are taken regarding possible water loss from feeders.

- 19) **Truck Turnaround:**  
**Design:** The confinement will be built with a truck turnaround located on the south side of the facility. 6" base of rock, And will have an entrance and exit to the right-of-way  
**Operation:** Grading rock will be completed as needed  
**Maintenance:** Rock and gravel will be added when needed.

- 20) **No administrative orders received**

- 24) Maximum Swine finisher head number on this site will be 4800 = A.U. 1920

- 25) **Wet/Dry Feeders or other Watering System:**

**Design:** SDI cup watering system are 20-30% more efficient than the nipple system-See attachment –Research Report Environment Water Consumption and Conservation Techn. Currently Available for Swine Production June 23,2010  
**Operation:** Daily use and adjustment of water feeders.  
**Maintenance:** Replacement of defective water systems/parts as necessary and daily walk through to check for possible broken equipment.

- 26) All manure will be either injected or Incorporated the same day it is land applied

- 30) Manure will be applied no closer than 200' from residences, hospitals, nursing homes and child care facilities.

- 31) Manure not applied within 200 feet of public use areas

- 32) Manure not applied within 200 feet of an educational institution, religious institution or business.

Item	High Quality HO, High quality Resource HQR & Protected Water Area PWA, additional separation distance for manure applications	Additional 200'	Additional 500'	Additional 1000'	Score	Air	Water	Community
36	Additional 200'							
36	Additional 500'	X	10	0.00	7.50			2.50
37	Worker Safety Protection Plan							
38	Walker of confidentiality-public viewing of MHP land application records							
39	Added economic value quality job development or commercial property tax increases	X	10	0.00	0.00			10.00
40	Emergency Action Plan	X	5	0.00	2.50			2.50
41	Closure Plan	X	5	0.00	2.50			2.50
42	Environmental Management System EMS Adoption and Implementation							
43	CNMP Adoption and Implementation							
44	Ground monitoring wells installed near manure storage structure							
<b>Total Score</b>			<b>440</b>	<b>79.25</b>	<b>163.5</b>			<b>197.25</b>
* Separation distance base on Table 6 from DNR document: Minimum Separation Distances for Construction or Expansion of								
Scores on this page								
Score in page 1-10								
Total score								
Score to Pass								



- 33) Manure not applied within 50 feet of wells.
- 35) Manure not applied within 400 feet of high quality waters.
- 39) Economic Value / county tax increases from \$20 per acre to \$617.00 per acre.
- 40) Emergency Action Plan has been created and will be on site.
- 41) **Closure plan**  
When this building is closed down, all surfaces will be cleaned of manure. This includes the deep Pit walls and floors. Additional water may be needed to dislodge solid manure from pit walls and pit floors. Manure and effluent will then be land applied according to the MMP. Special manure and effluent samples may need to be taken to adjust application rate as well as the nitrogen and phosphorus needs of the crop.  
Once the deep-pit is properly cleaned, the building can be permanently disposed of or sealed and closed. The removal of above and below ground building materials will be completed in accordance to county and state regulations. Recycling of concrete, steel

# Energy Efficiency in Barns PART I

Publication No. 01-01

Winter/Spring 2001

## Lighting up the Barn

The main lights used in barns are: incandescent, compact fluorescent and fluorescent. Regular incandescent are only 10% efficient at converting energy to light; the rest is wasted as heat. Long life, incandescent are poorer still at about 7-8% efficiency. Compact fluorescent (CF) provide good energy efficiency and are easily retrofitted into incandescent fixtures. However, CF lamps have shorter equipment life and higher cost of replacement compared to T-8 (standard 4') fluorescent tube systems. The new standard (for barns where ceiling height is less than 12') is the T-8 fluorescent fixture with electronic ballast (Note: electronic ballasts are less reliable on farms), mounted in a weatherproof fiberglass or plastic housing with gasketed diffuser. These units are more than four times as efficient as regular incandescent and the lamps last at least 24 times longer.

are large variations in these two lighting systems:
 

- fluorescent lighting takes less energy to provide the desired light compared to incandescent
- incandescent lamps are closer to sunlight (similar spectrum of light) than typical "cool white" fluorescent
- conversion from incandescent to fluorescent will reduce energy usage by up to 75%
- incandescent lamps cost about \$1.00 each and last 1000 hours (120 V regular life) to 5000 hours (130 V long life). However, the long life lamp provides about 25% less light than the regular lamp for the same amount of energy
- fluorescent lamps last 24,000 hours and cost about \$2.00 each
- conversion to fluorescent from incandescent typically has a payback of less than 4 months

 Other considerations for en-

### Energy Saving Ideas:

- 1 Lighting up the Barn
- 2 Take Time to do Maintenance
- 3 Know the Temperature Requirements of Your Animals
- 4 Water Wastage
- 5 Cut Back on Manure Volume



Fluorescent Tube Lighting



Compact Fluorescent Lighting

ery efficient light systems includes the use of timers, programmed to turn lights on/off to meet daily swine needs (see Table 1) or motion sensors in personnel areas.

A lighting retrofit from incandescent to vapour proof fluorescent (and some compact fluorescent) fixtures on a 240 sow farrowing-to-finish facility realized annual savings of over \$5000. The cost of electricity was about \$0.07/KWh and the payback was less than two years.

Where barn ceiling height exceeds 12', the more efficient high intensity discharge (HID) fixtures (including metal halide and high pressure sodium) should be considered. They are easier to install, maintain and require fewer fixtures to provide the same level of light.

Table 1: Recommended Light Levels and Photoperiods for Swine Houses-

Type of Housing	Light Levels	Photoperiod	Comments
Breeding/Gilts	>10 fc.	14-16 h/d	-necessary for estrus cycling
Gestation	>5 fc.	14-16 h/d	-to assist misest cycles, bring estrus on again
Farrowing	5-10 fc.	8 h/d	-if no heat lamps, some light in room 24 h/d
Nursery	5 fc.	8 h/d	-some light in room 24 h/d
Grower-Finisher	5 fc.	8 h/d	-minimum 6h/d unbroken light recommended



**What's it Cost?**

Let's consider a 200 head grower/finish room, with dimensions 40' x 40' x 10', eight pens and a centre alleyway. Assume energy costs of \$0.06/kWh and demand charges of \$4.50/kW.

Placing one, 150 watt, regular life incandescent lamp per pen in the centre would provide close to four foot-candles (43 lux). This system would cost about \$100 to install and \$279.70 annually to operate.

Replacing this with four, 4' twin tube, waterproof fluorescent fixtures, with one fixture per pair of pens, would provide the same 4 foot-candles. This T-8 system would cost \$400 to install and \$81.00 per year to operate, with a simple payback of 1.5 years.

**The Bottom Line**

A properly designed, energy efficient light system will enhance productivity and save maintenance and electrical operating costs.

**Take Time to do Maintenance**

Fans, Motors and Shutters: Cleaning and adjustment of ventilation equipment is important for energy efficiency. Fans won't deliver the rated capacity of air if there is dirt on the shrouds, blades or shutters. Studies have shown that dirty fan blades can reduce output by 10% and if not cleaned, lead to imbalance and vibration reducing the life of the motor. Blades can be cleaned with manual scrubbing or compressed air. Fans should be positioned correctly with respect to the orifice and in corrosive environments, open bearings replaced with sealed. Shutters and louvers should be inspected periodically to see if they are warped, rotted or stuck. Dirt on



Fans must be periodically cleaned to prevent buildup of dirt

louvers or shutters become heavy and the hinges sticky. Dirty shutters have been shown to affect fan performance by reducing airflow up to 20%. Shutters and louvers should be power washed or wire brushed regularly.

Thermostats and Controllers: Large temperature fluctuations often point to dirty or worn-out controllers. Thermostats need to be cleaned and calibrated a minimum of two times a year. Controllers will not perform effectively if dust accumulates on the sensing elements. This dust acts as an insulator and delays response. Compressed air or a cloth can be used to clean thermostats and controllers.

Air Inlets: Often inlet adjustment and maintenance can accommodate changes or fluctuations in barn temperature. Instead of checking inlets, a common mistake is to increase ventilation rate to lower barn temperature and thus increase

**What's it Cost?**  
Let's consider a variable speed 12" (300mm) fan operating at minimum ventilation rate in a 200 head grow-finish room. The fan has an airflow rate of 402L/s and requires 0.105 KW input power. Assume a minimum ventilation rate over a three-month period of 1.5L/sec/pig and an electricity cost of \$0.0585/KWh. This fan runs 24 hours per day.  
-- The fan will cost \$9.90 to operate for the three-month period.  
-- If the fan blade and shutters are dirty, airflow can be restricted 30% (10%-20%) as stated above.  
-- The fan will now cost \$14.14 to operate for the three-month period.  
This represents an approximate 42% increase in electricity costs over the three-month period. Remember that this example utilizes minimum ventilation rates. As ventilation requirements increase, the cost associated will also increase dramatically due to the effect of restrictions or drag on the exhaust fan.

**The Bottom Line**

Maintenance in the barn is often overlooked as a way to decrease energy costs and increase efficiency. Fans and associated equipment should be cleaned at least four times a year. Thermostats and controllers two times a year. Remember to keep water spillage and washing water in the pens to a minimum.

**Know the Temperature Requirements of Your Animals**

Studies have shown that a pig may spend over 50% of its lifetime out of its thermal comfort zone. The producer must identify this zone as it has implications regarding animal health and energy efficiency.

In a building that is too warm:

- energy is wasted
- costs are greater than a room at optimal temperature
- pigs will separate from one another and seek out wet parts of the pen

■ animals will suffer from slow weight gain and are susceptible to disease

In a building that is too cool:

- cold pigs will huddle and lie with minimal body contact to the floor and piglets will shiver
  - animals will suffer from slow weight gain and are susceptible to disease
  - feed consumption will increase but not rate of weight gain
- For groups of uniform size, producers should aim for the optimal temperature settings outlined in the table below. Values stated in the chart are temperatures producers should strive for; however, a variation from these temperatures of +/- 3°C is still within the acceptable range of animal well being and productivity. Remember that feeding level is relevant, as full fed animals are able to withstand colder temperatures. Producers can decide to increase or decrease feed or fuel to maximize net returns.

Room and Body Mass (kg)	Solid Floor	Slatted Floor	Solid Floor with Straw
Dry Sows	17	19	15
Farrowing	16	18	14
Weaning 7kg	26	28	25
20kg	23	24	22
Grower/Finish (continuous) 25-60kg	18	21	16
60-100kg	14	15	12

<sup>1</sup> Increase in setpoint temperature when outside temperature increases must be accompanied by minimum ventilation adjustments whenever such an adjustment is allowed. Refer to minimum ventilation recommendations (Adapted from Pork Production Guide PSC, 2000)



What's it Cost?

In our 200 head grower-finish room, winter temperature recommendations are 21°C for 25kg pigs reduced to 15°C for 75kg pigs. Let's consider 3 temperature scenarios within this room and the impact that it has on energy costs.

Scenario 1 — 21°-15°C = represents the correct temperature recommendations and reduced to 18°C for 75kg pigs and stays constant until animals reach their market weight

Scenario 2 — 21°-18°C = maintains pigs at 21°C throughout the fall production cycle

Saskatoon and Winnipeg are the two locations that have been chosen for this example. Calculations are based on monthly average temperatures over a 30 year period with a prairie energy cost of \$0.023/KWh. Winnipeg had lower average temperatures than did Saskatoon. The following values look only at the heating costs to maintain the desired temperatures and do not consider the energy costs of ventilation.

The results are as follows:

- Saskatoon – The cost to maintain the recommended temperature (21°-15°) would be \$120,20/yr. Moving to the 21°, 18° and 21° temperature scenarios represents an additional \$67,07/yr and \$168/yr increase in heating costs respectively.
- Winnipeg – It would cost \$132,88/yr in heating to maintain the recommended setpoint temperature of 21°-15°. Moving to the 21°, 18° and 21° temperature scenarios again would represent a large increase in the heating bill: an additional \$65,77/yr for the 21°-18° scenario and \$164,88/yr for the 21° scenario.

**The Bottom Line**

Temperature within the barn is crucial for animal health and productivity but also affects energy efficiency (over heating, over cooling). Know your animals' target temperatures. Barn design and full vs. limit fed have implications in cold animal housing.

**Water Wastage**

Pigs consume 1/4 to 1/3 gallons of water per pound of dry feed or a ratio by weight of approximately 3:1. Temperature has an impact on water consumption as a 1°C rise above 20°C results in a sow drinking 0.2L more water per day. Severely restricting water to swine results in concentrated urine, urinary tract infections and even death. The implication is that limiting water cannot be used to reduce energy costs but decreasing water wastage can.



**Master Matrix #25**

In regards to water wastage, producers should consider the following:

- wet/dry feeders address the water wastage concern by incorporating a nipple drinker in the feed bowl as the only water source, reducing water use by 30% and slurry volume by 20-40%. This has an implication on quantity of slurry within the barn
- it is recommended that 1 nipple drinker be provided for every 15 pigs

- in a period of one minute drinkers should deliver 1 litre for breeding stock, 650-700ml for growers and 475ml for weaners
- grower – finisher pigs may waste up to 60% of the water from a nipple drinker
- cup or bowl waterers are returning in popularity primarily because they waste less water, reducing spillage 10-15%
- hauling manure a mile away costs at least a penny a gallon with a custom hauler. Therefore, cup waterers or bowl drinkers will save you money for manure removal and reduce the water bill.

**What's it Cost?**

Let's return to our model example of 200 head in a grower-finish room. Assuming a total weight gain of 8.2kg and feed conversion 2.9kg of feed/kg of gain, each pig will drink 595L water/production cycle. If we use a 40% water wastage value at the drinker, 396L will be wasted/pig/cycle. There are approximately 2.8 cycles over the year and each pig produces 7.5L of manure/day.

- Total water waste (L/year) = 221,760
- Total manure produced (L/year) = 547,500
- Water wastage/manure production (%) = 41%

If waste is pumped from the transfer pit to the outdoor storage facility, this would represent the first energy component. Manure pumps have an energy cost of \$0.01/m<sup>3</sup> of product. Outside the barn, we need to consider 3 processes: agitation, loading and transportation. This energy cost works out to \$0.04/m<sup>3</sup>. Adding the two totals results in a cost of \$0.05 to move 1m<sup>3</sup> of product. Therefore, the cost to move the wasted water in our example barn would be \$11,09/yr.

In addition to moving the waste water, field application should be considered. Using typical custom application rates (assume \$1.55/m<sup>3</sup> which includes labour, equipment use and energy costs) the cost could be estimated at \$0.61/pig. Therefore, the cost to spread just this waste water would be \$343,73/yr. The final yearly total (cost of moving and land application) is \$354,82.

**The Bottom Line**

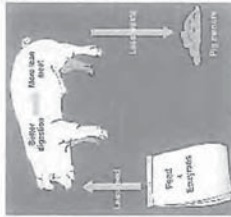
Slurry can include approximately 40% clean water wasted from drinkers. Producers can limit this by reducing water wastage within the barn. Wet/dry feeders, for example, can help to reduce water spillage. Try to incorporate cup or bowl drinkers, as they are more efficient at conserving water than nipple drinkers.

**Cut Back on Manure Volume**

Feed has been an area of interest regarding manure volume reduction. This is important for the producer as it impacts the amount of manure to be removed from the barn and the energy required to do this.

The issue of manure volume can be simplified into the following three points:

- feed enzymes can shift the digestive process in the pig allowing for more efficient growth, being brought to slaughter on a lower feed intake and consequently, less manure being produced. A 7% improvement in feed utilization efficiency will translate into a 5% reduction in the weight or volume of manure excreted
- reducing crude protein in swine diets results in as much as a 28% decrease in slurry volume. This is due to the pig consuming less water in an effort to eliminate reduced amounts of nitrogen in the body
- feeding pellets rather than meal can increase digestibility and decrease excretion due to efficiencies of digestion resulting from grinding to a smaller particle size. The feed processing aspect however is an energy consumer and producers should be aware of this. More information regarding feed processing will be available in Part II of this factsheet.



**What's it Cost?**

Considering our grower-finish operation example of 200 head, total manure production can be approximated to 7.5L/pig/day. Taking into account total energy requirements (transfer from barn to storage, agitation and emptying) it would cost \$27,38/yr to move this slurry. If the producer were to incorporate two manure volume reduction methods: feed enzymes and diet protein, slurry removal would now cost \$18,34/yr.

Similar to the example in the water wastage section, field application should be considered. Recall our estimated cost of \$1.55/m<sup>3</sup> or \$0.61/pig. Without a manure reduction method, the cost for field application would be \$348,63/yr or a total yearly cost of \$376,01 to \$586,92/yr, a savings of \$261,71/yr.

**The Bottom Line**

Manure requires energy to remove it from the barn. Although it is a large energy sink, producers do have options to reduce this expense. Feed enzymes, protein levels and particle size can be manipulated for this benefit.

**Conclusion**

Energy conservation and efficiency can be achieved through improved management, minor structural changes and new technologies. The remaining 3 of the Top 10 ways to reduce energy costs in the barn can be found in Energy Efficiency in Barns Part II. Of equal importance will be an information data-

base set up on the Prairie Swine Centre website for producers, professionals, scientists, etc. to access more detailed information regarding energy efficiency. This database will be functional in May 2001.



## Acknowledgements

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Research, writing and formatting of this document was completed by Term Research Assistant—Cory Pattericher, B.S.A.



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### #39 Value added from Site Construction

Tax assessment for other properties of similar site in Cherokee as compared to bare land values

Average taxes Livestock sites with 4800 head	Average Tax rate/acre
*New Livestock Site Estimated taxes	\$617.00
Bare Land	\$20.00
*Same as above land (bare) Current	\$20.00
Tax advantage to county would be	\$617.00 average/acre 30.85 times greater per acre

\*Numbers generated from bare land and Swine site tax history from Roger Bohmenkamp's land

## Emergency Action Plan

### Emergency Involving Manure Sump:

#### Implement the following steps and note where containment material is located:

1. Stop all other activities to address the emergency.
2. Care for any personal injuries.
  - a. Do not enter manure sump unless following procedures for entering a confined space.
  - b. Do not attempt to rescue a victim from the sump unless protected by a supplied-air breathing apparatus.
  - c. Have someone telephone for an emergency medical rescue squad, informing them there is a "victim of toxic gas asphyxiation."
  - d. In case of an emergency rescue, have two people available to assist.
  - e. Rescue personnel should be equipped with a complete self-contained breathing apparatus and trained in confined space rescue procedures.
  - f. Adequate retrieval equipment (hoist, etc.) should be used.
3. Stop all flow of wastewater from the parlor drains into the storage.
4. Assess the extent of the emergency.
  - a. Determine how much help is needed.
  - b. Call for help & excavator if needed.
5. Contain the spill.
  - a. Use a skid loader or tractor with blade to contain or divert spill or leak, if possible.
  - b. If containment material is needed, excavate soil from the area located south of the storage facility.
  - c. If possible, begin pumping wastewater into the earthen storage.
6. Contact appropriate authorities.
7. Complete the clean-up and/or repairs as necessary.
8. File required reports.

### Emergency Involving Storage Facility Spill, Leak, or Failure:

#### Implement the following steps and note where containment material is located:

1. Stop all other activities to address the emergency.
2. Care for any personal injuries.
3. Stop all flow into the storage.
4. Assess the extent of the emergency.
  - a. Determine how much help is needed.
  - b. Call for help & excavator if needed.
5. Contain the spill.
  - a. Use a skid loader or tractor with blade to contain or divert spill or leak, if possible.
  - b. If containment material is needed, excavate soil from the area located south of the storage facility.
  - c. If possible, begin pumping manure and spreading in the prescribed fields at the prescribed application rates.
6. Contact appropriate authorities.
7. Complete the clean-up and/or repairs as necessary.
8. File required reports.

### Emergency Involving Land Application Manure/Waste Discharge

#### Implement the following steps and note where containment material is located:

1. Stop all other activities to deal with the emergency.
2. Care for any personal injuries.
3. Stop manure pumps and irrigation equipment. Close valves. Separate pipes to create air gap if necessary to stop manure flow.
4. Assess the extent of the emergency.
  - a. Determine how much help is needed.
  - b. Call for help if needed.
5. Contain the spill.
  - a. If spilled on the road, call the sheriff's office for traffic control and clean the spill immediately from the road and roadside if needed.
  - b. Contain the spill or runoff from entering the stream or waterway using straw bales, saw dust, or soil material, located at edge of field 1.
  - c. If flow is coming from a tile, plug the tile immediately.
  - d. Prevent further runoff by incorporating the waste.
6. Contact appropriate authorities.
7. Complete the clean-up and repair the necessary components.
8. File required reports

#### Be prepared to provide the following information to contacts:

- a. Your Name
- b. Farm Identification
- c. Description of emergency
- d. Estimate of the amounts, area covered, and distance traveled.
- e. Has manure reached surface waters or major field drains?
- f. Is there any obvious damage- employee injury, fish kill, or property damage?
- g. What is currently in progress to contain situation?

Initiate additional containment measures, corrective measures, or property restoration measures as directed by emergency agency officials.



ITEM 8 (Cont)

Filing Fees Form  
for Construction Permits

POSTED

SEP 12 2016

IOWA DNR

Charokel

Credit fees to: Roger Bohnenkamp  
Name of operation: RCB Porkers

INSTRUCTIONS:

- If the operation is applying for a construction permit enclose a payment for the following:  
 Construction application fee \$ 250.00  
 (Note: This fee is non-refundable)
- A manure management plan must be submitted and you must also pay the following:  
 Manure management plan filing fee \$ 250.00  
 (Note: This fee is non-refundable)
- Total filing fees: Add the fees paid in items 1 and 2 (above): \$ 500.00

RECEIVED  
SEP 6 2016  
IOWA DNR  
FIELD OFFICES

SUMMARY:

- Manure Storage Indemnity Fee (see previous page) to be deposited in the Manure Storage Indemnity Fund (474)	\$ 288.00
- Total filing fees (see item 3 on this page) to be deposited in the Animal Agriculture Compliance Fund (473)	\$ 500.00
<b>TOTAL DUE:</b>	<b>\$ 788.00</b>

1. Make check payable to: Iowa Department of Natural Resources or Iowa DNR; and send it along with the construction application documents (See submittal checklist No. 1 or 2, pages 10-15.) Note: Do not send this fee to the county.

6483 7212/779 12  
 Date: 9-1-16  
 Dollars: \$ 788.00  
 Order of: IA DNR  
 Roger Bohnenkamp  
 UNITED BANK of IOWA  
 KINGSEY, IOWA 51018 - (719) 399-3004  
 For: 120025771016 6483

Manure Management Plan Form  
Determining Maximum Allowable Manure Application Rates Page 2

Instructions: Complete worksheet for each unique combination of the following factors (crop rotation, optimum crop yield, manure nutrient concentration, remaining crop N need, method of application) that occurs at this operation. Footnotes are given on pages 4, 5, and 6.

Management Identification ID: CB (Corn/Soybean)  
 Method used to determine optimum yield: USDA Iowa Ag Statistics County yields  
 Timing of Application: Fall or Spring  
 Application Loss Factor: .98

Table 2. Manure Nutrient Concentration

Manure Storage Structure(s)	Depth/Pit	Total P <sup>1</sup>	% 2nd year	% 3rd year	3rd year <sup>2</sup>
Total N <sup>1</sup>	53.5	27.8		0%	
Available % N <sup>1</sup>	75%		25%		
Available N <sup>2</sup>	39.32	13.11		0.00	

Table 3. Crop Usage Rates<sup>3</sup>

lb/ha or lb/ton	N	P
Corn (zone 2)	1.1	0.32
Soybean	3.8	0.72

Table 4. Calculations for rate based on nitrogen (always required).

1 Applying Manure For (crop to be grown)	bu or ton/acre	lb/acre	lb/acre
2 Optimum crop yield <sup>4</sup>	60.3	64.4	43.4
3 P <sub>2</sub> O <sub>5</sub> removed from crop harvest <sup>5</sup>		221	100
4 Crop N utilization <sup>6</sup>		50	0
5a Legume N credit <sup>7</sup>			
5b Commercial N planned <sup>8</sup>			
5c Manure N carryover credit <sup>9</sup>			
5d Add'l Manure N (from other sites)			
6 Remaining crop N need <sup>10</sup>		57.1	0.0
7 Manure rate to supply remaining N <sup>11</sup>		171	43
8 P <sub>2</sub> O <sub>5</sub> applied with N-based rate <sup>12</sup>		4,360	1,090

Table 5. Calculations for rate based on phosphorous (fill out only if P-based rates are planned)

9 Commercial P <sub>2</sub> O <sub>5</sub> planned <sup>13</sup>	lb/acre
10 Manure rate to supply P removal <sup>14</sup>	2,520
11 Manure rate for P-based plan <sup>15</sup>	0
12 Manure N applied with P-base plan <sup>16</sup>	0

Table 6. Application rates that will be carried over to page 3.

13 Planned Manure Application Rate <sup>17</sup>	lb/acre
	4,360

When applicable, manure application rates must be based on the P index value as follows:  
 (0-2): N-based management.  
 (>2-5): N-based manure management but P application rates cannot exceed two times the P removal rate of the crop schedule.  
 (>5-10): Until December 31, 2008, P-based manure management while adopting practices to reduce P index to 5 or below.  
 (>10): No manure application until practices are adopted to reduce P index to 5 or below.

Instructions: Complete this form for each of the next four growing seasons, to demonstrate sufficient land base to apply manure over multiple crop years. If this page is identical for multiple years (e.g., every other year), submit only once for the identical years, and indicate which years the form represents. Footnotes are given on page 6.

Crop years	Field name: Acres	Field location 1/4 of the Sec Township Name County Name	T, R, Mgmt Id	Planned crop	Acres receiving Liquid Solid	Own, rent, agreement (lease auto)	P Index (1 yr agreement (1 yr auto)	HEL (Y/N)	Planned Application gal/acres gal/acres	Correct Soil for P (Y/N)
Odd Years	519 Pwats SE-E; 221.8a	NW 1/4 and W1/2 of SW 1/4 Sec 19 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	221.9	Agreement (1 yr auto)	1.36	No	4,300 967,484	No
	520 Pwats W & S; 108.8a	W 1/2 of the SW 1/4 & S portion of the S 1/2 Sec 20 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	108.8	Agreement (1 yr auto)	0.92	No	4,300 465,648	No
	529 Pwats NE-N; 78.8a	N 1/2 of the NE 1/4 Sec 20 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	15	Agreement (1 yr auto)	1.56	No	4,300 65,400	No
	530 Pwats N; 87.7a	SW 1/4 Sec 20 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	55.7	Agreement (1 yr auto)	2.43	No	4,300	Yes
Total acres available for manure application: 545.7									Total amount of manure that could be applied: 1,499,532	gallons

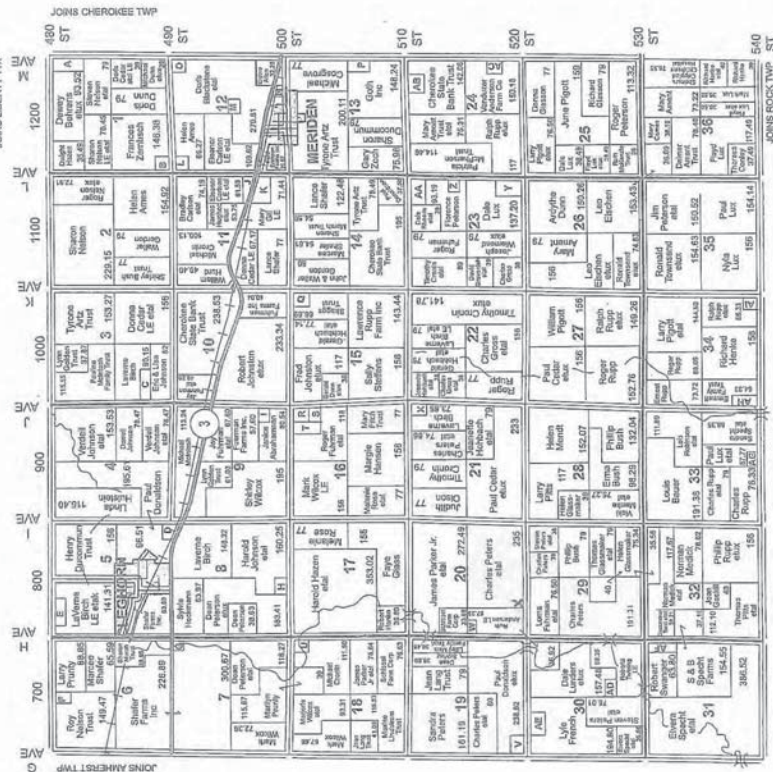
Instructions: Complete this form for each of the next four growing seasons, to demonstrate sufficient land base to apply manure over multiple crop years. If this page is identical for multiple years (e.g., every other year), submit only once for the identical years, and indicate which years the form represents. Footnotes are given on page 6.

Crop years	Field name: Acres	Field location 1/4 of the Sec Township Name County Name	T, R, Mgmt Id	Planned crop	Acres receiving Liquid Solid	Own, rent, agreement (lease auto)	P Index (1 yr agreement (1 yr auto)	HEL (Y/N)	Planned Application gal/acres gal/acres	Correct Soil for P (Y/N)
Even Years	516 Pwats SE-E; 78.4a	E 1/2 of the SE 1/4 Sec 19 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	78.4	Agreement (1 yr auto)	0.92	No	4,300 341,824	No
	520 Pwats N; 137.7a	North Central portion of the S 1/2 Sec 20 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	137.7	Agreement (1 yr auto)	0.78	No	4,300 600,372	No
	527 Pwats NE-W; 74.8a	W 1/2 of the NE 1/4 Sec 21 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	74.8	Agreement (1 yr auto)	1.34	No	4,300 326,128	No
	529 Pwats N; 82.2a	S 1/2 of the NW 1/4 Sec 20 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	55	Agreement (1 yr auto)	1.31	No	4,300 238,900	Yes
	530 Pwats N; 77.8a	E 1/2 of the SW 1/4 Sec 20 T 52N R 41W, Sheridan, Cherokee	CB	Com (zone 2)	54.8	Agreement (1 yr auto)	1.22	No	4,300	Yes
Total acres available for manure application: 345.3									Total amount of manure that could be applied: 1,594,124	gallons

# SHERIDAN TWP LAND OWNER

T 92 N

R 41 W



### Small Tracts

- Section 1 A Keith Behrens - 20.80
- Section 2 C James Gooderson - 10.08
- Section 3 B Eric Johnson - 8.81
- Section 4 P. M. Doolittle - 5.02
- Section 5 C. O. Doolittle - 5.02
- Section 6 I. A. Doolittle - 5.02
- Section 7 J. Doolittle - 5.02
- Section 8 J. Doolittle - 5.02
- Section 9 J. Doolittle - 5.02
- Section 10 J. Doolittle - 5.02
- Section 11 J. Doolittle - 5.02
- Section 12 J. Doolittle - 5.02
- Section 13 J. Doolittle - 5.02
- Section 14 J. Doolittle - 5.02
- Section 15 J. Doolittle - 5.02
- Section 16 J. Doolittle - 5.02
- Section 17 J. Doolittle - 5.02
- Section 18 J. Doolittle - 5.02
- Section 19 J. Doolittle - 5.02
- Section 20 J. Doolittle - 5.02
- Section 21 J. Doolittle - 5.02
- Section 22 J. Doolittle - 5.02
- Section 23 J. Doolittle - 5.02
- Section 24 J. Doolittle - 5.02
- Section 25 J. Doolittle - 5.02
- Section 26 J. Doolittle - 5.02
- Section 27 J. Doolittle - 5.02
- Section 28 J. Doolittle - 5.02
- Section 29 J. Doolittle - 5.02
- Section 30 J. Doolittle - 5.02
- Section 31 J. Doolittle - 5.02
- Section 32 J. Doolittle - 5.02
- Section 33 J. Doolittle - 5.02
- Section 34 J. Doolittle - 5.02
- Section 35 J. Doolittle - 5.02
- Section 36 J. Doolittle - 5.02

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# Aerial Map



Tucker Consulting, Inc.  
630 Ontario Street  
Storm Lake, IA 50588  
(712) 732-3030

Map Provided by  
**surety**  
© Agribase, Inc. 2018  
www.agribase.com

Field Indices provided by Farm Service Agency as of 02/12/2008.



Aerial Map



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Map Provided By  
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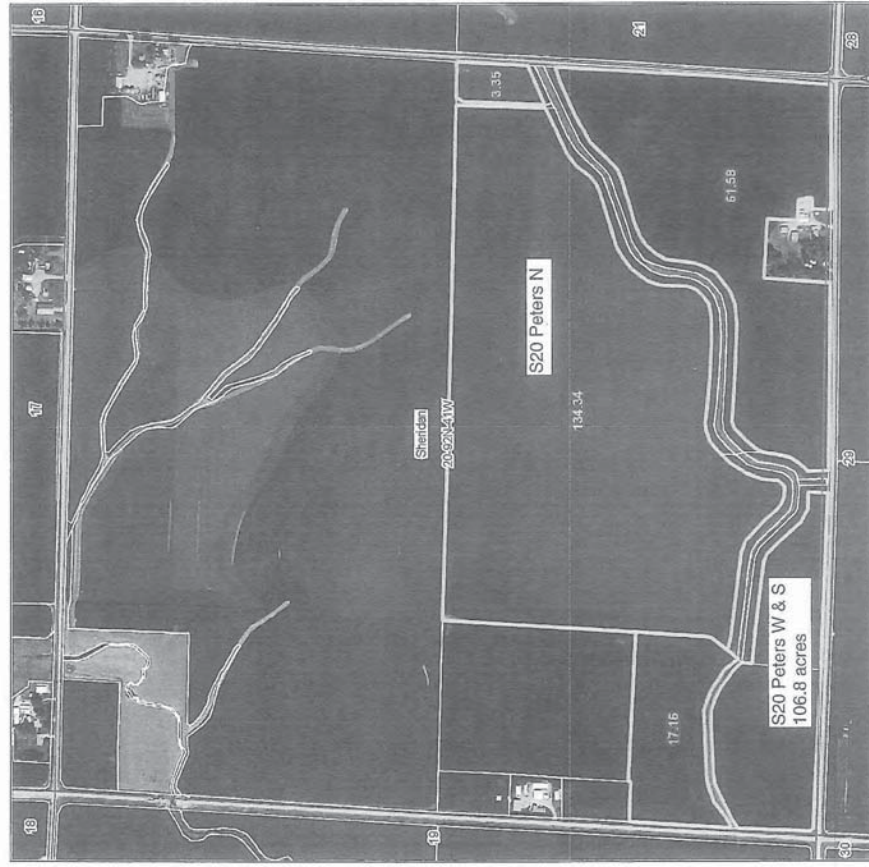
map center: 42.771641, -95.730663  
 scale: 1:0002

19-92N-41W  
 Cherokee County  
 Iowa

4/23/2015

Field borders provided by Farm Services Agency as of 6/21/2008. Aerial photography provided by Aerial Photography Field Office.

Aerial Map



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Map Provided By  
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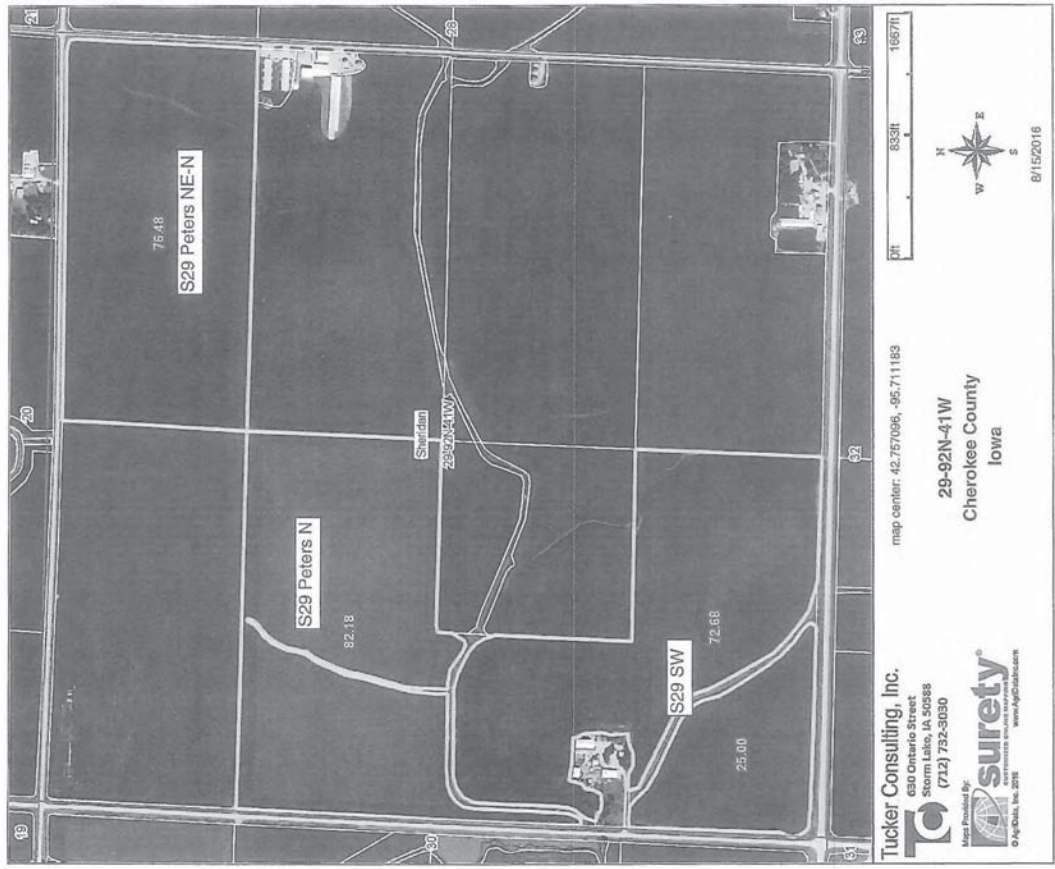
map center: 42.771618, -95.710691

20-92N-41W  
 Cherokee County  
 Iowa

9/1/2016

Field borders provided by Farm Services Agency as of 6/21/2008.

Aerial Map



Aerial Map



# Aerial Map



Tucker Consulting, Inc.  
 630 Ontario Street  
 Storm Lake, IA 50588  
 (712) 732-3030



30-92N-41W  
 Cherokee County  
 Iowa

map center: 42.757009, -95.730526  
 scale: 9778

Field borders provided by Farm Service Agency as of 9/21/2008. Aerial photography provided by Aerial Photography Field Office.



## Iowa Phosphorus Index

Credits: Iowa State University  
 USDA National Resources Conservation Service

Field Number	Gross Sediment			Erosion			Runoff			+ Tile Subsurface Recharge = Overall					
	Erosion X Trap Factor	SDR X Factor	STP Factor	Buffer Enrichment X Factor	STP Factor	Erosion X Factor	RCN Factor	STP Factor	P App Factor	Flow Factor	STP Factor	Tile-Sub PI	P Index		
* S19 French	1.80	1.00	0.50	1.00	1.10	0.93	0.91	1.16	0.32	0.07	0.45	0.00	0.07	0.00	1.36
* S29 Peters N	1.80	1.00	0.68	1.00	1.10	0.81	1.07	1.16	0.18	0.02	0.24	0.00	0.07	0.00	1.31
* S29 SW	3.40	1.00	0.48	1.00	1.10	1.02	1.85	1.16	0.44	0.07	0.68	0.00	0.07	0.00	2.43
* S30 Peters	1.80	1.00	0.46	1.00	1.10	0.92	0.83	1.16	0.31	0.02	0.39	0.00	0.07	0.00	1.22
* S16 Peters SE-E	1.80	1.00	0.41	1.00	1.10	0.83	0.68	1.16	0.21	0.00	0.24	0.00	0.07	0.00	0.92
* S20 Peters N	1.80	1.00	0.36	1.00	1.10	0.81	0.58	1.16	0.18	0.00	0.20	0.00	0.07	0.00	0.78
* S20 Peters W & S	1.80	1.00	0.38	1.00	1.10	0.85	0.65	1.16	0.23	0.00	0.27	0.00	0.07	0.00	0.92
* S21 Peters NE-W	1.80	1.00	0.45	1.00	1.10	0.99	0.89	1.16	0.39	0.00	0.45	0.00	0.07	0.00	1.34
* S29 Peters NE-N	2.50	1.00	0.44	1.00	1.10	0.96	1.16	1.16	0.37	0.00	0.42	0.00	0.07	0.00	1.58

Printed for: RCB Pockers  
 Created by: Tucker Consulting, Inc.

Printed by: kim.thayer  
 Printed on: 9/1/2015



RUSLE2: Profile Erosion Calculation Record

Info: S19 French, S29 Peters N; S30 Peters; S16 Peters SE-E; S21 Peters NE-W; S20 Peters W & S

File: profiles\Peters, Steve CB  
Access Group: R2\_NRCS\_Fld\_Office

Inputs: USAIowa\Cherokee County  
Location: Cherokee County, Iowa\310B Galva silty clay loam, 2 to 5 percent slopes\Galva silty clay loam 100%  
Slope length (horiz): 200 ft  
Avg. slope steepness: 4.0 %

Management	Vegetation	Yield units bushels	# yield #/ac
managements\CMZ 041c.Other Local Mgt Records\Peters, Steve	vegetations\Corn, grain, high yield	bushels	211.00
managements\CMZ 041c.Other Local Mgt Records\Peters, Steve	vegetations\Soybean, mw 30 in rows	bu	61.000

Contouring: a. rows up-and-down hill  
Strips/barriers: (none)  
Diversion/terrace, sediment basin: (none)  
Subsurface drainage: (none)  
Adjust res. burial level: Normal res. burial  
General yield level: Set by user  
Rock cover: 0 %

Outputs:

T value: 5.0 t/ac/yr  
Soil loss erod. portion: 1.8 t/ac/yr  
Detachment on slope: 1.8 t/ac/yr  
Soil loss for cons. plan: 1.8 t/ac/yr  
Sediment delivery: 1.8 t/ac/yr  
Net C factor: 0.091  
Net K factor: 0.27  
Crit. slope length: 200 ft  
Surf. cover after planting: -- %

Date	Operation	Vegetation	Surf. res. cov. after op, %
1/1/0	Manure injector, liquid high disturb. 30 inch		69
4/24/1	Cultivator, field 6-12 in sweeps		37
4/24/1	Harrow, collid time		37
4/25/1	Planter, double disk oppr w/fluted couler	Corn, grain, high yield	36
10/20/1	Harvest, killing crop 50pct standing stubble		87
1/1/23/1	Chisel plow, disk, st. pis., cover disks		54
5/4/2	Cultivator, field 6-12 in sweeps		43
5/4/2	Harrow, collid time		43
5/6/2	Planter, double disk oppr w/fluted couler	Soybean, mw 30 in rows	44
10/1/2	Harvest, killing crop 20pct standing stubble		89

Soil conditioning index (SCI): 0.476  
Avg. annual slope STIR: 82.4  
Wind & irrigation-induced erosion for SCI: 0 t/ac/yr



RUSLE2: Profile Erosion Calculation Record

Info: S29 SW

File: profiles\Peters, Steve CB 310C  
Access Group: R2\_NRCS\_Fld\_Office

Inputs: USAIowa\Cherokee County  
Location: Cherokee County, Iowa\310C Galva silty clay loam, 5 to 9 percent slopes\Galva silty clay loam 100%  
Slope length (horiz): 200 ft  
Avg. slope steepness: 7.0 %

Management	Vegetation	Yield units bushels	# yield #/ac
managements\CMZ 041c.Other Local Mgt Records\Peters, Steve	vegetations\Corn, grain, high yield	bushels	204.00
managements\CMZ 041c.Other Local Mgt Records\Peters, Steve	vegetations\Soybean, mw 30 in rows	bu	59.000

Contouring: a. rows up-and-down hill  
Strips/barriers: (none)  
Diversion/terrace, sediment basin: (none)  
Subsurface drainage: (none)  
Adjust res. burial level: Normal res. burial  
General yield level: Set by user  
Rock cover: 0 %

Outputs:

T value: 5.0 t/ac/yr  
Soil loss erod. portion: 3.4 t/ac/yr  
Detachment on slope: 3.4 t/ac/yr  
Soil loss for cons. plan: 3.4 t/ac/yr  
Sediment delivery: 3.4 t/ac/yr  
Net C factor: 0.091  
Net K factor: 0.27  
Crit. slope length: 200 ft  
Surf. cover after planting: -- %

Date	Operation	Vegetation	Surf. res. cov. after op, %
1/1/0	Manure injector, liquid high disturb. 30 inch		68
4/24/1	Cultivator, field 6-12 in sweeps		36
4/24/1	Harrow, collid time		36
4/25/1	Planter, double disk oppr w/fluted couler	Corn, grain, high yield	35
10/20/1	Harvest, killing crop 50pct standing stubble		86
1/1/23/1	Chisel plow, disk, st. pis., cover disks		53
5/4/2	Cultivator, field 6-12 in sweeps		42
5/4/2	Harrow, collid time		42
5/6/2	Planter, double disk oppr w/fluted couler	Soybean, mw 30 in rows	43
10/1/2	Harvest, killing crop 20pct standing stubble		88

Soil conditioning index (SCI): 0.337  
Avg. annual slope STIR: 82.4  
Wind & irrigation-induced erosion for SCI: 0 t/ac/yr



**RUSLE2 Profile Erosion Calculation Record**

Info: S29 Peters NE-N; S20 Peters N  
 File: profiles\Peters, Steve CB 310B2  
 Access Group: R2\_NRCS\_Fid\_Office  
 Inputs:  
 Location: USAIowa\Cherokee County  
 Soil: Cherokee County, Iowa\310B2 Galva silty clay loam, 2 to 5 percent slopes, eroded\Galva Silty clay loam eroded  
 95%  
 Slope length (horiz): 200 ft  
 Avg. slope steepness: 4.0 %

Management	Vegetation	Yield units	# yield #/ac
managements\CMZ 041c:Other Local Mgt Records\Peters, Steve C/B	vegetations\Corn, grain, high yield	bushels	204.00
managements\CMZ 041c:Other Local Mgt Records\Peters, Steve C/B	vegetations\Soybean, mw 30 in rows	bu	59.000

Contouring: a. rows up-and-down hill  
 Strips/barriers: (none)  
 Division/terrace, sediment basin: (none)  
 Subsurface drainage: (none)  
 Adjust res. burial level: Normal res. burial  
 General yield level: Set by user  
 Rock cover: 0 %  
**Outputs:**  
 T value: 5.0 t/ac/yr  
 Soil loss erod. portion: 2.5 t/ac/yr  
 Detachment on slope: 2.5 t/ac/yr  
 Soil loss for cons. plan: 2.5 t/ac/yr  
 Sediment delivery: 2.5 t/ac/yr  
 Net C factor: 0.092  
 Net K factor: 0.36  
 Crit. slope length: 200 ft  
 Surf. cover after planting: -- %

Date	Operation	Vegetation	Surf. res. cov. after op, %
11/1/0	Manure injector, liquid high disturb, 30 inch		68
4/24/1	Cultivator, field 6-12 in sweeps		36
4/24/1	Harrow, colled time		36
4/25/1	Planter, double disk oppr w/fluted coultter	Corn, grain, high yield	35
10/20/1	Harvest, killing crop 50pct standing stubble		86
11/23/1	Chisel plow, disk, st. pis., cover disks		53
5/4/2	Cultivator, field 6-12 in sweeps		42
5/4/2	Harrow, colled time		42
5/6/2	Planter, double disk oppr w/fluted coultter	Soybean, mw 30 in rows	43
10/1/2	Harvest, killing crop 20pct standing stubble		88

Soil conditioning index (SCI): 0.402  
 Avg. annual erosion STIR: 82.4  
 Wind & irrigation-induced erosion for SCI: 0 t/ac/yr

**Manure Application Agreement**

Peters hereby grant to RCB Porkers e/o Roger Bohmenkamp, access to apply manure in accordance with the following terms, conditions.

**Grant To Apply Manure:** The land owners grant the right to enter upon the land for the purpose of the application of manure at a rate not to be in excess of the maximums allowed under all applicable laws or regulations, including environmental regulations, promulgated by the County, State of Iowa or by the United States.

**Site:** The following describes real estate held by the above owner(s) of the facility:

SE 1/4 of the SW 1/4 Section 20 T92N R41W, Sheridan Township, Cherokee County, Iowa

**Agricultural Land:** The following describes real estate held by the above owner(s) shall be subject to this agreement for the application of manure:

E 1/2 of the SE 1/4 Section 16 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 78.4 acres

NW 1/4 and W 1/2 of the SW 1/4 Section 19 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 222 acres

S 1/2 Section 20 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 276 acres

W 1/2 of the NE 1/4 Section 21 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 74.8 acres

N 1/2 of the NE 1/4 Section 29 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 76.5 acres

S 1/2 of the NW 1/4 Section 29 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 82.4 acres

W 1/2 of the SW 1/4 and SE 1/4 of the SW 1/4 Section 29 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 97.7 acres

E 1/2 of the SW 1/4 Section 30 T92N R41W, Sheridan Township, Cherokee County, Iowa  
 Approximately 77.8 acres

**Term Of The Agreement:** This agreement shall become effective on the date of this agreement, shall run until the following Sept 1, and shall continue thereafter from year to year, upon the same terms and conditions, unless terminated by either party giving written notice of termination to the other party on or before June 1, in which case this agreement shall terminate September 1 following said notice of termination.

Date this 22 day of August, 2016

Site Owner(s)

R.C.B. Bohnenkamp  
Roger Bohnenkamp

Land Owner(s)

Alvin P. Bohnenkamp  
Charles P. Bohnenkamp



# Foundation Analytical Laboratory

115 East Maple Street  
Cherokee, IA 51012  
Phone: 712-225-6989  
www.foundationanalytical.com

Report Date: 9-10-2015  
Report Number: 15-253-0009  
Lab ID Number: 15013883

Roger Bohnenkamp  
Box 193  
Remsen, IA 51050

Date Submitted: 9-2-2015  
Date Received: 9-2-2015  
Submitted By: Roger Bohnenkamp

Sample Description: Melontree North 9/2/15 (Swine)

Test Requested	Results		Lbs/1000 gal As Is Basis	Analysis Date / Time	Analyst	Method
	As Received	As Is Basis				
Nitrogen (%)	0.71	59.08	59.08	9-4-2015 9:34	MM	AOAC 2001.11
Phosphorus P2O5 (ppm)	4012	33.48	33.48	9-8-2015 10:32	JS	AOAC 985.01
Potassium K2O (ppm)	4662	38.90	38.90	9-8-2015 10:32	JS	AOAC 985.01

Comments

Respectfully submitted by  
*Diane Young*  
Diane Young  
Director of Technical Services

All tests for this report have been approved by Foundation Analytical Laboratory Management. The results depicted in this report apply to samples as submitted. It is not possible for Foundation Analytical Laboratory to guarantee that a test result obtained on a particular sample will be the same on any other sample unless all conditions affecting the sample are the same, including sampling by Foundation Analytical Laboratory. As a mutual protection to clients, the public, and ourselves, all reports are submitted as the confidential property of clients, and authorization for publication of statements, conclusions or extracts from or regarding our reports is reserved pending our written approval.



# Foundation Analytical Laboratory

115 East Maple Street  
Cherokee, IA 51012  
Phone: 712-225-6989  
www.foundationanalytical.com

Report Date: 9-10-2015  
Report Number: 15-253-0010  
Lab ID Number: 15013884

Roger Bohnenkamp  
Box 193  
Remsen, IA 51050

Date Submitted: 9-2-2015  
Date Received: 9-2-2015  
Submitted By: Roger Bohnenkamp

Sample Description: Melontree South 9/2/15 (Swine)

Test Requested	Results As Received	Lbs/1000 gal As Is Basis	Analysis Date / Time	Analyst	Method
Nitrogen (%)	0.57	47.82	9-4-2015 9:34	MM	AOAC 2001.11
Phosphorus P2O5 (ppm)	2861	22.21	9-8-2015 10:32	JS	AOAC 985.01
Potassium K2O (ppm)	5405	45.10	9-8-2015 10:32	JS	AOAC 985.01

Comments

Respectfully submitted by  
*Diane Young*  
Diane Young  
Director of Technical Services

All data for this report has been approved by Foundation Analytical Laboratory Management. The results depicted in this report apply to samples as submitted. It is not possible for Foundation Analytical Laboratory to guarantee that a test result obtained on a particular sample will be the same on any other sample unless all conditions are the same, including sampling by Foundation Analytical Laboratory. As a mutual protection to clients, the public, and ourselves, all reports are submitted as confidential property of clients, and authorization for publication of statements, conclusions or extracts from or reports is reserved pending our written approval.



Iowa Department of Natural Resources  
1900 North Grand Ave.  
Gateway N Mall, Suite E17  
Spencer, Iowa 51301

# FAX SHEET

DELIVER TO: Cherokee County Auditor PHONE: 1-712-225-6704

FAX NUMBER: 1-712-225-6708

FROM: Iowa DNR, Paul Petitti

NUMBER OF PAGES (including this cover sheet): 5

MESSAGE: This is a Courtesy Reminder: Iowa law requires that your board of supervisors publish a notice in the newspaper and submit the board's master matrix scoring and recommendation for the construction permit application of the confinement feeding operation, as explained in the attached letter. Please take note of the deadlines. If you have any questions, please call.

Our Fax Number is: 712/262-2901

Any problems with transmission call: 712/262-4177

FIELD OFFICE #3 / 1900 NORTH GRAND, SUITE E17 / SPENCER, IOWA 51301-2200  
712-262-4177 / FAX 712-262-2901 / www.iowadnr.gov



TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

# STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

September 6, 2016

Cherokee County Board of Supervisors  
c/o County Auditor  
Via facsimile and email

**REF: Public Notice, Matrix Evaluation and County's Recommendation Required**  
**DNR's Facility ID No. 69129**

Dear Board of Supervisors:

The DNR has received a construction permit application for a confinement feeding operation:  
Facility name: **RCB Porkers Site**  
Date received by the DNR: 09/06/2016

Under Iowa law, for this application the County is required to complete the following actions:

1. Publish a public notice (see example on page following this letter) in a newspaper having a general circulation in the county no later than 09/20/2016 (within 14 days of DNR's receipt of the application) and furnish proof of publication to the DNR.

Note: A public hearing is not required, but it is optional. However, if the board chooses to have a public hearing, it is recommended to include in the notice the date, time and place for the hearing.

2. Score the applicant's Master Matrix and submit the board's scoring and recommendation regarding this application. A sample cover letter is attached. The county must submit to the DNR all of the following:
  - A) A recommendation to approve or to disapprove the application.
  - B) The Board's scoring of the Matrix, including all supporting calculations.
  - C) Proof of publication of Public Notice.

**Your recommendation and Matrix score must be received by the DNR no later than 10/06/2016 (30 days after DNR received the application).**

NOTE: If the County does not submit the Matrix score and recommendation by the deadline, the DNR will not consider any subsequent County's scoring of the Matrix or recommendation until the next time the County is eligible to adopt a construction evaluation resolution.

3. The board may submit comments or may forward comments from the public, which must be received by DNR no later than 10/06/2016. Comments received after that date due will not be considered. Comments may include but are not limited to the following:
  - a. The existence of an object or location not included in the application that benefits from a separation distance requirement as provided in section 459.202 or 459.204 or 459.310 of the Code of Iowa.
  - b. The suitability of soils and the hydrology of the site where construction of a confinement feeding operation structure is proposed.
  - c. The availability of land for the application of manure originating from the confinement feeding operation.
  - d. Whether the construction of a proposed confinement feeding operation structure will impede drainage through established tile lines, laterals, or other improvements which are constructed to facilitate the drainage of land not owned by the person applying for the construction permit.

4. The proof of publication, County's recommendation, a copy of the Matrix as scored by the board and any public comments must be received by IDNR no later than 10/06/2016. To ensure timely submittal, we recommend that you also fax or scan and email proof of publication, County's recommendation and a copy of the Matrix as scored by the board to:
 

<input checked="" type="checkbox"/> Iowa DNR Field Office #3 1900 N Grand Ave Gateway North, Suite E17 Spencer, IA 51301 Attn: Paul Pettiti	<input type="checkbox"/> Iowa DNR Field Office #2 2300 15 <sup>th</sup> St SW Mason City, IA 50401 Attn: Cindy Garza
--	--

Send to:

<input checked="" type="checkbox"/> Iowa DNR Field Office #3 1900 N Grand Ave Gateway North, Suite E17 Spencer, IA 51301 Attn: Paul Pettiti  Paul.Pettiti@dnr.iowa.gov 712/262-4177	<input type="checkbox"/> Iowa DNR Field Office #2 2300 15 <sup>th</sup> St SW Mason City, IA 50401 Attn: Cindy Garza  Cindy.Garza@dnr.iowa.gov 641/424-4073
---	--

If you have any questions about this process, please contact Paul or Cindy.

Sincerely,

Field Services and Compliance Bureau

Paul Pettiti



## PUBLIC NOTICE

*(This section is to be completed by the applicant)*

The Cherokee County Board of Supervisors, has received a construction permit application for a confinement feeding operation, more specifically described as follows:

Name of Applicant: Roger Bohnenkamp

Location of the proposed construction: Section 20 of Sheridan Township.

Type of confinement feeding operation structure<sup>†</sup> proposed: Two new 2400 head deep pit swine finisher confinement buildings for a new swine confinement facility.

Animal Unit Capacity of the Confinement Operation after Construction: 1920 animal units.(4800 head of finishing swine)

*(This section is to be completed by the county)*

Examination: The application is on file at the County          Office and is available for public inspection during the following days:          and hours:          am to          pm.

Comments: Written comments may be filed at the County          Office, until the following deadline:         .

<sup>†</sup> A confinement feeding operation structure = a confinement building with a below the floor concrete pit; confinement building with an earthen basin or anaerobic lagoon; aboveground steel tank, etc. (see definition in footnote 1, page 1 of this application form).

## Letterhead for County Board of Supervisors

Address, town, Iowa  
COURTHOUSE: # FAX: #  
Supervisors

\_\_\_\_\_ County Master Matrix Scoring & Recommendation

The \_\_\_\_\_ County Board of Supervisors have reviewed the Master Matrix and Construction Permit Application for \_\_\_\_\_

Public Notice was published on   /  /   and the proof of publication is attached.

Matrix as scored by \_\_\_\_\_ County = \_\_\_\_\_ points. **Passing / Failing** (Circle One)

If the County scored matrix is different than submitted then the County scored matrix is attached with justifications

Supplemental letters or documentation is being sent to DNR

Upon review and inspection of construction site and documents provided, we the County Board of Supervisors recommend the permit application be **Approved / Disapproved** (Circle One)

**Comments or Reason for Disapproval:**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Chairman \_\_\_\_\_

AG PROJECT REVIEW

BELOW THRESHOLD ENGINEERING REQUIREMENTS

Facility ID # 69129
Site Name R.S.D. Forkers
Contact Name Bob Stewart
County Cherokee
Fees Correct X Yes No
Date DNR received the application: 9-6-16
Written request for 30-day extension(s) submitted: 11-6-16

Application Form
Pages 1-4 of application form are properly completed (Items 1, 3, 4 & 5)
Form was signed by the "owner" (Item 6)
Siting information - the following documentation was enclosed (Item 2):
1. karst documentation:
Site is not in karst. Map or GIS document was enclosed.
Site is in a potential karst. Upgraded concrete standards must be used (see CDS or PE Design Cert.)
A copy of soils exploration signed by a PE or other qualified organization (NRCS) was enclosed showing that the vertical distance between the bottom of the formed structure and the soluble rock is 5 feet or more. Otherwise require a PE.

Alluvial soils documentation:
Site is not in alluvial soils. Map or GIS document was enclosed, or acceptable documents submitted.
Site is in alluvial soils. The following was enclosed:
a. FP determined site is not in floodplain or that a floodplain permit is not needed
b. Floodplain permit included

Geological Survey Bureau Report also needed?
Does the site contain soils classified as alluvial?
Is the site located on karst terrain or does the site drain into a known sinkhole?
If the application is for an expansion of an operation that did not previously need a permit, was all previous construction completed at least 120 days ago? (Item 3, A)

Interested Parties Form (Item 7). Any pending enforcement actions? Yes No
Fees (Item 8). This information has been entered in database:
Manure Storage Indemnity Fee
Construction Application Fee \$250.00
Manure management plan filing fee \$250.00
TOTAL PAID: 788

County documents:
Proof that all construction application documents were delivered to the county (Item 9).
Proof of adequate public notice (all applications, no exceptions).
County Comments: Yes No; Public Comments: Yes No
If manure will be applied in a county other than the county in which the site is located, an additional verification of receipt of the MMP from that county was also submitted.

Attachment 1 - Aerial photos:
Maps, drawings of aerial photos that show the location of the proposed confinement feeding operation structures, and objects with a required separation distance was submitted by applicant.

Attachment 2: Statement of Design Certification:
Option 1: Construction Design Statement (CDS)
Accurate description of the proposed confinement feeding operation structure(s).
A manure management plan was enclosed.
Certification signed that the structure will meet 567 IAC 65.15(14).
Drainage tile certification signed if constructing 3 or more structures.
Upgraded concrete standards required?
PIE Fan Location

Option 2: Professional Engineer (PE) Design Certification
Completed with original signature, with a site-specific design
Upgraded concrete standards required?
Require drainage tile certification if constructing 3 or more structures.

Is the legal description of the proposed site used consistently in the construction application form, manure management plan and CDS?

Attachment 4: Master Matrix
Required, and the following scores were granted by county:
Score: Total = Air = Water = Community =
Required: Total = 440 Air = 53.38 Water = 67.75 Community = 101.13
County's adopted recommendation and matrix scoring submitted within 30 days of DNR's receipt

Submitted a design, operation and maintenance plan or supporting documents if claiming points in Master Matrix item Nos. 13, 14, 15, 16, 17, 18, 19, 25, 26a, 26b, 26c, 26d, 26e, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44
Matrix is not required because:
County does not have a construction evaluation resolution OR
Operation was constructed prior to April 1, 2002 and the AUC is less than 1, 667 AU

Field Office Report - Separation distance verification and MMP:
AG Specialist Michelle J.
Table 6
All minimum required separation distances met or exceeded; OR
Separation distance waiver(s) was/were submitted - must be recorded in county
Abandoned wells will be plugged
Wells currently being used must be plugged before issuing a permit
Secondary containment barrier is being proposed
Manure Management Plan (Attachment 3) - Approved? Yes No
MMP Approval Date 9-8-16

Water Use Permit may be required for water use greater than 25,000 gpd. (Use current MWPS-7 to estimate water use.)
Yes - Include condition in permit No

**Environmental Protection Commission**  
**Iowa Department of Natural Resources**

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ITEM

10

DECISION

TOPIC      **Contract with the University of Iowa for Flood Plain Mapping Updates and Maintenance**

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**Recommendations:**

Commission approval is requested for a service contract with the University of Iowa Flood Center for a term of two (2) years.

The contract will begin on January 1, 2017 and terminate on December 31, 2018. The total amount of this contract shall not exceed \$100,000.00.

**Funding Source:**

This contract will be funded through Environment First funds (HB7A).

**Background:**

The state-wide Iowa Floodplain Mapping Program is in its sixth year. The HUD CDBG grant that originally funded this project, and was used to contract the services of the Iowa Flood Center, is expiring on December 31<sup>st</sup> of 2016. Of the original \$15.0 million in CDBG Disaster Recovery Funds, \$12,500,000.00 was granted to the Iowa Flood Center for flood plain modeling and delineation. This funding was used for the development of flood hazard data for new floodplain maps and updating of existing maps for the 85 Iowa counties listed in the federal Disaster Declaration of 5/27/2008 (Declaration FEMA-1763-DR). Two (2) cost share agreements were signed with the US Army Corps of Engineers to develop flood hazard data for the 14 non disaster-declared counties. The Iowa Flood Center, in cooperation with the USACE, has completed flood hazard data for most of Iowa.

**Purpose:**

Due to FEMA FIRM time restrictions and other regulatory requirements, there will be a need to maintain the services of IFC GIS staff to continue maintenance and revisions of floodplain products. Changes to these products are sometimes necessary after review and comment by county public officials. Under those circumstances, there will need to be qualified, trained individuals to update the products.

**Contract History:**

The IDNR has had a six year contract relationship with the IFC. Their expertise and experience have been integral to the development of the flood plain mapping products. We are satisfied with the performance of the IFC in developing the flood plain mapping products.

Kathryne Clark  
Program Supervisor  
Land Quality Bureau, Environmental Services Division, GIS Section  
November 15, 2016

**Iowa Department of Natural Resources  
Environmental Protection Commission**

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**ITEM**

11

**DECISION**

**TOPIC**

**Adopted and Filed – Chapter 61 – Water Quality Standards (Copper  
Criteria Update)**

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This rule is necessary to create additional flexibility for wastewater dischargers by adding the option to use the Biotic Ligand Model (BLM) or Water-Effect Ratio (WER) in the determination of site-specific copper criteria. Copper is found in most municipal wastewater effluents due to the corrosion of copper plumbing and it is expensive to remove. The BLM accounts for site-specific variations in the toxicity of copper due to actual levels of copper bioavailability in a given waterbody. The adoption of a Copper BLM criterion will reflect site-specific Iowa surface water conditions. The BLM accounts for several water chemistry parameters to predict the concentration of copper that would actually result in toxicity to an organism in a given waterbody. The following water chemistry parameters have an impact on copper toxicity due to elevated levels of copper: Temperature, pH, Dissolved Organic Carbon, Calcium, Magnesium, Sodium, Potassium, Sulfate, Chloride and Alkalinity. An Implementation Procedure for Biotic Ligand Model-Based Copper Criteria was developed for site-specific data collection and it is incorporated by rule-reference.

The WER method allows permittees to take into account the difference between the toxicity of a metal measured in laboratory water versus the toxicity of the metal measured in ambient water of the discharge site. The WER method allows facilities to calculate a ratio between the two measured toxicity levels and use it to adjust the existing copper criteria shown in IAC 61.3(3), Table 1.

The final rule amendments are protective of water quality and allow permittees the flexibility to use the existing copper criteria and the WER or the ability to use the BLM to generate copper criteria that reflect site-specific water characteristics of the receiving waterbodies for point source discharges. The Department received four public comments in response to the Notice of Intended Action. In response to comments, a responsiveness summary has been prepared and revisions to the implementation procedure have been made to provide clarification.

The revised Implementation Procedure for Biotic Ligand Model-Based Copper Criteria and responsiveness summary can be found at: <http://www.iowadnr.gov/Environmental-Protection/Water-Quality/Water-Quality-Standards>

Jon Tack, Chief  
Water Quality Bureau  
Environmental Services Division

## ENVIRONMENTAL PROTECTION COMMISSION[567]

### Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.173(2), the Environmental Protection Commission (Commission) hereby amends Chapter 61 “Water Quality Standards,” Iowa Administrative Code.

The purpose of the proposed amendments is to create additional flexibility for wastewater dischargers by adding the option to use the Biotic Ligand Model (BLM) to determine water quality criteria for copper. The amendments will also add the option to use the Water-Effect Ratio (WER) to adjust the existing water quality criteria for copper.

The Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 2757C** on October 12, 2016. Public Hearings were held on November 1, November 2, and November 3, 2016. Public comments were received and considered. A responsiveness summary has been prepared and is available at: <http://www.iowadnr.gov/Environmental-Protection/Water-Quality/Water-Quality-Standards>.

In response to public comments clarifying revisions were made to the Implementation Procedure for Biotic Ligand Model-Based Copper Criteria, and are listed in the responsiveness summary. Those clarifications do not alter the substantive impact of the rule revisions.

The Commission adopted these amendments on December 20, 2016.

After analysis and review of this rule making, these amendments are expected to have a positive impact on jobs. The amendments are projected to result in a total cost savings for cities, industries, and semipublic entities ranging between \$113 million and \$215 million. This total savings is expected to be achieved by 7 to 10 facilities across the state that may be able to provide full protection of water quality without the need to install copper removal technology by

using the copper BLM or WER. These cost savings could lead to further investment in production and job growth.

These amendments are intended to implement 455B.173(2).

These amendments will become effective February 22, 2017.

The following amendments are adopted.

ITEM 1. Amend subrule **61.3(3)**, TABLE 1, Criteria for Chemical Constituents, parameter for copper, as follows:

Copper	Chronic <sup>(n)</sup>	20	—	16.9 <sup>(i)</sup>	16.9 <sup>(i)</sup>	16.9 <sup>(i)</sup>	10	—	—
	Acute <sup>(n)</sup>	30	—	26.9 <sup>(i)</sup>	26.9 <sup>(i)</sup>	26.9 <sup>(i)</sup>	20	—	—
	Human Health + — Fish	—	—	—	—	—	—	—	100 0 <sup>(e)</sup>
	Human Health + — F & W	—	—	—	—	—	—	—	130 0 <sup>(e)</sup>

ITEM 2. Adopt the following **new** footnote (n) in subrule **61.3(3)**, TABLE 1, Criteria for Chemical Constituents:

- (n) The copper criteria in Table 1 can be adjusted by a Water-Effect Ratio (WER). The WER factor is equal to 1.0 unless an approved WER study has been conducted by a permittee for a specific point source. The WER study shall be conducted in accordance with the “Interim Guidance on Determination and Use of Water-Effect Ratios for Metals (EPA-823-B-94-001), February 22, 1994,” or upon approval by the department, the “Streamlined Water-Effect Ratio Procedure for Discharges of Copper (EPA-822-R-01-005), March 2001,” which are hereby adopted by reference.

The copper Biotic Ligand Model (BLM) may be used as an alternative to the copper criteria in Table 1. The copper BLM is found in the document “Aquatic Life Ambient Freshwater Quality Criteria - Copper 2007 Revision (EPA-822-R-07-001), February 2007,” which is hereby adopted by reference.

ITEM 3. Reserve subrule **61.3(9)**.

ITEM 4. Adopt the following **new** subrule 61.3(10):

**61.3(10) Implementation procedure for biotic ligand model-based copper criteria.** The department hereby incorporates by reference “Implementation Procedure for Biotic Ligand Model-Based Copper Criteria,” February 22, 2017. This document may be obtained on the department’s Web site.