

House Study Bill 85

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to permit fees for diverting, storing, or
2 withdrawing water and making appropriations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1279XD 82
5 tm/gg/14

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1 1 Section 1. Section 455B.265, Code 2007, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 6. The department may charge an annual
1 4 fee to a person that has been granted a permit pursuant to
1 5 this section or required to have a permit pursuant to section
1 6 455B.268. The commission shall adopt rules setting the fees.
1 7 The amount of a fee shall be based on the amount of water
1 8 stored, withdrawn, or diverted and the department's reasonable
1 9 cost of reviewing applications, issuing permits, and checking
1 10 compliance with terms of the permits. Fees collected pursuant
1 11 to this subsection are appropriated to the department for
1 12 purposes of this subsection. The commission shall annually
1 13 review the amount of moneys generated by fees, the balance in
1 14 the fee account, and anticipated expenses for the succeeding
1 15 fiscal year. Moneys generated by such fees shall be used to
1 16 contract with qualified parties to gather scientific
1 17 information about aquifer characteristics, quantity of water
1 18 stored in an aquifer, and the effects of withdrawing water
1 19 from an aquifer, and to review applications, issue permits,
1 20 provide technical assistance to permit applicants, and check
1 21 compliance with terms of the permits.

EXPLANATION

1 23 This bill relates to permit fees for diverting, storing, or
1 24 withdrawing water.

1 25 The bill allows the department of natural resources to
1 26 charge an annual fee to a person required to have a permit for
1 27 diverting, storing, or withdrawing water from any surface or
1 28 groundwater source or for diverting water or material from the
1 29 surface directly into an underground watercourse or basin.
1 30 The bill requires the environmental protection commission to
1 31 set the fees. The bill provides criteria for setting fees.
1 32 The bill appropriates fees collected to the department for
1 33 purposes provided in the bill. The bill requires the
1 34 commission to annually review the amount of moneys generated
1 35 by fees, the balance in the fee account, and anticipated
2 1 expenses for the succeeding fiscal year. The bill requires
2 2 moneys generated by such fees to be used to contract with
2 3 qualified parties to gather scientific information about
2 4 aquifer characteristics, quantity of water stored in an
2 5 aquifer, and the effects of withdrawing water from an aquifer,
2 6 and to review applications, issue permits, provide technical
2 7 assistance to permit applicants, and check compliance with
2 8 terms of the permits.

2 9 LSB 1279XD 82
2 10 tm:rj/gg/14.1