

# House File 98

HOUSE FILE \_\_\_\_\_  
BY ANDERSON and SWAIM

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

## A BILL FOR

1 An Act establishing an environmental design and construction  
2 program for open animal feeding operations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1522HH 82  
5 da/cf/24

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1 1 PART 22  
1 2 Section 1. NEW SECTION. 15.411 DEFINITIONS.  
1 3 As used in this part, unless the context otherwise  
1 4 requires:  
1 5 1. "Animal" means the same as defined in section 459.102.  
1 6 2. "Animal feeding operation" means the same as defined in  
1 7 section 459.102.  
1 8 3. "Open animal feeding operation" means an animal feeding  
1 9 operation other than a confinement feeding operation as  
1 10 defined in section 459.102.  
1 11 4. "Open feedlot operation" means the same as defined in  
1 12 section 459A.102.  
1 13 5. "Open feedlot operation structure" means the same as  
1 14 defined in section 459A.102.  
1 15 6. "Program" means the environmental design and  
1 16 construction program for open animal feeding operations as  
1 17 provided in section 15.412.  
1 18 Sec. 2. NEW SECTION. 15.412 ENVIRONMENTAL DESIGN AND  
1 19 CONSTRUCTION PROGRAM FOR OPEN ANIMAL FEEDING OPERATIONS.  
1 20 1. There is established an environmental design and  
1 21 construction program for open animal feeding operations under  
1 22 the administration of the department.  
1 23 2. In administering the program, the department shall  
1 24 cooperate with all of the following:  
1 25 a. The department of natural resources.  
1 26 b. The state soil conservation committee and the soil  
1 27 conservation division of the department of agriculture and  
1 28 land stewardship pursuant to chapters 161A and 161C.  
1 29 c. The agricultural development authority as provided in  
1 30 chapter 175.  
1 31 d. The watershed improvement review board as provided in  
1 32 chapter 466A.  
1 33 3. The purpose of the program is to promote rural  
1 34 development in this state and preserve or improve the quality  
1 35 of water sources in this state. The department shall award  
2 1 grants to be used exclusively for the design, installation,  
2 2 construction, expansion, or improvement of systems which  
2 3 properly utilize animal manure as a nutrient source and to  
2 4 protect the water resources of the state from animal manure or  
2 5 a combination of manure and precipitation-induced runoff  
2 6 originating from open animal feeding operations. The systems  
2 7 may include any of the following:  
2 8 a. An open feedlot operation structure which meets or  
2 9 exceeds all applicable requirements as provided in chapter  
2 10 459A.  
2 11 b. Water protection practices, including but not limited  
2 12 to the establishment of native grasses and forbs, structures  
2 13 to prevent groundwater pollution from sinkholes, and buffer  
2 14 strips or erosion control structures.  
2 15 4. The department shall establish criteria for persons to  
2 16 qualify for a grant under the program. In order to  
2 17 participate in the program, all of the following must apply:  
2 18 a. The person is an owner or operator of an existing open  
2 19 animal feeding operation or is beginning the establishment of  
2 20 an open animal feeding operation.

2 21 b. The person shall apply to the department in a manner  
2 22 and according to procedures required by the department and  
2 23 execute any agreement with the department according to the  
2 24 terms and conditions required by the department or negotiated  
2 25 by the parties.

2 26 EXPLANATION

2 27 This bill establishes an environmental design and  
2 28 construction program for open animal feeding operations under  
2 29 the administration of the department of economic development.  
2 30 An open animal feeding operation is a lot, yard, corral,  
2 31 building, or other area in which animals are confined and fed  
2 32 and maintained for 45 days or more in any 12-month period, and  
2 33 all structures used for the storage of manure from animals in  
2 34 the operation (Code section 459.102). It includes an open  
2 35 feedlot operation where crop, vegetation, or forage growth or  
3 1 residue cover is not maintained in the enclosed area where the  
3 2 animals are kept (Code section 459A.102). However, it does  
3 3 not include a confinement feeding operation in which animals  
3 4 are confined to areas which are totally roofed (Code section  
3 5 459.102). It does not include a manure storage structure such  
3 6 as an anaerobic lagoon associated with confinement feeding  
3 7 operations.

3 8 The bill provides that in administering the program, the  
3 9 department must cooperate with a number of agencies including:  
3 10 (1) the department of natural resources; (2) the state soil  
3 11 conservation committee and the soil conservation division of  
3 12 the department of agriculture and land stewardship; (3) the  
3 13 agricultural development authority; and (4) the watershed  
3 14 improvement review board.

3 15 According to the bill, the purpose of the program is to  
3 16 promote rural development in this state and improve water  
3 17 quality practices by providing grants to assist qualified  
3 18 persons in the design, installation, construction, expansion,  
3 19 or improvement of manure control systems. This includes an  
3 20 open feedlot operation structure such as a settled open  
3 21 feedlot effluent basin, a solids settling facility, or an  
3 22 alternative technology system. It may also include water  
3 23 protection practices, including but not limited to the  
3 24 establishment of native grasses and forbs, sinkhole  
3 25 management, and the establishment of buffer strips or erosion  
3 26 control structures.

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3 28 da:nh/cf/24