

FEB 6 1997

Agriculture

HOUSE FILE 176  
BY TEIG and ARNOLD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the issuance of permits for the construction  
2 of earthen manure storage basins and anaerobic lagoons within  
3 an agricultural drainage well basin or drainage district.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 455B.171, Code 1997, is amended by  
2 adding the following new subsections:

3 NEW SUBSECTION. 1A. "Agricultural drainage well" means a  
4 vertical opening to an aquifer or permeable substratum which  
5 is constructed by any means including but not limited to  
6 drilling, driving, digging, boring, augering, jetting,  
7 washing, or coring, and which is capable of intercepting or  
8 receiving surface or subsurface drainage water from  
9 agricultural land.

10 NEW SUBSECTION. 1B. "Agricultural drainage well basin"  
11 means an area of land where surface and subsurface water  
12 drains into an agricultural drainage well, including by a  
13 drainage system constructed of tile lines, laterals, surface  
14 inlets, or other improvements which facilitate drainage.

15 NEW SUBSECTION. 1C. "Anaerobic lagoon" means the same as  
16 defined in section 455B.161.

17 NEW SUBSECTION. 7A. "Earthen manure storage basin" means  
18 the same as defined in section 455B.161.

19 Sec. 2. Section 455B.173, subsection 13, Code 1997, is  
20 amended by adding the following new unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. The department shall not issue a  
22 permit for the construction of an earthen manure storage basin  
23 or an anaerobic lagoon located within a drainage district,  
24 established pursuant to chapter 468, which contains an  
25 agricultural drainage well, or within an agricultural drainage  
26 well basin.

27 **EXPLANATION**

28 This bill amends a provision in Code chapter 455B which  
29 provides for the issuance of construction permits for animal  
30 feeding operation structures by the department of natural  
31 resources. The bill prohibits the department from issuing a  
32 permit for the construction of an earthen manure storage basin  
33 or an anaerobic lagoon located within a drainage district  
34 which contains an agricultural drainage well or within an  
35 agricultural drainage well basin where surface and subsurface

1 water drains into an agricultural drainage well.  
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