

Revised Environmental Review for Animal Feedlots

Includes New Exemption Created in 2003 Legislative Session

Tables 1 and 2 show the mandatory environmental assessment worksheet (EAW) and exemption categories **effective July 1, 2003** for construction of **new** animal feedlots (Table 1) and **expansion** of existing feedlots (Table 2). Boxes on this fact sheet provide definitions of terms used in the tables and the conditions established by the legislature that a feedlot must meet to be eligible for the new exemptions.

For further information visit the EQB website at: www.eqb.state.mn.us/review.html, or call Gregg Downing at the Environmental Quality Board at (651) 205-4660 or Randy Hukriede at the MPCA at (218) 828-6076.

Table 1 New Animal Feedlot Construction

Number of animal units is...	<i>Non-sensitive areas</i>		<i>Sensitive areas</i>	
	Exempt?	EAW Mandatory?	Exempt?	EAW Mandatory?
1000 or more	No	Yes	No	Yes
more than 500 but less than 1000	Yes, if exemption conditions met. See box.	No	No	Yes
300 or more but less than 500	Yes, if exemption conditions met. See box.	No	No	No
50 or more but less than 300	Yes	No	No	No
less than 50	Yes	No	Yes	No

Glossary

Animal units: EQB's rules use animal units as defined in the MPCA chapter 7020 rules.

Sensitive areas are shorelands; delineated flood plains (along Red River only includes 1,000 feet from bank); federal, state or local wild and scenic river districts; within 1,000 feet of a karst feature (sinkhole, cave, disappearing spring, resurgent spring, karst window, dry valley or blind valley); and vulnerable parts of delineated drinking water supply management areas.

Mandatory EAW: An EAW is legally required.

Exempt: No EAW can be required under any circumstances by any unit of government.

Table 2 Expansion of Existing Animal Feedlot

Number of animal units added is...	Total number of animal units after construction is...	Non-sensitive areas		Sensitive areas	
		Exempt?	EAW Mandatory?	Exempt?	EAW Mandatory?
1000 or more	1000 or more	No	Yes	No	Yes
more than 500 but less than 1000	less than 1000*	Yes, if exemption conditions met. See box.	No	No	Yes
100 or more but less than 500	less than 1000*	Yes, if exemption conditions met. See box.	No	No	No
50 or more but less than 100	Not applicable	Yes	No	No	No
less than 50	less than 50	Yes	No	Yes	No

* If the total cumulative capacity of the animal feedlot is 1000 animal units or more, then the feedlot is not exempt.

Exemption Conditions for New Construction between 300 and 1000 animal units and Expansion between 100 and 1000 animal units (see tables)

Such animal feedlots are exempt if:

1. The application for the animal feedlot includes a written commitment by the proposer to design, construct and operate the facility in full compliance with Minnesota Pollution Control Agency (MPCA) feedlot rules; and
2. The county board holds a public meeting for citizen input at least ten business days before the MPCA or county issues a feedlot permit, unless another public meeting for citizen input has been held with regard to the feedlot to be permitted.

The MPCA has revised the feedlot permit application form to incorporate additional language satisfying condition #1.

For suggestions about holding a public meeting for citizen input consult “New Exemptions for Environmental Review of Feedlots From 2003 Legislative Session” (available at the EQB website under Feedlot Environmental Review at: www.eqb.state.mn.us/review.html)