

Environmental Quality Board

Adopted Permanent Rules Relating to Animal Feedlots

4410.4300 MANDATORY EAW CATEGORIES.

[For text of subps 1 to 28, see M.R.]

Subp. 29. **Animal feedlots.** The PCA is the RGU for the types of projects listed in items A and B unless the county will issue the feedlot permit, in which case the county is the RGU. However, the county is not the RGU prior to January 1, 2001.

A. For the construction of an animal feedlot facility with a capacity of 1,000 animal units or more or the expansion of an existing facility by 1,000 animal units or more if the facility is not in an area listed in item B.

B. For the construction of an animal feedlot facility of more than 500 animal units or expansion of a an existing animal feedlot which facility by more than 500 animal units if the facility is located wholly or partially in any of the following sensitive locations: 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 headwaters area; or an area within a wellhead protection drinking water supply management area designated delineated under chapter 4720, where the aquifer is identified in the wellhead protection plan as vulnerable to contamination; or within 1,000 feet of a known sinkhole, cave, resurgent spring, disappearing spring, Karst window, blind valley, or dry valley.

The provisions of part 4410.1000, subpart 4, regarding connected actions do not apply to animal feedlots. The provisions of part 4410.1000, subpart 4, regarding phased actions apply to feedlots.

With the agreement of the proposers, the RGU may prepare a single EAW to collectively review individual sites of a multisite feedlot proposal.

1 [For text of subps 30 to 36, see M.R.]

2 **4410.4600 EXEMPTIONS.**

3 [For text of subps 1 to 18, see M.R.]

4 Subp. 19. **Animal feedlots.** The following activities in items A to C are exempt:

5 A. The construction of an animal feedlot facility of less than 300 animal units or the
6 expansion of an existing facility by less than 100 animal units, no part of either of which
7 is located within a shoreland area; delineated flood plain; state or federally designated
8 wild and scenic rivers district; the Minnesota River Project Riverbend area; the
9 Mississippi headwaters area; an area within a wellhead protection drinking water
10 supply management area designated under chapter 4720; where the aquifer is identified
11 in the wellhead protection plan as vulnerable to contamination; or 1,000 feet of a known
12 sinkhole; and, cave, resurgent spring, disappearing spring, Karst window, blind valley,
13 or dry valley.

14 B. The construction or expansion of an animal feedlot facility with a resulting
15 capacity of less than 50 animal units regardless of location.

16 C. The modification without expansion of capacity of any feedlot of no more than
17 300 animal units if the modification is necessary to secure a Minnesota feedlot permit.

18 [For text of subps 20 to 26, see M.R.]