

# Livestock Facility Siting

## ATCP 51

RULE REVISIONS

### Objectives

1. Ensure consistent technical standards
2. Modify standards in the rule based on recommendations from the Technical Expert Committee
3. Improve the process for local implementation

### Nutrient Management Standard

- Updates the nutrient management standard to the NRCS 590 technical standard in ATCP 50
- Adds the 2011 cropland performance standards in NR 151 (five-foot tillage setback and Phosphorus Index standard) to the existing 2002 performance standards

### Waste Storage Facilities Standard

- Updates the waste storage facilities standard to the 2017 NRCS 313 technical standard
- Requires more effective evaluations of existing manure storage structures to protect from structural failure and significant leakage

### Runoff Management Standard

- Updates to the 2016 NRCS 635 and 2017 NRCS 629 technical standards for runoff controls from feed storage and animal lots, with exceptions that give flexibility to smaller livestock facilities:
  - Allows the use of vegetated treatment areas at existing animal lots
  - Allows the use of vegetated treatment areas or other runoff controls at new or expanded feed storage structures <1 acre in size

### Odor and Setbacks Standards

- Proposes a new system for managing odor based on property line setbacks. Larger setbacks are applied to higher odor-producing livestock structures (e.g. manure storage, hog housing, poultry layer housing, beef housing with slatted floors, dairy housing with alley flush), and credits for reducing the setbacks are given for installing and implementing odor control practices
- Maintains basic setbacks from property line and public road right-of-way for other livestock structures while adding a 200-300 foot setback for facilities at 2,500 or more Animal Units

### Improved Processes for Local Implementation

- When a siting applicant uses a WPDES (CAFO) permit to show compliance with water quality standards, requires specific documentation to ensure that the WPDES permit is for the same proposed facility and same number of Animal Units as the siting permit application indicates
- Defines procedures for permit modifications and limits modifications to the following changes:
  - When constructing or altering one or more livestock structures, with no increase to the maximum number of Animal Units allowed at the facility
  - When increasing the maximum number of Animal Units by no more than the lesser of 20% or 1,000 Animal Units, with no construction or alteration to livestock structures
- Allows local governments to monitor permit compliance either by:
  - Requiring an operator to certify compliance using a DATCP-approved checklist
  - Inspecting the facility using a DATCP-approved checklist

### Questions?

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### For more information:

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