

Kim Larson

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ATTN: Charles Peterson

My name is Kim Larson and I am a farmer in Kandiyohi County, MN. My full background is not only an agricultural producer but the experience as an agricultural regulator, as well. In the early 2000's I was selected to develop, and carry out the duties as the initial Delegated Feedlot Officer for Kandiyohi County. Over the three years that I devoted to the position, I developed a unique perspective of both sides of the process, and I believe that experience benefits my assessments in this discussion.

In preparation, I committed myself to reviewing the entire Environmental Assessment Worksheet (EAW). Beyond the 72 pages posted online, are the 26 categories of Attachments totaling hundreds of pages.

Associated Agency Reviews Confirm No Significant Concerns

The State Historic Preservation Office found no properties listed on the National or State Registers and no known archaeological resources that would be affected by this project. The DNR Natural Heritage Review found no ecologically significant areas along with no State-listed endangered or threatened species on the project site. The review within the route of the water pipeline returned with *"No Further Review Required"* across all categories. In response to Agency comments from MPCA and the State Archaeologist, Riverview voluntarily removed certain manure application fields from the manure plan, demonstrating responsiveness.

Water Utilization

The EAW is explicit in backgrounding the fact that the well that will supply the West River expansion originally received permitting for 452 million gal/yr. Riverview is reducing that initially granted appropriation to 226 million gal/yr. It would be hard to ignore the extraordinary effort that Riverview put forth in being creative enough through this expansion to significantly reduce the total permitted water appropriation capacity in this aquifer. If a 452 million gal/yr appropriation was initially found to be sustainable in this location, an appropriation of half that amount cannot logically constitute a significant environmental impact, especially considering the on-going regulatory measures incorporated into the DNR's permit.

DNR Comment Letter (March 17, 2026) Inaccuracies

It is puzzling to understand the DNR's statements that the EAW had not considered any impacts on the Pomme de Terre River. EAW Section 12.B.3 (pg 34-37) specifically discusses impacts to the Pomme de Terre, including detailed pumping restrictions based on stream flows (Tables 16 & 17). Included under Section 12.B.g.4 are multiple points addressing pumping restrictions applied to avoid indirect impacts. The letter further indicates that groundwater is *"limited"* in the project area. However, this would be in conflict with their previously detailed review of the aquifer in this location where the DNR found water usage, twice the currently proposed appropriation, to be fully sustainable.

EAW is Comprehensive and Complete

This EAW is far beyond a typical livestock EAW review. As I pointed out initially, there are literally several hundred pages of technical analysis covering ground water, surface water, air quality, natural resources, and cumulative effects. Under Minnesota law, an EAW is intended to be a *"brief document"* designed to set out *"basic facts"* about a project. I believe that it is self-evident that this EAW published by MPCA, greatly exceeds that standard in advance, as it appears that the MPCA has already produced an EIS level of information with respect to this project.

Furthermore, under Minnesota law (Minn. R. 4410), an EIS is required only when there is potential for “*significant environmental effects*”. It does not reference any prerequisite for an EIS determined on the basis of an animal unit (A.U.) threshold. As Minnesota AgriGrowth noted in their comments, the purpose of an EIS is to assess environmental impacts, not create public policy on the appropriate size of dairy farms in Minnesota, as that should obviously remain with the representation of elected legislators.

Finally, under Minnesota Rules, an RGU must consider “*the extent to which the environmental effects are subject to mitigation by the ongoing public regulatory authority.*” Within this EAW, multiple layers of ongoing regulatory DNR water appropriation permitting, MPCA individual feedlot permitting, and NPDES zero-discharge requirements all serve as specific, targeted mitigation measures that Minnesota courts have recognized as sufficient enough to validate the findings for potential environmental effects.

Consideration of an Individual Permit

The development of an individual permit for this project further shows that the Agency has all of the protections and tools in place to ensure this project is fully protective of the environment, and that no potential for significant environmental effects could be found. As a former County Feedlot Officer, I recall the numerous times in our County’s permitting process that when a specific item of concern was identified, we did our best to prevent “*regulation overreach*” by targeting those items with *focused mitigating conditions* that would provide the *specific protection* that is sought.

Conclusion

Upon thorough review, I would encourage a decision by the agencies involved to approve the West River Dairy expansion. With the rigorous safeguards for environmental security well documented in this EAW, the request for an EIS would be considered overreach. And finally, it would be regrettably unfortunate if the process of environmental review for livestock proposals morphed into *an act of prohibition*.

Respectfully,

Kim Larson

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Kandiyohi County