

FEB 13 1997  
Agriculture

HOUSE FILE 220  
BY KOENIGS

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

**A BILL FOR**

1 An Act relating to the monitoring of anaerobic lagoons and  
2 earthen manure storage basins by the department of natural  
3 resources.

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

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HF 220

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 by a constructed  
13 drainage system which may include tile lines, laterals,  
14 surface inlets, or other improvements which facilitate  
15 drainage.

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

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

20 Sec. 2. NEW SECTION. 455B.205 MONITORING OF ANAEROBIC  
21 LAGOONS AND EARTHEN MANURE STORAGE BASINS.

22 The department shall maintain an active program to monitor  
23 anaerobic lagoons and earthen manure storage basins which are  
24 part of animal feeding operations, and especially structures  
25 which have been constructed before July 1, 1985, or which are  
26 located within environmentally sensitive areas, including but  
27 not limited to agricultural drainage well basins or drainage  
28 districts where agricultural drainage wells are located. The  
29 department may install and operate a hydrological monitoring  
30 system if after an on-site inspection, the department  
31 determines that the site presents an extraordinary potential  
32 for surface water or subsurface water pollution. The  
33 department shall file a report with the general assembly on or  
34 before January 15 of each year describing the department's  
35 monitoring activities, including resulting disciplinary or

1 legal action initiated by the department or the attorney  
2 general against animal feeding operations in violation of this  
3 chapter.

4 EXPLANATION

5 This bill requires that the department of natural resources  
6 maintain an active program to monitor anaerobic lagoons and  
7 earthen manure storage basins. The department must  
8 concentrate on structures which have been constructed before  
9 July 1, 1985, or which are located within environmentally  
10 sensitive areas such as areas where agricultural drainage  
11 wells are located. The bill authorizes the department to  
12 require the installation and operation of a hydrological  
13 monitoring system if after an on-site inspection, the  
14 department determines that the site presents an extraordinary  
15 potential for surface water or subsurface water pollution.  
16 The bill requires the department to annually file a report  
17 with the general assembly describing the department's  
18 monitoring activities and any resulting disciplinary or legal  
19 action taken against animal feeding operations.

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