

LETTER OF ASSURANCE
CONCENTRATED ANIMAL FEEDING OPERATION
SPINK COUNTY, SOUTH DAKOTA

Applicant:

Legal Description:

Number of Animals Permitted under this Application:

- A. The Concentrated Animal Feeding Operation will be constructed, located and operated so as not to create a significant contribution to pollution.
- B. The Applicant will develop, update on an annual basis, and follow a Nutrient Management Plan to ensure safe disposal of manure and protect surface and ground water.
- C. The Applicant agrees to file and comply with a Manure Management and Operation Plan as required by the state permit.
- D. Applicant will file a plan for fly and odor control including plans for disposing of dead animals, as required in the state permit.
- E. The Applicant shall take measures to minimize damage to township and county roads and shall be responsible for excessive damage to any township road and county road in conjunction with the operation of this Concentrated Animal Feeding Operation facility. Applicant agrees to comply with all weight limits on township and county roads.
- F. Manure storage facilities shall not be located over any aquifer protection zone.

- G. The Applicant acknowledges that the applicant is responsible for any potential surface or ground water pollution caused by the Concentrated Animal Feeding Operation.
- H. The applicant shall obtain a State General Permit, and the Spink County Permit approval is contingent upon receiving the State General Permit.
- I. The Applicant agrees to abide by all County Setbacks as required by the Spink County Zoning Regulations.
- J. Sufficient land specified for spreading purposes as defined by the Department of Environment and Natural Resources shall be maintained at all times.
- K. Temporary CAFO Permit shall expire one year from approval date. If work is not substantially started after one year, a one year extension for the Temporary CAFO Permit may be granted if applicant can prove that progress towards a CAFO facility has begun. After two years if work is not completed, the Temporary CAFO Permit Application will become ineffective and terminated at this time. Applicant has the option to reapply for a Temporary CAFO Permit to begin the process once again.
- L. Application of manure to fields shall be done in a manner that is respectful to neighbors.
- M. Zoning Board suggest a shelterbelt to be planted at this site as designed by NRCS, within two years of approved Temporary CAFO Permit.
- N. Failure to adhere to the above assurances shall constitute grounds for revocation of permit; provided, however, that the applicant shall have 90 days following written notice of violation to correct violation and show proof of correction to the Spink County Zoning Board.
- O. The applicant hereby states that I (we) individually or as a business organization of which I (we) have been or are an investor, operator or officer have not been found or alleged to be a "bad actor(s)" or in violation with prior CAFO operations.

P. The applicant shall be required to remediate the facility according to standards acceptable to the Board of Adjustment and DENR upon closing the facility and within 60 days of closing at applicant's own cost.

Applicant

Date

Chairman Planning & Zoning Board

Date

COPY