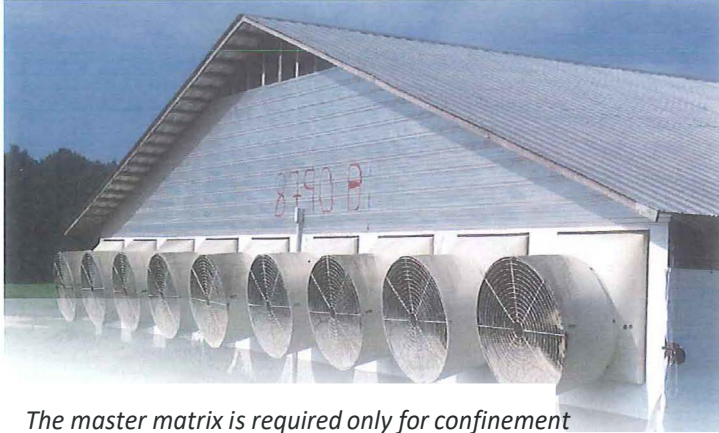


# CONSTRUCTION PERMIT APPLICATIONS AND THE MASTER MATRIX

ENVIRONMENTAL SERVICES DIVISION | WWW.IOWADNR.GOV



*The master matrix is required only for confinement (totally roofed) feeding operations that need a construction permit. Confinements can be for hogs, cattle or poultry.*

## CONSTRUCTION PERMITS

### THE APPLICATION

This fact sheet is designed to assist county supervisors as they process construction permit applications for confinement feeding operations, especially those using the master matrix. The state of Iowa requires construction permits for confinement animal feeding operations of 1,000 animal units (AU) or more. As an example 1,000 AU is 2,500 head of finishing swine, 1,000 head of beef cattle or 100,000 broiler chickens. The construction permit applicant must deliver, either in person or by certified mail, a copy of the complete permit application to the county.

Counties are required by law to perform some actions regarding the proposed application. A complete permit application should include the construction permit application form, a construction design statement (CDS) or Professional Engineer (P.E.) certification form, a manure management plan (MMP) and master matrix, if applicable.

### COUNTY RESPONSIBILITIES

When the applicant delivers the application, the county needs to perform the following steps:

**1) DOCUMENT:** Review the application to be sure all the components of the application are included as checked off on the County Receipt form. Time and date stamp the application. Sign and date the County Verification of Receipt form. The applicant is responsible for sending this receipt along with their application to the Iowa Department of Natural Resources (DNR).

**2) PROVIDE PUBLIC NOTICE:** The DNR logs in the project after formally receiving the construction permit application and the completed County Verification of Receipt form. The DNR then sends a notice to the county by fax and email with instructions to the county. If the application is incomplete, the DNR will request additional material from the applicant.

If there are significant changes, the DNR will request a new county receipt. In this case, several weeks may pass before the DNR sends out the notice to the county. (See sample notice.)

All counties must publish a public notice in the paper, regardless if the master matrix was adopted or not. Publish the notice after the DNR sends an official instruction notice to the county. The DNR's notice will include a sample public notice and provide due dates for completing actions. The county will need to act quickly because public notice is required within 14 days of the county receiving the DNR's official instruction notice. The public notice must include all of the following:

- a) The name of the person applying to receive the construction permit.
- b) The name of the township where the confinement feeding operation structure is proposed.
- c) Each type of confinement feeding operation structure proposed.
- d) The animal unit capacity of the confinement feeding operation if the construction permit is approved.
- e) The time and place where the public may examine the application as provided in Iowa Code section 22.2 (the Public Records Law).
- f) Procedures for providing public comments to the board as provided by the board.

**3) SCORE THE MASTER MATRIX:** Each year every county has the opportunity to adopt a "construction evaluation resolution" allowing the county to actively participate in the construction permit application process. The resolution is commonly referred to as the master matrix. The

master matrix is a list of additional conditions that an applicant can choose from in order to receive points. The applicant must have 440 out of 880 available points, with one-fourth of the points in three categories in order to obtain a permit. The conditions are intended to lessen the potential impact of the confinement facility to the surrounding area.

The county is required to score the master matrix items claimed by the applicant to see if the claimed points appear acceptable. See the DNR fact sheet "Details of Scoring the Master Matrix " for a more comprehensive master matrix discussion.

4) VISIT THE SITE: The local DNR field office will contact the county designee and invite them to the site survey at the proposed site. This usually occurs within 30 days of the DNR receiving the application. During the site visit, DNR staff will verify the required separation distances.

S) KEEP A COPY FOR PUBLIC INSPECTION: Keep a copy of the construction permit application on file for public inspection. The application includes the manure management plan and the master matrix.

6) PROVIDE PROOF OF PUBLICATION: If the proposed project does not require a master matrix, then only a proof of publication must be sent to the DNR.

Send a copy of the proof of publication to:

Paul Petitti  
Iowa DNR  
1900 N Grand Avenue  
Gateway N, Suite E17  
Spencer, IA 51301  
Phone: 712-262-4177  
Fax: 712-262-2901  
Paul.Petitti@dnr.iowa.gov

7) PROVIDE A PUBLIC HEARING (OPTIONAL): The county may hold a public hearing for any permit application (master matrix or non-master matrix project). The time and place should be on the public notice. The county may submit any comments from the public hearing to the DNR.

8) MAKE A RECOMMENDATION: On a master matrix project, the county must submit its recommendation to either approve or disapprove the permit application. This recommendation is independent of the county's master matrix scoring. More information can be found in the DNR fact sheet "Details of Scoring the Master Matrix."

9) SUBMIT TO THE DNR: The county must submit the following documents to the DNR's Paul Petitti at the address listed above within 30 days of the county receiving the DNR official instruction notice. It must be received by the DNR (not just postmarked) within the 30-day time limit:

- a) The written county recommendation to approve or disapprove the permit application, regardless of the master matrix scoring.
- b) The board's scoring of the matrix along with documentation and justification if points are denied. If the county agrees with the scoring submitted by the applicant, a sentence to that effect is acceptable and no matrix scoring needs to be submitted.
- c) The proof of publication.
- d) The county may also submit any other relevant documents, including those received by interested parties.

Once all materials are received, the DNR begins reviewing the construction permit application. Find more information on the DNR website.

IMPORRIANT LINKS	IOWA DNR FIELD OFFICES
<p>DNR Animal Feeding Operations <a href="http://www.iowadnr.gov/af/">www.iowadnr.gov/af/</a></p> <p>Iowa State Association of Counties <a href="http://www.iowacounties.org/member-resources/legal-resources/master-matrix/">www.iowacounties.org/member-resources/legal-resources/master-matrix/</a></p> <p>Questions: Ask for an engineer at the Spencer or Mason City DNR field office, or email Kristi Harshbarger at: <a href="mailto:kharshbarter@iowacounties.org">kharshbarter@iowacounties.org</a>.</p>	<p><b>Northeast</b>   Manchester   563-927-2640  <b>North central</b>   Mason City   641-424-4073  <b>Northwest</b>   Spencer   712-262-4177  <b>Southwest</b>   Atlantic   712-243-1994  <b>Southcentral</b>   Des Moines   515-725-0268  <b>Southeast</b>   Washington   319-653-2135</p>



CAUTION: This document is only a summary of administrative rules contained in 567 IAC chapters 65; it is a guidance document and should not be used as replacement for the administrative rules. While every effort has been made to assure the accuracy of this information, the administrative rules will prevail in the event of a conflict between this document and the administrative rules.