

Notification requirements for feedlots

Feedlot owners are required to complete governmental and possible neighborhood notifications prior to construction or expansion of animal feedlots and manure storage areas. It is important to know that an expansion includes any activity that increases animal unit (AU) or manure storage capacity and may or may not involve construction (e.g. adding more animals to an existing barn).

All feedlots, regardless of size, must notify all local zoning authorities at least 30 days prior to construction or expansion or a feedlot or manure storage area. This notice must include the same content as the good neighbor notice outlined below and must be done even when other notifications or permits are required

Additional notification requirements are based upon the number of AUs at the feedlot.

- **Feedlots with less than 300 AU** must notify the delegated county feedlot officer or Minnesota Pollution Control Agency (MPCA) at least 30 days prior to construction or expansion.
 - This notification must be completed by submitting the standardized form [Notice of construction or expansion of an animal feedlot with less than 300 animal units](#).
 - An application for a feedlot permit (i.e. Interim permit) satisfies this notification requirement.
- **Feedlots with 500 or more AU** must notify all residents and property owners within 5,000 feet prior to construction or expansion. This is commonly referred to as the “good neighbor notice” and is required regardless of the type of permit coverage. A copy of this notice must also be sent to the township clerk.

Good neighbor notice

The good neighbor notice is required when any of the following apply:

- Construction of a new animal feedlot or manure storage area with a capacity of 500 or more AU at a new location (i.e. new feedlot site).
- Expansion at an existing animal feedlot or manure storage area that results in an animal holding or manure storage capacity of 500 or more AU upon completion.
- Expansion at an existing animal feedlot or manure storage area that currently has animal holding or manure storage capacity of 500 or more AU.

Construction activities at existing feedlots that do not increase animal holding or manure storage capacity, do not need this type of notification to the public. Below are some common examples:

- Construction of a feed storage area or commodity shed
- Construction of a dead animal management area (e.g. dead box, compost bunker, etc.)
- Construction of a barn to replace an open lot or calf hutches without increasing animal holding capacity

Even though a good neighbor notice may not be needed, a feedlot permit may be required before construction.

Performing the good neighbor notice

Completion of the good neighbor notice can be accomplished by any of the following:

- Delivery by first class mail (must send via certified mail – see verification section below)
- In person
- Publication in a newspaper of general circulation within the affected area
- Equal notification required as part of a county or township permit process

It is recommended the good neighbor notice be completed early in the planning process as the feedlot permit can only be issued after 20 business days have passed from the date of the notice.

Required good neighbor notice content

The notification must include the following information:

- Owner name or legal facility name
- County, township, section, and quarter section
- Species of livestock and total animal units
- Types of animal holding areas (e.g. total confinement barns, open lots, etc.)
- Types of manure storage areas (e.g. concrete pit, earthen basin, etc.)
- Note: Dimensions of structures are optional.

An example newspaper notice is provided below.

- An existing feedlot should first list the existing feedlot information and then describe the proposed expansion to the facility.
- A new feedlot would describe the proposed facility and would remove the proposed expansion information from the example notice.

NOTICE OF APPLICATION FOR A 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 or PROPOSED} feedlot is located in {1/4 SECTION, SECTION, TOWNSHIP, and COUNTY}. The {EXISTING or PROPOSED} facility consists of {SPECIES, TYPES, NUMBERS, AND ANIMAL UNITS; TYPES OF BUILDINGS AND/OR OPEN LOTS; AND TYPES OF MANURE STORAGE AREAS}. The proposed expansion consists of {SPECIES, TYPES, NUMBERS, AND ANIMAL UNITS; TYPES OF BUILDINGS AND/OR OPEN LOTS; AND TYPES OF MANURE STORAGE AREAS}. The final capacity will be {TOTAL AU} 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.

Verification of good neighbor notice

The permit applicant must submit to the MPCA, or delegated county, proof that the good neighbor notice was completed. Proof that the notice was completed can be provided by any of the following:

- 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 all parties with certified mail report of delivery or attempted delivery (return receipt optional)
- Affidavit of publication from the newspaper used to provide notification

The feedlot permit can only be issued after 20 business days have passed from the date of the notice.

Public notification by the MPCA

In addition to the notifications discussed in this fact sheet, the MPCA is required to public notice its intent to issue, reissue, or modify coverage under a National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) permit. This notice period is generally 30 days and allows for public participation in the permit process, including the opportunity to submit written comments. The MPCA prepares this notice and posts it to its website at: www.pca.state.mn.us/public-notices.

For more information

For more information on which type of feedlot permit is required in conjunction with the notification requirements visit: <https://www.pca.state.mn.us/water/which-permit-do-i-need>.

For more information about the feedlot program visit: www.pca.state.mn.us/feedlots