CKM/DD

SENATE STATE OF MINNESOTA NINETY-THIRD SESSION

S.F. No. 4581

 (SENATE AUTHORS: KUNESH, Morrison and Boldon)

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 OFFICIAL

 03/04/2024
 Introduction and first reading Referred to Environment, Climate, and Legacy

OFFICIAL STATUS

A bill for an act 1.1 relating to pollution control; modifying manure management plan requirements 12 for feedlots; establishing minimum setbacks and inspection frequencies; specifying 1.3 penalties for manure management plan violations; authorizing rulemaking; 1.4 appropriating money; amending Minnesota Statutes 2022, section 116.07, by 1.5 adding subdivisions. 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.7 Section 1. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision 1.8 to read: 1.9 Subd. 7f. Manure management plans. (a) A manure management plan that satisfies 1.10 the requirements of this chapter and rules adopted by the commissioner under this chapter 1.11 is required for any feedlot capable of holding 500 or more animal units. 1.12 (b) Before approving a manure management plan, the commissioner must ensure that 1.13 1.14 all wells and application fields identified in or affected by the manure management plan are tested for baseline nutrient load levels. Subsequent feedlot inspections must include 115 nutrient load testing of at least 50 percent of the wells and fields initially subjected to baseline 1.16 testing. 1.17(c) The commissioner must make available in a digital and searchable format on the 1.18 agency's website a tool that allows the user to view the location of all land identified as 1.19 available for manure and process wastewater application in a manure management plan 1.20 approved by the commissioner or a delegated county. In addition to the location of all land 1.21 available for application, the tool must identify the size in animal units of the feedlot 1.22 associated with each plan, the type of animal raised at the feedlot, and the unit of government 1.23

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02/27/24	REVISOR	CKM/DD	24-07272	as introduced
with authority of	over the permitti	ng and inspection	n of the feedlot and its mar	ure management
<u>plan.</u>				
(d) The own	ner of a feedlot o	capable of holdin	g more than 500 animal u	nits must pay to
the commission	ner a fine of at le	east \$5,000 for ea	ach violation of the feedlo	t's manure
management pl	an. In determini	ing the fine amou	ant, the commissioner mus	st consider the
feedlot's size ar	nd the severity o	f the violation. M	Ioney collected by the con	nmissioner under
this paragraph	must be deposite	ed in a dedicated	account in the environme	ental fund and is
appropriated to	the commission	ner for projects th	nat improve water quality	in the feedlot's
watershed.				
Sec. 2. Minne	esota Statutes 20)22, section 116.0	07, is amended by adding	a subdivision to
read:				
<u>Subd. 7g.</u> N	<u> Iinimum setba</u>	cks. (a) A feedlot	t capable of holding more	than 500 animal
units or a liquid	l manure storage	e area capable of	storing manure produced l	by more than 500
animal units m	ust be located at	least 1,000 feet	from a sinkhole.	
(b) A liquid	manure storage	area capable of h	olding manure produced	by more than 500
animal units m	ust be located at	least 2,000 feet	from a municipal well or	hospital.
<u>(c)</u> It is unla	wful to spread	liquid manure wi	thin 500 feet of a:	
(1) sinkhole	<u>.</u>			
(2) resident	ial well;			
(3) stream, :	river, or creek o	r the floodplain b	boundary of any stream, ri	ver, or creek;
(4) lake, po	nd, or flowage o	over 25 acres in s	ize; or	
(5) a type 3	, 4, or 5 wetland	l, as defined in se	ection 103G.005, subdivis	<u>ion 17b, if</u>
designated as s	horeland by a co	ounty or the com	missioner of natural resou	rces.
See 2 Minus		22	7	1
	esota Statutes 20	J22, section 116.0	<i>J</i> ⁷ , is amended by adding	a subdivision to
read:				
<u>Subd. 7h.</u> F	eedlot inspectio	on rates. (a) At a	minimum, a delegated cou	anty must inspect
at least 20 perc	ent of the feedlo	ots under its juris	diction each year.	
(b) Feedlots	under the juris	diction of the cor	nmissioner must be inspe	cted every year.
	with authority of plan. (d) The own the commission management pl feedlot's size and this paragraph if appropriated to watershed. Sec. 2. Minnel read: Subd. 7g. M units or a liquid animal units min (b) A liquid animal units min (c) It is unla (1) sinkhole (2) resident (3) stream, find (4) lake, por (5) a type 3 designated as sin Sec. 3. Minnel (1) sinkhole (2) resident (3) stream, find (4) lake, por (5) a type 3 designated as sin Sec. 3. Minnel (1) sinkhole (2) resident (3) stream, find (3) stream, find (4) lake, por (5) a type 3 designated as sin Sec. 3. Minnel (1) sinkhole (2) resident (3) stream, find (4) lake, por (5) a type 3 (5) a type 3 (5) a type 3 (6) A liquid (1) sinkhole (1) sinkhole (2) resident (3) stream, find (4) lake, por (5) a type 3 (5) a type 3 (6) A liquid (1) sinkhole (1) sinkhole (2) resident (3) stream, find (4) lake, por (5) a type 3 (5) a type 3 (6) A liquid (7) Stream, find (7) Strea	with authority over the permitting plan. (d) The owner of a feedlot of the commissioner a fine of at left management plan. In determining feedlot's size and the severity of this paragraph must be deposited appropriated to the commission watershed. Sec. 2. Minnesota Statutes 20 read: Subd. 7g. Minimum setback units or a liquid manure storage animal units must be located at (b) A liquid manure storage animal units must be located at (c) It is unlawful to spread 1 (1) sinkhole; (2) residential well; (3) stream, river, or creek of (4) lake, pond, or flowage of (5) a type 3, 4, or 5 wetland) designated as shoreland by a compared as shoreland by a compared of the feedlot and the spread 1 (1) sinkhole;	with authority over the permitting and inspection plan. (d) The owner of a feedlot capable of holding the commissioner a fine of at least \$5,000 for ear management plan. In determining the fine amout feedlot's size and the severity of the violation. My this paragraph must be deposited in a dedicated appropriated to the commissioner for projects the watershed. Sec. 2. Minnesota Statutes 2022, section 116.0 read: Subd. 7g. Minimum setbacks. (a) A feedlor units or a liquid manure storage area capable of painmal units must be located at least 1,000 feet (b) A liquid manure storage area capable of painmal units must be located at least 2,000 feet (c) It is unlawful to spread liquid manure with (1) sinkhole; (2) residential well; (3) stream, river, or creek or the floodplain be (4) lake, pond, or flowage over 25 acres in se (5) a type 3, 4, or 5 wetland, as defined in see designated as shoreland by a county or the commission as the feedlots under its jurission as the feedlots under its jurission as a shoreland by a county or the commission as the feedlots under its jurission as the feedlot as the feedlot as under its jurission as the feedlot as under its jurission as the feedlot as un	with authority over the permitting and inspection of the feedlot and its marplan. (d) The owner of a feedlot capable of holding more than 500 animal u the commissioner a fine of at least \$5,000 for each violation of the feedlot management plan. In determining the fine amount, the commissioner mus feedlot's size and the severity of the violation. Money collected by the con this paragraph must be deposited in a dedicated account in the environme appropriated to the commissioner for projects that improve water quality watershed. Sec. 2. Minnesota Statutes 2022, section 116.07, is amended by adding read: Subd. 7g, Minimum setbacks, (a) A feedlot capable of holding more units or a liquid manure storage area capable of storing manure produced I animal units must be located at least 1,000 feet from a sinkhole. (b) A liquid manure storage area capable of holding manure produced I animal units must be located at least 2,000 feet form a municipal well or I (c) It is unlawful to spread liquid manure within 500 feet of a: (1) sinkhole; (2) residential well; (3) stream, river, or creek or the floodplain boundary of any stream, ri (4) lake, pond, or flowage over 25 acres in size; or (5) a type 3, 4, or 5 wetland, as defined in section 103G.005, subdivis designated as shoreland by a county or the commissioner of natural resour

3.1 Sec. 4. <u>RULEMAKING AUTHORIZED.</u>

- 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.