

House Study Bill 168

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ENVIRONMENTAL PROTECTION
BILL BY CHAIRPERSON OLSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for public comment regarding an application to
2 construct a confinement feeding operation structure.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2168HC 83
5 da/nh/14

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1 1 Section 1. Section 459.304, subsection 2, unnumbered
1 2 paragraph 1, Code 2009, is amended to read as follows:
1 3 Regardless of whether the county board of supervisors has
1 4 adopted a construction evaluation resolution, the county ~~may~~
1 5 shall provide comment to the department on a construction
1 6 permit application for a confinement feeding operation
1 7 structure.

1 8 Sec. 2. Section 459.304, subsection 2, paragraph b,
1 9 unnumbered paragraph 1, Code 2009, is amended to read as
1 10 follows:

1 11 The county board ~~may~~ of supervisors shall hold a public
1 12 hearing to receive public comments regarding the application.
1 13 The county board of supervisors may submit comments by the
1 14 board and shall submit comments presented at the public
1 15 hearing to the department as provided in this section,
1 16 including but not limited to all of the following:

EXPLANATION

1 18 This bill amends Code section 459.304 which allows a county
1 19 board of supervisors to review an application to construct a
1 20 confinement feeding operation structure (a confinement
1 21 building or manure storage structure) and comment upon it to
1 22 the department of natural resources before the department
1 23 determines whether to issue the applicant a construction
1 24 permit. As part of the review process, the board may hold a
1 25 public hearing concerning the application. The bill requires
1 26 the board to conduct the public hearing and submit comments
1 27 presented there to the department.

1 28 The types of comments presented at a public hearing may
1 29 include but are not limited to the existence of an object or
1 30 location that are in proximity to the construction site, the
1 31 suitability of soils and the hydrology of the construction
1 32 site, the availability of land for manure application, and
1 33 whether construction will impede drainage systems.

1 34 LSB 2168HC 83
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