

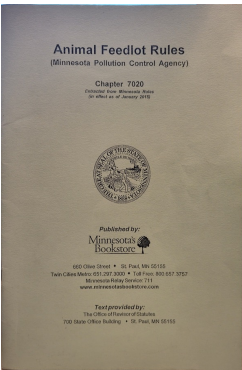
Early Feedback to Possible Changes to Feedlot General Permits

January 29, 2024



Protecting Minnesota's waters

MPCA



Feedlot Rule
Environmental regulations for all types and sizes of feedlots

**AUTHORIZATION TO CONSTRUCT AND OPERATE
A CONCENTRATED ANIMAL FEEDING OPERATION
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM
MNSG440000**

Permittee: Multiple
Facility name: Feedlot NPDES General Permit
City or Township: Statewide
County: Statewide
Issuance date: February 1, 2011
Expiration date: January 31, 2026

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee named above seeking coverage under this general permit to construct and operate a concentrated animal feeding operation in accordance with the requirements of this permit. This permit includes all state requirements for CAFOs and animal feedlots and/or manure storage areas capable of holding 1,000 animal units or more and thus satisfies the requirement to obtain coverage under the State Disposal System permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This coverage is effective on the issuance date identified above and supersedes any previous animal feedlot permit coverage. This permit expires at midnight on the expiration date identified above.

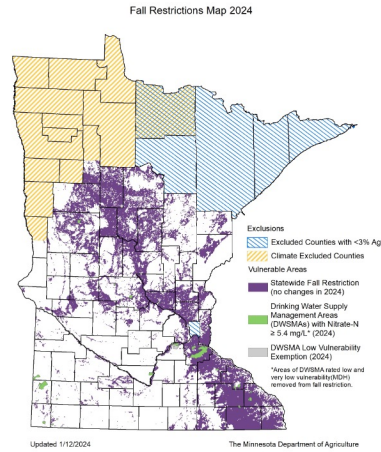
Signature: *Glenn Stuta* for the Minnesota Pollution Control Agency
Glenn Stuta
Division Director
Waterland Division

Permit application
Submit via the MPCA Online Services Portal at www.pca.state.mn.us/online

Annual reports
Refer to www.pca.state.mn.us/functions for the most current forms/form and submital process.

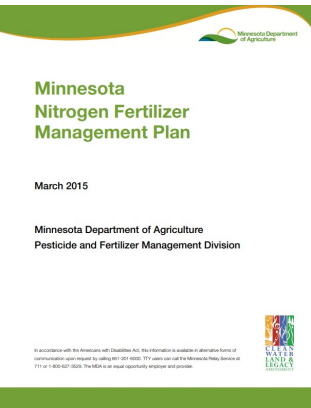
Feedlot Permits
Additional environmental regulations for 'large' feedlots

Nitrogen Fertilizer Management Plan
Reducing nitrogen impacts from all commercial fertilizer applications



Groundwater Protection Rule
Regulations for commercial fertilizers in vulnerable areas

MDA



Approximately 1,000 facilities are permitted

More than 17,000 feedlots are registered in Minnesota

The feedlot general permits impact approximately 1,000 facilities in the state

NPDES – National Pollutant Discharge Elimination System (federal permit)

- General permit for roughly 800 sites expires Jan 31, 2026

SDS – State Disposal System (state permit)

- General permit for roughly 250 sites expires May 31, 2025

Concurrent process to issue new general permits

Focus on groundwater protection and manure runoff



Continuing to reduce nitrates in our ground and surface waters further protects human health and our environment

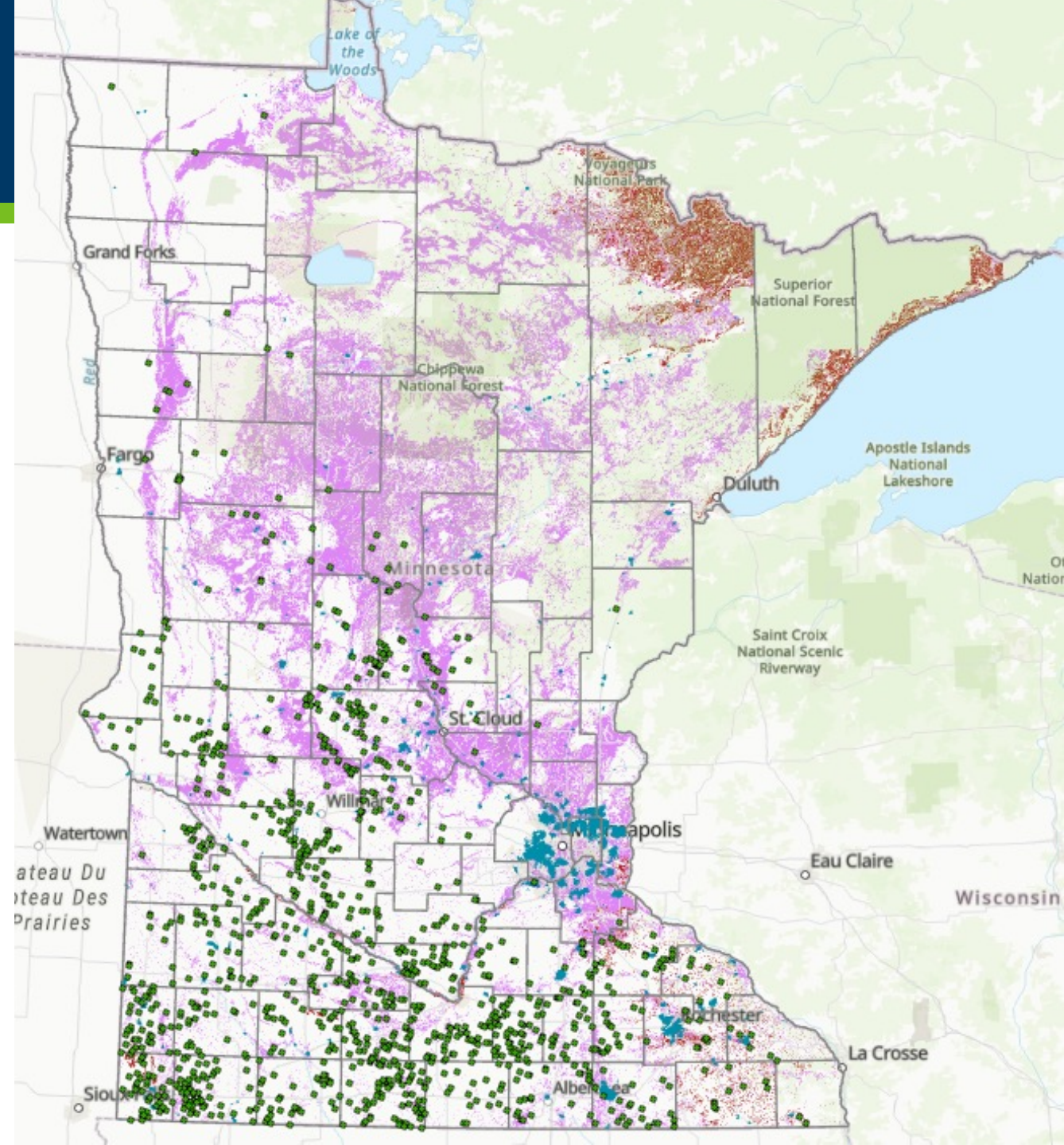
Protecting groundwater near vulnerable fields

A vulnerable field is near an area where nitrate can move easily through soil and into groundwater, contaminating drinking water sources

3 considerations

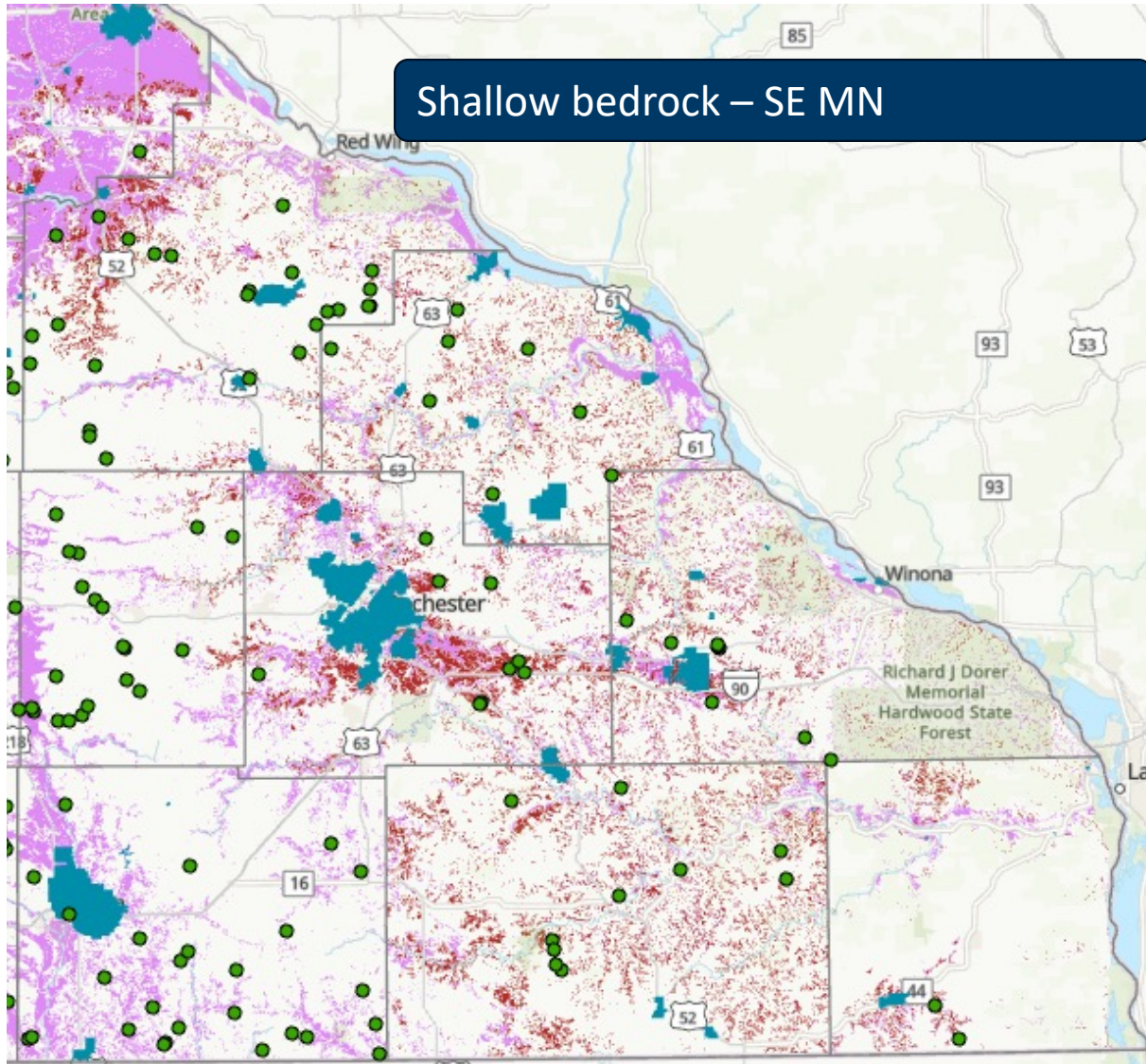
- Shallow bedrock (rust color)
- Coarse texture (purple color)
- Drinking Water Supply Management Areas (DWSMAs - teal color)
 - Moderate – very high vulnerability

(Green dots = permitted feedlots)

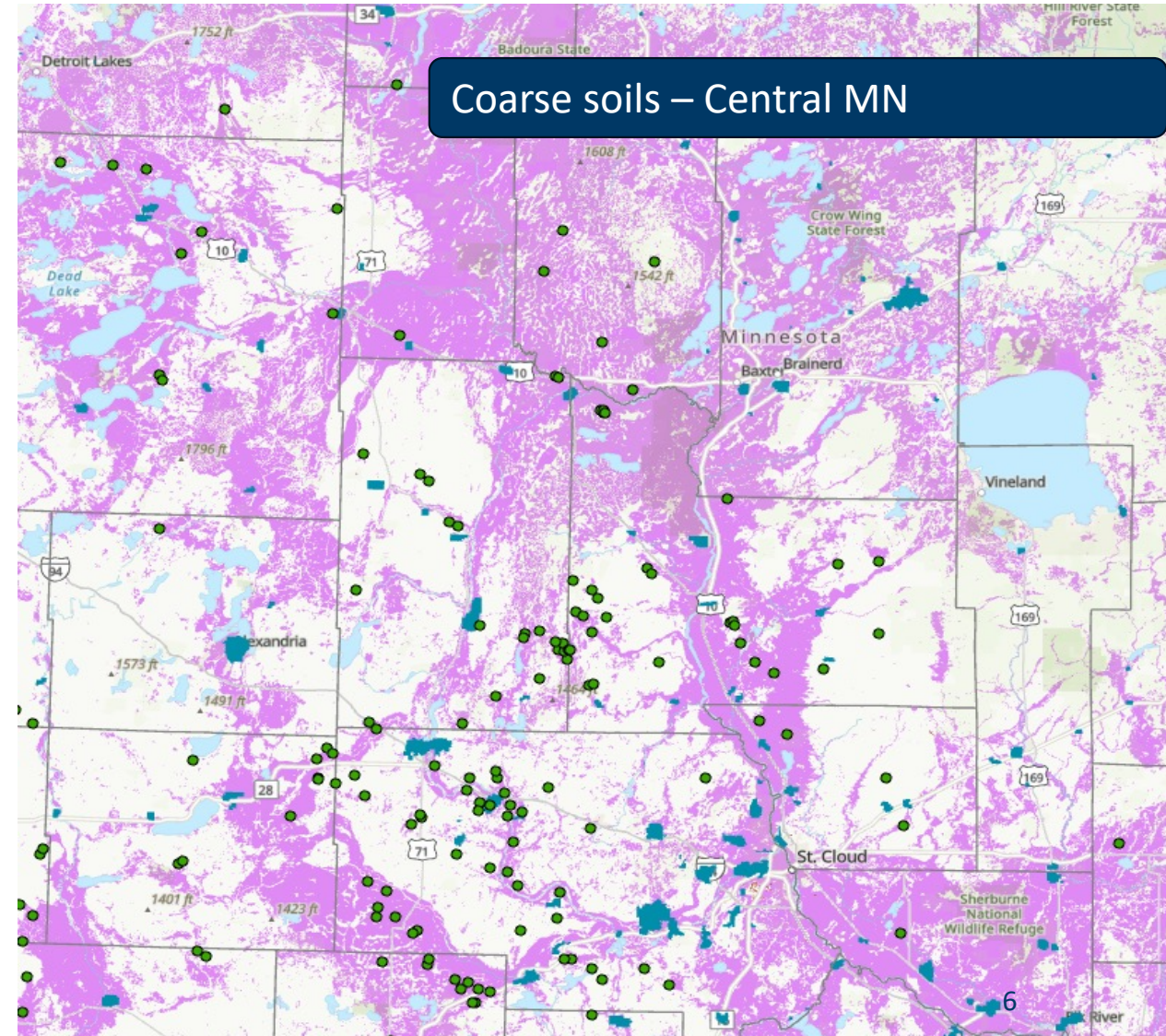


Southeast and central Minnesota are vulnerable areas

Shallow bedrock – SE MN



Coarse soils – Central MN



Phased approach for vulnerable field requirements

Goals: Applying nitrogen closer to crop uptake periods and increasing living cover to limit nitrate leaching potential

- Farmers need time to plan how best to make changes to application practices
 - Utilize more cover crops and perennials in rotations
- Industry needs time to build-up capacity to support an increase in cover crops
 - Seed supply, seeding equipment, etc.

Initial phase for vulnerable field requirements

During 2026 and 2027, farmers will need to either:

- Reduce fall nitrogen application with option for additional nitrogen at planting or later

or

- Implement one of the final phase (2028) measures

Winter application also prohibited

Final phase for vulnerable fields effective in 2028

Beginning in 2028, farmers need to implement one of the following:

- Apply to an actively growing crop
- Apply to an actively growing cover crop or plant a cover crop within 14 days of harvest
- Spring application
- Perennial crop for at least 2 of the next 5 years

Note: no rate limit/reduction

Winter application also prohibited



Using best practices to prevent manure runoff

- 1) Incorporation of manure when applying within 100-year floodplain
- 2) Visual inspections of land application fields for signs of discharge
(modeled after Michigan and Idaho permits)

Where:

- Down-gradient field edges and water features (tile intakes, ditches, etc.)

When:

- At least 1 time during application
- At the end of each workday
- Within 24 hours of a ½ inch or greater rainfall that occurs within 14 days of application
 - Unless manure is worked into the soil

Consistently manage manure

Goal: Land apply all manure generated at permitted sites under the same requirements, including when manure is transferred

Step 1: Planning

Permittee incorporates permit requirements into Manure Management Plan (MMP)

- Nitrogen best management practices (BMPs)
- Winter application restrictions
- Vulnerable fields restrictions
- Land application site inspections

Same manure application requirements for recipients

Step 2: Follow MMP

Existing feedlot rule requires recipients to follow MMP of Permittee

- Forms that manure recipients receive from the manure generator will be updated to include the requirements of the MMP
 - Nitrogen BMPs
 - Winter application restrictions
 - Vulnerable fields restrictions
 - Land application site inspections

Gathering records in one location

Step 3: Record keeping

Recipient will report back to Permittee more specifics of the application

- The information **currently required** to be recorded by the recipient
- October nitrogen BMPs (if applicable) and
- Indication land application inspections were completed

All land application activities reported to MPCA annually by Permittee

Transferred manure comparison

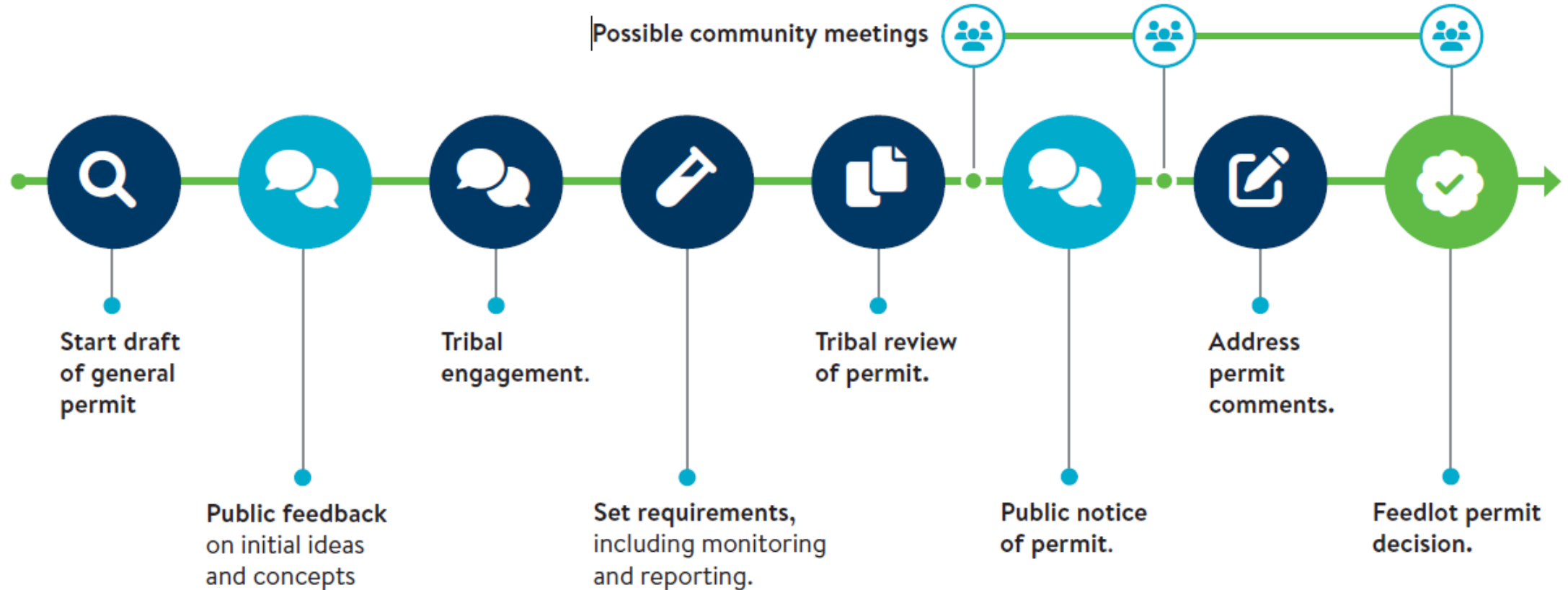
Current

1. Manure recipient complies with state rule requirements and MMP
 - MMP requirements equivalent to state rule requirements
2. Info for complete manure application record separated
 - ½ with permittee and ½ with recipient

Proposed

1. Manure recipient complies with state rule requirements and MMP
 - MMP requirements include state rule **and** permit requirements
 - Nitrogen BMPs
 - Winter application restrictions
 - Vulnerable fields restrictions
 - Land application site inspections
2. Info for complete manure application record maintained by permittee

Goal: Applications open Dec. 2024



Questions and feedback