

MAR 13 1995

NATURAL RESOURCES

HOUSE FILE 385

BY TEIG

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing for the approval of construction permits
2 relating to livestock operations.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 385

1 Section 1. Section 455B.173, subsection 3, Code 1995, is
2 amended by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The department shall not approve
4 a permit for the construction of an animal feeding operation
5 or an animal feeding operation structure used for the storage
6 or disposal of animal manure, unless the applicant files a
7 statement approved by a board, as defined in section 468.3, or
8 a designee of the board, having jurisdiction of a levee or
9 drainage district where the construction is to occur, that the
10 animal feeding operation or animal feeding operation structure
11 as planned complies with chapter 468. The applicant shall
12 reimburse the board for any costs incurred by the engineer
13 appointed pursuant to section 468.10 in carrying out this
14 paragraph.

15 EXPLANATION

16 This bill amends section 455B.173 which provides that the
17 director of the department of natural resources shall issue,
18 revoke, suspend, modify, or deny permits for the construction
19 of disposal systems for the discharge of pollutants or the
20 disposal of water wastes resulting from poultry and livestock
21 operations. This bill provides that prior to the issuance of
22 a permit, the applicant must submit to the department of
23 natural resources a statement certifying that an animal
24 feeding operation, or a related structure used to store or
25 dispose of animal manure, as planned, will not violate a
26 provision of drainage law as codified in chapter 468. The
27 statement must be approved by the governing body of the levee
28 or drainage district where the construction is to occur, or a
29 designee of the governing body. The applicant must reimburse
30 the governing body for any engineering work performed by the
31 board.

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