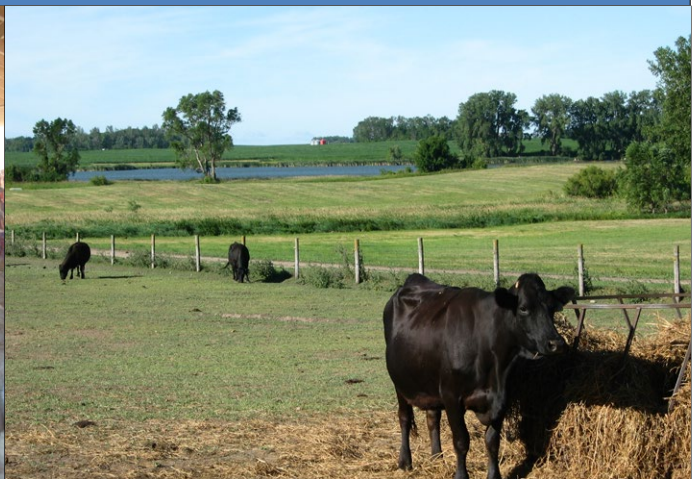


# County Feedlot Program Report

Results achieved in 2013 and 2014  
2013 Minnesota Session Law, Chapter 114, Article 3



Minnesota Pollution Control Agency

November 2015

## Legislative charge

The Minnesota Pollution Control Agency (MPCA) is providing this legislative report as required in Minnesota [2013 Session Law, Chapter 114](#), Article 3: *Pollution Control Agency Appropriations \$1,959,000 the first year and \$1,959,000 the second year are for grants to delegated counties to administer the county feedlot program under Minnesota Statutes, [section 116.0711](#), subdivisions 2 and 3. By January 15, 2016, the commissioner shall submit a report detailing the results achieved with this appropriation to the chairs and ranking minority members at the senate and House of Representatives committees and divisions with jurisdiction over environment and natural resources policy and finance.*

## Authors

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## Estimated cost of preparing this report (as required by *Minn. Stat. § 3.197*)

## Contributors/ acknowledgements

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Officers Board  
MPCA Feedlot Program Management

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# Executive summary

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Since the early 1970s, the Minnesota Pollution Control Agency (MPCA) has worked with counties and livestock producers to ensure that Minnesota maintains a productive livestock industry within a healthy natural environment. With about 24,000 registered feedlots, this is a major effort requiring effective partnerships with industry and local government.

Livestock operations play two primary roles in protecting water in agricultural areas:

- Preventing manure or contaminants (such as leachate from feed storage) from getting into surface water or groundwater.
- Applying nutrient-rich manure to cropland at a rate and time and by methods that prevent contaminants from entering streams, lakes, and groundwater.

The MPCA Feedlot Program issues construction permits (smaller facilities), National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) permits (larger facilities), and interim permits (smaller facilities with pollution problems), conducts feedlot inspections, provides assistance to feedlot owners, and develops educational materials. The Feedlot Program also does plan reviews, including:

- Construction plans — Will the feedlot properly contain the manure?
- Manure management plans (MMPs) for many medium and all large-sized feedlots — Is manure applied at the proper rate and locations?
- Animal mortality plans
- Emergency response plans

This report summarizes the 2013 and 2014 work of the 53 Minnesota counties that are delegated to administer the state feedlot rule for facilities that do not require NPDES or SDS permits. The delegated feedlot counties are an extension of the MPCA Feedlot Program which works with farmers to make sure their feedlots are environmentally safe. The MPCA provides oversight of the delegated feedlot counties, approving county work plans, providing training and assistance, and performing annual reviews.

Delegated feedlot county responsibilities include registration, permitting, inspections, education and assistance, complaint follow-up and environmental improvement. For instance, delegated county work in 2014 included:

- **Registration:** 18,526 feedlots registered
- **Permits:** 156 construction and 65 interim permits issued
- **Inspections:** 2,975 inspections performed
- **Producer education and assistance:** 46 workshops attended by 1,221 producers
- **Feedlot environmental improvements:** 214 practices were implemented (buffers, manure storage, relocation, etc.)
- **Enforcement:** 68 warning letters, 24 violation notices, and 5 court cases
- **Total state grant funding per year:** \$1,959,000

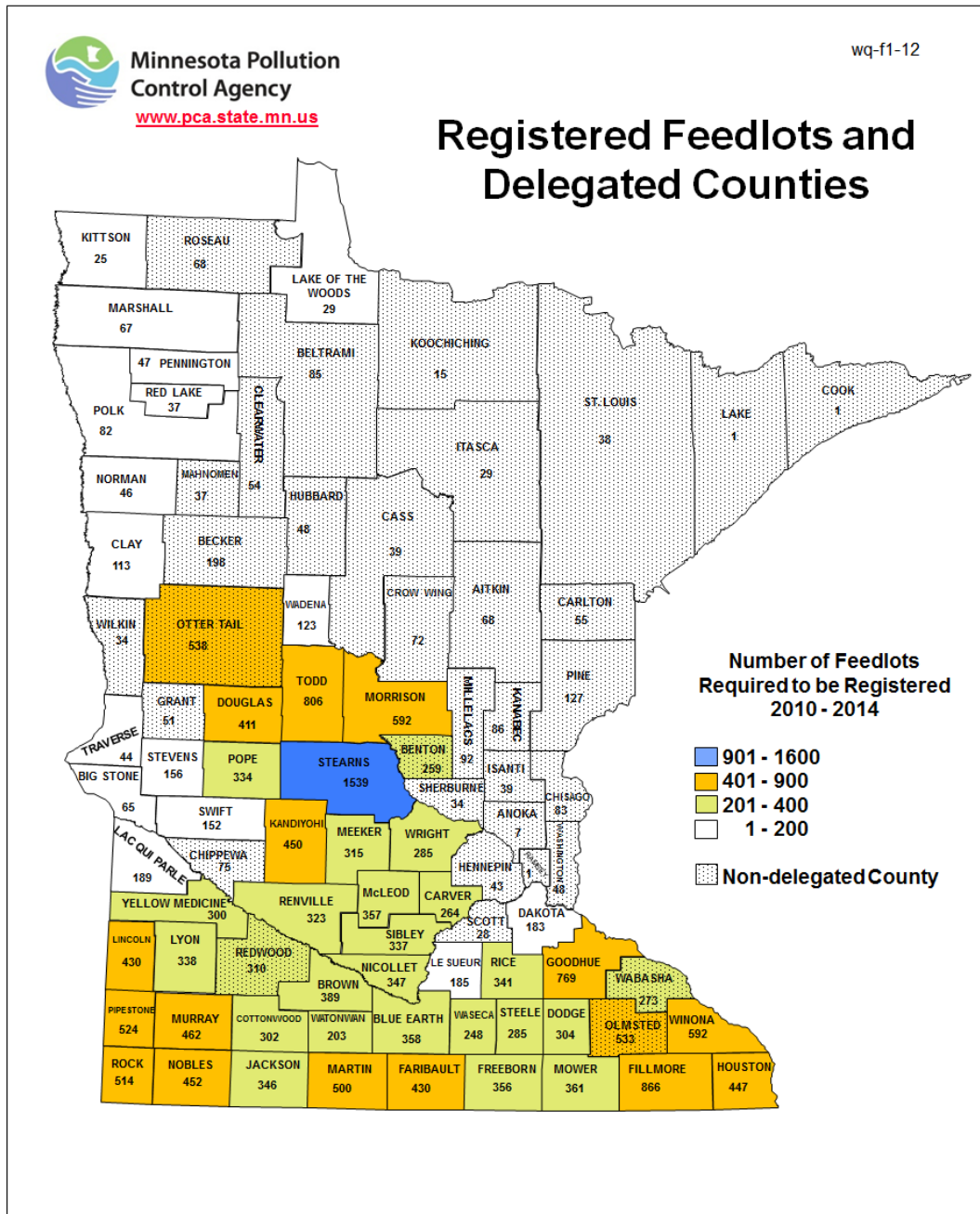
Among the various outcomes in this report, registration data are particularly valuable; animal numbers and locations inform decisions about allocating producer assistance resources, nutrient management, emergency response, and water quality improvement efforts in watersheds.

Benefits of the delegated feedlot counties include:

- County Feedlot Officers (CFOs) provide valuable knowledge of the county including topography, geology, geography, as well as knowledge of the people and livestock populations.

- CFOs' proximity to their county feedlots and role as part of the community improve relationships with feedlot owners. Feedlot owners have a sense of confidence and comfort with CFOs, supporting effective working relationships.
- County-based staff are closer to feedlot sites reducing travel time and allowing for more timely delivery of registrations, permitting, inspections, education and assistance, complaint follow-up, and environmental improvement.

Overall, delegated feedlot counties are the valuable extension at the county level of the MPCA Feedlot Program.



# Feedlot program summary

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The primary goal of the MPCA Feedlot Program is to protect surface water and groundwater from being impacted by manure and other materials generated at feedlot sites and from the land application of manure from feedlots. The MPCA has been regulating feedlot operations since the early 1970s for this purpose. Minnesota statute allows the MPCA to transfer or “delegate” regulatory authority and administration of certain parts of the feedlot program to a county.

The 53 delegated feedlot counties in Minnesota are a key component of the MPCA’s program strategy. They provide local understanding and commitment to the regulatory components of the feedlot program and to obtaining technical and financial assistance for feedlot owners that need it.

Delegated feedlot counties implement state feedlot regulations for facilities that do not require federal NPDES or state SDS permits. They are responsible for implementing state feedlot regulations including:

- Registration
- Permitting
- Inspections
- Education and assistance
- Complaint follow-up
- Environmental improvement

The MPCA provides program oversight and training, policy and technical support, and formal enforcement support when needed. The MPCA conducts mid-year and annual reviews of each delegated feedlot county to provide assistance and ensure that counties are meeting their feedlot grant requirements. The reviews examine the record-keeping systems, registration, inspection, and permit-issuing protocols.

A major revision of the feedlot rule (Minn. R. ch. 7020) in October 2000 and an update in 2014 have improved consistency between counties and the MPCA program. Additionally, producers and the general public better understand what standards are required to locate, design, construct, and operate a feedlot in Minnesota.

Most regulatory goals of the feedlot program are accomplished by the county through education, assistance, and monitoring to gain voluntary compliance. In situations where cooperative efforts do not work, the MPCA has the capacity to accept the case and, if necessary, implement enforcement actions.

## Registration

Registration data — which include number of animals and feedlot locations — are used for more than just routine feedlot regulation. When avian flu struck poultry flocks in 2015, local authorities provided state officials with the locations of poultry facilities. Registration information is used to respond to requests for feedlot data and can be used to study the potential effects of phosphorus (P) and nitrogen (N) in runoff on watersheds. Ultimately, corrections made by livestock producers will be tracked to show their role in improving Minnesota’s impaired waters. By knowing who is regulated, environmental risks become more apparent.

Since registration data are important for a variety of reasons, counties work hard to obtain this information. Counties have registered 18,526 feedlots in Minnesota. The registration data collected by CFOs locate active and inactive feedlots and the number of animals they have onsite, help prioritize high risk sites, allow direct communication with feedlot owners, and help plan funding needs for the



delegated feedlot counties. Feedlot owners are required to register or re-register with their delegated feedlot county or with the MPCA in a four-year registration cycle, currently, January 1, 2014, through January 1, 2018. Table 1 and 2 show the breakdown of delegated county registered feedlots.

**Table 1. Number and percentage of registered feedlots in delegated counties for 2013**

| Feedlots in Shoreland<br>10-299 AU* | Feedlots Outside<br>Shoreland 50-299 AU | Non-NPDES Feedlots<br>≥300 AU | Feedlots with NPDES<br>Permits |
|-------------------------------------|---|-------------------------------|--------------------------------|
| 2786 / 16%                          | 10,197 / 60%                            | 2983/ 17%                     | 1173 / 7%                      |

\* AU = Animal Unit. Mature dairy cow over 1,000 lbs. = 1.4 AU, cow/calf pair = 1.2, beef steer = 1.0, swine 55-300 lbs. = 0.3, sheep = 0.1, broiler chicken (over 5 lbs., dry manure) = 0.005, turkey over 5 lbs. = 0.018.

**Table 2. Number and percentage of registered feedlots in delegated counties for 2014**

| Feedlots in Shoreland<br>10-49 AU | Feedlots Outside<br>Shoreland 50-299 AU | Non-NPDES Feedlots<br>≥300 AU | Feedlots with NPDES<br>Permits |
|-----------------------------------|---|-------------------------------|--------------------------------|
| 1215 / 7%                         | 10,945 / 67%                            | 3047 / 18%                    | 1234 / 8%                      |

## Permitting

Delegated feedlot counties use permitting to oversee feedlot expansions and pollution hazards. Once a site has a permit, the CFO inspects it for current or potential environmental hazards. A permit promotes proactive planning that can prevent issues such as odor from liquid manure storage, surface water contamination, spills, and mismanagement of dead animals. A permit also sets clear and measurable practices for manure management which benefits crops and protects water quality.

Counties issue two types of permits: construction short form (CSF) and interim. A CSF permit is needed for construction of new or expanding manure storage and animal holding areas or when a facility is adding animals. If a pollution hazard exists, the county issues an interim permit. A CSF or interim permit details what feedlot facilities must do to meet construction and water quality requirements, and gives county officials the opportunity to check compliance at the site with other county regulations.

Some sites need NPDES or SDS permits, which are issued by the MPCA. Counties must issue permits within 60 days. The MPCA verifies that this timeline is met but currently does not have a tracking mechanism. The MPCA is working with counties to develop one. Table 3 shows the number and type of permits issued by delegated feedlot counties.

**Table 3. Number and types of permits issued**

| Calendar year | Construction short form | Interim |
|---------------|-------------------------|---------|
| 2013          | 119                     | 95      |
| 2014          | 156                     | 65      |

## Inspections

Inspections are the heart of compliance. CFOs inspect sites for environmental hazards, to ensure feedlot owners are keeping proper records, and to help feedlot owners correct issues. For instance, if a CFO observes a manure stockpile not located within applicable setbacks, the pile can be moved to avoid a pollution hazard.

CFOs inspect sites that do not have a state or federal operating permit. In 2013, CFOs conducted 2,957 total inspections out of 18,526 registered sites in delegated counties. In 2014, CFOs conducted 2,975 inspections

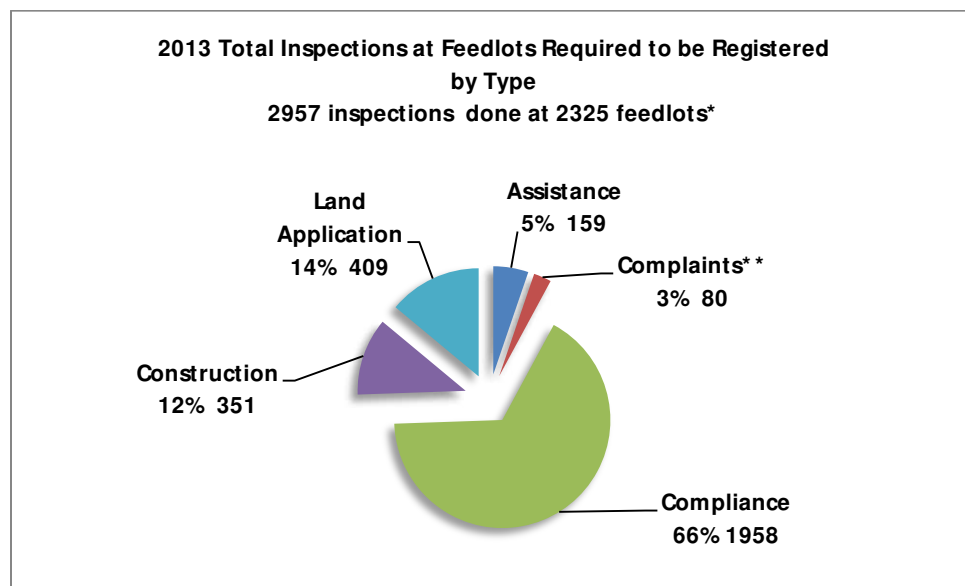
out of 18,020 registered sites. Per state statute, counties must inspect 7% or more of feedlots required to be registered in their county.

**Table 4. Total number of inspections**

| Calendar year | Total sites registered in delegated counties | Total number of inspections | Total number of compliance/ construction inspections |
|---------------|--|-----------------------------|--|
| 2013          | 18,526                                       | 2957                        | 2309   |
| 2014          | 18,020                                       | 2975                        | 2349   |

The graphs below show the total number and percentage of inspections done by CFOs by type.

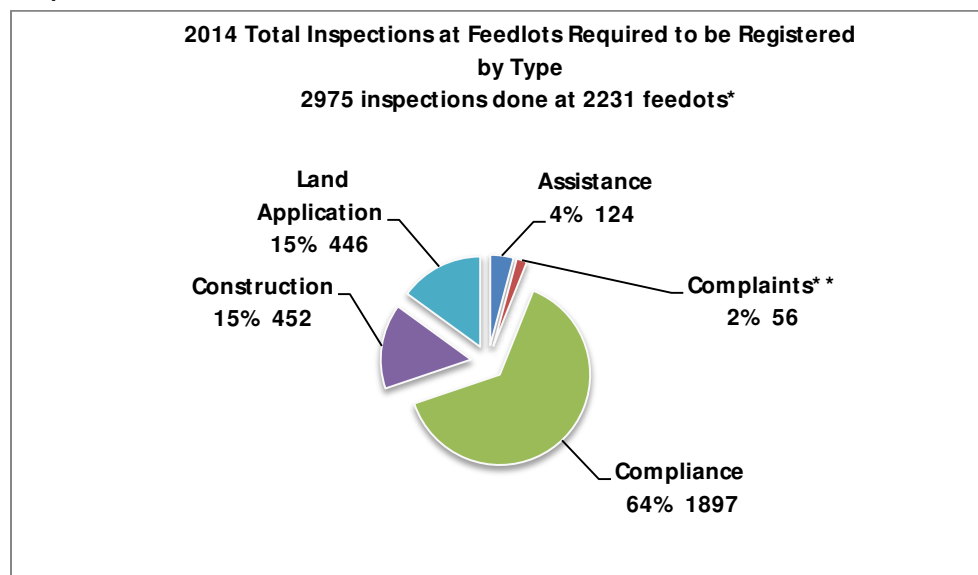
**Graph 1**



\* Numbers indicate total number of inspections not total number of feedlots inspected.

\*\* Complaints include inspections at sites required and not required to be registered.

**Graph 2**



\* Numbers indicate total number of inspections not total number of feedlots inspected.

\*\* Complaints include inspections at sites required and not required to be registered.



## Feedlot owner education and assistance

Through education and assistance, beneficial information is shared, both by the CFO with the feedlot owner and by the feedlot owner with the CFO. Feedlot owners learn what is required of them — how to keep proper records and avoid creating environmental hazards — so their facility remains in compliance.

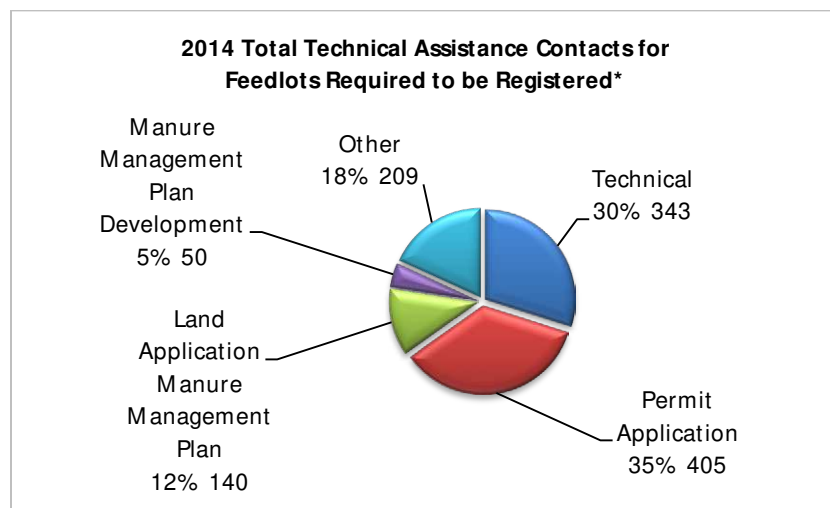
Delegated feedlot counties continue to sponsor informational meetings and training. Although the data are not recorded, most education and technical assistance occurs at the facility with the feedlot owner.

Table 5 shows the education and assistance that CFOs have provided.

**Table 5. Feedlot owner education**

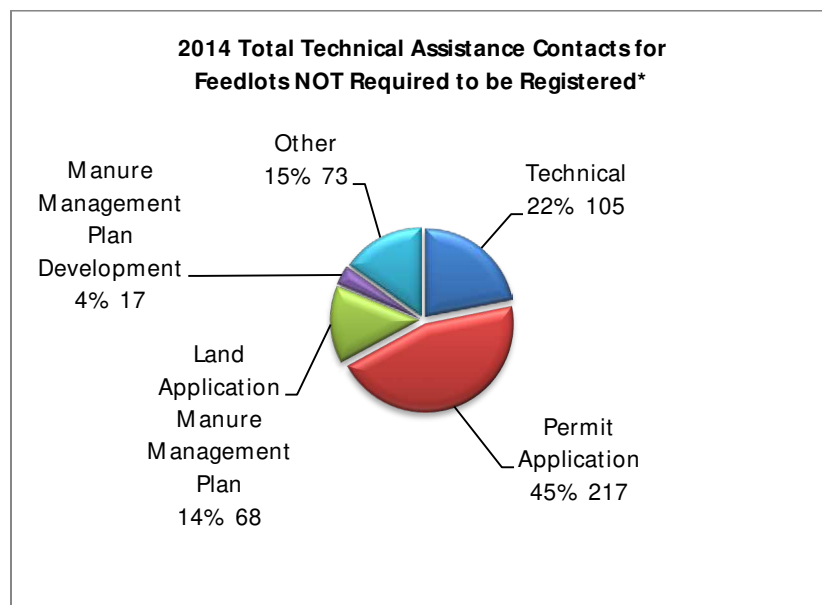
|  | CY13         | CY14 |
|--|--------------|------|
| Trainings or workshops hosted and/or co-sponsored by the CFO   | 73           | 46   |
| Number of feedlot owners attending feedlot producer workshops, training events or informational meetings | 1547         | 1221 |
| Feedlot articles placed in newspapers by CFOs  | 57           | 49   |
| CFO presentations at informational or producer group events  | Not reported | 38   |

**Graph 3**



\* Data are from 35 delegated counties that voluntarily submitted information. These numbers indicate the total number of contacts with feedlot owners not total number of feedlot owners contacted.

**Graph 4**



\* Data are from 33 delegated counties that voluntarily submitted information. These numbers indicate the total number of contacts with feedlot owners not total number of feedlot owners contacted.

## Environmental improvements

The MPCA and CFOs are interested in quantifying the reduction and prevention of pollution from feedlots. Environmental improvements are achieved through compliance with feedlot regulations. Improvements include clean water diversions, buffers, filter strips, gutters, milk house waste discharge elimination, open lot size reduction, feedlot relocation or closure, manure storage construction, unpermitted liquid manure storage area closure or upgrade, and elimination of animal access to water. Table 6 shows the number of sites at which CFOs achieved environmental improvements.

**Table 6. Number of sites completing environmental improvements**

| Calendar year | No. of sites |
|---------------|--------------|
| 2013          | 193          |
| 2014          | 133          |

## Controlling nutrients

The work of CFOs is crucial to reduce environmental impacts of nutrients such as P and N. Through inspections, permitting, enforcement, technical assistance, manure management plans, and record keeping, CFOs educate feedlot owners and regulate the runoff, land application, and storage of manure. Manure is a valuable soil nutrient that improves soil health and increases organic matter, and is often preferred over commercial fertilizer. But manure contains significant quantities of nutrients which, if improperly managed, can lead to contamination of surface and groundwater.

With manure testing and careful planning, feedlot owners can apply the correct rates of N to fields. Soil testing information indicates the best fields for P application. Educating feedlot owners on manure application rules and setbacks helps prevent P and N contamination of surface and ground waters. CFO land application inspections ensure that manure and process wastewater is applied to land in a way that won't result in a manure-laden discharge to water during application, or from rain or snowmelt runoff.

The inspections connect county feedlot programs to commercial animal waste technicians (CAWTs) who manage approximately 50% of the manure generated in Minnesota. N and P reductions from agricultural sources are critical to achieving Minnesota's water quality goals.

Feedlot registration data are crucial to MPCA watershed modeling, planning, and total maximum daily loads (TMDL). CFOs collect 75-80% of the state's feedlot registration information. In 2013, the MPCA published the *Nitrogen in Minnesota Surface Waters* study, which showed that in considering N additions to all soils statewide from commercial fertilizer, manure, and sludges, manure accounts for 25% of the added N. In 2014, the MPCA published *The Minnesota Nutrient Reduction Strategy*, a guide for reducing excess nutrients in state waters to meet in-state and downstream water quality goals. Feedlot registration information was used for the development of both the N study and the nutrient strategy.

## Manure application

CFOs conduct three levels of inspections regarding land application of manure:

- Level 1** — Brief review of a feedlot owner's land application records
- Level 2** — In-depth review of land application records to verify record of proper manure application
- Level 3** — CFO observes actual manure handling practices, e.g., setbacks to surface waters are complied with during application

Maximum manure application rates are limited by crop-available N on all land. However, P-based rate requirements must be met in certain sensitive situations. A feedlot owner must have a manure management plan upon application for an NPDES, SDS, interim, or CSF permit for a facility capable of holding 100 or more animal units. In addition, a manure management plan is required for feedlots with 300 or more animal units where the manure is not applied by a CAWT or certified private manure applicator. Once a manure management plan is required for a facility, a plan that meets rule requirements must be retained on file at the feedlot facility.

## Commercial animal waste technicians

Because at least 50% of livestock manure generated in Minnesota is managed and land applied by CAWTs, educating these technicians is crucial. Many CFOs are involved in the education of CAWTs and conduct workshops to update CAWTs on proper land application practices, and build positive partnerships. New rules for CAWTs went into effect in 2015, and CFOs were directly involved in the rulemaking process. Table 7 shows the number of CAWTs that attended workshops put on by CFOs.

**Table 7. CAWT county workshops**

| Calendar year | Number of CAWT attending workshops |
|---------------|------------------------------------|
| 2013          | 122                                |
| 2014          | 210*                               |

\* The Minnesota Department of Agriculture changed the recertification requirements starting in 2014.

## Enforcement

When a facility returns to compliance after an enforcement action, it should not have any existing or potential pollution hazards. Through the enforcement process, a feedlot owner is educated on state requirements and the likelihood of the owner violating the requirements again decreases.

Delegated feedlot counties work hard to communicate early and frequently with feedlot owners regarding matters of compliance, using many different tools. Counties issue letters of warning or notices of violation, which carry no monetary penalties. On rare occasions, a case may require court action. Enforcement actions with monetary penalties are typically used in cases of negligence and serious violations where environmental impacts are observed. These cases are handled by the MPCA. Table 8 shows the enforcement actions that CFOs recorded.

**Table 8. Enforcement**

| Calendar year | Letter of Warning | Notice of Violation | Court Actions Commenced |
|---------------|-------------------|---------------------|-------------------------|
| 2013          | 104               | 25                  | 1                       |
| 2014          | 68                | 24                  | 5                       |

## Delegated county feedlot resources

Fifty-three Minnesota counties have delegated county feedlot programs. County programs are staffed by CFOs and receive funding by state grants based on the number of feedlots in the county. Counties must match a portion of the grant amount received. The delegated counties receive a minimum grant of \$7,500. Counties must inspect 7% or more of the feedlots that are required to be registered and meet non-inspection minimum program requirements (MPPRs) as identified in the county feedlot work plan. On average there are 61 full time equivalents working in the delegated county feedlot program statewide. Table 9 shows the amount of grant funding counties received based on the funding rate. For example, if a county had 300 registered feedlots in 2013 they received \$26,715 (300 x \$89.05).

**Table 9. Base grant funding rate per feedlot**

| Fiscal year | Base grant funding rate per feedlot |
|-------------|-------------------------------------|
| 2013        | \$89.05                             |
| 2014        | \$89.88                             |

**FY 2013 County Program  
Base Grant Award Schedule  
(July 1, 2012 - June 30, 2013)**

**\$1,959,000 Appropriation**

1. The base grant funding rate for 2013 is \$89.05 times the number of feedlots.
2. Data from the January 1, 2010, Registration Update are used for the Number of Feedlots column. These are the same data that were used for the 2012 base grants.
3. Nine counties receive the minimum funding of \$7,500 as provided by statute.
4. The County Match Requirement column shows the match required by the county in 2013.

| <b>Delegated County</b> | <b>Number of Feedlots</b> | <b>2013 Base Grant Award</b> | <b>County Match Requirement</b> | <b>Inspections</b> | <b>Permits</b> | <b>Enforcement</b> |
|-------------------------|---------------------------|------------------------------|---------------------------------|--------------------|----------------|--------------------|
| Big Stone               | 65                        | \$7,500                      | \$5,250                         | 5                  | 0              | 0                  |
| Blue Earth              | 358                       | \$31,880                     | \$22,316                        | 80                 | 4              | 3                  |
| Brown                   | 389                       | \$34,640                     | \$24,248                        | 45                 | 9              | 12                 |
| Carver                  | 264                       | \$23,509                     | \$16,456                        | 27                 | 1              | 11                 |
| Clay                    | 113                       | \$10,063                     | \$7,044                         | 9                  | 0              | 0                  |
| Cottonwood              | 302                       | \$26,893                     | \$18,825                        | 22                 | 7              | 0                  |
| Dakota                  | 183                       | \$16,296                     | \$11,407                        | 13                 | 0              | 0                  |
| Dodge                   | 304                       | \$27,071                     | \$18,950                        | 26                 | 6              | 0                  |
| Douglas                 | 411                       | \$36,600                     | \$25,620                        | 45                 | 7              | 0                  |
| Faribault               | 430                       | \$38,292                     | \$26,804                        | 83                 | 2              | 2                  |
| Fillmore                | 866                       | \$77,117                     | \$53,982                        | 73                 | 9              | 2                  |
| Freeborn                | 356                       | \$31,702                     | \$22,191                        | 29                 | 2              | 1                  |
| Goodhue                 | 769                       | \$68,479                     | \$47,936                        | 48                 | 9              | 1                  |
| Houston                 | 447                       | \$39,805                     | \$27,864                        | 37                 | 2              | 4                  |
| Jackson                 | 346                       | \$30,811                     | \$21,568                        | 27                 | 1              | 7                  |
| Kandiyohi               | 450                       | \$40,073                     | \$28,051                        | 115                | 2              | 1                  |
| Kittson                 | 25                        | \$7,500                      | \$5,250                         | 2                  | 0              | 0                  |
| Lac Qui Parle           | 189                       | \$16,830                     | \$11,781                        | 15                 | 4              | 0                  |
| Lake of the Woods       | 29                        | \$7,500                      | \$5,250                         | 3                  | 0              | 0                  |
| Le Sueur                | 185                       | \$16,474                     | \$11,532                        | 16                 | 0              | 1                  |
| Lincoln                 | 430                       | \$38,292                     | \$26,804                        | 32                 | 2              | 0                  |
| Lyon                    | 338                       | \$30,099                     | \$21,069                        | 27                 | 0              | 0                  |
| McLeod                  | 357                       | \$31,791                     | \$22,254                        | 22                 | 1              | 1                  |
| Marshall                | 67                        | \$7,500                      | \$5,250                         | 5                  | 0              | 0                  |
| Martin                  | 500                       | \$44,525                     | \$31,168                        | 101                | 6              | 6                  |
| Meeker                  | 315                       | \$28,051                     | \$19,636                        | 33                 | 0              | 1                  |
| Morrison                | 592                       | \$52,718                     | \$36,902                        | 54                 | 7              | 8                  |
| Mower                   | 361                       | \$32,147                     | \$22,503                        | 26                 | 7              | 7                  |
| Murray                  | 462                       | \$41,141                     | \$28,799                        | 31                 | 13             | 1                  |
| Nicollet                | 347                       | \$30,900                     | \$21,630                        | 58                 | 6              | 0                  |
| Nobles                  | 452                       | \$40,251                     | \$28,175                        | 34                 | 9              | 3                  |
| Norman                  | 46                        | \$7,500                      | \$5,250                         | 5                  | 0              | 0                  |
| Pennington              | 47                        | \$7,500                      | \$5,250                         | 5                  | 0              | 0                  |

| Delegated County | Number of Feedlots | 2013 Base Grant Award | County Match Requirement | Inspections | Permits    | Enforcement |
|------------------|--------------------|-----------------------|--------------------------|-------------|------------|-------------|
| Pipestone        | 524                | \$46,662              | \$32,664                 | 38          | 7          | 0           |
| Polk             | 82                 | \$7,500               | \$5,250                  | 19          | 3          | 0           |
| Pope             | 334                | \$29,743              | \$20,820                 | 27          | 3          | 0           |
| Red Lake         | 37                 | \$7,500               | \$5,250                  | 4           | 0          | 0           |
| Renville         | 323                | \$28,763              | \$20,134                 | 76          | 2          | 0           |
| Rice             | 341                | \$30,366              | \$21,256                 | 25          | 5          | 5           |
| Rock             | 514                | \$45,772              | \$32,040                 | 45          | 6          | 0           |
| Scott*           | 172                | \$15,317              | \$10,722                 |             |            |             |
| Sibley           | 337                | \$30,010              | \$21,007                 | 120         | 0          | 17          |
| Stearns          | 1,539              | \$137,048             | \$95,934                 | 110         | 34         | 4           |
| Steele           | 285                | \$25,379              | \$17,765                 | 22          | 1          | 3           |
| Stevens          | 156                | \$13,892              | \$9,724                  | 13          | 2          | 0           |
| Swift            | 152                | \$13,536              | \$9,475                  | 14          | 0          | 0           |
| Todd             | 806                | \$71,774              | \$50,242                 | 57          | 3          | 9           |
| Traverse         | 44                 | \$7,500               | \$5,250                  | 4           | 1          | 2           |
| Wabasha          | 506                | \$45,059              | \$31,542                 | 31          | 3          | 0           |
| Wadena           | 123                | \$10,953              | \$7,667                  | 18          | 1          | 1           |
| Waseca           | 248                | \$22,084              | \$15,459                 | 18          | 0          | 2           |
| Watonwan         | 203                | \$18,077              | \$12,654                 | 14          | 0          | 0           |
| Winona           | 592                | \$52,718              | \$36,902                 | 56          | 27         | 8           |
| Wright           | 285                | \$25,379              | \$17,765                 | 22          | 10         | 7           |
| Yellow Medicine  | 300                | \$26,715              | \$18,701                 | 34          | 0          | 0           |
| <b>TOTAL</b>     | <b>18,698</b>      | <b>\$1,693,197</b>    | <b>\$1,185,238</b>       | <b>1920</b> | <b>224</b> | <b>130</b>  |

\* Scott County became undelegated.

## FY 2014 County Program Base Grant Award Schedule

(July 1, 2013 - June 30, 2014)

### \$1,959,000 Appropriation

1. The base grant funding rate for 2013 is \$89.88 times the number of feedlots.
2. Data from the January 1, 2010 Registration Update are used for the Number of Feedlots column.  
These are the same data that were used for the 2011, 2012, and 2013 base grants.
3. Nine counties receive the minimum funding of \$7,500 as provided by statute.
4. The County Match Requirement column shows the match required by the county in 2014.

| Delegated County  | Number of Feedlots | 2014 Base Grant Award | County Match Requirement | Inspections | Permits | Enforcement |
|-------------------|--------------------|-----------------------|--------------------------|-------------|---------|-------------|
| Big Stone         | 65                 | \$7,500               | \$5,250                  | 3           | 0       | 0           |
| Blue Earth        | 358                | \$32,177              | \$22,524                 | 60          | 4       | 2           |
| Brown             | 389                | \$34,963              | \$24,474                 | 32          | 2       | 5           |
| Carver            | 264                | \$23,728              | \$16,610                 | 51          | 3       | 12          |
| Clay              | 113                | \$10,156              | \$7,109                  | 11          | 1       | 0           |
| Cottonwood        | 302                | \$27,144              | \$19,001                 | 21          | 2       | 0           |
| Dakota            | 183                | \$16,448              | \$11,514                 | 13          | 1       | 0           |
| Dodge             | 304                | \$27,324              | \$19,127                 | 34          | 4       | 1           |
| Douglas           | 411                | \$36,941              | \$25,859                 | 29          | 5       | 2           |
| Faribault         | 430                | \$38,648              | \$27,054                 | 57          | 5       | 1           |
| Fillmore          | 866                | \$77,836              | \$54,485                 | 88          | 8       | 4           |
| Freeborn          | 356                | \$31,997              | \$22,398                 | 21          | 5       | 4           |
| Goodhue           | 769                | \$69,118              | \$48,383                 | 54          | 9       | 0           |
| Houston           | 447                | \$40,176              | \$28,123                 | 40          | 8       | 3           |
| Jackson           | 346                | \$31,098              | \$21,769                 | 38          | 1       | 0           |
| Kandiyohi         | 450                | \$40,446              | \$28,312                 | 88          | 3       | 0           |
| Kittson           | 25                 | \$7,500               | \$5,250                  | 2           | 0       | 0           |
| Lac Qui Parle     | 189                | \$16,987              | \$11,891                 | 20          | 2       | 0           |
| Lake of the Woods | 29                 | \$7,500               | \$5,250                  | 3           | 0       | 0           |
| Le Sueur          | 185                | \$16,628              | \$11,640                 | 13          | 2       | 0           |
| Lincoln           | 430                | \$38,648              | \$27,054                 | 33          | 2       | 0           |
| Lyon              | 338                | \$30,379              | \$21,265                 | 27          | 9       | 1           |
| McLeod            | 357                | \$32,087              | \$22,461                 | 33          | 1       | 2           |
| Marshall          | 67                 | \$7,500               | \$5,250                  | 7           | 0       | 0           |
| Martin            | 500                | \$44,940              | \$31,458                 | 62          | 9       | 0           |
| Meeker            | 315                | \$28,312              | \$19,818                 | 37          | 2       | 0           |
| Morrison          | 592                | \$53,209              | \$37,246                 | 60          | 17      | 9           |
| Mower             | 361                | \$32,447              | \$22,713                 | 37          | 1       | 1           |
| Murray            | 462                | \$41,525              | \$29,068                 | 68          | 7       | 0           |
| Nicollet          | 347                | \$31,188              | \$21,832                 | 52          | 5       | 1           |
| Nobles            | 452                | \$40,626              | \$28,438                 | 45          | 6       | 3           |
| Norman            | 46                 | \$7,500               | \$5,250                  | 8           | 0       | 0           |
| Pennington        | 47                 | \$7,500               | \$5,250                  | 6           | 1       | 0           |
| Pipestone         | 524                | \$47,097              | \$32,968                 | 47          | 2       | 0           |



| Delegated County | Number of Feedlots | 2014 Base Grant Award | County Match Requirement | Inspections | Permits    | Enforcement |
|------------------|--------------------|-----------------------|--------------------------|-------------|------------|-------------|
| Polk             | 82                 | \$7,500               | \$5,250                  | 6           | 0          | 1           |
| Pope             | 334                | \$30,020              | \$21,014                 | 31          | 2          | 1           |
| Red Lake         | 37                 | \$7,500               | \$5,250                  | 4           | 0          | 0           |
| Renville         | 323                | \$29,031              | \$20,322                 | 84          | 3          | 0           |
| Rice             | 341                | \$30,649              | \$21,454                 | 31          | 2          | 1           |
| Rock             | 514                | \$46,198              | \$32,339                 | 55          | 14         | 0           |
| Sibley           | 337                | \$30,290              | \$21,203                 | 24          | 0          | 6           |
| Stearns          | 1,539              | \$138,325             | \$96,828                 | 107         | 38         | 5           |
| Steele           | 285                | \$25,616              | \$17,931                 | 23          | 2          | 1           |
| Stevens          | 156                | \$14,021              | \$9,815                  | 11          | 0          | 0           |
| Swift            | 152                | \$13,662              | \$9,563                  | 13          | 1          | 2           |
| Todd             | 806                | \$72,443              | \$50,710                 | 56          | 8          | 11          |
| Traverse         | 44                 | \$7,500               | \$5,250                  | 3           | 0          | 0           |
| Wabasha*         | 506                | \$45,479              | \$31,835                 |             |            |             |
| Wadena           | 123                | \$11,055              | \$7,739                  | 18          | 0          | 1           |
| Waseca           | 248                | \$22,290              | \$15,603                 | 22          | 2          | 2           |
| Watonwan         | 203                | \$18,246              | \$12,772                 | 16          | 0          | 1           |
| Winona           | 592                | \$53,209              | \$37,246                 | 58          | 11         | 5           |
| Wright           | 285                | \$25,616              | \$17,931                 | 26          | 7          | 9           |
| Yellow Medicine  | 300                | \$26,964              | \$18,875                 | 34          | 4          | 0           |
| <b>TOTAL</b>     | <b>18,526</b>      | <b>\$1,692,887</b>    | <b>\$1,185,021</b>       | <b>1822</b> | <b>221</b> | <b>97</b>   |

\* Wabasha County became undelegated.

# Appendices

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1. Feedlot program changes over the years
2. 2014 - 2015 County Feedlot Program Delegation Agreement and Work Plan
3. 2014 Annual CFO Report and Performance Credit Report with supplemental form

## Appendix 1: Feedlot program changes over the years

The following information was compiled by the Minnesota Association of County Feedlot Officers (MACFO).

### County feedlot program summary

The delegated county feedlot program regulates more than 18,000 feedlots.

The delegated county feedlot program allows counties to have local control.

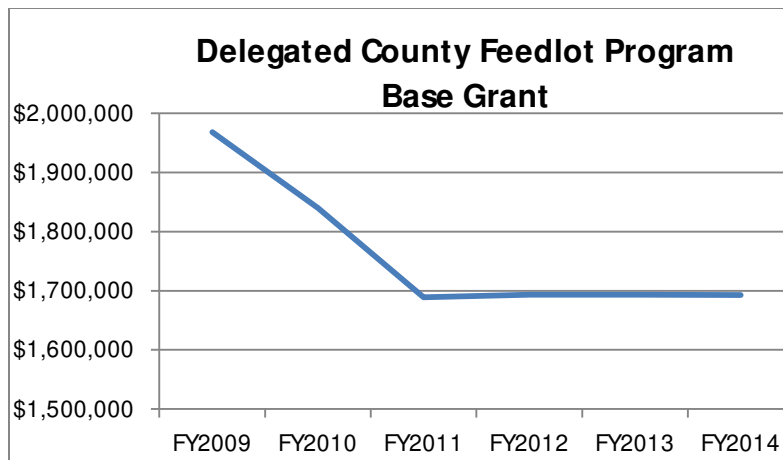
Water quality is very important to the citizens of Minnesota and the delegated county feedlot program plays a major role in maintaining and/or improving water quality.

### General program history

- The state first allowed the delegation of feedlot counties in 1973.
- During the first three decades, in counties that remained non-delegated, the MPCA issued permits.
  - State feedlot program staff levels increased over time; however, initially, permits were often issued without a site visit. In some cases, this resulted in construction that did not match what was listed in the permit application or permit.
  - Currently, state feedlot staff inspect a feedlot before issuing a permit and conduct post-construction inspections in un-delegated counties.
- County work plans are required, and a state review of each delegated county program is required annually.
- The delegated counties currently regulate approximately 84% of all feedlots in the state.

### Funding

- Delegated feedlot counties did not start receiving state funding for administration of the feedlot program until 1995.
- Funding began with \$5/feedlot. As a result of annual increases in state funding thereafter, the number of delegated counties grew – particularly in counties with a greater number of feedlots.
- The amount of state legislative feedlot appropriation in 2011 was the lowest since 2001 (with the exception of the un-allotment in 2003).
- The peak years of state legislative feedlot appropriation and distribution were 2007, 2008, and 2009.



- The feedlot program is doing more with less. Even though funding has declined, requirements for obtaining funding have remained the same or increased. A delegated county must:
  - Re-register all feedlots every four years (with the exception of feedlots with a NPDES or SDS permit).
  - Inspect a minimum of 7% of their feedlots annually.
  - Establish compliance schedules with owners that are found in non-compliance.
  - Process permits for feedlot sites with 300 or more animal units that are expanding or constructing.
  - Follow-up on all complaints.
  - Provide feedlot owners with educational opportunities to understand and comply with feedlot regulations.
  - Comply with increased reporting requirements.
- The peak number of county delegations was 2002-2003 and 2009-2013 with 55 counties delegated.
- Over time, accountability and the volume of data generated by the program have increased as exhibited by the current paperwork, data, and data entry requirements. While this assures clear documentation of process, performance measures and obligations and is valuable for information, accountability, consistency and planning purposes, these efforts require a significant amount of time including form completion or data entry, training, data system management and form updates and reduces the amount of time and resources available for working with interested parties or doing onsite inspections.
  - The number of required forms has increased as has the number of pages of those forms.
    - § Onsite inspection checklist – No standardized checklist was formally required and now it is 11 pages.
    - § Land application of manure review checklist – No standardized checklist was formally required and now it is up to two pages.
    - § Permit application review checklist – No standardized checklist was formally required and now it is six pages.
    - § Liquid manure storage area plan review checklist – No standardized checklist was formally required and now it is 12 pages.
    - § Manure management plan review checklist – No standardized checklist was formally required and now it is four pages.

§ Letters as a form of documentation became a requirement and now it includes letters for compliant feedlots.

§ Receipts for registration.

- Annual reporting criteria or measures have remained at 60 items to report (in addition to a supplemental report). Some items are complex enough that it can be difficult to assure consistency or accuracy county to county or year to year.

### **Data and Geographical Information System (GIS)**

- In the 1990s, delegated counties were required to create a database.
- There is increased accountability via reporting.
- There is increasing data accessibility to data with the Board of Water and Soil Resources' e-LINK database and MPCA's Delta and TEMPO database.
- Many counties have greater GIS capabilities than the state.
  - Minnesota Department of Agriculture's Emergency Feedlot Data Program Grant sought to compile and coordinate county data and further build county GIS capabilities.

### **Effectiveness**

- Fixes completed
  - In 2013, delegated counties were responsible for environmental upgrades at 193 feedlots as follows:
    - § 10 partial fixes and 25 complete fixes for feedlots <300 AU in shoreland
    - § 34 partial fixes and 85 complete fixes for feedlots < 300 AU outside shoreland
    - § 39 complete fixes for feedlots ≥300 AU
  - In 2014, delegated counties were responsible for environmental upgrades at 133 feedlots. Of these, 44 were partial fixes and 89 were complete fixes.
  - From 2011-2014, Stearns County had 59 agricultural waste projects that received cost-share from federal, state, or local funds. The dollar amount received from these funds was approximately \$7,400,000. This not only is helpful for operators needing to complete fixes, but also for local contractors and other businesses that rely on those feedlot fixes.
    - § The annual estimated P reduction from these feedlot cost-shared projects in Stearns County is 2,430 pounds/year. Using the common adage that one pound of P can generate 300 to 500 pounds of living algae, living algae has been reduced annually by 729,000 to 1,215,000 pounds. (It is believed this adage comes from Wetzel's book *Limnology*.)
  - Tracking of water quality improvements
    - § Nine counties in southeastern Minnesota have tracked feedlot Biological Oxygen Demand reductions since 2003.
    - § Rock County in southwestern Minnesota has sampled surface water for dissolved oxygen for 20 years.
    - § Rock County has also tracked over 132 feedlot fixes and is utilizing 319 grant funding for manure management incentives, education, and in 2012 stream monitoring.
- Spills
  - Local CFOs provide a quick response time.
  - CFOs have an ability to calm neighbors because of the local connection and an ability to provide on-site follow-up.
- Educational opportunities provided by CFOs

- Certified Animal Waste Technician workshops
- Manure application demonstrations
- Economic Value of Manure workshop

### **Coordination and cooperation**

- MACFO was formed in October 2001.
- The MACFO Board and MPCA feedlot managers have held joint quarterly meetings since May 2002. Over time, this has greatly improved communications and feedlot program administration.
- The feedlot program has coordinated with various entities and projects:
  - Soil and Water Conservation Districts (SWCD)
  - Natural Resource Conservation Service (NRCS)
  - Farm Service Agency
  - Watershed Districts
  - Clean Water Legacy projects
  - Total Maximum Daily Loads (TMDLs)
  - Minnesota Department of Agriculture
  - Board of Animal Health
  - Minnesota State Duty Officer
  - University of Minnesota Extension Service
  - Minnesota Department of Natural Resources
- Landowners and CFOs have established a level of trust in their counties.

### **Delegation**

- Why counties choose delegation
  - Local control of construction and permitting
  - Coordination with local zoning is more effective
  - Stream-line permitting process for land owners
  - Coordination of technical assistance with SWCD/NRCS can be more effective
  - Local control of customer service (i.e. speed of permit issuance, staffing levels, availability of assistance)
  - Greater understanding of local issues
  - Build on and use existing local relationships for feedlot registration and compliance
  - Ability to offer compliance suggestions and explore compliance options
- Why counties do not choose delegation
  - Match requirement is too high
  - County does not have the additional staff or staff time and space
  - County has a small number of feedlots – program is not worth the time and resources
  - Accountability requirements are cumbersome
  - Less field presence without delegation

## Appendix 2: 2014 - 2015 County Feedlot Program Delegation Agreement and Work Plan

(January 1, 2014 – December 31, 2015)

County: \_\_\_\_\_  
County Feedlot Officer(s): \_\_\_\_\_  
Primary Contact Person: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

The revised rules adopted on October 23, 2000, require a Delegated County (County) to prepare a Delegation Agreement that describes the County's plans/strategies and goals for administration and implementation of the Feedlot Program. The attached Work Plan satisfies the Minn. R. ch. 7020 requirement that the Delegation Agreement must be reviewed and approved by the Delegated County and the Minnesota Pollution Control Agency (MPCA) annually.

Minnesota legislative appropriation language (Minnesota Statutes 116.0711) contains provisions for reducing grants to delegated counties if they do not meet MPRs as set forth in this document. Counties that fail to meet the 7% inspection rate MPRs and/or 90% of non-inspection MPRs are subject to having base grant reductions and/or loss of eligibility for a performance award.

For any feedlot in which a County employee or a member of the County employee's immediate family has an ownership interest, the County employee will not:

- (a) Be involved in making preliminary or final decisions to issue a permit, authorization, zoning approval, or any other governmental approval for the feedlot
- (b) Conduct or review inspections for the feedlot

This County Feedlot Program Delegation Agreement and Work Plan have been prepared by the County for the period of January 1, 2014 – December 31, 2015. The County agrees with the terms and conditions established in this Agreement and will use feedlot grant funds in conjunction with the required local match dollars and in-kind contributions to carry out the goals, plans and MPRs described herein. The County understands that this Work Plan will be reviewed by the MPCA after completion of the first year of the Agreement and, if necessary, will be revised.

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**Signature of Chair of Board of County Commissioners**

**Date**

**A. Work Plan strategies**

The strategies component of the Work Plan fulfills County rule requirements (7020.1600, subp. 3a.) that state the County must develop annual plans and goals in accordance with registration, inspection, scheduled compliance and owner assistance responsibilities.

**Registration strategy:** Please address the following registration strategy criteria.

1. Please indicate the method(s) the County will use to provide a feedlot owner with a registration receipt. For additional methods and requirements see the Annual Report Guidance document.
  - a. A 30-day Registration Receipt Letter.
  - b. A 30-day Inspection Letter that contains confirmation of re-registration.
  - c. A permit cover letter or Certificate of Registration that contains confirmation of re-registration.
  - d. Verbal notification of re-registration as documented by a log.

2. Please indicate the type of registration form used by the County:
  - a. MPCA standard registration form.
  - b. County designed form. A copy of the form must be attached to the completed work plan.

3. Please describe how the County will address facilities that upon re-registration show an increase in animal units, a change or addition to animal types or newly constructed animal holding or manure storage areas.

4. Please describe the strategy and timeline that the County intends to follow to address facilities that have not met the re-registration deadline by January 1, 2014 and/or any continuous registration strategy over the next two years.

**Inspection strategy:**

Delegated County must set inspection plans and goals for the purpose of identifying pollution hazards and determining compliance with discharge standards and schedules at sites with Open Lot Agreements (OLAs) (7020.1600 subp. 3a. B.1 a. & 1b).

1. Using the table below, please complete your **Production Site Inspection Strategy** in accordance with the following factors.
  - a. Your inspection strategy must include plans, as applicable, for conducting inspections at these sites:
    - i. Sites where an interim or CSF (CSF applies to  $\geq 300$  AU) permit is issued.
    - ii. Sites with signed open lot agreements (OLAs) that have never been inspected.
    - iii. Sites required to be registered that have never been inspected.
  - b. In addition to the feedlot types identified in Item 1, please enter into the table one or more of the following listed strategies. You may also propose an alternative strategy:
    - i. The County goal is to inspect sites within shoreland and/or a Drinking Water Supply Management Area.
    - ii. The County inspects all feedlots in the County on a five year or less rotating basis.
    - iii. The County will place an emphasis on inspections at sites within a defined jurisdiction such as feedlots in a TMDL watershed, a township, or some other formally designated area.



- iv. *The County will place an emphasis on inspections at sites within a specified size category such as 300 – 499 animal units (AU) or 500 – 999 AU.*
  - v. *The County will place an emphasis on inspections at sites that, according to previous inspections, have not been maintaining manure management records.*
  - vi. *Alternative strategies; please list in the table.*
- c. *For each required strategy that applies and/or for each chosen strategy you list in the table, you must enter the total number of feedlots of that type you estimate are in your County (or other jurisdiction you have identified) and the number of those feedlots you intend to inspect.*

**Production Site Inspection Strategy Goals**

| <b>Feedlot Type</b>   | <b>Total Number (as defined by area, size, type, location, compliance status or other parameter)</b> | <b>Inspection Goal 2014</b> | <b>Inspection Goal 2015</b> |
|---|--|-----------------------------|-----------------------------|
| Required Strategy. Inspect all sites where an interim or CSF (CSF for ≥300 only) permit is issued.      |  |                             |                             |
| Required Strategy. Inspect sites with OLAs that have never been inspected:                              |  |                             |                             |
| Required Strategy. Inspect sites required to be registered that never been inspected.                   |  |                             |                             |
| <i>Example from the list above: Inspect sites within shoreland.</i>                                     |  |                             |                             |
| <i>Example of alternative strategy. Inspect feedlot sites located in the Crow Wing River Watershed.</i> |  |                             |                             |
| <b>Total</b>  |  |                             |                             |

2. *Using the table below, please complete your **Land Application Inspection Strategy** in accordance with the following factors.*
- a. *Enter in the table below one or more of the following land application inspection strategies for addressing land application of manure, nutrient management planning and record keeping. You may also propose an alternative inspection strategy. See the Annual Report Guidance Document for more information on Land Application Inspections.*
    - i. *The County goal is to perform a Level II Land Application Inspection review as part of any Compliance inspection conducted at Non-NPDES sites >300 AU.*
    - ii. *The County will conduct Level III Land Application Inspections at all sites within a defined jurisdiction such as feedlots in a TMDL watershed, a township, or some other formally designated area.*
    - iii. *The County will conduct Level I inspections at sites that, according to previous inspections, have not been maintaining manure management records.*
    - iv. *Alternative strategies; please list in the table.*
  - b. *For each strategy that you list in the table, you must enter the total number of feedlot sites defined by the strategy and the number of those sites at which you intend to conduct land application inspections.*

### Land Application Inspection Strategy Goals

| Feedlot Type   | * Total Number (as defined by area, size, type, location, compliance status or other parameter) | * Inspection Goal 2014 | * Inspection Goal 2015 |
|--|---|------------------------|------------------------|
| <i>Example from list above. The County will conduct Level I inspections at sites that, according to previous inspections, have not been maintaining manure management records.</i> |   |                        |                        |
| <i>Example of alternative strategy. The County will conduct Level III reviews at land application sites within the Rock River watershed</i>  |   |                        |                        |
| Total  |   |                        |                        |

\* Numbers entered into the table for Level III land application strategy goals must be quantified by feedlot site and not by individual fields.

**Compliance strategy:** Please describe your compliance strategy for 2014-2015.

1. Please state the various method(s) and practice(s) that the County will use in response to **production site inspections** that result in non-compliance, including facilities that have failed to meet OLA timelines:

- a. Include corrective actions in the inspection results notification letter, where corrective actions can be completed in 30-days or less.
- b. Issue a Letter of Warning (LOW) or a Notice of Violation (NOV) that will include corrective actions and deadlines.
- c. Issue an Interim Permit that includes timelines for corrective actions.
- d. Document in a letter to the owner that indicates another agency (NRCS or SWCD) is working to correct identified pollution hazards.
- e. Other strategies, as described in the space below.

2. Please indicate in the space below the various method(s) and practice(s) that the County will use in response to **land application inspections** that result in non-compliance:

- f. Address non-compliance at the same time the facility non-compliance is addressed. See above.
- g. Include corrective actions in the inspection results notification letter, where corrective actions can be completed in 30-days or less.
- h. Issue a Letter of Warning (LOW) or a Notice of Violation (NOV) that will include corrective actions and deadlines.
- i. Document in a letter to the owner that indicates another agency (NRCS or SWCD) is working to correct identified pollution hazards.
- j. Other strategies, as described in the space below.

Please state the timelines (scheduled compliance goals) that the County intends to meet when using the methods and practices identified under item 1 and item 2:

- a. Notification of inspection results informing the producer of non-compliance including the listing of any corrective action that can be completed within 30 days. Follow-up contact/communication to evaluate producer progress.

- b. *Decision to escalate compliance action where progress on corrective actions is not forthcoming.*

**Owner assistance strategy:** The MPCA requests that delegated counties set specific owner assistance plans and goals.

1. *Please state the number and type of activities you plan to conduct. (Examples are: group education events; newsletters; newspaper articles; producer surveys; distribution of manure sample containers; aid in MMP writing.)*

2. *Please state your goals in terms of the number of feedlots owners that you expect to attend meetings hosted to provide producer training and education.*

3. *Please state whether you intend to participate in the Owner Assistance Tracking project that is being directed by MACFO and that begins January 1, 2014.*

**B. Delegated county minimum program requirements**

Part 2 of County feedlot program legislative appropriation language for 2014-2015 states that 25% of the total appropriation must be awarded according to the terms and conditions of the following MPRs.

**1. Inspection minimum program requirement**

A delegated County must inspect 7% or more of their feedlots annually, as determined by the table below, to be eligible for the Inspection Minimum Program Requirement award.

| <b>Inspection Minimum Program Requirement:</b>   | <b>July 1 – Dec. 31,<br/>2014</b> | <b>Jan. 1 –Dec 31<br/>2015</b> |
|--|-----------------------------------|--------------------------------|
| 1. <b>Agency-approved number required to be registered.</b> Please enter the number that is shown for your County on the 2014 County Program Base Grant Award Schedule, Appendix B. (These numbers may be modified upon finalization of the January 1, 2014 re-registration update.) | _____                             | _____                          |
| 2. <b>County – Agency agreed upon inspection rate.</b> The inspection rate is 7% for 2014 and 2015 unless otherwise negotiated by the two parties.   | _____                             | _____                          |
| 3. <b>County – Agency agreed upon inspection number for the identified time period.</b> (These numbers may be modified upon finalization of the January 1, 2014 re-registration update.)   | _____                             | _____                          |

**2. Other minimum program requirements**

| <b>Registration Minimum Program Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
|---|--------------------------|--------------------------|
| <p>1. The County will register and maintain registration data in the Delta database in accordance with Minn. R. ch. 7020.0350 subp. 1 and 7020.1600, subp. 2. C.</p> <p><i>A County program review indicates that the County uses the MPCA standard feedlot registration form or has been approved to use a County-designed registration form and updates Delta with the registration information acquired from registration forms and/or permit application. Fields that must be updated continuously include shoreland status, Drinking Water Supply Management Area and Open Lot Agreement (OLA) as agreed to by FM T-MACFO in 2013.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>2. The County issues a registration receipt to the feedlot owner within 30 days of receipt of the registration form. (7020.0350, subp. 5.)</p> <p><i>File reviews indicate that the County has fulfilled the registration receipt requirement as stated in their registration work plan strategy.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Inspection Minimum Program Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
| <p>3. The County maintains a record of all compliance inspections, including land application review results, conducted at feedlots required to be registered. At a minimum, counties must maintain on file, electronic or paper, a completed copy of the Non-NPDES Inspection Checklist. (7020.1600, subp. 2. H.)</p> <p><i>File reviews indicate that the County uses, and maintains on file, inspection documentation in accordance with the above requirement.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>4. The County completes entry of data from all feedlot compliance inspections, including land application review results, at feedlots required to be registered, into Delta and in accordance with Delta inspection fields by February 1 of the year following the end of the program year. (7020.1600, subp. 2. H.)</p> <p><i>A Delta database query indicates that entry of inspection data into Delta occurs within required parameters.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>5. The work plan contains an inspection strategy that has been approved by the agency. (7020.1600, subp. 3a.B.(1-2))</p> <p><i>The Annual Inspection Strategy Progress report (located in the Supplemental Information Page section of the Annual County Feedlot Officer and Performance Credit Report) indicates that the County initiated inspection plans and goals as stated in their inspection strategy.</i></p>   | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Compliance Minimum Program Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
| <p>6. The County will notify the producer, in writing, of the results for any compliance inspection conducted. The notification must include a completed copy of the Non-NPDES Inspection Checklist. (7020.1600, subp. 3a.B. (5a.))</p> <p><i>File review indicates that the County has notified the producers of compliance inspection results. Notification must be in writing either by letter or by a document, signed by the producer, that he/she has viewed and agreed with the completed inspection report and waives any further notification of results by mail.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>7. The County will bring feedlot operations into compliance through the implementation of scheduled compliance goals as stated in their compliance strategy (7020.1600, subp. 3a.B.(5)).</p> <p><i>File reviews indicated that, in matters of non-compliance, the County followed their compliance strategies.</i></p>   | <input type="checkbox"/> | <input type="checkbox"/> |

| <b>Compliance Minimum Program Requirements (continued):</b>   | <b>YES</b>               | <b>NO</b>                |
|---|--------------------------|--------------------------|
| <p>8. The County maintains documentation and correspondence for any return to compliance from a documented non-compliance status. (7020.1600, subp. 2.H.)</p> <p><i>When a County records a corrective action in Delta, the file contains documentation by either the County or other party verifying that the corrective action was implemented and/or installed.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Permitting Minimum Program Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
| <p>9. The County will issue permits within the 60/ 120 day time period according to Minn. Stat. 15.99. (7020.0505, subp. 5.B.)</p> <p><i>File reviews indicate that the County:</i></p> <ul style="list-style-type: none"> <li>a. <i>Date stamps applications and all its components</i></li> <li>b. <i>Incomplete letters are used when applicable</i></li> </ul>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>10. The County will make sure all permit applications are complete. (7020.1600, subp. 2.C.)</p> <p><i>File reviews indicate that the County uses an agency approved application checklist and that applications are complete.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>11. The County will ensure producer compliance with required notifications. (7020.2000, subp. 4 and subp. 5)</p> <p><i>Public notifications for new or existing feedlots with a capacity of 500 AU or greater proposing to construct or expand must include the following information:</i></p> <ul style="list-style-type: none"> <li>a. <i>Owner's names or legal name of the facility</i></li> <li>b. <i>Location of facility - County, township, section, and quarter section</i></li> <li>c. <i>Species of livestock and total animal units</i></li> <li>d. <i>Types of confinement buildings, lots, and areas at the animal feedlot</i></li> <li>e. <i>Types of manure storage areas</i></li> </ul> <p><i>Public notification completed by:</i></p> <ul style="list-style-type: none"> <li>a. <i>Newspaper (affidavit in file)</i></li> <li>b. <i>Written Notice Location</i></li> <li>c. <i>Conditional Use Permit Notice</i></li> </ul> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>12. Appropriate permit issuance after completion of required notifications. (7020.2000, subp. 5)</p> <p><i>File reviews indicate that permits have been issued after the appropriate number (20) of business days following public notifications.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>13. The County will ensure that MMP (manure management plan) conditions have been met according to 7020.2225, subp. 4.D. prior to permit issuance (7001.0140).</p> <p><i>File reviews indicate that a MMP and a MMP checklist completed by the CFO is on file for any Interim permit issued; a manure management checklist completed by the CFO is on file for any Construction Short-Form permit issued for a feedlot with ≥300 AU where manure is non-transferred; and a completed copy of the document "MMP When Ownership of Manure is Transferred" is on file for a feedlot with ≥300 AU where manure is transferred.</i></p>   | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>14. The County will ensure that producers who submit a permit application that includes a liquid manure storage area (LM SA) meet the requirements set forth in 7020.2100.</p> <p><i>File reviews indicate that the County uses an agency approved LM SA checklist and that plans and specifications are complete.</i></p>   | <input type="checkbox"/> | <input type="checkbox"/> |

| <b>Permitting Minimum Program Requirements (continued):</b>  | <b>YES</b>               | <b>NO</b>                |
|--|--------------------------|--------------------------|
| <p>15. The County will ensure that any pollution problem existing at a producer's site will be resolved before the permit is issued or is addressed by the permit. (7020.0500, subp. 5.B. and 7001.0140)</p> <p><i>File reviews indicate that the County issues Interim permits in appropriate situations.</i></p> <p><i>File reviews indicate that the County conducts an inspection prior to permit issuance.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Complaint Response Minimum Program Requirements:</b>  | <b>YES</b>               | <b>NO</b>                |
| <p>16. The County maintains a record of all complaint correspondence. (7020.1600, subp. 2.H. and subp. 2.J(6))</p> <p><i>The County maintains a complaint log and promptly reported to the MPCA any complaints that represented a possible health threat, a significant environmental impact or indicated a flagrant violation</i></p> <p><i>The complaint log record includes the following information:</i></p> <ul style="list-style-type: none"> <li><i>a. The type of complaint.</i></li> <li><i>b. The location of the complaint.</i></li> <li><i>c. The date and time the complaint was made.</i></li> <li><i>d. The facts and circumstances related to the complaint.</i></li> <li><i>e. A statement describing the resolution of the complaint.</i></li> </ul>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Owner Assistance Minimum Program Requirements:</b>  | <b>YES</b>               | <b>NO</b>                |
| <p>17. The work plan contains owner assistance goals that have been approved by the agency. (7020.1600, subp. 2.J(5) and subp. 3a.B.(7))</p> <p><i>The annual delegation review indicates that the County initiated plans in accordance with their owner assistance work plan strategy.</i></p>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Staffing Level and Training Minimum Program Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
| <p>18. The CFO (and other feedlot staff) attends training necessary to perform the duties of the feedlot program and is consistent with the agency training recommendations. (7020.1600, subp. 2.K.)</p> <p><i>The County completed a minimum of 18 continuing education units (CEU); each unit consisting of one hour of training related to Minn. R. ch. 7020 competency areas: Regulating new construction; conducting inspections and evaluating compliance; handling complaints and reported spills; responding to air quality complaints, resolving identified pollution problems, communicating with farmers and the agricultural community.</i></p> <p><i>(See Annual CFO Report Form Guidance document for more information about Training Performance credits.) All training sessions attended by the County must be submitted with the Supplementary Report Form.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> |

| <b>Air Quality Minimum Program Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
|--|--------------------------|--------------------------|
| <p>19. The County maintains a record of all notifications received from feedlot owners claiming air quality exemptions including the days exempted and the cumulative days used. (7020.1600, subp. 2.1.)</p> <p><i>The County maintains a pumping notification log.</i></p> <p><i>The record includes the following information:</i></p> <ul style="list-style-type: none"> <li><i>a. Names of the owners/legal facility name</i></li> <li><i>b. Location of the facility (County, township, section, quarter)</i></li> <li><i>c. Facility permit number</i></li> <li><i>d. Start date and number of days to removal</i></li> </ul>      | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Web Reporting Requirements:</b>   | <b>YES</b>               | <b>NO</b>                |
| <p>20. The County maintains an active Website listing detailed information on the expenditure of County program grant funds and measureable outcomes as a result of the expenditure of funds. (H.F. No. 2123, 86<sup>th</sup> Legislative Session, Article 1, Section 3, Subdivision 1)</p> <p><i>As of July 1 of the current program year the following reports for the previous program year have been maintained on the County's website:</i></p> <ul style="list-style-type: none"> <li><i>a. Natural Resource Block Grant feedlot program financial report as recorded on eLINK</i></li> <li><i>b. Annual CFO Report</i></li> </ul> | <input type="checkbox"/> | <input type="checkbox"/> |



**The 2014 – 2015 County Feedlot Program Delegation Agreement  
and Work Plan Review Summary**

**A. County Need Requests.** Please state any specific resources that you are requesting the MPCA to provide in administering the County feedlot program in your County:

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**B. Agency Response/ Comment to County Need Requests.**

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**C. Documentation of Work Plan Revisions and/ or Alternate Methods for Meeting MPRs.** Any work plan revisions including any alternate methods for meeting MPRs that have been agreed to by both parties must be documented in this space.

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**D. Work Plan Approval.** The 2014-15 delegation agreement and work plan has been reviewed and satisfactorily addresses delegation agreement requirements.     Yes     No

|   |   |                 |
|---|---|-----------------|
| The comments as recorded in the above parts together with the signatures of represented parties constitute that review of the delegation agreement has been conducted and that agreement of delegated County duties and goals by the MPCA and the County for the January 1 – December 31, 2014, period has been achieved. | County Feedlot Officer: _____               |                 |
|   | _____<br>(Signature County Feedlot Officer) | _____<br>(Date) |
|   | MPCA Representative: _____                  |                 |
|   | _____<br>(Signature MPCA Representative)    | _____<br>(Date) |

# Appendix 3: 2014 Annual CFO Report and Performance Credit Report with supplemental form

Minnesota Pollution Control Agency Feedlot Program  
**2014 Annual County Feedlot Officer Annual Report and Performance Credit Report**  
 (Data for the Period: January 1, 2014 - December 31, 2014)

|   |  |   |                 |
|---|--|---|-----------------|
| County:   |  |   |                 |
| Contact Person:   |  |   |                 |
| Phone Number:   |  |   |                 |
| E-Mail Address:   |  |   |                 |
| Signature:  | _____                                    | _____   |                 |
|   | (Signature of County Board Commissioner) | (Date)  |                 |
| <b>All data must be entered in accordance with the Annual CFO Report Guidance Document.</b>                     |  |   |                 |
| <i>Except where identified, this report address those non-NPDES/SDS site required by 7020 to be registered.</i> |  |   |                 |
|   | <b>No.</b>                               | <b>PC</b>   | <b>PC Total</b> |
| <b>REGISTRATION</b>   |  |   |                 |
|   | 1  | Feedlots in shoreland with 10 - 49 AU:                                      |                 |
|   | 2  | Feedlots with 50 - 299 AU:  |                 |
|   | 3  | Non-NPDES/SDS ≥ 300 AU:   |                 |
|   | 4  | Feedlots with NPDES/SDS permits:  |                 |
|   | 5  | <b>Total - Feedlots required to be registered:</b>                          | <b>0</b>        |
| <b>PRODUCTION SITE INSPECTIONS (compliance or construction)</b>   |  |   |                 |
|   | 6  | Feedlots inspected in shoreland with 10 - 49 AU:                            |                 |
|   | 7  | Feedlots inspected with 50 - 299 AU:  |                 |
|   | 8  | Non-NPDES/SDS ≥ 300 AU inspected:   |                 |
|   | 9  | <b>Total - Non-NPDES/SDS Feedlots inspected required to be registered:</b>  | <b>0</b>        |
|   | 10                                       | NPDES/SDS sites inspected:  |                 |
|   | 11                                       | Inspected Feedlots non-compliant with water quality discharge standards:    |                 |
| <b>LAND APPLICATION INSPECTIONS</b>   |  |   |                 |
| <b>Non-NPDES/SDS Sites</b>  | 12                                       | Feedlots ≥ 100 AU where Level 1 land app was conducted:                     |                 |
|   | 13                                       | Feedlots ≥ 100 AU where Level 1 land app result was non compliant:          |                 |
|   | 14                                       | Site ≥ 300 AU (or ≥100 AU in DWSMA) where Level 2 land app was conducted:   |                 |
|   | 15                                       | Feedlots from Line 14 where Level 2 land app result was non compliant:      |                 |
|   | 16                                       | Feedlots ≥ 100 AU where Level 3 land app was conducted:                     |                 |
|   | 17                                       | Feedlots ≥ 100 AU where Level 3 land app result was non compliant:          |                 |
| <b>SPECIALTY INSPECTIONS</b>  |  |   |                 |
| <b>Non-NPDES/SDS Sites</b>  | 18                                       | How many from Line 9 are construction only (Line 9 - # of compliance insp): |                 |
|   | 19                                       | Sites with multiple inspections where at least one was a construction insp: | 0.5             |
|   | 20                                       | Feedlots inspected that are located in shoreland and/or DWSMA:              | 0               |
|   | 21                                       | Complaint inspections at sites required to be registered:                   |                 |
|   | 22                                       | Complaint inspections at sites NOT required to be registered:               |                 |
|   | 23                                       | On-site assistance inspections:   |                 |
| <b>INSPECTION TYPE (Performance Credit Eligible)</b>  |  |   |                 |
| <b>Based on Number of Sites Inspected by Type</b>   | 24                                       | Compliance Inspections at non-NPDES/SDS sites:                              | 0               |
|   | 25                                       | Construction only Inspections at non-NPDES/SDS sites (to meet 7% min):      | 1.5             |
|   | 26                                       | Complaint Inspections (any size site):                                      | 0               |
|   | 27                                       | Level 2 Land Application Inspections at non-NPDES/SDS sites:                | 0.5             |
|   | 28                                       | Level 3 Land Application Inspections at non-NPDES/SDS sites:                | 3               |
|   | 29                                       | Feedlots with NPDES/SDS permits inspected:                                  | 0               |
|   | 30                                       | <b>Inspection Type Performance Credit Total: (lines 24-29)</b>              | <b>0.00</b>     |

| All data must be entered in accordance with the Annual CFO Report Guidance Document.                     |    |  |     |      |             |
|--|----|--|-----|------|-------------|
| Except where identified, this report address those non-NPDES/SDS site required by 7020 to be registered. |    |  | No. | PC   | PC Total    |
| <b>PERMITTING</b>  |    |  |     |      |             |
|  | 31 | 30-day construction or expansion notifications received:   |     |      |             |
|  | 32 | Interim Permits Issued or Modified:  |     | 2    | 0           |
|  | 33 | Construction Short-Form Permits Issued or Modified at Sites ≥ 300 AU:  |     | 1    | 0           |
|  | 34 | Public meetings held for construction or expansion to ≥ 500 AU:  |     |      |             |
| <b>EMERGENCY RESPONSE (any size site)</b>  |    |  |     |      |             |
|  | 35 | Events where emergency response was conducted: (on-site visit)   |     | 2    | 0           |
| <b>PRODUCTION SITE SCHEDULED COMPLIANCE (Achieved in current reporting year)</b>                         |    |  |     |      |             |
|  | 36 | Feedlots where a partial environmental upgrade was achieved:   |     |      |             |
|  | 37 | Feedlots where a complete environmental upgrade was achieved:  |     | 6    | 0           |
| <b>LAND APPLICATION SCHEDULED COMPLIANCE (Achieved in current reporting year)</b>                        |    |  |     |      |             |
| Non-NPDES/SDS Sites  | 38 | Feedlots ≥ 100 AU where Level 1 land app non-compliance was returned to compliance:  |     |      |             |
|  | 39 | Feedlots ≥ 300 AU (or ≥ 100 AU located in a DWSMA) where Level 2 land app non-compliance was returned to compliance:           |     |      |             |
|  | 40 | Feedlots ≥ 100 AU where Level 3 land app non-compliance was resolved:  |     |      |             |
| <b>OWNER ASSISTANCE</b>  |    |  |     |      |             |
| Describe Lines 41, 43 & 44 on Supplemental Form.   | 41 | Workshops or trainings hosted and/or co-sponsored by the CFO:  |     | 2    | 0           |
|  | 42 | Number of feedlot owners attending events in line 41:  |     |      |             |
|  | 43 | Number of mailings to feedlot owners:  |     |      |             |
|  | 44 | Feedlot articles placed in newspapers:   |     |      |             |
| <b>STAFFING LEVEL AND TRAINING</b>   |    |  |     |      |             |
| Line 49 Based on One CFO per County Attending Training Event   | 45 | FTEs - (Full Time Equivalents) supplied by the CFO(s):   |     |      |             |
|  | 46 | FTEs supplied by other county staff, including administrative and support staff assigned by the county to the feedlot program: |     |      |             |
|  | 47 | FTEs supplied through contract with other local government units:  |     |      |             |
|  | 48 | Total Number of FTE positions that supported county program:   | 0   |      |             |
|  | 49 | CFO - training hours: (Enter total training hours earned)  |     | 0.25 | 0           |
| <b>ENVIRONMENTAL REVIEW (EAW)</b>  |    |  |     |      |             |
|  | 50 | EAW petitions received:  |     |      |             |
|  | 51 | EAWs prepared by county:   |     | 4    | 0           |
| <b>AIR QUALITY NOTIFICATIONS</b>   |    |  |     |      |             |
|  | 52 | Notifications received claiming air quality exemptions:  |     |      |             |
| <b>ENFORCEMENT ACTIONS</b>   |    |  |     |      |             |
|  | 53 | Letters of Warning (LOW) issued:   |     |      |             |
|  | 54 | Notices of Violation (NOV) issued:   |     |      |             |
|  | 55 | Court actions commenced:   |     |      |             |
| <b>OTHER PROGRAM ACTIVITIES</b>  |    |  |     |      |             |
| Describe Lines 57, 58, 59 and 60 on Supplemental Form.   | 56 | Feedlots where a MinnFARM was conducted:   |     | 1    | 0           |
|  | 57 | Hours mentoring New CFO's:   |     | 0.25 | 0           |
|  | 58 | CFO presentations at informational or producer groups: (per event)   |     | 1    | 0           |
|  | 59 | Meetings with other local government and producer groups:  |     |      |             |
|  | 60 | Feedlot Ordinance Revisions:   |     |      |             |
| <b>TOTAL PERFORMANCE CREDITS</b>   |    |  |     |      | <b>0.00</b> |

**2014 Annual County Feedlot Officer Report**  
**Supplemental Information Page**  
January 1, 2014 – December 31, 2014

**County Name:** \_\_\_\_\_

**Work Plan  
Inspection Goals**

Please describe the progress that you made during the calendar year in meeting your 2014-2015 work plan inspection goals. Your report must provide quantitative results for each inspection, production site and land application goal, listed in your work plan.

**Owner  
Assistance Goals**

Please report on the following owner assistance activities that you conducted in the past year. Include a date and description for each of the activities listed.

- Information meetings provided to feedlot owners:
  
- Newsletters/direct mailings sent to feedlot owners:
  
- Feedlot articles placed in local newspapers:
  
- Other information and outreach activities not identified above:

**Staffing Level  
and Training**

Please list the training events that you participated in during the calendar year. Include a date and the number of hours of participation for each of the events listed.

**Feedlot  
Enforcement  
Actions**

Please describe any enforcement actions other than letters of warning, notices of violation, and court actions that you conducted during the calendar year.

**Other Program  
Activities**

Please list any meetings, including meeting dates, which you attended during the calendar year with local government services and producer groups (including SWCD and NRCS Offices, Minnesota Extension Service, Dairy Inspectors, Minnesota Pork Producers, Minnesota Dairy Association, Minnesota Cattleman's Association).

Please use this space to describe any feedlot ordinance revision and/or adoption proceedings for this reporting period.

Please use this space to list any county feedlot program activities conducted during this reporting period not identified in this form.