

CHAPTER 4
DECLARATORY ORDERS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

The uniform rules on declaratory orders published in the first volume of the Iowa Administrative Code are adopted by reference with the following amendments:

27—4.1(17A,161A) Petition for declaratory order. In lieu of the words “(designate agency)” the first time the words are used, insert “division of soil conservation and water quality, department of agriculture and land stewardship (hereinafter referred to as “the division”)”. In lieu of the words “(designate agency)” the subsequent times the words are used, insert “division”. In lieu of the words “(designate office)” insert “Wallace State Office Building, East Ninth and Grand, Des Moines, Iowa 50319.” In lieu of the words “(AGENCY NAME)” insert “DIVISION OF SOIL CONSERVATION AND WATER QUALITY, DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP”.

[ARC 2192C, IAB 10/14/15, effective 11/18/15]

27—4.2(17A,161A) Notice of petition. In lieu of the words “_____ days (15 or less)” insert “15 days”. In lieu of the words “(designate agency)” insert “division”.

27—4.3(17A,161A) Intervention.

4.3(1) In lieu of the words “_____ days” insert “20 days”.

4.3(2) In lieu of the words “(designate agency)” insert “the division”.

4.3(3) In lieu of the words “(designate office)” insert “the division director’s office”. In lieu of the words “(designate agency)” insert “the division”. In lieu of the words “(AGENCY NAME)” insert “DIVISION OF SOIL CONSERVATION AND WATER QUALITY, DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP”. Delete paragraph “6” and insert in lieu thereof “6. A statement that the intervenor consents to be bound by the determination of the matters presented in the declaratory order proceeding.”

[ARC 2192C, IAB 10/14/15, effective 11/18/15]

27—4.4(17A,161A) Briefs. In lieu of the words “(designate agency)” insert “division”.

27—4.5(17A,161A) Inquiries. In lieu of the words “(designate official by full title and address)” insert “the Director of the Division of Soil Conservation and Water Quality, Department of Agriculture and Land Stewardship, Wallace State Office Building, East Ninth and Grand, Des Moines, Iowa 50319”.

[ARC 2192C, IAB 10/14/15, effective 11/18/15]

27—4.6(17A,161A) Service and filing of petitions and other papers.

4.6(2) In lieu of the words “(specify office and address)” insert “the Director of the Division of Soil Conservation and Water Quality, Department of Agriculture and Land Stewardship, Wallace State Office Building, East Ninth and Grand, Des Moines, Iowa 50319”. In lieu of the words “(agency name)” insert “division”.

4.6(3) In lieu of the words “(uniform rule on contested cases X.12(17A))” insert “rule 27—3.12(17A,161A)”.

[ARC 2192C, IAB 10/14/15, effective 11/18/15]

27—4.7(17A,161A) Consideration. In lieu of the words “(designate agency)” insert “division”.

27—4.8(17A,161A) Action on petition.

4.8(1) In lieu of the words “(designate agency head)” insert “the director of the division of soil conservation and water quality”.

4.8(2) In lieu of the words and numbers “(contested case uniform rule X.2(17A))” insert “rule 27—3.2(17A,161A)”.

[ARC 2192C, IAB 10/14/15, effective 11/18/15]

27—4.9(17A,161A) Refusal to issue order.

4.9(1) In lieu of the words “(designate agency)” insert “division”.

27—4.12(17A,161A) Effect of a declaratory order. In lieu of the words “(designate agency)” insert “division”. Delete the words “(who consent to be bound)”.

These rules are intended to implement Iowa Code chapters 17A and 161A.

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