

# House Study Bill 588

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON DRAKE)

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

## A BILL FOR

1 An Act relating to confinement feeding operations by providing  
2 for manure management plans.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5812HC 81  
5 da/gg/14

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1 1 Section 1. Section 459.312, subsection 10, paragraph d,  
1 2 Code 2005, is amended to read as follows:  
1 3 d. If the location of the application is on land other  
1 4 than land owned by the person applying for the construction  
1 5 permit, the plan shall include a copy of each written  
1 6 agreement executed between the person and the landowner or the  
1 7 person renting the land for crop production where the manure  
1 8 will be applied.

### EXPLANATION

1 9  
1 10 This bill amends Code chapter 459, referred to as the  
1 11 "Animal Agriculture Compliance Act" (see Code section  
1 12 459.101). The Code chapter in part regulates confinement  
1 13 feeding operations in which animals are housed in buildings  
1 14 and fed and maintained for 45 days or more in any 12-month  
1 15 period. A confinement feeding operation structure includes  
1 16 the building and associated structures used for the storage of  
1 17 manure (see Code section 459.102). A number of provisions  
1 18 regulate the location of confinement feeding operation  
1 19 structures which are usually associated with the approval of  
1 20 construction permits by the department of natural resources  
1 21 (see Code section 459.303).

1 22 Certain persons are required to file a manure management  
1 23 plan, including an owner of a confinement feeding operation or  
1 24 a person who applies manure from a confinement feeding  
1 25 operation, which is located in another state, if the manure is  
1 26 applied on land located in this state. The manure management  
1 27 plan must be annually updated. Generally, the manure  
1 28 management plan must include information regarding how much  
1 29 and where manure kept in a manure storage structure is to be  
1 30 applied (see Code section 459.312). If the location of the  
1 31 application is on land other than land owned by the person  
1 32 applying for a construction permit, the plan must include a  
1 33 copy of each written agreement executed between the person and  
1 34 the landowner where the manure will be applied. The bill  
1 35 allows the person to submit a copy of a written agreement  
2 1 executed between the person and a person renting the land for  
2 2 crop production where the manure will be applied in lieu of a  
2 3 written agreement executed between the person and the  
2 4 landowner where the manure will be applied.

2 5 Note, the provision as amended by this bill would mirror a  
2 6 provision in Code chapter 459A, the "Animal Agriculture  
2 7 Compliance Act for Open Feedlot Operations" (see Code section  
2 8 459A.101), which was enacted as part of HF 805 (2005 Iowa  
2 9 Acts, chapter 136). A provision in Code chapter 459A requires  
2 10 the filing of a nutrient management plan which must include a  
2 11 copy of a written agreement executed by the owner of the open  
2 12 feedlot operation and the landowner where open feedlot  
2 13 effluent may be applied. In that case, the person may  
2 14 substitute a written agreement executed by the owner and the  
2 15 person renting the land for crop production.

2 16 LSB 5812HC 81  
2 17 da:nh/gg/14