

SOIL CONSERVATION AND WATER QUALITY DIVISION[27]

[Renamed Soil Conservation Division[27] under the Agriculture and Land Stewardship Department[21] “umbrella”]
[Renamed Soil Conservation and Water Quality Division[27] pursuant to 2015 Iowa Acts, House File 634]

DIVISION I SOIL CONSERVATION DIVISION

CHAPTER 1

REGIONS OF REPRESENTATION FOR STATE SOIL CONSERVATION AND WATER QUALITY COMMITTEE FARMER MEMBERS

- 1.1(161A) Scope
- 1.2(161A) Regions of representation

CHAPTER 2

OPERATION OF STATE SOIL CONSERVATION AND WATER QUALITY COMMITTEE

- 2.1(161A) Scope
- 2.2(161A) Time of meetings
- 2.3(161A) Place of meetings
- 2.4(161A) Notification of meetings
- 2.5(161A) Attendance and participation by the public
- 2.6(161A) Quorum and voting requirements
- 2.7(161A) Conduct of meeting
- 2.8(161A) Minutes, transcripts, and recordings of meetings
- 2.9(161A) Officers and duties
- 2.10(161A) Election and succession of officers

CHAPTER 3

CONTESTED CASE PROCEEDINGS AND PRACTICE

(Uniform Rules)

- 3.1(17A,161A) Scope and applicability
- 3.2(17A,161A) Definitions
- 3.3(17A,161A) Time requirements
- 3.4(17A,161A) Requests for contested case proceeding
- 3.5(17A,161A) Notice of hearing
- 3.6(17A,161A) Presiding officer
- 3.12(17A,161A) Service and filing of pleadings and other papers
- 3.15(17A,161A) Motions
- 3.16(17A,161A) Prehearing conference
- 3.17(17A,161A) Continuances
- 3.22(17A,161A) Default
- 3.23(17A,161A) Ex parte communication
- 3.24(17A,161A) Recording costs
- 3.25(17A,161A) Interlocutory appeals
- 3.26(17A,161A) Final decision
- 3.27(17A,161A) Appeals and review
- 3.28(17A,161A) Applications for rehearing
- 3.29(17A,161A) Stays of agency action

CHAPTER 4

DECLARATORY ORDERS

(Uniform Rules)

- 4.1(17A,161A) Petition for declaratory order
- 4.2(17A,161A) Notice of petition
- 4.3(17A,161A) Intervention

- 4.4(17A,161A) Briefs
- 4.5(17A,161A) Inquiries
- 4.6(17A,161A) Service and filing of petitions and other papers
- 4.7(17A,161A) Consideration
- 4.8(17A,161A) Action on petition
- 4.9(17A,161A) Refusal to issue order
- 4.12(17A,161A) Effect of a declaratory order

CHAPTER 5

AGENCY PROCEDURE FOR RULE MAKING

(Uniform Rules)

- 5.1(17A,161A) Applicability
- 5.3(17A,161A) Public rule-making docket
- 5.4(17A,161A) Notice of proposed rule making
- 5.5(17A,161A) Public participation
- 5.6(17A,161A) Regulatory analysis
- 5.10(17A,161A) Exemptions from public rule-making procedures
- 5.11(17A,161A) Concise statement of reasons
- 5.13(17A,161A) Agency rule-making record

CHAPTER 6

CONTRACTS FOR PUBLIC IMPROVEMENTS AND PROFESSIONAL SERVICES

- 6.1(17A,161A,159,207,208) Contract policy

PUBLIC IMPROVEMENTS

- 6.2(17A,26,161A,159,207,208) Contracts for public improvements

PROFESSIONAL SERVICES

- 6.3(17A,161A,159,207,208) Contracts for professional services
- 6.4(17A,159,161A,207,208) Approval and award of contracts

CHAPTER 7

INTEREST ON RETAINED FUNDS

- 7.1(573) Interest on retained funds

CHAPTER 8

WAIVER OR VARIANCE OF RULES

- 8.1(17A,161A) Definition
- 8.2(17A,161A) Scope of chapter
- 8.3(17A,161A) Applicability
- 8.4(17A,161A) Criteria for waiver or variance
- 8.5(17A,161A) Filing of petition
- 8.6(17A,161A) Content of petition
- 8.7(17A,161A) Additional information
- 8.8(17A,161A) Notice
- 8.9(17A,161A) Hearing procedures
- 8.10(17A,161A) Ruling
- 8.11(17A,161A) Public availability
- 8.12(17A,161A) Summary reports
- 8.13(17A,161A) Cancellation of a waiver
- 8.14(17A,161A) Violations
- 8.15(17A,161A) Defense
- 8.16(17A,161A) Judicial review

CHAPTER 9

Reserved

CHAPTER 10

IOWA FINANCIAL INCENTIVE PROGRAM FOR SOIL EROSION CONTROL

10.1 to 10.9 Reserved

PART 1

10.10(161A) Authority and scope
 10.11(161A) Rules or subrules are severable
 10.12 to 10.19 Reserved

PART 2

10.20(161A) Definitions
 10.21 to 10.29 Reserved

PART 3

10.30(161A) Compliance, refunds, reviews and appeals
 10.31(161A) Compliance with maintenance/performance agreements
 10.32(161A) Noncompliance
 10.33(161A) Appeals and reviews
 10.34 to 10.39 Reserved

PART 4

10.40 Reserved
 10.41(161A) Appropriations
 10.42 to 10.49 Reserved

PART 5

10.50(161A) Allocations to soil and water conservation districts
 10.51(161A) Voluntary program
 10.52(161A) Publicly owned lakes
 10.53 Reserved
 10.54(161A) Mandatory program
 10.55 Reserved
 10.56(161A) Special watershed projects
 10.57(161A) Reserve fund
 10.58 and 10.59 Reserved

PART 6

10.60(161A) Funding rates
 10.61 to 10.69 Reserved

PART 7

10.70(161A) Applications and agreements
 10.71(161A) Applications submitted to soil and water conservation district
 10.72(161A) Application signup
 10.73(161A) Eligibility for financial incentives
 10.74(161A) Financial incentive application and processing procedures
 10.75 to 10.79 Reserved

PART 8

10.80(161A) General conditions, eligible practices and specifications
 10.81(161A) General conditions
 10.82(161A) State designation of eligible practices
 10.83(161A) Designation of eligible practices
 10.84(161A) Practice standards and specifications

10.85 to 10.89 Reserved

PART 9

10.90 Reserved
 10.91(161A) Annual report
 10.92 to 10.94 Reserved
 10.95(161A) Forms

CHAPTER 11

CONSERVATION PRACTICES REVOLVING LOAN FUND

11.1 to 11.9 Reserved
 11.10(161A) Authority and scope
 11.11(161A) Rules or subrules are severable
 11.12 to 11.19 Reserved
 11.20(161A) Definition of terms
 11.21(161A) Financial partner
 11.22(161A) Allocation of revolving loan funds to soil and water conservation districts
 11.23(161A) Eligibility for revolving fund loan
 11.24(161A) Loan application processing procedures
 11.25(161A) Project design and construction
 11.26(161A) Issuance of loan
 11.27(161A) Amount of loan and number
 11.28(161A) Repayment of loans

CHAPTER 12

WATER PROTECTION PRACTICES—WATER PROTECTION FUND

12.1 to 12.9 Reserved

PART 1

12.10(161C) Authority and scope
 12.11(161C) Rules are severable
 12.12 to 12.19 Reserved

PART 2

12.20(161C) Definition of terms
 12.21 to 12.29 Reserved

PART 3

12.30(161C) Compliance, refund, reviews and appeals
 12.31 to 12.39 Reserved

PART 4

12.40(161C) Appropriations
 12.41 to 12.49 Reserved

PART 5

12.50(161C) Water protection practices account
 12.51(161C) Allocation to soil and water conservation districts
 12.52 to 12.59 Reserved

PART 6

12.60(161C) Applications and agreements
 12.61(161C) Applications submitted to soil and water conservation district
 12.62(161C) Application sign-up
 12.63(161C) Eligibility for financial incentives
 12.64 to 12.69 Reserved

PART 7

12.70(161C)	Water protection practices
12.71(161C)	General conditions
12.72(161C)	Eligible practices
12.73(161C)	Eligible practices for priority water resource protection
12.74(161C)	Agricultural drainage well closure
12.75(161C)	Priority watersheds and water quality problems
12.76(161C)	Practice standards and specifications
12.77(161C)	Cost-share rates
12.78 and 12.79	Reserved

PART 8

12.80(161C)	Water protection practices—woodlands, native grasses and forbs
12.81(161C)	General conditions
12.82(161C)	Eligible practices
12.83(161C)	Practice standards and specifications
12.84(161C)	Cost-share rates
12.85(161C)	Special practice and cost-share procedures eligibility
12.86 to 12.89	Reserved

PART 9

12.90(161C,312)	Reporting and accounting
-----------------	--------------------------

CHAPTERS 13 to 15

Reserved

CHAPTER 16

WATER QUALITY INITIATIVE

16.1(161A)	Purpose
16.2(161A)	Definitions
16.3(161A)	Cost share
16.4(161A)	Eligible practices
16.5(161A)	Ineligible practices
16.6(161A)	Statewide cost-share practices
16.7(161A)	Targeted watershed demonstration projects
16.8(161A)	Project threshold application requirements
16.9(161A)	Application review
16.10(161A)	Annual review
16.11(161A)	Contract requirements
16.12(161A)	Appeal

CHAPTERS 17 to 19

Reserved

CHAPTER 20

IOWA SOIL 2000 PROGRAM

PART 1

20.1 to 20.9	Reserved
20.10(161A)	Authority and scope
20.11(161A)	Rules or subrules are severable
20.12 to 20.19	Reserved

PART 2

20.20(161A)	Availability, development, distribution, updating and notice of conservation folders
20.21 to 20.29	Reserved

PART 3

20.30(161A) Conservation folder content
 20.31 to 20.39 Reserved

PART 4

20.40(161A) Farm unit soil conservation plan
 20.41 to 20.49 Reserved

PART 5

20.50(161A) Conservation agreement
 20.51 to 20.59 Reserved

PART 6

20.60(161A) Records
 20.61(161A) Record of distribution—district file
 20.62(161A) Conservation folder file copy
 20.63(161A) Program performance records
 20.64 to 20.69 Reserved

PART 7

20.70(161A) Definition of terms

CHAPTER 21

WATER QUALITY PROTECTION PROJECTS—WATER PROTECTION FUND

PART 1
AUTHORITY AND SCOPE

21.1 to 21.9 Reserved
 21.10(161A) Authority and scope
 21.11(161A) Rules or subrules are severable
 21.12 to 21.19 Reserved

PART 2
APPLICATIONS

21.20(161A) Announcement, eligibility, development and submission of applications
 21.21 to 21.29 Reserved

PART 3
APPLICATION CONTENT

21.30(161A) Water quality protection project application content
 21.31(161A) Project water quality improvement objectives
 21.32(161A) Project costs
 21.33(161A) Landowner interest
 21.34(161A) Project maintenance
 21.35(161A) Time frame
 21.36(161A) Project evaluation
 21.37 to 21.39 Reserved

PART 4
PROPOSAL REVIEW

21.40(161A) Proposal review
 21.41 to 21.49 Reserved

PART 5
BUDGET AND STAFF

21.50(161A) Budget and staff
 21.51 to 21.59 Reserved

PART 6
REPORTING

21.60(161A)	Project reporting
21.61(161A)	Supplemental reports
21.62(161A)	Content of project reports
21.63 to 21.69	Reserved

PART 7
ANNUAL PROJECT REVIEW

21.70(161A)	Annual project review, continuation, amendment and termination
21.71 to 21.79	Reserved

PART 8
PROJECT COMPLETION

21.80(161A)	Project completion
-------------	--------------------

CHAPTER 22

SOIL AND WATER RESOURCE CONSERVATION PLANS

22.1 to 22.9	Reserved
22.10(161A)	Authority and scope
22.11(161A)	Rules or subrules are severable
22.12 to 22.19	Reserved
22.20(161A)	Definition
22.21(161A)	Soil and water resource conservation plan development
22.22 to 22.29	Reserved
22.30(161A)	Soil and water resource conservation plan content
22.31 to 22.39	Reserved
22.40(161A)	Soil and water resource conservation plan adoption, approval, filing, and distribution
22.41 to 22.49	Reserved
22.50(161A)	State soil and water resource conservation plan

CHAPTERS 23 to 29
Reserved

CHAPTER 30

AGRICULTURAL DRAINAGE WELLS—ALTERNATIVE DRAINAGE SYSTEM
ASSISTANCE PROGRAM

30.1 to 30.9	Reserved
30.10(161A,460)	Authority and scope
30.11(161A,460)	Rules are severable
30.12 to 30.19	Reserved
30.20(161A,460)	Definitions
30.21 to 30.29	Reserved
30.30(161A,460)	Appropriations
30.31(161A,460)	Other funds
30.32 to 30.39	Reserved
30.40(161A,460)	Allocation of funds
30.41 to 30.49	Reserved
30.50(161A,460)	Eligibility
30.51 to 30.59	Reserved
30.60(161A,460)	Payment of financial assistance
30.61 to 30.69	Reserved
30.70(161A,460)	Compliance procedures and reviews

CHAPTERS 31 to 39

Reserved

CHAPTER 40
COAL MININGPART 1A
COAL MINING—GENERAL

40.1(17A,207)	Authority and scope
40.2(207)	Rules or subrules are severable
40.3(207)	General
40.4(207)	Permanent regulatory program and exemption for coal extraction incidental to the extraction of other minerals
40.5(207)	Restrictions on financial interests of state employees
40.6(207)	Exemptions for coal extraction incident to government-financed highway or other constructions
40.7(207)	Protection of employees
40.8 to 40.10	Reserved

PART 1B
COAL MINING—INITIAL PROGRAM

40.11(207)	Initial regulatory program
40.12(207)	General performance standards—initial program
40.13(207)	Special performance standards—initial program
40.14 to 40.19	Reserved

PART 2
COAL MINING—AREAS UNSUITABLE

40.20	Reserved
40.21(207)	Areas designated by an Act of Congress
40.22(207)	Criteria for designating areas as unsuitable for surface coal mining operations
40.23(207)	State procedures for designating areas unsuitable for surface coal mining operations
40.24 to 40.29	Reserved

PART 3
COAL MINING—PERMITS FOR OPERATIONS AND EXPLORATION

40.30(207)	Requirements for coal exploration
40.31(207)	Requirements for permits and permit processing
40.32(207)	Revision or amendment; renewal; and transfer, assignment, or sale of permit rights
40.33(207)	General content requirements for permit applications
40.34(207)	Permit application—minimum requirements for legal, financial, compliance, and related information
40.35(207)	Surface mining permit applications—minimum requirements for information on environmental resources
40.36(207)	Surface mining permit applications—minimum requirements for reclamation and operation plan
40.37(207)	Underground mining permit applications—minimum requirements for information on environmental resources
40.38(207)	Underground mining permit applications—minimum requirements for reclamation and operation plan
40.39(207)	Requirements for permits for special categories of mining

PART 4
COAL MINING—SMALL OPERATOR ASSISTANCE

40.40	Reserved
40.41(207)	Permanent regulatory program—small operator assistance program
40.42 to 40.49	Reserved

PART 5
COAL MINING—BONDING AND INSURANCE

- 40.50 Reserved
 40.51(207) Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs
 40.52 to 40.59 Reserved

PART 6
COAL MINING—PERMANENT PROGRAM PERFORMANCE STANDARDS

- 40.60 Reserved
 40.61(207) Permanent program performance standards—general provisions
 40.62(207) Permanent program performance standards—coal exploration
 40.63(207) Permanent program performance standards—surface mining activities
 40.64(207) Permanent program performance standards—underground mining activities
 40.65(207) Special permanent program performance standards—auger mining
 40.66(207) Special permanent program performance standards—operations on prime farmland
 40.67(207) Permanent program performance standards—coal preparation plants not located within the permit area of a mine
 40.68 and 40.69 Reserved

PART 7
COAL MINING—INSPECTION AND ENFORCEMENT

- 40.70 Reserved
 40.71(207) State regulatory authority—inspection and enforcement
 40.72(207) Inspections and monitoring
 40.73(207) Enforcement
 40.74(207) Civil penalties
 40.75(207) Individual civil penalties
 40.76 to 40.79 Reserved

PART 8
COAL MINING—BLASTER CERTIFICATION

- 40.80 Reserved
 40.81(207) Permanent regulatory program requirements—standards for certification of blasters
 40.82(207) Certification of blasters
 40.83 to 40.89 Reserved

PART 9
COAL MINING—CONTESTED CASES AND PUBLIC HEARINGS

- 40.90 Reserved
 40.91(17A,207) Procedural rules—contested cases and public hearings
 40.92(17A,207) Contested cases
 40.93(17A,207) Commencement of proceeding
 40.94(17A,207) Appeals of division notices and orders
 40.95(17A,207) Prehearing motions
 40.96(17A,207) Issuance of notices of hearing
 40.97(17A,207) Hearing procedures
 40.98(17A,207) Posthearing procedures
 40.99(17A,207) Decision of the administrative law judge, procedure in appeals before the committee, extensions of time, public hearings, and judicial review of the committee decision

CHAPTERS 41 to 49
Reserved

CHAPTER 50
IOWA ABANDONED MINED LAND RECLAMATION PROGRAM

50.1 to 50.9	Reserved
50.10(207)	Authority and scope
50.11(207)	Rules or subrules are severable
50.12 to 50.19	Reserved
50.20(207)	Definition of terms
50.21 to 50.29	Reserved
50.30(207)	State abandoned mined land fund
50.31 to 50.39	Reserved
50.40(207)	Eligible lands and water
50.41 to 50.49	Reserved
50.50(207)	Reclamation objectives and priorities
50.51 to 50.59	Reserved
50.60(207)	Reclamation project evaluation
50.61 to 50.69	Reserved
50.70(207)	Consent to entry
50.71 to 50.79	Reserved
50.80(207)	Entry for studies or exploration
50.81 to 50.89	Reserved
50.90(207)	Entry and consent to reclaim
50.91 to 50.99	Reserved
50.100(207)	Land eligible for acquisition
50.101 to 50.109	Reserved
50.110(207)	Procedures for acquisition
50.111 to 50.119	Reserved
50.120(207)	Acceptance of gifts of land
50.121 to 50.129	Reserved
50.130(207)	Management of acquired lands
50.131 to 50.139	Reserved
50.140(207)	Disposition of reclaimed lands
50.141 to 50.149	Reserved
50.150(207)	Operations on private land
50.151 to 50.159	Reserved
50.160(207)	Appraisals
50.161 to 50.169	Reserved
50.170(207)	Liens
50.171 to 50.179	Reserved
50.180(207)	Satisfaction of liens
50.181 to 50.189	Reserved
50.190(207)	Abandoned mined land (AML) program forms

CHAPTERS 51 to 59
Reserved

CHAPTER 60
MINERALS PROGRAM

60.1 to 60.9	Reserved
60.10(208)	Authority and scope
60.11(208)	Rules or subrules are severable
60.12(208)	Definitions
60.13 to 60.19	Reserved

60.20(208)	License
60.21 to 60.29	Reserved
60.30(208)	Registration
60.31(208)	Registration renewal and fee
60.32 to 60.39	Reserved
60.40(208)	Bonding
60.41(208)	Bond release
60.42 to 60.49	Reserved
60.50(208)	Transfers
60.51 to 60.59	Reserved
60.60(208)	Registration cancellation
60.61 to 60.64	Reserved
60.65(208)	Enforcement actions
60.66 to 60.69	Reserved
60.70(208)	Annual mining report
60.71 to 60.74	Reserved
60.75(208)	General mining activities
60.76 to 60.79	Reserved
60.80(208)	Reclamation
60.81 to 60.84	Reserved
60.85(208)	Criteria for variance application and approval
60.86 to 60.89	Reserved
60.90(208)	Administrative orders and assessment of penalties
60.91 to 60.94	Reserved
60.95(208)	Forms
60.96 to 60.99	Reserved
60.100(208)	Political subdivisions engaged in mining

CHAPTERS 61 to 100

Reserved

*DIVISION II**WATERSHED IMPROVEMENT REVIEW BOARD*

CHAPTER 101

ORGANIZATION AND PURPOSE

101.1(466A)	Watershed improvement review board composition
101.2(466A)	Officers
101.3(466A)	Staff
101.4(466A)	Meetings
101.5(466A)	Quorum
101.6(466A)	Conflict of interest
101.7(466A)	Board responsibilities
101.8(466A)	Technical assistance

CHAPTER 102

RULES OF PRACTICE

102.1(466A)	Definitions
102.2(466A)	Public information
102.3(466A)	Informal settlement of controversies
102.4(466A)	Declaratory orders
102.5(466A)	Petition for adoption of rules

CHAPTER 103
APPOINTMENT AND TERMS OF MEMBERS

- 103.1(466A) Appointments
- 103.2(466A) Terms

CHAPTER 104
LOCAL WATERSHED IMPROVEMENT COMMITTEES

- 104.1(466A) Purpose
- 104.2(466A) Structure
- 104.3(466A) Governmental entities
- 104.4(466A) Responsibilities
- 104.5(466A) Audit

CHAPTER 105
WATERSHED IMPROVEMENT GRANT PROGRAM

- 105.1(466A) Program purpose
- 105.2(466A) Grant awards
- 105.3(466A) Disbursement of funds
- 105.4(466A) Reports

CHAPTER 106
WATERSHED IMPROVEMENT FUND

- 106.1(466A) Purpose
- 106.2(466A) Administration

CHAPTER 107
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES
(Uniform Rules)

- 107.1(17A,22) Definitions
- 107.3(17A,22) Requests for access to records
- 107.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records
- 107.9(17A,22) Public records; confidential records
- 107.10(17A,22) Personally identifiable information
- 107.11(17A,22) Data processing