

House File 81

HOUSE FILE _____
BY ANDERSON

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 1835HH 83
5 da/nh/24

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1 1 Section 1. NEW SECTION. 15.431 DEFINITIONS.
1 2 As used in this part, unless the context otherwise
1 3 requires:
1 4 1. "Animal" means the same as defined in section 459.102.
1 5 2. "Animal feeding operation" means the same as defined in
1 6 section 459.102.
1 7 3. "Open animal feeding operation" means an animal feeding
1 8 operation other than a confinement feeding operation as
1 9 defined in section 459.102.
1 10 4. "Open feedlot operation" means the same as defined in
1 11 section 459A.102.
1 12 5. "Open feedlot operation structure" means the same as
1 13 defined in section 459A.102.
1 14 6. "Program" means the environmental design and
1 15 construction program for open animal feeding operations as
1 16 provided in section 15.432.
1 17 Sec. 2. NEW SECTION. 15.432 ENVIRONMENTAL DESIGN AND
1 18 CONSTRUCTION PROGRAM FOR OPEN ANIMAL FEEDING OPERATIONS.
1 19 1. There is established an environmental design and
1 20 construction program for open animal feeding operations under
1 21 the administration of the department.
1 22 2. In administering the program, the department shall
1 23 cooperate with all of the following:
1 24 a. The department of natural resources.
1 25 b. The state soil conservation committee and the soil
1 26 conservation division of the department of agriculture and
1 27 land stewardship pursuant to chapters 161A and 161C.
1 28 c. The agricultural development authority as provided in
1 29 chapter 175.
1 30 d. The watershed improvement review board as provided in
1 31 chapter 466A.
1 32 3. The purpose of the program is to promote rural
1 33 development in this state and preserve or improve the quality
1 34 of water sources in this state. The department shall award
1 35 grants to be used exclusively for the design, installation,
2 1 construction, expansion, or improvement of systems which
2 2 properly utilize animal manure as a nutrient source and to
2 3 protect the water resources of the state from animal manure or
2 4 a combination of manure and precipitation-induced runoff
2 5 originating from open animal feeding operations. The systems
2 6 may include any of the following:
2 7 a. An open feedlot operation structure which meets or
2 8 exceeds all applicable requirements as provided in chapter
2 9 459A.
2 10 b. Water protection practices, including but not limited
2 11 to the establishment of native grasses and forbs, structures
2 12 to prevent groundwater pollution from sinkholes, and buffer
2 13 strips or erosion control structures.
2 14 4. The department shall establish criteria for persons to
2 15 qualify for a grant under the program. In order to
2 16 participate in the program, all of the following must apply:
2 17 a. The person is an owner or operator of an existing open
2 18 animal feeding operation or is beginning the establishment of
2 19 an open animal feeding operation.
2 20 b. The person shall apply to the department in a manner

2 21 and according to procedures required by the department and
2 22 execute any agreement with the department according to the
2 23 terms and conditions required by the department or negotiated
2 24 by the parties.

2 25 EXPLANATION

2 26 This bill establishes an environmental design and
2 27 construction program for open animal feeding operations under
2 28 the administration of the department of economic development.
2 29 An open animal feeding operation is a lot, yard, corral,
2 30 building, or other area in which animals are confined and fed
2 31 and maintained for 45 days or more in any 12-month period, and
2 32 all structures used for the storage of manure from animals in
2 33 the operation (Code section 459.102). It includes an open
2 34 feedlot operation where crop, vegetation, or forage growth or
2 35 residue cover is not maintained in the enclosed area where the
3 1 animals are kept (Code section 459A.102). However, it does
3 2 not include a confinement feeding operation in which animals
3 3 are confined to areas which are totally roofed (Code section
3 4 459.102). It does not include a manure storage structure such
3 5 as an anaerobic lagoon associated with confinement feeding
3 6 operations.

3 7 The bill provides that in administering the program, the
3 8 department must cooperate with a number of agencies including:
3 9 (1) the department of natural resources; (2) the state soil
3 10 conservation committee and the soil conservation division of
3 11 the department of agriculture and land stewardship; (3) the
3 12 agricultural development authority; and (4) the watershed
3 13 improvement review board.

3 14 According to the bill, the purpose of the program is to
3 15 promote rural development in this state and improve water
3 16 quality practices by providing grants to assist qualified
3 17 persons in the design, installation, construction, expansion,
3 18 or improvement of manure control systems. This includes an
3 19 open feedlot operation structure such as a settled open
3 20 feedlot effluent basin, a solids settling facility, or an
3 21 alternative technology system. It may also include water
3 22 protection practices, including but not limited to the
3 23 establishment of native grasses and forbs, sinkhole
3 24 management, and the establishment of buffer strips or erosion
3 25 control structures.

3 26 LSB 1835HH 83

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