



Le Sueur County, MN

Thursday, July 13, 2017

Regular session

Item 4

Blue Sky Dairy Packet

Staff Contact: Kathy Brockway or Michelle Mettler

CONDITIONAL USE PERMIT APPLICATION #17175

LE SUEUR COUNTY

**IN AGRICULTURAL AND CONSERVANCY
ZONING DISTRICTS,
AN EXPANSION OF AN EXISTING, REGISTERED
ANIMAL FEEDLOT CAPABLE OF HOUSING
1,505.8 ANIMAL UNITS
(1,067 HEAD OF MATURE DAIRY CATTLE OVER
1,000 POUNDS AND 60 HEAD OF DAIRY CALVES)**

**NAME: BLUE SKY DAIRY, LLC
BLUE SKY DAIRY, LLC**

Subject: Conditional Use Permit Application #17175
Applicant: BLUE SKY DAIRY, LLC
Property Owner: BLUE SKY DAIRY, LLC
Location: SW1/4 OF SECTION 26, CLEVELAND TOWNSHIP
Existing Zoning: A- AGRICULTURAL, C-CONSERVANCY, SP-SPECIAL PROTECTION
Date of Hearing: JULY 13, 2017
Reported by: Kathy Brockway-Le Sueur County P & Z Administrator
Amy Beatty- Le Sueur County Feedlot Officer

Applicant Received:

The applicant has received copies of the Le Sueur County Zoning Ordinance Section 7: Conservancy District, Section 8: Agriculture District, Section 16: Animal Feedlot and Manure Management, and Section 21: Conditional Use Permit.

Township Notification:

The applicant contacted, Susan Ely, Cleveland Township Board on February 28, 2017.

Variance Approved: May 18, 2017

The County granted a Use Variance from the Le Sueur County Zoning Ordinance to allow the applicant to expand a legal non-conforming feedlot by 6 animal units (AU) from 1493.8 AU to 1499.8 AU in the Conservancy "C" Special Protection "SP" and Agriculture "A" Districts.

Zoning District:

The Agriculture (A) District is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones, and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record shall be exempt from density standards.

The Conservancy (C) District is established for areas that typically contain significant water courses and associated features such as bluffs, woods and flood plain that are best left mostly in existing natural ground cover. Dwellings, **livestock production**, and other intense land uses **should be kept to a minimum**. Housing density should be the same as in the Agriculture (A) District. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity with the Conservancy (C) District. However, transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record shall be exempt from density standards.

SPECIAL PROTECTION (SP) DISTRICT- Lands within this Zoning District include shoreland areas adjacent to Recreational Development (RD) and Natural Environment (NE) lakes, agricultural and transitional rivers and tributary streams where agriculture or open space is the predominant use. The water feature needs protection from development and agriculture uses should utilize best management practices that prevent or reduce nonpoint source pollution to surface or groundwater. Housing density should be the same as in the Agriculture (A) District. Dwellings, livestock production and other intense land uses should be kept to a minimum. However, transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), providing that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of record shall be exempt from density standards.

Goal 1: Le Sueur County contains some of the most productive agricultural soils in Minnesota and should adopt and enforce land use goals and policies that conserve and protect agricultural resources and uses.

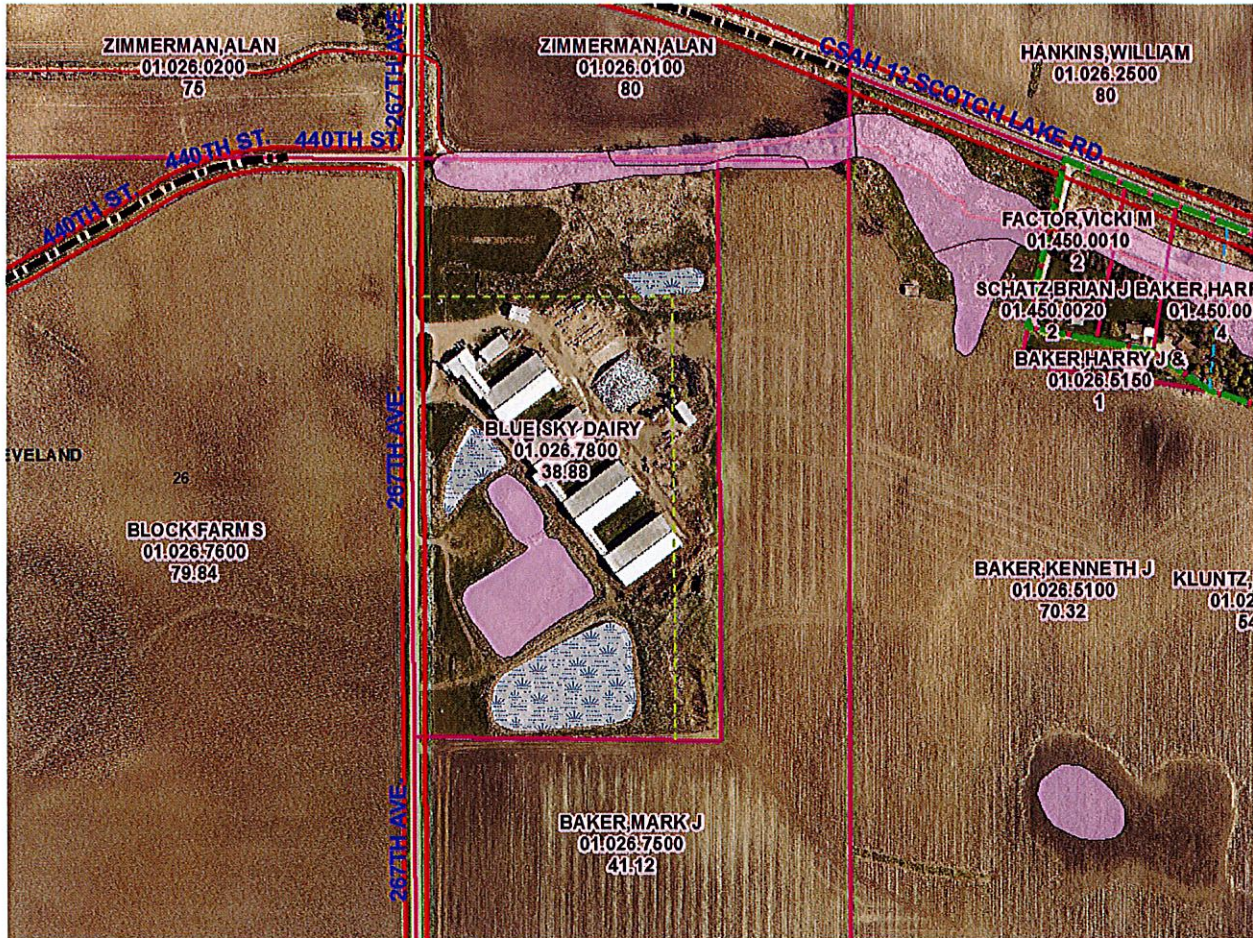
Policy: The County will protect the best of its agricultural land as a resource for long term agricultural use.

Policy: An adequate supply of healthy livestock is essential to the well being of Le Sueur County. The location of livestock feedlots and non-feedlot uses too close to one another can cause conflicts. An effort to combine local needs with state feedlot regulations will ensure local involvement in this issue, help provide minimal disruption to existing agricultural businesses, and help provide rules to protect the environment.

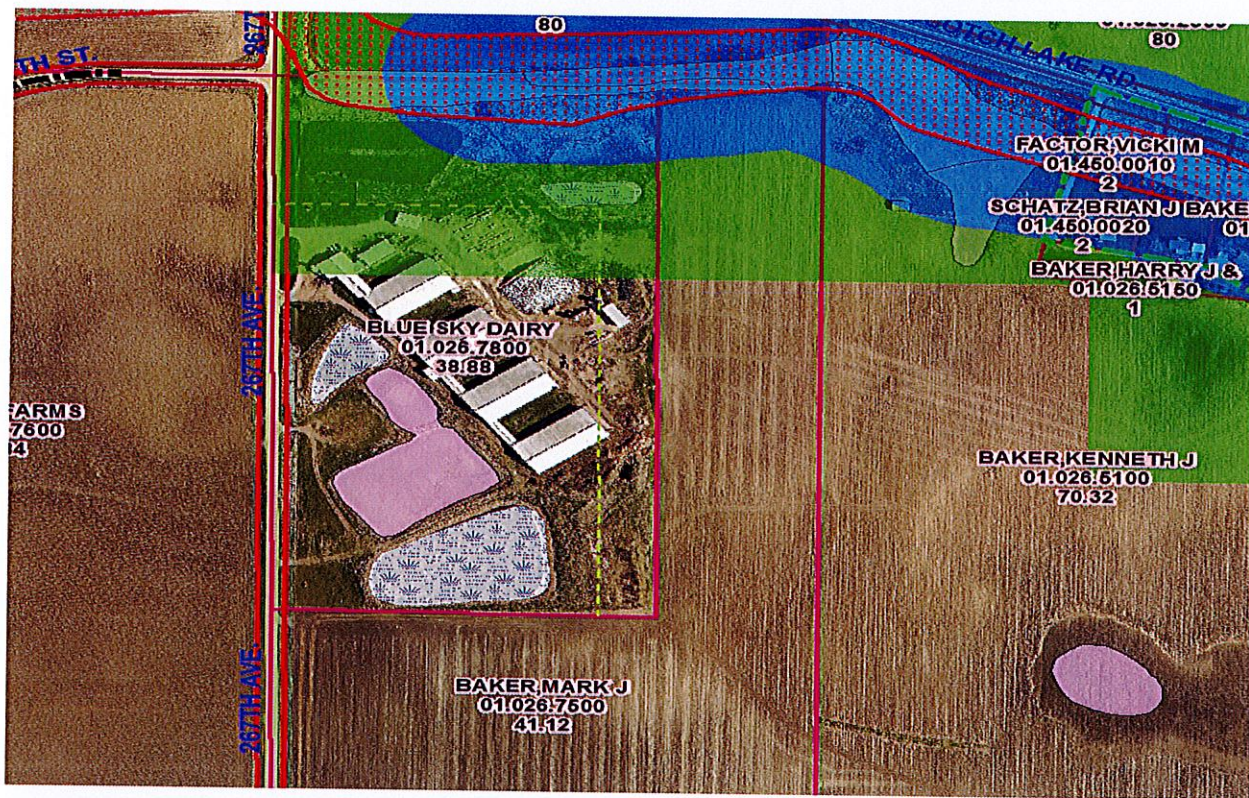
Site Information:

The existing, registered animal feedlot is located on a parcel in the SW ¼ of Section 26, Cleveland Township and parcel address 44625 267th Avenue, Cleveland.

Aerial Photo:



Aerial Photo with Zoning Districts:



Surrounding Land Uses:

The predominant use of the surrounding land is

North: Ag/Special Protection-Shoreland (Cherry Creek/County Ditch 65)

South: Ag

East: Ag

West: Ag

Shoreland: The existing registered animal feedlot and the proposed structures are not located within a Shoreland Zoning District.

Wetlands: There are wetlands located in the quarter-quarter section where the existing registered animal feedlot is located.

Request:

The applicant is requesting to expand an existing, registered animal feedlot from 1,499.8 animal units or 1,067 head of mature dairy cattle over 1,000 pounds and 30 head of dairy calves to 1,505.8 animal units or 1,067 head of mature dairy cattle over 1,000 pounds and 60 head of dairy calves and to construct a permanent solid manure stockpile site. See attached narrative from the applicant.

Animal Feedlot Permit Application:

Because this animal feedlot is registered at more than 1,000 animal units, the application is also being reviewed by Minnesota Pollution Control Agency (MPCA) feedlot staff and engineer for completeness.

The applicant's permit application was received by the county feedlot officer and MPCA feedlot staff and engineer prior to and on June 12, 2017 and was comprised of:

1. Individual NPDES Permit Application
2. Air Emissions and Odor Management Plan
3. Animal Mortality Plan
4. Emergency Response Plan

5. Manure Management Plan Requirements When Ownership of Manure is Transferred. Blue Sky Dairy, LLC will be transferring 100% of the manure generated to cropland managers.
6. Permanent solid manure stockpile site plans prepared by Alan D. Larsen, P.E. with Anez Consulting, Inc.

Per Minn. Stat. §116.07, subd. 7(a), as amended in 2003:

(a) A person who applies to the pollution control agency or a county board for a permit to construct or expand a feedlot with a capacity of 500 animal units or more shall, not less than 20 business days before the date on which a permit is issued, provide notice to each resident and owner of real property within 5,000 feet of the perimeter of the proposed feedlot. The notice may be delivered by first class mail, in person, or by the publication in a newspaper of general circulation within the affected area and must include information on the type of livestock and the proposed capacity of the feedlot.

The applicant's notification was published in the *Le Center Leader's* March 15, 2017 edition.

County and State Requirements:

- Expansion of an existing, registered animal feedlot may expand up to 3,000 animal units through the Conditional Use Permit process located in the Agricultural Zoning District.
- Expansion of an existing, registered animal feedlot may expand up to 500 animal units through the Conditional Use Permit process located in the Conservancy Zoning District.
 - The applicant is requesting to expand the existing registered animal feedlot from 1,499.8 animal units or 1,067 head of mature dairy cattle over 1,000 pounds and 30 head of dairy calves to 1,505.8 animal units or 1,067 head of mature dairy cattle over 1,000 pounds and 60 head of dairy calves and to construct a permanent solid manure stockpile site.
 - At the May 18, 2017, Le Sueur County Board of Adjustment meeting, Blue Sky Dairy, LLC was granted a variance to:
 - Expand a legal non-conforming animal feedlot in a Conservancy Zoning District from 1,499.8 to 1505.8 animal units (expansion of 6 animal units).

For a registered animal feedlot between 101 to 2,000 animal units, the minimum lot size and suitable area acreage is ten (10) acres.

- The applicant submitted a Certificate of Survey showing a parcel with a total acreage of 38.88 acres.
- There are at least 25 suitable area acres on the parcel.

Per Minnesota Administrative Rules, Chapter 7020.2005, subpart 1 and Chapter 4410.4300, subpart 29, the site meets or exceeds the following requirements for the expansion of the existing registered animal feedlot in an Agricultural and Conservancy Zoning Districts. The proposed expansion of the existing animal feedlot facility is not

- Within 1,000 feet of a lake or within 300 feet of a stream;
- Located within a delineated floodplain;
- Located in a state or federally designated wild and scenic river district, a Minnesota River Project Riverbend Area, or the Mississippi Headwaters Area; and
- Located in a drinking water supply management area.

The applicant will meet or exceed the following setback requirements as listed in the Le Sueur County Zoning Ordinance, Section 16 for the **proposed** calf hut area and permanent stockpile site.

- Well – 100 feet.
 - The calf hut area is proposed to be constructed 370 feet from the well and the permanent stockpile site 730 feet from the well.
- North, South, and East Property Lines – 100 feet.
 - The calf hut area is proposed to be 100 feet from the east property line. The calf hut area and permanent stockpile will be approximately 400 feet to the north and south property lines.

- Road right-of-way – 100 feet.
 - The permanent stockpile site is proposed to be 100 feet from the 267th Avenue road right-of-way.
- Cemetery – 500 feet.
 - There are no cemeteries within 500 feet of the existing animal feedlot.
- School, park, golf course, or licensed campground – 1,000 feet.
 - There are no schools, parks, golf courses, or licensed campgrounds within 1,000 feet of the existing animal feedlot.
- Existing dwellings – 1,000 feet.
 - The closest existing dwelling is approximately 1,100 feet from the existing dwelling.

Existing and Proposed Animal Feedlot Structures (see attached site plan):

- Existing Animal Feedlot Buildings and Components.
 - There are four (4) existing total confinement buildings each measuring 120 feet x 264 feet. Each building houses 254 head of dairy cows.
 - There is an existing 48 foot x 90 foot total confinement building (special needs) that house 51 head of dairy cows.
 - There is an existing 50 foot x 250 foot building that houses the milking parlor.
 - There are three (3) earthen manure storage basins measuring
 - 120 feet x 220 feet x 9 feet;
 - 260 feet x 380 feet x 9 feet; and
 - 332 feet x 380 feet x 14 feet.
 - There is one feed pad run-off control basin measuring 25 feet x 10 feet x 4 feet.
 - There are two feed storage areas:
 - A 30 foot x 84 foot commodities building; and
 - A 300 foot x 400 foot concrete feed storage pad.
 - An existing 19 foot x 23 foot x 8 foot below grade concrete manure tank (temporary pit to hold manure prior to being transferred to the primary manure storage basin).
- New Animal Feedlot Buildings and Components.
 - A proposed 3,150 square foot area in which the 60 head of dairy calves will be housed within calf huts.
 - A proposed 60 foot x 130 foot permanent stockpile area. The plans and specifications for the permanent stockpile were prepared by Alan D. Larsen, P.E. with Anez Consulting, Inc.

minimum of three days prior to commencement of construction and within three days following completion of construction.

3. All animal manure from the operation shall be utilized in accordance to its Manure Management Plan and NPDES Permit.
4. Animal mortalities shall meet the requirements of the Minnesota Board of Animal Health.
5. The permit holder shall allow the County Feedlot Officer or assigned representee to inspect the site whenever necessary upon notification to permit holder.
6. No animals shall be brought into the newly constructed portion of the facility until all conditions have been met.
7. All applicable requirements as stated in Section 16, Subdivision 9, Standards for Conditional Use Permits, and any additional standards or requirements imposed by the Le Sueur County Board of Commissioners shall be met.

ATTACHMENTS:

Staff Report, Application, Criteria Form, Narrative, MPCA Requirements, Maps

PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. **Relationship to County plans.**
2. **The geographical area involved.**
3. **Whether such use will negatively affect surrounding properties in the area in which it is proposed.**
4. **The character of the surrounding area.**
5. **The demonstrated need for such use.**
6. **Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.**
7. **Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.**
8. **Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.**
9. **Abatement of Environmental Hazards as regulated in this Ordinance.**
10. **Other factors impacting the public health, safety, and welfare.**

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:
(Please circle one for each item: *Agree, Disagree, Not Applicable.*)

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*

4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permit #: 17175

Applicant: BLUE SKY DAIRY LLC

Land Owner: BLUE SKY DAIRY LLC

Conditional Use Permit Request: EXPAND AN EXISTING 1499.8 ANIMAL UNIT FEEDLOT BY 6 ANIMAL UNITS FOR A TOTAL OF 1505.8 ANIMAL UNITS.

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

6. The conditional use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

7. The conditional use is consistent with the Comprehensive Land Use Plan.

Al	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will meet the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____

Le Sueur County

Conditional Use Application

I. Applicant:

Name Blue Sky Dairy LLC, - Steve Smith
Mailing Address PO Box 51
City Courtland State MN Zip 56021
Phone # 507-359-2133 Phone # _____

II. Landowner:

Name Blue Sky Dairy, LLC
Mailing Address PO Box 51
City Courtland State MN Zip 56021
Property Address 44625 267th Ave
City Cleveland State MN Zip 56017
Phone # 507-359-2133 Phone # _____

III. Parcel Information:

Parcel Number 01.028.7800 Parcel Acreage 38.88
Attach Full Legal Description (**NOT** abbreviated description from tax statement)
Township Cleveland Section 26
Subdivision _____ Lot _____ Block _____

IV. Township Notification: Township must be notified of proposed use prior to application.

Cleveland Township notified on 2/28
(Township Name) (Date)

Board Member Susan Ely regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

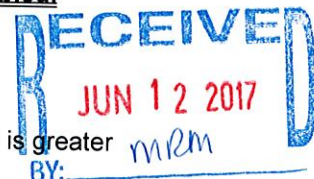
- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- Twenty three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.
- Applications will not be accepted by mail.**

VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled.**
Filing Fee \$ 46

Additional Fees:

Special Meeting \$ 2,000
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater



VII. Type of Request:

- Self Service Storage
- School/Church/Cemetery
- Retail Nursery/Greenhouse
- School/Church/Cemetery
- Value Added Agriculture
- Antique Sales/Service/Repair
- Substation/Transmission Lines etc.
- Other feedlot

VIII. Description of Request:

- a. A full description of request with detailed information must be attached.
- b. Complete the following in relationship to the proposed Conditional Use Permit.
- 365 days per year, 12 - 15 hours per day with more hours during harvest and manure pumping.

1. **PROPOSED DAYS AND HOURS OF OPERATION:** _____
2. **ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS:**
12-14 employees daily
3. **LIST OF PUBLIC HEALTH PLANS:**
 - i. **Water Supply:** Private well
 - ii. **Toilet facilities:** currently on site, no additional facilities added.
 - iii. **Solid Waste Collection:** Waste is collected in a dumpster and picked up by local waste handling company.
4. **FIRE PREVENTION:** Cleveland Fire department for coverage, no other fire prevention measures
5. **SECURITY PLANS:** Locked doors
6. **RETAIL SALES:** None
7. **FOOD OR ALCOHOL SERVED OR FOR SALE:** None
8. **DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL:** (For example, pedestrian and/or vehicular traffic control.)
None requested
9. **SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:**
None
10. **EXTERIOR LIGHTING:** No additional lighting will be added
11. **PARKING AND LOADING:** Parking and loading take place on site off road.
12. **SIGNAGE:** None
13. **ROAD ACCESS:** (Approved by the road authority) 267th Ave
14. **CERTIFICATE OF INSURANCE:** See attached
15. **MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:**
(For example additional licensing and/or permitting) County CUP, Variance, NPDES, DNR water appropriations

IX. Site Plan: Shall include but not limited to the following:

- North point
- Setbacks
- Property Lines
- Road Right-Of-Way
- Lake
- River
- Wetland
- Stream
- Existing Structures
- Proposed Structures
- Lot Dimensions
- Ponds
- Septic system
- Well
- Access (size & location)
- Easements
- Parking (Size & location-if applicable to application)
- Landscape, screening and buffering (if applicable to application)
- Location of significant trees to be removed (if applicable to application)

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BY: mfm 2

X. Attachments: shall include but not limited to:

- a. Description of Request-See Part VIII for full details and requirements.
- b. Site Plan-See Part IX for full details and requirements.
- c. Full legal description-Not abbreviated description from tax statement.
- d. Access approval-Attach approval in writing from proper road authority.
- e. Township Notification-See Part IV for details and requirements.
- f. Septic System Compliance Inspection → Submitted + Variance
- g. Erosion control plan-Attach completed and signed plan including map.
- h. Floor plans and/or blue prints

XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

XII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Steph B Smith Sr Blue Star Dairy 3.12.17
Applicant signature Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Steph B Smith Sr Blue Star Dairy 3.12.17
Property Owner signature Date

OFFICE USE ONLY

Request: Feedlot expansion

Pre-App Date <u>6-12-17</u>	Lake Classification <u>Intermittent</u>	Feedlot	600' <u>N</u>
Meeting Date <u>7-13-17</u>	Lake <u>stream</u>	Wetland Type	1000' <u>N</u>
60 Day <u>8-11-17</u>	FEMA Panel # <u>27079C0 270</u>	Water courses	<u>1-2</u> <u>3-8</u> <u>N</u>
Zoning District <u>ASPLAC</u>	Flood Zone <u>X-outside</u>	Bluff	<u>Y</u> <u>N</u>

- Request Description
- Site Plan
- Full Legal
- Ordinance

- Access Approval
- Erosion Control Plan
- Blue Prints
- Other _____

- Septic
 - Meeting
 - Fee
 - Penalty
- Comp Insp / Design 4-17-17
Reg / ATF / Spec
\$ 290
\$ _____

Application Complete Michelle R. Mettler 6-12-17 17175
Planning & Zoning Department Signature Date Permit #

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JUN 12 2017
BY: M/R

Blue Sky Dairy, LLC, 44625 267th Ave, Cleveland, MN is applying for a Conditional Use Permit to construct a 60' x 130' permanent stockpile pad with 10 ft walls on three sides and add 30 dairy calves (6 AU) on 38.8 acres in the E 1/2 of the SW 1/4 of Sec 26, Cleveland Township. The location of the new stockpile pad is number 15 on the site plan. The calf hutch area is number 14 on the site plan. The site is located on 267th Ave south of Scotch Lake Road.

78,55 6.12.17

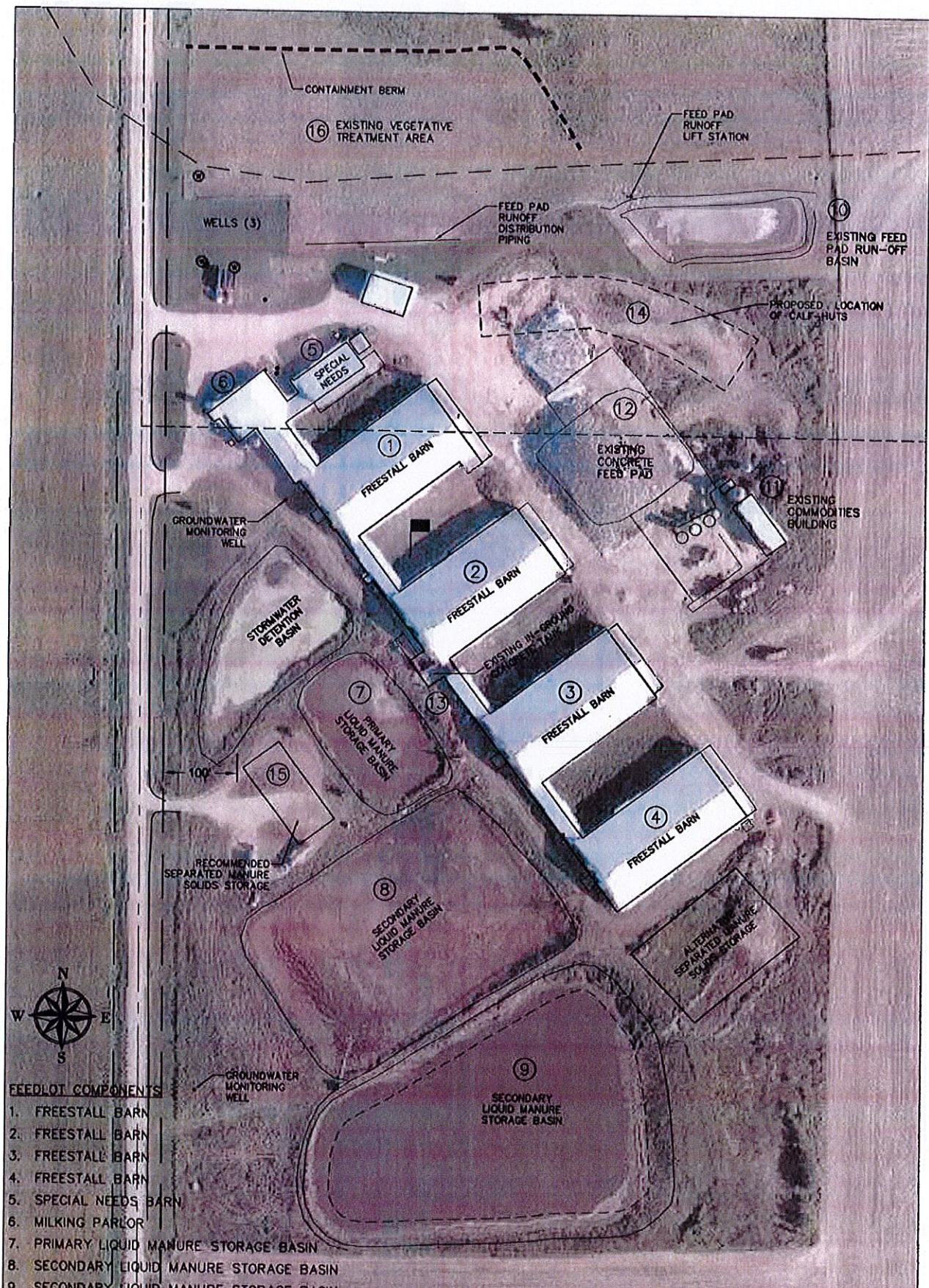
The site currently is permitted for 1067 dairy cows over 1,000 pounds (1499.8 AU) and 30 head of calves (6 AU). With the addition of the 30 calves the total animal units will be 1505.8.

The location of the calf hutch area was chosen so that an existing feed pad runoff containment area can be used for any potential runoff from the calf hutch area. NPDES permits do not allow any discharge from the site. Manure from the calf hutches can be cleaned and hauled directly to the field or to the permanent stockpile pad.

The addition of the stockpile pad will address a potential pollution concern from Minnesota Pollution Control Agency as identified on a site visit by MPCA in December 2016. The pad will allow for manure to be stockpiled in compliance with Minnesota 7020 rules regarding permanent stockpiles. The stockpile pad is designed to slope towards the back of the structure to contain any potential runoff.

Blue Sky Dairy is now under new ownership as of October, 2016. The new owners are dedicated to keeping the site compliant with state and local rules regarding feedlots.

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JUN 12 2017
BY: *mem*



FEEDLOT COMPONENTS

1. FREESTALL BARN
2. FREESTALL BARN
3. FREESTALL BARN
4. FREESTALL BARN
5. SPECIAL NEEDS BARN
6. MILKING PARLOR
7. PRIMARY LIQUID MANURE STORAGE BASIN
8. SECONDARY LIQUID MANURE STORAGE BASIN
9. SECONDARY LIQUID MANURE STORAGE BASIN
10. FEED PAD RUN-OFF SETTLING BASIN
11. EXISTING COMMODITIES BUILDING
12. EXISTING CONCRETE FEED PAD
13. EXISTING IN-GROUND CONCRETE TANK
14. PROPOSED CALF-HUT LOCATION
15. PROPOSED SEPARATED MANURE SOLIDS STORAGE
16. EXISTING VEGETATIVE TREATMENT AREA



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

"To the best of my knowledge and professional judgement, this design and plan meet NRCS standards."

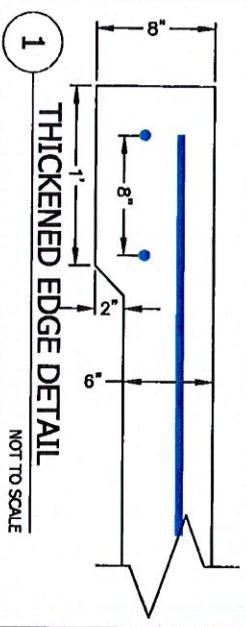
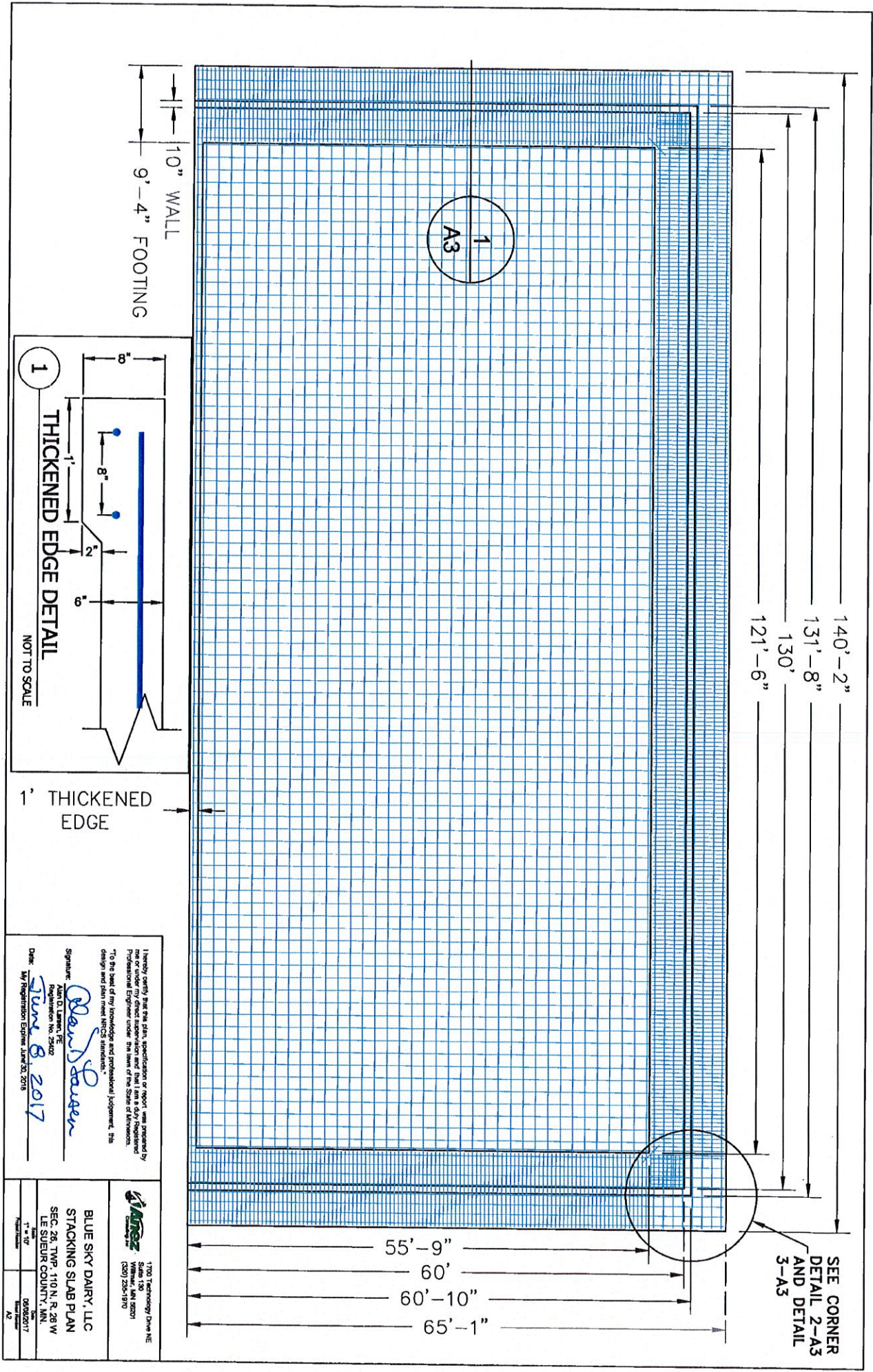
Signature: *Alan D. Larsen*
 Alan D. Larsen, PE
 Registration No. 26402

Date: June 8, 2017
 My Registration Expires June 30, 2018

1700 Technology Drive NE
 Suite 130
 Willmar, MN 56201
 (320) 235-1970

BLUE SKY DAIRY, LLC
SITE PLAN
 SEC. 26, TWP. 110 N, R. 26 W
 LE SUEUR COUNTY, MN.

Scale 1" = 120'	Date 06/07/2017
Project Number A1	Sheet Number A1



1' THICKENED EDGE

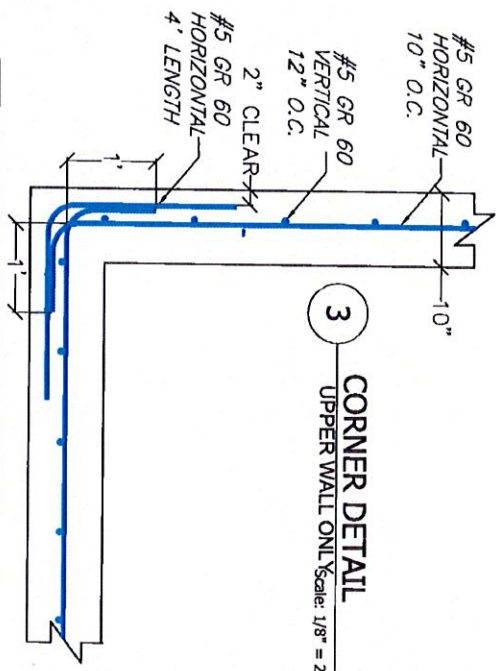
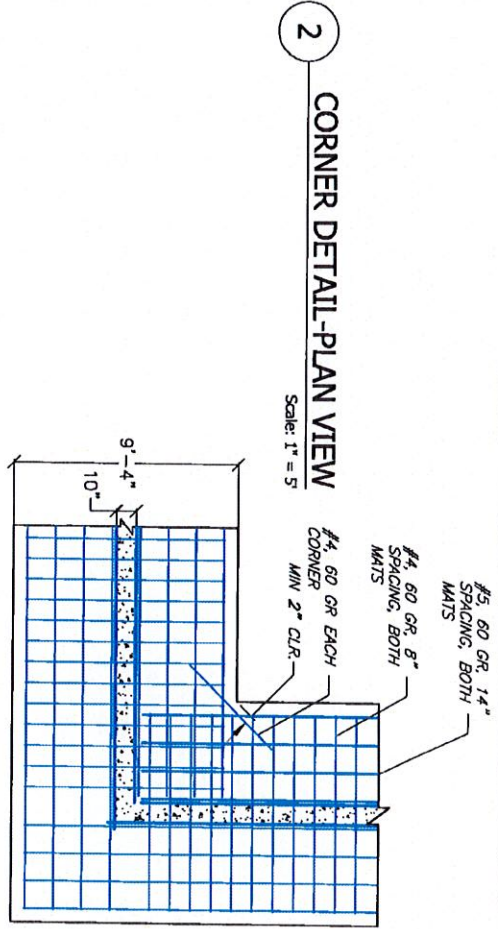
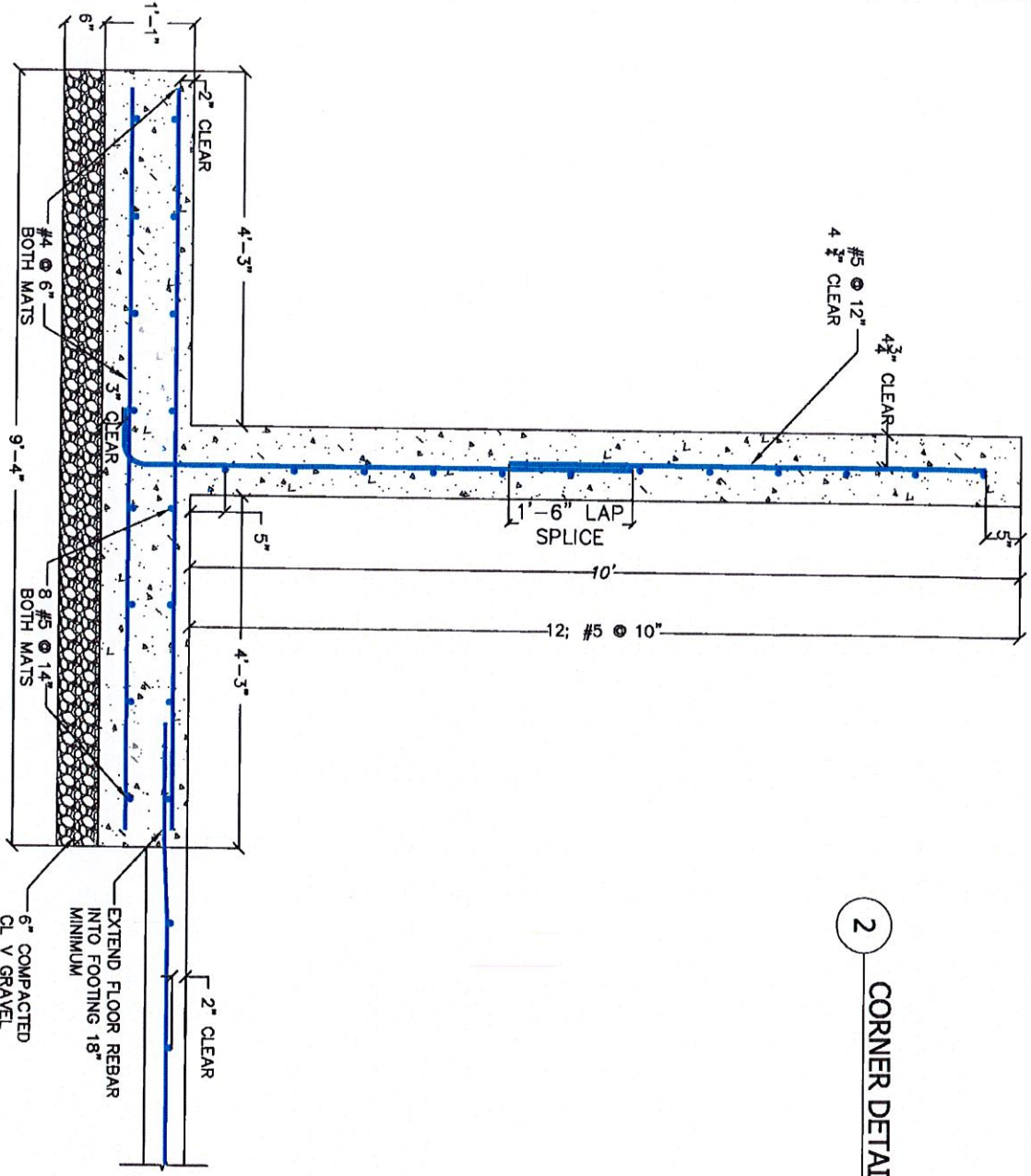
I hereby certify that the plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota. To the best of my knowledge and professional judgment, the design and plan meet MEPC's standards.

Signature: *Alan D. Larson*
 Alan D. Larson, PE
 Registration No. 25402
 Date: June 8, 2017
 My Registration Expires June 26, 2018

1700 Technology Drive NE
 Wadena, MN 56591
 (202) 235-1970

BLUE SKY DAIRY, LLC
 STACKING SLAB PLAN
 SEC. 26, TWP. 110 N. R. 28 W.
 LE SUEUR COUNTY, MN.

1" = 10'
 06/08/2017
 Alan Larson

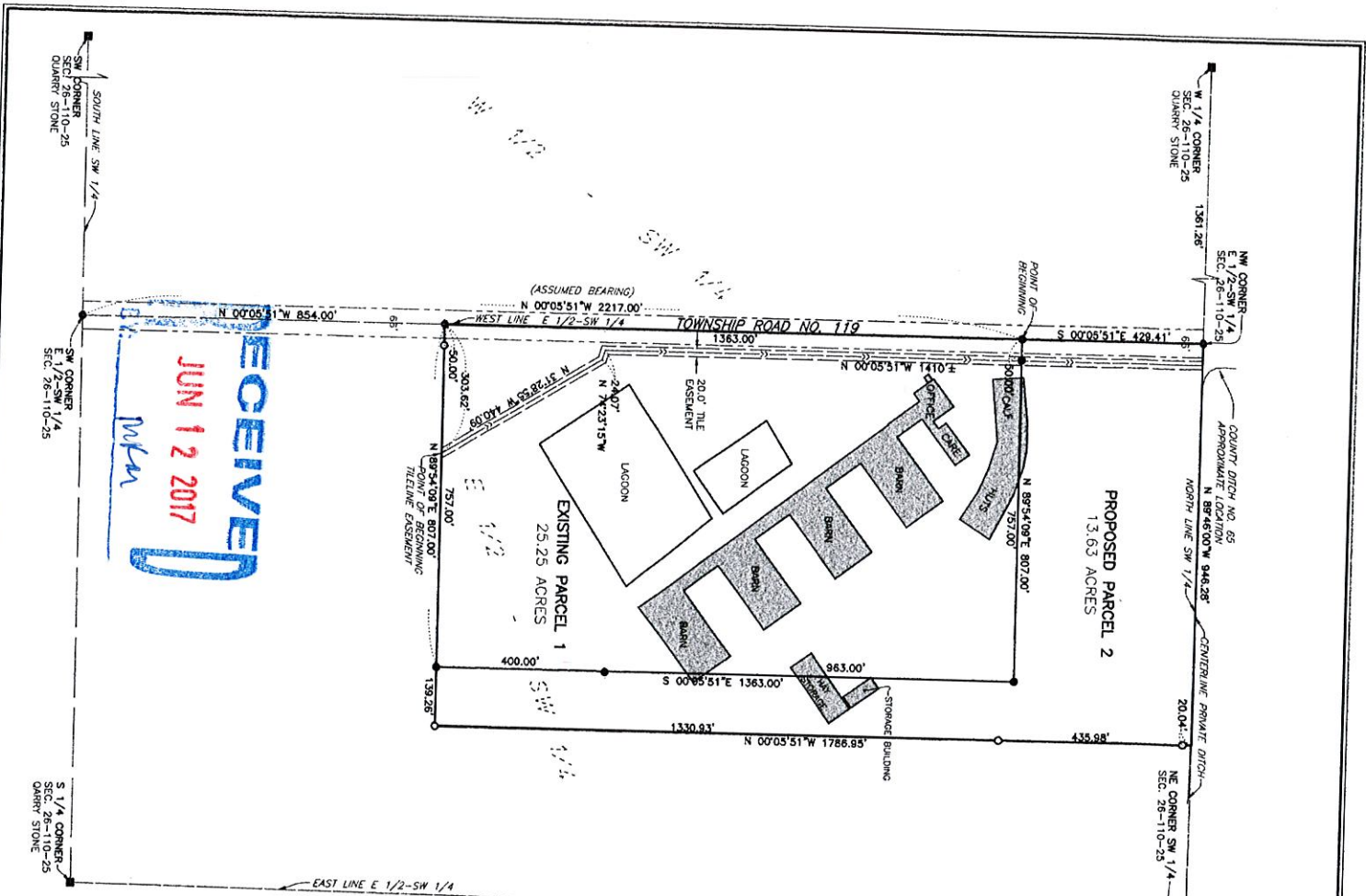


I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota. To the best of my knowledge and professional judgment, the design and plan meet MECS standards.

Signature: *Alan D. Larson*
 Alan D. Larson, PE
 Registration No. 25402
 Date: June 8, 2017
 Exp. Registration Expires June 30, 2018

1700 Technology Drive NE
 Suite 130
 MN 55201
 (202) 226-1970

BLUE SKY DAIRY
 STACKING SLAB DETAILS
 SEC. 26, TWP. 110 N., R. 25 W
 LE SUEUR COUNTY, MN
 AS SHOWN
 09092017



N 1/4 CORNER
SECTION 25
QUARRY STONE

E 1/4 CORNER
SECTION 25
QUARRY STONE

2685.57'

E 1/4 CORNER
SECTION 25
QUARRY STONE

EXISTING DESCRIPTION PARCEL 1

Part of the East Half of the Southwest Quarter of Section 26, Township 110 North, Range 25 West, Le Sueur County, Minnesota, described as follows: Commencing at the southwest corner of said Parcel 1, bearing S 89 degrees 05 minutes 05 seconds West along the West line of said East Half of the Southwest Quarter 854.00 feet to the beginning of the tract to be described; thence continuing North 00 degrees 05 minutes 51 seconds West along the West line of said East Half of the Southwest Quarter 1363.00 feet to the point of beginning; thence South 05 degrees 54 minutes 59 seconds East 807.00 feet; thence South 05 degrees 05 minutes 51 seconds East 1363.00 feet to the point of beginning. This tract contains 25.25 acres of land and is subject to any and all easements of record.

PROPOSED DESCRIPTION PARCEL 2

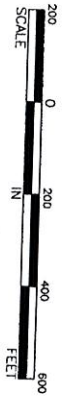
That part of the East Half of the Southwest Quarter of Section 26, Township 110 North, Range 25 West, Le Sueur County, Minnesota, described as follows: Commencing at the southwest corner of the East Half of the Southwest Quarter of Section 26, then North 00 degrees 05 minutes 51 seconds West along the West line of the East Half of the Southwest Quarter, 2217.00 feet to the corner West (assumed bearing) on 89 degrees 05 minutes 51 seconds East, 807.00 feet; thence South 05 degrees 05 minutes 51 seconds East 1363.00 feet; thence North 89 degrees 05 minutes 05 seconds West, 1786.85 feet to the North 09 seconds East, 1363.26 feet; thence North 00 degrees 05 minutes 05 seconds West on said North line, 946.28 feet to the Northwest Quarter; thence North 89 degrees 05 minutes 05 seconds East, 807.00 feet to the point of beginning. Said parcel contains 13.63 acres of land being subject to and together with any and all easements of record.

TILE LINE EASEMENT DESCRIPTION

A 20.00 foot wide Tile Easement over and across that part of the East Half of the Southwest Quarter of Section 26, Township 110 North, Range 25 West, Le Sueur County, Minnesota, described as follows: Commencing at the southwest corner of the East Half of the Southwest Quarter of Section 26, then North 00 degrees 05 minutes 51 seconds West along the West line of the East Half of the Southwest Quarter, 2217.00 feet to the corner West (assumed bearing) on 89 degrees 05 minutes 51 seconds East, 807.00 feet; thence South 05 degrees 05 minutes 51 seconds East 1363.00 feet; thence North 89 degrees 05 minutes 05 seconds West, 1786.85 feet to the North 09 seconds East, 1363.26 feet; thence North 00 degrees 05 minutes 05 seconds West on said North line, 946.28 feet to the Northwest Quarter; thence North 89 degrees 05 minutes 05 seconds East, 807.00 feet to the point of beginning. 15 seconds 15 minutes 15 seconds East, 1410 feet, more or less, to the North line of the Southwest Quarter and three tenths.

EXISTING TRACT - 25.25 ACRES
PROPOSED TRACT - 13.63 ACRES
TOTAL TRACT - 38.88 ACRES

ZONING - AGRICULTURAL
OPEN DITCH AT NORTH END OF PROPOSED PARCEL IS ZONED - SPECIAL PROTECTION



LEGEND

○ 3/4" IRON PIPE MONUMENT SET
● IRON MONUMENT FOUND

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Rory Jensen
RORY JENSEN
Date: 9/12/2000 License No. 19789

CERTIFICATE OF SURVEY
LE SUEUR COUNTY, MINNESOTA

BOLTON & MENK, INC
CONSULTING ENGINEERS & SURVEYORS
515 NORTH INTERSTATE DRIVE, WABASH, MO 64489
MANKATO, MN 56001 (507) 625-4171
FARGO, MN 56501 (507) 625-4171
SIEMEN CITY, MN 56081 (507) 625-4171
BURRHEAD, MN 56001 (507) 625-4171
WILLMAR, MN 56201 (507) 625-4171
AMES, IA 50001 (515) 281-1111
LIBERTY, MO 64240 (417) 538-1111

REVISIONS: 9-12-2000 MRY
SCALE: 1" = 200'
FIELD BOOK: NO-1-15-CO, PC 14
JOB NUMBER: M.S.31240
I:\DATA\31240\01.CRD
F:\SURVEY\31240\05.WPD
DRAWN BY: MRY

PART OF THE E 1/2-SW 1/4
SEC. 26-110-25, CLAYLAND TWP.
LE SUEUR COUNTY, MINNESOTA

FOR: MN-D&K DARY

Blue Sky Dairy has permission to continue to use the access driveways for their site located on 267th Ave.

Pat McCabe

Cleveland Township Supervisor

A handwritten signature in black ink that reads "Pat McCabe". The signature is written in a cursive style with a large initial "P" and "M".A blue ink stamp with the word "RECEIVED" in large, bold, capital letters. Below it, the date "JUN 12 2017" is stamped in red. At the bottom, it says "BY:" followed by a handwritten signature in blue ink that appears to be "m/m".

Feb 28, 2017

Anez Consulting, Inc.
1700 Technology Dr. NE, #130
Willmar, MN 56201



Susan Ely
Cleveland Township Clerk
41862 271st Ave
Cleveland, MN 56017

Dear Ms. Ely,

This letter is to inform Cleveland Township that Blue Sky Dairy, LLC, 44625 267th Ave, Cleveland, MN has applied to the Minnesota Pollution Control Agency to modify a feedlot permit of 500 animal units or more. This letter replaces a previously mailing.

The facility is located E ½ of the SW ¼ of Section 26, Cleveland Township, Le Sueur County, Minnesota.

The facility is currently permitted for 1067 head of dairy cows over 1000 pounds (1493.8 AU) and 30 head of calves (6 AU) all in total confinement. Manure storage for the facility consists of four liquid earthen basins. 1 – 120'x220'x9', 1 - 260'x380'x9', 1 – 332'x380'x14' and 1 – 25'x10'x4'. There is also an in-ground 19'x23'x8' concrete tank liquid manure storage tank and a 30' x 50' permanent stockpile area.

The applicant is proposing to construct a 60' x 130' permanent stockpile area and re-locate the calf hutches to an 1800 sq ft area in partial confinement with manure pack on ground with runoff controls. The applicant is also proposing to add 30 calves (6 AU) to the permit.

There will be an increase of 6 animal units. The total animal units will be 1505.8.

Sincerely,

A handwritten signature in black ink that reads "Jeff Bauman". The signature is written in a cursive style with a large, looped "J" and "B".

Jeff Bauman
Ag Nutrient Consultant
jeff@anezconsulting.com
(320) 262-5713 office
(320) 894-3716 cell

1700 Technology Dr. NE, Suite 130, Willmar, MN 56201 320.235.1970 Fax 320.235-1986
www.AnezConsulting.com



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

Air Emissions and Odor Management Plan

NPDES/SDS Permit Program

Feedlot Program

Doc Type: Permit Application

Purpose: This *Air Emissions and Odor Management Plan* is incorporated into the National Pollutant Discharge Elimination System (NPDES)/ State Disposal System (SDS) Permit and made an enforceable part of the permit and submitted to the Minnesota Pollution Control Agency (MPCA).

Facility name: Blue Sky Dairy LLC Feedlot registration no. 079-50004
Owner/Operator name: Blue Sky Dairy, LLC Feedlot permit no. MNG440677

Methods/Practices Used to Minimize Air Emissions and Facility Odor Sources and Anticipated Odor Control Strategies

Choose at least one option for each emission source at the facility (Minn. R. 7020.0505, subp 4.B(1)(a) & (c))

ID #	Site sketch identification number (from permit application) and List of air emissions/Odor source(s) Type of Air Emission/Odor Source	Practices employed to minimize emissions List number(s) from below	Complaint response protocol	
			Odor potential (Without BMPs*) High, Med, or Low	Anticipated odor control strategies** List number(s) from below
1	Total Confinement Barn	6-10	Low	28
2	Total Confinement Barn	6-10	Low	28
3	Total Confinement Barn	6-10	Low	28
4	Total Confinement Barn	6-10	Low	28
5	Total Confinement Barn	6-10	Low	28
6	Total Confinement Barn	6-10	Low	28
7	Outdoor Liquid Storage Structure	22	Med	28
8	Outdoor Liquid Storage Structure	22	Med	28
9	Outdoor Liquid Storage Structure	22	Low	28
10	Other			
11				
12				
13				
14	Partial Confinement Barn with Open Lot	21	Low	28
15	Manure Stockpile	24	Med	28

*BMP = Best Management Practices

** In the event that odor complaints are received and validated by the MPCA/County Feedlot Officer (CFO), the facility/ownership agrees to implement the identified practices identified in this column, pursuant to MPCA request/approval.

Practices applicable to multiple odor/emissions sources

1. Develop a neighbor relations plan
2. Disperse/mix air with tree plantings
3. Establish adequate separation distances
4. Treatment of escaping air with control technologies
5. Reduce nutrient waste with diet manipulation

Animal holding area(s) specific

6. Maintain clean, dry floors to eliminate manure buildup
7. Eliminate manure buildup under gates, feeders, etc.
8. Promptly clean up any spilled feed
9. Reduce feed waste/water losses
10. Maintain exhaust fans and avoid manure and dust accumulation
11. Use spray oil to reduce dust
12. Higher oil and fat content in feed to reduce dust

Dead animal holding/processing area(s) specific

13. Manage mortalities as required by MN Board of Animal Health
14. Compost/manage mortalities in an enclosed structure
15. Use enclosed and refrigerated dead animal holding area

Solid and Liquid Manure Storage Area(s) Specific

16. Maintain crust on basin by switching to organic bedding
17. Cover liquid manure storage area with straw
18. Notify neighbors of manure agitation periods and avoid holidays
19. Cover liquid manure storage area with synthetic cover
20. Addition of chemicals to manure to reduce odor/emissions
21. Add straw or other bedding material to reduce odor/ emissions
22. Separate solids with settling basin or liquid/solid separator
23. Anaerobic digestion
24. Reduce length of time stockpile/manure back is maintained
25. Solid manure composting
26. Cover the solid manure stockpile
27. Incinerate solid manure at approved/permited facility

Other practices

28. I will consult the MPCA/CFO to identify changes that can be made to reduce odors following complaints
(anticipated odor control strategies column only)
29. Other: _____
30. Other: _____

RECEIVED
JUN 12 2017
BY: *mm*

Response to Documented Exceedance(s)

(Minn. R. 7020.0505, subp 4.B(1)(b))

Initial here: SS,

by initialing here I indicate that I have read, understand, and agree to the requirements/procedures outlined below. (initial is required for all facilities using this form)

In the event testing/monitoring conducted by the MPCA/County identify emissions in excess of standards set in applicable Minnesota Rules, Statutes, or other directives, the facility/ownership agrees to submit a plan of action following MPCA's request, which provides technical documentation that one (or more) of the following technologies will effectively control emissions in the short term as well as into the future:

Liquid Manure Storage Areas (LMSA)

- Chemical additions to the LMSA
- Maintain natural crusting (blow straw to promote crusting if necessary)
- Maintain a straw cover
- Permeable synthetic cover (floating geo-textile, etc.)
- Impermeable synthetic cover (floating High Density Polyethylene [HDPE], etc.)
- Anaerobic digester
- Treatment of escaping air with odor control technologies

Solid Manure Storage Areas

- Cover manure stockpiles with synthetic covers
- Remove manure packs more frequently
- Eliminate stockpiling by more frequent land application
- Incinerate solid manure for electricity
- Composting solid manure

Animal Holding Areas

- Utilize bio-filters or other odor control technology for power ventilated buildings
- Decrease the amount of manure buildup in the animal holding areas

Dead Animal Handling/Processing Areas

- Utilize enclosed and refrigerated dead animal holding area prior to rendering pick-up
- Animal mortality composting

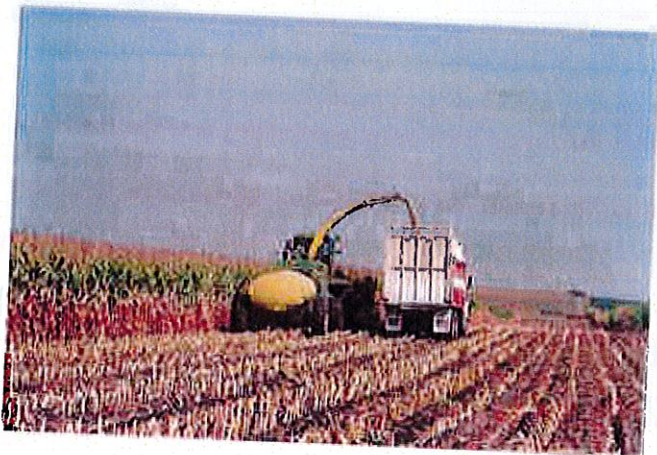
The MPCA will, at its discretion, consider alternatives to the technologies listed above provided proper technical documentation is submitted that illustrates the alternative will undoubtedly minimize the emissions. The MPCA reserves the right to disapprove of the alternative if the MPCA deems the technical documentation incomplete or inaccurate or if the MPCA deems the alternative unsuitable for the unique circumstances at the facility.

The plan of action must identify when the technology will be installed and fully operational and should also identify what temporary measures can be taken to minimize emissions in the event the chosen technology will take a significant amount of time to install and make fully operational. The plan of action will be immediately implemented following approval by the MPCA and become part of this air emission and odor management plan and subsequently an enforceable part of the facility's NPDES/SDS Permit.



2017 Individual NPDES Permit Application

Blue Sky Dairy, LLC
44625 267th Avenue
Cleveland, MN 56017



1700 Technology Dr. NE, Suite 130
Willmar, MN 56201
320-235-1970



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

Animal Feedlot or Manure Storage Area Permit Application

NPDES and SDS Permit Program

Doc Type: Permit Application

Applicability: You must submit this form to the Minnesota Pollution Control Agency (MPCA) for issuance, reissuance, and major modification of National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) feedlot permit coverage. A separate application form exists for minor modification requests.

A fact sheet that explains major and minor permit modifications is available at: http://www.pca.state.mn.us/zihy6a1

Feedlot Registration Number: 079-50004

I. Permit Type and Reason for Application

Please indicate which type of feedlot permit coverage you are applying for (choose only one)

- NPDES (Federal Permit) with State requirements included
SDS (State Permit)

Please indicate the reason for the permit application (choose only one)

- General Permit Coverage Issuance
General Permit Coverage Major Modification
Individual Permit Issuance
Individual Permit Reissuance
Individual Permit Major Modification

II. Owner's Name(s) and Address(es) - (All partners of a Limited Liability Partnership (LLP) must be listed.)

Primary owner - Will be used as the mailing address

Additional owner - attach additional sheets as necessary

Name: Blue Sky Dairy LLC
Address: PO Box 51
City: Courtland State: MN
Phone: 507-382-3837 Zip: 56021

Note: The term owner includes all persons having possession, control, or title to an animal feedlot or manure storage area. All owners must be listed. If there are more than two owners, attach to this application the names, addresses, and phone numbers of all additional owners.

III. Facility Name and Site Address

Contact person for day-to-day activities

Site Name: Blue Sky Dairy LLC
Name: Steve Smith
Street: 44625 267th Ave
City: Cleveland State: MN
Phone: 507-382-3837 Zip: 56017

IV. Billing Address

Indicate where the Permit fee invoice(s) should be mailed (check only one):

- Primary owner address in Section II
Contact person in Section III

V. Facility Location

County: Le Sueur

Township name: Cleveland

Township (26 – 71 or 101 – 168)	Range (1 – 51)	Section (1 – 36)	¼ Section (160 acre) (NW, NE, SW, SE)	¼ of ¼ Section (40 acre) (NW, NE, SW, SE)
T 110 N	R 25 W	26	SW	E1/2

VI. Sensitive Features

- Is any part of the facility within 1,000 feet of any type of surface waters? Yes No
 If Yes, complete a. and b. below:
 - List the name of the surface water feature: _____
 - Select the type of surface water feature below:

Lake/Pond larger than 25 acres Wetland Drainage ditch Other

River/Stream Is any part of the facility within 300 feet of the river/stream? Yes No
- Is any part of the facility located within a delineated flood plain (100 year flood)? Yes No
- Is any part of the facility located within designated shoreland? Yes No
- Is any part of the facility located within 1,000 feet of a karst feature? (sinkholes, caves, disappearing springs, resurgent springs, karst windows, dry valleys, or blind valleys) Yes No
 If Yes, complete a. and b. below:
 - Are there 4 or more sinkholes within 1,000 feet? Yes No
 - Is any part of the facility within 300 feet of a known sinkhole? Yes No
- Is any part of the facility located within 1,000 feet of the following types of wells: Yes No
 If Yes, select the applicable well type below:

a community water supply well

a well serving a public school as defined under Minn. Stat. § 120A.05

a well serving a private school excluding home school sites

a well serving a licensed child care center where the well is vulnerable (Minn. R. 4720.5550, subp. 2)
- Is any part of the facility located within 1,000 feet of an open tile intake? Yes No

VII. Environmental Review

Mandatory environmental review is required when the addition of 1,000 or more animal units (AU) is proposed as part of the construction/expansion at any facility. The threshold when environmental review is mandatory is reduced to 500 AU when any part of the facility is located within a "sensitive area". The facility is within a sensitive area when any of the following apply.

- Any part of the facility is within a delineated floodplain (yes to question 2 above)
- Any part of the facility is within designated shoreland (yes to question 3 above)
- Any part of the facility is within 1,000 feet of a karst feature (yes to question 4 above)
- Any part of the facility is within a vulnerable drinking water supply management area
- Any part of the facility is within a federal, state, or local wild and scenic river district
- Any part of the facility is located within the Minnesota River Project Riverbend area or the Mississippi headwaters area

Additionally mandatory environmental review is required for "Phased actions". Phased actions are defined under Minnesota law (Minn. R. ch. 4410) as two or more projects located in the same geographic area and constructed sequentially within three years of each other by the same proposer. When this is the case, the animal units from all projects are combined to determine if environmental review is required. The following will assist the MPCA to evaluate if your project qualifies as a "phased action".

Do you have ownership interest in another livestock operation that was constructed/expanded within the past three years or are you substantially certain you will be constructing/expanding another livestock operation within the next three years?
 Yes No

If Yes, how far away (straight-line distance) is it located from the project proposed in this application? _____ miles

There are also rule provisions to require completion of the environmental review process in the event of a citizen petition or upon the discretion of the MPCA. Please see the MPCA fact sheet entitled "When is Environmental Review Required for Feedlots" (available on the MPCA website at <http://www.pca.state.mn.us/publications/wq-f1-10.pdf>) and/or Minn. R. 4410 for further details.

VIII. Animal numbers and animal unit (AU) calculation

Complete the table below to identify the **maximum** number of animals housed at that facility. All animal numbers and animal sizes used to complete this table should reflect the animal holding **capacity** of the facility even if the facility does not currently house or propose to house that number of animals. At no time is the number of animals at the facility allowed to exceed the capacity provided below without first obtaining a permit or permit modification.

Existing facility - List the existing facility head count **capacity** for each existing animal type in column 3 below. Next, multiply the AU Factor in column 2 by the number of animals listed in column 3 to get the *Existing AU Capacity* for each animal type (column 4). Add the AU capacity numbers in column 4 for a total and enter the existing total at the bottom of the chart.
If the facility currently does not have animal holding areas leave columns 3 and 4 blank.

Proposed facility - List the proposed facility head count **capacity** for each animal type in column 5 below. This number should include existing animals plus or minus any expansion or reduction in each animal type. Next, multiply the AU Factor in column 2 by the number of animals listed in column 5 to get the *Proposed AU Capacity* for each animal type (column 6). Add the AU capacity numbers in column 6 for the Final AU Total and enter the total at the bottom of column 6.

1. Animal type	2. Animal unit factor	Existing facility capacity		Proposed facility capacity (Existing +/- Changes)	
		3. Head count	4. Animal units = column 2 x column 3	5. Head count	6. Animal units = column 2 x column 5
A. Dairy cattle					
Mature cow (milked or dry) over 1,000 lbs.	1.4	1067	1,493.8	1067	1,493.8
Mature cow (milked or dry) under 1,000 lbs.	1.0				
Heifer	0.7				
Calf	0.2	30	6	60	12
B. Veal					
Veal	0.2				
C. Beef cattle					
Slaughter steer/heifer, stock cow, or bull	1.0				
Feeder cattle (stocker or backgrounding), heifer	0.7				
Cow and calf pair	1.2				
Calf (weaned)	0.2				
D. Swine					
Over 300 lbs.	0.4				
Between 55 and 300 lbs.	0.3				
Under 55 lbs.	0.05				
E. Horses					
Horse	1.0				
F. Sheep					
Sheep or Lamb	0.1				
G. Chickens with a liquid manure system					
Layer Hens or Broilers	0.033				
H. Chickens with a dry manure system					
Broilers over 5 lbs.	0.005				
Broilers under 5 lbs.	0.003				
Layer Hens over 5 lbs.	0.005				
Layer Hens under 5 lbs.	0.003				
I. Turkeys					
Over 5 lbs.	0.018				
Under 5 lbs.	0.005				
J. Ducks					
Duck (with a liquid manure handling system)	0.01				
Duck (with a dry manure handling system)	0.01				
K. Animals not listed in A to J (AU factor in column 2 = average weight of the animal type divided by 1,000 lbs.)					
Animal type:					
Total animal unit capacity			Existing AU capacity		Final AU capacity
Add all numbers in column 4 for Existing AU total			1499.8		1505.8
Add all numbers in column 6 for Final AU total					

IX. Animal holding areas

Complete the table below for all your animal holding areas (Existing, New, and/or To Be Eliminated).
If you have more than six animal holding areas on your site, continue your list on an additional copy of this page.

Pasture Access: Do any animals at the facility have access to pasture? Yes No

Animal holding area ID

List each animal holding area in a separate column

Facility Site Sketch ID (i.e., #1, A, Barn 1)	1	2	3	4	5	6
Status ("Existing", "New", or "Eliminating")	Existing	Existing	Existing	Existing	Existing	Existing
Distance to nearest well (ft.)	287'	493'	704'	911'	155'	174'

Type of animal holding areas
(indicate dimensions)

*Write approximate dimensions in feet in the space below
(width x length or area with units for irregular shapes)*

Total confinement barn (slatted floor)						
Total confinement barn (solid floor)	120'x264'	120'x264'	120'x264'	120'x264'	48'x90' Special Needs	50'x250'
Partial confinement barn						
Open lot with runoff controls						
Open lot without runoff controls						

Animal numbers

Indicate the maximum capacity (number of animals) of each animal holding area

The total number of all animals listed should match the final animal numbers listed on page 3

Mature dairy cows (over 1,000 lbs.)	254	254	254	254	51	
Mature dairy cows (under 1,000 lbs.)						
Dairy heifers						
Dairy calves						
Veal						
Slaughter steer/heifer, stock cow or bull						
Feeder cattle-stocker/background/heifer						
Cow and calf pair						
Beef calves (weaned)						
Swine over 300 lbs.						
Swine between 55 and 300 lbs.						
Swine under 55 lbs.						
Horses						
Sheep or lamb						
All chickens with liquid manure system						
Broiler chickens over 5 lbs. - dry system						
Broiler chickens under 5 lbs. - dry system						
Laying hens over 5 lbs. - dry system						
Laying hens under 5 lbs. - dry system						
Turkeys - over 5 lbs.						
Turkeys - under 5 lbs.						
Ducks						
Other:						

Air emissions plan for animal holding areas*

*Indicate from the list below the letter(s) of the applicable air emission control strategy(s)
(choose at least one strategy for each category below for each animal holding area)*

Odor control strategies currently employed	D,E	D,E	D,E	D,E	D,E	G
Possible additional odor control strategies** (must indicate at least one practice)	J	J	J	J	J	J

Potential practices employed to minimize emissions/odors from animal holding areas

- A. Disperse/mix air with tree plantings
- B. Treatment of escaping air with control technologies
- C. Maintain clean, dry floors to eliminate manure buildup
- D. Promptly clean up any spilled feed
- E. Regular removal of manure
- F. Higher oil and fat content in feed to reduce dust
- G. Eliminate manure buildup under gates, feeders, etc..
- H. Maintain exhaust fans and avoid manure and dust accumulation
- I. Use spray oil to reduce dust
- J. I will consult the MPCA to identify changes that can be made to reduce odors
- K. Other: _____
- L. Other: _____

* This satisfies the requirement of Minn. R.7020.0505 subp. 4 Item B (1) for an air emissions plan for the animal holding area. The response to documented exceedances portion of the plan is satisfied within the certification text of this application.

** In the event that odor complaints are received and validated by the MPCA/County Feedlot Officer (CFO), the practices identified will be implemented pursuant to MPCA request/approval.

IX. Animal holding areas

Complete the table below for all your animal holding areas (Existing, New, and/or To Be Eliminated).
 If you have more than six animal holding areas on your site, continue your list on an additional copy of this page.

Pasture Access: Do any animals at the facility have access to pasture? Yes No

Animal holding area ID	List each animal holding area in a separate column				
Facility Site Sketch ID (i.e., #1, A, Barn 1)	14				
Status ("Existing", "New", or "Eliminating")	New				
Distance to nearest well (ft.)	370				

Type of animal holding areas (indicate dimensions)	Write approximate dimensions in feet in the space below (width x length or area with units for irregular shapes)				
Total confinement barn (slatted floor)					
Total confinement barn (solid floor)					
Partial confinement barn	Calf Hutches (3,150 sq. ft) w/ runoff control				
Open lot with runoff controls					
Open lot without runoff controls					

Animal numbers	Indicate the maximum capacity (number of animals) of each animal holding area The total number of all animals listed should match the final animal numbers listed on page 3				
Mature dairy cows (over 1,000 lbs.)					
Mature dairy cows (under 1,000 lbs.)					
Dairy heifers					
Dairy calves	60				
Veal					
Slaughter steer/heifer, stock cow or bull					
Feeder cattle-stocker/background/heifer					
Cow and calf pair					
Beef calves (weaned)					
Swine over 300 lbs.					
Swine between 55 and 300 lbs.					
Swine under 55 lbs.					
Horses					
Sheep or lamb					
All chickens with liquid manure system					
Broiler chickens over 5 lbs. - dry system					
Broiler chickens under 5 lbs. - dry system					
Laying hens over 5 lbs. - dry system					
Laying hens under 5 lbs. - dry system					
Turkeys - over 5 lbs.					
Turkeys - under 5 lbs.					
Ducks					
Other:					

Air emissions plan for animal holding areas*	Indicate from the list below the letter(s) of the applicable air emission control strategy(s) (choose at least one strategy for each category below for each animal holding area)				
Odor control strategies currently employed	D,E				
Possible additional odor control strategies** (must indicate at least one practice)	J				

- Potential practices employed to minimize emissions/odors from animal holding areas**
- A. Disperse/mix air with tree plantings
 - B. Treatment of escaping air with control technologies
 - C. Maintain clean, dry floors to eliminate manure buildup
 - D. Promptly clean up any spilled feed
 - E. Regular removal of manure
 - F. Higher oil and fat content in feed to reduce dust
 - G. Eliminate manure buildup under gates, feeders, etc..
 - H. Maintain exhaust fans and avoid manure and dust accumulation
 - I. Use spray oil to reduce dust
 - J. I will consult the MPCA to identify changes that can be made to reduce odors
 - K. Other: _____
 - L. Other: _____

* This satisfies the requirement of Minn. R.7020.0505 subp. 4 item B (1) for an air emissions plan for the animal holding area. The response to documented exceedances portion of the plan is satisfied within the certification text of this application.

X. Manure Handling, Feed Storage, and Dead Animal Areas

Complete the table below for your manure storage, feed/silage storage areas and dead animal disposal areas on your site. If you have more than six manure storage, feed/silage storage, and dead animal disposal areas on your site, continue your list on an additional copy of this page.

Manure, feed, or dead animal areas *List each manure handling, feed storage, and dead animal area in a separate column*

Facility Site Sketch ID (i.e., #1, A, Basin 1)	7	8	9	10	11	12
Status ("Existing", "New", or "Eliminating")	Existing	Existing	Existing	Existing	Existing	Existing
Distance to nearest well (ft.)	563'	790'	1080'	570'	762'	300'

Liquid waste storage/treatment areas (manure and process wastewater) *Write approximate top dimensions in feet in the space below (width x length x depth or volume with units for irregular shapes)*

Earthen or GCL lined basin	120'x220'x9'	260'x380'x9'	332'x380'x14'	25'x10'x4'		
Below barn concrete tank						
In-ground concrete tank/basin (outdoor)						
Above-ground concrete tank						
Synthetic lined (HDPE, EPDM, etc.) basin						
Steel tank (i.e., slurry-store)						
Composite lined (2 liner types) basin/tank						
Vegetated Infiltration Area						
Other (describe):						

Solid manure, feed, and dead animal areas *Write approximate dimensions in feet in the space below (width x length or area with units for irregular shapes)*

Permanent Stockpile						
Dead Animal Management Area						
Covered Feed Storage Area						
Uncovered Feed Storage Area					30'x84'	300'x400'
Sweet Corn Silage Storage						
Storage Pad Area						
Tonnage on site at any one time						
Other (describe):						

Air emissions plan for liquid and solid manure storage areas* *Indicate from the list below the letter(s) of the applicable air emission control strategy(s) (choose at least one strategy for each category below for each manure storage area) (this is not required for feed storage areas, vegetative infiltration areas, or dead animal treatment areas)*

Odor control strategies currently employed	E	E	E	E		
Possible additional odor control strategies**	O	O	O	O		

Potential practices employed to minimize emissions/odors from manure storage areas

- Liquid Storage Area Specific (basins, pits, etc.)*
- A. Maintain crust on basin by using organic bedding
 - B. Cover liquid manure storage area with straw
 - C. Cover liquid manure storage area with synthetic cover
 - D. Anaerobic digestion
 - E. Separate solids with settling basin or liquid/solid separator
 - F. Utilize a pit additive to break down solids

- Practices applicable to solid or liquid storage areas*
- K. Notify neighbors of manure application periods and avoid holidays
 - L. Disperse/mix air with tree plantings
 - M. Add straw or other bedding material to reduce odor/ emissions
 - N. Treatment of escaping air with control technologies
 - O. I will consult the MPCA to identify changes that can be made to reduce odors
 - P. Other: _____
 - Q. Other: _____
 - R. Other: _____

- Solid Storage Area Specific (stockpiles)*
- G. Reduce length of time stockpile is maintained
 - H. Solid manure composting
 - I. Cover the solid manure stockpile
 - J. Incinerate solid manure at approved/permited facility

* This satisfies the requirement of Minn. R.7020.0505 subp. 4 Item B (1) for an air emissions plan for manure storage areas. The response to documented exceedances portion of the plan is satisfied within the certification text of this application.
 ** In the event that odor complaints are received and validated by the MPCA/County Feedlot Officer (CFO), the practices identified will be implemented pursuant to MPCA request/approval.

XI. Manure Handling, Feed Storage, and Dead Animal Areas

Complete the table below for your manure storage, feed/silage storage areas and dead animal disposal areas on your site. If you have more than six manure storage, feed/silage storage, and dead animal disposal areas on your site, continue your list on an additional copy of this page.

Manure, feed, or dead animal areas		List each manure handling, feed storage, and dead animal area in a separate column			
Facility Site Sketch ID (i.e., #1, A, Basin 1)	#13	#14	#15		
Status ("Existing", "New", or "Eliminating")	Existing	New	New		
Distance to nearest well (ft.)	617	370'	730'		

Liquid waste storage/treatment areas (manure and process wastewater)		Write approximate top dimensions in feet in the space below (width x length x depth or volume with units for irregular shapes)			
Earthen or GCL lined basin					
Below barn concrete tank	19' x 23' x 8'				
In-ground concrete tank/basin (outdoor)					
Above-ground concrete tank					
Synthetic lined (HDPE, EPDM, etc.) basin					
Steel tank (i.e., slurry-store)					
Composite lined (2 liner types) basin/tank					
Vegetated Infiltration Area					
Other (describe):					

Solid manure, feed, and dead animal areas		Write approximate dimensions in feet in the space below (width x length or area with units for irregular shapes)			
Permanent Stockpile	30' x 50'		60'x130'		
Dead Animal Management Area					
Covered Feed Storage Area					
Uncovered Feed Storage Area					
Sweet Corn Silage Storage Storage Pad Area					
Tonnage on site at any one time					
Other (describe): Manure pack on ground with runoff controls		3150 sq ft			

Air emissions plan for liquid and solid manure storage areas*		Indicate from the list below the letter(s) of the applicable air emission control strategy(s) (choose at least one strategy for each category below for each manure storage area) (this is not required for feed storage areas, vegetative infiltration areas, or dead animal treatment areas)			
Odor control strategies currently employed	E	G	G		
Possible additional odor control strategies**	O	O	O		

Potential practices employed to minimize emissions/odors from manure storage areas

Liquid Storage Area Specific (basins, pits, etc.)

- A. Maintain crust on basin by using organic bedding
- B. Cover liquid manure storage area with straw
- C. Cover liquid manure storage area with synthetic cover
- D. Anaerobic digestion
- E. Separate solids with settling basin or liquid/solid separator
- F. Utilize a pit additive to break down solids

Solid Storage Area Specific (stockpiles)

- G. Reduce length of time stockpile is maintained
- H. Solid manure composting
- I. Cover the solid manure stockpile
- J. Incinerate solid manure at approved/permitted facility

Practices applicable to solid or liquid storage areas

- K. Notify neighbors of manure application periods and avoid holidays
- L. Disperse/mix air with tree plantings
- M. Add straw or other bedding material to reduce odor/ emissions
- N. Treatment of escaping air with control technologies
- O. I will consult the MPCA to identify changes that can be made to reduce odors
- P. Other
:
- Q. Other
:
- R. Other: _____

* This satisfies the requirement of Minn. R.7020.0505 subp. 4 item B (1) for an air emissions plan for manure storage areas. The response to documented exceedances portion of the plan is satisfied within the certification text of this application.

** In the event that odor complaints are received and validated by the MPCA/County Feedlot Officer (CFO), the practices identified will be implemented pursuant to MPCA request/approval.

XII. Groundwater Monitoring Plan Changes (complete only if applicable)

If the facility is required to monitor groundwater at the facility this application can request changes to the approved groundwater monitoring plan. In order to request changes to the groundwater monitoring plan please indicate the type of change requested.

- Elimination of monitoring Change to sampling frequency
 Change to sample testing protocol Other

When a change is requested please include with this permit application documentation from a qualified professional that provides a technical analysis and justification for the requested changes.

XIII. Notifications and Public Meetings

The notifications identified in items A and B are required to be done before permit issuance.

A. 500 or more AU: Notice to residents and property owners within 5,000 feet of a proposed project

When required, a notice is required in *either* of the following situations:

- **Construction of a new** feedlot, or manure storage area, which will have a capacity of 500 AU or more.
- **Expansion of an existing** feedlot, or manure storage area, which currently has, or will have upon completion of the expansion, a capacity of 500 AU or more.

Notice methods. The owner shall not less than 20 business days before the anticipated issuance date of the permit, provide notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed facility. This notice *must* include, at a minimum, the information provided in Minn. R. 7020.2000, subp.4.

An example notice can be found in the factsheet *Permit Notification Requirements – Feedlots with more than 500 Animal Units* available on the MPCA website <http://www.pca.state.mn.us>

Verification of notice.

The MPCA must verify that this notice has been completed prior to permit issuance. Documentation that this notice has been completed can be provided with the permit application (preferred) or submitted at a later date, prior to permit issuance.

When the notice has been completed prior to this application

Please include with this permit application one of the following options that provides verification that the required notice has been completed:

- An affidavit of publication from a newspaper of general circulation used to provide this notification.
- A list of all parties, with their location, that were notified by certified mail and copies of all signed mail return receipts.
- A list of all parties, with their location, that were personally visited with a date and signature from each party and certification signed by a notary public indicating in detail what was discussed.

When the notice has not been completed prior to this application

Please include with this permit application the following:

- A copy of the content of the notification
- Date notification is scheduled to occur: _____

Note: The permit cannot be issued prior to receiving verification that the notice has actually taken place. This verification must be one of the three items listed above.

B. Non-delegated county public meeting minutes (Minn. Stat. § 116.07, subd. 7(l))

A county which has not accepted delegation of the feedlot program must hold a public meeting prior to issuance of a feedlot permit by the MPCA for an animal feedlot with a capacity of 300 or more animal units.

Date meeting has occurred or is scheduled to occur: _____

Verification of public meeting.

A copy of the meeting minutes must be provided to the MPCA for verification of completion of this requirement prior to permit issuance.

XIII. Certification and signature

General permit

The Applicant certifies that, if this is an application for a general permit, they are familiar with the requirements of the general permit. The Applicant understands that if the MPCA determines the facility does not meet the criteria for coverage under the general permit; this application will be used as an application for an individual Permit.

Notification to local officials

The Applicant certifies that, if the application includes construction of a new facility or expansion of an existing facility, all local zoning authorities have been notified in accordance with Minn. R. 7020.2000 subp. 5.

Operation and Maintenance Plan

The Applicant certifies that the following operation and maintenance measures will be employed:

- Operate and maintain manure storage areas according to the approved design plans including:
 - Repair of damage
 - Maintenance of freeboard
 - No discharge (unless approved)
 - Control vegetation and tree growth with frequent mowing
 - Access only at designated points (i.e. concrete ramps)
- Divert surface water flow away from and prevent pooling near manure storage areas
- Operate manure storage area capacity to be consistent with the approved manure management plan
- Perform routine maintenance of manure handling/transfer equipment
- Minimize erosion and sediment transport with vegetative buffers and/or gravel/rock energy dissipation
- Minimize stormwater contact with sources of pollution
- Operate animal mortality management areas according to MN Board of Animal Health and other applicable requirements
- Dispose of solid and hazardous waste according to applicable regulations
- Perform groundwater monitoring according to the MPCA approved plan

Air Emissions Plan – response to documented exceedances (Minn. R. 7020.0505 subp. 4, item B (1)(b))

The Applicant certifies that, if ambient air quality monitoring indicates an exceedance of the Hydrogen Sulfide Standard, they will submit a report, at the MPCA's request, that provides documentation that one of the following will control the emissions.

Liquid manure storage areas

- Chemical additions
- Natural crusting
- Straw cover
- Synthetic cover (i.e., HDPE)
- Treatment of escaping air

Solid manure storage areas

- Synthetic cover
- Frequent manure removal
- Frequent land application
- Incineration
- Composting

The report will provide evidence that the technology will control the emissions, indicate when the technology will be installed and fully operational, and indicate what temporary measures will be taken to minimize emissions prior to installation. Alternatives may be approved at the discretion of the MPCA. The report will be immediately implemented upon MPCA approval.

Construction Stormwater (CSW) Permit

The Applicant certifies that, if this application is for a NPDES permit where construction activities will disturb one or more acres of land, it will also serve as an application for the general CSW NPDES permit, as referenced in the feedlot NPDES permit, unless a separate application for CSW NPDES permit coverage has been made. The Applicant agrees to comply with the requirements of the CSW NPDES permit.

Applicant signature

I hereby certify that the design, construction, and operation of the facility will be in accordance with this application and plans, specifications, reports, and related communications approved by the MPCA, and in accordance with applicable permit conditions or regulations/standards of the MPCA.

I also certify under penalty of law that this document and all attachments were prepared under my direction or supervision and the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The person that signs this application must be one of the following:

- A. For a corporation, a principal executive officer of at least the level of vice president
- B. For a partnership, a general partner
- C. For a sole proprietorship, the proprietor

Print name: _____ Print official title: _____

Office phone: _____ Cell phone: _____

Signature: _____ Date: _____

A "wet signature" is required. No reproductions (i.e., copies or scans) of the signature will be accepted.

To sign up for electronic communications including reminders for annual reports as well as MPCA feedlot newsletters and other MPCA communications, please go to the MPCA website at <https://public.govdelivery.com/accounts/MNPCA/subscriber/new>.

Required enclosures (Permit applications submitted without all required enclosures are incomplete.)

- A. A site sketch/aerial photograph indicating the location of the existing and proposed facility components.
- B. A Manure/Nutrient Management Plan (MMP) submitted on the MPCA's standardized form.
 The MPCA has developed a free Microsoft Excel based spreadsheet tool to help develop a MMP that meets all applicable requirements and utilizes the standardized form; It is available on the MPCA website at: <http://www.pca.state.mn.us/gp0r69c>. Click on the "Spreadsheet: MPCA Manure Management Planner" link.
 You must save it to your computer for it to function properly (i.e., click "save as" when prompted).
 Paper forms are available at: <http://www.pca.state.mn.us/gp0r69c>.
- C. Plans and Specifications for construction, modification, or expansion of any liquid manure storage area.
- D. Emergency Response Plan for response to manure spills and catastrophic animal mortality events. The plan must be completed using the MPCA's form available at: <http://www.pca.state.mn.us/index.php/view-document.html?gid=3754>.
- E. Permit application fee: (Check payable to: Minnesota Pollution Control Agency)
 - General Permit Coverage Issuance \$620
 - General Permit Coverage Major Modification \$620
 - Individual Permit Issuance \$1,860
 - Individual Permit Reissuance \$620
 - Individual Permit Major Modification \$1,860

Note: There is an additional fee of \$4,650 for processing of an Environmental Assessment Worksheet (EAW) (when required). The EAW fee must be paid via a separate check.
- F. **Conditional** – Stormwater Pollution Prevention Plan (SWPPP). Development of a SWPPP is required when construction disturbs one or more acres at any feedlot site. The SWPPP must be available at the construction site but does not need to be submitted with this application unless the construction disturbs 50 acres or more of land and this application is for an NPDES permit.
 The MPCA has developed a form to assist in development of a SWPPP it is available at: <http://www.pca.state.mn.us/index.php/view-document.html?gid=3485>.
- G. **Optional** – Verification of the notifications required in part XIII of this application. If not submitted with the application, the MPCA must receive the verification prior to permit issuance. It is strongly recommended that the applicable verifications be included with the permit application.

Permit Application Submittal to MPCA

Please mail the completed permit application, permit application fee, and all necessary attachments to the MPCA office contact indicated in the chart below

If a permit application is for a facility in multiple counties you can submit it to either office.

For facilities located in the following counties:	For facilities located in the following counties:	For facilities located in the following counties:
Big Stone Chippewa Cottonwood Jackson Kandiyohi Lac qui Parle Lincoln Lyon McLeod Meeker Murray	Nobles Pipestone Redwood Renville Rock Stearns Swift Yellow Medicine	Aitkin Anoka Benton Blue Earth Brown Carlton Carver Cass Chisago Cook Crow Wing Dakota Dodge
	Fillmore Freeborn Goodhue Hennepin Houston Isanti Itasca Kanabec Koochiching Lake Mille Lacs Morrison Mower	Olmsted Pine Ramsey Rice Scott Sherburne St. Louis Steele Todd Wabasha Wadena Washington Winona Wright
		Becker Beltrami Clay Clearwater Douglas Faribault Grant Hubbard Kittson Lake of the Woods Le Sueur Mahnomon Marshall Martin
		Nicollet Norman Otter Tail Pennington Polk Pope Red Lake Roseau Sibley Stevens Traverse Waseca Watonwan Wilkin
Please mail your completed permit application, fee, and attachments to: MPCA Feedlot Permit Coordinator 1601 E Highway 12, Suite 1 Willmar, MN 56201	Please mail your completed permit application, fee, and attachments to: MPCA Feedlot Permit Coordinator 18 Woodlake Drive SE Rochester, MN 55904	Please mail your completed permit application, fee, and attachments to: MPCA Feedlot Permit Coordinator 12 Civic Center Plaza, Suite 2165 Mankato, MN 56001

Keep a copy of this application form and all submittals for your records.



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

Emergency Response Plan

NPDES and SDS Permit Program

Feedlot Program

Doc Type: Permit Application

Applicability: This *Emergency Response Plan* is to be used in case of an emergency spill, leak, or failure at the production facility or land application area and to assist with response to catastrophic animal mortality events (barn fires, tornadoes, etc.). You must submit this form as part of an application for National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) feedlot permit coverage.

Facility name: Blue Sky Dairy LLC Feedlot registration no.: 079-50004
 Owner/Operator name: Blue Sky Dairy LLC Feedlot permit no.: MN G440677

List of critical phone numbers and contacts

	Contact person (or Company)	Phone number		
Emergency contacts				
• Fire/Ambulance	-----	911		
• County Sheriff	Le Sueur County	507-357-4440		
Agency contacts				
• Minnesota Duty Officer	-----	1-800-422-0798	Provide the Minnesota Duty Officer:	
• Minnesota Pollution Control Agency (MPCA) Field Office	Mankato	507-389-5977		
• County Feedlot Officer (CFO)	Amy Beatty	507-357-8538		
• Board of Animal Health Contact	Dr. Greg Suskovic	651-238-2503		
Other contacts				
• Insurance company			<ul style="list-style-type: none"> • Your contact information • Incident location, date, and time • For spills <ul style="list-style-type: none"> - spill type - spill amount - surface water or field tile impacted • Progress made in response to the spill or catastrophic mortality event 	
• Gopher State One Call	-----	1-800-252-1166		
• Anez Consulting, Inc	Al or Jeff	320-235-1970		
Local vendors for spill and/or catastrophic mortality response assistance				
• Manure pumper	C & J Hotovec	507-381-6433		
• Manure loading equipment	C & J Hotovec	507-381-6433		
• Earth moving equipment	C & J Hotovec	507-381-6433		
• Tiling equipment	C & J Hotovec	507-381-6433		
• Containment/Absorption materials (hay, straw, cornstalks, sawdust)	C & J Hotovec	507-381-6433		
•				

Manure Spill Emergency Response Procedures*

- Immediately stop the source of a liquid manure leak or spill:
 - Turn off pumps or valves
 - Clamp hoses or park tractor on hoses
- Contain spilled manure:
 - Use skid loader or tractor with blade to make berms
 - Install bale checks and block downstream culverts
 - Insert sleeves around tile intakes (or plug/cap)
 - Use tillage equipment to work ground ahead of spill
 - Use absorptive materials
- Make necessary phone calls as listed in the chart above:
 - Notify Minnesota Duty Officer at 1-800-422-0798
 - Notify sheriff's office if spilled on public roads or right-of-ways
- Cleanup:
 - Clean up spill immediately from road and roadside
 - Clean up all material, including the contaminated soil, as soon as possible by scraping, or by other means
 - Land apply manure at agronomic rates or place manure back in the manure storage area/ solid manure stockpile
 - Follow recommendations of MPCA staff and/or CFO
 - Restore site to its original conditions
 - If rain is expected prior to completion of cleanup; actions need to be taken to contain manure contaminated runoff from solid manure spills
- Document your actions:
 - Keep records of all actions related to the spill and follow up activities

*A detailed site map should be displayed on site to assist employees identify sensitive receptors near the facility (surface water, wells, tile intakes, etc.).

Catastrophic Animal Mortality Response

- Make necessary phone calls as listed in the chart above:
 - Notify Minnesota Duty Officer at 1-800-422-0798
 - Notify Minnesota Board of Animal Health
 - Notify MPCA and CFO
- Cleanup
 - Dispose of mortalities according to recommendations of MN Board of Animal Health Representative
 - Locate disposal area for mortalities to prevent impacts to surface and/or groundwater (consult MPCA/CFO)
- Document your actions
 - Keep records of all actions related to the animal mortality disposal activities

If burial of animal mortalities is necessary, the burial site must meet the following:

- Located 1000 feet from lakes and 300 feet from rivers and streams
- Mortalities are not buried within 5 feet of the seasonal water table
- Mortalities are not buried within 10 feet of karst susceptible bedrock
- Soils are not sandy or gravelly

Describe approximate location(s) of potential burial site(s) below:

contact MN BOAH



Manure Management Plan (MMP) Requirements when Ownership of Manure is Transferred

Feedlot Program

Doc Type: Permit Information Form

MMP Information on Page 5

Are you transferring ownership of manure?

MMP and record keeping requirements for feedlot owners are different when manure ownership is transferred. Manure ownership is not considered to be transferred (i.e., feedlot owner/operator retains ownership) when you answer "yes" to either question:

1. Yes No Is manure from the feedlot facility applied onto land that is owned, leased, or rented by the feedlot owner/operator?
2. Yes No For manure application sites not owned, leased, or rented by the feedlot owner/operator, have you as the feedlot owner/operator or employees working under your direction been given control of the crop and nutrient planning decisions, including planning for manure application rates, timing, and methods?

If you answered "Yes" to either question, you are retaining ownership of manure, and you should see the Minnesota Pollution Control Agency (MPCA) guidelines "Manure Management Plan Requirements" which describe requirements when manure ownership is not transferred (found on the MPCA website at <http://www.pca.state.mn.us/index.php/view-document.html?id=3537>). If you answered "No" to both questions, then you are transferring ownership of your manure and the feedlot operator may use these guidelines to complete a MMP.

If only a portion of your manure is considered to have transferred ownership, then use these guidelines for the manure which has transferred ownership, and develop the more comprehensive MMP for the manure which does not have transferred ownership.

MMP Development

The MMP can be developed by answering the questions below or by using other formats that include all required information in Minn. R. ch. 7020.

Name of feedlot facility or operator: Blue Sky Dairy LLC Registration No.: 079-50004

1. Describe the manure storage and handling system and the expected amount of manure and nutrients that will need to be land applied.

- a) How is the manure stored and handled? What happens to the manure from the time it is generated to the time it is either sold or land applied? Where is it kept? For how long?

Manure is stored in earthen basin liquid manure storage areas until land applied for up to 12 months

- b) How many months can manure be stored before the storage capacity is exceeded?
12 months

- c) When will manure be provided to the recipient? Which months do you expect that manure will be applied?

September, October, November for liquid, solids may be available throughout the year.

- d) How much manure is removed from barns or storage areas per year? How much manure will eventually need to be land-applied?

Amount removed from barns or storage: 8,000,000 gal, 360 tons Tons Gallons

Amount land applied: 8,000,000 gal, 360 tons Tons Gallons

- e) How much of this manure will be transferred ownership: 100%

- f) How many pounds of nitrogen (N) and phosphorus (P₂O₅) will need to be land applied per year? (Multiply the expected nutrient content from Part 3.c) by the amount of manure land applied from Part 1.d) to get your answer.) (e.g., 77 pounds N + 1,000 gallons x 1,300,000 gallons = 100,100 pounds of N or alternatively 45 pounds per ton x 3,000 tons = 135,000 pounds of N) (figure P₂O₅ using the same calculations)

N: 120,350 lbs N

P₂O₅: 53,342 lbs P

- g) For new or expanding feedlot facilities, is there enough land potentially available for spreading manure in accordance with allowable rates? Yes No

How will you ensure that enough land owners in the area are willing to purchase your manure or otherwise receive your manure? (e.g., enough land to allow spreading in accordance with state nutrient rate limits)

Agreements with area land operators

2. Describe the manure application methods and equipment.

- a) How will the manure be applied? What method(s) and type(s) of equipment do you expect will be used for manure application by the recipient of your manure, if known?

Manure is applied by drag hose or solids spreader and immediately incorporated

3. Describe your nutrient testing methods, the frequency of testing, and the expected nutrient content of the manure to be applied.

- a) How often will manure be sampled and sent to a laboratory for nutrient analysis? (Minimum state requirements are: annual sampling at NPDES-permitted facilities; annual sampling for the first three years and once every four years for other feedlots.)

Each field that manure is applied on has a manure test taken for that field

- b) How will the manure samples be collected to ensure that representative samples are obtained for nutrient analysis? (e.g., How many subsamples? When collected? Where collected? University of Minnesota Extension Service publications may be referenced.)

Manure is collected at pumping time from the manure pump

- c) What is the expected nutrient content of manure to be collected? (e.g., What is the nitrogen and phosphorus content expected from each major type of manure storage area?)

N: 14.69 liq, 7.86 solids

Pounds per Ton Pounds per 1,000 Gallons

P₂O₅: 6.36 liq, 6.84 solids

Pounds per Ton Pounds per 1,000 Gallons

4. Describe how Minnesota's manure application requirements will be provided to manure recipients.

- a) Attach a copy of the state manure application requirements that you will provide to all recipients of your transferred manure. Will you be using Attachment A or another list of state requirements?

Another form is used to show recipients the pounds of nutrients applied

- b) How will you, as a feedlot owner/operator, maintain records associated with the manure transfer and land application sites/rates? Will you use MPCA recordkeeping forms for transferred ownership (Attachment B) or will you use a different form? **Note:** Attachments A and B can be obtained from MPCA offices or on the MPCA website at <http://www.pca.state.mn.us/hot/feedlot-management.html>

Attachment A & B and other

- c) How will you provide the manure recipient with manure nutrient test results and expected manure nutrient content? You may use Attachment B or other forms which include test results.

Each recipient receives the manure test for that field of application

Animal mortality management (NPDES and SDS permitted sites only)

Indicate with a check mark the anticipated method(s) of dead animal disposal.

Rendering

Carcasses at the pick-up point will comply with the following:

- Kept in an animal-proof, enclosed area.
- At least 200 yards from a neighbor's buildings.
- Picked up within 72 hours (7 days if refrigerated to less than 45 degrees).
- Other: _____

Composting

The composting area will comply with the following:

- Built on an impervious, weight-bearing pad that is large enough to allow equipment to maneuver.
Note: Class V gravel material is not considered to be impervious.
- Covered with a roof to prevent excessive moisture on the composting material, but if sawdust or other water-repelling material is used as the bulking agent, a roof may not be necessary.
- Built of rot-resistant material that is strong enough to withstand the force exerted by equipment.
- Large enough to handle each day's normal mortality through the endpoint of the composting which consists of a minimum of two (2) heat cycles.
- Other: _____

Burial

The following operational practices will be implemented:

- Stay 5 feet above seasonal high water table.
- Stay 1000 feet away from lakes and 300 feet away from rivers, streams, ditches, etc.
- Be covered immediately with enough soil to keep scavengers out (three feet is sufficient).
- Not be placed in sandy or gravelly soil types.
- Maintain at least 10 feet vertical separation between dead animals and bedrock.
- Other: _____

Incineration

The incinerator will meet the following:

- Capable of producing emissions not to exceed 20 percent opacity.
- Fitted with an afterburner that maintains flue gases at 1,200 degrees Fahrenheit for at least 0.3 seconds.
- Ash from the incinerator must be handled in such a manner as to prevent particulate matter from becoming airborne.

Other Method

The following operational practices will be implemented (describe the alternative method below):



Notice of Application To Permit A Livestock Feedlot

Notice is hereby given per Minnesota Statute 116.07 subd, 7 (a) that

Blue Sky Dairy, LLC
44625 267th Ave
Cleveland, MN 56017

has made application to the Minnesota Pollution Control Agency to modify a feedlot permit with a capacity of 500 animal units or more.

The facility is located E ½ of the SW ¼ of Section 26, Cleveland Township, Le Sueur County, Minnesota.

The facility is currently permitted for 1067 head of dairy cows over 1000 pounds (1493.8 AU) and 30 head of calves (6 AU) all in total confinement. Manure storage for the facility consists of four liquid earthen basins. 1 – 120'x220'x9', 1 - 260'x380'x9', 1 – 332'x380'x14' and 1 – 25'x10'x4'. There is also an in-ground 19'x23'x8' concrete tank liquid manure storage tank and a 30' x 50' permanent stockpile area.

The applicant is proposing to construct a 60' x 130' permanent stockpile area and re-locate the calf hutches to a 3150 sq. ft. area in partial confinement with manure pack on ground with runoff controls. The applicant is also proposing to add 30 calves (6 AU) to the permit.

There will be an increase of 6 animal units. The total animal units will be 1505.8.

This publication shall constitute as notice to each resident and each owner of real property within 5000 feet of the perimeter of the proposed feedlot as required by Minnesota State Law.

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