

WABASHA COUNTY PLANNING COMMISSION

NOTICE OF MEETING

The Wabasha County Planning Commission will hold a regular meeting on **May 27th, 2025 at 7:00 p.m.** in the County Board Room of the Courthouse Annex Building, 625 Jefferson Ave., Wabasha, MN. This meeting is open to the public.

Agenda

1. Call to order.
2. Approval of the agenda.
3. Approval of the minutes from the April 28th, 2025 meeting.
4. Public hearings:
 - 1) Public hearing on the application submitted by Jamie Ratz requesting a Conditional Use Permit to operate an adult foster care facility and a lodging establishment. The subject property is identified as Wabasha County parcel R14.00308.00 located in Section 4, Township 108 North, Range 11 West, of Plainview Township (24480 550TH ST PLAINVIEW, MN).
 - 2) Public hearing on the application submitted by Brian Yotter to amend an existing conditional use permit for a feedlot in order to increase the animal units by 980.6 AU. The subject properties are identified as Wabasha County parcels R16.00061.00 and R16.00065.03 and are located in Sections 11 and 12 , Township 110 North, Range 12 West of West Albany Township (27170 661st Street Lake City, MN).
 - 3) Public hearing on the application submitted by Seth Tentis requesting a conditional use permit to transfer dwelling density from Wabasha County Parcel R05.00314.00 to Wabasha County Parcel R05.00152.00. The subject properties are located in Section 19 and Section 30, Township 110 North, Range 10 West of Greenfield Township (19100 641st Street Kellogg, MN)
5. Other business and date of next meeting.
6. Adjourn



WABASHA COUNTY ZONING DEPARTMENT

625 Jefferson Avenue
Wabasha, MN 55981
Ph: 651-565-3062 Fax: 651-565-3159

NOTICE OF PUBLIC HEARING BEFORE THE WABASHA COUNTY PLANNING COMMISSION

The Wabasha County Planning Commission will conduct a public hearing starting at 7:00 p.m. on May 27th, 2025 for the purpose of hearing any testimony regarding the following requests:

- 1) Public hearing on the application submitted by Jamie Ratz requesting a Conditional Use Permit to operate an adult foster care facility and a lodging establishment. The subject property is identified as Wabasha County parcel R14.00308.00 located in Section 4, Township 108 North, Range 11 West, of Plainview Township (24480 550TH ST PLAINVIEW, MN).
- 2) Public hearing on the application submitted by Brian Yotter to amend an existing conditional use permit for a feedlot in order to increase the animal units by 980.6 AU. The subject properties are identified as Wabasha County parcels R16.00061.00 and R16.00065.03 and are located in Sections 11 and 12 , Township 110 North, Range 12 West of West Albany Township (27170 661st Street Lake City, MN).
- 3) Public hearing on the application submitted by Seth Tentis requesting a conditional use permit to transfer dwelling density from Wabasha County Parcel R05.00314.00 to Wabasha County Parcel R05.00152.00. The subject properties are located in Section 19 and Section 30, Township 110 North, Range 10 West of Greenfield Township (19100 641st Street Kellogg, MN)

The public hearing will take place in the County Board Room, Courthouse Annex, 625 Jefferson Avenue, Wabasha, Minnesota. Any interested person may provide testimony whether in person or by way of written comment submitted to the Wabasha Zoning Department. Written comments will be read into the record during the respective public hearing.

Any questions regarding this matter should be directed to the Wabasha County Zoning Department. You can contact the Zoning Department by phone at 651-565-3062, or by email at jkaltenbach@co.wabasha.mn.us.

Respectfully,
Wabasha County Planning Commission

MINUTES OF THE APRIL 28th, 2025
WABASHA COUNTY PLANNING COMMISSION MEETING

1. Planning Commission Chair Tim Janikowski called the meeting to order at 7:00 p.m. Other members present were Willard Drysdale, Scott Sexton, and Michael Harvey. Also in attendance were County Board Members Rick Powers, Mike Wobbe and Zoning Administrator Joe Kaltenbach.
2. Motion by **Janikowski / Harvey** to approve the agenda for the April 28th, 2025 meeting. **Motion Carried 4-0.**
3. Motion by **Sexton / Drysdale** to approve the minutes, as amended, from the March 24th, 2025 meeting. **Motion Carried 4-0.**
4. Public hearings:
 - 1) Motion by **Janikowski / Harvey** to open public hearing on the application for re-zoning submitted by Dorothy O'Reilly to rezone Wabasha County Parcel R03.00176.00 from the Agricultural Protection District (A-1) to the Agriculture/ Urban Fringe District (A-2). The subject property is described as Wabasha County parcel R03.00176.00 located in Section 20, Township 110 North, Range 13 West, Gilford Township on approximately 80.0 acres. **Motion Carried 4-0.**

Dorothy O'Reilly rose to present proposal for rezoning.

Motion by **Janikowski / Harvey** to close the public hearing. **Motion Carried 4-0.**

Motion by **Sexton / Janikowski** to deny rezoning the subject parcel. **Motion Carried 4-0.**
 - 2) Motion by **Janikowski / Drysdale** to open the Public hearing on the application submitted by Rick Billings for a conditional use permit (CUP) to use a single-family residence as a lodging establishment. The subject property is described as Wabasha County parcel R05.00499.00 and is located in Section 12, Township 110 North, Range 10 West of Greenfield Township (66760 146th Ave, Wabasha, MN). **Motion Carried 4-0.**

Rick Billings presented his proposal.

Motion by **Harvey / Drysdale** to close the public hearing. **Motion Carried 4-0.**

Motion by **Janikowski/Drysdale** to approve Conditional Use permit with the 4 conditions as amended, and as presented below:

 - 1) The use shall be undertaken only in accordance with the plans and specifications as submitted in the application or as outlined in these conditions.
 - 2) Any expansion or alteration of the use shall not be undertaken until an amendment to this Conditional Use Permit is approved by the Wabasha County Board of Commissioners.

- 3) All applicable Federal, State, and County statutes, ordinance, rules and regulations shall be observed.
- 4) The conditional use permit shall terminate if/when there is a transfer of title out of possession of either Marcy or Rick Billings.

Motion carried 5-0.

5. Other Business

- Next Board of Adjustment meeting is May 13th, 2025.
- Next Planning Commission meeting is May 27th, 2025

6. Motion by Janikowski / Sexton to adjourn at 7:33 p.m. **Motion Carried.**

Chair

Date

RD RW 8839 entered ✓



CUP Application for Business Plan

Wabasha County, Minnesota

APR 09 2025

Applicant Info
 Name of Applicant Jamie Peltz
 Business Name _____
 Mailing Address 10719 Bluff Run Lane
 City Plainview State MN Zip Code 55964
 Phone 507 696 2572
 Email janzow.jamie@yahoo.com

Property Owner Info
 Name of Owner(s) Jamie Peltz
 Mailing Address 10719 Bluff Run Lane
 City Plainview State MN Zip Code 55964
 Phone 507 696 2572
 Is applicant property owner?
 Yes No

Parcel ID: R H. 00308.00
J Peltz
 Property Owner's Signature

Township/Section: 04-108-D11
4/9/25
 Date

By signing and dating above, you agree to allow Wabasha County Environmental Services Staff to enter the property to perform needed inspections.

Before filling out this application, it is recommended to contact the Planning and Zoning Office to discuss the proposed conditional use and the associated information that will be required in the application.

Answer the questions below in detail:

Description: Provide a general description and overview of the business including: type of business, expected clientele, types of products/services, anticipated days and hours of operation, etc.

- 24/7 Adult Foster Care serving those age 65+ in residential home
- Clientele is typically age 80+
- 1 caregiver staffed @ all time w/ RD on-call 24/7
- Intention to have (2) AirBnB in basement

Staff: List how many staff (including yourself) the business will employ. Indicate the number of anticipated full - time, part - time, and any potential seasonal workers and the hours the staff will work per week. If applicable, please indicate if any the number of staff members are family members and currently live on site.

Facility like such typically employs a total of 8 staff to fill hours around the clock. # of full-time vs part-time depends on the labor market & peoples schedules.

Shifts are typically Day 7A-2:30
Eve 2:30-8:30pm
Noc 8:30-7Am /staff may sleep

Customers/Clients: Provide an estimate of total customers in a typical work week. Estimate the average and maximum number of customers on site for regular operations and during special events. If the business will host groups (daycare, schools, civic groups, clubs, weddings, etc.), please indicate the size and types of groups expected.

Care of 5 residents residing in the home

Visitors vary based on family dynamics. Families come to visit usually once a week depending on their geographics

Structure and Grounds: Indicate on the site map where activities will take place out of buildings and on the grounds. If new construction is planned, indicate the dimensions and proposed use. Describe any activities that will take place out of existing buildings/structures. Indicate the percentage of the building/structure that will be devoted to the business. Provide the percentage of the property that will be devoted to the business.

4,500 sq foot home on 1.33 Acres. Most residents desire to stay indoors at all times.

Deliveries: Describe any deliveries or pick-up supplies, materials, finished products, and or other services provided from and outside the business and its source. Provide details on the type of service and expected volume of traffic anticipated during a typical work week.

Mail comes daily. Fedex/UPS at most weekly.
Volume of traffic comparable to your primary residence

Access: Describe how the business will accommodate ingress to and egress from the site. Include information regarding the local public roads that potential customers are most likely to travel to the business. Indicate if any driveway improvements are proposed or have been/will be required by the Highway Department and provide a list of such improvements.

Driveway to be put in to connect with 550th street,
Driveway & 550th street considered private property.
Highway dept to install fire number.

Traffic Circulation/Loading/Parking: On the site sketch, indicate how traffic will circulate on the business site, identifying the location of loading areas, as well as customer and employee parking areas. For parking areas include the number of spaces provided, size and location of customer and employee parking areas, number and location of handicap accessible parking spaces and the type of finished surface (gravel, asphalt, etc.). Additional comments below:

Goal # of spaces for guests to park in the front of the house is 3-4 stalls gravel for time being.

Wrap around driveway to access units behind the house

Production, Processing and/or Sales: Please describe any production, processing and/or sales that will occur on, or from the business premises.

N/A.

Hospitality, Food & Beverage: Please describe any site accommodations and or services related to hospitality, food, and/or beverage services offered by the business. Include any food and beverage produced on site, brought in by other vendors, or otherwise offered onsite, or for take-out.

3 meals/day provided to occupants of the foster care prepared by staff in the home.

Preparing for (2) Air Bnb. Guests to make their own food/beverage accommodations

Special Events, Seasonal Celebrations & Venues: Describe any special events, seasonal celebrations, and/or other venues offered by the business. Estimate the number and type of events per year and include and estimate of customers expected on the site per event.

N/A

Nuisance Impacts: Describe any potential nuisance impacts from the site, including but not limited to: odor, dust, smoke, vibration, noise, light, heat, glare, aesthetics, etc. Indicate which nuisances may be detected beyond the property line. Provide a plan to mitigate potential nuisances as well as include a contact for complaints received for the business.

N/A

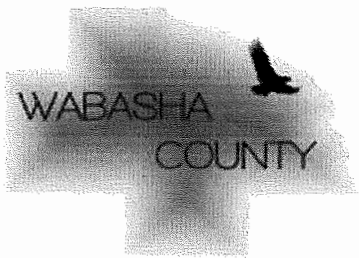
Waste, Chemicals, Flammable or Hazardous Waste: Indicate the types of waste generated on site. Describe how waste will be collected, contained, stored, transported, and disposed of. Identify on the site map where any waste will be collected and stored. List business related chemical, flammable, or hazardous substances used or stored on site. Describe the storage, handling, and disposal of any chemical, flammable, or hazardous substances.

N/A

Lake City Trash/Recycling barrels

Sewage Treatment & Water Supply: Provide information on how sewage generated on site will be addressed; information on any on-site sewage treatment system to be utilized for the business. If portable restrooms will be utilized, indicate the number and indicate location on the site map. Additionally, describe any business related water usage on site; provide information on any onsite well. Indicate if the well is being used to supply drinking water to employees or the public or if water will be brought from off site for this purpose.

- Shared well in subdivision up to code & passes well water test
- Water usage minimal given age of population served w/ data of under 300 gal/day.
- Working with WSE Massey/Damin @ the county to determine size of septic.



Township Approval Form

Wabasha County Environmental Services
Old Courthouse Annex
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062

Parcel ID 14,00308.00

Name of Applicant: Jamie Ratz Phone: 507 696 2572

Mailing Address: 10719 Bluff Run Ln City: Plainview State: MN Zip: 55964

Property Owner Name: Jamie Ratz Phone: 507 696 2572

Section Number: 04 Township Name: Plainview

Activity Type:

- New Construction
- Addition/ Alteration
- Remodel/ Repair
- Land Division or Boundary Adjustment
- CUP/IUP/Variance
- Preliminary Plat

NOTE: Township approval is **REQUIRED** when applying for a **CUP/IUP & Preliminary Plats**. You must attend your Townships meeting and provide written documentation with your application of the meeting such as minutes, resolutions, and/or recommendations from the Township regarding your proposed activity.

Failure to provide the correct information above or failure to receive Township approval will result in your application being considered incomplete; further delaying the processing of the application.

Below is a list of contacts for the Townships within Wabasha County that have their own zoning ordinances. This form is **REQUIRED** for any above listed activity within these Townships.

Chester Township..... Jake Atkinson: (507)-251-8150

Plainview Township..... Mitchell Crary: (507)-421-1145

Zumbro Township..... Marcia Dworschak: (507)-753-2625

A comprehensive list of Township Officials and their contact information can be found at
https://www.co.wabasha.mn.us/document_center/directory.pdf

Township Official Signature: *Mitchell Crary* Date: 4/8/25

The above activity meets the requirements of our Township Zoning Ordinance/Regulation and is hereby approved.



Wabasha County Planning and Zoning

625 Jefferson Avenue Wabasha, MN 55981
 Phone: 651-565-3062 | www.co.wabasha.mn.us

Township Acknowledgement Form

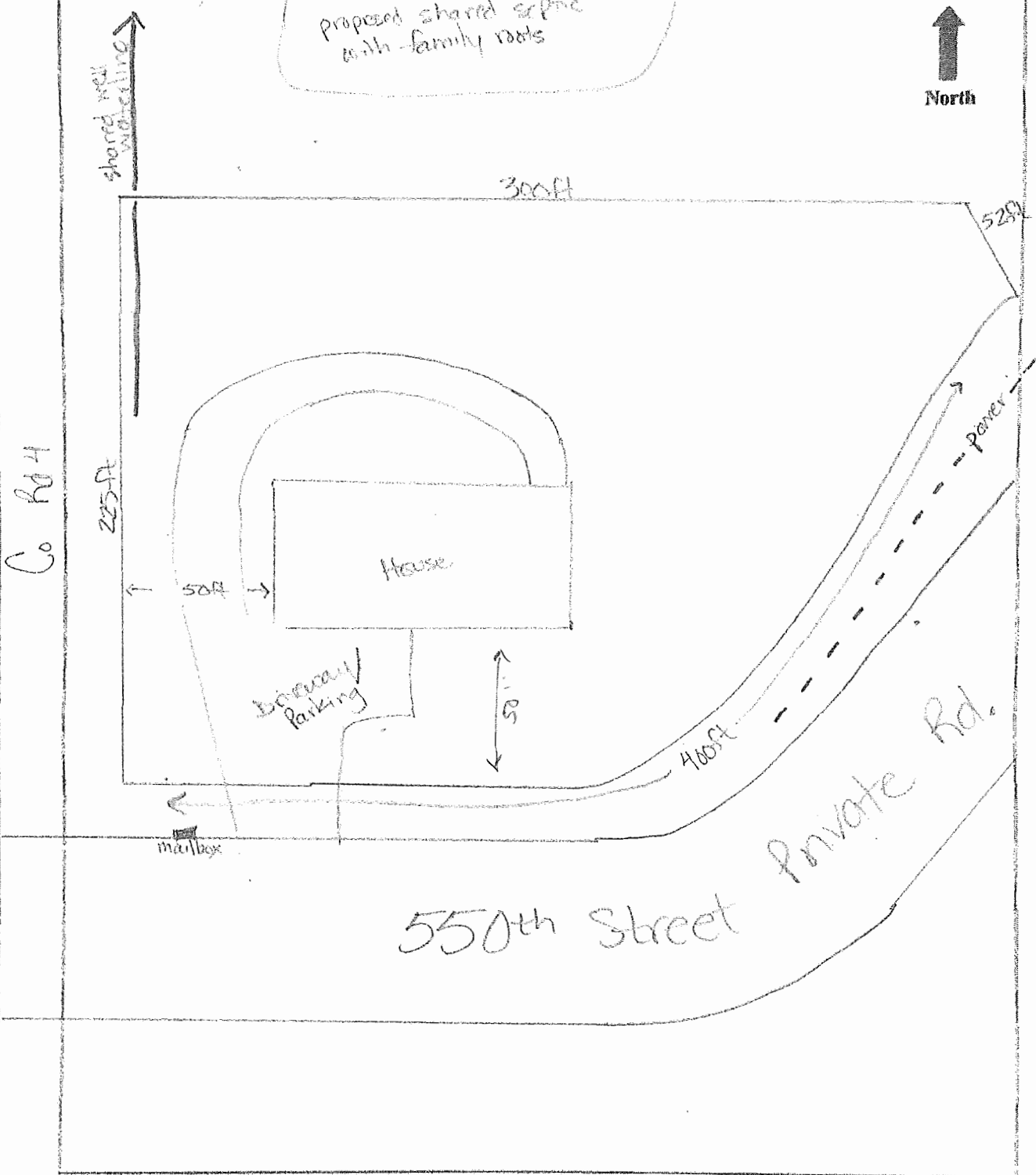
Pursuant to the Wabasha County Zoning Ordinance, a petitioner seeking a conditional/interim use permit, or creation of a subdivision as defined by the Wabasha County Subdivision Ordinance, is responsible to contact the Township Board where the subject property lies to seek a place on their agenda as a means to inform the Board of the proposal. After considering the proposal, the Township Board will record any concerns, observations, and/or recommendations on this Township Acknowledgment Form for the Wabasha County Planning Commission to consider during their review of the request.

An application is not complete until the petitioner fully satisfies this requirement and submits the form to the Wabasha County Planning & Zoning Department.

Applicant Information	Name: <u>Jamie Katz</u>	
	Address: <u>24480 550th St.</u>	
	City: <u>Plainview</u>	State: <u>MN</u> Zip: <u>55904</u>
	Telephone: Home/Personal: <u>507 696 2572</u>	Alternate:
Property Information	Mailing Address (if different from Site Address): <u>10719 Bluff Run Lane Plainview, MN 55904</u>	
	Parcel ID: <u>14.00308.00</u>	Section: <u>04</u> Township: <u>108</u> Range: <u>011</u>
	PROPERTY SIZE	Site Dimensions (in ft): <u>225ft x 300ft</u> Acres: <u>1.33</u>
	Zoning District: <input type="checkbox"/> A-1 <input checked="" type="checkbox"/> A-2 <input type="checkbox"/> A-3 <input type="checkbox"/> R-1	
Use Statement	NATURAL FEATURES Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Bluff Impact Zone <input type="checkbox"/> Flood Zone <input type="checkbox"/> Other:	
	If not the current owner, please provide the name(s) of owner(s): <small>(Owner Name, Address, State, Zip)</small>	
	Activity Type:	
Statement of existing and proposed use(s) of the property or building. <small>(Attach any pertinent site plans, business plans, or documentation)</small>		
<u>Construct new dwelling to provide adult foster care & create (2) condos units intended for bed & breakfast.</u>		

Parcel # R 14.0030 8.00
Site Sketch

NOTE: Indicate distances to property lines, all buildings (provide dimensions also), location of public roadways, parking areas, driveways, landscaping for screening, storm water drainage, and the location of the sanitary sewer system.





Wabasha County Zoning Department
625 Jefferson Avenue
Wabasha, MN 55981
Phone: 651-565-3062 Fax: 651-565-3159

To: Wabasha County Planning Commission
From: Joe Kaltenbach, Wabasha County Zoning Administrator
Re: Jamie Ratz CUP request
Date: May 14, 2025

Background: On April 21, 2025 a complete application for a Conditional Use Permit was submitted by Jaime Ratz for an adult foster home business and lodging establishment on parcel R14.00308.00 located in Section 4, Township 108 North, Range 11 West, Town of Plainview. The property is zoned A-2 (Agriculture/ Urban Fringe District) and similar uses are allowed as a conditional/interim use of the zoning district per Chapter 5.03 of the Wabasha County Zoning Ordinance.

The area consists of a mixture of residential, commercial, and agricultural uses. There are seven properties with homes within a quarter mile of the proposed business. Access to the site is off of County Road 4 via a private drive that is dedicated to the public. The applicant wishes to construct a new facility with a basement. The adult foster home would serve those 65 years or older who need assisted living, memory care, hospice/end of life care, or certain skilled care needs. The typical clientele is aged 80 or more. The facility would have 1 caregiver staffed at all times with a nurse on call 24 hours. The business is proposed to have typically eight employees with a staff member on site 24 hours a day, 7 days a week. The facility would provide care for 5 residents living in-house. The number of visitors would vary based on each individual client's family but generally consists of once a week visits. Typically the residents of the facility stay indoors.

The AirBnb portion would have 2 bedrooms in the basement of the facility along with separate kitchens and bathrooms for each. This would fall under a lodging establishment in the Ordinance and requires a CUP.

Parking for the facility will be located in the front of the proposed building off of the driveway, which connects to 550th Street. There would also be a portion of the driveway that loops around the back of the structure to a second garage and entrance for the AirBnb rentals. The proposed structure will be required to meet all setbacks from property lines. The applicant owns four other properties within the subdivision which consist of an already existing adult foster care facility, an event center and one undeveloped parcel. Agi Properties Of Oronoco LLC owns a parcel with a storage facility and one other vacant parcel. To an extent the applicant will be able to control what other uses will be allowed within the subdivision.

The proposed elder care facility/AirBnb is anticipated to generate little noise. Dust from the facility is anticipated to only be a concern during the construction phase. Dust from 550th Street could be possible do to intermittent traffic entering and leaving the subdivision. Based on 2-ft contours drainage from the parcel is expected to be in a southeasterly direction. There are no anticipated nuisances resulting from smoke or odor with the proposed use of the property.

According to the applicant there is a shared well in the subdivision. Currently the applicant is working with the County Sanitarian as to the size of a septic system that would be needed. The applicant has provided building plans for the facility and rental.

The applicant has notified and proposed the plan to Plainview Township and has received a building permit from Plainview Township for the proposed structure. The township did not have any comments or concerns, but signed the Township Acknowledgement Form.

County Zoning Staff has been notified from Wabasha County Social Services that corporate beds are required for adult foster homes such as the one that is being applied for here. At this time there are no corporate beds available for Wabasha County. In talks with the State we have been informed that no corporate beds are available from other counties as well. Zoning was informed on May 7, 2025 that no corporate beds could be secured for the corporate foster home development so that licensure cannot be pursued for the applicant.

Staff Suggested Findings:

18.05 Findings: In considering a conditional use permit application, the Planning Commission shall apply the following standards: Staff suggested findings are in **Bold:**

1. Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or would substantially diminish and impair property values within the immediate vicinity. **The purpose of the A-2 Zoning District is to promote sustainable agriculture by closely coordinating the use of land between agricultural and urban land uses. An adult foster care home and a lodging establishment are allowable within the A-2 district through issuance of a conditional/interim use permit. It is unlikely that this proposed use would diminish property values or be injurious to other properties as agricultural activities and commercial uses make up the surrounding area. The nearest residence is approximately 610 feet to the north and is owned by Joyce Funke. An**

existing adult foster care facility is located adjacent to the north of the subject property and is owned by Cailey Brookins. To the west is County Road 4 followed by farmland owned by Jean and Beth Liebenow and to the southwest a commercial Ag dealership owned by Ag Power Real Estate LLC. To the south is 550th Street and then Bennett & Sons Sand & Gravel. To the south and east is a commercial vacant lot owned by AGI PROPERTIES OF ORONOCO LLC.

2. Whether the conditional use would impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. **The proposed adult foster care home facility and AirBnb rental would not appear to impede the normal and orderly development of surrounding properties and uses in area. The proposed use is similar to uses allowed within the A-2 District with the issuance of a conditional/interim use permit.**

3. Whether adequate utilities, access roads, drainage, soil erosion control measures and other necessary facilities have been or are being provided. **Access to the business would be from 550th Street off of County Road 4. Contours available for the property indicate that stormwater will drain to the southeast. There are no additional proposed buildings or structures indicated by the applicant at this time. A septic system permit has not yet been issued for the property as the determination of the size of system is currently being addressed by the County Sanitarian and the applicant's septic designer. An application for a new address for the business would need to be submitted and approved by Wabasha County. A shared well exists within the subdivision.**

4. Whether adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **Parking would need to be in the designated parking area indicated by the applicant. The applicant anticipates that there will be spots for 3-4 vehicles in the parking lot. No parking on County Road 4 would be allowed.**

5. Whether adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these would constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **Whenever vehicles are involved the potential for the creation of dust and noise is possible. Traffic to the property would be minimal and intermittent due to the nature of the business. The applicant expects deliveries from Fed Ex/UPS to possibly be weekly. Nuisance dust is only expected to occur during the construction phase and it will need to be controlled. The nearest residence is approximately 90' to the south. This property is owned by Bennett & Sons Sand & Gravel. It is unlikely that noise, fumes, and vibration, other than that taking place during construction, would be a nuisance concern. The applicant did not indicate any exterior lighting that would be used.**

6. Whether other factors bearing on the public health, safety and welfare would dictate either approval or grant of the conditional use permit. **The applicant's property appears to contain adequate room for parking and the indication is that there will be 3-4 parking spaces. The applicant will need to abide by all regulations regarding the use of the adult foster care home that are required by the State of Minnesota. Social Services has indicated that at this time there are no corporate beds available for Wabasha County. In talks with the State we have been informed that no corporate beds are available from other counties as well. Zoning was**

informed on May 7, 2025 that no corporate beds could be secured for the corporate foster home development so that licensure cannot be pursued for the applicant.

Staff Recommendation

Based on the information supplied by Social Services to the Planning & Zoning Department regarding that there are no corporate beds available and licensure is not possible for the applicant to operate an adult foster care facility at this time, Zoning Staff recommends denial of the CUP request.

Staff Suggested Conditions for Approval:

If the Planning Commission recommends approval of this application to the County Board of Commissioners, the Planning Commission should consider implementing the following conditions:

1. A Conditional Use Permit is granted only for an adult foster care home and lodging establishment on Wabasha County parcel R14.00308.00.
2. The project shall be undertaken only in accordance with the plans and specifications as submitted in the application or as outlined in these conditions.
3. A copy of the Minnesota Department of Human Services license required to operate an adult foster care home must be supplied to Planning & Zoning prior to the issuance of a Building & Land Use Permit. Copies of all subsequent licensure renewals shall be supplied to Planning & Zoning to insure current up-to-date licensure.
4. The applicant shall be responsible for the coordination and payment of an inspection to be completed by the County's contracted building code inspector to determine compliance with

the State Building Code, the State's ADA accessibility code, fire code requirements, and all other applicable codes.

5. There shall be no parking along County Road 4.
6. The applicant shall be responsible to bring the business into compliance with Sections 4.1 & 4.2 of the Rural Address Ordinance in regards to bearing the costs of new street and address signage.
7. An E911 address must be obtained from Wabasha County prior to issuance of a building permit.
9. A septic system permit must be approved prior to the issuance of a Building & Land Use Permit.

Requested Action:

The County Planning Commission shall make its decision upon the application and forward its recommendations to the Board of County Commissioners. In reporting its recommendations to the Board of County Commissioners, the County Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and may designate conditions and require guarantees deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission, the Board of County Commissioners shall make a decision upon the application for a conditional use permit.

APR 16 2025

Parcel ID # R16.00061.00

Wabasha County Conditional Use Permit/Interim Use Permit Application

- An accurate and complete CUP/IUP application shall be submitted along with a \$400 application fee to begin processing the application. **Incomplete applications will be returned.**
- A scaled plot plan shall be submitted with all applications. Include all buildings, parking areas, lot lines, etc.
- Applications must be received by the Zoning Department on or before the 20th day of the month in order to be considered by the Planning Commission at the meeting held during the following month.
- As per state statute, notice of the public hearing for your request will be sent to all landowners within ¼ mile of the property upon which you are proposing a conditional/interim use.

Applicant's name: Brian Yotter Phone number: 651-764-0225

Applicant's address: 27170 661ST ST LAKE CITY, MN 55041

Address of property: 27170 661ST ST

Legal description: Sec/Twp/Rng.11-110-012, Township of West Albany

Answer the questions below. Additional information may be necessary.

1. Proposed Use: (List all proposed uses, number of employees, hours of operation, etc. Attach additional sheets if necessary)

Proposed increase to Animal units of 980.6 AU. Dairy facility.

3148.6 AUs Currently

4129.2 AUs Proposed

2. Describe the volume of traffic that will be a direct result of your proposal and the measures to be implemented to ensure sufficient off-street parking and loading space.

Increase traffic of one load of milk per day, additional two feed trucks weekly. Forage hauling will increase by 25% for the season. There is adequate parking by the parlor and in the yard.

3. Explain the general character of the surrounding properties and how your proposal will not have an adverse effect on the character and quality of the area.

Agricultural area, there are similar facilities in the county and area.

4. Describe measures to limit any harmful or nuisance effects which may include stormwater runoff, noise, dust, smoke, odor, or other factors.

Will continue to apply chloride to the township road for dust control. Manure is stored in a covered pit.

5. Indicate the local township official notified of your request , the date the official was notified, and any applicable permits you may have received from the township.

Sharleen Klennert 3/10/2025

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I grant permission for the staff of the Wabasha County Zoning Department and members of the Planning Commission to enter onto the property on which the use is being proposed by this application during daylight hours to collect information relative to my proposal. I further agree to withdraw this application if substantive false or incorrect information has been included. I also understand that the \$400 fee is nonrefundable and does not guarantee that a Conditional/Interim Use Permit will be granted.

Brian Yotter

SIGNATURE OF APPLICANT/LANDOWNER

04/16/2025

DATE

West Albany Township

Meeting Minutes

March 10, 2025

Call meeting to order at 8:00 P.M.

The Pledge of allegiance was recited.

All board members were in attendance including James Dose, Chairman; Allen Rahman, Supervisor; Mark Yotter, Supervisor; Sharleen Klennert, clerk; Janet Rahman, Treasurer. Guests present were: Frank Klennert, Ken Jacob, and Brian Yotter citizens and Craig Atkinson, vendor.

The agenda was approved with a motion by Yotter and second by A. Rahman.

James Dose, Chairman approved the minutes for February 10, 2025

The treasurer's report was recited by J. Rahman. Beginning balance was \$74,323.64 with an ending balance of \$86,818.75. CDs were reviewed. Approved by Chairman Dose.

Four bills were submitted for payment and approved.

Brian Yotter, Scotch Prairie Farms at 27170 661st Street, Lake City, MN, 55041, phone number 651-764-0225, spoke regarding the new permitting application to go to the Planning Commission. He described his plans as a 900-plus animal unit increase, four building areas for the use of a free-stall barn, calving pen, hoof trimming area, and bedding storage. He was looking for the township to sign paperwork to the Wabasha County Zoning Office that the township is aware of the plans for this site. The board neither agreed or disagreed to his plans, just stated that they are aware of this application. Signed by appropriate members.

Levy recommendation was discussed. The board recommended to the annual meeting to increase the levy by \$10,000 for the 2026 year. Rahman made the motion and Yotter made the second.

The Lake City Ambulance required a new signature on our present contract due to a Mayor change. It was agreed and signed to be returned to them. No vote was required.



Township Approval Form

Wabasha County Environmental Services
Old Courthouse Annex
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062

Parcel ID 16.00061

Name of Applicant: Scotch Prairie Farms Phone: 651-764-0225

Mailing Address: 27170 661st ST City: Lake City State: MN Zip: 55041

Property Owner Name: Scotch Prairie Real Estate LLC Phone: 651-764-0225

Section Number: 11 Township Name: West Albany

Activity Type:

New Construction Addition/ Alteration Remodel/ Repair

Land Division or Boundary Adjustment CUP/IUP/Variance Preliminary Plat

NOTE: Township approval is **REQUIRED** when applying for a CUP/IUP & Preliminary Plats. You must attend your Townships meeting and provide written documentation with your application of the meeting such as minutes, resolutions, and/or recommendations from the Township regarding your proposed activity.

Failure to provide the correct information above or failure to receive Township approval will result in your application being considered incomplete; further delaying the processing of the application.

Below is a list of contacts for the Townships within Wabasha County that have their own zoning ordinances. This form is **REQUIRED** for any above listed activity within these Townships.

Chester Township..... Jake Atkinson: (507)-251-8150

Plainview Township..... Mitchell Cray: (507)-421-1145

Zumbro Township..... Marcia Dworschak: (507)-753-2625

A comprehensive list of Township Officials and their contact information can be found at https://www.co.wabasha.mn.us/document_center/directory.pdf

Township Official Signature: James A. Dose Date: Mar. 10, 2025

The above activity meets the requirements of our Township Zoning Ordinance/Regulation and is hereby approved.

Submittal Information

Facility Name: Scotch Prairie Farm LLC
 Agency Interest ID: 77546
 Permit ID: MNG442251
 Service Type: Feedlot Permitting - NPDES General Permit Major Mod
 Transaction ID: 129197
 Submitted On: 2025-03-31 08:14:06

Permit Application Selection

Do you need to make a modification to your existing permit or Manure Management Plan (MMP)? Yes
 Modification Type: Major Modification

Application Readiness

Based on your previous answers, you are applying for a NPDES General Permit.

Are you constructing new or expanding an existing feedlot or manure storage area (MSA)? Yes
 Is the ultimate capacity of the feedlot 500 or more animal units, or will the MSA hold manure produced by 500 or more animal units? Yes
 Acres Disturbed 1
 Is the facility Minnesota Agricultural Water Quality Certified? No
 Is the feedlot in a non-delegated county? Yes

Acknowledgements

I have notified all government authorities and local zoning authorities about the proposed construction or expansion, in accordance with Minn. R. 7020.2000 subp. 5.
 I acknowledge that this application is for a NPDES permit where construction activities will disturb one or more acres of land, and it will also serve as an application for the general Construction Stormwater (CSW) NPDES permit, as referenced in the feedlot NPDES permit, unless a separate application for CSW NPDES permit coverage has been made. I agree to comply with the requirements of the CSW NPDES permit.
 I understand that if the MPCA determines the facility does not meet the criteria for coverage under the general permit, this application will be denied and a new application must be submitted.

Feedlot Information

Feedlot Name: Scotch Prairie Farm LLC
 Physical Address: 27170 661st St
 Lake City MN 55041
 Mailing Address: 27170 661st St
 Lake City MN 55041-3858
 Location Description:

Feedlot Location

Collection Method: Digitized - MPCA internal map
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34123158
 Longitude: -92.2116628
 Point of Reference: General Location
 County: Wabasha
 Is the site located in Indian country?: No
 Parcel(s) County and ID: Wabasha R16.00061.00
 Township: 110
 Range: 12W
 Section: 11
 Quarter 160: SE
 Quarter 40: NW
 Quarter 10:
 Quarter 2.5:

Contacts

Contact Name: Brian Yotter
 Contact Type: Feedlot Contact
 Organization Name:
 Organization Type:
 Address: 27170 661st St
 Lake City MN 55041
 Email: byotter25@gmail.com
 Phone: 6517640225
 6517640225

Contact Name: Brian Yotter
 Contact Type: Owner
 Organization Name: Scotch Prairie Farms LLC
 Organization Type: Private (Non-Government)
 Address: 27170 661st St
 Lake City MN 55041-3858
 Email: byotter25@gmail.com
 Phone: 6517640225
 6517640225

Contact Name: Brian Yotter
 Contact Type: Billing Contact
 Organization Name: Scotch Prairie Farms LLC
 Organization Type: Private (Non-Government)
 Address: 27170 661st St
 Lake City MN 55041-3858
 Email: byotter25@hotmail.com
 Phone: 6517640225
 6517640225

Prevention Opportunities

Have you implemented any prevention activities in the past year? Yes
 How did you do it? Equipment Modifications
 Would you like to be contacted to discuss prevention opportunities? No

Animal Holding & Numbers

Animal Holding Areas

Does the facility have pasture access? No
 Are there animal holding areas at this facility? Yes
 Is there a well within 1000 feet? Yes 50 ft.

Milk Parlor-Holding Area

Status: Active
 Structure Name: Original Parlor
 Length: 1 feet
 Width: 1 feet
 Surface Area: 4252 square feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34054
 Longitude: -92.212
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Total Confinement Barn	Animal Type	Capacity	Animal Units
Status: Active	Dairy Cattle - Heifer	200	140
Structure Name: Barn 3	Dairy Cattle >1000 lbs	491	687.4
Length: 396 feet			
Width: 114 feet			
Coordinate System: Lat Long - decimal degrees			
Latitude: 44.34152			
Longitude: -92.21297			
Collection Method: Digitized - MPCA online map			

Reference Point: General Location

Partial Confinement Barn
 Status: Active
 Structure Name: South Monoslope Barn
 Length: 196 feet
 Width: 40 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.33943
 Longitude: -92.21003
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Animal Type	Capacity	Animal Units
Dairy Cattle - Heifer	50	35

Total Confinement Barn
 Status: Active
 Structure Name: Barn 1
 Length: 490 feet
 Width: 114 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34151089
 Longitude: -92.21137741
 Collection Method: Digitized - MPCA internal map
 Reference Point: General Location

Animal Type	Capacity	Animal Units
Dairy Cattle >1000 lbs	775	1085

Open Lot
 Status: Active
 Structure Name: South Monoslope Open Lot
 Length: 196 feet
 Width: 32 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.33933
 Longitude: -92.20999
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Total Confinement Barn
 Status: Active
 Structure Name: Barn 2
 Length: 300 feet
 Width: 112 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34090624
 Longitude: -92.21192458
 Collection Method: Digitized - MPCA internal map
 Reference Point: General Location

Animal Type	Capacity	Animal Units
Dairy Cattle >1000 lbs	423	592.2

Total Confinement Barn
 Status: Under Construction
 Structure Name: Barn 2 addition-Special Needs
 Length: 212 feet
 Width: 114 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34089
 Longitude: -92.21298
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Animal Type	Capacity	Animal Units
Dairy Cattle >1000 lbs	350	490

Milk Parlor-Holding Area
 Status: Active
 Structure Name: New Milk Parlor
 Length: 300 feet
 Width: 80 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34090778
 Longitude: -92.2107487
 Collection Method: Digitized - MPCA internal map
 Reference Point: General Location

Individual Animal Housing Areas
 Status: New
 Animal Type: Dairy Cattle - Calf
 Capacity: 80
 Animal Units: 16
 Structure Name: Lean to on Special Needs Barn
 Quantity: 1
 Length: 214 feet
 Width: 36 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34073
 Longitude: -92.21295
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Total Confinement Barn
 Status: New
 Animal Type: Dairy Cattle >1000 lbs
 Capacity: 774
 Animal Units: 1083.6
 Structure Name: 4
 Length: 408 feet
 Width: 337 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34227
 Longitude: -92.21087
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Working-Sorting-Hospital Area
 Status: New
 Structure Name: Working Barn
 Length: 114 feet
 Width: 60 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34144
 Longitude: -92.21074
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Total Animal Headcount

Animal Type	Capacity	Units
Dairy Cattle - Calf	80	16
Dairy Cattle - Heifer	250	175
Dairy Cattle >1000 lbs	2813	3938.2
Totals:	3143	4129.2

Manure Storage Areas

Are there manure storage or treatment areas at this feedlot? Yes
 Is there a well within 1000 feet? Yes 125 ft.

LMSA - Synthetic (HPDE, EPDM, etc.)
 Status: Active
 Structure Name: P-1
 Shape: Rectangle
 Length: 600 feet
 Width: 317 feet
 Depth: 20 feet
 Volume: 19541441 gallons
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.34332
 Longitude: -92.21281
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

LMSA - Concrete
 Status: Active
 Structure Name: EP-1
 Shape: Rectangle
 Length: 175 feet
 Width: 152 feet

Depth: 12 feet
Volume: 1500906 gallons
Coordinate System: Lat Long - decimal degrees
Latitude: 44.3423
Longitude: -92.21293
Collection Method: Digitized - MPCA online map
Reference Point: General Location

Stockpile-Permanent
Status: Active
Structure Name:S-5
Shape: Rectangle
Length: 40 feet
Width: 30 feet
Coordinate System: Lat Long - decimal degrees
Latitude: 44.33929
Longitude: -92.20952
Collection Method: Digitized - MPCA online map
Reference Point: General Location

LMSA - Concrete
Status: Active
Structure Name:Separator LMSA
Shape: Rectangle
Length: 22 feet
Width: 22 feet
Depth: 13 feet
Volume: 47064 gallons
Coordinate System: Lat Long - decimal degrees
Latitude: 44.34201
Longitude: -92.21217
Collection Method: Digitized - MPCA online map
Reference Point: General Location

LMSA - Synthetic (HPDE, EPDM, etc.)
Status: Active
Structure Name:EP-3
Shape: Rectangle
Length: 104 feet
Width: 100 feet
Depth: 8 feet
Volume: 283111 gallons
Coordinate System: Lat Long - decimal degrees
Latitude: 44.3395
Longitude: -92.20925
Collection Method: Digitized - MPCA online map
Reference Point: General Location

LMSA - Concrete
Status: Active
Structure Name:EP-2
Shape: Rectangle
Length: 250 feet
Width: 220 feet
Depth: 20 feet
Volume: 408536 gallons
Coordinate System: Lat Long - decimal degrees
Latitude: 44.34236
Longitude: -92.21207
Collection Method: Digitized - MPCA online map
Reference Point: General Location

LMSA - Concrete
Status: Active
Structure Name:WP-1 Feed Pad
Shape: Rectangle
Length: 36 feet

Width: 12 feet
Depth: 4 feet
Volume: 12925 gallons
Coordinate System: Lat Long - decimal degrees
Latitude: 44.33984
Longitude: -92.21421
Collection Method: Digitized - MPCA online map
Reference Point: General Location

Stockpile-Permanent
Status: Active
Structure Name: Solid Separator
Shape: Rectangle
Length: 100 feet
Width: 52 feet
Coordinate System: Lat Long - decimal degrees
Latitude: 44.342
Longitude: -92.21223
Collection Method: Digitized - MPCA online map
Reference Point: General Location

Stockpile-Permanent
Status: Active
Structure Name: S-1 Solid Lane
Shape: Irregular
Surface Area: 10966 square feet
Coordinate System: Lat Long - decimal degrees
Latitude: 44.34193
Longitude: -92.21301
Collection Method: Digitized - MPCA online map
Reference Point: General Location

Stockpile-Permanent
Status: New
Structure Name: Solid Separator 2
Shape: Rectangle
Length: 80 feet
Width: 50 feet
Coordinate System: Lat Long - decimal degrees
Latitude: 44.34199
Longitude: -92.21199
Collection Method: Digitized - MPCA online map
Reference Point: General Location

Feed Storage Areas

Is feed at the facility stored in an outdoor pile or bunker? Yes

Feed Storage Area
Status: Active
Structure Name: F-1
Shape: Irregular
Length: 1 feet
Width: 1 feet
Surface Area: 186500 square feet
Depth: 1 feet
Coordinate System: Lat Long - decimal degrees
Latitude: 44.33953
Longitude: -92.21389
Collection Method: Digitized - MPCA online map
Reference Point: General Location

Feed Storage Area
Status: Active
Structure Name: F-2
Shape: Irregular

Length: 1 feet
 Width: 1 feet
 Surface Area: 34500 square feet
 Depth: 1 feet
 Coordinate System: Lat Long - decimal degrees
 Latitude: 44.33875
 Longitude: -92.21424
 Collection Method: Digitized - MPCA online map
 Reference Point: General Location

Mortality Management

Are animal mortalities composted in a manner that utilizes manure or litter as a part of the compost material? No

Air Emissions Plan

I will employ the following Air Emissions Plan. (This satisfies the requirements of Minn. Rule 7020.0505 subp4.B (1)) Affirmed

List of facility components likely to generate significant odors and methods use to mitigate odors*

Animal holding areas

- | | |
|--|--|
| <ul style="list-style-type: none"> • Disperse/mix air with tree plantings • Regular removal of manure • Promptly clean up any spilled feed • Use spray oil to reduce dust • Treatment of escaping air with control technologies | <ul style="list-style-type: none"> • Higher oil and fat content in feed to reduce dust • Eliminate manure buildup under gates, feeders, etc. • Maintain exhaust fans and avoid manure and dust accumulation • Maintain clean, dry floors to eliminate manure buildup • I will consult the MPCA to identify changes that can be made to reduce odors |
|--|--|

Manure storage areas

- | | |
|---|--|
| <ul style="list-style-type: none"> • Maintain crust on basin by using organic bedding • Cover liquid manure storage area with straw • Cover liquid manure storage area with synthetic cover • Anaerobic digestion • Separate solids with settling basin or liquid/solid separator • Utilize a pit additive to break down solids • Cover the solid manure stockpile | <ul style="list-style-type: none"> • Notify neighbors of manure application periods and avoid holidays • Disperse/mix air with tree plantings • Add straw or other bedding material to reduce odor/emissions • Treatment of escaping air with control technologies • Reduce length of time stockpile is maintained • Solid manure composting • I will consult the MPCA to identify changes that can be made to reduce odors |
|---|--|

*In the event that continued odor complaints are validated, at least one of the practices identified above will be implemented pursuant to MPCA request/approval

Response to documented exceedances

If ambient air quality monitoring indicates an exceedance of the Hydrogen Sulfide Standard, the applicant 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 must 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 measures with the report will be immediately implemented upon MPCA approval.

Sensitive Areas

Is any part of the facility located within 1,000 feet of surface waters or tile intakes?	Yes
Surface Water Types:	
Is any part of the facility located within 300 feet of a river or stream?	No
Is any part of the facility located within a delineated flood plain (100 year flood)?	No
Is any part of the facility located within designated shoreland?	No
Are there four or more sinkholes within 1,000 feet of the facility?	No
Is any part of the facility located within 300 feet of a known sinkhole?	No
Is any part of the facility located within 1,000 feet of any of the following types of wells?	No
-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)	

Environmental Review

Are you only applying for reissuance of an existing permit? (no construction projects, physical alteration, or operational changes to the facility or process)?	No
Are you required to prepare, are you preparing, or have you completed any of the following items for any responsible governmental unit (RGU) other than the MPCA (e.g. City, Township, County, State or Federal Agency) as part of this project? Environmental Assessment Worksheet(EAW), Environmental Impact Statement(EIS), Alternative Urban Areawide Review(AUAR), Federal Environmental Assessment(EA)	No
Has this project been petitioned for an environmental review?	No
Subp. 2 - Construction or expansion of a nuclear fuel or nuclear waste processing facility?	No
Subp. 3 - Construction of an electric power generating plant and associated facilities designed for or capable of operating at a capacity of 25 megawatts or more but less than 50 megawatts and for which an air permit from MPCA is required?	No
Subp. 4 - Construction of a new or expansion of an existing petroleum refinery?	No
Subp. 5A - Construction of a facility for the conversion of coal, peat, or other biomass sources to a gaseous, liquid, or solid fuel (this includes anaerobic digesters)?	No
Subp. 5B - Construction of a facility for the production of alcohol fuels?	No
Subp. 8A - Construction or expansion of a coal transfer facility?	No
Subp. 8B - Construction or expansion of a hazardous materials transfer facility?	No
Subp. 10A - Construction or expansion of a storage facility for coal?	No
Subp. 10B - Construction of a facility for the storage of hazardous materials?	No
Subp. 10C & Subp. 10D – Expansion of a facility for the storage of hazardous materials?	No
Subp. 10H - Construction or expansion of a facility that will store silica sand?	No
Subp. 13 - Construction or expansion of a paper or pulp processing facility?	No
Subp. 15 - Construction or modification of a stationary source of air emissions resulting in an increase in air emissions or greenhouse gases?	No
Subp. 16 - Construction or expansion of a hazardous waste disposal facility?	No
Subp. 17 - Construction or expansion of a mixed municipal solid waste disposal, transfer, energy recovery, or compost facility?	No
Subp. 18A & Subp. 18B - Expansion, modification or replacement of a municipal sewage collection system?	No
Subp. 18C - Expansion or reconstruction of an existing municipal or domestic wastewater treatment facility?	No
Subp. 18D - Construction of a new municipal or domestic wastewater treatment facility?	No
Subp. 18E - Expansion or modification of an existing industrial process wastewater treatment facility?	No
Subp. 18F - Construction of a new industrial process wastewater treatment facility?	No
Subp. 25 - Incineration of wastes containing Polychlorinated Biphenyls (PCBs)?	No
Subp. 29 - Construction or expansion of an animal feedlot facility?	Yes
Subp. 29.1 - Are you constructing an animal feedlot facility with a capacity of 1,000 animal units or more?	No
Subp. 29.2 - Are you expanding an animal feedlot by 1,000 animal units or more?	No
Subp. 29.3 - Are you constructing or expanding an animal feedlot facility by more than 500 animal units?	Yes
Subp. 29.4 - Is the existing or proposed facility located wholly or partially in any of the following sensitive locations:	
• Shoreland or delineated floodplain	No
• A state or federally designated wild and scenic river district	No
• The Minnesota River Project Riverbend Area	No
• The Mississippi Headwaters Area	No
• A drinking water supply management area	No
• Within 1000 feet of a sinkhole, cave, resurgent spring, disappearing spring, Karst window, blind valley or dry valley	No
A - Has a previous phase of this project been conducted in the last 3 years?	No
B - Are you planning an expansion or another phase of this project within the next 3 years?	No
C - Do you have other existing facilities or proposed projects that may affect the same geographic area as this project?	No

Facility Monitoring

Is your facility required to perform groundwater, surface water or surface discharge monitoring? No

Nutrient Management Plan

A copy of the NutrientManagementPlanfor2025-2026.pdf generated on 3/28/2025 9:29:02 AM is included in the submittal.

Attachments

Permit Application Documents:

Attachment Type	File Name	Document Date
Non-Delegated County Public Meeting Minutes	Public meeting notice.pdf	3/28/2025
Verification of Good Neighbor Notice	Public Notice 2.pdf	3/28/2025

Manure Storage Documents:

Attachment Type	File Name	Document Date
Construction Plans and Specifications	floor plans.pdf	3/28/2025

Other Documents:

Attachment Type	File Name	Document Date
Supporting Application Documents	Meeting Minutes.pdf	3/28/2025
Emergency Response Plan	Emergency Response Plan.pdf	3/28/2025

Certification

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

Name of Signing Party:	Brian Yotter
Username of Signing Party:	scotchprairie
Challenge Question:	What high school did you graduate from?
Challenge Question Answer:	*****

Certification Date and Time: 3/28/2025 8:31:28 PM

Payment

NPDES General Major Mod Application Fee	\$620.00
Total	\$620.00

Bank Transaction Confirmation ID: MNPPCA000101893

Wabasha County, Minnesota

Paid by
Brian Yotter
scotchprairiefarms@gmail.com

Payment number
Date paid
Payment method

Receipt

100325215460
April 16, 2025 11:22 AM
Online

\$400.00 paid on April 16, 2025

Conditional Use/Interim Use Application

Application ID: WCCUP-2025-6

Description

Amount

Conditional Use/Interim Permit Use Fee

\$400.00



AUTHORIZATION TO CONSTRUCT AND OPERATE
A CONCENTRATED ANIMAL FEEDING OPERATION
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM
MNG442251

Permittee: Scotch Prairie Farms LLC
Facility name: Scotch Prairie Farm LLC
Address: 27170 661st St
Lake City, MN 55041
Registration number: 157-86515
Maximum AU capacity: 3,148.6
Issuance date: February 9, 2024
Expiration date: January 31, 2026

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee named above seeking coverage under this general permit to construct and operate a concentrated animal feeding operation in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This coverage is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: 

for the Minnesota Pollution Control Agency

This document has been electronically signed.

Steven Schmidt
Supervisor
East Feedlot Unit
Watershed Division

Permit application & annual reports:

Refer to the submittal process outlined on the Animal Feedlot NPDES General Permit webpage at: <https://www.pca.state.mn.us/business-with-us/npdes-and-sds-feedlot-permits>.

Questions on this permit?

If you have any questions, please contact the MPCA feedlot program staff person assigned to Wabasha County. Current MPCA staff contacts are identified on our website at: <https://www.pca.state.mn.us/business-with-us/feedlots>.

Permit issued: February 9, 2024
 Permit expires: January 31, 2026

MNG442251
 Page 3 of 20

1. Authorized facility components

Site description	Component description	Status	Type	Length (ft)	Width (ft)	Depth (ft)	Capacity	Units	Animal type	Head
Scotch Prairie Farm LLC	F-1	Active / Existing	Feed Storage Area				186,500	square feet		
Scotch Prairie Farm LLC	F-2	Active / Existing	Feed Storage Area				34,500	square feet		
Scotch Prairie Farm LLC	EP-1	Active / Existing	LMSA - Concrete	175	152	12	1,500,906	gallons		
Scotch Prairie Farm LLC	EP-2	Active / Existing	LMSA - Concrete	250	220	20	4,085,536	gallons		
Scotch Prairie Farm LLC	Separator LMSA	Active / Existing	LMSA - Concrete	22	22	13	47,064	gallons		
Scotch Prairie Farm LLC	WP-1 Feed Pad	Active / Existing	LMSA - Concrete	36	12	4	12,925	gallons		
Scotch Prairie Farm LLC	EP-3	Active / Existing	LMSA - Synthetic (HPDE, EPDM, etc.)	104	100	8	283,111	gallons		
Scotch Prairie Farm LLC	P-1	Active / Existing	LMSA - Synthetic (HPDE, EPDM, etc.)	600	317	20	19,541,441	gallons		
Scotch Prairie Farm LLC	S-1 Solid Lane	Active / Existing	Stockpile-Permanent				10,966	square feet		
Scotch Prairie Farm LLC	S-5	Active / Existing	Stockpile-Permanent	40	30					
Scotch Prairie Farm LLC	Solid Separator	Active / Existing	Stockpile-Permanent	100	52					
Scotch Prairie Farm LLC	New Milk Parlor	Active / Existing	Milk Parlor-Holding Area	300	80					
Scotch Prairie Farm LLC	Original Parlor	Active / Existing	Milk Parlor-Holding Area				4,252	square feet		
Scotch Prairie Farm LLC	South Monoslope Open Lot	Active / Existing	Open Lot	196	32					
Scotch Prairie Farm LLC	South Monoslope Barn	Active / Existing	Partial Confinement Barn	196	40				Dairy Cattle - Heifer	100
Scotch Prairie Farm LLC	Barn 1	Active / Existing	Total Confinement Barn	490	114				Dairy Cattle >1000 lbs	775
Scotch Prairie Farm LLC	Barn 2	Active / Existing	Total Confinement Barn	300	112				Dairy Cattle >1000 lbs	423
Scotch Prairie Farm LLC	Barn 3	Active / Existing	Total Confinement Barn	396	114				Dairy Cattle >1000 lbs	651
Scotch Prairie Farm LLC	Barn 2 addition-Special Needs	Proposed	Total Confinement Barn	252	114				Dairy Cattle >1000 lbs	350

3.3	All reports required by this Permit and other information requested by the MPCA shall be signed and certified by the Permittee or by a duly authorized representative. A person is a duly authorized representative only if: a) The authorization is made in writing by the Permittee or owner(s) and submitted to the MPCA; and b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility. [Minn. R. 7001.0150]
3.4	The Permittee shall not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the MPCA by this Permit. The Permittee shall immediately upon discovery report to the MPCA an error or omission in these records, reports, plans, or other documents. [Minn. R. 7001.0150]
4.1	Requirements for All Construction. [Minn. R. 7020]
4.2	The Permittee shall construct all facility components according to the application materials, Minn. R. 7020, this Permit, and any plans and specifications approved by the MPCA. If any approved plans conflict with Minn. R. ch. 7020, 40 CFR pts. 122 and 412, or terms of this Permit, the more stringent condition shall apply. [Minn. R. 7001.0150]
4.3	The Permittee shall not operate/stock a facility component prior to completion of construction of the associated manure storage area, and its handling/transfer system, necessary to comply with the effluent limitations of this Permit or minimum storage requirements of Minn. R. 7020.2100. [Minn. R. 7001.0150]
4.4	The Permittee shall complete installation of any required monitoring equipment prior to the commencement of operation of a newly constructed source of potential emissions for which the monitoring is required unless the approved monitoring plan includes a schedule for installation of the monitoring equipment. [Minn. R. 7001.0150]
4.5	The MPCA Construction Stormwater (CSW) NPDES general permit in effect at the time of issuance, or modification, of coverage under this Permit is incorporated by reference into this Permit and is an enforceable part of this Permit. The CSW NPDES general permit is available at: http://www.pca.state.mn.us/ . [Minn. R. 7090.2020]
4.6	When construction activity disturbs one or more acres of land, the Permittee must comply with the CSW NPDES general permit listed above, including development of a Stormwater Pollution Prevention Plan (SWPPP). [Minn. R. 7090.2020]
5.1	Manure Nutrient Testing. [Minn. R. 7020]
5.2	The Permittee shall sample and analyze manure for nutrient content annually. Manure shall also be sampled following any changes to conditions that may significantly affect the nutrient content. [40 CFR 412.4, Minn. R. 7020.2225]
5.3	The Permittee's manure sampling protocol shall be consistent with the most recent published MES recommendations. Manure samples must be taken from enough sources so that nutrient content is known for each storage area with differing types of animals, feed, watering systems, manure handling, or other variables that may affect manure nutrient content. [Minn. R. 7020.2225]
6.1	Transfer of Manure Ownership. [Minn. R. 7020]
6.2	The Permittee is responsible for management of manure from the facility unless it is transferred to another party for land application on fields that are not owned or leased or otherwise controlled by the Permittee. At the time the other party assumes physical control of the manure, the manure ownership is considered to be transferred. The Permittee is responsible for manure hauled by, or for, the Permittee until it is physically relinquished to the other person. [Minn. R. 7001.0150]
6.3	Except for emergency manure application, the Permittee is prohibited from transferring ownership of manure to a recipient that will: a) perform winter application of the transferred liquid manure; or b) perform winter application during the months of March of the transferred solid manure. [Minn. R. 7001.0150]
6.4	The Permittee shall provide to the recipient of the manure, at the time of transfer of ownership, Attachment A of the MPCA form " <i>Manure Management Plan Requirements when Ownership of Manure is Transferred (wq-f8-12)</i> ". Attachment A is a summary of state requirements that a recipient of manure must follow. [Minn. R. 7001.0150]
6.5	Updates to a transferred ownership manure management plan do not require a modification of this Permit so long as they are consistent with the requirements of Minn. R. 7020.2225. [Minn. R. 7001.0190]
6.6	The Permittee is required to apply for a permit modification when the Permittee obtains control over land application acres that were previously controlled by a third party. [Minn. R. 7020.0405]

9.1	Nitrogen and Phosphorus Rate Limits. [Minn. R. 7020]
9.2	The requirements of this part only apply when manure ownership is not transferred. [Minn. R. 7020]
9.3	The Permittee shall control manure application rates so the estimated nitrogen available to crops from all nitrogen sources (including commercial fertilizer) does not exceed expected annual crop nitrogen needs for non-legumes and expected nitrogen removal for legumes based on the most recent recommendations of the MES and the MPCA fact sheets " <i>Manure Nitrogen Rates For Corn Production (wq-f8-18)</i> " and " <i>Manure Management For Corn On Irrigated Sandy Soils (wq-f8-52)</i> ". Recommendations from another land grant college in a contiguous state may be utilized provided the field and climate conditions at the land application site are similar to those within the contiguous state. [Minn. R. 7020.2225]
9.4	Where field average soil test levels exceed 21 parts per million (ppm) using the Bray P1 test (Bray) or 16 ppm using the Olsen test (Olsen) within 300 feet of a lake, stream, intermittent stream, drainage ditch without protective berms, or a public waters wetland, the Permittee must either: a) Apply manure at a rate and frequency so that manure phosphorus applied during any six year period does not exceed crop phosphorus removal during that same period; or b) Establish a vegetated buffer that does not receive manure application along the water provided that the buffer width is at least 100 feet along lakes and perennial streams and is at least 50 feet wide along other waters. [Minn. R. 7020.2225]
9.5	Where field average phosphorus soil test levels exceed 75 ppm Bray P1 or 60 ppm Olsen within 300 feet of an open tile intake, lake, stream, intermittent stream, drainage ditch without protective berms, or a public waters wetland, or exceed 150 ppm Bray P1 or 120 ppm Olsen on any other land, the Permittee shall land apply manure in accordance with all of the following: a) When manure is surface applied without incorporation within 24 hours, annual phosphorus application rates must not exceed crop phosphorus removal in the subsequent crop; b) When manure is injected or incorporated (within 24 hours), re-application of manure cannot occur until phosphorus from the previous manure application is calculated to have been removed by subsequent crops; and c) The approved MMP includes runoff and soil erosion prevention practices that either achieve a "very low" or "low" rating with the Minnesota Phosphorus Index (www.mnpi.umn.edu) or NRCS Technical Standard 590. [Minn. R. 7020.2225]
9.6	Crop phosphorus removal values are determined by the International Plant Nutrition Institute crop nutrient removal calculator found at https://www.ipni.net/app/calculator/home . [Minn. R. 7020]
10.1	Land Application Timing. [Minn. R. 7020]
10.2	The requirements of this part only apply when manure ownership is not transferred. [Minn. R. 7020]
10.3	The Permittee shall immediately incorporate surface applied manure into the soil surface if a high probability (over 50 percent chance predicted by National Weather Service) of rainfall exceeding one-half inch is predicted within 24 hours of the end of the application period, unless it is an emergency manure application, as defined by this permit. [Minn. R. 7001.0150]
10.4	The Permittee shall not apply manure to fields that are dominated by coarse-textured soils until soil temperatures are less than 50 degrees Fahrenheit, unless it is an emergency manure application, as defined by this permit. [Minn. R. 7001.0150]
10.5	June, July, August, or September Restrictions - The Permittee shall not apply manure in June, July, August, or September to harvested fields unless a cover crop is planted and allowed to grow for the remainder of the growing season. The cover crop must be planted in accordance with MES recommendations by one of the following methods: a) Interseeded into the standing primary crop such that vegetative growth is established prior to manure application; b) Planted/seeded after the primary crop harvest and within 14 days of manure application; or c) Other method approved by the MPCA and included as part of the approved MMP. Alternatives developed by a land grant University or governmental agency can be used if approved by the MPCA and included as part of the approved MMP. [Minn. R. 7001.0150, Minn. R. 7020.2225]
10.6	October Restrictions - The Permittee shall not apply manure prior to October 15 to harvested fields unless at least one of

	January. Beginning with the calendar year 2022, winter application of solid manure during the month of March is prohibited. [Minn. R. 7001.0150]
10.11	Winter application of snow-manure mix - Winter application of snow removed from animal holding areas, mixed with an incidental amount of manure (snow-manure mix), is not subject to the Permit requirements applicable to winter application of solid manure provided the Permittee complies with all of the following: a) Snow-manure mix is applied to the field(s) approved within the manure management plan for application of the snow-manure mix; b) Snow-manure mix is applied at least 300 feet from sensitive features including lakes, streams, open tile inlets, sinkholes, water supply wells, mines and quarries, intermittent streams, un-bermed drainage ditches, or public water wetlands; and c) Snow-manure mix applied during the month of March is limited to the amount necessary to ensure animal welfare, such as access to feed, water, or shelter. [Minn. R. 7001.0150]
10.12	The Permittee may establish a temporary solid manure stockpile at the facility during March without the need to modify coverage under this permit provided an approved permanent manure stockpile site is unavailable, weather or field conditions do not allow short term stockpiling of manure within land application fields, and the temporary stockpile location complies with all of the following: a) The stockpile site complies with the location requirements of 7020.2125 Subp. 2C. b) The slope of the stockpile site does not exceed 2%. c) The stockpile site is elevated or bermed so that surface water cannot enter or flow through the stockpile site. d) Snow is removed from the stockpile site prior to establishing the stockpile. e) Manure is removed from the stockpile site as soon as practicable. The Permittee must notify the MPCA, via telephone or electronic mail, within 24 hours of establishment of the temporary stockpile. Temporary stockpiling activities under this part do not release the Permittee from compliance with the effluent limitations of this Permit. [Minn. R. 7001.0150]
10.13	Winter application of liquid manure - Winter application of liquid manure is prohibited except for emergency manure application, as defined by this permit. Emergency manure application shall comply with all of the following: a) Apply only the volume of manure that is necessary to prevent manure storage overflows; b) Apply only on those fields identified in the MPCA approved MMP for emergency application; c) Apply only to fields with slopes of less than or equal to four percent; d) Apply a maximum of 3,500 gallons per acre per winter season, not to exceed 60 pounds of crop available P205; e) Apply at least 300 feet from sensitive features including lakes, streams, open tile inlets, sinkholes, water supply wells, mines and quarries, intermittent streams, un-bermed drainage ditches, or public water wetlands; f) Apply at a rate to preclude runoff or ponding of liquid manure during the application process; and g) Notify the MPCA within 24 hours of the emergency application. [Minn. R. 7001.0150]
11.1	Land Application Setbacks. [Minn. R. 7020]
11.2	The requirements of this part only apply when manure ownership is not transferred. [Minn. R. 7020]
11.3	The Permittee shall comply with the following land application of manure setbacks for sensitive features located within or adjacent to the field used for land application. Implementing one or more of the measures identified in this part shall not be considered a modification of the MMP. [Minn. R. 7001.0150]
11.4	Open Tile Intakes - Manure application is prohibited within 300 feet of an open tile intake unless one of the following protective measures is employed: a) Manure is injected or incorporated prior to rainfall or within 24 hours (whichever occurs first) within 300 feet of the open tile intake; b) Manure is not applied within 100 feet of the open tile intake and a one rod (16.5 feet) perennial grass buffer exists

	wastewater, and the direct precipitation from a 25-year, 24-hour storm event as defined by the Precipitation - Frequency Atlas of the United States, National Oceanic and Atmospheric Administration. [40 CFR 412, Minn. R. 7020.2003]
12.4	The Permittee shall operate and maintain the facility in accordance with the application materials, all MPCA approved plans and specifications, and the requirements of this Permit. Approved plans and specifications include any proposed plans and specifications submitted with the current application for permit coverage and any plans and specifications for an existing facility component that have been previously approved by the MPCA. [Minn. R. 7001.0150]
12.5	The Permittee shall operate and maintain any required facility monitoring equipment in accordance with the MPCA approved monitoring plan. [Minn. R. 7001.0150]
12.6	The Permittee is prohibited from discharging, depositing, or otherwise placing any substance into a manure storage area(s) except manure, process wastewater, manure-contaminated runoff, or direct precipitation unless expressly authorized in writing by the MPCA. [Minn. R. 7001.0150]
12.7	The Permittee shall ensure areas around any manure storage area are graded so that surface water drains away from the structures such that pooling of rain or snow melt waters around the immediate vicinity of these structures is prevented. [Minn. R. 7001.0150]
12.8	The Permittee shall manage animal mortalities in accordance with all applicable requirements of the Board of Animal Health (Minn. R. ch. 1721) and the approved emergency response plan. [Minn. R. 7001.0150]
12.9	The Permittee is prohibited from discharging from the animal mortality area to surface or ground waters of the state, or disposing of animal mortalities within any manure storage area. [40 CFR 122.42, Minn. R. 7001.0150]
12.10	When manure is used as compost medium for an animal mortality composting area, the requirements of Minn. R. 7020.2125 for manure stockpiles shall apply. [Minn. R. 7020]
12.11	<p>The Permittee is exempt from ambient air quality standards during agitation and removal of manure from the facility if the Permittee has notified the MPCA in writing prior to commencement of the agitation and removal of manure. The written notification shall be via letter or electronic mail and must include the following:</p> <ul style="list-style-type: none">a) The names of the owners or the legal name of the facility;b) The location of the facility by county, township, section, and quarter section;c) The facility's feedlot registration number; andd) The anticipated start date and the anticipated number of days of removal of manure. <p>The maximum cumulative exemption days claimed by the Permittee shall not exceed 21 days per calendar year. [Minn. R. 7020.2002]</p>
12.12	For temporary closure of a facility component, the Permittee shall, within one year of ceasing operation of the component, remove all manure from the component. The Permittee shall maintain permit coverage for the facility, including the temporarily closed component. [Minn. R. 7001.0150]
12.13	The Permittee may establish a short-term manure stockpile at the facility in conjunction with manure pack removal activities from animal holding areas without the need to modify coverage under this Permit, provided the manure is stockpiled for fewer than 10 consecutive days, and no more than 6 times per calendar year. This does not release the Permittee from compliance with the effluent limitations of this Permit. [Minn. R. 7001.0150]
13.1	Additional Requirements for Operation and Maintenance of Liquid Manure Storage Areas (LMSA). [Minn. R. 7020]
13.2	The Permittee shall maintain a fence around the perimeter of any at-grade or near-grade LMSA. [Minn. R. 7001.0150]
13.3	The Permittee shall operate the LMSA to maintain the freeboard of the LMSA as indicated in the approved plans and specifications or Minn. R. 7020.2100, subp. 4, item D, whichever is greater. [Minn. R. 7020.2100]
13.4	For open-air LMSAs the Permittee shall install and maintain a visual marker that clearly indicates the freeboard of the LMSA. For covered LMSAs, including those that are below a barn, the Permittee shall develop and employ a system to measure and monitor the liquid level in the LMSA such that the freeboard of the LMSA is maintained. [40 CFR 412.37]
13.5	The Permittee shall notify the MPCA staff, via telephone or electronic mail, within 24 hours of encroachment into the freeboard of the LMSA. The notification must include the approximate depth of storage space remaining, an estimated timeline for manure or process wastewater removal from the LMSA, and the date when the freeboard encroachment began. Notification under this part does not release the Permittee from the obligation to maintain the freeboard of a LMSA. [Minn. R. 7001.0150]

17.1	Additional Required Inspections for Liquid Manure Storage Areas. [Minn. R. 7020]
17.2	<p>The Permittee shall make the following inspections for any LMSA at the facility according to the schedule indicated and after any rainfall event exceeding the 25 year, 24 hour storm event:</p> <ul style="list-style-type: none">a) A weekly visual inspection of the LMSA and any devices channeling manure-contaminated runoff to the LMSA to assess conformance to the approved plans and this Permit;b) A weekly visual inspection of the liquid level and freeboard marker in each LMSA to ensure that adequate freeboard is maintained;c) For LMSAs with a perimeter drain tile, a monthly examination of the monitoring port or drain tile outlet for water flow and signs of discoloration or odor in any water flowing in the drain tile;d) For anaerobic digesters, in addition to the inspections for LMSAs above, the Permittee shall conduct a weekly visual inspection of any digester system to assess its performance and to check for system malfunctions. [40 CFR 412.37]
17.3	<p>Any repair to the liner of a LMSA must be approved by the MPCA prior to commencement of the repair and the Permittee shall submit plans and specifications prepared by a design engineer if requested by the MPCA. [Minn. R. 7001.0150]</p>
18.1	Correction of Deficiencies Discovered During Required Inspections. [Minn. R. 7020]
18.2	<p>The Permittee shall correct any deficiencies found as a result of the inspections required by this Permit within 30 days, or within a shorter timeframe when required elsewhere in this Permit, unless one of the following apply:</p> <ul style="list-style-type: none">a) Construction is required that cannot be effectively performed during the winter season;b) The activity to correct the deficiency requires a permit modification or permit issuance;c) A piece of equipment/part required to correct the deficiency cannot be manufactured and installed within 30 days; ord) Other reasons beyond the control of the Permittee. [40 CFR 412.37]
18.3	<p>The Permittee shall notify the MPCA within 20 days of discovery of any deficiency if an extended period of time is needed to correct the deficiency. The notice shall include an explanation for the delay and indicate the expected period of time needed to correct the deficiency. This notification does not preclude the MPCA from taking any administrative or legal actions to compel compliance. [Minn. R. 7001.1050]</p>
19.1	Permanent Closure. [Minn. R. 7020]
19.2	<p>Within one year after permanently ceasing operation of a facility component, the Permittee shall remove, from the closed component, all manure and any soils visibly contaminated by manure. [Minn. R. 7020.2025]</p>
19.3	<p>The Permittee shall notify the MPCA via telephone or electronic mail within 3 business days of completion of manure and contaminated soils removal and prior to filling/covering the area previously occupied by the closed component. [Minn. R. 7020.2025]</p>
19.4	<p>The Permittee shall, after removing manure and manure-contaminated soils from the closed component, reduce soil nitrogen by growing alfalfa, grasses, or other perennial forage for at least five years unless:</p> <ul style="list-style-type: none">a) the component is, or is within, a building that will not be demolished;b) the liner/floor/base of the component was concrete or asphalt that will not be removed;c) a structure or other impervious surface will be constructed over the area occupied by the component within 60 days; ord) the component was a LMSA. <p>The alfalfa, grasses, or other perennial forage must be established as soon as practicable within the current growing season or at the start of the following growing season when manure removal happens after September 30th. [Minn. R. 7001.0150]</p>
19.5	<p>Within 60 days after completing the requirements for permanent closure of an animal holding area or manure storage area, the Permittee shall provide written notification to the MPCA that the closure requirements have been completed. When closure requires growing alfalfa, grasses, or other perennial forage for at least five years, this notification shall be provided within 60 days of initial establishment of the vegetation. [Minn. R. 7020.2025]</p>
20.1	Recordkeeping Requirements. [Minn. R. 7020]
20.2	<p>Except where specifically noted, the Permittee shall retain all records/reports/submittals required by this Permit for a minimum of six years. This retention period shall be automatically extended during the course of any legal or</p>

23.1	Discharges, Spills, and Overflows. [Minn. R. 7020]
23.2	The Permittee shall immediately report by telephone to the State Duty Officer (800-422-0798) and the MPCA any discharge, spill, or overflow of manure, process wastewater, or manure-contaminated runoff, including those authorized by this Permit. [Minn. Stat. 115.061]
23.3	When a discharge, spill, or overflow occurs, whether authorized by this Permit or not, the Permittee shall take all actions necessary to minimize that discharge, spill, or overflow, to recover the material released, and to mitigate impacts to waters of the state. [Minn. Stat. 115.061]
23.4	Within five days of any discharge, spill, or overflow, the Permittee shall submit a written statement to the MPCA that includes the following information: a) Cause of discharge, spill, or overflow, such as precipitation (inches of rain or snow per day) or other cause (e.g., structural failure, equipment breakdown); b) A description and approximate volume of any discharge, spill, or overflow; c) Location and name, if available, of the vulnerable drinking water supply management area (DWSMA), surface water source DWSMA, waterway, dry ditch, gully, creek, stream, pond, lake, river, or other waters of the state receiving the discharge, spill, or overflow; d) Corrective steps being taken to reduce or eliminate and prevent a recurrence of a non-permitted discharge, spill, or overflow; e) The period of time the discharge, spill, or overflow occurred including exact dates and times or, if still occurring, the anticipated time the discharge, spill, or overflow will continue; and f) Name of person reporting the discharge, spill, or overflow. [Minn. R. 7001.0150]
23.5	The Permittee shall ensure that all discharges, spills, or overflows associated with the facility do not cause or contribute to non-attainment of applicable state water quality standards. [40 CFR 122.44]
24.1	Permit Eligibility. [Minn. R. 7020]
24.2	An owner of a facility is not eligible for coverage under this Permit and must obtain coverage under an individual NPDES permit when any of the following apply: a) a schedule of compliance is required to address a pollution hazard; b) special conditions are required as the result of environmental review; c) a new technology for construction or operation which is not addressed by this Permit is proposed; d) removal of bedrock is proposed to comply with site restrictions under Minn. R. 7020.2100; e) feed for animals will be brokered or sold at the facility; f) the facility, including the feed storage area, does not meet the design standards of Minn. R. ch. 7020 and this Permit; g) the MPCA determines that the facility operations would be more appropriately controlled by an individual permit; h) the owner is proposing to land apply manure in a manner that is not consistent with the requirements of this Permit; i) the owner is proposing to use a vegetative infiltration basin (VIB) to control runoff from an open lot or manure storage area; or j) the MPCA determines that discharges from a facility or the land application areas under the Permittee's control have the potential to cause or contribute to non-attainment of applicable water quality standards. [Minn. R. 7001.0210]
25.1	General Conditions. [Minn. R. 7020]
25.2	Compliance with other laws - The agency's issuance of a permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. [Minn. R. 7001.0150]
25.3	Future rules and standards - The agency's issuance of a permit does not prevent the future adoption by the agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. [Minn. R. 7001.0150]
25.4	Property right - The permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150]
25.5	Agency obligation - The agency's issuance of a permit does not obligate the agency to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes. [Minn. R. 7001.0150]
25.6	Permitted actions - The Permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the agency and in compliance with the conditions of the permit. [Minn. R. 7001.0150]

	caused thereby. [Minn. Stat. 115.061]
25.18	Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. [40 CFR 122.41]
25.19	Civil and Criminal Liability - Nothing in this Permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance with the terms and conditions provided herein. [Minn. R. 7001]
25.20	Severability - The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby. [Minn. R. 7001]
25.21	Discharge Monitoring Reports - This Permit requires the submittal of annual reports in lieu of discharge monitoring reports as the Permittee is not authorized to discharge to surface waters except as provided in Minn. R. 7020.2003, subp. 2, which references 40 CFR pt. 412. [40 CFR 412]
25.22	Availability of Reports - Except for data determined to be confidential under Minn. Stat. 116.075, subd. 2, all reports prepared in accordance with the terms of this Permit shall be available for public inspection at the offices of the MPCA. Procedures for submitting such confidential material shall be pursuant to Minn. R. 7000. Monitoring data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Minn. Stat. 115.071, subd. 2. [Minn. R. 7000.1200]
26.1	Definitions. [Minn. R. 7020]
26.2	"Agency" means the Minnesota Pollution Control Agency, as constituted pursuant to Minn. Stat. 116.02. [Minn. R. 7020.0300]
26.3	"Agricultural Stormwater" means a precipitation-related discharge of manure, litter or process wastewater from land areas under the control of a CAFO where the manure, litter or process wastewater has been applied in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter or process wastewater, as specified in 40 CFR 122.42(e)(1)(vi)-(ix). [40 CFR 122.23]
26.4	"Anaerobic Digester" means a liquid manure storage area that is constructed with the intent to capture and combust gas emissions resulting from the digestion of waste by microbes in anaerobic conditions. An anaerobic digester is a LMSA and is required to comply with all requirements applicable to LMSAs. Requirements specific to anaerobic digesters will be noted when applicable. [Minn. R. 7020]
26.5	"Animal Feeding Operation" ("AFO") means a lot or facility (other than an aquatic animal production facility) where animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. [40 CFR 122.23]
26.6	"Animal Feedlot" means a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosures. For the purposes of this Permit, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under this Permit. [Minn. R. 7020.0300]
26.7	"Animal Manure" or "Manure" means poultry, livestock, or other animal excreta or a mixture of excreta with feed, bedding, precipitation, or other materials. [Minn. R. 7020.0300]
26.8	"Application Materials or Permit Application" means all information submitted by the applicant for coverage under this permit and relied upon by the MPCA to make a decision on the request for permit coverage. This includes but is not limited to the application form, manure management plan, plans and specifications for facility components, emergency response plan, and required monitoring plans as approved by the MPCA. [Minn. R. 7001]
26.9	"Approved Plans or MPCA Approved" means any previously approved plans/documents or new/revised plans/documents required by this Permit that receive approval from the MPCA. [Minn. R. 7001]
26.10	"Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [Minn. R. 7001]
26.11	"Closure" refers to the cessation of use of all or any part of the facility, including:

26.25	"Land Application Area" means land under the control of an AFO owner or operator, whether it is owned, rented, or leased, to which manure, litter, or process wastewater from the production area is or may be applied. [Minn. R. 7001]
26.26	"Liquid Manure" means manure that does not meet the definition of solid manure. Process wastewater and manure-contaminated runoff are considered to be liquid manure. [Minn. R. 7020.0300]
26.27	"Liquid Manure Storage Area" ("LMSA") means an area where liquid animal manure and process wastewaters are stored or processed. [Minn. R. 7020.0300]
26.28	"Manure-contaminated Runoff" means a liquid that has come into contact with animal manure and drains over land from any animal feedlot, manure storage area, or animal manure land application site. [Minn. R. 7020.0300]
26.29	"Manure Storage Area" means an area where animal manure or process generated wastewater are stored or processed. Short-term and permanent stockpile sites and composting sites are manure storage areas. Animal manure packs or mounding are not manure storage areas provided they are managed in accordance with Minn. R. 7020.2000, subp. 3. [Minn. R. 7020.0300]
26.30	"MPCA" means the Minnesota Pollution Control Agency or Minnesota Pollution Control Agency staff as delegated by the Minnesota Pollution Control Agency. [Minn. R. 7001]
26.31	"Modification" means a change to a facility component or operational practice described, required, or authorized by this Permit, including an expansion. Major and minor modifications are described by Minn. R. 7020.0300 and Minn. R. 7001.0190. A change to a facility component or operational practice that is not described, required, or authorized by a permit is not a modification, including changes to: a) the type of crop or manure application rate if consistent with the methodology portion of the manure management plan and reflected in required records; b) routine maintenance; c) feeding or milking schedules; d) animal diets; e) bedding materials so long as consistent with approved plans and specifications; f) equipment used to clean the facility so long as consistent with approved design plans and specifications; g) lands used as pasture; or h) facility components not involved directly in animal or manure management such as an office or machine shed. [Minn. R. 7020.0300]
26.32	"MES" means the University of Minnesota Extension System. [Minn. R. 7001]
26.33	"National Pollutant Discharge Elimination System Permit" or "NPDES" means a permit issued by the MPCA as required by federal law for the purpose of regulating the discharge of pollutants from point sources into waters of the United States from concentrated animal feeding operations (CAFOs) as defined by federal law. [Minn. R. 7020.0300]
26.34	"New Source" means a swine, poultry, or veal calf facility that began construction after December 4, 2008, and is subject to a new source performance standard in 40 CFR pt. 412 prohibiting discharges from the production area. [40 CFR 122.2]
26.35	"NRCS" means the Natural Resources Conservation Service. [Minn. R. 7001]
26.36	"Overflow" means the release of manure or process wastewater resulting from the filling of wastewater or manure storage structures beyond the point where manure, process wastewater, or stormwater can be contained by the structure. [Minn. R. 7001]
26.37	"Owner" or "Owners" shall mean all persons having possession, control, or title to an animal feedlot or manure storage area as defined by Minn. R. 7020.0300, subp. 17. [Minn. R. 7020.0300]
26.38	"Permanent Closure" means ceasing operation of all or any part of the facility with the intent that the animal holding area(s) and/or manure storage area(s) will no longer be used for that purpose. [Minn. R. 7020]
26.39	"Permanent Manure Stockpile" means a solid manure storage area where manure is stored or processed that does not meet the requirements of Minn. R. 7020.2125, subp. 2, for short-term stockpiles. [Minn. R. 7020.0300]
26.40	"Permittee" means the owner or owners or any person or group of persons including, but not limited to, a single individual, manager, partnership, limited partnership, cooperative, or any form of corporate entity that has possession or control or title to the feedlot granted coverage under this Permit in accordance with the MPCA-approved application materials. [Minn. R. 7001]
26.41	"Probability of Rainfall" means National Weather Service statistical predictions (may be found at the website: http://www.weather.gov/mdl/synop/products.php). [Minn. R. 7001]

The Lake City GRAPHIC

LAKE CITY, MINNESOTA

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HOME / HOME

Scotch Prairie Farm - NOTICE OF APPLICATION TO PERMIT A LIVESTOCK FEEDLOT

NOTICE OF APPLICATION TO PERMIT A LIVESTOCK FEEDLOT

Notice is hereby given per Minnesota Statutes, Chapter 116 that Scotch Prairie Farm LLC 27170 661st St. Lake City, MN 55041

has applied to the Minnesota Pollution Control Agency to modify a feedlot permit with more than 500 AU.

The facility is in the E 1/2 of the SE 1/4 Section 11, West Albany Township, Wabasha County. The facility is permitted for 100 head of Dairy Heifers (70 AU) and 2199 head of Dairy Cattle >1000 lbs.

(3078.6 AU) for a total of 3148.6 AU. Livestock are housed in total confinement barns and a partial confinement barn with an open lot with runoff controls. Manure is stored synthetic lined, in ground, LMSA's and in ground, concrete LMSA's. Solid manure is stored on a permanent stockpile area. Feed is stored in covered piles with an inground, concrete pit to collect feed pad runoff.

The applicant is proposing to add 614 head of Dairy Cattle >1000 lbs (859.6 AU), 150 head of dairy heifers (105 AU), 80 head of dairy calves (16 AU), construct two new total confinement facilities along with a working area and a covered solid manure storage facility to the permit.

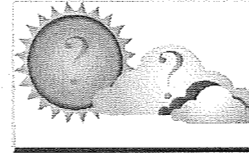
After construction the total animal units will be 4129.2

This publication replaces a previous notice.

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.

Published in the Lake City Graphic on March 27, 2025

Section:
PUBLIC NOTICES



24/7 Backup Power Protection
GENERAC
ACT NOW

Popular Today

1. Student-grown plants go on sale
2. Thomas publishes debut children's book, plans May 3 event at Treats and Treasures
3. Ambulance service presents lifesaving awards stemming from two incidents
4. Tips for smooth saling
5. Flamenco dance kicks off series at Lake City Area Arts

GRAPHIC NEWSLETTER

Graphic headlines, in your inbox, every week, for free



Wabasha County Zoning Department
625 Jefferson Avenue
Wabasha, MN 55981
Phone: 651-565-3062 Fax: 651-565-3159

To: Wabasha County Planning Commission
From: Joe Kaltenbach, Wabasha County Zoning Administrator
Re: Brian Yotter of Scotch Prairie Farm LLC CUP amendment request
Date: May 6, 2025

Background: On April 16, 2025 Brian Yotter submitted an application for a Conditional Use Permit amendment to increase the feedlot capacity of Scotch Prairie Farms LLC. The location for the request is described as parcel R16.00061.00 located in Section 11, Township 110 North, Range 12 West, Town of West Albany. The property is zoned in the Agricultural Protection District (A-1).

In March of 2019 the Wabasha County Board of Commissioners granted a conditional use permit (CUP) for Scotch Prairie Farms LLC to expand the existing feedlot to 3,149 AU. The 2019 CUP was subsequently amended again in July of 2020 to alter the design of the feedlot by adding a rotary parlor and holding area. Feedlots over 500 animal units are considered a Conditional/Interim Use of the A-1 Zoning District. Copies of the previous CUP's and their amendments are included with this report.

Scotch Prairie Farms LLC currently is permitted for 100 head of Dairy Heifers (70 AU) and 2199 head of Dairy Cattle >1000 lbs (3148.6 AU). Livestock are housed in total confinement barns and a partial confinement barn with an open lot with runoff controls. Manure is stored in synthetic lined ground liquid manure storage areas and in ground concrete liquid manure storage

areas. Solid manure is stored on a permanent stockpile area. Feed is stored in covered piles with an in ground concrete pit to collect feed pad runoff.

The applicant is proposing to add 614 head of Dairy Cattle >1000 lbs (859.6 AU), 150 head of dairy heifers (105 AU), and 80 head of dairy calves (16 AU). The applicant also proposes constructing two new total confinement facilities along with a working area and a covered solid manure storage facility. After construction the total animal units will be 4,129.2 AU. Animal units are calculated by multiplying the number of animals by the AU factors listed by the MPCA.

With the proposed expansion the applicant anticipates an increase in the traffic volume that will come as a result. It is anticipated that there will be an increase of one load of milk per day and an additional two feed trucks per week. Forage hauling is anticipated to increase by 25%. The applicant believes there is adequate parking by the parlor and in the yard.

This proposed application went before West Albany Township at their March 10, 2025 meeting. The West Albany Township Board neither agreed or disagreed with the proposed feedlot expansion, but were aware of the proposal and had no comments or concerns.

The MPCA inspects all feedlots for compliance with state rules. Inspections often look at various items such as record keeping for manure application, maintenance of liquid manure storage areas, and many other items which could have an adverse impact on water quality. The purpose for the CUP is more of a determination as to whether or not the facility will be injurious to the use and enjoyment of other property in the vicinity, have an adverse impact on local roads, impact the development of the surrounding property, or any other factor that could have a bearing on the public health, safety, or welfare of the local community.

The Minnesota Pollution Control Agency (MPCA) regulates feedlots in Minnesota and nearly all feedlot owners are required to register with the state. Feedlot registration is necessary to maintain accurate data about the number, location, and size of feedlots in Minnesota. This information helps prioritize those operations with the greatest risk and to work with owners if a pollution hazard is present. Feedlot owners are required to update their registration every four years unless they have applied for a feedlot permit during that time. Owners must register feedlots with 50 or more animal units (AU) or 10 or more AUs in a shoreland area and owners who have applied for a permit are automatically registered.

The application for the feedlot expansion was received by the MPCA on April 16, 2025. Mark Gernes of the MPCA acknowledge that the permit information for the expansion of the feedlot is being reviewed and verified to meet the minimum 9 month length of storage for requirement for the LMSA.

Staff Suggested Findings:

18.05 Findings: In considering a conditional use permit application, the Planning Commission shall apply the following standards: Staff suggested findings are in **Bold:**

1. Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or would substantially diminish and impair property values within the immediate vicinity. **The purpose of the A-1 district is to maintain, conserve and enhance agricultural lands that have been historically valuable for crop production, pastureland, and natural habitat for plant and animal life. This district is intended to encourage long-term agricultural uses; preserve prime or productive**

agricultural farmland, forest lands and natural resources; and stabilizing public expenditures for public services by restricting the location and density of non-farm dwellings and other non-farm land uses. Feedlots of greater than 500 AUs are allowed within this district through issuance of a conditional use permit Chapter 4.03 (30). It is unlikely that this proposed use would diminish property values or be injurious to other properties as agricultural land and uses dominate the surrounding area. The closest dwelling not belonging to the applicant is located approximately 2,500 feet to the southeast and is owned by Kackmann Brothers Partnership. The next closest residence is owned by Lonny & Karyn Moechnig and is approximately 3,345 feet to the west. Several undeveloped farm fields are located adjacent to the north, south, and west of the subject property. 661st Street borders the property to the south.

2. Whether the conditional use would impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. **The proposed use of the parcel as a feedlot would not appear to impede the normal and orderly development of surrounding properties and uses in area. Surrounding properties are predominately used for agricultural purposes. The proposed use is allowed within the A-1 District with the issuance of a conditional use permit.**

3. Whether adequate utilities, access roads, drainage, soil erosion control measures and other necessary facilities have been or are being provided. **Access to the feedlot would be from 661st Street. The applicant has not indicated a need for additional accesses. The feedlot currently operates under the National Pollutant Discharge Elimination System (NPDES) Program which is issued by the State of Minnesota through the MPCA. The goal of the permit is to reduce pollutant levels in point sources discharges and protect water quality in accordance**

with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations. A Land Use permit would be required by Wabasha County prior to the construction of any agricultural structures.

4. Whether adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **The applicant has indicated that there will be adequate off-street parking with the proposed expansion of the feedlot.**

5. Whether adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these would constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **Whenever construction or vehicles are involved the potential for the creation of dust and noise is possible. During construction elevated traffic to the site can be expected and the applicant must control the dust that is created. Traffic to the property would slightly elevated with expansion and would mostly consist of milk trucks, feed trucks, and forage hauling. Nuisance dust is expected to occur during the construction phase and due to regular traffic/deliveries. Dust will need to be controlled so that it does not cause a nuisance. The applicant has indicated that they apply chloride to the township road for dust control and would continue to do so. The site would also utilize a covered manure pit to control odors. The closest dwelling not belonging to the applicant is located approximately 2,500 feet to the southeast and is owned by Kackmann Brothers Partnership. The next closest residence is owned by Lonny & Karyn Moechnig and is approximately 3,345 feet to the west. Several undeveloped farm fields are located adjacent to the north, south, and west of the subject property. 661st Street borders the property to the south.**

It is unlikely that noise, fumes, and vibration, other than that taking place during construction, would be a nuisance concern or beyond what is expected from a farming operation. The applicant did not indicate any exterior lighting that would be added due to the expansion.

6. Whether other factors bearing on the public health, safety and welfare would dictate either approval or grant of the conditional use permit. **The applicant will be required to abide by all MPCA regulations regarding the operation of a feedlot. It is not foreseen that if all applicable regulations and guidelines are followed that the public's health, safety, or welfare would be impacted negatively given the proposed use and the proximity to neighboring residences.**

Staff Suggested Conditions for Approval:

Wabasha County is not delegated to administer the feedlot program and the MPCA handles all registration and permitting. As long as the applicant meets the standards put forth by the MPCA regarding feedlots, concerns regarding the operation can be mitigated. Staff recommends approval of the conditional use permit with the following conditions:

1. A Conditional Use Permit is granted only for the expansion of a feedlot as presented in the application and the project shall be undertaken only in accordance with the plans and specifications as submitted or as outlined in these conditions.
2. The number of animal units on the respective parcels shall be limited to 4,129.2 AU.
3. The feedlot must adhere to all MPCA rules and regulations regarding the construction and operation of a feedlot.

4. A copy of the Minnesota Pollution Control Agency (MPCA) NPDES stormwater permit must be furnished to Wabasha County.

7. A copy of the feedlot registration and permit must be furnished to Wabasha County as well as all subsequent updated registrations every four years.

9. Any expansion or intensification of the use such as increasing the number of animal units or increasing the storage capacity of the manure storage area will require an amendment to the conditional use permit.

Requested Action:

The County Planning Commission shall make its decision upon the application and forward its recommendations to the Board of County Commissioners. In reporting its recommendations to the Board of County Commissioners, the County Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and may designate conditions and require guarantees deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission, the Board of County Commissioners shall make a decision upon the application for a conditional use permit.

Office of County Recorder
Wabasha County, Minnesota
Doc. No. 334087

Certified, filed, and or recorded on
March 8, 2019 8:46 AM

Jeffery R. Aitken, County Recorder
By KH Deputy
Fees: \$0.00



334087

STATE OF MINNESOTA)
COUNTY OF WABASHA)

CONDITIONAL USE PROCEEDING

Tax Parcel: # R16.00061.00

ORDER GRANTING CONDITIONAL USE PERMIT

In the matter of : Scotch Prairie Farms CUP/IUP Request

Request: A Conditional/Interim Use Permit for the expansion of an existing feedlot.

Location of Request: Parcel R16.00061.00 located in Section 11, Township 110 North, Range 12 West, 80.00 AC E1/2SE1/4.

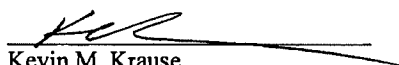
Decision: The Wabasha County Board of Commissioners approved on March 5, 2019 with the following conditions:

1. A Conditional Use Permit is granted only for the expansion of a feedlot as presented in the application.
2. The number of animal units on the respective parcel shall be limited to 3,149.
3. The owners shall maintain compliance with all MPCA regulations related to feedlots, including manure application requirements.
4. The construction of any new building or manure storage structure shall adhere to the setback requirements established in the Wabasha County Feedlot Ordinance or the Wabasha County Zoning Ordinance unless a variance is granted for any setback established in either ordinance.

STATE OF MINNESOTA)
WABASHA COUNTY OFFICE OF PLANNING AND ZONING)ss
COUNTY OF WABASHA)

I, Kevin M. Krause, Planning and Zoning Administrator for the County of Wabasha, Minnesota, do hereby certify that I have compared the foregoing copy and order granting a Conditional Use Permit with the original record thereof preserved in my office, and have found the same to be a correct and true transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand at Wabasha, Minnesota, in the County of Wabasha on the 8th day of March, 2019.


Kevin M. Krause
Planning and Zoning Administrator

Office of County Recorder
Wabasha County, Minnesota
Doc. No. 339651

Certified, filed, and or recorded on
July 2, 2020 2:23 PM

Jeffery R. Aitken, County Recorder
By KH Deputy
Fees: \$0.00



339651

STATE OF MINNESOTA)
COUNTY OF WABASHA) CONDITIONAL USE PROCEEDING

Tax Parcel: # R16.00061.00

ORDER GRANTING CONDITIONAL USE PERMIT

In the matter of : Scotch Prairie Farms, LLC CUP Amendment Request.

Request: An amendment to an existing Conditional Use Permit.

Location of Request: Parcel R16.00061.00 located in Section 11, Township 110 North, Range 12 West,
80.00 AC E1/2SE1/4.

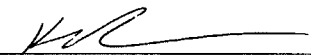
Decision: The Wabasha County Board of Commissioners approved on June 30, 2020 with
the following conditions:

1. A Conditional Use Permit is granted only for the amendment to the original CUP issued on March 15, 2019.
2. The project shall be undertaken only in accordance with the plans and specifications as submitted in the application or as outlined in these conditions.

STATE OF MINNESOTA)
WABASHA COUNTY OFFICE OF PLANNING AND ZONING)ss
COUNTY OF WABASHA)

I, Kevin M. Krause, Planning and Zoning Administrator for the County of Wabasha, Minnesota, do hereby certify that I have compared the foregoing copy and order granting a Conditional Use Permit with the original record thereof preserved in my office, and have found the same to be a correct and true transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand at Wabasha, Minnesota, in the County of Wabasha on the 2nd day of July, 2020.



Kevin M. Krause
Planning and Zoning Administrator

From: [Gernes, Mark P \(MPCA\)](#)
To: [Kaltenbach, Joseph](#)
Subject: RE: Yotter Feedlot Expansion
Date: Tuesday, May 6, 2025 3:19:50 PM

CAUTION: This email came from outside the county

Right now I'm waiting for one of the MPCA staff engineers to look at the length of storage calculations. Not sure what other projects/plan reviews the MPCA engineer is working on so a little hard to predict... I've had it be as quick as a couple days and sometimes a month.

Once the engineer review of length of storage calculations is done, it will be on public notice for 30 days. So a rough estimate is 45- 60 days.

Mark Gernes
Environmental Specialist
Minnesota Pollution Control Agency
12 Civic Center Plaza, Suite 2165
Mankato, MN 56001
mark.p.gernes@state.mn.us
507-344-5260

From: Kaltenbach, Joseph <jkaltenbach@co.wabasha.mn.us>
Sent: Tuesday, May 6, 2025 2:20 PM
To: Gernes, Mark P (MPCA) <mark.p.gernes@state.mn.us>
Subject: RE: Yotter Feedlot Expansion

Thanks, Mark. Any ballpark idea of how long that process may take?

Joe Kaltenbach
Zoning Administrator
Wabasha County
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062
E-mail: jkaltenbach@co.wabasha.mn.us

From: Gernes, Mark P (MPCA) [<mailto:mark.p.gernes@state.mn.us>]
Sent: Tuesday, May 6, 2025 1:18 PM
To: Kaltenbach, Joseph <jkaltenbach@co.wabasha.mn.us>
Subject: RE: Yotter Feedlot Expansion

CAUTION: This email came from outside the county

Joe,

Application was received on 4-16-25. Most of the Yotter feedlot permit application information has been reviewed and is meeting requirements. No additional liquid manure storage is proposed as part of the expansion project, so the last part that still needs to be reviewed/verified is that after the expansion the site will still meet the minimum (9 month) length of storage requirement. Once that is verified MPCA will be public noticing the application and the intent to modify permit coverage for the site for the expansion.

Mark Gernes
Environmental Specialist
Minnesota Pollution Control Agency
12 Civic Center Plaza, Suite 2165
Mankato, MN 56001
mark.p.gernes@state.mn.us
507-344-5260

From: Kaltenbach, Joseph <jkaltenbach@co.wabasha.mn.us>
Sent: Tuesday, May 6, 2025 11:57 AM
To: Gernes, Mark P (MPCA) <mark.p.gernes@state.mn.us>
Subject: Yotter Feedlot Expansion

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Mark,

Wabasha County has received a conditional use application from Brian Yotter of Scotch Prairie Farm LLC (27170 661st St, Lake City, MN 55041) requesting to increase the Animal units of their feedlot by 980.6 AU. This would bring their total for the feedlot to 3148.6 AU. Mr. Yotter has supplied the application submitted to the MPCA for the NPDES general permit major modification. Do you know where this application is at with the MPCA? Also, are there any concerns or comments MPCA wants to share for this proposed increase? I saw the Notice of Application to Permit a Livestock Feedlot in the local paper, just wondering if there is anything additional the County would want to be aware of?

Thanks,

Joe Kaltenbach
Zoning Administrator
Wabasha County
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062
E-mail: jkaltenbach@co.wabasha.mn.us

NOTICE: This email (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. This email may be confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply back to the sender that you have received this message in error, then delete it. Thank you



Conditional/ Interim Use Permit Application

Wabasha County, Minnesota

ENTERED
4/21/2025

APR 21 2025

011

Applicant Info

Name of Applicant Seth Tentis

Business Name _____

Mailing Address 19100 641st Street

City Kellogg State MN Zip Code 55945

Phone 507-951-9370

Email sethtentis@gmail

Property Owner Info

Name of Owner(s) Tentis Farms LLP Seth Tentis

Mailing Address 19100 641st Street

City Kellogg State MN Zip Code 55945

Phone 507-951-9370

Is applicant property owner?

Yes No

Parcel ID: 05.00152.00 & 05.00314.00

Township/Section: 19 110

[Signature]
Property Owner's Signature

2-27-25
Date

By signing and dating above, you agree to allow Wabasha County Environmental Services Staff to enter the property to perform needed inspections

Before filling out this application, it is recommended to contact the Planning and Zoning Office to discuss the proposed conditional use and the associated information that will be required in the application.

Answer the questions below in detail:

1. Proposed use: (attach additional forms if more space is needed)

For new businesses, please see the attached "Business Requirements" form for more information.

Transferring dwelling density from R 05.00314.00 to
R 05.00152.00 additionally transferring deed restriction from
R 05.00152.00 to R 05.00314.00

pd RN 8854

CUP/IUP Application Fee- \$400.00 After the Fact- \$1,000

2. Explain the general character of the surrounding properties and how your proposal will not have an adverse effect on the character and quality of the area. Character of area will not change we will

be building new house to replace existing farm house then
removing old farm house from property.

3. Describe in detail measures implemented to limit any harmful or nuisance effects which may include runoff, noise, dust, smoke, odor, light, or other factors. No negative effects will result in this the

appearance of property will improve when finished-

General Information to Attach:

- Site sketch showing all existing and proposed buildings and their square footage.
- The legal description of the property.
- *Township Approval* / Town Approval / Acknowledgement
- Other Information when requested by the Planning and Zoning Department.

Notification and Public Hearing:

1. Upon receipt of the complete application, fees, and other required materials, the Planning Commission shall hold at least one (1) public hearing. Such hearings may be continued from time to time and additional hearings may be held.
2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation of the town, municipality, or other area concerned and in the official newspaper of the County at least ten (10) days before the hearing.
3. Written notice of the meeting will be sent to all property owners of record within one-quarter (1/4) mile or the ten (10) nearest to the affected property, whichever would provide notice to the greatest number of owners. Written notice shall also be given to the affected Board of Township Supervisors and the Council of any municipality within two miles of the affected property.

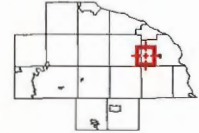
Findings/ Voting Criteria

In Considering a CUP/IUP application, the Planning Commission shall apply the following standards:

1. Whether the conditional use will be injurious to the use or enjoyment of other property in the immediate vicinity for the purpose already permitted, or would substantially diminish and impair property values within the immediate vicinity.



Overview



Legend

- Address Points
- Highways/Roads**
- US Highway
- MN Highway
- County-State Aid Highway
- County Road
- Township Road
- Municipal Street
- State Forest Road
- Private Road-Restricted Access
- Parcels**
- No
- Yes
- Section Lines
- Building Footprints
- Lakes/Rivers
- Cities Boundary
- Townships Boundary

Parcel ID	R05.00152.00	Alternate ID	n/a	Owner Address	TENTIS FARMS LLP
Sec/Twp/Rng	19-110-010	Class	102 - AG PARTNERSHIP		19100 641ST ST
Property Address	19100 641ST ST KELLOGG	Acreage	37.34		KELLOGG, MN 55945
District	GREENF-SCH-811				
Brief Tax Description	Sect-19 Twp-110 Range-010 37.34 AC EX 2.66 AC AS DESC IN DOC # 300385 (S); SE1/4SE1/4 <i>(Note: Not to be used on legal documents)</i>				

The parcel boundaries are created and drawn by Wabasha County GIS and are continually updated. The parcels are drawn as accurately as possible, but should not be considered a replacement for a professional land survey.

Aerial Photos were collected in Spring 2022 by Eagleview and are 6"/2" resolution.

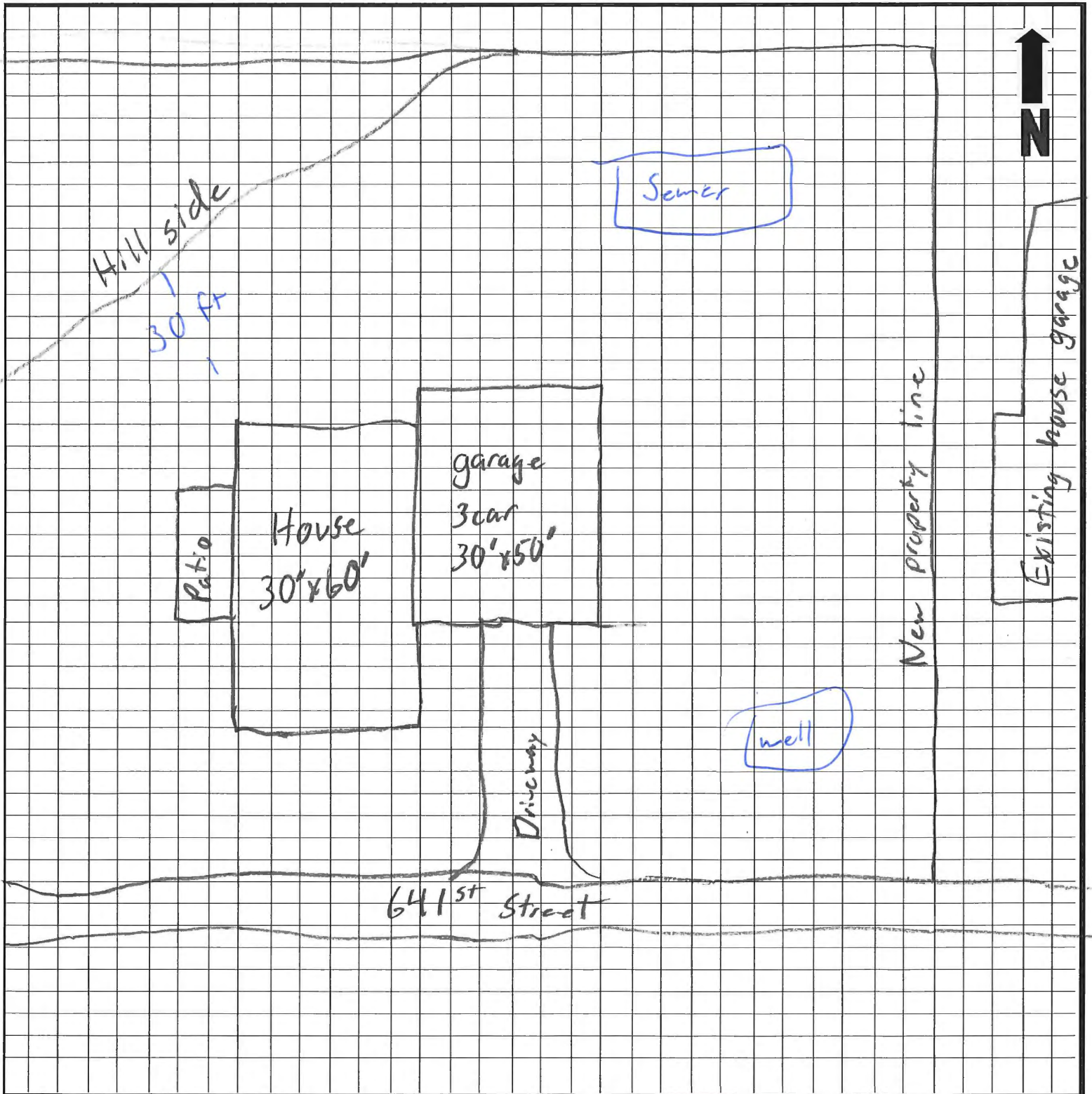
Date created: 2/27/2025
Last Data Uploaded: 2/27/2025 2:01:30 AM

Parcel # 205.00314.00

Site Sketch

Include:

1. Location of all buildings.
2. Distances from property lines for all buildings.
3. All building dimensions.
4. Location of: public roadways (including right of ways), parking areas, driveways, well, and sanitary sewer system with drain field.
5. Distance of well and septic tank and drain field from buildings.
6. If applicable: location of landscaping for screening, storm water drainage.





Township Approval Form

Wabasha County Environmental Services
Old Courthouse Annex
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062

Parcel ID 05-00152.00 f
05.00314.00

Name of Applicant: Seth Tentis Phone: 507-951-9370

Mailing Address: 19100 641st Street City: W Kellogg State: MN Zip: 55945

Property Owner Name: Tentis Farms LLP Phone: 507-951-9370

Section Number: 19 Township Name: Greenfield

Activity Type:

- New Construction Addition/ Alteration Remodel/ Repair
- Land Division or Boundary Adjustment CUP/IUP/Variance Preliminary Plat

NOTE: Township approval is **REQUIRED** when applying for a **CUP/IUP & Preliminary Plats**. You must attend your Townships meeting and provide written documentation with your application of the meeting such as minutes, resolutions, and/or recommendations from the Township regarding your proposed activity.

Failure to provide the correct information above or failure to receive Township approval will result in your application being considered incomplete; further delaying the processing of the application.

Below is a list of contacts for the Townships within Wabasha County that have their own zoning ordinances. This form is **REQUIRED** for any above listed activity within these Townships.

Chester Township..... Jake Atkinson: (507)-251-8150

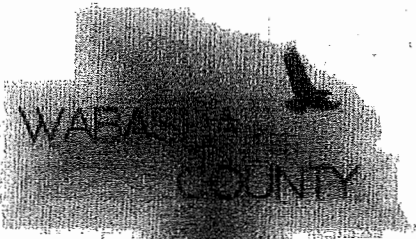
Plainview Township..... Mitchell Crary: (507)-421-1145

Zumbro Township..... Marcia Dworschak: (507)-753-2625

A comprehensive list of Township Officials and their contact information can be found at https://www.co.wabasha.mn.us/document_center/directory.pdf

Township Official Signature: Date: 4-10-25

The above activity meets the requirements of our Township Zoning Ordinance/Regulation and is hereby approved.



Wabasha County Planning and Zoning

625 Jefferson Avenue Wabasha, MN 55981

Phone: 651-565-3062 | www.co.wabasha.mn.us

Township Acknowledgement Form

Pursuant to the Wabasha County Zoning Ordinance, a petitioner seeking a conditional/interim use permit, or creation of a subdivision as defined by the Wabasha County Subdivision Ordinance, is responsible to contact the Township Board where the subject property lies to seek a place on their agenda as a means to inform the Board of the proposal. After considering the proposal, the Township Board will record any concerns, observations, and/or recommendations on this Township Acknowledgment Form for the Wabasha County Planning Commission to consider during their review of the request.

An application is not complete until the petitioner fully satisfies this requirement and submits the form to the Wabasha County Planning & Zoning Department.

Applicant Information	Name: <i>Seth Tentis</i>				
	Address: <i>19100 641st Street</i>				
	City: <i>Kellogg</i>	State: <i>MN</i> Zip: <i>55945</i>			
	Telephone: Home/Personal: <i>507-951-9370</i>	Alternate:			
	Mailing Address <small>(If different from Site Address)</small>				
Property Information	Parcel ID: <i>05-00152.00 & 05-00314.00</i>	Section: <i>19</i>	Township: <i>110</i>	Range: <i>010</i>	
	PROPERTY SIZE	Site Dimensions (In ft):	Zoning District: <input checked="" type="checkbox"/> A-1 <input type="checkbox"/> A-2 <input type="checkbox"/> A-3		
		Acres: <i>3.375</i>	<input type="checkbox"/> R-1		
	NATURAL FEATURES Overlay District	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Bluff Impact Zone	<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Other:
	If not the current owner, please provide the name(s) of owner(s)	<i>Kathy Tentis Tentis Farms LLP</i>		Activity Type: <i>Dwelling Density Transfer</i>	
	<i>Matt Tentis Tentis Farms LLP</i>				
	<small>(Owner Name, Address, State, Zip)</small>				
Use Statement	Statement of existing and proposed use(s) of the property or building. <small>(Attach any pertinent site plans, business plans, or documentation)</small>				
	<i>Transferring dwelling density from R 05-00314.00 to R05-00152.00,</i>				
	<i>additionally transferring deed restriction from R05-00152.00 to</i>				
	<i>R 05-00314.00</i>				

Upon the Township Board's review of a formally submitted proposal, outlining the applicant's intention to obtain requisite building and/or land use approval through Wabasha County, may provide comments and execute one of the following options listed below.

Should the Township Board have questions or need more information regarding the proposal either from the applicant or the Planning & Zoning Department, please contact the appropriate entity prior to completing the acknowledgment form below.

Signing below acknowledges the petitioner advised the Township Board of the proposal. The Board will provide documentation (in the form of meeting minutes, resolutions, or a written statement) explaining its support, opposition, or any concerns or comments regarding the proposed use.

Township Official (Print Name)	Township Official (Signature)
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Township Comments or Concerns:

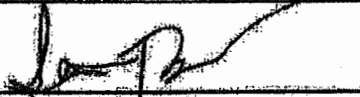
SETH CAME TO OUR TOWNSHIP MEETING
ON 4/10/2025 FOR A CUP

GREENFIELD SUPERVISORS HAD NO ISSUES OR CONCERNS

T. Prody
Tom Prody - CLERK

Applicant Signature

The Township Acknowledgment Form is part of the process of obtaining planning and zoning approval in Wabasha County. It is understood, affirmed, and consented to by the petitioner that any error, misstatement, misrepresentation of fact; expression of fact; in the application, either with or without intention on part of the applicant, shall constitute sufficient grounds for the revocation of Wabasha County's approval at any time.

Petitioner's Signature: 	Date: 4-1-25
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Wabasha County Zoning Department
625 Jefferson Avenue
Wabasha, MN 55981
Phone: 651-565-3062 Fax: 651-565-3159

To: Wabasha County Planning Commission
From: Joe Kaltenbach, Wabasha County Zoning Administrator
Re: Seth Tentis CUP request
Date: May 7, 2025

Background: On April 21, 2024 a complete application for a Conditional Use Permit was submitted by Seth Tentis to transfer dwelling density from Wabasha County parcel R05.00314.00 to Wabasha County Parcel R05.00152.00. The subject properties are located in Section 19 and Section 30, Township 110 North, Range 10 West of Greenfield Township (19100 641st Street Kellogg, MN). The parcels in question are both zoned Agricultural Protection District (A-1) wherein dwelling density transfers are permissible by way of a conditional use permit (CUP) under Chapter 4.03 and 4.04 of the Wabasha County Zoning District.

The applicants are requesting to transfer the dwelling density of Wabasha County parcel R05.00314.00 to Wabasha County Parcel R05.00152.00. Both parcels are commonly owned by Tentis Farms LLP and they are contiguous properties. Currently R05.00152.00 has a dwelling on it.

According to Chapter 4.04 (4):

Dwelling density may be transferred to contiguous property under common ownership provided that any resulting residential development meets the

minimum requirements of this Ordinance, the Subdivision Ordinance and all other applicable codes and ordinances. In no case shall the use of entitlement transfers be used to increase the residential density in the A-1 district. Any transfer that results in the development of two (2) or more residential lots from one parcel shall require the issuance of a Conditional Use Permit. Also, a deed restriction to limit any additional dwellings shall be recorded on the tract(s) of land from which the dwelling density was transferred.

In the past R05.00152.03 was split from R05.00152.00 by the land owner. As a result, the balance of 80 acres of what is now parcel R05.00152.00 and R05.00164.00 were deed restricted per the dwelling density requirements of the A-1 District.

In order to transfer the dwelling density from R05.00314.00 to R05.00152.00 the entirety of parcel 05.00314.00 must be deed restricted from having a dwelling. Based on the parcels involved, their respective acreage, and a previous deed restriction as the result of a split, there are not enough acres available to accomplish the required deed restrictions on R05.00314.00. To accomplish this would require that 7.00 acres would have to remain deed restricted on 05.00152.00. The location of the 7.00 acres can be up to the land owner, but must not be placed where a dwelling currently exists or where any future dwelling would exist.

Staff Suggested Findings:

18.05 Findings: In considering a conditional use permit application, the Planning Commission shall apply the following standards: Staff suggested findings are in **Bold:**

1. Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or would substantially diminish and impair property values within the immediate vicinity.

The purpose of the Agricultural Protection District (A-1) district is to maintain, conserve and enhance agricultural lands that have been historically valuable for crop production, pastureland, and natural habitat for plant and animal life. This district is intended to encourage long-term agricultural uses; preserve prime or productive agricultural farmland, forest lands and natural resources; and stabilizing public expenditures for public services by restricting the location and density of non-farm dwellings and other non-farm land uses. Residential development may be allowed in this District at an overall density not to exceed 1 dwelling per 80 acres (or half quarter section).

Dwelling density transfers are allowable through a conditional use permit in the A-1 District. They do, however, require that a deed restriction be placed on the parcel that the dwelling unit density was derived from.

2. Whether the conditional use would impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. **The proposed use would not appear to impede the normal and orderly development of surrounding properties and uses in the area because it would follow the requirements as put forth in the ordinance. The surrounding area is predominantly used for agriculture with a few registered feedlots and residences located within approximately ¼ mile of the involved parcels.**

3. Whether adequate utilities, access roads, drainage, soil erosion control measures and other necessary facilities have been or are being provided.

R05.00152.00 is accessed via a drive that connects to East County Road 14. At this time no use other than placing a dwelling on R05.00152.00 has been proposed. Any dwellings to be placed on the property would have to meet all requirements of the Zoning Ordinance.

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

At this time no use other than placing a future dwelling on R05.00152.00 has been proposed. It is unlikely that a singular residential dwelling would pose any parking related nuisances.

5. Whether adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these would constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **If or when a dwelling is placed on the property, use of the drive would be only residential in nature. It is unlikely that a drive used only for residential purposes would create a significant amount of dust. Fumes and vibration would likely not be a nuisance concern. The applicant did not indicate any exterior lighting changes that would be utilized.**

6. Whether other factors bearing on the public health, safety and welfare would dictate either approval or grant of the conditional use permit. **It is unlikely that if all the requirements regarding the use and conditions given in a CUP are followed that the public's health, safety, or welfare would be impacted negatively given the purposed use is for a residential dwelling.**

Staff Recommendation and Suggested Conditions for Approval:

A dwelling density transfer is allowed in the A-1 District as a conditional use. Land splits and the relocation of a deed restriction to an adjacent commonly owned parcel are permitted uses and do not require a CUP and can be achieved through an administrative process. Parcel R05.00152.00 currently contains a deed restriction that covers the entire parcel from a previous split. The difference in acreage of parcel R05.00152.00 and parcel R05.00314.00 must remain deed restricted on Parcel R05.00152.00 because of the previous split that took place. Parcel R05.0000314.00 needs to be deed restricted in its entirety from having a dwelling. The applicant should plan the relocation of the existing deed restriction in such a way as to not place it where a dwelling already exists or will exist. Staff recommends approval of the CUP to transfer the dwelling density as proposed.

If the Planning Commission recommends approval of this application to the County Board of Commissioners, the Planning Commission should consider the conditions as follows:

1. A Conditional Use Permit is issued to allow for the transfer of one dwelling unit density from Wabasha County parcel R05.00314.00 to R05.00152.00.
2. A deed restriction that prohibits the construction of any dwelling shall be recorded on the entirety of Wabasha County Parcel R05.00314.00 where the dwelling density was derived from.
3. Parcel 05.00152.00 shall have 7.00 acres deed restricted prior to construction of a dwelling on the parcel.

Requested Action:

The County Planning Commission shall make its decision upon the application and forward its recommendations to the Board of County Commissioners. In reporting its recommendations to the Board of County Commissioners, the County Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and may designate conditions and require

guarantees deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission, the Board of County Commissioners shall make a decision upon the application for a conditional use permit.