

HOUSE RESEARCH

Bill Summary

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Subject: Feedlots; Regulation Transferred to Ag Dept.

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Overview

House File 495 transfers authority and responsibility for feedlot rulemaking and feedlot permitting from the pollution control agency (PCA) to the department of agriculture (MDA).

Section

1 **Feedlots.**

Subd. 1. Authority of commissioner. Transfers authority for issuing permits and regulating feedlots from the PCA to the MDA. The transfer is effective July 1, 2001.

Subd. 2. Animal unit. Transfers details on how to calculate animal units from PCA statutes (Minnesota Statutes, chapter 116) to the MDA statutes (chapter 17).

2 **Permittee qualifications.** Transfers details on minimum qualifications for an applicant to receive an animal feedlot permit from PCA statutes to the MDA statutes.

3 **Counties; processing of applications for animal lot permits.** Transfers from PCA to MDA the optional program of delegating feedlot responsibility to individual counties. Language moved includes definitions; the statement of county responsibilities; exceptions; discharges; an instruction for interagency, intergovernmental, and public-private cooperation; rulemaking authority; a provision for more stringent county ordinances; and limits on requiring upgrades.

4 **Notice of application for livestock feedlot permit.** Transfers details on the required public notice before a permit to build or expand an animal feedlot from PCA statutes to the MDA statutes.

5 **Livestock odor.** Transfers regulation of livestock odor from PCA statutes to the MDA statutes.

6 **Best management practices.** Transfers from the PCA to the MDA responsibility for developing voluntary best management practices for odor control at feedlots.

7 **Disposition of carcasses.** Transfers from the PCA to the MDA responsibility for distributing information on best management practices for dead animal disposal.

- 8 **Major facility.** Strikes from PCA statutory language the part of the definition of "major facility" that includes a feedlot with 1,000 or more animal units.
- 9 **Authority of commissioner.** Strikes from PCA statutory language the responsibility for permitting animal feedlot facilities.
- 10 **Feedlot zoning ordinances.** Removes a requirement that a county proposing a feedlot ordinance must notify the PCA. (The county still must notify MDA.)
- 11 **Agricultural operation not a nuisance.** Changes a reference to feedlot rules from PCA to MDA.
- 12 **Repealer.** Repeals the sections and subdivisions of statute that had given feedlot rulemaking and permit authority to the PCA.