

A. Permit Provisions and Program Elements

Minnesota



Feedlot Registration

Minnesota Rule [7020.0350](#) requires that animal feedlots with 50 or more animal units register with the Minnesota Pollution Control Agency (MPCA) prior to or upon commencement of operation. MPCA planners and the state legislature use feedlot registration data to:

- Locate livestock and manure storage facility owners and identify high priority environmental problems;
- Convey regulatory and education information to livestock and manure storage facility owners; and
- Collect data for the further development and implementation of the feedlot regulatory program.

In particular, county feedlot programs receive state grants based in part on the number of registered feedlots in the county. In recent years, annual grants statewide have totaled nearly \$2 million ([MPCA 2014](#)).

The registration requirement is extended to feedlots with as few as 10 animal units in shoreland areas. Shoreland includes lakes and ponds typically greater than 25 acres in size, and rivers, streams, and other waters of the state. County and city zoning ordinances contain a list of specific waters with a shoreland designation ([MPCA 2001](#)).

Minnesota Administrative Rules

7020.0350 Registration Requirements for Animal Feedlots and Manure Storage Areas,

Subpart 2. Owners required to register.

7020.0350 Subp. 2.A. Owners of the following facilities are required to register with the commissioner or delegated county, except as provided in item B:

7020.0350 Subp. 2.A.(1) an animal feedlot capable of holding 50 or more animal units, or a manure storage area capable of holding the manure produced by 50 or more animal units; and

7020.0350 Subp. 2.A.(2) an animal feedlot capable of holding ten or more and fewer than 50 animal units, or a manure storage area capable of holding the manure produced by ten or more and fewer than 50 animal units, that is located within shoreland.

7020.0350 Subp. 2.B. An owner of a livestock facility located on county fairgrounds is not required to register, in accordance with [Laws 2000, chapter 435, section 10, paragraph \(c\), clause \(6\)](#).

7020.0300 Definitions

Subpart 21. Shoreland

7020.0300 Subpart. 21. "Shoreland" means land...located within the following distances from the ordinary high water elevation of public waters:

7020.0300 Subp. 21.A. land within 1,000 feet from the normal high water mark of a lake, pond, or flowage; and

7020.0300 Subp. 21.B. land within 300 feet of a river or stream or the landward side of floodplain delineated by ordinance on such a river or stream, whichever is greater.

Pasture-based livestock operations do not need to register with MPCA. According to Minnesota Rule 7020, "pastures are areas where grass or other growing plants are used for grazing and where the concentration of animals is such that a vegetation cover is maintained during the growing season except in the immediate vicinity of temporary supplemental feeding or watering devices" ([MPCA 2009](#)). This definition also extends to agricultural land that is grazed during the winter and used for cropping purposes in the growing season (for a complete definition, see Minnesota Rule [7020.0300 Definitions](#), Subpart 18).

A feedlot owner registers by filling out an [MPCA feedlot registration form](#) and returning the form to the MPCA or a county feedlot officer, or by filling out a permit application if the feedlot is required to obtain an NPDES or State Disposal System (SDS) permits. Feedlot owners must update their registration every four years after the initial registration deadline of January 1, 2002.

Programmatic Framework

MPCA is authorized to implement the feedlot registration requirement pursuant to Minnesota Statutes:

- Chapter 115 Water Pollution Control; Sanitary Districts, [Section 03 Powers and Duties](#); and
- Chapter 116 Pollution Control Agency, [Section 07 Powers and Duties](#).

Implementation

Fifty-three of Minnesota's 87 counties administer a feedlot program through a cooperative arrangement between the MPCA and county government. Each county feedlot program has a County Feedlot Officer responsible for implementing state feedlot regulations for facilities with fewer than 1,000 animal units, or

larger feedlots that do not require an NPDES CAFO permit. County feedlot program responsibilities include registration, permitting, inspections, education and assistance, and complaint follow-up.

In 2014, approximately 18,000 feedlots were registered with the MPCA (Table 1); 60% of registered feedlots in delegated counties are located outside of shoreland and house 50 to 299 animal units. Approximately 3,000 of all registered feedlots in Minnesota are located in non-delegated counties ([MPCA 2015](#)).

Table 1. Number and percentage of registered feedlots in delegated counties for 2014 ([MPCA 2015](#)).

Feedlots in Shoreland 10-299 AU*	Feedlots Outside Shoreland 50-299 AU	Non-NPDES Feedlots ≥300** AU	Feedlots with NPDES Permits
1,215 / 7%	10,945 / 67%	3,047 / 18%	1,234 / 8%

*AU = Animal Unit. Mature dairy cow over 1,000 lbs. = 1.4 AU, cow/calf pair = 1.2, beef steer = 1.0, swine 55-300 lbs. = 0.3, sheep = 0.1, broiler chicken (over 5 lbs., dry manure) = 0.005, turkey over 5 lbs. = 0.018.

**Sites with fewer than 300 AUs that are not designated as a CAFO do not need to apply for a permit but are still required to comply with the technical standards in the Feedlot Rules ([MPCA and MDA 2008](#)).

Results

State officials used registration information to locate and contact poultry operations when avian flu struck poultry flocks in 2015 ([MPCA 2015](#)).

References

- MPCA (Minnesota Pollution Control Agency). 2001. *Do I Need to Register My Feedlot or Manure Storage Area?* Wq-f4-02, Revised April 30, 2001. <https://www.pca.state.mn.us/sites/default/files/wq-f4-02.pdf>. Accessed February 8, 2016.
- MPCA (Minnesota Pollution Control Agency). 2009. *Feedlot Registration*. Water Quality/Feedlots 4.01, Updated August 2009. <https://www.pca.state.mn.us/sites/default/files/wq-f4-01.pdf>. Accessed February 8, 2016.
- MPCA (Minnesota Pollution Control Agency). 2014. *Livestock and the environment: MPCA Feedlot Program overview*. <https://www.pca.state.mn.us/sites/default/files/wq-f1-01.pdf>. Accessed February 8, 2016.
- MPCA (Minnesota Pollution Control Agency). 2015. *County Feedlot Program Report*. <https://www.pca.state.mn.us/sites/default/files/lrwq-f-1sy16.pdf>. Accessed February 8, 2016.
- MPCA (Minnesota Pollution Control Agency) and MDA (Minnesota Department of Agriculture). 2008. *The Minnesota Livestock Producer's Guide to Feedlot Rules: Overview of the Feedlot Rules, Minnesota Rules, Chapter 7020*. <http://www.mda.state.mn.us/~media/Files/animals/feedlotrulesguide.ashx>. Accessed February 11, 2016.