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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4630

03/07/2024 Authored by Smith, Hemmingsen-Jaeger, Pursell and Hansen, R., The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to pollution control; modifying manure management plan requirements
1.3 for feedlots; establishing minimum setbacks and inspection frequencies; specifying
1.4 penalties for manure management plan violations; authorizing rulemaking;
1.5 appropriating money; amending Minnesota Statutes 2022, section 116.07, by
1.6 adding subdivisions.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision
1.9 to read:

1.10 Subd. 7f. Manure management plans. (a) A manure management plan that satisfies
1.11 the requirements of this chapter and rules adopted by the commissioner under this chapter
1.12 is required for any feedlot capable of holding 500 or more animal units.

1.13 (b) Before approving a manure management plan, the commissioner must ensure that
1.14 all wells and application fields identified in or affected by the manure management plan
1.15 are tested for baseline nutrient load levels. Subsequent feedlot inspections must include
1.16 nutrient load testing of at least 50 percent of the wells and fields initially subjected to baseline
1.17 testing.

1.18 (c) The commissioner must make available in a digital and searchable format on the
1.19 agency's website a tool that allows the user to view the location of all land identified as
1.20 available for manure and process wastewater application in a manure management plan
1.21 approved by the commissioner or a delegated county. In addition to the location of all land
1.22 available for application, the tool must identify the size in animal units of the feedlot
1.23 associated with each plan, the type of animal raised at the feedlot, and the unit of government

2.1 with authority over the permitting and inspection of the feedlot and its manure management
2.2 plan.

2.3 (d) The owner of a feedlot capable of holding more than 500 animal units must pay to
2.4 the commissioner a fine of at least \$5,000 for each violation of the feedlot's manure
2.5 management plan. In determining the fine amount, the commissioner must consider the
2.6 feedlot's size and the severity of the violation. Money collected by the commissioner under
2.7 this paragraph must be deposited in a dedicated account in the environmental fund and is
2.8 appropriated to the commissioner for projects that improve water quality in the feedlot's
2.9 watershed.

2.10 Sec. 2. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
2.11 read:

2.12 Subd. 7g. **Minimum setbacks.** (a) A feedlot capable of holding more than 500 animal
2.13 units or a liquid manure storage area capable of storing manure produced by more than 500
2.14 animal units must be located at least 1,000 feet from a sinkhole.

2.15 (b) A liquid manure storage area capable of holding manure produced by more than 500
2.16 animal units must be located at least 2,000 feet from a municipal well or hospital.

2.17 (c) It is unlawful to spread liquid manure within 500 feet of a:

2.18 (1) sinkhole;

2.19 (2) residential well;

2.20 (3) stream, river, or creek or the floodplain boundary of any stream, river, or creek;

2.21 (4) lake, pond, or flowage over 25 acres in size; or

2.22 (5) a type 3, 4, or 5 wetland, as defined in section 103G.005, subdivision 17b, if
2.23 designated as shoreland by a county or the commissioner of natural resources.

2.24 Sec. 3. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
2.25 read:

2.26 Subd. 7h. **Feedlot inspection rates.** (a) At a minimum, a delegated county must inspect
2.27 at least 20 percent of the feedlots under its jurisdiction each year.

2.28 (b) Feedlots under the jurisdiction of the commissioner must be inspected every year.

3.1 Sec. 4. **RULEMAKING AUTHORIZED.**

3.2 The commissioner of the Pollution Control Agency may amend Minnesota Rules, chapter
3.3 7020, to conform with section 1. The commissioner may use the good cause exemption
3.4 under Minnesota Statutes, section 14.388, subdivision 1, clause (3), and Minnesota Statutes,
3.5 section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.