

House File 2491 - Enrolled

House File 2491

AN ACT

RELATING TO AND MAKING APPROPRIATIONS AND RELATED STATUTORY  
CHANGES INVOLVING STATE GOVERNMENT ENTITIES INVOLVED  
WITH AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL  
PROTECTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

GENERAL APPROPRIATION

GENERAL FUND

Section 1. 2017 Iowa Acts, chapter 168, section 36, is amended to read as follows:

SEC. 36. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be

used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:

.....	\$	<del>8,820,288</del>
		<u>18,023,339</u>
.....	FTEs	372.00

2. Of the amount appropriated in subsection 1, the following amount is transferred to Iowa state university of science and technology, to be used for the university's midwest grape and wine industry institute:

.....	\$	<del>144,000</del>
		<u>288,000</u>

3. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

DESIGNATED APPROPRIATIONS  
MISCELLANEOUS SOURCES

Sec. 2. 2017 Iowa Acts, chapter 168, section 37, is amended to read as follows:

SEC. 37. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under [section 99D.13](#) to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's administration and enforcement of horse and dog racing law pursuant to section 99D.22, including for salaries, support, maintenance, and miscellaneous purposes:

.....	\$ 147,758
	<u>305,516</u>

Sec. 3. 2017 Iowa Acts, chapter 168, section 38, is amended to read as follows:

SEC. 38. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR FUEL INSPECTION.

1. There is appropriated from the renewable fuel infrastructure fund created in section 159A.16 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of the inspection of motor fuel, including salaries, support, maintenance, and miscellaneous purposes:	
.....	\$ 250,000
	<u>500,000</u>

2. The department shall establish and administer programs for the auditing of motor fuel including biofuel processing and production plants, for screening and testing motor fuel, including renewable fuel, and for the inspection of motor fuel sold by dealers including retail dealers who sell and dispense motor fuel from motor fuel pumps.

Sec. 4. 2017 Iowa Acts, chapter 168, is amended by adding the following new section:

NEW SECTION. 38A. MONEYS CREDITED TO THE WATERSHED IMPROVEMENT FUND — FARM MANAGEMENT DEMONSTRATION PROGRAM. Notwithstanding 2017 Iowa Acts, chapter 168, section 22, as amended by 2017 Iowa Acts, chapter 170, section 42, of the moneys credited to the watershed improvement fund that are unencumbered or unobligated and managed by and otherwise appropriated to the department of agriculture and land stewardship pursuant to those sections, the department shall expend the following amount, or so much thereof as is necessary, for the fiscal year beginning July 1, 2018, and ending June 30, 2019, for the purpose designated:

1. For the continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other

environmental benefits:

..... \$ 100,000

2. The amount required to be expended by the department of agriculture and land stewardship pursuant to subsection 1 shall be allocated by the department to an organization representing soybean growers to provide for an agriculture and environment performance program in the same manner as enacted in 2017 Iowa Acts, chapter 168, section 17, subsection 3.

SPECIAL APPROPRIATIONS

GENERAL FUND

Sec. 5. 2017 Iowa Acts, chapter 168, section 39, is amended to read as follows:

SEC. 39. DAIRY REGULATION.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of performing functions pursuant to section 192.109, including conducting a survey of grade "A" milk and certifying the results to the secretary of agriculture:

..... \$ 94,598  
189,196

2. Notwithstanding [section 8.33](#), moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 6. 2017 Iowa Acts, chapter 168, section 40, is amended to read as follows:

SEC. 40. LOCAL FOOD AND FARM PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the local food and farm program pursuant to [chapter 267A](#):

..... \$ 37,500

75,000

2. The department shall enter into a cost-sharing agreement with Iowa state university of science and technology to support the local food and farm program coordinator position as part of the university's cooperative extension service in agriculture and home economics pursuant to [chapter 267A](#).

3. Notwithstanding [section 8.33](#), moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 7. 2017 Iowa Acts, chapter 168, section 41, is amended to read as follows:

SEC. 41. AGRICULTURAL EDUCATION.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of allocating moneys to an Iowa association affiliated with a national organization which promotes agricultural education providing for future farmers:	\$	12,500
.....		<u>25,000</u>

2. Notwithstanding [section 8.33](#), moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 8. 2017 Iowa Acts, chapter 168, section 42, is amended to read as follows:

SEC. 42. FARMERS WITH DISABILITIES PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting a program for farmers with disabilities:

.....	\$ 65,000
	<u>130,000</u>

2. The moneys appropriated in subsection 1 shall be used for the public purpose of providing a grant to a national nonprofit organization with over 80 years of experience in assisting children and adults with disabilities and special needs. The moneys shall be used to support a nationally recognized program that began in 1986 and has been replicated in at least 30 other states, but which is not available through any other entity in this state, and that provides assistance to farmers with disabilities in all 99 counties to allow the farmers to remain in their own homes and be gainfully engaged in farming through provision of agricultural worksite and home modification consultations, peer support services, services to families, information and referral, and equipment loan services.

3. Notwithstanding [section 8.33](#), moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 9. 2017 Iowa Acts, chapter 168, is amended by adding the following new section:

NEW SECTION. SEC. 42A. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the foreign animal disease preparedness and response fund created in section 163.3B:

.....	\$ 250,000
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DIVISION II  
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
GENERAL WATER QUALITY INITIATIVE APPROPRIATION  
GENERAL FUND

Sec. 10. 2017 Iowa Acts, chapter 168, section 43, is amended to read as follows:

SEC. 43. WATER QUALITY INITIATIVE — GENERAL.

1. There is appropriated from the general fund of the state

to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, for purposes of supporting the water quality initiative administered by the division of soil conservation and water quality as provided in section 466B.42, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$ 1,500,000
	<u>3,000,000</u>

2. a. The moneys appropriated in subsection 1 shall be used to support projects in subwatersheds as designated by the division that are part of high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3.

b. The moneys appropriated in subsection 1 shall be used to support projects in watersheds generally, including regional watersheds, as designated by the division and high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3.

3. In supporting projects in subwatersheds and watersheds as provided in subsection 2, all of the following shall apply:

a. ~~The demonstration projects shall utilize water quality practices as described in the latest revision of the document entitled "Iowa Nutrient Reduction Strategy" initially presented in November 2012 by the department of agriculture and land stewardship, the department of natural resources, and Iowa state university of science and technology~~ Iowa nutrient reduction strategy as defined in section 455B.171, as amended by 2018 Iowa Acts, Senate File 512, section 18.

b. The division shall implement demonstration projects as provided in paragraph "a" by providing for participation by persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide for collaborative participation by such persons who hold a legal interest in agricultural land located within the same subwatershed.

c. The division shall implement a demonstration project on

a cost-share basis as determined by the division. However, except for edge-of-field practices, the state's share of the amount shall not exceed 50 percent of the estimated cost of establishing the practice as determined by the division or 50 percent of the actual cost of establishing the practice, whichever is less.

d. The demonstration projects shall be used to educate other persons about the feasibility and value of establishing similar water quality practices. The division shall promote field day events for purposes of allowing interested persons to establish water quality practices on their agricultural land.

e. The division shall conduct water quality evaluations within supported subwatersheds. Within a reasonable period after accumulating information from such evaluations, the division shall create an aggregated database of water quality practices. Any information identifying a person holding a legal interest in agricultural land or specific agricultural land shall be a confidential record under [section 22.7](#).

4. The moneys appropriated in subsection 1 shall be used to support education and outreach in a manner that encourages persons who hold a legal interest in agricultural land used for farming to implement water quality practices, including the establishment of such practices in watersheds generally, and not limited to subwatersheds or high-priority watersheds.

5. The moneys appropriated in subsection 1 may be used to contract with persons to coordinate the implementation of efforts provided in this section.

6. The moneys appropriated in subsection 1 may be used by the department to support urban soil and water conservation efforts, which may include but are not limited to management practices related to bioretention, landscaping, the use of permeable or pervious pavement, and soil quality restoration. The moneys shall be allocated on a cost-share basis as provided in [chapter 161A](#).

7. Notwithstanding any other provision of law to the contrary, the department may use moneys appropriated in subsection 1 to carry out the provisions of this section on a cost-share basis in combination with other moneys available to the department from a state or federal source.



8. Not more than 10 percent of the moneys appropriated in this section may be used to pay for the costs of administering and implementing the water quality initiative by the department's division of soil conservation and water quality as provided in [section 466B.42](#) and this section.

DIVISION III

DEPARTMENT OF NATURAL RESOURCES

GENERAL APPROPRIATIONS

GENERAL FUND AND MAJOR FUNDS

Sec. 11. 2017 Iowa Acts, chapter 168, section 44, is amended to read as follows:

SEC. 44. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:	\$ 5,649,905.50
.....	<u>11,554,987</u>
..... FTEs	1,145.95

2. Of the number of full-time equivalent positions authorized to the department pursuant to subsection 1, 50 full-time equivalent positions shall be allocated by the department for seasonal employees for purposes of providing maintenance, upkeep, and sanitary services at state parks. This subsection shall not impact park ranger or park manager positions within the department.

3. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated under this section to support the department's administration, regulation,

and programs.

Sec. 12. 2017 Iowa Acts, chapter 168, section 45, is amended to read as follows:

SEC. 45. STATE FISH AND GAME PROTECTION FUND — REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

1. There is appropriated from the state fish and game protection fund created pursuant to section 456A.17 to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the regulation or advancement of hunting, fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, including for administration, regulation, law enforcement, and programs; and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ ~~21,573,996.50~~  
43,768,530

2. Notwithstanding [section 455A.10](#), the department may use the unappropriated balance remaining in the state fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of conservation peace officers employed in a protection occupation who retire, pursuant to [section 97B.49B](#).

3. Notwithstanding [section 455A.10](#), the department of natural resources may use the unappropriated balance remaining in the state fish and game protection fund for the fiscal year beginning July 1, 2018, and ending June 30, 2019, as is necessary to fund salary adjustments for departmental employees for which the general assembly has made an operating budget appropriation in subsection 1.

Sec. 13. 2017 Iowa Acts, chapter 168, section 46, is amended to read as follows:

SEC. 46. GROUNDWATER PROTECTION FUND — WATER QUALITY. There is appropriated from the groundwater protection fund created in [section 455E.11](#) to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, from those moneys which are not

allocated pursuant to that section, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's protection of the state's groundwater, including for administration, regulation, and programs, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 1,727,916  
3,455,832

DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

Sec. 14. 2017 Iowa Acts, chapter 168, section 47, is amended to read as follows:

SEC. 47. SPECIAL SNOWMOBILE FUND — SNOWMOBILE PROGRAM. There is appropriated from the special snowmobile fund created under [section 321G.7](#) to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administering and enforcing the state snowmobile programs:

..... \$ 50,000  
100,000

Sec. 15. 2017 Iowa Acts, chapter 168, section 48, is amended to read as follows:

SEC. 48. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANKS SECTION EXPENSES. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive petroleum underground storage tank fund board established pursuant to [section 455G.4](#) to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of paying for administration expenses of the department's underground storage tanks section:

..... \$ 100,000  
200,000

SPECIAL APPROPRIATIONS

GENERAL FUND

Sec. 16. 2017 Iowa Acts, chapter 168, section 49, is amended to read as follows:

SEC. 49. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of supporting floodplain management and dam safety:  
..... \$ 942,500  
1,510,000

2. Of the amount appropriated in subsection 1, up to ~~\$200,000~~ \$400,000 may be used by the department to acquire or install stream gages for purposes of tracking and predicting flood events and for compiling necessary data to improve flood frequency analysis.

3. Notwithstanding [section 8.33](#), moneys appropriated in subsection 1 that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 17. 2017 Iowa Acts, chapter 168, section 50, is amended to read as follows:

SEC. 50. FORESTRY HEALTH MANAGEMENT.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of providing for forestry health management programs:  
..... \$ 250,000  
500,000

2. Notwithstanding [section 8.33](#), moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

DIVISION IV  
IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
SPECIAL APPROPRIATION  
GENERAL FUND

VETERINARY DIAGNOSTIC LABORATORY

Sec. 18. 2017 Iowa Acts, chapter 168, section 51, is amended to read as follows:

SEC. 51. VETERINARY DIAGNOSTIC LABORATORY.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory and for not more than the following full-time equivalent positions:

.....	\$	<del>2,000,000</del>
		<u>4,100,000</u>
.....	FTEs	51.00

2. a. Iowa state university of science and technology shall not reduce the amount that it allocates to support the college of veterinary medicine from any other source due to the appropriation made in this section.

b. Paragraph "a" does not apply to a reduction made to support the college of veterinary medicine, if the same percentage of reduction imposed on the college of veterinary medicine is also imposed on all of Iowa state university of science and technology's budget units.

3. If by June 30, 2019, Iowa state university of science and technology fails to allocate the moneys appropriated in this section to the college of veterinary medicine in accordance with this section, the moneys appropriated in this section for that fiscal year shall revert to the general fund of the state.

DIVISION V  
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP,  
DEPARTMENT OF NATURAL RESOURCES,  
AND STATE UNIVERSITY OF IOWA  
GENERAL ENVIRONMENTAL APPROPRIATIONS

ENVIRONMENT FIRST FUND

Sec. 19. 2017 Iowa Acts, chapter 168, section 52, is amended to read as follows:

SEC. 52. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the environment first fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

a. For the conservation reserve enhancement program to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:

..... \$ 500,000  
1,000,000

b. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

c. Notwithstanding any other provision in law, the department may use moneys appropriated in this subsection, in combination with other appropriate environment first fund appropriations, for cost sharing to match United States department of agriculture, natural resources conservation service, wetlands reserve enhancement program (WREP) funding available to Iowa.

2. WATERSHED PROTECTION

a. For continuation of a program that provides multiobjective resource protections for flood control, water quality, erosion control, and natural resource conservation:

..... \$ 450,000  
900,000

b. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

~~3. FARM MANAGEMENT DEMONSTRATION PROGRAM~~

~~a. For continuation of a statewide voluntary farm management demonstration program to demonstrate the~~

~~effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:~~

~~..... \$ 187,500~~

~~b. The amount appropriated in paragraph "a" shall be allocated to an organization representing soybean growers to provide for an agriculture and environment performance program.~~

4. SOIL AND WATER CONSERVATION — ADMINISTRATION

a. For use by the department for costs of administration and implementation of soil and water conservation practices:

~~..... \$ 1,900,000~~  
3,800,000

b. Of the moneys appropriated in paragraph "a", ~~\$75,000~~ \$150,000 is allocated to support field staff providing technical assistance.

5. CONSERVATION RESERVE PROGRAM (CRP)

a. To encourage and assist farmers in enrolling in and the implementation of the federal conservation reserve program and to work with them to enhance their revegetation efforts to improve water quality and habitat:

~~..... \$ 450,000~~  
900,000

b. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

6. SOIL AND WATER CONSERVATION

a. For use by the department in providing for soil and water conservation:

~~..... \$ 4,162,500~~  
8,325,000

b. (1) Of the amount appropriated in paragraph "a", for transfer to the loess hills development and conservation fund created in [section 161D.2](#):

~~..... \$ 245,000~~  
490,000

(2) (a) Of the amount transferred to the loess hills development and conservation fund in subparagraph (1), ~~\$225,000~~ \$450,000 shall be allocated to the fund's hungry canyons account.

(b) Not more than ~~10~~ 5 percent of the moneys allocated to the fund's hungry canyons account as provided in subparagraph division (a) may be used for administrative costs.

(3) (a) Of the amount transferred to the loess hills development and conservation fund in subparagraph (1), ~~\$20,000~~ \$40,000 shall be allocated to the fund's loess hills alliance account.

(b) Not more than 10 percent of the moneys allocated to the fund's loess hills alliance account as provided in subparagraph division (a) may be used for administrative costs.

c. Of the remaining amount appropriated in paragraph "a", for use by the department in providing for soil and water conservation administration, the conservation of soil and water resources, or the support of soil and water conservation districts:

.....	\$ 3,917,500
	<u>7,835,000</u>

d. Of the amount appropriated in paragraph "c" that the department allocates to a soil and water conservation district, the first ~~\$7,500~~ \$15,000 may be expended by the district for the purpose of providing financial incentives under section 161A.73 to establish management practices for the control of soil erosion on land that is row-cropped, including but not limited to nontill planting, ridge-till planting, and contouring strip-cropping. Of any remaining amount of that appropriation allocated by the department to a district, 30 percent may be expended by the district for that same purpose.

e. Not more than 5 percent of the moneys appropriated in paragraph "c" may be allocated for cost sharing to address complaints filed under [section 161A.47](#).

f. Of the moneys appropriated in paragraph "c", 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

g. The state soil conservation and water quality committee established by [section 161A.4](#) may allocate moneys appropriated in paragraph "c" to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution



control practices.

h. The allocation of moneys as financial incentives as provided in [section 161A.73](#) may be used in combination with moneys allocated by the department of natural resources.

i. Not more than 15 percent of the moneys appropriated in paragraph "c" may be used for costs of administration and implementation of soil and water conservation practices.

Sec. 20. 2017 Iowa Acts, chapter 168, section 53, is amended to read as follows:

SEC. 53. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the environment first fund created in section 8.57A to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. STATE PARKS MAINTENANCE AND OPERATIONS

a. For regular maintenance and operations of state parks and staff time associated with these activities:

.....	\$ 3,117,500
	<u>6,235,000</u>

b. Of the amount appropriated in paragraph "a", up to ~~\$50,000~~ \$100,000 shall be allocated for statewide coordination of volunteer efforts ~~under the water quality and keepers of the land programs.~~

2. GEOGRAPHIC INFORMATION SYSTEM (GIS)

To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work:

.....	\$ 97,500
	<u>195,000</u>

3. WATER QUALITY MONITORING

For continuing the establishment and operation of water quality monitoring stations:

.....	\$ <del>1,477,500</del>
	<u>2,955,000</u>

4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

For deposit in the public water supply system account of the water quality protection fund created in [section 455B.183A](#):

.....	\$ 250,000
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500,000

5. REGULATION OF ANIMAL FEEDING OPERATIONS

For the regulation of animal feeding operations, including as provided for in chapters 459 through 459B:

..... \$ 660,000  
1,320,000

6. AMBIENT AIR QUALITY

For the abatement, control, and prevention of ambient air pollution in this state, including measures as necessary to assure attainment and maintenance of ambient air quality standards from particulate matter:

..... \$ 212,500  
425,000

~~7. WATER QUANTITY REGULATION~~

~~For regulating water quantity from surface and subsurface sources by providing for the allocation and use of water resources, the protection and management of water resources, and the preclusion of conflicts among users of water resources, including as provided in chapter 455B, division III, part 4:~~

~~..... \$ 247,500~~

~~8. GEOLOGICAL AND WATER SURVEY~~

~~For continuing the operations of the department's geological and water survey including but not limited to providing analysis, data collection, investigative programs, and information for water supply development and protection:~~

~~..... \$ 100,000~~

9. FLOODPLAIN MANAGEMENT AND DAM SAFETY

For supporting floodplain management and dam safety:

..... \$ 375,000

Sec. 21. 2017 Iowa Acts, chapter 168, is amended by adding the following new section:

NEW SECTION. SEC. 53A. STATE UNIVERSITY OF IOWA GEOGRAPHICAL AND WATER SURVEY. There is appropriated from the environment first fund created in section 8.57A to the state university of Iowa for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. OPERATIONS

For purposes of supporting the operations of the geological and water survey of the state as created within the state university of Iowa pursuant to section 456.1 as amended by 2018 Iowa Acts, House File 2303, section 12, including but not limited to providing analysis; data maintenance, collection, and compilation; investigative programs; and information for water supply development and protection:

..... \$ 200,000

2. WATER RESOURCE MANAGEMENT

For purposes of supporting the geological and water survey in measuring, assessing, and evaluating the quantity of water sources in this state and assisting the department of natural resources in regulating water quantity as provided in chapter 455B, division III, part 4, pursuant to sections 455B.262B and 456.14, as enacted by this Act:

..... \$ 495,000

DIVISION VI

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

SPECIAL WATER QUALITY INITIATIVE APPROPRIATION

ENVIRONMENT FIRST FUND

Sec. 22. 2017 Iowa Acts, chapter 168, section 55, is amended to read as follows:

SEC. 55. WATER QUALITY INITIATIVE — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

1. There is appropriated from the environment first fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, for purposes of supporting the water quality initiative administered by the division of soil conservation and water quality as provided in section 466B.42, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~1,187,500~~

2,375,000

2. a. The moneys appropriated in subsection 1 shall be used to support projects in subwatersheds as designated by the

division that are part of high-priority watersheds identified by the water resources coordinating council established pursuant to [section 466B.3](#).

b. The moneys appropriated in subsection 1 shall be used to support projects in watersheds generally, including regional watersheds, as designated by the division and high-priority watersheds identified by the water resources coordinating council established pursuant to [section 466B.3](#).

3. In supporting projects in subwatersheds and watersheds as provided in subsection 2, all of the following shall apply:

a. ~~The demonstration projects shall utilize water quality practices as described in the latest revision of the document entitled "Iowa Nutrient Reduction Strategy" initially presented in November 2012 by the department of agriculture and land stewardship, the department of natural resources, and Iowa state university of science and technology~~ Iowa nutrient reduction strategy as defined in section 455B.171, as amended by 2018 Iowa Acts, Senate File 512, section 18.

b. The division shall implement demonstration projects as provided in paragraph "a" by providing for participation by persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide for collaborative participation by such persons who hold a legal interest in agricultural land located within the same subwatershed.

c. The division shall implement a demonstration project on a cost-share basis as determined by the division. However, except for edge-of-field practices, the state's share of the amount shall not exceed 50 percent of the estimated cost of establishing the practice as determined by the division or 50 percent of the actual cost of establishing the practice, whichever is less.

d. The demonstration projects shall be used to educate other persons about the feasibility and value of establishing similar water quality practices. The division shall promote field day events for purposes of allowing interested persons to establish water quality practices on their agricultural land.

e. The division shall conduct water quality evaluations within supported subwatersheds. Within a reasonable period

after accumulating information from such evaluations, the division shall create an aggregated database of water quality practices. Any information identifying a person holding a legal interest in agricultural land or specific agricultural land shall be a confidential record under [section 22.7](#).

4. The moneys appropriated in subsection 1 shall be used to support education and outreach in a manner that encourages persons who hold a legal interest in agricultural land used for farming to implement water quality practices, including the establishment of such practices in watersheds generally, and not limited to subwatersheds or high-priority watersheds.

5. The moneys appropriated in subsection 1 may be used to contract with persons to coordinate the implementation of efforts provided in this section.

6. The moneys appropriated in subsection 1 may be used by the department to support urban soil and water conservation efforts, which may include but are not limited to management practices related to bioretention, landscaping, the use of permeable or pervious pavement, and soil quality restoration. The moneys shall be allocated on a cost-share basis as provided in [chapter 161A](#).

7. Notwithstanding any other provision of law to the contrary, the department may use moneys appropriated in subsection 1 to carry out the provisions of this section on a cost-share basis in combination with other moneys available to the department from a state or federal source.

8. Not more than 10 percent of the moneys appropriated in this section may be used to pay for the costs of administering and implementing the water quality initiative by the department's division of soil conservation and water quality as provided in [section 466B.42](#) and this section.

#### DIVISION VII

#### IOWA RESOURCES ENHANCEMENT AND PROTECTION (REAP) FUND SPECIAL PROVISIONS

Sec. 23. 2017 Iowa Acts, chapter 168, is amended by adding the following new section:

NEW SECTION. SEC. 56. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In lieu of the standing appropriation in section 455A.18, there is appropriated from the environment

first fund created in section 8.57A to the Iowa resources enhancement and protection fund for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, to be allocated as provided in section 455A.19:

..... \$ 12,000,000

Sec. 24. 2017 Iowa Acts, chapter 168, is amended by adding the following new section:

NEW SECTION. SEC. 57. REAP — STATE PARK MAINTENANCE AND OPERATIONS.

1. Notwithstanding sections 455A.18 and 455A.19, there is allocated from moneys in the Iowa resources enhancement and protection fund to the department of natural resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the regular maintenance and operations of state parks and staff time associated with these activities:

..... \$ 2,000,000

2. After the allocation of moneys provided in subsection 1, all remaining unobligated and unencumbered moneys in the Iowa resources enhancement and protection fund shall be allocated as otherwise required in section 455A.19.

Sec. 25. 2017 Iowa Acts, chapter 168, is amended by adding the following new section:

NEW SECTION. SEC. 58. REAP — OPEN SPACES ACCOUNT — STATE PARK MAINTENANCE AND REPAIR. Notwithstanding section 455A.19, subsection 1, paragraph "a", subparagraph (1), of the moneys allocated to the open spaces account of the Iowa resources enhancement and protection fund, up to \$1,000,000 may be used by the department of natural resources for state park maintenance and repair for the fiscal year beginning July 1, 2018, and ending on June 30, 2019.

DIVISION VIII

IOWA CODE CHANGES

Sec. 26. NEW SECTION. 455B.262B Cooperation with the state geologist.

The department may request and shall receive assistance from the state geologist pursuant to section 456.14 to allow for the

allocation and use of water resources, and the preclusion of conflicts among users of water resources, as provided in this part.

Sec. 27. NEW SECTION. 456.14 Water resource management.

1. The state geologist shall maintain historical data, collect existing data, and compile new data regarding water resources, including surface water sources and groundwater sources, and geological formations that impact upon those water resources. Such data shall be managed in a manner that allows it to be made available for use by the department of natural resources and the public.

2. The state geologist shall measure, assess, and evaluate groundwater sources and subsurface geological formations in a manner that assists the department of natural resources in optimizing allocations and uses of groundwater sources in this state, including as provided in chapter 455B, division III, part 4. The state geologist may use data described in subsection 1 to measure, assess, and evaluate all of the following:

a. The sustainability and existing or potential vulnerabilities of groundwater sources.

b. The risk, prediction, or indication of drought, the impacts of drought, and the presence, intensity, or duration of drought conditions.

c. Subsurface geologic hazards to groundwater resources.

d. The recharge of groundwater sources, including recharge rates.

e. The presence of reserves of groundwater sources.

f. The potential of groundwater sources present in subsurface geologic formations.

3. The state geologist shall develop and use management tools, computer programming, or modeling as necessary or convenient to administer this section.

4. The state geologist shall prepare, use, and make available maps or other methods of presentation that provide for the geospatial visualization of data described in subsection 1 as necessary or convenient to administer this section.

5. Upon request by the department of natural resources, the

state geologist shall assist the department in regulating water quantity from water resources as provided in section 455B.262B.

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LINDA UPMEYER  
Speaker of the House

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CHARLES SCHNEIDER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2491, Eighty-seventh General Assembly.

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CARMINE BOAL  
Chief Clerk of the House

Approved \_\_\_\_\_, 2018

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KIM REYNOLDS  
Governor