Analysis, p. 1

SOIL CONSERVATION DIVISION[27]

[Renamed Soil Conservation Division[27] under the Agriculture and Land Stewardship Department[21] "umbrella"]

DIVISION I SOIL CONSERVATION DIVISION

CHAPTER 1

REGIONS OF REPRESENTATION FOR STATE SOIL CONSERVATION COMMITTEE FARMER MEMBERS

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

CHAPTER 2

OPERATION OF STATE SOIL CONSERVATION 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

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,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

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
10.20(1(1.1))	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
10.12 to 10.19	
10 50(1(14)	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
10.70 10 10.79	
10.00(1(1.1.)	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

PA	RT	9

Reserved
Annual report
Reserved
Forms

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

Soil Conservation[27]

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	t
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-dis	trict file
20.62(161A)	Conservation folder file cop	by
20.63(161A)	Program performance recor	ds
20.64 to 20.69	Reserved	
		PART 7
20.70(161.1)	Definition of terms	

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(72GA,ch1189)	Authority and scope
21.11(72GA,ch1189)	Rules or subrules are severable
21.12 to 21.19	Reserved

PART 2

APPLICATIONS

21.20(72GA,ch1189)Announcement, eligibility, development and submission of applications21.21 to 21.29Reserved

PART 3

APPLICATION CONTENT

21.30(72GA,ch1189)	Water quality protection project application content
21.31(72GA,ch1189)	Project water quality improvement objectives
21.32(72GA,ch1189)	Project costs
21.33(72GA,ch1189)	Landowner interest
21.34(72GA,ch1189)	Project maintenance
21.35(72GA,ch1189)	Time frame
21.36(72GA,ch1189)	Project evaluation
21.37 to 21.39	Reserved

PART 4

PROPOSAL REVIEW

- 21.40(72GA,ch1189) Proposal review 21.41 to 21.49 Reserved
 - to 21.4) Reserved

PART 5

BUDGET AND STAFF

- 21.50(72GA,ch1189) 21.51 to 21.59
- Budget and staff Reserved

PART 6 REPORTING

	REF ORTING
21.60(72GA,ch1189)	Project reporting
21.61(72GA,ch1189)	Supplemental reports
21.62(72GA,ch1189)	Content of project reports
21.63 to 21.69	Reserved

PART 7

ANNUAL PROJECT REVIEW

21.70(72GA,ch1189)	Annual project review, continuation, amendment and termination
21.71 to 21.79	Reserved

PART 8

PROJECT COMPLETION

21.80(72GA,ch1189)	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(159,161A,455H)	Authority and scope
30.11(159,161A,455H)	Rules are severable
30.12 to 30.19	Reserved
30.20(159,161A,455H)	Definitions
30.21 to 30.29	Reserved
30.30(159,161A,455H)	Appropriations
30.31(159,161A,455H)	Other funds
30.32 to 30.39	Reserved
30.40(159,161A,455H)	Allocation of funds
30.41 to 30.49	Reserved
30.50(159,161A,455H)	Eligibility
30.51 to 30.59	Reserved
30.60(159,161A,455H)	Payment of financial assistance
30.61 to 30.69	Reserved
30.70(159,161A,455H)	Compliance procedures and reviews

CHAPTERS 31 to 39 Reserved

CHAPTER 40 COAL MINING

PART 1A COAL MINING—GENERAL

	Correction of the control of the con
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
(_0,7)	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
40.0(207)	constructions
40.7(207)	Protection of employees
40.8 to 40.10	Reserved
40.0 10 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
40.20	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
40.30(207)	operation plan
40.37(207)	Underground mining permit applications—minimum requirements for information
40.37(207)	on environmental resources
40.29(207)	
40.38(207)	Underground mining permit applications—minimum requirements for reclamation
40.00(007)	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		
40.70	State regulatory authority—inspection and enforcement		
	Inspections and monitoring		
40.72(207)	Enforcement		
40.73(207)			
40.74(207)	Civil penalties		
40.75(207) 40.76 to 40.79	Individual civil penalties Reserved		
40.70 10 40.79	Keseiveu		
	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, extensions of time, public hearings, and judicial review of the		

CHAPTERS 41 to 49 Reserved

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(166A)	Technical assistance

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

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