



Minnesota  
Pollution  
Control  
Agency

# Notification Requirements

## Construction or Expansion Permit for Feedlots with 500 Animal Units or more

Water Quality/Feedlots #f3-09 • Revised May 2010

**A**ny person who applies to the Minnesota Pollution Control Agency (MPCA) or to a county board for a permit to construct or expand a feedlot with a capacity of 500 animal units or more **must notify each resident and owner of real property within 5,000 feet of the proposed or expanded feedlot, and also send a copy of the notice to the township clerk.**

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

- (a) *A person who applies to the pollution control agency or a county board for a permit to construct or expand a feedlot with a capacity of **500 animal units** or more shall, **not less than 20 business days before** the date on which a permit is issued, provide notice to each resident and owner of real property within **5,000 feet** of the perimeter of the proposed feedlot. The notice may be delivered by first class mail, in person, or by the publication in a newspaper of general circulation within the affected area and must include information on the type of livestock and the proposed capacity of the feedlot. Notification under this subdivision is satisfied under an equal or greater notification requirement of a county or town permit process. **A person must also send a copy of the notice by first class mail to the clerk of the town in which the feedlot is proposed not less than 20 business days before the date on which a permit is issued.***
- (b) *The agency or a county board must verify that the notice was provided as required under paragraph (a) prior to issuing a permit.*

### Notification

Feedlot permit applicants must submit documentary proof that notice of the project was given to the residents within the 5,000-foot perimeter radius with their application. The MPCA or delegated county **shall not issue** a permit until

**20 business days** after the proper notice has been given. Thus, notifications not given until permit applications are submitted will delay permit issuance. If there is a question about distance of residents or property owners from the proposed feedlot, it is advisable to notify all those in question.

The 20-business-day requirement overrides the timeframe established in Minn. R. 7020.2000, subp. 4. Neither the MPCA nor a delegated county have authority to issue permits until at least 20 business days have passed since proper notification.

Proof of notification may include:

- List of all parties visited in person with date and their signature;
- List of all parties visited with certification signed by notary public indicating in detail what was discussed;
- List of parties visited with signed, certified return mail receipts;
- Affidavit from newspaper used to provide notification.

A record of notification should be retained by the feedlot owner to prevent possible disputes over the time and content of any notification. The MPCA and delegated county must also maintain a copy of proof that notification was provided.

### Notification Contents

Minn. R. 7020.2000, subp. 4, contains the information required in any notification. The information required in this subpart must be part of the notification before it is considered valid. ***See notification example on back page.***

#### MPCA Area Offices:

##### **Rochester area:**

507/285-7343

##### **Mankato area:**

507/389-5977

##### **Marshall area:**

507/537-7146

##### **Willmar area:**

320/214-3786

##### **Detroit Lakes area:**

218/847-1519

##### **Brainerd area:**

218/828-2492

##### **Duluth area:**

218/723-4660

##### **Metro area:**

651/296-6300

##### **Toll-Free Number:**

800/657-3864

wq-f3-09

**NOTIFICATION REQUIREMENTS**  
**(From Minnesota Rule 7020.2000, subp. 4)**

**Notification of proposed construction or expansion.** A person who applies to the Pollution Control Agency or a county board for a permit to construct or expand a feedlot with a capacity of 500 animal units or more shall, not less than 20 business days before the date on which a permit is issued, provide notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed feedlot by:

- A. publishing in a newspaper of general circulation within the affected area a notification containing the following information:
  - (1) the names of the owners or the legal name of the facility;
  - (2) the location of the facility by county, township, section, and quarter section;
  - (3) species of livestock and total animal units **(include existing and proposed animal numbers and animal units – as defined by the State);**
  - (4) types of confinement buildings, lots, and areas at the animal feedlot **(include existing and proposed);** and
  - (5) the types of manure storage areas **(include existing and proposed);**
- B. sending a written notice to them containing the information in item A, sub-items (1) to (5), delivered by first class mail or in person; or
- C. providing equal or greater notification required as part of obtaining a county conditional use permit.  
**(The Conditional Use Permit notification must include items A.(1)-(5) above.)**

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**EXAMPLE OF NOTIFICATION (Please insert your facility-specific information where items are bold and underlined below):**

NOTICE OF APPLICATION  
FOR  
LIVESTOCK FEEDLOT PERMIT

Notice is hereby given per Minnesota Statutes, Chapter 116, that **{LEGAL NAME OF FACILITY}**, has made application to the Minnesota Pollution Control Agency or the County of **{COUNTY NAME}** for a permit to construct or expand a feedlot with a capacity of 500 animal units or more.

The existing and/or proposed feedlot will be located in the **{FACILITY LOCATION – LEGAL DESCRIPTION}**, Minnesota. The existing facility consists of **{SPECIES, TYPES, NUMBERS, AND ANIMAL UNITS; TYPES OF BUILDINGS (TOTAL & PARTIAL CONFINEMENT) AND/OR OPEN LOTS; AND TYPES OF MANURE STORAGE AREAS}**. The proposed facility consists of **{SPECIES, TYPES, NUMBERS, AND ANIMAL UNITS; TYPES OF BUILDINGS (TOTAL & PARTIAL CONFINEMENT) AND/OR OPEN LOTS; AND TYPES OF MANURE STORAGE AREAS AND DIMENSIONS}**. The total animal unit capacity will be **{TOTAL ANIMAL UNITS}**.

This publication shall constitute as notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed feedlot as required by Minnesota State Law.

Published in the **{NEWSPAPER NAME}**, Dated **{PUBLICATION DATE}**.

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**\*\*\*\*\*SUBMIT A COPY OF THE NEWSPAPER ARTICLE AND  
AFFIDAVIT OF PUBLICATION WITH YOUR FEEDLOT APPLICATION.**