
Le Sueur County, MN

Tuesday, March 25, 2014

Board Meeting

Item 7

9:50am Amy Beatty - Environmental Specialist

2014-2015 County Feedlot Work Plan review

2013 County Feedlot Program review.

Staff Contact:

Le Sueur County Environmental Services

Mailing Address:

88 South Park Avenue
Le Center, MN 56057
Direct Dial (507) 357-8538

Physical Address:

515 South Maple Avenue
Le Center, MN 56057
Fax (507) 357-8541

DATE: Thursday, March 20, 2014

TO: Le Sueur County Board of Commissioners

FROM: Amy Beatty, Le Sueur County Environmental Programs Specialist

RE: Le Sueur County 2014-2015 Feedlot Work Plan and 2013 Year-End Feedlot Program Review

Feedlot Work Plan

As part of Le Sueur County's Delegation Agreement with the Minnesota Pollution Control Agency (MPCA) to administer the feedlot program, the county is required to submit a work plan. The work plan lists the minimum program requirements that the county shall do to administer and implement the feedlot program. The county is required

- To keep an inventory of registered or permitted feedlots;
- To inspect feedlots to determine compliance;
- To permit feedlots for construction or forward applications to the MPCA if a state permit is required;
- To review complaints; and
- To assist feedlot owners with items such as land application recordkeeping, manure management planning, and permit applications for state and/or county issued permits.

Le Sueur County's 2014-2015 Feedlot Work Plan has been reviewed by MPCA feedlot staff and satisfactorily addresses delegation agreement requirements. In order for the work plan to be executed,

- The county feedlot officer shall sign the Work Plan Signature Page; and
- A review of the county's work plan by the County Board of Commissioners and signed by the Chair upon approval by the Board.

Feedlot Program Review

Each year the work plan is reviewed by the MPCA to determine if the county is meeting its goals and requirements. Le Sueur County's program was reviewed on March 5, 2014 by MPCA staff, and the county satisfied the delegated feedlot program requirements. As part of the review process, the county feedlot officer presents the report to the County Board of Commissioners for review, and upon approval by the Board have the Chair sign the report.

The county's feedlot program is funded through the Natural Resources Block Grant administered by the Minnesota Board of Water and Soil Resources.

2014 - 2015 County Feedlot Program Delegation Agreement and Work Plan (January 1, 2014 – December 31, 2015)

County: Le Sueur

County Feedlot Officer(s): Amy Beatty

Primary Contact Person: Amy Beatty

Telephone Number: 507-357-8203

E-mail Address: abeatty@co.le-sueur.mn.us

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 Minnesota Rules Chapter 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 minimum program requirements (MPRs) as set forth in this document. Counties that fail to meet the 7% inspection rate MPR 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 has 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 minimum program requirements 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. | |
| | |
| 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.*

Le Sueur County uses a 30-day registration receipt letter.

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.*

Le Sueur County uses the MPCA standard registration form plus a supplemental form listing the facility's buildings, open lots, and manure storage structures, and the amount of acres available for manure application.

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.*

Le Sueur County will refer to MPCA policy regarding re-registrations that show an increase in animal units (a greater than 10% increase will be evaluated for compliance regarding permitting and notification requirements, including feedlot owner contact and, if warranted, a feedlot inspection), and will also evaluate if the increase requires a county conditional use permit (CUP). Plan to call the feedlot owner and discuss the increase.

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.*

Send 3rd notice by mail. Call the feedlot owner. If either of these strategies does not result in re-registration, certified letter to feedlot owner that is cc'd to county attorney and county commissioner.

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).

For assistance with completing this part of the work plan, please see Appendix A.

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 ≥ 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 DWSMA.
 - ii. The County inspects all feedlots in the County on a 5 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 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

| Feedlot Type | Total Number (as defined by area, size, type, location, compliance status or other parameter) | Inspection Goal 2014 | Inspection Goal 2015 |
|---|---|----------------------|----------------------|
| Required Strategy. Inspect all sites where an interim or CSF (CSF for ≥ 300 only) permit is issued. | <i>1 per year</i> | <i>1</i> | <i>1</i> |
| Required Strategy. Inspect sites with OLAs that have never been inspected: | <i>8 OLA sites – 3 of which never inspected</i> | <i>4</i> | <i>4</i> |
| Required Strategy. Inspect sites required to be registered that never been inspected. | <i>69</i> | <i>13</i> | <i>13</i> |
| Total | | <i>18</i> | <i>18</i> |

2. Using the table below, please complete your **Land Application Inspection Strategy** in accordance with the following factors.
- 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.
 - 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.
 - 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.
 - The County will conduct Level I inspections at sites that, according to previous inspections, have not been maintaining manure management records.
 - Alternative strategies; please list in the table.
 - 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 |
|---|---|------------------------------|------------------------------|
| Example from list above. | | | |
| • Level III inspections of turkey/chicken manure stockpile applications | Estimate 15 stockpiles per year | 6 | 6 |
| • Level III inspections of manure applications | 3 feedlots of 185 | 3 | 3 |
| • Conduct Level I for all +100 AU production site inspections | 26 of 69(never inspected) | 5 | 5 |
| • Conduct Level II for all +300 AU production site inspections | 17 of 69(never inspected) | 3 | 3 |
| Total | | 17 | 17 |

*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.

- 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:
 - 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.*

Le Sueur County will use the following methods or practices for non-compliance issues:

- Document in an inspection report/letter: If the non-compliance issue is noted during an inspection, I document the non-compliance both in the letter and on the inspection form. The schedule of compliance will either be stated in the inspection report/letter.
- Letter of Warning: A Letter of Warning is most often issued when the Department receives a complaint. The letter will state what the non-compliance issue is and request a production site inspection or date by which to fix the non-compliance issue.
- Notice of Violation: A Notice of Violation is issued when the non-compliance issue is major (for example – when manure enters waters-of-the-state) or the Letter of Warning’s corrective actions were not completed during the allotted time frame. The letter will state what the non-compliance issue is, request a production site inspection, and for the feedlot owner to apply for an interim permit.

An interim permit may be issued after a non-compliance issue is either documented from an inspection, a complaint, or a Notice of Violation. An interim permit will be issued when a non-compliance issue will require a long period of time to correct or fix (for example - a construction project or multiple corrective actions). The time frame for the schedule of compliance will be based on the amount of corrective actions to be completed and will be discussed with the feedlot owner if it will be a reasonable amount of time in which to complete them. If the project is eligible for cost-share, the feedlot owner will be directed to the NRCS, SWCD, and/or private contractor for technical assistance.

The county will refer to the County Feedlot Officer Toolbox for letter and notice templates and rule citations.

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:*
 - a. *Address non-compliance at the same time the facility non-compliance is addressed. See above.*
 - b. *Include corrective actions in the inspection results notification letter, where corrective actions can be completed in 30-days or less.*
 - c. *Issue a Letter of Warning (LOW) or a Notice of Violation (NOV) that will include corrective actions and deadlines.*
 - 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.*

For land application inspections that result in non-compliance, the county will address the non-compliance at the same time the facility non-compliance is addressed – please see above listed. If the non-compliance is noted during a Level III, the owner will be told verbally on-site, if noted during application. The non-compliance will also be documented in the inspection form.

3. *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.*

The timeline in which to complete the non-compliance issue and method to communicate to the feedlot owner will be

- Initial communication of non-compliance issues will be verbal and take place during an on-site or inspection.
- The non-compliance issue will be formally addressed in a letter and on the MPCA inspection form within thirty (30) business days of the inspection or on-site.
 - For example, if the non-compliance was no manure and soil phosphorus testing at a >300 AU feedlot, I would verbally state to the feedlot owner to submit a manure sample for testing during the spring or fall manure application and have the soil phosphorus levels tested in the spring or fall. Proof of compliance would be submitting a copy of the analysis to be placed in the county's feedlot owner's file.
 - If the non-compliance issue is not following the Board of Animal Health's requirements, a Letter of Warning is sent to the feedlot owner stating the proper disposal requirements. To determine compliance, a follow-up inspection of the site and a letter stating the animal mortality was or was not properly removed would be sent.
- If an Interim Permit was issued, scheduled inspections to view the progress on the fix would be made with the feedlot owner. The compliance status would be communicated verbally on-site and followed-up with a letter and/or MPCA inspection form.

If feedlot owner does not contact the Department by the date stated in the letter (usually thirty (30) days of the date on the LOW, NOV, and/or inspection letter), a second letter, within ten (10) business days, will be mailed to the feedlot owner stating that no action has taken place or no contact with the Department; to contact the Department immediately; and the letter will be cc'd to the county attorney for possible enforcement action.

With all non-compliance issues, I am willing to work with the feedlot owner (such as the feedlot owner having a voice on how to fix the non-compliance and the schedule of compliance timeline).

If compliance has not been achieved within the set timeline and the feedlot owner has not communicated with the county regarding the issue, the county would request assistance from state agencies and/or assistance from other county staff regarding enforcement proceedings.

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.)*

Newsletter (at least 1), aid in MMP writing (in previous years, 2), permit applications (in previous years 1-2), assistance in NPDES/SDS annual reporting (2). The majority of assistance is speaking with potential land owners and realtors regarding the county's zoning ordinance requirements for livestock.

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.

I have hosted meetings in the past that were not well attended by the owners that should be attending; therefore, do not plan on hosting any meetings. If a producer training and/or education event is offered, I do send a mailing out to owners that would benefit.

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.

Yes

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 Minimum Program Requirements (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.

| Inspection Minimum Program Requirement: | Jan. 1 – Dec. 31, 2014 | Jan. 1 –Dec 31 2015 |
|--|---------------------------|------------------------|
| 1. Agency-approved number required to be registered. 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.) | 185 | 185 |
| 2. Statute-Required 7% Inspection Rate to Maintain Funding. (These numbers may be modified upon finalization of the January 1, 2014 re-registration update.) | 13 | 13 |

2. Other Minimum Program Requirements

| Registration Minimum Program Requirements: | YES | NO |
|--|-----|----|
| 1. The County will register and maintain registration data in the Delta database in accordance with MN R. Ch. 7020.0350 Subp. 1 and 7020.1600, Subp. 2. C. <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 (DWSMA) and Open Lot Agreement (OLA) as agreed to by FMT-MACFO in 2013.</i> | ❄ | ● |
| 2. The County issues a registration receipt to the feedlot owner within 30 days of receipt of the registration form. (7020.0350, Subp. 5.) <i>File reviews indicate that the County has fulfilled the registration receipt requirement as stated in their registration work plan strategy.</i> | ❄ | ● |

| Inspection Minimum Program Requirements: | YES | NO |
|--|------------|-----------|
| <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> | ❄ | ● |
| <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> | ❄ | ● |
| <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> | ❄ | ● |

| Compliance Minimum Program Requirements: | YES | NO |
|---|------------|-----------|
| <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> | ❄ | ● |
| <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> | ❄ | ● |
| <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> | ❄ | ● |

| Permitting Minimum Program Requirements: | YES | NO |
|---|------------|-----------|
| <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>Files reviews indicate that the County:</i></p> <ul style="list-style-type: none"> a. Date stamps applications and all its components b. Incomplete letter are used when applicable | ❄ | ● |

| | | |
|---|---|---|
| 10. The County will make sure all permit applications are complete. (7020.1600, Subp. 2.C.) <i>File reviews indicate that the County uses an agency approved application checklist and that applications are complete.</i> | ❄ | ● |
| 11. The County will ensure producer compliance with required notifications. (7020.2000, Subp. 4 and Subp. 5) <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> <ul style="list-style-type: none"> a. Owner's names or legal name of the facility; b. Location of facility - County, township, section, and quarter section; c. Species of livestock and total animal units; d. Types of confinement buildings, lots, and areas at the animal feedlot; and e. Types of manure storage areas; <i>Public notification completed by:</i> <ul style="list-style-type: none"> a. Newspaper (affidavit in file) b. Written Notice Location c. Conditional Use Permit Notice | ❄ | ● |
| 12. Appropriate permit issuance after completion of required notifications. (7020.2000, Subp. 5) <i>File reviews indicate that permits have been issued after the appropriate number (20) of business days following public notifications.</i> | ❄ | ● |
| 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). <i>File reviews indicate that a MMP and a manure management plan 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> | ❄ | ● |
| 14. The County will ensure that producers who submit a permit application that includes a liquid manure storage area (LMSA) meet the requirements set forth in 7020.2100. <i>File reviews indicate that the County uses an agency approved LSMA checklist and that plans and specifications are complete.</i> | ❄ | ● |
| 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) <i>File reviews indicate that the County issues Interim permits in appropriate situations.</i> <i>File reviews indicate that the County conducts an inspection prior to permit issuance.</i> | ❄ | ● |

| Complaint Response Minimum Program Requirements: | YES | NO |
|--|------------|-----------|
| 16. The County maintains a record of all complaint correspondence. (7020.1600, Subp. 2.H. and Subp. 2.J.(6)) | ❄ | ● |

| | | |
|---|--|--|
| <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> <ol style="list-style-type: none"> <i>The type of complaint.</i> <i>The location of the complaint.</i> <i>The date and time the complaint was made.</i> <i>The facts and circumstances related to the complaint.</i> <i>A statement describing the resolution of the complaint.</i> | | |
|---|--|--|

| Owner Assistance Minimum Program Requirements: | YES | NO |
|--|------------|-----------|
| <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> | ❄ | ● |

| Staffing Level and Training Minimum Program Requirements: | YES | NO |
|---|------------|-----------|
| <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 Minnesota Rules Chapter 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> | ❄ | ● |

| Air Quality Minimum Program Requirements: | YES | NO |
|---|------------|-----------|
| <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.I.)</p> <p><i>The County maintains a pumping notification log.</i></p> <p><i>The record includes the following information:</i></p> <ol style="list-style-type: none"> <i>Names of the owners/legal facility name</i> <i>Location of the facility (County, township, section, quarter)</i> <i>Facility permit number</i> <i>Start date and number of days to removal</i> | ❄ | ● |

| Web Reporting Requirement: | YES | NO |
|--|------------|-----------|
| <p>20. The County maintains an active Web site 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, 86th 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 web site:</i></p> <ol style="list-style-type: none"> <i>NRBG feedlot program financial report as recorded on eLINK</i> <i>Annual CFO Report</i> | ❄ | ● |

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:

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

- 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.

- 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: | |
| | <hr/> | |
| | (Signature County Feedlot Officer) | (Date) |
| | MPCA Representative: | |
| | <hr/> | |
| | (Signature MPCA Representative) | (Date) |

2014 – 2015 Work Plan Inspection Strategy

Guidance

The inspection strategy section of the work plan is substantially new for 2014 – 2015. We have provided this special guidance section to ensure that CFOs not only understand the changes but can prepare inspection goals in line with the changes.

Changes to the work plan inspection strategy for 2014 – 2015:

1. The County must prepare a production site and a land application site inspection goal strategy.
 - Production site inspection. A production site inspection is a full-compliance inspection where all applicable parts of the non-NPDES inspection checklist must be completed including a Level I land application review.
 - Land application inspection. Three types of land application inspections can be conducted - Level I, Level II and Level III. The non-NPDES inspection checklist must be used to document land application inspection results and the results must be entered into Delta. None of the three types of land application inspections meet the definition of a compliance inspection. A Level II land application inspection is possible only if records are sufficient to meet Level I inspection requirements.
2. The production site inspection component has three mandatory inspection strategy requirements.
 - No. of sites the County anticipates inspecting as a result of issuances of interim or CSF permits (CSF issuance applies to ≥ 300 AU).
 - No. of sites with a signed OLA that have never been visited.
 - No. of sites required to register that have never been visited.
3. Compliance and construction inspections conducted as a result of the production site strategy count toward the minimum 7 percent rate; land application inspections conducted as a result of the land application strategy do not count toward the 7 percent inspection rate.
4. The County must write an annual inspection strategy progress report that addresses County results for both production and land application goals. The inspection strategy progress report will be included in the Supplemental Section of the Annual County Feedlot Officer and Performance Credit Report. The County needs to be realistic in their inspection strategy because they will be required to answer if they fail to meet their goals. See MPR No. 5.

As part of developing a realistic inspection strategy the County needs to consider all of their strategies (production and land application) and the time commitment required. The County should not design their inspection goals to simply meet the 7% minimum inspection rate. Rather the

county is urged to set inspection goals according to their inspections needs such as feedlots that have never inspected or feedlots with OLAs not inspected.

There will be no penalty if the County does not meet their strategies as long as they have valid reasons for not meeting it. The MPCA understands this is only a plan and that things happen. But the expectation is that the CFO communicates with their regional staff in a timely manner if they feel they will not be able to meet their goals during the year.

Recommended approach for developing production site inspection goals:

Please complete the following steps to prepare your production site inspection strategy goals.

Step 1. The first step is to calculate the number of feedlots that the County intends to inspect annually. We suggest that the County set a goal of inspecting 10 percent of the total number of feedlots required to be registered in the County. (We suggest 10 percent to ensure that the County meets the 7 percent required inspection rate.) Given this formula, a County with 300 feedlots would need to conduct 30 compliance and/or construction inspections annually.

Step 2. The second step is to calculate the number of sites in the county that are subject to the three required inspection strategy categories (See bullet 2 in previous section). For example a County may estimate that, based on past experience, they will need to inspect about 15 sites as a result of permit issuance requirements; and, they estimate that they have 10 sites with signed OLAs that have never been inspected; and, they estimate that they have 50 sites required to be registered that have never been visited. In this case the total number of sites needing to be inspected, as a result of the required inspection strategies, is 80.

Step 3. The third step is to decide how many inspections the County can conduct in each of the required categories over the next two years. The County must plan to inspect all sites each year where permits are being issued. However, counties may be able to complete only a fraction of the inspections over the next two years at feedlots that have never been inspected or with signed OLAs that have never been inspected. The reason is that some counties still have hundreds of sites that have never been inspected or sites with signed OLAs that have never been inspected. In the example that we are using, the County has determined that they can do a total of 30 inspections annually (See Step 1) and that 15 of them will be due to permit issuances (Step 2). This leaves 15 inspections available for sites that are required to be registered but have never been inspected and sites with signed OLAs that have never been visited.

Step 4. This step only applies to counties where the number of planned inspections, as defined by the three required inspection strategy categories, is less than 10% of the total number of feedlots in the County. In that event the County must choose additional inspection strategies (listed in the work plan or proposed by the County) whereby the county will be assured of meeting the 7% minimum inspection requirement.

Appendix B

FY 2014 County Program Base Grant Award Schedule
(July 1, 2013 - June 30, 2014)
\$1,959,000 Appropriation

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

| | | | |
|-----------------|---------------|--------------------|--------------------|
| Pipestone | 524 | \$47,097 | \$32,968 |
| Polk | 82 | \$7,500 | \$5,250 |
| Pope | 334 | \$30,020 | \$21,014 |
| Red Lake | 37 | \$7,500 | \$5,250 |
| Renville | 323 | \$29,031 | \$20,322 |
| Rice | 341 | \$30,649 | \$21,454 |
| Rock | 514 | \$46,198 | \$32,339 |
| Sibley | 337 | \$30,290 | \$21,203 |
| Stearns | 1,539 | \$138,325 | \$96,828 |
| Steele | 285 | \$25,616 | \$17,931 |
| Stevens | 156 | \$14,021 | \$9,815 |
| Swift | 152 | \$13,662 | \$9,563 |
| Todd | 806 | \$72,443 | \$50,710 |
| Traverse | 44 | \$7,500 | \$5,250 |
| Wabasha | 506 | \$45,479 | \$31,835 |
| Wadena | 123 | \$11,055 | \$7,739 |
| Waseca | 248 | \$22,290 | \$15,603 |
| Watonwan | 203 | \$18,246 | \$12,772 |
| Winona | 592 | \$53,209 | \$37,246 |
| Wright | 285 | \$25,616 | \$17,931 |
| Yellow Medicine | 300 | \$26,964 | \$18,875 |
| TOTAL | 18,526 | \$1,692,887 | \$1,185,021 |
| | | | |

The 2014 - 2015 County Feedlot Program Delegation Agreement and Work Plan Review Summary Page

County: Le Sueur


A. 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.

None observed.

B. 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 2014-2015 delegation agreement has been conducted and that agreement between the MPCA and the County on delegated County duties and goals for the 2014 program year has been achieved. | County Feedlot Officer: | |
| | | |
| | (Signature County Feedlot Officer) | (Date) |
| | MPCA Representative: Don Hauge | |
| |  | <u>Feb 20 2014</u> |
| | (Signature MPCA Representative) | (Date) |