



Minnesota
Pollution
Control
Agency

Feedlot
Program

Feedlot Rule
Summary

300 to 999 Animal Units: Construction and Expansion

February 2001

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See fact sheet,
**300 to 999 Animal Units:
Operation and
Management** for
information about
registration, manure
application, pastures,
stockpiles and other
operational issues.

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

Feedlot Service Center:

877/333-3508

This fact sheet is intended to provide producers with the basic information they need to comply with the revised state feedlot regulations when constructing or expanding a feedlot. See MN Rule Chapter 7020 or referenced rules for specific information. Please keep in mind:

- Where local ordinances are more restrictive than state laws, the local ordinance must also be followed. Please contact your local county feedlot officer or planning and zoning department.
- A feedlot that is defined as a Concentrated Animal Feeding Operation (CAFO) in accordance with federal regulations must meet federal requirements.

Construction Permits

A Construction Short Form permit is needed for construction activities related to liquid manure storage areas and for new and expanding feedlots. If a pollution hazard also exists, then an Interim, NPDES, or SDS permit is required instead of the Construction Short Form permit.

Notifications

The permit application (including all plans and specifications) must be submitted to the MPCA or delegated county feedlot officer at least 90 days prior to the planned start of construction.

The owner may start construction upon receipt of the permit from the MPCA or delegated county.

Neighbors within 5000 feet of proposed construction or expansion activities for facilities with 500 or more animal units must be personally notified, sent a letter, or be notified through publication in a local newspaper within 10 days of submitting a permit application to the MPCA or delegated county.

The local zoning authority must be notified of all construction activities at least 30 days prior to construction.

Owners are required to notify the MPCA or delegated county at least three days prior to commencement of construction and within three days of completion of construction.

Mandatory Environmental Assessment Worksheet (EAW)

MN Rules 4410.4300 state that a mandatory EAW is required for construction of a feedlot of more than 500 animal units in a sensitive area or for the expansion of an existing feedlot by more than 500 animal units in a sensitive area. Sensitive areas defined in Chapter 4410 are:

- Shoreland





- A delineated flood plain, except that in the flood plain of the Red River of the North the sensitive area includes only land within 1,000 feet of the ordinary high water mark
- A state or federally designated wild and scenic river district
- The Minnesota River Project Riverbend area
- The Mississippi River headwaters area
- An area within a drinking water supply management area delineated under Chapter 4720 where the aquifer is identified in the wellhead protection plan as vulnerable to contamination
- Within 1,000 feet of a known sinkhole, cave, resurgent spring, disappearing spring, karst window, blind valley, or dry valley

Liquid Manure Storage Structures

Standards for constructing liquid manure storage structures include:

- Seepage limits for various liner types
- Plans and specifications designed by an engineer
- Construction inspections
- Notifications and reports
- Location restrictions
- Separation to bedrock restrictions

A professional engineer or NRCS staff must prepare and sign plans and specifications (except concrete-lined structures having a capacity of less than 20,000 gallons).

Location Restrictions

New feedlots **cannot** be located:

- In shoreland
 - Within 300 feet of a river or stream
 - Within 1,000 feet of a lake, pond or flowage
- In a 100-year floodplain
- Within 300 feet of a sinkhole
- Within 100 feet of a private well
- Within 1,000 feet of a community water supply well or wells serving a school or licensed childcare center unless three conditions are met:
 1. The Minnesota Department of Health has approved a drinking water supply management

area for the well under Minn. R. part 4720.5360;

2. The animal feedlot or manure storage area is not within the drinking water supply management area; and
3. The animal feedlot or manure storage area is not within 200 feet of the well.

Expansion Limitations

- An existing animal feedlot or a manure storage area located in shoreland may expand only to a capacity of 999 animal units or the manure produced by 999 animal units.
- An existing animal feedlot or a manure storage area located in a floodplain may not expand.

Air Quality Standards

Air quality standards for feedlots (MN Rules Chapter 7009) did not change as a result of this rule revision. State law provides an exemption of up to 21 days per year while manure is being removed from barns and manure storage areas. The exemption is allowed only when the operator provides notification to the MPCA or delegated county prior to manure removal.

For More Information

For more information about the revised feedlot rule or to download a copy of the revised rule, log onto the MPCA website at:

<http://www.pca.state.mn.us/hot/feedlot-rules.html>.

Or, for information call your area office listed on the first page of this fact sheet and ask for the feedlot officer, or call the Feedlot Service Center toll-free at (877) 333-3508.