

# Senate Study Bill 3202

## Bill Text

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1 1 Section 1. Section [159.29B](#), subsection 2, Code 1999, is  
1 2 amended to read as follows:

1 3 2. a. To the extent that moneys are available to support  
1 4 the program, the division shall provide cost-share moneys to  
1 5 persons closing agricultural drainage wells

~~located within~~

1 6

~~designated agricultural drainage well areas,~~  
- and constructing

1 7 alternative drainage systems. The division shall provide  
1 8 cost-share moneys for closing agricultural drainage wells and  
1 9 constructing alternative drainage systems which are part of a  
1 10 drainage district in accordance with the priority system  
1 11 established pursuant to section 159.29. The division may  
1 12 provide cost-share moneys for closing agricultural drainage  
1 13 wells and constructing alternative drainage systems which are  
1 14 not part of a drainage district. The amount of moneys  
1 15

~~allocated~~

- provided in cost-share

~~payments~~

- moneys to a person

1 16 qualifying under the program shall not exceed

~~seventy five~~

- the

1 17 following:

1 18 a. Seventy-five percent of the

~~estimated~~

- cost of

1 19

~~installing the~~

- closing an agricultural drainage well and

1 20 constructing an alternative drainage system

~~or seventy five~~

1 21

~~percent of the actual cost of installing the alternative~~

1 22

~~drainage system, whichever is less~~

~~, if the agricultural~~

1 23 drainage well is located within a designated agricultural

1 24 drainage well area.

1 25 b. Sixty percent of the cost of closing an agricultural

1 26 drainage well and constructing an alternative drainage system.

1 27 if the agricultural drainage well is not located within a  
1 28 designated agricultural drainage well area.

1 29 Sec. 2. Section [159.29B](#), subsection 3, paragraph a,  
1 30 unnumbered paragraph 1, Code 1999, is amended to read as  
1 31 follows:

1 32 A person

~~who owns an interest in land within a designated~~

1 33

~~agricultural drainage well area~~

~~shall not be eligible to~~

1 34 participate in the program provided in this section, if the  
1 35 person is any of the following:

2 1 Sec. 3. Section [159.29B](#), subsection 3, Code 1999, is  
2 2 amended by adding the following new paragraph:

2 3 NEW PARAGRAPH. c. A person shall not be eligible to  
2 4 participate in the program unless the division approves a plan  
2 5 for closing the agricultural drainage well and constructing an  
2 6 alternative drainage system as provided by rules adopted by  
2 7 the division.

2 8 EXPLANATION

2 9 In 1997, the general assembly enacted Senate File 473 (1997  
2 10 Iowa Acts, chapter 193) which regulates agricultural drainage  
2 11 wells. An agricultural drainage well is any vertical opening  
2 12 to an aquifer or permeable substratum constructed in order to  
2 13 intercept surface or subsurface drainage water from land  
2 14 directly or by a drainage system. The Act, in part, created a  
2 15 program to assist persons in closing agricultural drainage  
2 16 wells and establishing alternative drainage systems in  
2 17 designated agricultural drainage well areas which are part of  
2 18 drainage districts. The assistance is in the form of cost-  
2 19 share moneys, in which the state pays 75 percent of the  
2 20 estimated or actual cost of the project, whichever is less. A  
2 21 designated agricultural drainage well area is an area which  
2 22 drains into an agricultural drainage well and where there is  
2 23 located an anaerobic lagoon or earthen manure storage basin  
2 24 which is part of an animal feeding operation. The program is  
2 25 administered by the soil conservation division of the  
2 26 department of agriculture and land stewardship and supported  
2 27 by a fund administered by the division.

2 28 This bill provides that the state contribute 75 percent of  
2 29 the actual cost of the project to close an agricultural  
2 30 drainage well and construct an alternative drainage system  
2 31 located within a designated agricultural drainage well area,  
2 32 and 60 percent of the actual cost of the project to close an  
2 33 agricultural drainage well and construct an alternative  
2 34 drainage system which is not located within a designated  
2 35 agricultural drainage well area.

3 1 LSB 6922SC 78

3 2 da/cf/24