

**House Study Bill 674 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON SEXTON)

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

DIVISION I

SOIL CONSERVATION DISTRICTS LAW

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

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

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

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

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

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

*g.* To assist each soil and water conservation district in developing a district soil and water resource conservation plan as provided under [section 161A.7](#). The plan shall be developed according to rules adopted by the division to preserve and protect the public interest in the soil and water resources of this state for future generations and for this purpose to encourage, promote, facilitate, and where such public interest requires, to mandate the conservation and proper control of and use of the soil and water resources of this state, by measures including but not limited to the control of floods, the control 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 purposes by the federal government or an  
5 agency of the federal government, and expend the money for the  
6 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. REPEAL. Sections 161A.80A, 161A.80B, and 161D.7,  
20 Code 2024, are repealed.

21 DIVISION II

22 GROUNDWATER PROTECTION ACT

23 Sec. 10. Section 455E.11, subsection 1, paragraph c, Code  
24 2024, is amended by striking the paragraph.

25 DIVISION III

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

27 Sec. 11. Section 466.4, subsection 2, paragraphs d and e,  
28 Code 2024, are amended by striking the paragraphs.

29 Sec. 12. NEW SECTION. **466.4A Prairie seed harvest program.**

30 The department of natural resources shall establish a  
31 prairie seed harvest program to assist in the restoration of  
32 prairies and provide for private land stewardship and public  
33 resource management through assistance with the implementation  
34 of buffer and filter strip practices, and public or private  
35 habitat development and management. The department shall carry



1 out these efforts through landowner contacts and cooperation  
2 with private and public organizations.

3 Sec. 13. Section 466.5, subsection 5, Code 2024, is amended  
4 by striking the subsection.

5 Sec. 14. Section 466.7, Code 2024, is amended to read as  
6 follows:

7 **466.7 Water quality protection program.**

8 ~~1.~~ The department of agriculture and land stewardship shall  
9 implement, in conjunction with the federal government and other  
10 entities, a program that provides multiobjective resource  
11 protections for flood control, water quality, erosion control,  
12 and natural resource conservation.

13 ~~2.~~ ~~The department of agriculture and land stewardship shall~~  
14 ~~implement a statewide, voluntary farm management demonstration~~  
15 ~~program to demonstrate the effectiveness and adaptability of~~  
16 ~~emerging practices in agronomy that protect water resources and~~  
17 ~~provide other environmental benefits. A demonstration program~~  
18 ~~under this subsection may complement, but shall not duplicate,~~  
19 ~~projects conducted by Iowa state university extension service.~~  
20 ~~The demonstration program shall be designed to concentrate on~~  
21 ~~management techniques in both the livestock and crop genres~~  
22 ~~and shall be offered to farm operators through an educational~~  
23 ~~setting and demonstration projects. The demonstration program~~  
24 ~~shall be offered in conjunction with the community colleges,~~  
25 ~~Iowa state university, and private farmer demonstrations.~~  
26 ~~Continuing education units shall be offered. The educational~~  
27 ~~program shall be offered at no cost to farm operators who file~~  
28 ~~a schedule F with the internal revenue service and do not have~~  
29 ~~permitted livestock facilities or are certified under a manure~~  
30 ~~management plan.~~

31 ~~3.~~ ~~The department of agriculture and land stewardship shall~~  
32 ~~provide financial assistance for the establishment of permanent~~  
33 ~~soil and water conservation practices.~~

34 ~~4.~~ ~~The department of natural resources shall provide local~~  
35 ~~watershed managers with geographic information system data for~~

1 ~~their use in developing, monitoring, and displaying results~~  
2 ~~of their watershed work. The local watershed data shall be~~  
3 ~~considered public records and are accessible to the public~~  
4 ~~pursuant to chapter 22.~~

5 ~~5. The department of natural resources shall develop a~~  
6 ~~program that provides support to local volunteer management~~  
7 ~~efforts to the different programs concerned with water quality.~~  
8 ~~The department shall assist in coordinating and tracking of the~~  
9 ~~volunteer component of these programs to increase efficiency~~  
10 ~~and avoid duplication of efforts in water quality monitoring~~  
11 ~~and watershed improvement.~~

12 ~~6. The department of natural resources shall provide for~~  
13 ~~activities supporting the analysis of water quality monitoring~~  
14 ~~data for trends and for the preparation and presentation of~~  
15 ~~data to the public.~~

16 ~~7. The department of natural resources shall contract~~  
17 ~~to assist its staff with the review of national pollutant~~  
18 ~~discharge elimination system permits.~~

19 ~~8. The department of natural resources shall expand~~  
20 ~~floodplain protection education to better inform local~~  
21 ~~officials that make decisions with regard to floodplain~~  
22 ~~management.~~

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

29 **Sec. 15. NEW SECTION. 466.7A Water quality analysis.**

30 1. The department of natural resources shall provide local  
31 watershed managers with geographic information system data for  
32 their use in developing, monitoring, and displaying results  
33 of their watershed work. The local watershed data shall be  
34 considered public records and are accessible to the public  
35 pursuant to chapter 22.

1 2. The department of natural resources shall support  
2 local volunteer management efforts to the different programs  
3 concerned with water quality. The department shall assist  
4 in coordinating and tracking of the volunteer component of  
5 these programs to increase efficiency and avoid duplication of  
6 efforts in water quality monitoring and watershed improvement.

7 3. The department of natural resources shall provide for  
8 activities supporting the analysis of water quality monitoring  
9 data for trends and for the preparation and presentation of  
10 data to the public.

11 4. The department of natural resources shall continue  
12 the establishment of an effective and efficient method  
13 of developing a total maximum daily load program, based  
14 on information gathered on other states' programs and  
15 investigation into alternative methods for satisfying the  
16 requirements.

17 Sec. 16. Section 466.9, subsection 1, Code 2024, is amended  
18 to read as follows:

19 1. An on-site wastewater systems assistance fund is  
20 established as a separate fund in the state treasury under the  
21 control of the department of natural resources. Moneys in the  
22 fund are appropriated to the department of natural resources  
23 for the exclusive purpose of supporting and administering the  
24 on-site wastewater systems assistance program as established in  
25 section ~~466.8~~ 467.413.

26 Sec. 17. REPEAL. Sections 466.1, 466.2, and 466.3, Code  
27 2024, are repealed.

28 DIVISION IV

29 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT

30 PART A

31 GENERAL

32 Sec. 18. Section 466B.2, Code 2024, is amended to read as  
33 follows:

34 **466B.2 Definitions — chapter.**

35 For the purposes of [this chapter](#), unless the context

1 otherwise requires:

2 ~~1. "Council" means the water resources coordinating council~~  
3 ~~created in section 466B.3.~~

4 ~~2. 1. "Iowa nutrient reduction strategy" means the same as~~  
5 ~~defined in section 455B.171.~~

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

7 ~~a. A city.~~

8 ~~b. A county.~~

9 ~~c. A soil and water conservation district described in~~  
10 ~~section 161A.5.~~

11 ~~d. A benefited recreational lake district or a water quality~~  
12 ~~district or a combined district incorporated as a public entity~~  
13 ~~and organized pursuant to chapter 357E.~~

14 ~~e. A rural improvement zone established pursuant to chapter~~  
15 ~~357H.~~

16 ~~4. 2. "Regional watershed" means a watershed of hydrologic~~  
17 ~~unit code scale 8.~~

18 ~~5. 3. "Subwatershed" means a watershed of hydrologic unit~~  
19 ~~code scale 12 or smaller.~~

20 ~~6. 4. "Watershed" means a geographic area in which surface~~  
21 ~~water is drained by rivers, streams, or other bodies of water.~~

22 PART B

23 WATER RESOURCE COORDINATING COUNCIL

24 Sec. 19. NEW SECTION. 466B.2A Definitions — subchapter.

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

27 1. "Council" means the water resources coordinating council  
28 established in section 467.202.

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

30 Sec. 20. Section 466B.3, subsection 2, Code 2024, is amended  
31 to read as follows:

32 2. *Purpose.* The purpose of the council shall be to preserve  
33 and protect Iowa's water resources, and to coordinate the  
34 management of those resources in a sustainable and fiscally  
35 responsible manner. ~~In the pursuit of this purpose, the~~

~~1 council shall use an integrated approach to water resource  
2 management, recognizing that insufficiencies exist in current  
3 approaches and practices, as well as in funding sources and  
4 the utilization of funds. The integrated approach used by the  
5 council shall attempt to overcome old categories, labels, and  
6 obstacles with the primary goal of managing the state's water  
7 resources comprehensively rather than compartmentally.~~

8 Sec. 21. Section 466B.3, subsections 4, 5, and 6, Code 2024,  
9 are amended by striking the subsections.

10 Sec. 22. NEW SECTION. **466B.3A Membership, meetings, and**  
11 **quorum.**

12 1. The water resources coordinating council shall consist  
13 of all of the following members:

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

16 b. The director of the department of natural resources or  
17 the director's designee.

18 c. The director of the division of soil conservation and  
19 water quality within the department of agriculture and land  
20 stewardship or the director's designee.

21 d. The director of the department of health and human  
22 services or the director's designee.

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

25 f. The dean of the college of agriculture and life sciences  
26 at Iowa state university or the dean's designee.

27 g. The dean of the college of public health at the  
28 university of Iowa or the dean's designee.

29 h. The dean of the college of natural sciences at the  
30 university of northern Iowa or the dean's designee.

31 i. The director of transportation or the director's  
32 designee.

33 j. The director of the economic development authority or the  
34 director's designee.

35 k. The dean of the college of engineering at the university

1 of Iowa or the dean's designee.

2 2. As the chairperson, and in order to further the  
3 coordination efforts of the council, the secretary may  
4 invite representatives from any other public agency, private  
5 organization, business, citizen group, or nonprofit entity to  
6 give public input at council meetings, provided the entity has  
7 an interest in the coordinated management of land resources,  
8 soil conservation, flood mitigation, or water quality. The  
9 secretary shall also invite and solicit advice from the  
10 following:

11 a. The director of the Iowa water science center of the  
12 United States geological survey or the director's designee.

13 b. The state conservationist from the Iowa office of the  
14 United States department of agriculture's natural resources  
15 conservation service or the state conservationist's designee.

16 c. The state director for Iowa from the United States  
17 department of agriculture's farm services agency or the state  
18 director's designee.

19 d. The state director for Iowa from the United States  
20 department of agriculture's office of rural development or the  
21 state director's designee.

22 e. The director of region seven of the United States  
23 environmental protection agency or the director's designee.

24 f. The corps commander from the United States army corps of  
25 engineers' Rock Island district or the commander's designee.

26 3. a. The council shall be convened by the secretary at  
27 least quarterly.

28 b. A majority of the members fixed by statute shall  
29 constitute a quorum, and any action taken by the council must  
30 be adopted by a majority of the voting membership.

31 Sec. 23. NEW SECTION. 466B.3B Duties and powers.

32 1. The water resources coordinating council shall engage in  
33 the regular coordination of water resource-related functions,  
34 including protection strategies, planning, assessment,  
35 prioritization, review, concurrence, advocacy, and education.

1 2. In coordinating water resource-related functions,  
2 the water resources coordinating council may do all of the  
3 following:

4 a. Consider the steps necessary to address the planning,  
5 management, and implementation of water resource improvement.

6 b. Identify ways to facilitate communication and  
7 participation among all water resource stakeholders, including  
8 owners of land in Iowa whether they are residents or not.

9 c. Identify inefficiencies in current programs and recommend  
10 ways to eliminate duplicative services.

11 d. Improve the availability and management of water resource  
12 information.

13 e. Regularly assess and identify measurable improvements in  
14 water quality.

15 f. Develop a protocol which identifies high-priority  
16 watersheds, including local and community-based subwatersheds,  
17 and which appropriately directs resources to those watersheds.

18 g. Review best available technologies on a regular basis,  
19 so that investments of time and program resources can be  
20 prioritized and directed to projects that will best and most  
21 effectively improve water quality and reduce flood damage  
22 within regional and community subwatersheds.

23 h. Review voluntary, performance-based standards for water  
24 resource management, land management, and soil conservation.

25 i. Engage in dialogue with, and pursue efforts to make  
26 cooperative agreements with, other states when a watershed  
27 extends beyond borders of this state.

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

30 **466B.9 Rulemaking authority.**

31 The department of ~~natural resources and the department~~  
32 ~~of agriculture and land stewardship and the department of~~  
33 natural resources shall have the power and authority reasonably  
34 necessary to carry out the duties imposed by this chapter,  
35 including the adoption of rules pursuant to chapter 17A. ~~As to~~

1 ~~the department of natural resources, this includes rulemaking~~  
2 ~~authority to carry out the regional watershed assessment~~  
3 ~~program described in [section 466B.5](#). As to the department of~~  
4 ~~agriculture and land stewardship, this includes rulemaking~~  
5 ~~authority to assist in the implementation of community-based~~  
6 ~~subwatershed improvement plans.~~

7 Sec. 25. REPEAL. Sections 466B.4, 466B.5, 466B.6, 466B.7,  
8 466B.8, 466B.10, and 466B.11, Code 2024, are repealed.

9

PART C

10

WATERSHED PARTNERSHIPS

11 Sec. 26. Section 466B.21, Code 2024, is amended to read as  
12 follows:

13 **466B.21 Definitions.**

14 As used in [this subchapter](#), unless the context otherwise  
15 requires:

16 ~~1. "Authority" means a watershed management authority~~  
17 ~~created pursuant to a [chapter 28E](#) agreement as provided in this~~  
18 ~~subchapter.~~

19 ~~2. 1. "Board" means a board of directors of a watershed~~  
20 ~~management authority the governing body of the watershed~~  
21 ~~partnership as provided in section 467.504.~~

22 ~~2. "Partnership" means a watershed partnership created~~  
23 ~~pursuant to section 467.502.~~

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

25 ~~a. A city.~~

26 ~~b. A county.~~

27 ~~c. A soil and water conservation district described in~~  
28 ~~section 161A.5.~~

29 ~~d. A benefited recreational lake district or a water quality~~  
30 ~~district or a combined district incorporated as a public entity~~  
31 ~~and organized pursuant to chapter 357E.~~

32 ~~e. A rural improvement zone established pursuant to chapter~~  
33 ~~357H.~~

34 Sec. 27. Section 466B.22, Code 2024, is amended to read as  
35 follows:



1     **466B.22 Watershed management authorities created partnerships**  
2 **— establishment.**

3     1. Two or more political subdivisions may ~~create~~ establish,  
4 by **chapter 28E** agreement, a watershed ~~management authority~~  
5 partnership pursuant to **this subchapter**. The participating  
6 political subdivisions must be located in the same United  
7 States geological survey hydrologic unit code 8 watershed. All  
8 political subdivisions within a watershed must be notified  
9 within thirty days prior to organization of any watershed  
10 ~~management authority~~ partnership within the watershed, and  
11 provided the opportunity to participate.

12     2. The **chapter 28E** agreement shall include a map showing the  
13 area and boundaries of the authority watershed partnership's  
14 jurisdiction.

15     3. A political subdivision may participate in more than  
16 one authority watershed partnership created pursuant to this  
17 subchapter.

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

21     5. If a portion of a United States geological survey  
22 hydrologic unit code 8 watershed is located outside of this  
23 state, any political subdivision in such a watershed may  
24 participate in any watershed ~~management authority~~ partnership  
25 which includes the county in which the political subdivision  
26 is located.

27     6. A watershed partnership is not a partnership governed  
28 under chapter 486A or 488.

29     Sec. 28. Section 466B.23, Code 2024, is amended to read as  
30 follows:

31     **466B.23 Duties Watershed partnership — duties.**

32     1. A watershed ~~management authority~~ partnership may perform  
33 all of the following duties:

34     1. a. Assess the flood risks in the watershed Identify,  
35 plan for, and assess options for reducing the risk of floods

1 in the watershed.

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

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

5 ~~4. b. Monitor federal flood risk planning and activities.~~

6 ~~5. c. Educate residents of the watershed area regarding~~  
7 ~~water quality and flood risks.~~

8 d. Support and implement water quality projects in the  
9 watershed that are consistent with the Iowa nutrient reduction  
10 strategy.

11 e. Engage in efforts to maximize efficiency and increase  
12 capacity for implementation of water quality practices that are  
13 consistent with the Iowa nutrient reduction strategy.

14 ~~6. f. Allocate moneys made available to the authority~~  
15 ~~watershed partnership for purposes of water quality and flood~~  
16 ~~mitigation and water quality.~~

17 g. Coordinate its undertakings with the department of  
18 agriculture and land stewardship, the department of natural  
19 resources, councils of governments, public drinking water  
20 utilities, and soil and water conservation districts.

21 ~~7. h. Make and enter into contracts and agreements~~  
22 ~~and execute all instruments necessary or incidental to~~  
23 ~~the performance of the duties of the authority watershed~~  
24 ~~partnership.~~

25 2. A watershed partnership shall not allocate moneys for  
26 water quality unless the moneys are expended in a manner that  
27 is consistent with the Iowa nutrient reduction strategy or the  
28 Iowa storm water management manual published by the department  
29 of natural resources.

30 3. A watershed management authority partnership shall not  
31 acquire property by eminent domain.

32 Sec. 29. Section 466B.24, Code 2024, is amended to read as  
33 follows:

34 **466B.24 Board of directors Watershed partnership — governing**  
35 **body.**

1     ~~1.—An authority~~ A watershed partnership shall be governed  
2 administered by a ~~board of directors~~ joint board as provided in  
3 section 28E.6. Members of a board ~~of directors of an authority~~  
4 shall be divided among the political subdivisions comprising  
5 the ~~authority watershed partnership~~ and shall be appointed  
6 by ~~the~~ their respective political subdivision's elected  
7 legislative ~~body~~ bodies.

8     ~~2.—A board of directors shall consist of one representative~~  
9 ~~of each participating political subdivision. This subsection~~  
10 ~~shall not apply if a chapter 28E agreement under this~~  
11 ~~subchapter provides an alternative board composition method.~~

12     ~~3.—The directors shall serve staggered terms of four years.~~  
13 ~~The initial board shall determine, by lot, the initial terms~~  
14 ~~to be shortened and lengthened, as necessary, to achieve~~  
15 ~~staggered terms. A person appointed to fill a vacancy shall be~~  
16 ~~appointed in the same manner as the original appointment for~~  
17 ~~the duration of the unexpired term. A director is eligible for~~  
18 ~~reappointment. This subsection shall not apply if a chapter~~  
19 ~~28E agreement under this subchapter provides an alternative~~  
20 ~~for the length of term, appointment, and reappointment of~~  
21 ~~directors.~~

22     ~~4.—A board may provide procedures for the removal of a~~  
23 ~~director who fails to attend three consecutive regular meetings~~  
24 ~~of the board. If a director is so removed, a successor shall be~~  
25 ~~appointed for the duration of the unexpired term of the removed~~  
26 ~~director in the same manner as the original appointment. The~~  
27 ~~appointing body may at any time remove a director appointed by~~  
28 ~~it for misfeasance, nonfeasance, or malfeasance in office.~~

29     ~~5.—A board shall adopt bylaws and shall elect one director~~  
30 ~~as chairperson and one director as vice chairperson, each for a~~  
31 ~~term of two years, and shall appoint a secretary who need not~~  
32 ~~be a director.~~

33     ~~6.—A majority of the membership of a board of directors~~  
34 ~~shall constitute a quorum for the purpose of holding a meeting~~  
35 ~~of the board. The affirmative vote of a majority of a quorum~~

~~1 shall be necessary for any action taken by an authority unless  
2 the authority's bylaws specify those particular actions of the  
3 authority requiring a greater number of affirmative votes. A  
4 vacancy in the membership of the board shall not impair the  
5 rights of a quorum to exercise all the rights and perform all  
6 the duties of the authority.~~

7 Sec. 30. REPEAL. Section 466B.25, Code 2024, is repealed.

8 Sec. 31. TRANSITIONAL PROVISIONS — APPOINTMENT AND TERMS  
9 OF BOARD OF DIRECTORS AND PRIOR ACTIONS BY THE BOARD.

10 1. This division of this Act, and the transfers directed  
11 by this Act, shall not affect the appointment or any term of  
12 office of an individual who served as a director of a watershed  
13 management authority immediately prior to the effective date  
14 of this Act and who now serves as a member of a joint board  
15 for a watershed partnership. That individual shall continue  
16 to serve on the joint board of the watershed partnership until  
17 the individual's term would otherwise expire or the individual  
18 is otherwise replaced.

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

23 3. Any affirmative action adopted by a political  
24 subdivision creating a watershed management authority under  
25 section 466B.22, Code 2024, or the board of directors of a  
26 watershed management authority operating under section 466B.24,  
27 Code 2024, that is in force and effect immediately prior to the  
28 effective date of this Act, shall continue in full force and  
29 effect until the earlier of the following:

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

32 b. It expires by its own terms.

33

PART D

34

WATERSHED PLANNING ADVISORY COUNCIL

35 Sec. 32. REPEAL. Section 466B.31, Code 2024, is repealed.

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PART E

WATER QUALITY INITIATIVE — NUTRIENTS

Sec. 33. Section 466B.41, Code 2024, is amended to read as follows:

**466B.41 Definitions.**

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

1. “Center” means the Iowa nutrient research center established pursuant to [section 466B.47 467.321](#).

2. “Council” means the Iowa nutrient research center advisory council established pursuant to ~~section 466B.48~~ [467.322](#).

3. “Division” means the division of soil conservation and water quality created within the department of agriculture and land stewardship pursuant to [section 159.5](#).

~~4. “Fund” means the water quality initiative fund created in [section 466B.45](#).~~

~~5. 4. “Nutrient” includes nitrogen and phosphorus.~~

Sec. 34. Section 466B.43, subsection 1, Code 2024, is amended to read as follows:

1. As part of the water quality initiative established pursuant to [section 466B.42 467.311](#), the division shall administer water quality agriculture infrastructure programs created in [this section](#).

Sec. 35. Section 466B.44, subsection 1, Code 2024, is amended to read as follows:

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

Sec. 36. Section 466B.44, subsection 5, paragraph b, Code 2024, is amended to read as follows:

b. Support water quality agriculture infrastructure programs created in [section 466B.43 467.313](#), to the extent that moneys are not obligated or encumbered during a fiscal year to adequately support all urban infrastructure program projects

1 that meet the division's requirements.

2 Sec. 37. Section 466B.46, subsection 3, Code 2024, is  
3 amended to read as follows:

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

7 Sec. 38. Section 466B.48, subsection 4, Code 2024, is  
8 amended to read as follows:

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

13 DIVISION V

14 COORDINATING AMENDMENTS

15 Sec. 39. Section 8.57B, subsection 3, Code 2024, is amended  
16 to read as follows:

17 3. Moneys in the fund are appropriated to the division  
18 of soil conservation and water quality of the department of  
19 agriculture and land stewardship for the exclusive purpose of  
20 supporting water quality agriculture infrastructure programs  
21 created in [section ~~466B.43~~ 467.313](#).

22 Sec. 40. Section 16.134A, subsection 3, paragraph c, Code  
23 2024, is amended to read as follows:

24 c. Fifteen percent to the division of soil conservation  
25 and water quality of the department of agriculture and land  
26 stewardship to support the water quality urban infrastructure  
27 program created in [section ~~466B.44~~ 467.314](#).

28 Sec. 41. Section 455B.109, subsection 5, paragraph b, Code  
29 2024, is amended to read as follows:

30 b. Civil penalties assessed and collected by or on behalf of  
31 the department and interest on the civil penalties as provided  
32 in [sections 459.602, 459.603, 459.604, 459A.502, and 459B.402](#)  
33 shall be credited to the Iowa nutrient research fund created in  
34 [section ~~466B.46~~ 467.323](#).

35 Sec. 42. Section 455E.11, subsection 2, paragraph b,

1 subparagraph (2), subparagraph division (a), Code 2024, is  
2 amended to read as follows:

3 (a) Thirty-five percent is appropriated annually to the  
4 Iowa nutrient research fund created in [section ~~466B.46~~ 467.323](#).  
5 Of the moneys appropriated pursuant to this subparagraph  
6 division, five hundred thousand dollars or one-third of the  
7 moneys appropriated, whichever is higher, shall be deposited in  
8 the water quality initiative fund created in [section ~~466B.45~~](#)  
9 [467.312](#) for purposes of supporting the water quality initiative  
10 administered by the division of soil conservation and water  
11 quality as provided in [section ~~466B.42~~ 467.311](#).

12 Sec. 43. Section 459.602, Code 2024, is amended to read as  
13 follows:

14 **459.602 Air quality violations — civil penalty.**

15 A person who violates [subchapter II](#) 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.109](#).  
18 Any collected civil penalty and interest on a civil penalty  
19 shall be credited to the Iowa nutrient research fund created in  
20 [section ~~466B.46~~ 467.323](#).

21 Sec. 44. Section 459.603, Code 2024, is amended to read as  
22 follows:

23 **459.603 Water quality violations — civil penalty.**

24 A person who violates [subchapter III](#) shall be subject to  
25 a civil penalty which shall be established, assessed, and  
26 collected in the same manner as provided in [section 455B.109](#) or  
27 [455B.191](#). Any collected civil penalty and interest on a civil  
28 penalty shall be credited to the Iowa nutrient research fund  
29 created in [section ~~466B.46~~ 467.323](#).

30 Sec. 45. Section 459.604, subsection 2, Code 2024, is  
31 amended to read as follows:

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

1     Sec. 46. Section 459A.502, Code 2024, is amended to read as  
2 follows:

3     **459A.502 Violations — civil penalty.**

4     A person who violates [this chapter](#) shall be subject to  
5 a civil penalty which shall be established, assessed, and  
6 collected in the same manner as provided in [section 455B.191](#).  
7 Any collected civil penalty and interest on a civil penalty  
8 shall be credited to the Iowa nutrient research fund created  
9 in [section ~~466B.46~~ 467.323](#). A person shall not be subject to a  
10 penalty under [this section](#) and a penalty under [section 459.603](#)  
11 for the same violation.

12    Sec. 47. Section 459B.402, Code 2024, is amended to read as  
13 follows:

14    **459B.402 Violations — civil penalty.**

15    A person who violates [section 459B.301](#) shall be subject to  
16 the same penalty as provided in [section 459.602](#), and a person  
17 who violates any other provision of [this chapter](#) shall be  
18 subject to the same penalty as provided in [section 459.603](#).  
19 Any collected civil penalty and interest on a civil penalty  
20 shall be credited to the Iowa nutrient research fund created in  
21 [section ~~466B.46~~ 467.323](#).

22    Sec. 48. Section 461.33, subsection 2, paragraph a, Code  
23 2024, is amended to read as follows:

24    a. Soil conservation and watershed protection, including by  
25 supporting the division of soil conservation and water quality  
26 within the department of agriculture and land stewardship  
27 and soil and water conservation district commissioners. The  
28 department may provide for the installation of conservation  
29 practices and watershed protection improvements as provided in  
30 chapters 161A, [161C](#), [461A](#), and [466 467](#).

31    Sec. 49. Section 461.34, subsection 2, Code 2024, is amended  
32 to read as follows:

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



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

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

10 ~~(2) Regional and community watershed assessment, planning,~~  
11 ~~and prioritization efforts, including as provided in chapter~~  
12 ~~466B.~~

13 b. Surface water protection projects and practices  
14 administered by the department of agriculture and land  
15 stewardship ~~or the department of natural resources~~, including  
16 but not limited to the installation of permanent vegetation  
17 cover, filter strips, grass waterways, and riparian forest  
18 buffers; dredging; and bank stabilization. The ~~departments~~  
19 ~~of agriculture and land stewardship and natural resources~~  
20 department may use the account to support the conservation  
21 buffer strip program provided in [section 466.4 467.401](#) and the  
22 conservation reserve enhancement program as provided in section  
23 ~~466.5 467.402~~.

24 c. The prairie seed harvest program administered by the  
25 department of natural resources as provided in section 467.405.

26 DIVISION VI

27 CODE ORGANIZATION

28 Sec. 50. DIRECTIONS TO CODE EDITOR — TRANSFERS. The  
29 Code editor is directed to place chapter 467 in Title XI,  
30 subtitle 2, and organize chapter 467 in subchapters, parts,  
31 and sections, including as amended or enacted by this Act, as  
32 follows:

33 1. Subchapter I which shall include the following  
34 transferred sections:

35 a. Section 466B.1 to section 467.101.

- 1 b. Section 466B.2 to section 467.102.
- 2 c. Section 466B.9 to section 467.103.
- 3 2. Subchapter II, which shall include the following
- 4 transferred sections:
  - 5 a. Section 466B.2A to section 467.201.
  - 6 b. Section 466B.3 to section 467.202.
  - 7 c. Section 466B.3A to section 467.203.
  - 8 d. Section 466B.3B to section 467.204.
- 9 3. Subchapter III, which shall include the following parts:
  - 10 a. Part 1 which shall include the following transferred
  - 11 sections:
    - 12 (1) Section 466B.41 to section 467.301.
    - 13 (2) Section 466B.49 to section 467.302.
  - 14 b. Part 2 which shall include the following transferred
  - 15 sections:
    - 16 (1) Section 466B.42 to section 467.311.
    - 17 (2) Section 466B.45 to section 467.312.
    - 18 (3) Section 466B.43 to section 467.313.
    - 19 (4) Section 466B.44 to section 467.314.
  - 20 c. Part 3 which shall include the following transferred
  - 21 sections:
    - 22 (1) Section 466B.47 to section 467.321.
    - 23 (2) Section 466B.48 to section 467.322.
    - 24 (3) Section 466B.46 to section 467.323.
  - 25 4. Subchapter IV which shall include the following parts:
    - 26 a. Part 1 which shall include the following transferred
    - 27 sections:
      - 28 (1) Section 466.4 to section 467.401.
      - 29 (2) Section 466.5 to section 467.402.
      - 30 (3) Section 466.7 to section 467.403.
    - 31 b. Part 2 which shall include the following transferred
    - 32 sections:
      - 33 (1) Section 466.4A to section 467.405.
      - 34 (2) Section 466.6 to section 467.411.
      - 35 (3) Section 466.7A to section 467.412.

1 (4) Section 466.9 to section 467.413.

2 (5) Section 466.8 to section 467.414.

3 5. Subchapter V which shall include the following  
4 transferred sections:

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

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

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

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

9 Sec. 51. DIRECTIONS TO CODE EDITOR — CORRECTIONS. The Code  
10 editor shall correct internal references in the Code and in any  
11 enacted legislation as necessary due to the enactment of this  
12 division of this Act.

13 EXPLANATION

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

16 GENERAL. This bill amends four Code chapters providing for  
17 soil and water conservation, water quality, and flood control  
18 primarily administered by the department of agriculture and  
19 land stewardship (DALs), the department of natural resources  
20 (DNR), and Iowa state university of science and technology  
21 (ISU). The Code chapters include Iowa's "Soil Conservation  
22 Districts Law" (Code chapter 161A), the "Groundwater Protection  
23 Act" (Code chapter 455E), the "Initiative on Improving Our  
24 Watershed Attributes (I on IOWA)" (Code chapter 466), and  
25 the "Surface Water Protection and Flood Mitigation Act"  
26 (Code chapter 466B) which includes a number of subchapters,  
27 including surface water protection and flood mitigation  
28 (subchapter I), watershed management authorities (subchapter  
29 II), watershed planning activities (subchapter III), and water  
30 quality initiative — nutrients (subchapter IV). The bill then  
31 transfers Code sections in Code chapters 466 and 466B to new  
32 Code chapter 467, including subchapters.

33 SOIL CONSERVATION DISTRICTS LAW — BACKGROUND. Code chapter  
34 161A is administered by the soil conservation and water quality  
35 division (division) of DALs in cooperation with the state soil

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

21 SOIL CONSERVATION DISTRICTS LAW (SOIL CONSERVATION AND  
22 WATER QUALITY AND SOIL HEALTH) — BILL. The bill provides  
23 for efforts to improve soil health, defined as the continuing  
24 capacity of soil to function as a vital ecosystem that  
25 sustains plants, animals, and humans (Code section 161A.3).  
26 The bill provides that a district plan must provide for the  
27 improvement of soil health and that the division may support  
28 the establishment of soil and water conservation practices that  
29 improve soil health.

30 SOIL CONSERVATION DISTRICTS LAW (TEMPORARY SOIL AND  
31 WATER CONSERVATION PRACTICES) — BILL. The bill expands the  
32 definition of a temporary soil and water conservation practice  
33 to include the use of cover crops, no-tillage, the installation  
34 of an agriculture practice, silviculture practice, aquaculture  
35 practice, or permaculture practice, or the use of extended crop

1 rotation or rotational grazing (Code section 161A.42).

2 SOIL CONSERVATION DISTRICTS LAW/BLUFFLAND PROTECTION —  
3 BACKGROUND AND BILL. A bluffland protection program (Code  
4 section 161A.80A) and bluffland protection revolving fund were  
5 enacted in 2015 (2015 Iowa Acts, chapter 132, sections 45 and  
6 46). The purpose of the program and fund is to make loans to  
7 conservation organizations purchasing bluffland properties  
8 adjacent to state public lands. The principal and interest  
9 from any loan made from the fund outstanding on July 1, 2025,  
10 that would have been payable to the fund must instead be  
11 payable to the rebuild Iowa infrastructure fund created in Code  
12 section 8.57 (Code section 161A.80B). The bill eliminates the  
13 program and fund. Otherwise, the program and fund are to be  
14 eliminated on July 1, 2030.

15 GROUNDWATER PROTECTION ACT (ANNUAL REPORT) — BACKGROUND  
16 AND BILL. The declared policy of the state is to prevent  
17 groundwater contamination from point and nonpoint sources and  
18 to restore the state's groundwater to a potable condition  
19 (Code section 455E.4). The bill amends the groundwater  
20 protection fund (Code section 455E.11). The fund receives  
21 moneys from various fees, is divided into several accounts,  
22 and moneys from the fund are distributed to various entities  
23 to carry out a stated purpose. DNR's director is responsible  
24 for administering the fund and preparing a budget each year  
25 regarding the expenditure of moneys in the fund. The secretary  
26 of agriculture is required to submit a report to the governor  
27 on a biennial basis regarding past and future expenditures.  
28 The bill eliminates that requirement.

29 INITIATIVE ON IMPROVING OUR WATERSHED ATTRIBUTES (I ON IOWA)  
30 — BACKGROUND AND BILL. The bill eliminates the provisions  
31 naming the Code chapter (Code section 466.1) and its purpose  
32 to develop a comprehensive water quality program that will  
33 result in water quality improvements while reducing proposed  
34 regulatory impacts (Code section 466.2). The bill also  
35 eliminates the clean water award administered by DALs and DNR

1 (Code section 466.3). The bill revises the conservation buffer  
2 strip program administered by DALs (Code section 466.4). The  
3 bill eliminates a provision enacted as part of that program  
4 in 2000, setting a five-year goal of enrolling an additional  
5 475,000 acres. It also strikes a subsection and reenacts it  
6 as a new stand-alone Code section requiring DNR to establish  
7 a prairie seed harvest program (Code section 466.4A). The  
8 bill revises the conservation reserve enhancement program  
9 established to restore or construct wetlands, administered by  
10 DALs (Code section 466.5). It eliminates a subsection enacted  
11 in 2000, setting a five-year goal of establishing 32,500 acres  
12 of wetlands. The bill does not amend a provision requiring  
13 DNR to operate water quality monitoring stations (Code  
14 section 466.6). The bill amends the Code section enacting  
15 the water quality protection program (Code section 466.7).  
16 That Code section includes nine subsections, each specifying  
17 responsibilities to be carried by DALs or DNR, with the first  
18 three of the nine subsections administered by DALs and the last  
19 six of the nine subsections administered by DNR. Subsection  
20 1 provides for multiobjective resource protections for flood  
21 control, water quality, erosion control, and natural resource  
22 conservation, which is not revised. Subsection 2 provides  
23 for a statewide, voluntary farm management demonstration  
24 program which is eliminated. Subsection 3 provides financial  
25 assistance for the establishment of permanent soil and water  
26 conservation practices, which is also eliminated. The next  
27 three of the nine subsections, administered by DNR, relate to  
28 the collection or analysis of data for use in determining water  
29 quality on a watershed level. Subsection 4 provides for the  
30 collection and use of geographic information system data, which  
31 is not amended; subsection 5 requires DNR to support local  
32 volunteer management efforts; and subsection 6 requires DNR to  
33 support the analysis of water quality monitoring data. The  
34 provisions in each of these three subsections are eliminated  
35 and reenacted as subsections in a new Code section (Code

1 section 466.7A). The last three of the nine subsections,  
 2 administered by DNR, relate to the same powers exercised under  
 3 Code chapter 455B, subchapter III, regulating water quality.  
 4 Subsection 7 authorizes DNR to enter into contracts to assist  
 5 its staff in reviewing national pollutant discharge elimination  
 6 permit system (NPDES) permits; subsection 8 requires DNR to  
 7 expand floodplain education; and subsection 9 requires DNR to  
 8 develop a total maximum daily load (TMDL) program. All three  
 9 of these final subsections are eliminated. The bill does not  
 10 revise the on-site wastewater systems assistance program (Code  
 11 section 466.8) or the on-site wastewater systems assistance  
 12 fund (Code section 466.9), both administered by DNR.

13 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT —

14 BACKGROUND. Code chapter 466B requires DALS, DNR, and ISU  
 15 to administer programs providing measures to preserve and  
 16 improve surface water and prevent or mitigate floods. The  
 17 Code chapter is divided into the following subchapters:  
 18 subchapter I providing for surface water protection and flood  
 19 mitigation, first enacted in 2008 (2008 Iowa Acts, chapter  
 20 1034); subchapter II providing for watershed management  
 21 authorities, first enacted in 2010 (2010 Iowa Acts, chapter  
 22 1116); subchapter III providing for watershed planning  
 23 activities, also first enacted in that same Act; and subchapter  
 24 IV providing for a water quality initiative and water quality  
 25 initiative fund, first enacted in 2013 (2013 Iowa Acts, chapter  
 26 132), and the Iowa nutrient research center enacted in the same  
 27 Act.

28 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (GENERAL)  
 29 — BILL. The bill does not amend the Code chapter's short  
 30 title (Code section 466B.1). It amends the definitions Code  
 31 section by eliminating two terms, "council" and "political  
 32 subdivision", that do not apply to the entire Code chapter  
 33 (Code section 466B.2) and reenacts those terms in their  
 34 relevant subchapters. The definition of the term "council" is  
 35 enacted as a new Code section in the subchapter providing for

1 surface water protection and the flood mitigation (Code section  
2 466B.2A) and the definition of the term "political subdivision"  
3 is enacted in the subchapter providing for watershed management  
4 authorities (Code section 466B.21).

5 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATER  
6 RESOURCES COORDINATING COUNCIL) — BILL. The bill revises  
7 the purposes of the water resources coordinating council by  
8 eliminating a provision that refers to using an integrated  
9 approach of water resource management (Code section 466B.3).  
10 The bill strikes three subsections and reenacts them as  
11 new Code sections, including subsections 4 and 5 providing  
12 for the council's membership, meetings, and quorums (Code  
13 section 466B.3A) and subsection 6 providing for the council's  
14 powers and duties (Code section 466B.3B). The bill amends a  
15 provision authorizing DALs and DNR to adopt rules necessary  
16 to administer the Code chapter, including by eliminating  
17 provisions that refer to repealed Code sections (Code section  
18 466B.9). Those repealed Code sections include legislative  
19 findings and a marketing campaign (Code section 466B.4), the  
20 creation of a regional watershed assessment, planning, and  
21 prioritization, administered by DNR (Code section 466B.5), the  
22 creation of community-based subwatershed improvement plans  
23 administered by DNR (Code section 466B.6), community-based  
24 subwatershed monitoring administered by DNR (Code section  
25 466B.7), a wastewater and storm water infrastructure assessment  
26 administered by DNR (Code section 466B.8), efforts to form a  
27 chapter of the association of floodplain managers administered  
28 by the council (Code section 466B.10), and education provided  
29 to the general public regarding floodplains (Code section  
30 466B.11).

31 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED  
32 MANAGEMENT AUTHORITIES) — BACKGROUND. Two or more political  
33 subdivisions may enter into a Code chapter 28E agreement to  
34 participate in joint projects to improve watershed quality  
35 by forming an entity referred to as a watershed management



1 authority (authority). The relevant provisions include  
2 definitions (Code section 466B.21), procedures to create an  
3 authority (Code section 466B.22), the duties of an authority  
4 (Code section 466B.23), the authority's board of directors  
5 (Code section 466B.24), and the authority's ability to  
6 coordinate its activities with DNR.

7 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED  
8 MANAGEMENT AUTHORITIES) — BILL. The bill changes the  
9 name of a watershed management authority to a watershed  
10 management partnership (partnership). The bill provides that  
11 a partnership may identify, plan for, and assess options  
12 to reduce the risk of flood in the watershed (Code section  
13 466B.23). It also eliminates provisions in that Code section  
14 authorizing a partnership to assess water quality, and engage  
15 in education efforts regarding water quality. The bill  
16 authorizes a partnership to coordinate its efforts with DALs,  
17 DNR, councils of governments, a public drinking water utility,  
18 and a soil and water conservation district. The bill prohibits  
19 a partnership from allocating moneys for water quality, unless  
20 the moneys are expended consistent with the Iowa nutrient  
21 reduction strategy (see Code section 455B.171) or DNR's Iowa  
22 storm water management manual. The name of the governing  
23 body is changed from a board of directors to a joint board  
24 in conformance with chapter 28E agreement requirements (Code  
25 section 28E.6). The bill eliminates requirements establishing  
26 a number of board members and their terms, cause for their  
27 removals, the designation of officers, and quorum requirements.  
28 The bill includes a temporary provision carrying over the terms  
29 of the board of directors and continuing actions taken by the  
30 board of directors. The bill eliminates the provision which  
31 expressly allows a partnership to coordinate its activities  
32 with DNR (Code section 466B.25).

33 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED  
34 PLANNING ADVISORY COUNCIL) — BACKGROUND AND BILL. The  
35 watershed planning advisory council represents diverse

1 stakeholders for purposes of reviewing research and making  
2 recommendations to various state entities regarding methods  
3 to protect water resources in the state, assure an adequate  
4 supply of water, mitigate and prevent floods, and coordinate  
5 the management of those resources in a sustainable, fiscally  
6 responsible, and environmentally responsible manner (Code  
7 section 466B.31). The bill eliminates the council.

8 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATER  
9 QUALITY INITIATIVE) — BACKGROUND AND BILL. The water quality  
10 initiative is established in order to assess and reduce  
11 nutrients in this state's watersheds, including subwatersheds  
12 and regional watersheds, and to implement programs to reduce  
13 nutrients in surface waters from nonpoint sources in a  
14 scientific, reasonable, and cost-effective manner (Code section  
15 466B.42). The initiative is administered by DALS acting  
16 through the division. Information received by these entities  
17 that identifies participating landowners is confidential  
18 (Code section 466B.49). The division administers two water  
19 quality agriculture infrastructure programs, including  
20 an edge-of-field infrastructure program and an in-field  
21 infrastructure program (Code section 466B.43). The purpose of  
22 the programs is to support projects that reduce contributing  
23 nutrient loads, associated sediment, or contaminants to surface  
24 waters consistent with the Iowa nutrient reduction strategy.  
25 The division also administers an urban infrastructure  
26 program to support watershed projects that decrease erosion,  
27 precipitation-induced surface runoff, and storm water  
28 discharges and that increase water infiltration rates based  
29 on DNR's Iowa's storm water management manual (Code section  
30 466B.44). Moneys deposited into the water quality initiative  
31 fund (Code section 466B.45) are used to support the initiative.  
32 The bill eliminates the term "fund" from the Code section  
33 defining terms in the subchapter since the subchapter includes  
34 two funds (Code section 466B.41). The bill does not revise  
35 the remaining Code sections other than to provide coordinating

1 amendments due to their transfer to Code chapter 467.

2 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (NUTRIENT  
3 RESEARCH) — BACKGROUND AND BILL. The Iowa nutrient research  
4 center is established as part of ISU to pursue a science-based  
5 approach to nutrient management research that provides  
6 recommendations for the development and implementation of  
7 nutrient management practices (Code section 466.47). An Iowa  
8 nutrient research center advisory council recommends possible  
9 research issues for the center (Code section 466B.48). Moneys  
10 deposited into the Iowa nutrient research fund are used to  
11 support the initiative (Code section 466B.46). The bill does  
12 not revise the remaining Code sections other than to provide  
13 coordinating amendments due to their transfer to Code chapter  
14 467.

15 TRANSFERS. The bill provides that the amended or enacted  
16 Code sections in Code chapters 466 and 466B are to be  
17 transferred to new Code chapter 467 which is to be divided into  
18 five subchapters. The bill also makes a number of conforming  
19 changes by amending provisions which refer to repealed Code  
20 sections discussed above. Many of the conforming changes  
21 amend Code sections that provide sources of moneys used to  
22 support water quality initiative programs and the Iowa nutrient  
23 research center without making substantive changes. Sources  
24 of moneys used to support initiative programs include the  
25 groundwater protection fund (Code section 455E.11) and the  
26 water quality infrastructure fund (Code section 8.57B) that  
27 includes moneys from the rebuild Iowa infrastructure fund  
28 (Code section 8.57) and the water quality financial assistance  
29 fund (Code section 16.134A) financed from moneys generated  
30 from water service tax revenues (Code section 423G.6); and any  
31 future moneys from the soil conservation and water protection  
32 account (Code section 461.33) of the natural resources and  
33 outdoor recreation trust fund (Code section 461.31). Amended  
34 Code sections that provide sources of moneys used to support  
35 the center include the groundwater protection fund and the

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1 moneys collected from persons assessed civil penalties for  
2 violating animal feeding operation statutes and rules (Code  
3 sections 459.602, 459.603, 459.604, 459A.502, and 459B.402).