

455B.291 Definitions.

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

1. “*Administration funds*” means funds established pursuant to this part for the costs and expenses associated with administering the program under this part and [section 16.133A](#).

2. “*Authority*” means the Iowa finance authority created in [section 16.1A](#).

3. “*Clean Water Act*” means the federal Water Pollution Control Act of 1972, Pub. L. No. 92-500, as amended by the Water Quality Act of 1987, Pub. L. No. 100-4, as published in 33 U.S.C. §1251 – 1376, as amended.

4. “*Cost*” means all costs, charges, expenses, or other indebtedness incurred by a loan recipient and determined by the department as reasonable and necessary for carrying out all works and undertakings necessary or incidental to the accomplishment of any project.

5. “*Eligible entity*” means a person eligible under the provisions of the Clean Water Act, the Safe Drinking Water Act, and the commission rules to receive loans for projects from any of the revolving loan funds.

6. “*Loan recipient*” means an eligible entity that has received a loan from any of the revolving loan funds.

7. “*Municipality*” means a city, county, sanitary district, state agency, or other governmental body or corporation empowered to provide sewage collection and treatment services, or any combination of two or more of the governmental bodies or corporations acting jointly, in connection with a project.

8. “*Private entity*” means a corporation, limited liability company, trust, estate, partnership, association, or any other legal entity or a legal representative, agent, officer, employee, or assignee of such entity. “*Private entity*” does not include an individual, municipality, city utility as defined in [section 362.2](#), public water supply system as defined in [section 455B.171](#), or a qualified entity as defined in [section 384.84](#).

9. “*Program*” means the water pollution control works and drinking water facilities financing program created pursuant to [section 455B.294](#).

10. “*Project*” means one of the following:

a. (1) In the context of water pollution control facilities, the acquisition, construction, reconstruction, extension, equipping, improvement, or rehabilitation of any works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner including treatment works as defined in section 212 of the Clean Water Act, or the implementation and development of management programs established under sections 319 and 320 of the Clean Water Act, including construction and undertaking of nonpoint source water pollution control projects and related development activities authorized under those sections.

(2) On and after July 1, 2019, nonpoint source water pollution control projects for purposes of subparagraph (1) shall not include the acquisition of real property by a private entity for future donation or sale to a political subdivision, the department, or the federal government except as included in subparagraph (3).

(3) Subparagraph (2) does not apply to the acquisition of land by a private entity intended for such future donation when the private entity acquires any of the following:

(a) Only that portion of land on which an edge-of-field practice consistent with the Iowa nutrient reduction strategy is installed to provide water quality benefits beyond the geographic footprint of the practice.

(b) Any necessary setbacks to a portion of land included in subparagraph division (a) as authorized by the department.

b. In the context of drinking water facilities, the acquisition, construction, reconstruction, extending, remodeling, improving, repairing, or equipping of waterworks, water mains, extensions, or treatment facilities useful for providing potable water to residents served by a water system, including the acquisition of real property needed for any of the foregoing purposes, and such other purposes and programs as may be authorized under the Safe Drinking Water Act.

11. “*Revolving loan funds*” means the funds of the program established under [sections 16.133A](#) and [455B.295](#).

12. “*Safe Drinking Water Act*” means Tit. XIV of the federal Public Health Service Act, commonly known as the “Safe Drinking Water Act”, 42 U.S.C. §300f et seq., as amended by the Safe Drinking Water Amendments of 1996, Pub. L. No. 104-182, as amended.

13. “*Water system*” means any community water system or nonprofit noncommunity water system, each as defined in the Safe Drinking Water Act, that is eligible under the rules of the department to receive a loan under the program for the purposes of undertaking a project.

88 Acts, ch 1217, §10; 89 Acts, ch 83, §54; 95 Acts, ch 98, §1; 97 Acts, ch 4, §7; 2002 Acts, ch 1019, §1; 2009 Acts, ch 30, §11; 2013 Acts, ch 100, §25, 27; 2014 Acts, ch 1080, §89, 98; 2019 Acts, ch 98, §1, 2

Referred to in §16.131, 418.4, 455B.199B, 455B.295, 456A.17