



Livestock Facility Siting

Existing manure storage ordinances

This rule includes standards for manure storage structures. This rule, when it applies, pre-empts local manure storage ordinances. Livestock facilities not covered by the rule must comply with the existing local manure storage ordinance.

Regardless as to whether you decide to issue livestock siting permits or not, your existing manure storage ordinance may conflict with the livestock siting standards. It's important that local governments familiarize themselves with the standards and rule and review their existing manure storage ordinances to determine possible areas of conflict. We recommend checking with legal counsel for advice.

When will a manure storage ordinance still apply?

A county manure storage ordinance will still apply to any manure storage construction or closure that is not done in conjunction with a siting permit. In addition, local governments may continue to require inspections (during and post-construction) of any manure storage structure, including those who have received a siting permit.

The table below lists several scenarios and identifies when a manure storage ordinance vs. a siting ordinance applies if a county has a manure storage ordinance and regulates the siting of individual livestock facilities that are 500 AU or larger.

Scenario	Manure Storage	Siting
1. A 600 AU dairy farm constructs new manure storage without adding animals	✓	
2. A 425 AU dairy expands to 500 AU (does not expand by %20 or more)	✓	
3. A 425 AU dairy expands to 700 AU (expands by more than %20)		✓



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What types of conflicts may be in manure storage ordinances?

Local governments should review the authority they used to adopt the ordinance, and look for conflicts with setbacks from roads, property lines, and surface waters; feedlot construction provisions; who is regulated under the ordinance; and any more stringent water quality standards.

Manure storage ordinances may conflict with the siting rule if they enforce more stringent water quality standards; it's important to understand that under the siting rule, more stringent standards are only permitted for public health and safety reasons.

Can a manure storage ordinance continue to enforce setbacks from surface waters?

Yes! Local governments can continue to rely on existing shoreland and floodplain zoning ordinances to enforce setbacks from surface waters. Manure storage ordinances should be reviewed to ensure that setback regulations are consistent with local zoning ordinances.

We're still confused. What do we do?

Please contact our ordinance specialist at 608-224-4604 to discuss your situation in more detail.