Agenda Item # 21a
Date 3/24/21

MINUTES
DODGE COUNTY PLANNING COMMISSION

Meeting of the Dodge County Planning Commission was called to order by Chairman, Marlin Brabec at 4:30 P.M., Tuesday, March 16, 2021 in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Brabec, Fooken, Hansen, Rolf, Taylor, Wagner and Weitzenkamp. Absent: Giesselmann and Ruzicka.

The meeting was declared legally convened, due to Public Notice given and is considered to be an Open Meeting.

Motion was made by **Hansen** to accept the Minutes of the February 23, 2021 meeting as mailed. Seconded by **Fooken.** Motion carried by voice vote with the following voting yes: Brabec, Fooken, Hansen, Rolf, Taylor, Wagner and Weitzenkamp. Absent: Giesselmann and Ruzicka.

Continued Item: Consider request of City of Scribner and various citizens to develop guidelines or zoning regulations for the storage and disposal of Gypsum and Biomass in and around the County of Dodge as well as developing zoning changes required for the enforcement of Resolution No. Res 2000-001.

Keith Kantor, Waste Water Treatment Supt. with City of Fremont was present stating they provide Biosolids or Sludge as soil enhancement for farmers. We started back in 2004, first time they came to the county for a permit and have been doing this for 17 years and have never had a complaint. For years we gave it away and the last 5 years, we have sold it as a fertilizer. Reason he came to the meeting was to see the length of time it could be stored. We haul it before harvest and store it on the farm ground. In 2020 we hauled out to farm ground around August 14th and stopped around December 16th or 17th. Around 11,000 tons were hauled, some in Washington and Saunders County. Due to the weather, around 90% was hauled and spread during a 5-month period. We contract with a spreader from Osceola. Around 1,000 acres in Washington County was spread in January and some 400 acres in Dodge County. We most likely need 6 months time period to accomplish the spreading. We really can't let the stuff set as we are governed by the EPA. We must be agrinomically correct regarding the phosphorus basis and we are not coming close to the nitrogen limit. **Weitzenkamp** asked if they check with a Phosphorus Index as it regulates how much you can put on? **Kantor** stated the EPA does not regulate Phosphorous. **Kantor** stated that the University of Nebraska did most of the testing with Dave Varner and Nathan Mueller, who have both moved on. We now have hired Scott Nunn who is a professional agronimist. Beef Steak Customs has the spreading contract and uses a GPS to assist with the spreading. He went on to say, we do not want to load up on Phosphorus.

Weitzenkamp asked if it had to be incorporated. **Kantor** stated the EPA recommends but when 60 – 70% of the farm ground is no-till, it is not incorporated. **Taylor** asked if the farm ground is sampled. **Kantor** stated they sample each field doing it every 60 days. The test before they apply it to the farm ground and usually apply 10 tons, sometimes 9 to 11 tons. It can not go back on the same ground. We have enough interest for the stuff. We have been doing this for the past 16 years and now we are starting over on that farm ground after the 5 years. We sample each field before applying and also do a post sample. Records are kept. **Weitzenkamp** asked how much phosphorus versus nitrogen as far as the high and low. Kantor stated the phosphorus trys to meet the 250 to 300 lbs. of nitrogen and pretty much stays consistent around 20%.

Nate Hansen with Environmental Land Management stated he presented the regulations at the State level with the rules based on the EPA 503 rules. He stated the EPA has the biosolids regulations. There are no regulations regarding the stock piling. He went on to say that Iowa allows 6 months; Washington County – 10 months. So 6 months would be a conservative number. When you are hauling the stuff out to a field, it is hard to get enough out there in a short period of time. Hansen presented the board with NPDS information. Motion was made to receive made by **Fooken** and seconded by **Rolf.** Motion carried by voice vote. All present voted yes. The material included maps of a farm ground located in Saunders County, northwest of Yutan which included type of soil description, depth to water table, representative slope, flooding frequency, T Factor, an estimate of maximum average annual rate of soil erosion by wind and/or water, groundwater wells data and the Nebraska Department Environmental Energy application site approval form. The approval form indicated a problem of an inhabited dwelling was within the 200 feet of the application site and the depth to groundwater was not greater than the required 4 feet due to Nodaway silt loam. **Hansen** stated that if the groundwater was less than 2 feet, the permit would not be allowed. **Fooken** asked if they were allowed to go into the flood plain or floodway. **Hansen** stated no. **Fooken** asked if the state report would be required prior before obtaining the conditional use permit? Yes, must comply with state regulations prior. They get posted on the NPDEE website. **Fooken** asked if there would be anymore stockpiles at Scribner? **Hansen** stated no only on individual farm grounds. **Fooken** stated he likes the local control to pull the permit if there is a complaint. **Hansen** stated the only down side is the fact that the applicant will have to come to two meetings to get approval after applying for a conditional use permit. The Gypsum is a different product from the municipal and industrial wastewater treatment material. **Weitzenkamp** asked if Keith Kantor with the city did the same thing. **Kantor** stated yes.

Discussion followed with the Planning Commission regarding what proceedures the county should incorporate as requirements of the applicant to stockpile and apply the material. The members looked at the proposed regulations that Andrews had mailed out to the board for their review prior to the meeting. They made their changes to the document that will be reviewed at the next planning commission meeting for possible recommendation to the County Board of Supervisors for adoption.

With no further business **Hansen** moved to adjourn at 5:35 P.M. and seconded by **Taylor.** Motion carried: Fooken, Hansen, Rolf, Taylor, Wagner, Weitzenkamp and Brabec. Absent: Giesselmann and Ruzicka. The next scheduled meeting will be April 20, 2021 at 4:30 P.M.

Respectfully submitted,

_____

Allen Rolf
Secretary, Dodge County
Planning Commission

_____ _____

Dodge County
Planning & Zoning Commission

Approval Date

ENVIRONMENTAL
LAND MANAGEMENT LLC
waste byproduct landspreading specialists

Site Name:919

Unsuitable for Land Application

Farmer Name: Jack Wollen

Phone: (402)625-2609

Permitted Acres: Acres Spread: _____ Tons Delivered: _____

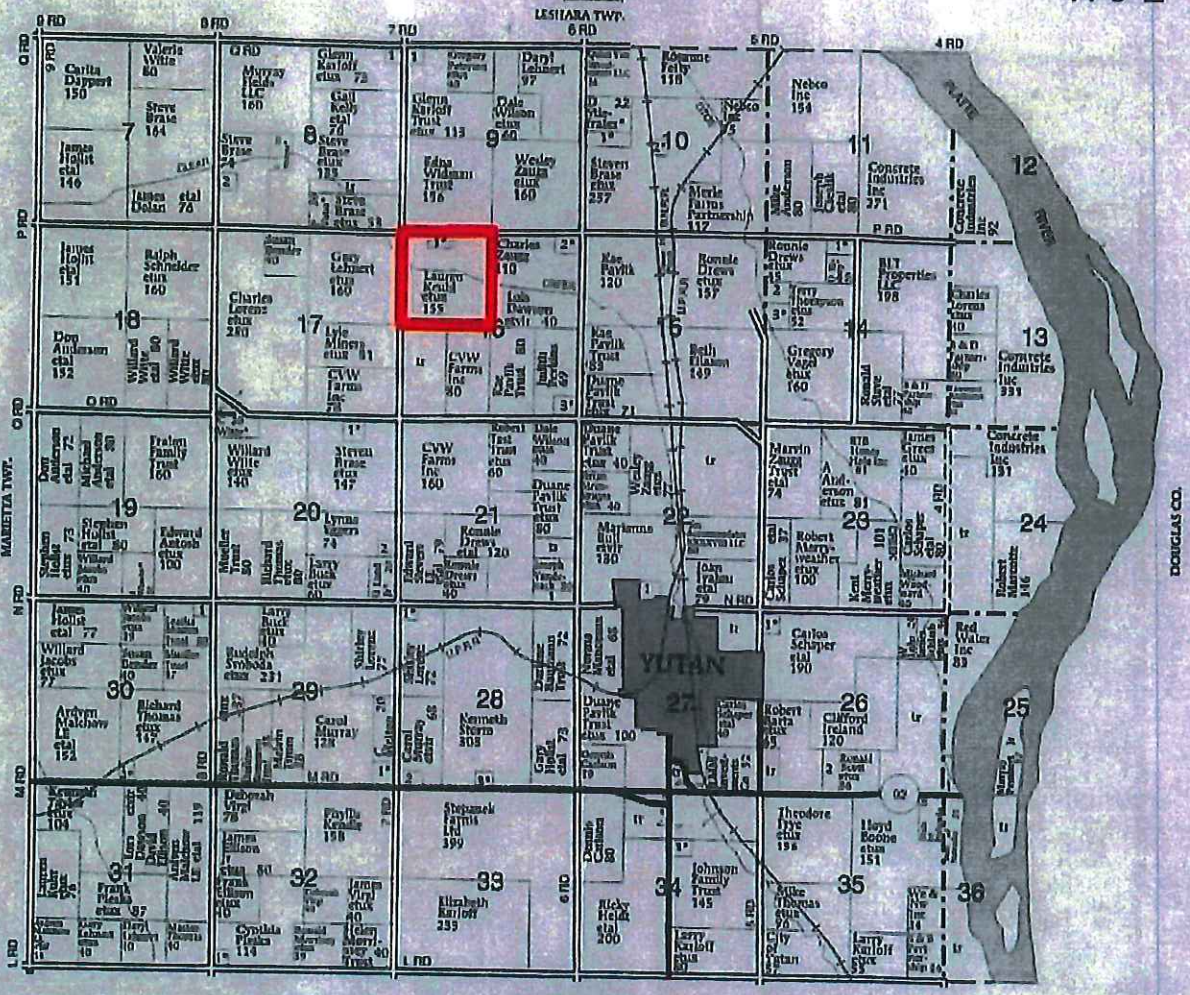
I certify I have followed all stockpiling and spreading rules provided by ELM.

Signature_____ Date_____

T-15-N

UNION PLAT

R-9-E



UNION TOWNSHIP

SECTION 8
1. McEvoy, Martin
2. Lesiewicz, Bruce

SECTION 9
1. McEvoy, Mary

SECTION 10
1. Koenig, Thomas
2. Althage, A

SECTION 14
1. Lewis, Richard
2. Swanson, Steven
3. Hyde, Richard

SECTION 15
1. Oviatt, Russell
2. Zaugg, Charles
3. Perkins, Todd

SECTION 20
1. Sallenbach, Steve
2. Konwinski, Norma

SECTION 21
1. Chief Diweg Inc

SECTION 22
1. Grebiunas, Michael

SECTION 26
1. Windchimes Homeowners Association Inc

SECTION 28
1. Merryweather, Kent
2. Neukirch, Alan

SECTION 28
1. Melton Jr, Charles
2. Mannino, Deborah
3. Storm, Mitchell

SECTION 29
1. Kohlleber, Michael

SECTION 30
1. Mueller, Matt
2. Sabais, Robert

SECTION 32
1. Morrissey, Todd

SECTION 34
1. Hassler, Richard

Soil Map—Saunders County, Nebraska
(Site 919)

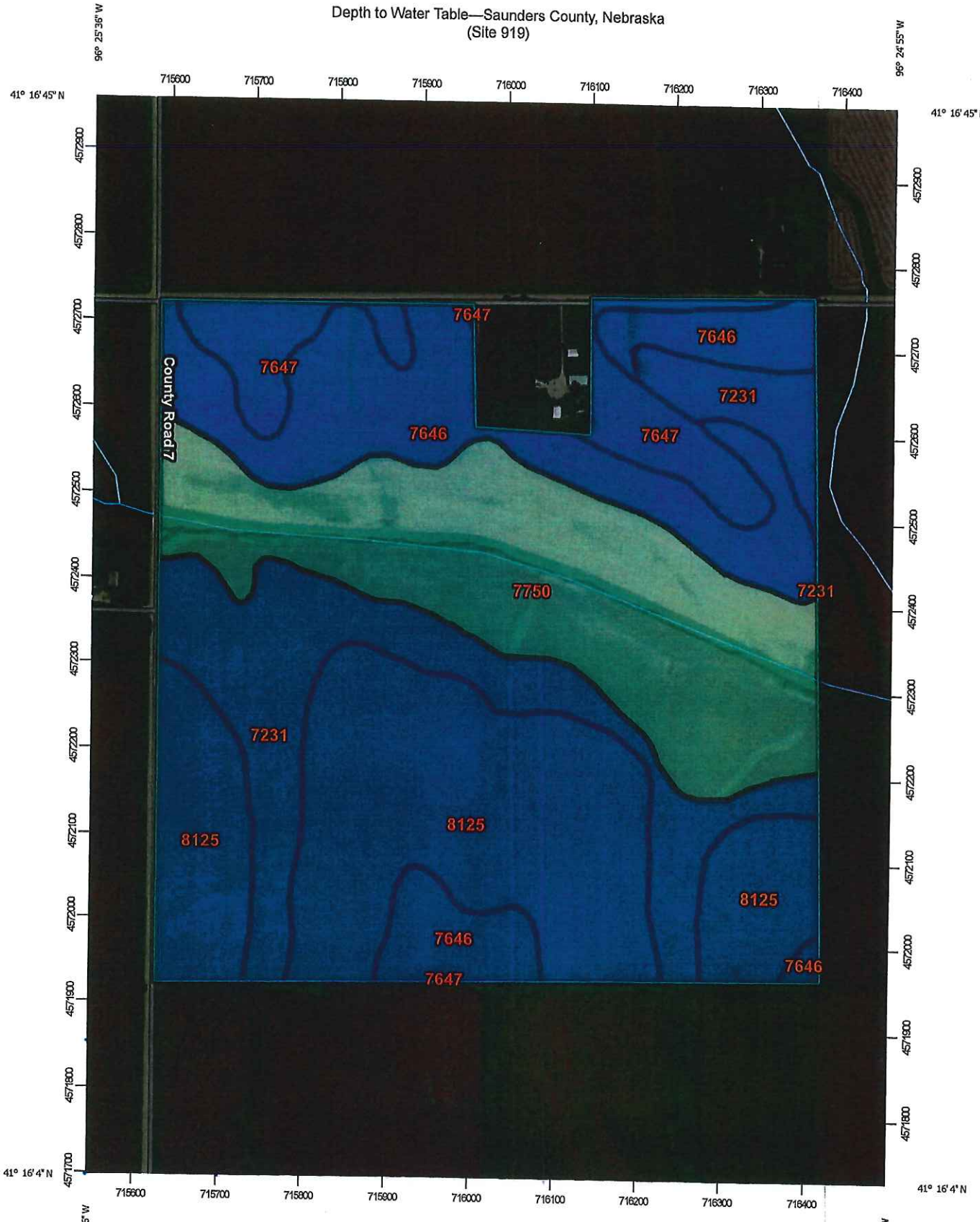
USDA **Natural Resources Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7231	Judson silt loam, 2 to 6 percent slopes	27.1	18.0%
7646	Yutan, eroded-Judson complex, 6 to 11 percent slopes	28.6	19.0%
7647	Yutan, eroded-Aksarben silty clay loams, 2 to 6 percent slopes	10.0	6.6%
7750	Nodaway silt loam, occasionally flooded	38.6	25.6%
8125	Pohocco silty clay loam, 6 to 11 percent slopes, eroded	46.5	30.8%
Totals for Area of Interest		**150.8**	**100.0%**

Depth to Water Table—Saunders County, Nebraska
(Site 919)



Map Scale: 1:6,140 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

Depth to Water Table

Map unit symbol	Map unit name	Rating (centimeters)	Acres in AOI	Percent of AOI
7231	Judson silt loam, 2 to 6 percent slopes	>200	27.1	18.0%
7646	Yutan, eroded-Judson complex, 6 to 11 percent slopes	>200	28.6	19.0%
7647	Yutan, eroded-Aksarben silty clay loams, 2 to 6 percent slopes	>200	10.0	6.6%
7750	Nodaway silt loam, occasionally flooded	122	38.6	25.6%
8125	Pohocco silty clay loam, 6 to 11 percent slopes, eroded	>200	46.5	30.8%
Totals for Area of Interest			**150.8**	**100.0%**

Description

"Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table at selected sites and on evidence of a saturated zone, namely grayish colors (redoximorphic features) in the soil. A saturated zone that lasts for less than a month is not considered a water table.

This attribute is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Rating Options

Units of Measure: centimeters

Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

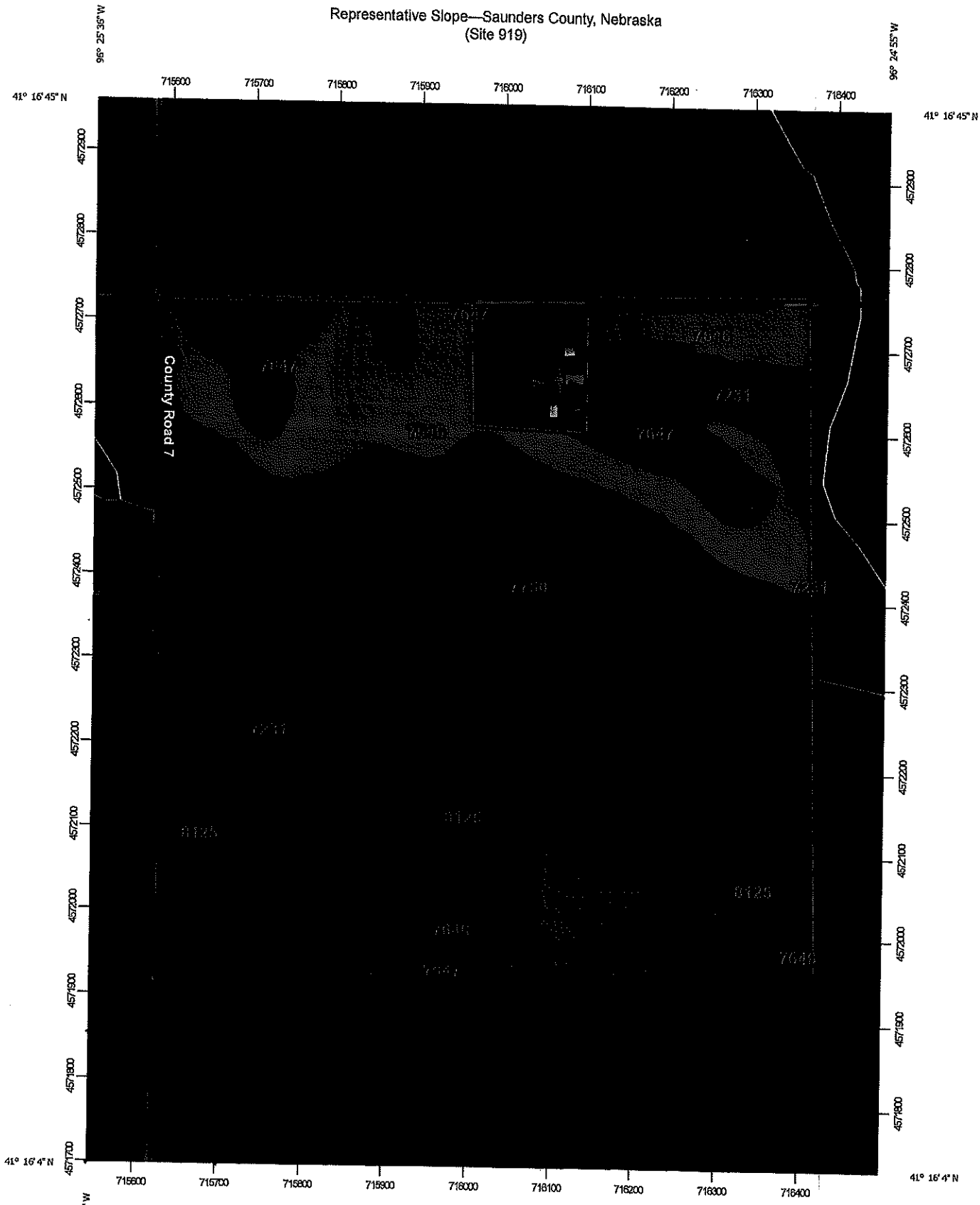
Tie-break Rule: Lower

Interpret Nulls as Zero: No

Beginning Month: January

Ending Month: December

Representative Slope—Saunders County, Nebraska
(Site 919)



Map Scale: 1:6,140 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

Representative Slope

Map unit symbol	Map unit name	Rating (percent)	Acres in AOI	Percent of AOI
7231	Judson silt loam, 2 to 6 percent slopes	4.0	27.1	18.0%
7646	Yutan, eroded-Judson complex, 6 to 11 percent slopes	8.0	28.6	19.0%
7647	Yutan, eroded-Aksarben silty clay loams, 2 to 6 percent slopes	4.0	10.0	6.6%
7750	Nodaway silt loam, occasionally flooded	1.0	38.6	25.6%
8125	Pohocco silty clay loam, 6 to 11 percent slopes, eroded	8.0	46.5	30.8%
Totals for Area of Interest			**150.8**	**100.0%**

Description

Slope gradient is the difference in elevation between two points, expressed as a percentage of the distance between those points.

The slope gradient is actually recorded as three separate values in the database. A low value and a high value indicate the range of this attribute for the soil component. A "representative" value indicates the expected value of this attribute for the component. For this soil property, only the representative value is used.

Rating Options

Units of Measure: percent

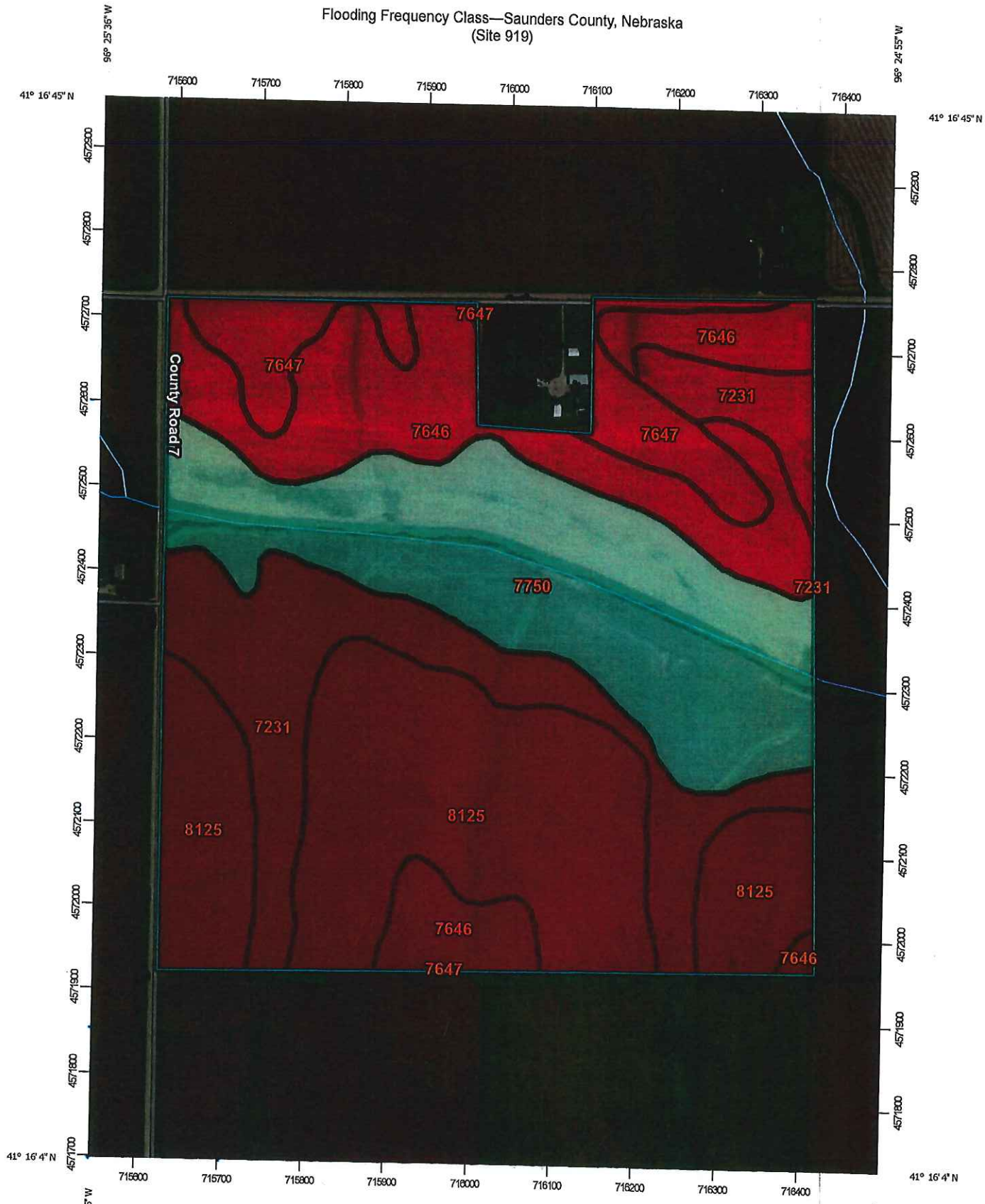
Aggregation Method: Dominant Component

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Interpret Nulls as Zero: No

Flooding Frequency Class—Saunders County, Nebraska
(Site 919)



Map Scale: 1:6,140 if printed on A portrait (8.5" x 11") sheet.

N

0 50 100 200 300 Meters

0 250 500 1000 1500 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

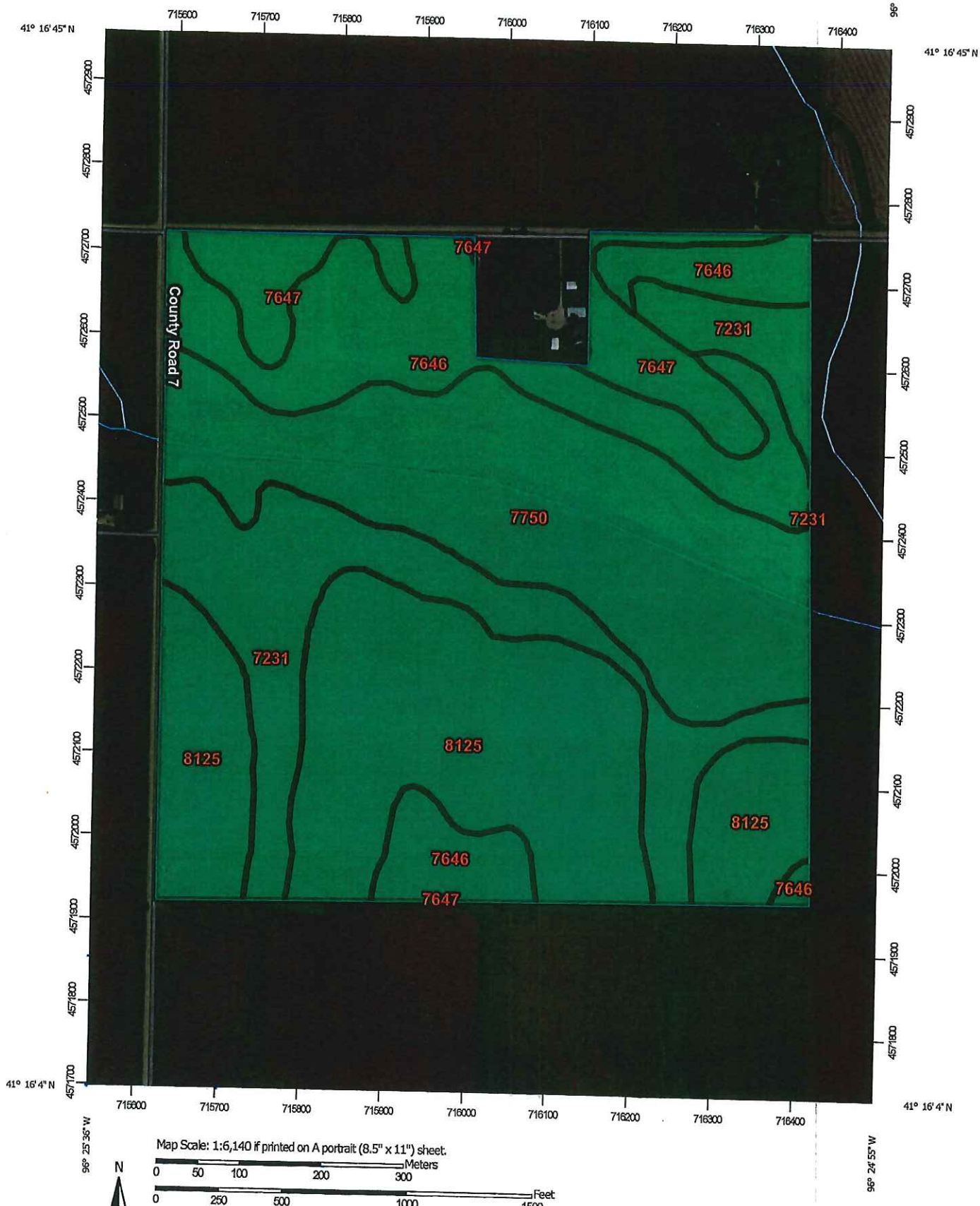
USDA **Natural Resources Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

Flooding Frequency Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7231	Judson silt loam, 2 to 6 percent slopes	None	27.1	18.0%
7646	Yutan, eroded-Judson complex, 6 to 11 percent slopes	None	28.6	19.0%
7647	Yutan, eroded-Aksarben silty clay loams, 2 to 6 percent slopes	None	10.0	6.6%
7750	Nodaway silt loam, occasionally flooded	Occasional	38.6	25.6%
8125	Pohocco silty clay loam, 6 to 11 percent slopes, eroded	None	46.5	30.8%
Totals for Area of Interest			**150.8**	**100.0%**

T Factor—Saunders County, Nebraska
(Site 919)



USDA **Natural Resources Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

T Factor

Map unit symbol	Map unit name	Rating (tons per acre per year)	Acres in AOI	Percent of AOI
7231	Judson silt loam, 2 to 6 percent slopes	5	27.1	18.0%
7646	Yutan, eroded-Judson complex, 6 to 11 percent slopes	5	28.6	19.0%
7647	Yutan, eroded-Aksarben silty clay loams, 2 to 6 percent slopes	5	10.0	6.6%
7750	Nodaway silt loam, occasionally flooded	5	38.6	25.6%
8125	Pohocco silty clay loam, 6 to 11 percent slopes, eroded	5	46.5	30.8%
Totals for Area of Interest			**150.8**	**100.0%**

Description

The T factor is an estimate of the maximum average annual rate of soil erosion by wind and/or water that can occur without affecting crop productivity over a sustained period. The rate is in tons per acre per year.

Rating Options

Units of Measure: tons per acre per year

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Interpret Nulls as Zero: No

Return to Search Page
Nebraska Department of Natural Resources
Database Through: 3/4/2021
Processed: 3/4/2021 6:41:56 PM

REGISTERED GROUNDWATER WELLS DATA RETRIEVAL
Search Results Maximum 1000 Per Page

Note:
Information on Public Water Supply Wells is not available through this interface. Contact the Department of Natural Resources (Data Bank) at 402-471-2363 for more information. All registration documentation for water wells registered after January 1, 1969, except Public Water Supply wells, are now available.

Due to possibility of a well being in more than one series, an individual well might be listed more than once.

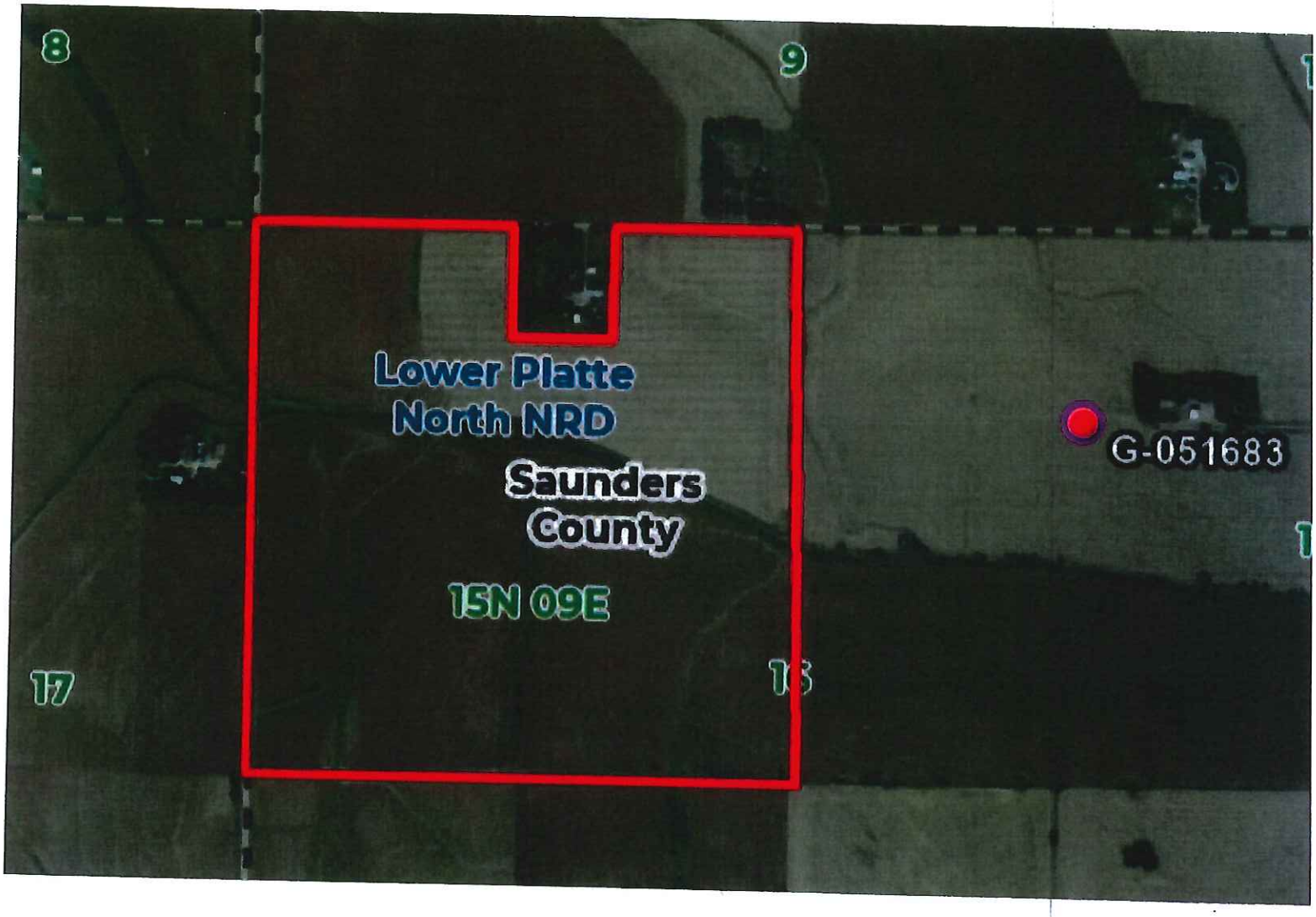
1 Records Found

Registration# / Well ID / Permit Number	Use / Status	County Name / NRD Name / Well Location / Footage / Latitude / Longitude	Completion Date / Filing Date / Decommission Date / Times Replaced / Online Registration ID (NOLID)	Acres Irrigated / Gallons/Minute / Static Level / Pumping Level / Series	Pump Column Diameter / Pump Depth / Well Depth	Owner's Name / Owner's ID / Address
G-051683 WellID: 59221 View Details View Logs View Scans	I A	Saunders Lower Platte North 15N 9E 16 NENE Map It 41°16' 29.390" -96°24' 40.570"	8/23/1976 8/30/1976 ---	50 900 gpm 67 ft 93 ft PRO	8 in --- 187 ft	Charles & Frances Zaugg Life Estate et al OwnerID: 133022 1893 County Road 6 Yutan NE 68073

Next

Data copy of requested wells.
Data copy of Geo Logs for requested wells.
Data copy of Casing Screen for requested wells.
Data copy of Grout Gravel for requested wells.
Data copy of requested contacts.

Legend and Notes


8
9
Lower Platte
North NRD
Saunders
County
15N 09E
G-051683
17

NDEE Land Application Site Approval Form

NDEE reviewer should fill out one form for each land application site. Submit to file and send an approved copy to the facility/land application management company.

NDEE Reviewer: Patrick Ducey

Land Application Site Information	
Facility Name	Cargill Corn Milling North America - Blair
NDEE ID	57902
Land Application Site Name	Site 919 – Jack Wollen
Site Address and/or Parcel ID	Jack Wollen – 2001 County Road 7, Yutan, NE 68073
Legal Description	NW ¼, Section 16, Township 15 N, Range 9 E, Saunders County, NE
Total Acres	145

Site Info and Map

Is this a new site or existing site? ☒New ☐ Existing
Was a site map included that meets permit requirements? ☒Yes ☐ No
Does map show areas that cannot receive land application or have special application requirements? ☒Yes ☐ No

General Land Application Requirements and Setbacks

Does site contain or is adjacent to waters of the State (other than farmed-through ground)? ☒Yes ☐ No
If yes, does the land application site have 200-foot setbacks from waters of the State? ☒Yes ☐ No ☐ N/A
- May be reduced to 100 feet if a 30-foot vegetative budder is between site and waters of the State

Are any upland grassed waterways or non-waters of the State within 50 feet of the application site? ☒Yes ☐ No
- If mechanically incorporated within 48 hours, no setback is required for these waterways. In the event of precipitation that could cause solids to run off of site or negatively impact groundwater, solids must be incorporated prior to precipitation event

Is any site slope greater than 9%? ☐Yes ☐ No
Is any inhabited dwelling within 200 feet of application site? ☒Yes ☐ No – it is close to 200 feet, maybe closer
- May be less if granted approval by resident/owner/occupant

Is application site more than 200 feet from a potable water supply well? ☒Yes ☐ No
Is application site more than 1000 feet from a community public water supply well? ☒Yes ☐ No
Is depth to groundwater greater than four (4) feet? ☐Yes ☒ No – Nodaway silt loam
- If less than four feet, Department permission needed and site must have special management practices

If any setbacks or requirements are not met, please detail site specific requirements or other comments:

The land application should follow land application plan for areas with potentially shallow groundwater in Nodaway silt loam (7750). There are several upland grassed waterways that should be incorporated if rain is anticipated in 48 hours. The land application should also ensure that the application is more than 200 feet from the dwelling on the north side of the application area. If setbacks are followed the site is more than 100 feet from waters of the State.

NDEE Assessment

Based on data from permittee, is site approved? ☒Yes ☐ No

Reviewer Signature: PD Date: 3/10/2021