



Public Notification Requirements for Feedlots

A feedlot owner must provide notification to the public whenever construction or expansion of an animal feedlot or manure storage area with a capacity of 500 or more animal units (AU) is proposed. This is commonly referred to as the “good neighbor notice.” Public notification is also required as part of the permit process for feedlots or manure storage areas that are required to obtain national pollutant discharge elimination system (NPDES) or state disposal system (SDS) permit coverage.

Notice of construction or expansion – “good neighbor notice”

The good neighbor notice is required regardless of the type of permit coverage desired. A permit applicant must notify the public with the good neighbor notice when any of the following apply:

1. Construction of a new animal feedlot or manure storage facility, with a capacity of 500 or more AU, at a location where an animal feedlot or manure storage area does not currently exist (i.e. new site).
2. Expansion at an existing animal feedlot or manure storage area such that the animal holding or manure storage capacity will exceed 500 or more AU upon completion of the expansion.
3. Expansion at an existing animal feedlot or manure storage area that currently has animal holding or manure storage capacity of 500 or more AU.

Note: Expansion includes any activity that increases animal unit or manure storage capacity. An expansion may or may not involve construction (e.g. adding more animals to an existing barn).

It is important to understand that the act of construction at an existing facility does not trigger the need for the good neighbor notice, unless it is also an expansion. Construction activities that do not increase animal holding or manure storage capacity can occur without the need for this type of notification to the public. Below are some common examples of construction activities that would not require the good neighbor notice:

- 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 roof over an open lot provided animal holding capacity is not increased

Please be aware that even though the good neighbor notice may not be required, a permit, or permit modification, may be required prior to commencement of the project.

How to complete the good neighbor notice

When required, the permit applicant must provide notification to residents and property owners within 5,000 feet of the proposed/existing feedlot or manure storage area. Completion of the notification can be accomplished by any of the following:

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

A copy of the notice must also be sent to the town clerk via first class mail. It is recommended the notification process start prior to the submittal of an application for a permit. Completing the notice early in the process allows feedback from neighbors to be considered in the design and layout of the feedlot or manure storage area, possibly easing concerns that they may have. An additional reason to complete the notification process prior to application submittal is that the MPCA, or delegated county, must wait 20 business days after the completion of the good neighbor notice before a feedlot permit can be issued.

Required good neighbor notice contents

The notification must include the following information:

1. Owner name or legal facility name
2. County, township, section, and quarter section
3. Species of livestock and total animal units
4. Types of animal holding areas (e.g. total confinement barns, open lots, etc.)
5. Types of manure storage areas (e.g. concrete pit, earthen basin, etc.)

An example newspaper notice is provided below (insert your facility-specific information within the bracketed areas):

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 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 AND/OR OPEN LOTS; AND TYPES OF MANURE STORAGE AREAS}. The proposed facility consists of {SPECIES, TYPES, NUMBERS, AND ANIMAL UNITS; TYPES OF BUILDINGS AND/OR OPEN LOTS; AND TYPES OF MANURE STORAGE AREAS}. 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}.

Verification of good neighbor notice

The MPCA, or delegated county, must verify that the good neighbor notice was completed and cannot issue the desired permit until 20 business days have passed from completion of the notice. Proof that the notice was completed can be provided by any of the following:

1. List of all parties visited in person with date and their signature;
2. List of all parties visited with certification signed by notary public indicating in detail what was discussed;
3. List of all parties with certified mail report of delivery or attempted delivery (return receipt optional);
4. Affidavit of publication from the newspaper used to provide notification

The permit application may be submitted prior to providing the required verification of the notice; however, a copy of the content of the notice must be submitted with the permit application so that the notice can be evaluated for adequacy.

Public notification of permit actions

In addition to the good neighbor notice, the MPCA is required to public notice its intent to issue, reissue, or modify coverage under a NPDES or SDS permit. This public notice is completed by the MPCA, not the applicant. After receipt of a complete permit application, and approval of its contents, the MPCA will notice its intent to issue, reissue, or modify permit coverage. This notice period is at least 30 days and allows for public participation in the permit process, including the opportunity to submit written comments.

Public notice occurs on the MPCA website at www.pca.state.mn.us/public-notices.

For more information

For more information about the feedlot program in Minnesota, please visit the MPCA website at www.pca.state.mn.us/feedlots.