



Master Matrix Scores Permit Applications

by Jacqui Becker

National Hog Farmer, Mar 15, 2003

After months of debate, Iowa's most recent livestock regulation went into effect on March 1, 2003.

Known as the master matrix, the new scoring system allows local governments to have a say in proposed confinement sites in Iowa counties, while requiring more environmental- and community-friendly practices from producers.

The bill originated from a 12-member, ad-hoc committee composed of six members from the Iowa Senate and House in February 2002. Jeff Angelo, Republican senator from Creston, IA, served as floor manager of the bill. Angelo says the intent of Senate File 2293 was to prevent negative repercussions for the agricultural sector. "There was a huge social outcry that local residents felt they had no say in the siting of facilities," he explains.

A committee of 10 organizations was formed to represent both sides of the issue. Members included Iowa Pork Producers Association (IPPA), Iowa Farm Bureau, Iowa Environmental Council, Iowa State Association of Counties and others, who developed the scoring criteria. Consensus recommendations were sent to the Iowa Department of Natural Resources (DNR).

What It Does and Doesn't Do

The master matrix will allow boards of supervisors and local citizens more information and input on projects before construction is approved, says committee member John Korslund, DVM, Eagle Grove, IA.

"A score will be given, however imperfect, to each project for comparison and/or analysis. The matrix will cause further analysis and modification of projects to minimize environmental and social concerns," he adds.

"It is not going to stop livestock production, but will make applicants cognitively aware of what affect they have on their neighbors," says Wayne Gieselmann, DNR Division administrator for Environmental Services. In comments sent to DNR, IPPA pointed out that over the past eight years, livestock farmers have had to comply with six new livestock regulations with more than 200 pages of new legislation.

Because the matrix requires minimum scores in the three subcategories, it may have more impact on family farms. "I'm concerned for the producer who does not have the ability to pick different sites in different parts of the state or county," Gieselmann adds.

What the Future Holds

Korslund, also a pork producer, says environmentalists and legislators may see the matrix as ineffective

because few applicants will fail the test. “We will be accused of creating a ‘no-teeth’ matrix, since nothing gets stopped by it. Nearly every site submitted will pass the matrix, or why submit?” he says.

Although both sides of the issue are unhappy with the final results, Angelo feels the legislation offers a true compromise.

Thirteen counties have already adopted the master matrix. Many states have expressed interest. “I’d like to think Iowa is a forerunner of environmental things to come,” Gieselman says.

For an in-depth review of the master matrix development, including a map of counties that have adopted it, visit www.state.ia.us/epd/wastewtr/feedlot/masterm.htm.

How the Matrix Will Work

Each site will be scored on three main subcategories — air quality, water quality and community impact.

The matrix offers a menu of regulations above and beyond the required state laws. Producers can pick from 44 criteria, choosing those they want to comply with, explains IPPA attorney Eldon McAfee. The list of scoring criteria can be found at www.state.ia.us/epd/wastewtr/feedlot/files/masterm.pdf.

Criteria address issues related to distance separations, manure management practices and demonstrations of community support. An overall score is given for each criterion that is accomplished, as well as point distributions for subcategories. Partial credit cannot be received. The criterion is designed to be objective and quantifiable, so when different people score a site, the numbers would come out the same.

County boards of supervisors may use the master matrix to apply more stringent guidelines to applications. If the county decides to use the matrix, applicants proposing a new site to house 1,000 animal units (AU) or more must pass the tests; 1,000 AU is 2,500 head of hogs. Proposals to expand an existing site must comply at a level of 1,666 AU or more.

Consensus was not reached on several items so public comments were solicited. After reviewing comments, the Environmental Protection Commission (EPC) proposed 50% of the total possible points be achieved for the minimum threshold, while 25% of the total available points in each subcategory must also be met.

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Who Needs the Master Matrix?

The Master Matrix is required for the construction or expansion of confinement feeding operations, if all of the following applies:

1. The county, where the confinement feeding operation is or will be located, has adopted a Construction Evaluation Resolution (CER), and as long as the county's enrollment on the CER is valid at the time a construction application is submitted.
2. The confinement feeding operation is required to apply for a construction permit for the construction or expansion of a confinement feeding operation structure or modification in the volume or manner in which manure is stored.
3. Either of the following applies:
 - a) The confinement feeding operation was constructed on or after April 1, 2002, including the expansion of these operations, regardless of the animal unit capacity (AUC); or
 - b) The confinement feeding operation was constructed prior to April 1, 2002 and is expanding, and after expansion the AUC is 1,667 AU or more.
4. The construction permit application for the construction or expansion of a confinement feeding operation is received by the DNR on or after March 1, 2003.

If the answer was "yes" to all of the four questions above, then the county must use the Master Matrix to evaluate the construction permit application must be evaluated by the county with the Master Matrix .

CAUTION: This document is only a summary of Iowa Code chapter 459 (2003), 2002 Iowa Acts, Chapter 1137, (Senate File 2293) and the DNR's amended administrative rules of the Iowa Code 455B. It is a guidance document and should not be used as replacement for the statutory provisions and administrative rules (collectively, the law). While every effort has been made to assure the accuracy of this information, the law and administrative rules will prevail in the event of a conflict between this document and the law and administrative rules.

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APPENDIX C MASTER MATRIX

Proposed Site Characteristics

The following scoring criteria apply to the site of the proposed confinement feeding operation. Mark one score under each criterion selected by the applicant. The proposed site must obtain a minimum overall score of 440 and a score of 53.38 in the "air" subcategory, a score of 67.75 in the "water" subcategory and a score of 101.13 in the "community impacts" subcategory.

- 1 Additional separation distance, above minimum requirements, from proposed confinement structure to the closest:
- * Residence not owned by the owner of the confinement feeding operation,
 - * Hospital,
 - * Nursing home, or
 - * Licensed or registered child care facility.

	Score	Air	Water	Community
250 feet to 500 feet	25	16.25		8.75
501 feet to 750 feet	45	29.25		17.50
751 feet to 1,000 feet	65	42.25		22.75
1,001 feet to 1,250 feet	85	55.25		29.75
1,251 feet or more	100	65.00		35.00

(A) Refer to the construction permit application package to determine the animal unit capacity (or animal weight capacity if an expansion) of the proposed confinement feeding operation. Then refer to Table 6 of 567--Chapter 65 to determine minimum required separation distances.

(B) The department will award points only for the single building, of the four listed above, closest to the proposed confinement feeding operation.

(C) "Licensed child care center" – a facility licensed by the department of human services providing child care or preschool services for seven or more children, except when the facility is registered as a child care home.

(D) "Registered child development homes" - child care providers certify that they comply with rules adopted by the department of human services. This process is voluntary for providers caring for five or fewer children and mandatory for providers caring for six or more children.

(E) A full listing of licensed and registered child care facilities is available at county offices of the department of human services.

- 2 Additional separation distance, above minimum requirements, from proposed confinement structure to the closest public use area.

	Score	Air	Water	Community
250 feet to 500 feet	5	2.00		3.00
501 feet to 750 feet	10	4.00		6.00
751 feet to 1,000 feet	15	6.00		9.00
1,001 feet to 1,250 feet	20	8.00		12.00
1,251 feet to 1,500 feet	25	10.00		15.00

1,501 feet or more	30	12.00	18.00
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(A) Refer to the construction permit application package to determine the animal unit capacity (or animal weight capacity if an expansion) of the proposed confinement feeding operation. Then refer to Table 6 of 567--Chapter 65 to determine minimum required separation distances.

(B) "Public use area" - a portion of land owned by the United States, the state, or a political subdivision with facilities which attract the public to congregate and remain in the area for significant periods of time. Facilities include, but are not limited to, picnic grounds, campgrounds, cemeteries, lodges, shelter houses, playground equipment, lakes as listed in Table 2 of 567--Chapter 65, and swimming beaches. It does not include a highway, road right-of-way, parking areas, recreational trails or other areas where the public passes through, but does not congregate or remain in the area for significant periods of time.

3 Additional separation distance, above minimum requirements, from proposed confinement structure to the closest:

- * Educational institution,
- * Religious institution, or
- * Commercial enterprise.

	Score	Air	Water	Community
250 feet to 500 feet	5	2.00		3.00
501 feet to 750 feet	10	4.00		6.00
751 feet to 1,000 feet	15	6.00		9.00
1,001 feet to 1,250 feet	20	8.00		12.00
1,251 feet to 1,500 feet	25	10.00		15.00
1,501 feet or more	30	12.00		18.00

(A) Refer to the construction permit application package to determine the animal unit capacity (or animal weight capacity if an expansion) of the proposed confinement feeding operation. Then refer to Table 6 of 567--Chapter 65 to determine minimum required separation distances.

(B) The department will award points only for the single building, of the three listed above, closest to the proposed confinement feeding operation.

(C) "Educational institution" - a building in which an organized course of study or training is offered to students enrolled in kindergarten through grade 12 and served by local school districts, accredited or approved nonpublic schools, area educational agencies, community colleges, institutions of higher education under the control of the state board of regents, and accredited independent colleges and universities.

(D) "Religious institution" - a building in which an active congregation is devoted to worship.

(E) "Commercial enterprise" - a building which is used as a part of a business that manufactures goods, delivers services, or sells goods or services, which is customarily and regularly used by the general public during the entire calendar year and which is connected to electric, water, and sewer systems. A commercial enterprise does not include a farm operation.

4 Additional separation distance, above minimum requirement of 500 feet, from proposed confinement structure to the closest water source.

	Score	Air	Water	Community
250 feet to 500 feet	5		5.00	
501 feet to 750 feet	10		10.00	
751 feet to 1,000 feet	15		15.00	
1,001 feet to 1,250 feet	20		20.00	
1,251 feet to 1,500 feet	25		25.00	
1,501 feet or more	30		30.00	

"Water source" - a lake, river, reservoir, creek, stream, ditch, or other body of water or channel having definite banks and a bed with water flow, except lakes or ponds without an outlet to which only one landowner is riparian.

5 Separation distance of 300 feet or more from the proposed confinement structure to the nearest thoroughfare.

	Score	Air	Water	Community
300 feet or more	30	9.00		21.00

(A) *"Thoroughfare" - a road, street, bridge, or highway open to the public and constructed or maintained by the state or a political subdivision.*

(B) *The 300-foot distance includes the 100-foot minimum setback plus additional 200 feet.*

6 Additional separation distance, above minimum requirements, from proposed confinement structure to the closest critical public area.

	Score	Air	Water	Community
500 feet or more	10	4.00		6.00

(A) *All critical public areas as defined in 567--65.1(455B), are public use areas, and therefore subject to public use area minimum separation distances.*

(B) *Refer to the construction permit application package to determine the animal unit capacity (or animal weight capacity if an expansion) of the proposed confinement feeding operation. Then refer to Table 6 of 567--Chapter 65 to determine minimum required separation distances.*

7 Proposed confinement structure is at least two times the minimum required separation distance from all private and public water wells.

	Score	Air	Water	Community
Two times the minimum separation distance	30		24.00	6.00

Refer to Table 6 of 567--Chapter 65 for minimum required separation distances to wells.

8 Additional separation distance, above the minimum requirement of 1,000 feet, from proposed confinement structure to the closest:

- * Agricultural drainage well,
- * Known sinkhole, or
- * Major water source.

	Score	Air	Water	Community
250 feet to 500 feet	5	0.50	2.50	2.00
501 feet to 750 feet	10	1.00	5.00	4.00
751 feet to 1,000 feet	15	1.50	7.50	6.00
1,001 feet to 1,250 feet	20	2.00	10.00	8.00
1,251 feet to 1,500 feet	25	2.50	12.50	10.00
1,501 feet to 1,750 feet	30	3.00	15.00	12.00
1,751 feet to 2,000 feet	35	3.50	17.50	14.00
2,001 feet to 2,250 feet	40	4.00	20.00	16.00
2,251 feet to 2,500 feet	45	4.50	22.50	18.00
2,501 feet or more	50	5.00	25.00	20.00

- (A) The department will award points only for the single item, of the three listed above, that is closest to the proposed confinement feeding operation.
- (B) "Agricultural drainage wells" - include surface intakes, cisterns and wellheads of agricultural drainage wells.
- (C) "Major water source" - a lake, reservoir, river or stream located within the territorial limits of the state, or any marginal river area adjacent to the state which can support a floating vessel capable of carrying one or more persons during a total of a six-month period in one out of ten years, excluding periods of flooding. Major water sources in the state are listed in Tables 1 and 2 in 567--Chapter 65.

9 Distance between the proposed confinement structure and the nearest confinement facility that has a submitted department manure management plan.

	Score	Air	Water	Community
Three-quarter of a mile or more (3,960 feet)	25	7.50	7.50	10.00

Confinement facilities include swine, poultry, and dairy and beef cattle.

10 Separation distance from proposed confinement structure to closest:

- *High quality (HQ) waters,
- * High quality resource (HQR) waters, or
- * Protected water areas (PWA)

is at least two times the minimum required separation distance

	Score	Air	Water	Community
Two times the minimum separation distance	30		22.50	7.50

(A) The department will award points only for the single item, of the three listed above, closest to the proposed confinement feeding operation.

(B) HQ waters are identified in 567--Chapter 61.

(C) HQR waters are identified in 567--Chapter 61.

(D) A listing of PWAs is available at

<http://www.state.ia.us/government/dnr/organiza/ppd/prowater.htm#Location%20of%20PWA's%20in>.

11 Air quality modeling results demonstrating an annoyance level less than 2 percent of the time for residences within two times the minimum separation distance.

	Score	Air	Water	Community
University of Minnesota OFFSET model results demonstrating an annoyance level less than 2 percent of the time	10	6.00		4.00

(A) OFFSET can be found at <http://www.extension.umn.edu/distribution/livestocksystems/DI7680.html>. For more information, contact Dr. Larry Jacobson, University of Minnesota, (612) 625-8288, jacob007@tc.umn.edu.

(B) A residence that has a signed waiver for the minimum separation distance cannot be included in the model.

(C) Only the OFFSET model is acceptable until the department recognizes other air quality models.

12 Liquid manure storage structure is covered.

	Score	Air	Water	Community
Covered liquid manure storage	30	27.00		3.00

(A) "Covered" - organic or inorganic material, placed upon an animal feeding operation structure used to store manure, which significantly reduces the exchange of gases between the stored manure and the outside air. Organic materials include, but are not limited to, a layer of chopped straw, other crop residue, or a naturally occurring crust on the surface of the stored manure. Inorganic materials include, but are not limited to, wood, steel, aluminum, rubber, plastic, or Styrofoam. The materials shall shield at least 90 percent of the surface area of the stored manure from the outside air. Cover shall include an organic or inorganic material which current scientific research shows reduces detectable odor by at least 75 percent. A formed manure storage structure directly beneath a floor where animals are housed in a confinement feeding operation is deemed to be covered.

(B) The design, operation and maintenance plan for the manure cover must be in the construction permit application and made a condition in the approved construction permit.

13 Construction permit application contains design, construction, operation and maintenance plan for emergency containment area at manure storage structure pump-out area.

	Score	Air	Water	Community
Emergency containment	20		18.00	2.00

(A) The emergency containment area must be able to contain at least 5 percent of the total volume capacity of the manure storage structure.

(B) The emergency containment area must be constructed on soils that are fine-grained and have low permeability.

(C) If manure is spilled into the emergency containment area, the spill must be reported to the department within six hours of onset or discovery.

(D) The design, construction, operation and maintenance plan for the emergency containment area must be in the construction permit application and made a condition in the approved construction permit.

14 Installation of a filter(s) designed to reduce odors from confinement building(s) exhaust fan(s).

	Score	Air	Water	Community
Installation of filter(s)	10	8.00		2.00

The design, operation and maintenance plan for the filter(s) must be in the construction permit application and made a condition in the approved construction permit.

15 Utilization of landscaping around confinement structure.

	Score	Air	Water	Community
Utilization of landscaping	20	10.00		10.00

The design, operation and maintenance plan for the landscaping must be in the construction permit application and made a condition in the approved construction permit. The design should contain at least three rows of trees and shrubs, of both fast and slow-growing species that are well suited for the site.

16 Enhancement, above minimum requirements, of structures used in stockpiling and composting activities, such as an impermeable pad and a roof or cover.

	Score	Air	Water	Community
Stockpile and compost facility enhancements	30	9.00	18.00	3.00

(A) The design, operation and maintenance plan for the stockpile or compost structure enhancements must be in the construction permit application and made a condition in the approved construction permit.

(B) The stockpile or compost structures must be located on land adjacent or contiguous to the confinement building.

17 Proposed manure storage structure is formed

Score	Air	Water	Community

Formed manure storage structure	30		27.00	3.00
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(A) "Formed manure storage structure" - a covered or uncovered impoundment used to store manure from an animal feeding operation, which has walls and a floor constructed of concrete, concrete block, wood, steel, or similar materials. Similar materials may include, but are not limited to, plastic, rubber, fiberglass, or other synthetic materials. Materials used in a formed manure storage structure shall have the structural integrity to withstand expected internal and external load pressures.

(B) The design, operation and maintenance plan for the formed manure storage structure must be in the construction permit application and made a condition in the approved construction permit.

18 Manure storage structure is aerated to meet departmental standards as an aerobic structure, if aeration is not already required by the department.

	Score	Air	Water	Community
Aerated manure storage structure(s)	10	8.00		2.00

(A) Aerobic structure - an animal feeding operation structure other than an egg washwater storage structure which relies on aerobic bacterial action which is maintained by the utilization of air or oxygen and which includes aeration equipment to digest organic matter. Aeration equipment shall be used and shall be capable of providing oxygen at a rate sufficient to maintain an average of 2 milligrams per liter dissolved oxygen concentration in the upper 30 percent of the depth of manure in the structure at all times.

(B) The design, operation and maintenance plan for the aeration equipment must be in the construction permit application and made a condition in the approved construction permit.

19 Proposed confinement site has a suitable truck turnaround area so that semitrailers do not have to back into the facility from the road

	Score	Air	Water	Community
Truck turnaround	20			20.00

(A) The design, operation and maintenance plan for the truck turn around area must be in the construction permit application and made a condition in the approved construction permit.

(B) The turnaround area should be at least 120 feet in diameter and be adequately surfaced for traffic in inclement weather.

20 Construction permit applicant's animal feeding operation environmental and worker protection violation history for the last five years at all facilities in which the applicant has an interest.

	Score	Air	Water	Community
No history of Administrative Orders in last five years	30			30.00

(A) "Interest" - means ownership of a confinement feeding operation as a sole proprietor or a 10 percent or more ownership interest held by a person in a confinement feeding operation as a joint tenant, tenant in common, shareholder, partner, member, beneficiary or other equity interest holder. Ownership interest is an interest when it is held either directly, indirectly through a spouse or dependent child, or both.

(B) An environmental violation is a final Administrative Order (AO) from the department of natural resources or final court ruling against the construction permit applicant for environmental violations related to an animal feeding operation. A Notice of Violation (NOV) does not constitute a violation.

21 Construction permit applicant waives the right to claim a Pollution Control Tax Exemption for the life of the proposed confinement feeding operation structure.

	Score	Air	Water	Community
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Permanent waiver of Pollution Control Tax Exemption	5			5.00
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- (A) Waiver of Pollution Control Tax Exemption is limited to the proposed structure(s) in the construction permit application.
- (B) The department and county assessor will maintain a record of this waiver, and it must be in the construction permit application and made a condition in the approved construction permit.

22 Construction permit applicant can lawfully claim a Homestead Tax Exemption on the site where the proposed confinement structure is to be constructed
 - OR -
 the construction permit applicant is the closest resident to the proposed confinement structure.

	Score	Air	Water	Community
Site qualifies for Homestead Tax Exemption or permit applicant is closest resident to proposed structure	25			25.00

- Proof of Homestead Tax Exemption is required as part of the construction permit application.*
- (A) Applicant include persons who have ownership interests. "Interest" - means ownership of a confinement feeding operation as a sole proprietor or a 10 percent or more ownership interest held by a person in a confinement feeding operation as a joint tenant, tenant in common, shareholder, partner, member, beneficiary or other equity interest holder. Ownership interest is an interest when it is held either directly, indirectly through a spouse or dependent child, or both.

23 Construction permit applicant can lawfully claim a Family Farm Tax Credit for agricultural land where the proposed confinement feeding operation is to be located pursuant to Iowa Code chapter 425A.

	Score	Air	Water	Community
Family Farm Tax Credit qualification	25			25.00

- (A) Applicant include persons who have ownership interests. "Interest" - means ownership of a confinement feeding operation as a sole proprietor or a 10 percent or more ownership interest held by a person in a confinement feeding operation as a joint tenant, tenant in common, shareholder, partner, member, beneficiary or other equity interest holder. Ownership interest is an interest when it is held either directly, indirectly through a spouse or dependent child, or both.

24 Facility size.

	Score	Air	Water	Community
1 to 2,000 animal unit capacity	20			20.00
2,001 to 3,000 animal unit capacity	10			10.00
3,001 animal unit capacity or more	0			0.00

- (A) Refer to the construction permit application package to determine the animal unit capacity of the proposed confinement structure at the completion of construction.
- (B) If the proposed structure is part of an expansion, animal unit capacity (or animal weight capacity) must include all animals confined in adjacent confinement structures.
- (C) Two or more animal feeding operations under common ownership or management are deemed to be a single animal feeding operation if they are adjacent or utilize a common area or system for manure disposal. In addition, for purposes of determining whether two or more confinement feeding operations are adjacent, all of the following must apply:
- (a) At least one confinement feeding operation structure must be constructed on and after May 21, 1998.
 - (b) A confinement feeding operation structure which is part of one confinement feeding operation is separated by less than a minimum required distance from a confinement feeding operation structure which is part of the other confinement feeding operation. The minimum required distance shall be as follows:
 - (1) 1,250 feet for confinement feeding operations having a combined animal unit capacity of less than 1,000 animal units.
 - (2) 2,500 feet for confinement feeding operations having a combined animal unit capacity of 1,000 animal units or more.

25 Construction permit application includes livestock feeding and watering systems that significantly reduce manure volume.

	Score	Air	Water	Community
Wet/dry feeders or other feeding and watering systems that significantly reduce manure volume	25		12.50	12.50

The design, operation and maintenance plan for the feeding system must be in the construction permit application and made a condition in the approved construction permit.

Proposed Site Operation and Manure Management Practices

The following scoring criteria apply to the operation and manure management characteristics of the proposed confinement feeding operation. Mark one score under each criterion that best reflects the characteristics of the submitted manure management plan.

26 Liquid or dry manure (choose only one subsection from subsections "a" - "e" and mark one

		Score	Air	Water	Community
a.	Bulk dry manure is sold under Iowa Code chapter 200A and surface-applied	15		15.00	
	Bulk dry manure is sold under Iowa Code chapter 200A and incorporated on the same date it is land-applied	30	12.00	12.00	6.00

b.	Dry manure is composted and land-applied under the requirements of a department manure management plan	10	4.00	4.00	2.00
	Dry manure is composted and sold so that no manure is applied under the requirements of a department manure management plan	30	12.00	12.00	6.00

c.	Methane digester is used to generate energy from manure and remaining manure is surface-applied under the requirements of an approved department manure management plan	10	3.00	3.00	4.00
	After methane digestion is complete, manure is injected or incorporated on the same date it is land-applied under the requirements of an approved department manure management plan	30	12.00	12.00	6.00
d.					
d.	Dry manure is completely burned to generate energy and no remaining manure is applied under the requirements of a manure management plan	30	9.00	9.00	12.00
	Some dry manure is burned to generate energy, but remaining manure is land-applied and incorporated on the same date it is land-applied	30	12.00	12.00	6.00
e.					
e.	Injection or incorporation of manure on the same date it is land-applied	30	12.00	12.00	6.00

(A) Choose only ONE line from subsection "a", "b," "c," "d," or "e" above and mark only one score in that subsection.

(B) The injection or incorporation of manure must be in the construction permit application and made a condition in the approved construction permit.

(C) If an emergency arises and injection or incorporation is not feasible, prior to land application of manure the applicant must receive a written approval for an emergency waiver from a department field office to surface-apply manure.

(D) Requirements pertaining to the sale of bulk dry manure under pursuant to Iowa Code chapter 200A must be incorporated into the construction permit application and made a condition of the approved construction permit.

(E) The design, operation and maintenance plan for utilization of manure as an energy source must be in the construction permit application and made a condition in the approved construction permit.

(F) The design, operation and maintenance plan for composting facilities must be in the construction permit application and made a condition in the approved construction permit.

27 Land application of manure is based on a two-year crop rotation phosphorus uptake level.

	Score	Air	Water	Community
Two-year phosphorus crop uptake application rate	10		10.00	

(A) Land application of manure cannot exceed phosphorus crop usage levels for a two-year crop rotation cycle.

(B) The phosphorus uptake application rates must be in the construction permit application and made a condition in the approved construction permit.

28 Land application of manure to farmland that has USDA Natural Resources Conservation Service (NRCS) approved buffer strips contiguous to all water sources traversing or adjacent to the fields listed in the manure management plan.

	Score	Air	Water	Community
Manure application on farmland with buffer strips	10		8.00	2.00

- (A) The department may request NRCS maintenance agreements to ensure proper design, installation and maintenance of filter strips. If a filter strip is present but not designed by NRCS, it must meet NRCS standard specifications.
- (B) The application field does not need to be owned by the confinement facility owner to receive points.
- (C) On current and future manure management plans, the requirement for buffer strips on all land application areas must be in the construction permit application and made a condition in the approved construction permit.

29 Land application of manure does not occur on highly erodible land (HEL), as classified by the USDA NRCS.

	Score	Air	Water	Community
No manure application on HEL farmland	10		10.00	

Manure application on non-HEL farmland must be in the construction permit application and made a condition in the approved construction permit.

30 Additional separation distance, above minimum requirements (0 or 750 feet, see below), for the land application of manure to the closest:

- *Residence not owned by the owner of the confinement feeding operation,
- * Hospital,
- * Nursing home, or
- *Licensed or registered child care facility.

	Score	Air	Water	Community
Additional separation distance of 200 feet	5	3.25		1.75
Additional separation distance of 500 feet	10	6.50		3.50

- (A) The department will award points only for the single building, of the four listed above, closest to the proposed confinement feeding operation.
- (B) Minimum separation distance for land application of manure injected or incorporated on the same date as application: 0 feet.
- (C) Minimum separation distance for land application of manure broadcast on soil surface: 750 feet.
- (D) The additional separation distances must be in the construction permit application and made a condition in the approved construction permit.
- (E) "Licensed child care center" – a facility licensed by the department of human services providing child care or preschool services for seven or more children, except when the facility is registered as a child care home.
- (F) "Registered child development homes" - child care providers certify that they comply with rules adopted by the department of human services. This process is voluntary for providers caring for five or fewer children and mandatory for providers caring for six or more children.
- (G) A full listing of licensed and registered child care facilities is available at county offices of the department of human services.

31 Additional separation distance, above minimum requirements (0 or 750 feet, see below), for land application of manure to closest public use area.

	Score	Air	Water	Community
Additional separation distance of 200 feet	5	2.00		3.00

(A) "Public use area" - a portion of land owned by the United States, the state, or a political subdivision with facilities which attract the public to congregate and remain in the area for significant periods of time. Facilities include, but are not limited to, picnic grounds, campgrounds, cemeteries, lodges, shelter houses, playground equipment, lakes as listed in Table 2 in 567--Dhapter 65, and swimming beaches. It does not include a highway, road right-of-way, parking areas, recreational trails or other areas where the public passes through, but does not congregate or remain in the area for significant periods of time.

(B) Minimum separation distance for land application of manure injected or incorporated on the same date as application: 0 feet.

(C) Minimum separation distance for land application of manure broadcast on soil surface: 750 feet.

(D) The additional separation distances must be in the construction permit application and made a condition in the approved construction permit.

32 Additional separation distance, above minimum requirements (0 or 750 feet, see below), for the land application of manure to the closest:

- * Educational institution,
- * Religious institution, or
- * Commercial enterprise.

	Score	Air	Water	Community
Additional separation distance of 200 feet	5	2.00		3.00

(A) Minimum separation distance for land application of manure broadcast on soil surface: 750 feet.

(B) Minimum separation distance for land application of manure injected or incorporated on same date as application: 0 feet.

(C) The additional separation distances must be in the construction permit application and made a condition in the approved construction permit.

(D) "Educational institution" - a building in which an organized course of study or training is offered to students enrolled in kindergarten through grade 12 and served by local school districts, accredited or approved nonpublic schools, area educational agencies, community colleges, institutions of higher education under the control of the state board of regents, and accredited independent colleges and universities.

(E) "Religious institution" - a building in which an active congregation is devoted to worship.

(F) "Commercial enterprise" - a building which is used as a part of a business that manufactures goods, delivers services, or sells goods or services, which is customarily and regularly used by the general public during the entire calendar year and which is connected to electric, water, and sewer systems. A commercial enterprise does not include a farm operation.

33 Additional separation distance of 50 feet, above minimum requirements (0 or 200 feet, see below), for the land application of manure to the closest private drinking water well or public drinking water well

- OR -

well is properly closed under supervision of county health officials.

	Score	Air	Water	Community
Additional separation distance of 50 feet or well is properly closed	10		8.00	2.00

(A) Minimum separation distance for land application of manure injected or incorporated on the same date as application or 50-foot vegetation buffer exists around well and manure is not applied to the buffer: 0 feet.

(B) Minimum separation distance for land application of manure broadcast on soil surface: 200 feet.

(C) If applicant chooses to close the well, the well closure must be incorporated into the construction permit application and made a condition in the approved construction permit.

34 Additional separation distance, above minimum requirements, for the land application of manure to the closest:

- * Agricultural drainage well,
- * Known sinkhole,
- * Major water source, or
- * Water source.

	Score	Air	Water	Community
Additional separation distance of 200 feet	5	0.50	2.50	2.00
Additional separation distance of 400 feet	10	1.00	5.00	4.00

- (A) "Agricultural drainage wells" - include surface intakes, cisterns and wellheads of agricultural drainage wells.
 (B) "Major water source" - a lake, reservoir, river or stream located within the territorial limits of the state, or any marginal river area adjacent to the state, which can support a floating vessel capable of carrying one or more persons during a total of a six-month period in one out of ten years, excluding periods of flooding. Major water sources in the state are listed in Tables 1 and 2 in 567--Chapter 65.
 (C) "Water source" - a lake, river, reservoir, creek, stream, ditch, or other body of water or channel having definite banks and a bed with water flow, except lakes or ponds without an outlet to which only one landowner is riparian.
 (D) The additional separation distances must be in the construction permit application and made a condition in the approved construction permit.

35 Additional separation distance above minimum requirements, for the land application of manure, to the closest:

- * High quality (HQ) water,
- * High quality resource (HQR) water, or
- * Protected water area (PWA).

	Score	Air	Water	Community
Additional separation distance of 200 feet	5		3.75	1.25
Additional separation distance of 400 feet	10		7.50	2.50

- (A) HQ waters are identified in 567--Chapter 61.
 (B) HQR waters are identified in 567--Chapter 61.
 (C) A listing of PWAs is available at <http://www.state.ia.us/government/dnr/organiza/ppd/prowater.htm#Location%20of%20PWA's%20in>

36 Demonstrated community support.

	Score	Air	Water	Community
Written approval of 100% of the property owners within a one mile radius.	20			20.00

37 Worker safety and protection plan is submitted with the construction permit application.

	Score	Air	Water	Community
Submission of worker safety and protection plan	10			10.00

- (A) The worker safety and protection plan must be in the construction permit application and made a condition in the approved construction permit.
 (B) The worker safety and protection plan and subsequent records must be kept on site with the manure management plan records.

38 Applicant signs a waiver of confidentiality allowing public to view confidential manure management plan land application records

	Score	Air	Water	Community
Manure management plan confidentiality waiver	5			5.00

The waiver of confidentiality must be in the construction permit application and made a condition in the approved construction permit. The applicant may limit public inspection to reasonable times and places.

- 39** Added economic value based on quality job development (number of full time equivalent (FTE) positions), and salary equal to or above Iowa department of workforce development median (45-2093)

- OR -

the proposed structure increases commercial property tax base in the county.

	Score	Air	Water	Community
Economic value to local community	10			10.00

The Iowa department of workforce development regional profiles are available at <http://www.iowaworkforce.org/centers/regionalsites.htm>. Select the appropriate region and then select "Regional Profile."

- 40** Construction permit application contains an emergency action plan.

	Score	Air	Water	Community
Emergency action plan	5		2.50	2.50

(A) Iowa State University Extension publication PM 1859 lists the components of an emergency action plan. The emergency action plan submitted should parallel the components listed in the publication.

(B) The posting and implementation of an emergency action plan must be in the construction permit application and made a condition in the approved construction permit.

(C) The emergency action plan and subsequent records must be kept on site with the manure management plan records.

- 41** Construction permit application contains a closure plan.

	Score	Air	Water	Community
Closure plan	5		2.50	2.50

(A) The closure plan must be in the construction permit application and made a condition in the approved construction permit.

(B) The closure plan must be kept on site with the manure management plan records.

- 42** Adoption and implementation of an environmental management system (EMS) recognized by the department.

	Score	Air	Water	Community
EMS	15	4.50	4.50	6.00

(A) The EMS must be in the construction permit application and made a condition in the approved construction permit.

(B) The EMS must be recognized by the department as an acceptable EMS for use with confinement operations.

- 43** Adoption and implementation of NRCS approved Comprehensive Nutrient Management Plan (CNMP).

	Score	Air	Water	Community
CNMP	10	3.00	3.00	4.00

The implementation and continuation of a CNMP must be in the construction permit application and made a condition in the approved construction permit.

44 Groundwater monitoring wells installed near manure storage structure), and applicant agrees to provide data to the department.

	Score	Air	Water	Community
Groundwater monitoring	15		10.50	4.50

(A) Monitoring well location, sampling and data submission must meet department requirements.

(B) The design, operation and maintenance plan for the groundwater monitoring wells, and data transfer to the department, must be in the construction permit application and made a condition in the approved construction permit.

	Total Score	Air	Water	Community
	880	213.50	271.00	404.50
Score to pass	440	53.38	67.75	101.13