

The Deuel County Board of Adjustment met on Tuesday, **June 30, 2009** for the purpose of a public hearing on the application for a Concentrated Animal Feeding Operation (CAFO) owned and operated by **Dorus Ravenhorst**, located in Hidewood Township in the N1/2 less that part east of Interstate 29 and E1/2SW1/4 Section 5-114-50.

Chairman Dennis Kanengieter called the meeting to order at 7:08 p.m. at the 4-H Service Center in Clear Lake, SD, with the following members present: Paul Brandt, Gary Jaeger, Darwin Mack and Ray VanLiere. Also present were Attorney John Knight, Zoning Officer Mary Nosbush and 17 registered attendees.

Nosbush explained that Ravenhorst is presently operating a farm site where approximately 600 to 700 head of replacement dairy heifers are housed. He has requested a permit to expand the operation to a Class "C" CAFO with up to 999 animal units.

Seitse Andringa of Sunrise Dairy in Hamlin County said that he began an arrangement with Ravenhorst about five years ago to raise replacement heifers for his dairy at this site, knowing that they would eventually need to be permitted.

Brian Friedrichsen, PE of Dakota Environmental, Huron, SD, described the expansion plans to include two feedlots with double bunks, sloped to drain away from the feed bunks; a sediment basin and lagoon made of packed clay and a manure storage area. These structures will be located south of existing buildings on what is now cropland. A 50' x 200' monoslope barn is planned to be built at the existing site where calf hutches are now used.

The proposed site will limit the view of the facility from Interstate 29. A shelterbelt will be planned between the Interstate right of way and the new structures for additional visual screening. Existing feedlots, which have uncontrolled drainage, will be eliminated.

Manure application easements are all located within 3 miles of the site. Solids will be hauled out and liquids will be land applied with hoses and knifed in. The lagoon is to be emptied one time per year, with storage available for more than 365 days.

All drainage structures are gravity flow with ditches and transfer pipes.

Board members Brandt and Mack questioned feed storage in front of the bunks on the monoslope barn, saying they will produce process wastewater which is regulated and must be controlled. This barn will house approximately 200 animals.

Each open lot (four in all) will house approximately 200 animals. Size of the lots is 200' x 375'. Ravenhorst stated that no animals will be left in the existing lots near the Interstate. These lots will be planted to grass and forages and possibly trees at some point, when the soil tests indicate they can support trees.

Friedrichsen indicated that adequate deposits of clay exist at the site to line the ponds. Stacey DeBoer, closest neighbor to the site, asked a question about the feed storage and transporting. Hay will be stored at the site, according to Andringa, but silage and other feed will be transported daily from Sunrise Dairy. The dairy is located about 2.25 miles from the Ravenhorst site. Haul roads will include ½ mile of Hidewood Township, 1 mile of Deuel County gravel surface highway, and approximately 1 mile between Havana Township and Hamlin County.

Ravenhorst stated that solid manure would be hauled in the spring and fall, as per current practice. He also said that his own land is now on the manure management acres for Sunrise Dairy, but will be removed from that plan and added to his own manure acres, reducing the distances manure will be hauled on any roads.

Darwin Mack stated that the CAFO needs to have an agreement with the Township for road maintenance.

Paul Brandt asked that a manure management plan be provided to the Zoning Board, to include a map showing all locations where manure may be applied. Engineer Friedrichsen said he would provide the map.

Chuck Greenfield, also a neighbor to the site, stated that Ravenhorst does a good job with manure management and thinks this plan is an improvement to the operation.

Zoning Officer Nosbush read a letter from Kenny and JoAnn Ries, objecting to the CAFO permit due to odor issues and a possible loss of value to their acreage which is located about ¾ mile east of the site.

DeBoer expressed concern about odors. He stated that he has cattle and is used to odors, but not 1,000 head. Brandt explained that, based on wind and odor studies, the diagram in the permit documents indicates that 94% of the time DeBoer would not smell any offensive odors from the site.

Andringa said that in order to make the project financially feasible with the cost of the lagoons, these numbers are necessary. He said the cattle belong to Sunrise Dairy and the Dairy has a lease agreement with Ravenhorst. The two facilities have separate manure acres.

The issue of a State General Permit from SD Dept. of Environment and Natural Resources was discussed. Deuel County Zoning Ordinance Section 1304.2 lists the requirements for a State General Permit for a Class "C" CAFO "if an earthen storage basin or lagoon is used for manure storage, excluding existing operations that are improving waste handling facilities according to NRCS standards." The rules went into effect on June 3, 1997.

At 8:36 p.m. Chairman Kanengieter called for a motion.

Brandt and Mack questioned problems with process waste water off of feed on the bunks of the monoslope barn. Mack suggested a 5-6' overhang on the south side of the building. He said the 1.5' overhang now planned is not adequate. Andringa stated that feed would not be piled in front of the barn. He said calves arrive at the site at an age of about 8 weeks and stay in the monoslope barn until they weigh about 200 pounds.

Brandt moved to approve a Class "C" CAFO permit for Dorus Ravenhorst in the N1/2 less that part east of Interstate 29 and E1/2SW1/4 Section 5-114-50, on the contingency that feed and process waste water is not running off the existing building toward the Interstate; and an approved manure management plan with a map is provided to the Zoning Officer. The motion was seconded by VanLiere.

Chairman Kanengieter asked for discussion on the motion.

Brandt and Mack expressed concerns about the site being managed well due to its proximity to Interstate 29 and being viewed by many travelers.

Brandt revised his motion to remove the requirement on process waste water, but to retain the stipulation that an approved manure management plan with a map be provided to the Zoning Officer before a permit be issued.

Attorney John Knight stated that this operation is one animal away from needing a Class "B" permit and that it needs a State General Permit because of the earthen storage lagoon.

After concluding the discussion on the motion, the Chairman called for a roll call vote. All members present voting yes and the motion carried.

Attorney Knight stated that he would prepare the findings for the permit.

Motion Mack, seconded by Jaeger to adjourn at 9:25 p.m. All present voting yes and the motion carried.

Mary E. Nosbush
Zoning Officer

Dennis Kanengieter
Chairman, Board of Adjustment