

House File 2642 - Introduced

HOUSE FILE 2642

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 2614)

(SUCCESSOR TO HSB 674)

A BILL FOR

1 An Act relating to the conservation and improvement of
2 soil and water resources, including by providing for the
3 administration of associated programs and regulations,
4 making appropriations, and including effective date
5 provisions.

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

DIVISION I

SOIL CONSERVATION DISTRICTS LAW

1
2
3 Section 1. Section 161A.2, Code 2024, is amended to read as
4 follows:

5 **161A.2 Declaration of policy.**

6 It is hereby declared to be the policy of the legislature
7 state to integrate the conservation of soil and water resources
8 into the production of agricultural commodities to ~~insure~~
9 ensure the long-term protection of the soil and water resources
10 of the state of Iowa, and to encourage the development of farm
11 management and agricultural practices that are consistent
12 with the capability of the land to sustain agriculture, and
13 thereby to preserve natural resources, control floods, prevent
14 impairment of dams and reservoirs, assist and maintain the
15 navigability of rivers and harbors, preserve wildlife, protect
16 the tax base, protect public lands, and promote the health,
17 safety, and public welfare of the people of this state.

18 Sec. 2. Section 161A.3, Code 2024, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 12A. *"Soil health"* means the continuing
21 capacity of soil to function as a vital living ecosystem that
22 sustains plants, animals, and humans.

23 Sec. 3. Section 161A.4, subsection 2, paragraph g, Code
24 2024, is amended to read as follows:

25 *g.* To assist each soil and water conservation district in
26 developing a district soil and water resource conservation plan
27 as provided under [section 161A.7](#). The plan shall be developed
28 according to rules adopted by the division to preserve and
29 protect the public interest in the soil and water resources
30 of this state for future generations and for this purpose to
31 encourage, promote, facilitate, and where such public interest
32 requires, to mandate the conservation and proper control of and
33 use of the soil and water resources of this state, by measures
34 including but not limited to the control of floods, the control
35 of erosion by water or by wind, the improvement of soil health,

1 and the preservation of the quality of water for its optimum
2 use for agricultural, irrigation, recreational, industrial,
3 and domestic purposes, all of which shall be presumed to be
4 conducive to the public health, convenience, and welfare, both
5 present and future.

6 Sec. 4. Section 161A.7, subsection 1, paragraphs f, h, m,
7 and n, Code 2024, are amended to read as follows:

8 *f.* To make available on such terms as it shall prescribe,
9 to landowners or occupiers within the district, agricultural
10 and engineering machinery and equipment, fertilizer, lime,
11 and such other material or equipment as will assist such
12 landowners or occupiers to carry on operations upon their lands
13 for the conservation of soil resources and for the prevention
14 and control of soil erosion; the improvement of soil health;
15 and ~~for~~ the prevention of erosion, floodwater, and sediment
16 damages.

17 *h.* To develop comprehensive plans for the conservation of
18 soil resources ~~and for~~; the improvement of soil health; the
19 control and prevention of soil erosion; and for the prevention
20 of erosion, floodwater, and sediment damages within the
21 district, ~~which~~. The comprehensive plans shall specify in such
22 detail as may be possible, the acts, procedures, performances,
23 and avoidances which are necessary or desirable for the
24 effectuation of such plans, including the specification of
25 engineering operations, methods of cultivation, the growing of
26 vegetation, cropping programs, tillage practices, and changes
27 in the use of land; ~~and to~~. The district shall publish such
28 plans and information and bring them to the attention of owners
29 and occupiers of lands within the district.

30 *m.* To encourage local school districts to provide
31 instruction in the importance of and in some of the basic
32 methods of soil conservation and soil health practices, as a
33 part of course work relating to agriculture, the conservation
34 of natural resources, and environmental awareness as required
35 in rules adopted by the state board of education pursuant

1 to section 256.11, subsections 3 and 4 through 5, and to
2 offer technical assistance to schools in developing such
3 instructional programs.

4 *n.* To develop a soil and water resource conservation
5 district plan for the district.

6 (1) The district plan shall contain a comprehensive
7 long-range assessment of soil and surface water resources in
8 the district consistent with rules approved by the committee
9 under section 161A.4.

10 (2) In developing the district plan, the district may
11 receive technical support from the United States department
12 of agriculture natural resources conservation service and the
13 county board of supervisors in the county where the district
14 is located. The division and the Iowa cooperative extension
15 service in agriculture and home economics may provide technical
16 support to the district. The support may include but is not
17 limited to the following:

18 (a) Assessing the condition of soil and surface water in
19 the district, including an evaluation of the type, amount,
20 and quality of soil and water; the threat of soil erosion
21 and erosion, floodwater, and sediment damages; and necessary
22 preventative and control measures; and soil restoration
23 efforts.

24 (b) Developing methods to maintain or improve soil health
25 and water condition quality.

26 (c) Cooperating with other state and federal agencies to
27 carry out this support.

28 ~~(2)~~ (3) The title page of the district plan and a
29 notification stating where the plan may be reviewed shall be
30 recorded with the recorder in the county in which the district
31 is located, and updated as necessary, after the committee
32 approves and the director of the division signs the district
33 plan. The commissioners shall provide notice of the recording
34 and may provide a copy of the approved district plan to the
35 county board of supervisors in the county where the district is

1 located. The district plan shall be filed with the division
2 as part of the state soil and water resource conservation plan
3 provided in [section 161A.4](#).

4 Sec. 5. Section 161A.42, subsections 4 and 9, Code 2024, are
5 amended to read as follows:

6 4. ~~"Erosion control practices"~~ "Erosion control practice"

7 means any of the following:

8 a. The construction or installation of, and or the
9 maintenance of, of such structures a structure or devices
10 device as are is necessary to carry to a suitable outlet from
11 the site of any building housing four or more residential
12 units, any commercial or industrial development, or any
13 publicly or privately owned recreational or service facility of
14 any kind, not served by a central storm sewer system, any water
15 which that complies with all of the following:

16 (1) Would otherwise cause erosion in excess of the
17 applicable soil loss limit, ~~and~~.

18 (2) Does not carry nor constitute sewage, industrial waste,
19 or other waste as defined by [section 455B.171](#).

20 b. The employment of a temporary devices device or
21 ~~structures structure~~, temporary seeding, fibre mats, plastic,
22 straw, or other ~~measures measure~~ adequate to prevent erosion in
23 excess of the applicable soil loss limits from the site of, or
24 land directly affected by, the construction of any public or
25 private street, road, or highway, any residential, commercial,
26 or industrial building or development, or any publicly or
27 privately owned recreational or service facility of any kind,
28 at all times prior to completion of such construction.

29 c. The establishment and maintenance of vegetation upon the
30 right-of-way of any completed portion of any public street,
31 road, or highway, or the construction or installation thereon
32 of structures or devices, or other measures adequate to prevent
33 erosion from the right-of-way in excess of the applicable soil
34 loss limits.

35 9. a. ~~"Soil and water conservation practices"~~ "Soil and

1 water conservation practice means any ~~of the practices~~ practice
2 designated in or pursuant to this subsection which ~~serve~~ serves
3 to prevent erosion of soil by wind or water, in excess of the
4 applicable soil loss limits, from land used for agricultural
5 or horticultural purposes only.

6 b. "Soil and water conservation practice" includes any of the
7 following:

8 a. (1) "Permanent soil and water conservation practices"
9 "Permanent soil and water conservation practice" which means the
10 planting of perennial grasses, legumes, shrubs, or trees, the
11 establishment of grassed waterways, and the construction of
12 terraces, or other permanent soil and water practices approved
13 by the committee.

14 b. (2) "Temporary soil and water conservation practices"
15 "Temporary soil and water conservation practice" which means
16 the planting of annual or biennial crops; the use of
17 strip-cropping, cover cropping, or contour planting; ~~or;~~
18 no-tillage, minimum tillage, or mulch tillage; ~~and;~~ the
19 installation of an agriculture practice, silviculture practice,
20 aquaculture practice, or permaculture practice; the use of
21 extended crop rotation or rotational grazing; or the use of any
22 other ~~cultural practices~~ practice approved by the committee.

23 Sec. 6. Section 161A.53, Code 2024, is amended to read as
24 follows:

25 **161A.53 Cooperation with other agencies.**

26 1. Soil A soil and water conservation ~~districts~~ district
27 may enter into ~~agreements~~ an agreement with the federal
28 government or an agency of the federal government, as provided
29 by state law, or with the state of Iowa or an agency of the
30 state, any other soil and water conservation district, or any
31 other political subdivision of this state, for cooperation in
32 ~~preventing,~~ doing any of the following:

33 a. Preventing, controlling, or attempting to prevent or
34 control soil erosion. Soil

35 b. Improving or attempting to improve soil health, or

1 performing a soil health assessment.

2 2. A soil and water conservation ~~districts~~ district may
3 accept, as provided by state law, money disbursed for soil
4 erosion control and soil health assessment purposes by the
5 federal government or an agency of the federal government, and
6 expend the money for the purposes for which it was received.

7 Sec. 7. Section 161A.71, subsection 1, Code 2024, is amended
8 to read as follows:

9 1. a. The division may establish a conservation practices
10 revolving loan fund composed of any money appropriated by the
11 general assembly for that purpose, and of any other moneys
12 available to and obtained or accepted by the committee from the
13 federal government or private sources for placement in that
14 fund. Except as otherwise provided by [subsection 3](#), the assets
15 of the conservation practices revolving loan fund shall be used
16 only to make loans directly to owners of land in this state
17 for the purpose of establishing on that land any new permanent
18 soil and water conservation practice which the commissioners of
19 the soil and water conservation district in which the land is
20 located have found is necessary or advisable to meet the soil
21 loss limits established for that land.

22 (1) A loan made under this section shall not be made
23 for establishing a permanent soil and water conservation
24 practice on land that is subject to the restriction on state
25 cost-sharing funds of [section 161A.76](#). Revolving loan funds
26 and public cost-sharing funds may be used in combination for
27 funding a particular soil and water conservation practice.

28 (2) Each loan made under [this section](#) shall be for a period
29 not to exceed ten years, shall bear no interest, and shall be
30 repayable to the conservation practices revolving loan fund in
31 equal yearly installments due March 1 of each year the loan is
32 in effect. The interest rate upon loans for which payment is
33 delinquent shall accelerate immediately to the current legal
34 usury limit. ~~Applicants are~~

35 (3) An applicant is eligible for ~~no~~ not more than twenty

1 thousand dollars in loans outstanding at any time under this
2 program. ~~“Permanent soil and water conservation practices”~~

3 b. As used in this section, “permanent soil and water
4 conservation practice” has the same meaning as defined in
5 section 161A.42 and those established under this program are
6 subject to the requirements of [section 161A.7, subsection 3.](#)

7 c. Loans made under this program shall come due for payment
8 upon sale of the land on which those practices are established.

9 Sec. 8. Section 161A.73, subsection 1, paragraph b, Code
10 2024, is amended to read as follows:

11 b. The allocation of moneys as financial incentives
12 provided for the purpose of establishing management practices
13 to control soil erosion ~~on land that is row cropped and~~
14 promote soil health, including but not limited to cover crops,
15 no-till planting, ridge-till planting, contouring, and contour
16 strip-cropping. The division shall by rule establish limits on
17 the amount of incentives ~~which shall be~~ authorized for payment
18 to landowners upon establishment of the practice.

19 Sec. 9. Section 161A.80A, subsection 3, Code 2024, is
20 amended to read as follows:

21 3. [This section](#) is repealed on ~~July~~ October 1, 2030 ~~2024~~.

22 Sec. 10. Section 161A.80B, subsection 1, Code 2024, is
23 amended to read as follows:

24 1. The principal and interest from any loan made pursuant
25 to [section 161A.80A](#), ~~as enacted in 2015 Iowa Acts, ch 132,~~
26 ~~§45~~ Code 2024, remaining that are outstanding on July 1, 2025
27 or after the effective date of this section of this Act, and
28 that prior to October 1, 2024, would have been payable to
29 the blufflands protection revolving fund ~~created in section~~
30 ~~161A.80A~~, shall instead be paid to the division on or after
31 ~~July 1, 2025,~~ pursuant to the terms of the loan agreement
32 deposited by the department of natural resources in the state
33 park and recreation areas operations fund created in section
34 455A.10A. ~~The moneys paid to the division shall be credited to~~
35 ~~the rebuild Iowa infrastructure fund created in~~ [section 8.57.](#)

1 Sec. 11. Section 161D.7, Code 2024, is amended to read as
2 follows:

3 **161D.7 Program coordination.**

4 1. The department of natural resources shall coordinate the
5 blufflands protection program with the program and projects of
6 the loess hills alliance.

7 2. This section is repealed on October 1, 2024.

8 Sec. 12. NEW SECTION. **455A.10A State parks and recreation
9 areas operations fund.**

10 1. A state parks and recreation areas operations fund is
11 created in the state treasury under the management and control
12 of the department.

13 2. The state parks and recreation areas operations fund
14 shall include all of the following:

15 a. (1) Principal and interest paid from any loan made
16 pursuant to section 161A.80A, Code 2024, instead of being paid
17 to the blufflands protection revolving fund as described in
18 section 161A.80B.

19 (2) This paragraph is repealed on July 1, 2030.

20 b. Other moneys available to and obtained or accepted by the
21 department from public or private sources.

22 3. Moneys in the state parks and recreation areas operations
23 fund are appropriated to and shall be used exclusively by the
24 department to pay for maintaining and improving state parks
25 and recreation areas, including by supporting infrastructure
26 and the professional needs of park rangers and conservation
27 officers.

28 4. a. Notwithstanding section 12C.7, interest or earnings
29 on moneys in the fund shall be credited to the fund.

30 b. Notwithstanding section 8.33, moneys in the fund that
31 remain unencumbered or unobligated at the end of a fiscal year
32 shall not revert.

33 Sec. 13. **BLUFFLANDS PROTECTION REVOLVING FUND — TRANSFER
34 TO STATE PARKS AND RECREATION AREAS OPERATIONS FUND.** The
35 balance in the blufflands protection revolving fund created in

1 section 161A.80A shall be transferred to the state parks and
2 recreation areas operations fund created in this Act not later
3 than September 30, 2024.

4 Sec. 14. STATE PARKS AND RECREATION AREAS OPERATIONS FUND —
5 APPROPRIATION. There is appropriated from the state parks and
6 recreation areas operations fund created in section 455A.10A
7 to the department of natural resources for the fiscal year
8 beginning July 1, 2024, and ending June 30, 2025, the following
9 amounts, or so much thereof as is necessary, to be used for the
10 purposes designated:

11 1. For purposes of equipping park rangers with
12 interoperative park officer radios:
13 \$ 456,000

14 2. For purposes of improving accessibility to state parks
15 and recreational areas by persons with disabilities, any
16 unencumbered or unobligated moneys remaining in the fund.

17 Sec. 15. SUSPENSION OF BLUFFLANDS PROTECTION PROGRAM
18 AND LIMITATION OF MONEYS EXPENDED FROM BLUFFLANDS PROTECTION
19 REVOLVING FUND.

20 1. The blufflands protection program created in section
21 161A.80A is suspended and moneys shall not be expended from the
22 blufflands protection revolving fund other than to wind down
23 existing obligations until its termination date.

24 2. This section is repealed on October 1, 2024.

25 Sec. 16. EFFECTIVE DATES.

26 1. Except as provided in subsection 2, this division of this
27 Act takes effect July 1, 2024.

28 2. The section of this division of this Act suspending the
29 blufflands protection program, and limiting the expenditure of
30 moneys from the blufflands protection revolving fund, being
31 deemed of immediate importance, takes effect upon enactment.

32 DIVISION II

33 GROUNDWATER PROTECTION ACT

34 Sec. 17. Section 455E.11, subsection 1, paragraph c, Code
35 2024, is amended by striking the paragraph.

1 DIVISION III

2 INITIATIVE ON IMPROVING OUR WATERSHED ATTRIBUTES (I ON IOWA)

3 Sec. 18. Section 466.4, subsection 2, paragraphs d and e,
4 Code 2024, are amended by striking the paragraphs.

5 Sec. 19. NEW SECTION. **466.4A Prairie seed harvest program.**

6 The department of natural resources shall establish a
7 prairie seed harvest program to assist in the restoration of
8 prairies and provide for private land stewardship and public
9 resource management through assistance with the implementation
10 of buffer and filter strip practices, and public or private
11 habitat development and management. The department shall carry
12 out these efforts through landowner contacts and cooperation
13 with private and public organizations.

14 Sec. 20. Section 466.5, subsection 5, Code 2024, is amended
15 by striking the subsection.

16 Sec. 21. Section 466.7, Code 2024, is amended to read as
17 follows:

18 **466.7 Water quality protection program.**

19 ~~1.~~ The department of agriculture and land stewardship shall
20 implement, in conjunction with the federal government and other
21 entities, a program that provides multiobjective resource
22 protections for flood control, water quality, erosion control,
23 and natural resource conservation.

24 ~~2. The department of agriculture and land stewardship shall~~
25 ~~implement a statewide, voluntary farm management demonstration~~
26 ~~program to demonstrate the effectiveness and adaptability of~~
27 ~~emerging practices in agronomy that protect water resources and~~
28 ~~provide other environmental benefits. A demonstration program~~
29 ~~under this subsection may complement, but shall not duplicate,~~
30 ~~projects conducted by Iowa state university extension service.~~
31 ~~The demonstration program shall be designed to concentrate on~~
32 ~~management techniques in both the livestock and crop genres~~
33 ~~and shall be offered to farm operators through an educational~~
34 ~~setting and demonstration projects. The demonstration program~~
35 ~~shall be offered in conjunction with the community colleges,~~

1 ~~Iowa state university, and private farmer demonstrations.~~
2 ~~Continuing education units shall be offered. The educational~~
3 ~~program shall be offered at no cost to farm operators who file~~
4 ~~a schedule F with the internal revenue service and do not have~~
5 ~~permitted livestock facilities or are certified under a manure~~
6 ~~management plan.~~

7 3. ~~The department of agriculture and land stewardship shall~~
8 ~~provide financial assistance for the establishment of permanent~~
9 ~~soil and water conservation practices.~~

10 4. ~~The department of natural resources shall provide local~~
11 ~~watershed managers with geographic information system data for~~
12 ~~their use in developing, monitoring, and displaying results~~
13 ~~of their watershed work. The local watershed data shall be~~
14 ~~considered public records and are accessible to the public~~
15 ~~pursuant to [chapter 22](#).~~

16 5. ~~The department of natural resources shall develop a~~
17 ~~program that provides support to local volunteer management~~
18 ~~efforts to the different programs concerned with water quality.~~
19 ~~The department shall assist in coordinating and tracking of the~~
20 ~~volunteer component of these programs to increase efficiency~~
21 ~~and avoid duplication of efforts in water quality monitoring~~
22 ~~and watershed improvement.~~

23 6. ~~The department of natural resources shall provide for~~
24 ~~activities supporting the analysis of water quality monitoring~~
25 ~~data for trends and for the preparation and presentation of~~
26 ~~data to the public.~~

27 7. ~~The department of natural resources shall contract~~
28 ~~to assist its staff with the review of national pollutant~~
29 ~~discharge elimination system permits.~~

30 8. ~~The department of natural resources shall expand~~
31 ~~floodplain protection education to better inform local~~
32 ~~officials that make decisions with regard to floodplain~~
33 ~~management.~~

34 9. ~~The department of natural resources shall continue~~
35 ~~the establishment of an effective and efficient method~~

1 ~~of developing a total maximum daily load program, based~~
2 ~~on information gathered on other states' programs and~~
3 ~~investigation into alternative methods for satisfying the~~
4 ~~requirements.~~

5 Sec. 22. NEW SECTION. **466.7A Water quality analysis.**

6 1. The department of natural resources shall provide local
7 watershed managers with geographic information system data for
8 their use in developing, monitoring, and displaying results
9 of their watershed work. The local watershed data shall be
10 considered public records and are accessible to the public
11 pursuant to chapter 22.

12 2. The department of natural resources shall support
13 local volunteer management efforts to the different programs
14 concerned with water quality. The department shall assist
15 in coordinating and tracking of the volunteer component of
16 these programs to increase efficiency and avoid duplication of
17 efforts in water quality monitoring and watershed improvement.

18 3. The department of natural resources shall provide for
19 activities supporting the analysis of water quality monitoring
20 data for trends and for the preparation and presentation of
21 data to the public.

22 4. The department of natural resources shall continue
23 the establishment of an effective and efficient method
24 of developing a total maximum daily load program, based
25 on information gathered on other states' programs and
26 investigation into alternative methods for satisfying the
27 requirements.

28 Sec. 23. Section 466.9, subsection 1, Code 2024, is amended
29 to read as follows:

30 1. An on-site wastewater systems assistance fund is
31 established as a separate fund in the state treasury under the
32 control of the department of natural resources. Moneys in the
33 fund are appropriated to the department of natural resources
34 for the exclusive purpose of supporting and administering the
35 on-site wastewater systems assistance program as established in

1 section ~~466.8~~ 467.414.

2 Sec. 24. REPEAL. Sections 466.1, 466.2, and 466.3, Code
3 2024, are repealed.

4 DIVISION IV

5 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT

6 PART A

7 GENERAL

8 Sec. 25. Section 466B.2, Code 2024, is amended to read as
9 follows:

10 **466B.2 Definitions — chapter.**

11 For the purposes of [this chapter](#), unless the context
12 otherwise requires:

13 ~~1. "Council" means the water resources coordinating council
14 created in [section 466B.3](#).~~

15 ~~2. 1. "Iowa nutrient reduction strategy" means the same as
16 defined in [section 455B.171](#).~~

17 ~~3. "Political subdivision" means any of the following:~~

18 ~~a. A city.~~

19 ~~b. A county.~~

20 ~~c. A soil and water conservation district described in
21 [section 161A.5](#).~~

22 ~~d. A benefited recreational lake district or a water quality
23 district or a combined district incorporated as a public entity
24 and organized pursuant to [chapter 357E](#).~~

25 ~~e. A rural improvement zone established pursuant to chapter
26 357H.~~

27 ~~4. 2. "Regional watershed" means a watershed of hydrologic
28 unit code scale 8.~~

29 ~~5. 3. "Subwatershed" means a watershed of hydrologic unit
30 code scale 12 or smaller.~~

31 ~~6. 4. "Watershed" means a geographic area in which surface
32 water is drained by rivers, streams, or other bodies of water.~~

33 PART B

34 WATER RESOURCE COORDINATING COUNCIL

35 Sec. 26. NEW SECTION. **466B.2A Definitions — subchapter.**

1 As used in this subchapter, unless the context otherwise
2 requires:

3 1. "Council" means the water resources coordinating council
4 established in section 467.202.

5 2. "Secretary" means the secretary of agriculture.

6 Sec. 27. Section 466B.3, subsection 2, Code 2024, is amended
7 to read as follows:

8 2. *Purpose.* The purpose of the council shall be to preserve
9 and protect Iowa's water resources, and to coordinate the
10 management of those resources in a sustainable and fiscally
11 responsible manner. ~~In the pursuit of this purpose, the~~
12 ~~council shall use an integrated approach to water resource~~
13 ~~management, recognizing that insufficiencies exist in current~~
14 ~~approaches and practices, as well as in funding sources and~~
15 ~~the utilization of funds. The integrated approach used by the~~
16 ~~council shall attempt to overcome old categories, labels, and~~
17 ~~obstacles with the primary goal of managing the state's water~~
18 ~~resources comprehensively rather than compartmentally.~~

19 Sec. 28. Section 466B.3, subsections 4, 5, and 6, Code 2024,
20 are amended by striking the subsections.

21 Sec. 29. NEW SECTION. **466B.3A Membership, meetings, and**
22 **quorum.**

23 1. The water resources coordinating council shall consist
24 of all of the following members:

25 a. The secretary of agriculture, who shall be the
26 chairperson, or the secretary's designee.

27 b. The director of the department of natural resources or
28 the director's designee.

29 c. The director of the division of soil conservation and
30 water quality within the department of agriculture and land
31 stewardship or the director's designee.

32 d. The director of the department of health and human
33 services or the director's designee.

34 e. The director of the department of homeland security and
35 emergency management or the director's designee.

1 *f.* The dean of the college of agriculture and life sciences
2 at Iowa state university or the dean's designee.

3 *g.* The dean of the college of public health at the
4 university of Iowa or the dean's designee.

5 *h.* The dean of the college of natural sciences at the
6 university of northern Iowa or the dean's designee.

7 *i.* The director of transportation or the director's
8 designee.

9 *j.* The director of the economic development authority or the
10 director's designee.

11 *k.* The dean of the college of engineering at the university
12 of Iowa or the dean's designee.

13 2. As the chairperson, and in order to further the
14 coordination efforts of the council, the secretary may
15 invite representatives from any other public agency, private
16 organization, business, citizen group, or nonprofit entity to
17 give public input at council meetings, provided the entity has
18 an interest in the coordinated management of land resources,
19 soil conservation, flood mitigation, or water quality. The
20 secretary shall also invite and solicit advice from the
21 following:

22 *a.* The director of the Iowa water science center of the
23 United States geological survey or the director's designee.

24 *b.* The state conservationist from the Iowa office of the
25 United States department of agriculture's natural resources
26 conservation service or the state conservationist's designee.

27 *c.* The state director for Iowa from the United States
28 department of agriculture's farm services agency or the state
29 director's designee.

30 *d.* The state director for Iowa from the United States
31 department of agriculture's office of rural development or the
32 state director's designee.

33 *e.* The director of region seven of the United States
34 environmental protection agency or the director's designee.

35 *f.* The corps commander from the United States army corps of

1 engineers' Rock Island district or the commander's designee.

2 3. *a.* The council shall be convened by the secretary at
3 least quarterly.

4 *b.* A majority of the members fixed by statute shall
5 constitute a quorum, and any action taken by the council must
6 be adopted by a majority of the voting membership.

7 Sec. 30. NEW SECTION. **466B.3B Duties and powers.**

8 1. The water resources coordinating council shall engage in
9 the regular coordination of water resource-related functions,
10 including protection strategies, planning, assessment,
11 prioritization, review, concurrence, advocacy, and education.

12 2. In coordinating water resource-related functions,
13 the water resources coordinating council may do all of the
14 following:

15 *a.* Consider the steps necessary to address the planning,
16 management, and implementation of water resource improvement.

17 *b.* Identify ways to facilitate communication and
18 participation among all water resource stakeholders, including
19 owners of land in Iowa whether they are residents or not.

20 *c.* Identify inefficiencies in current programs and recommend
21 ways to eliminate duplicative services.

22 *d.* Improve the availability and management of water resource
23 information.

24 *e.* Regularly assess and identify measurable improvements in
25 water quality.

26 *f.* Develop a protocol which identifies high-priority
27 watersheds, including local and community-based subwatersheds,
28 and which appropriately directs resources to those watersheds.

29 *g.* Review best available technologies on a regular basis,
30 so that investments of time and program resources can be
31 prioritized and directed to projects that will best and most
32 effectively improve water quality and reduce flood damage
33 within regional and community subwatersheds.

34 *h.* Review voluntary, performance-based standards for water
35 resource management, land management, and soil conservation.

1 *i.* Engage in dialogue with, and pursue efforts to make
2 cooperative agreements with, other states when a watershed
3 extends beyond borders of this state.

4 Sec. 31. Section 466B.9, Code 2024, is amended to read as
5 follows:

6 **466B.9 Rulemaking authority.**

7 The department of ~~natural resources and the department~~
8 ~~of agriculture and land stewardship and the department of~~
9 natural resources shall have the power and authority reasonably
10 necessary to carry out the duties imposed by this chapter,
11 including the adoption of rules pursuant to chapter 17A. ~~As to~~
12 ~~the department of natural resources, this includes rulemaking~~
13 ~~authority to carry out the regional watershed assessment~~
14 ~~program described in section 466B.5. As to the department of~~
15 ~~agriculture and land stewardship, this includes rulemaking~~
16 ~~authority to assist in the implementation of community-based~~
17 ~~subwatershed improvement plans.~~

18 Sec. 32. REPEAL. Sections 466B.4, 466B.5, 466B.6, 466B.7,
19 466B.8, 466B.10, and 466B.11, Code 2024, are repealed.

20 PART C

21 WATERSHED PARTNERSHIPS

22 Sec. 33. Section 466B.21, Code 2024, is amended to read as
23 follows:

24 **466B.21 Definitions.**

25 As used in this subchapter, unless the context otherwise
26 requires:

27 ~~1. "Authority" means a watershed management authority~~
28 ~~created pursuant to a chapter 28E agreement as provided in this~~
29 ~~subchapter.~~

30 ~~2. 1. "Board" means a board of directors of a watershed~~
31 ~~management authority the governing body of the watershed~~
32 ~~partnership as provided in section 467.504.~~

33 ~~2. "Partnership" means a watershed partnership created~~
34 ~~pursuant to section 467.502.~~

35 ~~3. "Political subdivision" means any of the following:~~

1 a. A city.

2 b. A county.

3 c. A soil and water conservation district described in
4 section 161A.5.

5 d. A benefited recreational lake district or a water quality
6 district or a combined district incorporated as a public entity
7 and organized pursuant to chapter 357E.

8 e. A rural improvement zone established pursuant to chapter
9 357H.

10 Sec. 34. Section 466B.22, Code 2024, is amended to read as
11 follows:

12 **466B.22 Watershed management authorities created partnerships**
13 **— establishment.**

14 1. Two or more political subdivisions may ~~create~~ establish,
15 by **chapter 28E** agreement, a watershed ~~management authority~~
16 partnership pursuant to **this subchapter**. The participating
17 political subdivisions must be located in the same United
18 States geological survey hydrologic unit code 8 watershed. All
19 political subdivisions within a watershed must be notified
20 within thirty days prior to organization of any watershed
21 ~~management authority~~ partnership within the watershed, and
22 provided the opportunity to participate.

23 2. The **chapter 28E** agreement shall include a map showing the
24 area and boundaries of the ~~authority~~ watershed partnership's
25 jurisdiction.

26 3. A political subdivision may participate in more than
27 one ~~authority~~ watershed partnership created pursuant to this
28 subchapter.

29 4. A political subdivision is not required to participate in
30 a watershed ~~management authority~~ partnership or be a party to a
31 **chapter 28E** agreement under **this subchapter**.

32 5. If a portion of a United States geological survey
33 hydrologic unit code 8 watershed is located outside of this
34 state, any political subdivision in such a watershed may
35 participate in any watershed ~~management authority~~ partnership

1 which includes the county in which the political subdivision
2 is located.

3 6. A watershed partnership is not a partnership governed
4 under chapter 486A or 488.

5 Sec. 35. Section 466B.23, Code 2024, is amended to read as
6 follows:

7 **466B.23 ~~Duties~~ Watershed partnership — duties.**

8 1. A watershed management authority partnership may perform
9 all of the following duties:

10 ~~1. a. Assess the flood risks in the watershed~~ Identify,
11 plan for, and assess options for reducing the risk of floods
12 in the watershed.

13 ~~2. b. Assess the water quality in the watershed.~~

14 ~~3. c. Assess options for reducing flood risk and improving~~
15 ~~water quality in the watershed.~~

16 ~~4. d. Monitor federal flood risk planning and activities.~~

17 ~~5. e. Educate residents of the watershed area regarding~~
18 ~~water quality and flood risks.~~

19 f. Support and implement water quality projects in the
20 watershed that are consistent with the Iowa nutrient reduction
21 strategy.

22 g. Engage in efforts to maximize efficiency and increase
23 capacity for implementation of water quality practices that are
24 consistent with the Iowa nutrient reduction strategy.

25 ~~6. h. Allocate moneys made available to the authority~~
26 ~~watershed partnership for purposes of water quality and flood~~
27 ~~mitigation and water quality.~~

28 i. Coordinate its undertakings with the department of
29 agriculture and land stewardship, the department of natural
30 resources, councils of governments, public drinking water
31 utilities, and soil and water conservation districts.

32 ~~7. j. Make and enter into contracts and agreements~~
33 ~~and execute all instruments necessary or incidental to~~
34 ~~the performance of the duties of the authority watershed~~
35 ~~partnership.~~

1 2. A watershed partnership shall not allocate moneys for
2 water quality nutrient reduction practices unless the moneys
3 are expended in a manner that is consistent with the Iowa
4 nutrient reduction strategy or the Iowa storm water management
5 manual published by the department of natural resources.

6 3. A watershed management authority partnership shall not
7 acquire property by eminent domain.

8 Sec. 36. Section 466B.24, Code 2024, is amended to read as
9 follows:

10 **466B.24 ~~Board of directors~~ Watershed partnership — governing**
11 **body.**

12 ~~1. An authority~~ A watershed partnership shall be governed
13 administered by a board of directors joint board as provided in
14 section 28E.6. Members of a board of directors of an authority
15 shall be divided among the political subdivisions comprising
16 the authority watershed partnership and shall be appointed
17 by the their respective political subdivision's elected
18 legislative body bodies.

19 ~~2. A board of directors shall consist of one representative~~
20 ~~of each participating political subdivision. This subsection~~
21 ~~shall not apply if a chapter 28E agreement under this~~
22 ~~subchapter provides an alternative board composition method.~~

23 ~~3. The directors shall serve staggered terms of four years.~~
24 ~~The initial board shall determine, by lot, the initial terms~~
25 ~~to be shortened and lengthened, as necessary, to achieve~~
26 ~~staggered terms. A person appointed to fill a vacancy shall be~~
27 ~~appointed in the same manner as the original appointment for~~
28 ~~the duration of the unexpired term. A director is eligible for~~
29 ~~reappointment. This subsection shall not apply if a chapter~~
30 ~~28E agreement under this subchapter provides an alternative~~
31 ~~for the length of term, appointment, and reappointment of~~
32 ~~directors.~~

33 ~~4. A board may provide procedures for the removal of a~~
34 ~~director who fails to attend three consecutive regular meetings~~
35 ~~of the board. If a director is so removed, a successor shall be~~

~~1 appointed for the duration of the unexpired term of the removed
2 director in the same manner as the original appointment. The
3 appointing body may at any time remove a director appointed by
4 it for misfeasance, nonfeasance, or malfeasance in office.~~

~~5 5. A board shall adopt bylaws and shall elect one director
6 as chairperson and one director as vice chairperson, each for a
7 term of two years, and shall appoint a secretary who need not
8 be a director.~~

~~9 6. A majority of the membership of a board of directors
10 shall constitute a quorum for the purpose of holding a meeting
11 of the board. The affirmative vote of a majority of a quorum
12 shall be necessary for any action taken by an authority unless
13 the authority's bylaws specify those particular actions of the
14 authority requiring a greater number of affirmative votes. A
15 vacancy in the membership of the board shall not impair the
16 rights of a quorum to exercise all the rights and perform all
17 the duties of the authority.~~

18 Sec. 37. REPEAL. Section 466B.25, Code 2024, is repealed.

19 Sec. 38. TRANSITIONAL PROVISIONS — APPOINTMENT AND TERMS
20 OF BOARD OF DIRECTORS AND PRIOR ACTIONS BY THE BOARD.

21 1. This division of this Act, and the transfers directed
22 by this Act, shall not affect the appointment or any term of
23 office of an individual who served as a director of a watershed
24 management authority immediately prior to the effective date
25 of this Act and who now serves as a member of a joint board
26 for a watershed partnership. That individual shall continue
27 to serve on the joint board of the watershed partnership until
28 the individual's term would otherwise expire or the individual
29 is otherwise replaced.

30 2. A watershed partnership which existed as a watershed
31 management authority shall change its name as it appears on
32 all formal documents which are in force and effect as soon as
33 practicable in a cost-effective manner.

34 3. Any affirmative action adopted by a political
35 subdivision creating a watershed management authority under

1 section 466B.22, Code 2024, or the board of directors of a
2 watershed management authority operating under section 466B.24,
3 Code 2024, that is in force and effect immediately prior to the
4 effective date of this Act, shall continue in full force and
5 effect until the earlier of the following:

6 a. It is amended, rescinded, or supplemented by the
7 affirmative action of the watershed partnership.

8 b. It expires by its own terms.

9

PART D

10

WATERSHED PLANNING ADVISORY COUNCIL

11

Sec. 39. REPEAL. Section 466B.31, Code 2024, is repealed.

12

PART E

13

WATER QUALITY INITIATIVE — NUTRIENTS

14

Sec. 40. Section 466B.41, Code 2024, is amended to read as

15 follows:

16

466B.41 Definitions.

17

As used in this subchapter, unless the context otherwise

18 requires:

19

1. "*Center*" means the Iowa nutrient research center

20

established pursuant to [section 466B.47 467.321](#).

21

2. "*Council*" means the Iowa nutrient research center

22

advisory council established pursuant to ~~section 466B.48~~

23

[467.322](#).

24

3. "*Division*" means the division of soil conservation and

25

water quality created within the department of agriculture and

26

land stewardship pursuant to [section 159.5](#).

27

~~4. "*Fund*" means the water quality initiative fund created~~

28

~~in [section 466B.45](#).~~

29

~~5.~~ [4.](#) "*Nutrient*" includes nitrogen and phosphorus.

30

Sec. 41. Section 466B.43, subsection 1, Code 2024, is

31

amended to read as follows:

32

1. As part of the water quality initiative established

33

pursuant to ~~section 466B.42~~ [467.311](#), the division shall

34

administer water quality agriculture infrastructure programs

35

created in [this section](#).

1 Sec. 42. Section 466B.44, subsection 1, Code 2024, is
2 amended to read as follows:

3 1. As part of the water quality initiative established
4 pursuant to [section 466B.42 467.311](#), the division shall
5 administer a water quality urban infrastructure program.

6 Sec. 43. Section 466B.44, subsection 5, paragraph b, Code
7 2024, is amended to read as follows:

8 *b.* Support water quality agriculture infrastructure programs
9 created in [section 466B.43 467.313](#), to the extent that moneys
10 are not obligated or encumbered during a fiscal year to
11 adequately support all urban infrastructure program projects
12 that meet the division's requirements.

13 Sec. 44. Section 466B.46, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. Moneys in the fund are appropriated to the center and
16 shall be used exclusively by the center to carry out its
17 purpose as described in [section 466B.47 467.321](#).

18 Sec. 45. Section 466B.48, subsection 4, Code 2024, is
19 amended to read as follows:

20 4. The council shall function on a continuing basis for the
21 study and recommendation of solutions for consideration by the
22 Iowa nutrient research center in carrying out its purpose as
23 provided in [section 466B.47 467.321](#).

24 DIVISION V
25 COORDINATING AMENDMENTS

26 Sec. 46. Section 8.57B, subsection 3, Code 2024, is amended
27 to read as follows:

28 3. Moneys in the fund are appropriated to the division
29 of soil conservation and water quality of the department of
30 agriculture and land stewardship for the exclusive purpose of
31 supporting water quality agriculture infrastructure programs
32 created in [section 466B.43 467.313](#).

33 Sec. 47. Section 16.134A, subsection 3, paragraph c, Code
34 2024, is amended to read as follows:

35 *c.* Fifteen percent to the division of soil conservation

1 and water quality of the department of agriculture and land
2 stewardship to support the water quality urban infrastructure
3 program created in [section ~~466B.44~~ 467.314](#).

4 Sec. 48. Section 455B.109, subsection 5, paragraph b, Code
5 2024, is amended to read as follows:

6 *b.* Civil penalties assessed and collected by or on behalf of
7 the department and interest on the civil penalties as provided
8 in [sections 459.602, 459.603, 459.604, 459A.502, and 459B.402](#)
9 shall be credited to the Iowa nutrient research fund created in
10 section [466B.46 467.323](#).

11 Sec. 49. Section 455E.11, subsection 2, paragraph b,
12 subparagraph (2), subparagraph division (a), Code 2024, is
13 amended to read as follows:

14 (a) Thirty-five percent is appropriated annually to the
15 Iowa nutrient research fund created in [section ~~466B.46~~ 467.323](#).
16 Of the moneys appropriated pursuant to this subparagraph
17 division, five hundred thousand dollars or one-third of the
18 moneys appropriated, whichever is higher, shall be deposited in
19 the water quality initiative fund created in section [466B.45](#)
20 [467.312](#) for purposes of supporting the water quality initiative
21 administered by the division of soil conservation and water
22 quality as provided in [section ~~466B.42~~ 467.311](#).

23 Sec. 50. Section 459.602, Code 2024, is amended to read as
24 follows:

25 **459.602 Air quality violations — civil penalty.**

26 A person who violates [subchapter II](#) shall be subject to
27 a civil penalty which shall be established, assessed, and
28 collected in the same manner as provided in [section 455B.109](#).
29 Any collected civil penalty and interest on a civil penalty
30 shall be credited to the Iowa nutrient research fund created in
31 section [466B.46 467.323](#).

32 Sec. 51. Section 459.603, Code 2024, is amended to read as
33 follows:

34 **459.603 Water quality violations — civil penalty.**

35 A person who violates [subchapter III](#) shall be subject to

1 a civil penalty which shall be established, assessed, and
2 collected in the same manner as provided in [section 455B.109](#) or
3 [455B.191](#). Any collected civil penalty and interest on a civil
4 penalty shall be credited to the Iowa nutrient research fund
5 created in [section ~~466B.46~~ 467.323](#).

6 Sec. 52. Section 459.604, subsection 2, Code 2024, is
7 amended to read as follows:

8 2. Moneys assessed and collected in civil penalties, and
9 interest earned on civil penalties, arising out of a violation
10 involving an animal feeding operation shall be credited to the
11 Iowa nutrient research fund created in [section ~~466B.46~~ 467.323](#).

12 Sec. 53. Section 459A.502, Code 2024, is amended to read as
13 follows:

14 **459A.502 Violations — civil penalty.**

15 A person who violates [this chapter](#) shall be subject to
16 a civil penalty which shall be established, assessed, and
17 collected in the same manner as provided in [section 455B.191](#).
18 Any collected civil penalty and interest on a civil penalty
19 shall be credited to the Iowa nutrient research fund created
20 in [section ~~466B.46~~ 467.323](#). A person shall not be subject to a
21 penalty under [this section](#) and a penalty under [section 459.603](#)
22 for the same violation.

23 Sec. 54. Section 459B.402, Code 2024, is amended to read as
24 follows:

25 **459B.402 Violations — civil penalty.**

26 A person who violates [section 459B.301](#) shall be subject to
27 the same penalty as provided in [section 459.602](#), and a person
28 who violates any other provision of [this chapter](#) shall be
29 subject to the same penalty as provided in [section 459.603](#).
30 Any collected civil penalty and interest on a civil penalty
31 shall be credited to the Iowa nutrient research fund created in
32 [section ~~466B.46~~ 467.323](#).

33 Sec. 55. Section 461.33, subsection 2, paragraph a, Code
34 2024, is amended to read as follows:

35 a. Soil conservation and watershed protection, including by

1 supporting the division of soil conservation and water quality
2 within the department of agriculture and land stewardship
3 and soil and water conservation district commissioners. The
4 department may provide for the installation of conservation
5 practices and watershed protection improvements as provided in
6 chapters 161A, 161C, 461A, and ~~466~~ 467.

7 Sec. 56. Section 461.34, subsection 2, Code 2024, is amended
8 to read as follows:

9 2. The account shall be used cooperatively by the department
10 of natural resources and the department of agriculture and land
11 stewardship to support all of the following initiatives:

12 a. Water resource projects administered by the department
13 of natural resources to preserve watersheds, including but not
14 limited to ~~all of the following~~:

15 ~~(1) Projects~~ projects to protect, restore, or enhance
16 water quality in the state through the provision of financial
17 assistance to communities for impairment-based, locally
18 directed watershed projects. The department may use the
19 account to support the water resource restoration sponsor
20 program as provided in [section 455B.199](#).

21 ~~(2) Regional and community watershed assessment, planning,~~
22 ~~and prioritization efforts, including as provided in chapter~~
23 ~~466B.~~

24 b. Surface water protection projects and practices
25 administered by the department of agriculture and land
26 stewardship ~~or the department of natural resources~~, including
27 but not limited to the installation of permanent vegetation
28 cover, filter strips, grass waterways, and riparian forest
29 buffers; dredging; and bank stabilization. ~~The departments~~
30 ~~of agriculture and land stewardship and natural resources~~
31 department may use the account to support the conservation
32 buffer strip program provided in [section 466.4 467.401](#) and the
33 conservation reserve enhancement program as provided in section
34 ~~466.5 467.402~~.

35 c. The prairie seed harvest program administered by the

1 department of natural resources as provided in section 467.405.

2 DIVISION VI

3 CODE ORGANIZATION

4 Sec. 57. DIRECTIONS TO CODE EDITOR — TRANSFERS. The
5 Code editor is directed to place chapter 467 in Title XI,
6 subtitle 2, and organize chapter 467 in subchapters, parts,
7 and sections, including as amended or enacted by this Act, as
8 follows:

9 1. Subchapter I which shall include the following
10 transferred sections:

- 11 a. Section 466B.1 to section 467.101.
- 12 b. Section 466B.2 to section 467.102.
- 13 c. Section 466B.9 to section 467.103.

14 2. Subchapter II, which shall include the following
15 transferred sections:

- 16 a. Section 466B.2A to section 467.201.
- 17 b. Section 466B.3 to section 467.202.
- 18 c. Section 466B.3A to section 467.203.
- 19 d. Section 466B.3B to section 467.204.

20 3. Subchapter III, which shall include the following parts:

21 a. Part 1 which shall include the following transferred
22 sections:

- 23 (1) Section 466B.41 to section 467.301.
- 24 (2) Section 466B.49 to section 467.302.

25 b. Part 2 which shall include the following transferred
26 sections:

- 27 (1) Section 466B.42 to section 467.311.
- 28 (2) Section 466B.45 to section 467.312.
- 29 (3) Section 466B.43 to section 467.313.
- 30 (4) Section 466B.44 to section 467.314.

31 c. Part 3 which shall include the following transferred
32 sections:

- 33 (1) Section 466B.47 to section 467.321.
- 34 (2) Section 466B.48 to section 467.322.
- 35 (3) Section 466B.46 to section 467.323.

1 4. Subchapter IV which shall include the following parts:

2 a. Part 1 which shall include the following transferred
3 sections:

4 (1) Section 466.4 to section 467.401.

5 (2) Section 466.5 to section 467.402.

6 (3) Section 466.7 to section 467.403.

7 b. Part 2 which shall include the following transferred
8 sections:

9 (1) Section 466.4A to section 467.405.

10 (2) Section 466.6 to section 467.411.

11 (3) Section 466.7A to section 467.412.

12 (4) Section 466.9 to section 467.413.

13 (5) Section 466.8 to section 467.414.

14 5. Subchapter V which shall include the following
15 transferred sections:

16 a. Section 466B.21 to section 467.501.

17 b. Section 466B.22 to section 467.502.

18 c. Section 466B.23 to section 467.503.

19 d. Section 466B.24 to section 467.504.

20 Sec. 58. DIRECTIONS TO CODE EDITOR — CORRECTIONS. The Code
21 editor shall correct internal references in the Code and in any
22 enacted legislation as necessary due to the enactment of this
23 division of this Act.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 GENERAL. This bill amends four Code chapters providing for
28 soil and water conservation, water quality, and flood control
29 primarily administered by the department of agriculture and
30 land stewardship (DALs), the department of natural resources
31 (DNR), and Iowa state university of science and technology
32 (ISU). The Code chapters include Iowa's "Soil Conservation
33 Districts Law" (Code chapter 161A), the "Groundwater Protection
34 Act" (Code chapter 455E), the "Initiative on Improving Our
35 Watershed Attributes (I on IOWA)" (Code chapter 466), and

1 the "Surface Water Protection and Flood Mitigation Act"
2 (Code chapter 466B) which includes a number of subchapters,
3 including surface water protection and flood mitigation
4 (subchapter I), watershed management authorities (subchapter
5 II), watershed planning activities (subchapter III), and water
6 quality initiative — nutrients (subchapter IV). The bill then
7 transfers Code sections in Code chapters 466 and 466B to new
8 Code chapter 467, including subchapters.

9 SOIL CONSERVATION DISTRICTS LAW — BACKGROUND. Code chapter
10 161A is administered by the soil conservation and water quality
11 division (division) of DALS in cooperation with the state soil
12 conservation and water quality committee and the commissioners
13 (commissioners) of Iowa's 100 soil and water conservation
14 districts (districts) (Code section 161A.5). The Code chapter
15 authorizes the payment of cost-share incentive payments to
16 landowners voluntarily installing practices to control erosion
17 and conserve water resources, and preserve or improve water
18 quality. The installation of a soil and water conservation
19 practice is designed to prevent erosion by wind or water in
20 excess of the district's soil loss limit, meaning the maximum
21 amount of soil loss measured in tons per acre per year due
22 to erosion determined by the commissioners to be acceptable
23 in their district (Code section 161A.42). A soil and water
24 conservation practice may be permanent, meaning that it has an
25 existence of multiple crop years, or temporary, meaning that
26 it has an existence of a single crop year. The division is
27 responsible for providing funding to assist in the installation
28 of a soil and water conservation practice (Code section
29 161A.73) and assisting each district in developing a district
30 soil and water resource conservation plan (district plan) to
31 meet its soil loss limit (Code sections 161A.4 and 161A.7).

32 SOIL CONSERVATION DISTRICTS LAW (SOIL CONSERVATION AND
33 WATER QUALITY AND SOIL HEALTH) — BILL. The bill provides
34 for efforts to improve soil health, defined as the continuing
35 capacity of soil to function as a vital ecosystem that

1 sustains plants, animals, and humans (Code section 161A.3).
2 The bill provides that a district plan must provide for the
3 improvement of soil health and that the division may support
4 the establishment of soil and water conservation practices that
5 improve soil health.

6 SOIL CONSERVATION DISTRICTS LAW (TEMPORARY SOIL AND
7 WATER CONSERVATION PRACTICES) — BILL. The bill expands the
8 definition of a temporary soil and water conservation practice
9 to include the use of cover crops, no-tillage, the installation
10 of an agriculture practice, silviculture practice, aquaculture
11 practice, or permaculture practice, or the use of extended crop
12 rotation or rotational grazing (Code section 161A.42).

13 SOIL CONSERVATION DISTRICTS LAW/BLUFFLANDS PROTECTION —
14 BACKGROUND AND BILL. A blufflands protection program (Code
15 section 161A.80A) and blufflands protection revolving fund
16 were enacted in 2015 (2015 Iowa Acts, chapter 132, sections 45
17 and 46). The purpose of the program and fund is to make loans
18 to conservation organizations purchasing bluffland properties
19 adjacent to state public lands. The principal and interest
20 from any loan made from the fund outstanding on July 1, 2025,
21 that would have been payable to the fund must instead be
22 payable to the rebuild Iowa infrastructure fund created in Code
23 section 8.57 (Code section 161A.80B). The bill eliminates the
24 program and fund on October 1, 2024. Under current law, the
25 program and fund are to be eliminated on July 1, 2030. Until
26 then, the administration of the program and fund are suspended
27 other than as needed to wind up their affairs. Moneys in the
28 fund are transferred to a new state parks and recreation areas
29 operations fund under the control of DNR. The new fund is
30 also supported by principal and interest on loans that would
31 otherwise be paid into the eliminated fund or later to the
32 rebuild Iowa infrastructure fund. For FY 2024-2025, moneys
33 in the new fund are appropriated to support the purchase of
34 interoperative park officer radios and improving accessibility
35 to state parks and recreational areas by persons with

1 disabilities.

2 GROUNDWATER PROTECTION ACT (ANNUAL REPORT) — BACKGROUND
3 AND BILL. The declared policy of the state is to prevent
4 groundwater contamination from point and nonpoint sources and
5 to restore the state's groundwater to a potable condition
6 (Code section 455E.4). The bill amends the groundwater
7 protection fund (Code section 455E.11). The fund receives
8 moneys from various fees, is divided into several accounts,
9 and moneys from the fund are distributed to various entities
10 to carry out a stated purpose. DNR's director is responsible
11 for administering the fund and preparing a budget each year
12 regarding the expenditure of moneys in the fund. The secretary
13 of agriculture is required to submit a report to the governor
14 on a biennial basis regarding past and future expenditures.
15 The bill eliminates that requirement.

16 INITIATIVE ON IMPROVING OUR WATERSHED ATTRIBUTES (I ON IOWA)
17 — BACKGROUND AND BILL. The bill eliminates the provisions
18 naming the Code chapter (Code section 466.1) and its purpose
19 to develop a comprehensive water quality program that will
20 result in water quality improvements while reducing proposed
21 regulatory impacts (Code section 466.2). The bill also
22 eliminates the clean water award administered by DALs and DNR
23 (Code section 466.3). The bill revises the conservation buffer
24 strip program administered by DALs (Code section 466.4). The
25 bill eliminates a provision enacted as part of that program
26 in 2000, setting a five-year goal of enrolling an additional
27 475,000 acres. It also strikes a subsection and reenacts it
28 as a new stand-alone Code section requiring DNR to establish
29 a prairie seed harvest program (Code section 466.4A). The
30 bill revises the conservation reserve enhancement program
31 established to restore or construct wetlands, administered by
32 DALs (Code section 466.5). It eliminates a subsection enacted
33 in 2000, setting a five-year goal of establishing 32,500 acres
34 of wetlands. The bill does not amend a provision requiring
35 DNR to operate water quality monitoring stations (Code

1 section 466.6). The bill amends the Code section enacting
2 the water quality protection program (Code section 466.7).
3 That Code section includes nine subsections, each specifying
4 responsibilities to be carried by DALs or DNR, with the first
5 three of the nine subsections administered by DALs and the last
6 six of the nine subsections administered by DNR. Subsection
7 1 provides for multiobjective resource protections for flood
8 control, water quality, erosion control, and natural resource
9 conservation, which is not revised. Subsection 2 provides
10 for a statewide, voluntary farm management demonstration
11 program which is eliminated. Subsection 3 provides financial
12 assistance for the establishment of permanent soil and water
13 conservation practices, which is also eliminated. The next
14 three of the nine subsections, administered by DNR, relate to
15 the collection or analysis of data for use in determining water
16 quality on a watershed level. Subsection 4 provides for the
17 collection and use of geographic information system data, which
18 is not amended; subsection 5 requires DNR to support local
19 volunteer management efforts; and subsection 6 requires DNR to
20 support the analysis of water quality monitoring data. The
21 provisions in each of these three subsections are eliminated
22 and reenacted as subsections in a new Code section (Code
23 section 466.7A). The last three of the nine subsections,
24 administered by DNR, relate to the same powers exercised under
25 Code chapter 455B, subchapter III, regulating water quality.
26 Subsection 7 authorizes DNR to enter into contracts to assist
27 its staff in reviewing national pollutant discharge elimination
28 permit system (NPDES) permits; subsection 8 requires DNR to
29 expand floodplain education; and subsection 9 requires DNR to
30 develop a total maximum daily load (TMDL) program. All three
31 of these final subsections are eliminated. The bill does not
32 revise the on-site wastewater systems assistance program (Code
33 section 466.8) or the on-site wastewater systems assistance
34 fund (Code section 466.9), both administered by DNR.

35 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT —

1 BACKGROUND. Code chapter 466B requires DALs, DNR, and ISU
 2 to administer programs providing measures to preserve and
 3 improve surface water and prevent or mitigate floods. The
 4 Code chapter is divided into the following subchapters:
 5 subchapter I providing for surface water protection and flood
 6 mitigation, first enacted in 2008 (2008 Iowa Acts, chapter
 7 1034); subchapter II providing for watershed management
 8 authorities, first enacted in 2010 (2010 Iowa Acts, chapter
 9 1116); subchapter III providing for watershed planning
 10 activities, also first enacted in that same Act; and subchapter
 11 IV providing for a water quality initiative and water quality
 12 initiative fund, first enacted in 2013 (2013 Iowa Acts, chapter
 13 132), and the Iowa nutrient research center enacted in the same
 14 Act.

15 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (GENERAL)
 16 — BILL. The bill does not amend the Code chapter's short
 17 title (Code section 466B.1). It amends the definitions Code
 18 section by eliminating two terms, "council" and "political
 19 subdivision", that do not apply to the entire Code chapter
 20 (Code section 466B.2) and reenacts those terms in their
 21 relevant subchapters. The definition of the term "council" is
 22 enacted as a new Code section in the subchapter providing for
 23 surface water protection and the flood mitigation (Code section
 24 466B.2A) and the definition of the term "political subdivision"
 25 is enacted in the subchapter providing for watershed management
 26 authorities (Code section 466B.21).

27 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATER
 28 RESOURCES COORDINATING COUNCIL) — BILL. The bill revises
 29 the purposes of the water resources coordinating council by
 30 eliminating a provision that refers to using an integrated
 31 approach of water resource management (Code section 466B.3).
 32 The bill strikes three subsections and reenacts them as
 33 new Code sections, including subsections 4 and 5 providing
 34 for the council's membership, meetings, and quorums (Code
 35 section 466B.3A) and subsection 6 providing for the council's

1 powers and duties (Code section 466B.3B). The bill amends a
 2 provision authorizing DALS and DNR to adopt rules necessary
 3 to administer the Code chapter, including by eliminating
 4 provisions that refer to repealed Code sections (Code section
 5 466B.9). Those repealed Code sections include legislative
 6 findings and a marketing campaign (Code section 466B.4), the
 7 creation of a regional watershed assessment, planning, and
 8 prioritization, administered by DNR (Code section 466B.5), the
 9 creation of community-based subwatershed improvement plans
 10 administered by DNR (Code section 466B.6), community-based
 11 subwatershed monitoring administered by DNR (Code section
 12 466B.7), a wastewater and storm water infrastructure assessment
 13 administered by DNR (Code section 466B.8), efforts to form a
 14 chapter of the association of floodplain managers administered
 15 by the council (Code section 466B.10), and education provided
 16 to the general public regarding floodplains (Code section
 17 466B.11).

18 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED
 19 MANAGEMENT AUTHORITIES) — BACKGROUND. Two or more political
 20 subdivisions may enter into a Code chapter 28E agreement to
 21 participate in joint projects to improve watershed quality
 22 by forming an entity referred to as a watershed management
 23 authority (authority). The relevant provisions include
 24 definitions (Code section 466B.21), procedures to create an
 25 authority (Code section 466B.22), the duties of an authority
 26 (Code section 466B.23), the authority's board of directors
 27 (Code section 466B.24), and the authority's ability to
 28 coordinate its activities with DNR.

29 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED
 30 MANAGEMENT AUTHORITIES) — BILL. The bill changes the
 31 name of a watershed management authority to a watershed
 32 management partnership (partnership). The bill provides that
 33 a partnership may identify, plan for, and assess options
 34 to reduce the risk of flood in the watershed (Code section
 35 466B.23). It also eliminates provisions in that Code section

1 authorizing a partnership to assess water quality, and engage
 2 in education efforts regarding water quality. The bill
 3 authorizes a partnership to coordinate its efforts with DALS,
 4 DNR, councils of governments, a public drinking water utility,
 5 and a soil and water conservation district. The bill prohibits
 6 a partnership from allocating moneys for water quality, unless
 7 the moneys are expended consistent with the Iowa nutrient
 8 reduction strategy (see Code section 455B.171) or DNR's Iowa
 9 storm water management manual. The name of the governing
 10 body is changed from a board of directors to a joint board
 11 in conformance with chapter 28E agreement requirements (Code
 12 section 28E.6). The bill eliminates requirements establishing
 13 a number of board members and their terms, cause for their
 14 removals, the designation of officers, and quorum requirements.
 15 The bill includes a temporary provision carrying over the terms
 16 of the board of directors and continuing actions taken by the
 17 board of directors. The bill eliminates the provision which
 18 expressly allows a partnership to coordinate its activities
 19 with DNR (Code section 466B.25).

20 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED
 21 PLANNING ADVISORY COUNCIL) — BACKGROUND AND BILL. The
 22 watershed planning advisory council represents diverse
 23 stakeholders for purposes of reviewing research and making
 24 recommendations to various state entities regarding methods
 25 to protect water resources in the state, assure an adequate
 26 supply of water, mitigate and prevent floods, and coordinate
 27 the management of those resources in a sustainable, fiscally
 28 responsible, and environmentally responsible manner (Code
 29 section 466B.31). The bill eliminates the council.

30 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATER
 31 QUALITY INITIATIVE) — BACKGROUND AND BILL. The water quality
 32 initiative is established in order to assess and reduce
 33 nutrients in this state's watersheds, including subwatersheds
 34 and regional watersheds, and to implement programs to reduce
 35 nutrients in surface waters from nonpoint sources in a

1 scientific, reasonable, and cost-effective manner (Code section
 2 466B.42). The initiative is administered by DALs acting
 3 through the division. Information received by these entities
 4 that identifies participating landowners is confidential
 5 (Code section 466B.49). The division administers two water
 6 quality agriculture infrastructure programs, including
 7 an edge-of-field infrastructure program and an in-field
 8 infrastructure program (Code section 466B.43). The purpose of
 9 the programs is to support projects that reduce contributing
 10 nutrient loads, associated sediment, or contaminants to surface
 11 waters consistent with the Iowa nutrient reduction strategy.
 12 The division also administers an urban infrastructure
 13 program to support watershed projects that decrease erosion,
 14 precipitation-induced surface runoff, and storm water
 15 discharges and that increase water infiltration rates based
 16 on DNR's Iowa's storm water management manual (Code section
 17 466B.44). Moneys deposited into the water quality initiative
 18 fund (Code section 466B.45) are used to support the initiative.
 19 The bill eliminates the term "fund" from the Code section
 20 defining terms in the subchapter since the subchapter includes
 21 two funds (Code section 466B.41). The bill does not revise
 22 the remaining Code sections other than to provide coordinating
 23 amendments due to their transfer to Code chapter 467.

24 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (NUTRIENT
 25 RESEARCH) — BACKGROUND AND BILL. The Iowa nutrient research
 26 center is established as part of ISU to pursue a science-based
 27 approach to nutrient management research that provides
 28 recommendations for the development and implementation of
 29 nutrient management practices (Code section 466.47). An Iowa
 30 nutrient research center advisory council recommends possible
 31 research issues for the center (Code section 466B.48). Moneys
 32 deposited into the Iowa nutrient research fund are used to
 33 support the initiative (Code section 466B.46). The bill does
 34 not revise the remaining Code sections other than to provide
 35 coordinating amendments due to their transfer to Code chapter

1 467.

2 TRANSFERS. The bill provides that the amended or enacted
3 Code sections in Code chapters 466 and 466B are to be
4 transferred to new Code chapter 467 which is to be divided into
5 five subchapters. The bill also makes a number of conforming
6 changes by amending provisions which refer to repealed Code
7 sections discussed above. Many of the conforming changes
8 amend Code sections that provide sources of moneys used to
9 support water quality initiative programs and the Iowa nutrient
10 research center without making substantive changes. Sources
11 of moneys used to support initiative programs include the
12 groundwater protection fund (Code section 455E.11) and the
13 water quality infrastructure fund (Code section 8.57B) that
14 includes moneys from the rebuild Iowa infrastructure fund
15 (Code section 8.57) and the water quality financial assistance
16 fund (Code section 16.134A) financed from moneys generated
17 from water service tax revenues (Code section 423G.6); and any
18 future moneys from the soil conservation and water protection
19 account (Code section 461.33) of the natural resources and
20 outdoor recreation trust fund (Code section 461.31). Amended
21 Code sections that provide sources of moneys used to support
22 the center include the groundwater protection fund and the
23 moneys collected from persons assessed civil penalties for
24 violating animal feeding operation statutes and rules (Code
25 sections 459.602, 459.603, 459.604, 459A.502, and 459B.402).