

**567—65.106 (459A) Construction.** For purposes of these rules:

**65.106(1)** Construction of an animal feeding operation structure begins or an animal feeding operation structure is constructed when any of the following occurs:

- a.* Excavation commences for a proposed open feedlot operation structure or proposed expansion of an existing open feedlot operation structure.
- b.* Installation of forms for concrete for a proposed open feedlot operation structure or the proposed expansion of an existing open feedlot operation structure.
- c.* Installation of piping for movement of settled open feedlot effluent or open feedlot effluent within or between open feedlot operation structures as proposed or proposed to be expanded.

**65.106(2)** Construction does not begin upon occurrence of any of the following:

- a.* Removal of trees, brush, or other vegetative growth.
- b.* Construction of driveways or roads.
- c.* General earth moving for leveling at the site.
- d.* Installation of temporary utility services.

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