

27—20.50(161A) Conservation agreement. This part establishes procedures for entering conservation agreement as defined in rule 20.70(161A) between district commissioners and landowners and operators.

20.50(1) In accordance with Iowa Code section 161A.62, for any farm unit that has received a conservation folder after January 1, 1986, or one year after the completion of the farm unit plan, whichever is later, state cost-sharing funds through the voluntary program will be available only when a conservation agreement is in effect.

20.50(2) Eligibility. A landowner and, if appropriate, the operator of a farm unit, may enter into a conservation agreement with the commissioners after a farm unit soil conservation plan has been approved by the commissioners.

20.50(3) Initiation of conservation agreement. Within 60 days after the commissioners approve a farm unit soil conservation plan, the district shall offer to enter into a conservation agreement with the landowner.

20.50(4) Conservation agreement form. The schedule for implementing the farm unit soil conservation plan will be recorded on form SCD-6. To complete the conservation agreement, form SCD-6 will be signed by the landowner and the chairman of the district.

20.50(5) Period of conservation agreement. The implementation period of the initial agreement shall not exceed five years, unless amended as defined in 20.50(7).

20.50(6) Performance of conservation agreement. To continue to qualify for state cost-share funds, the landowner shall implement the agreed-upon soil conservation practices according to the schedule contained in the conservation agreement.

20.50(7) Amending or extending the conservation agreement. Conservation agreements may be amended or extended provided the revisions are mutually acceptable to the landowner and the commissioners, for reasons not limited to but including the following:

- a. Lack of public cost-share funding.
- b. Loss or gain of land under agreement.
- c. Uncontrollable circumstances (flood, drought, hail).
- d. Economic constraints on the landowner.

20.50(8) Terminating conservation agreements. Conservation agreements can be terminated for the following reasons:

- a. Conservation agreements shall be terminated when the land changes ownership.
- b. Conservation agreements may be terminated at any time upon request of the landowner, with the understanding that the landowner forfeits the future right to receive state cost-share funds for soil conservation practices on that farm unit.
- c. Conservation agreements may be terminated by the commissioners in the event that the landowner fails to implement the agreed-upon soil conservation practices according to the schedule contained in the conservation agreement.

20.50(9) Distribution of conservation agreement records. Copies of the soil conservation agreement and any revisions or terminations thereto shall be provided to the landowner, the division of soil conservation and the district case file.