

## **SOIL CONSERVATION DIVISION[27]**

[Renamed Soil Conservation Division[27] under the Agriculture and Land Stewardship Department[21] “umbrella”]

### *DIVISION I SOIL CONSERVATION DIVISION*

#### CHAPTER 1

#### REGIONS OF REPRESENTATION FOR STATE SOIL CONSERVATION COMMITTEE FARMER MEMBERS

- 1.1(161A) Scope
- 1.2(161A) Regions of representation

#### CHAPTER 2

#### OPERATION OF STATE SOIL CONSERVATION COMMITTEE

- 2.1(161A) Scope
- 2.2(161A) Time of meetings
- 2.3(161A) Place of meetings
- 2.4(161A) Notification of meetings
- 2.5(161A) Attendance and participation by the public
- 2.6(161A) Quorum and voting requirements
- 2.7(161A) Conduct of meeting
- 2.8(161A) Minutes, transcripts, and recordings of meetings
- 2.9(161A) Officers and duties
- 2.10(161A) Election and succession of officers

#### CHAPTER 3

#### CONTESTED CASE PROCEEDINGS AND PRACTICE

(Uniform Rules)

- 3.1(17A,161A) Scope and applicability
- 3.2(17A,161A) Definitions
- 3.3(17A,161A) Time requirements
- 3.4(17A,161A) Requests for contested case proceeding
- 3.5(17A,161A) Notice of hearing
- 3.6(17A,161A) Presiding officer
- 3.12(17A,161A) Service and filing of pleadings and other papers
- 3.15(17A,161A) Motions
- 3.16(17A,161A) Prehearing conference
- 3.17(17A,161A) Continuances
- 3.22(17A,161A) Default
- 3.23(17A,161A) Ex parte communication
- 3.24(17A,161A) Recording costs
- 3.25(17A,161A) Interlocutory appeals
- 3.26(17A,161A) Final decision
- 3.27(17A,161A) Appeals and review
- 3.28(17A,161A) Applications for rehearing
- 3.29(17A,161A) Stays of agency action

#### CHAPTER 4

#### DECLARATORY ORDERS

(Uniform Rules)

- 4.1(17A,161A) Petition for declaratory order
- 4.2(17A,161A) Notice of petition
- 4.3(17A,161A) Intervention
- 4.4(17A,161A) Briefs
- 4.5(17A,161A) Inquiries

- 4.6(17A,161A) Service and filing of petitions and other papers
- 4.7(17A,161A) Consideration
- 4.8(17A,161A) Action on petition
- 4.9(17A,161A) Refusal to issue order
- 4.12(17A,161A) Effect of a declaratory order

CHAPTER 5  
AGENCY PROCEDURE FOR RULE MAKING  
(Uniform Rules)

- 5.1(17A,161A) Applicability
- 5.3(17A,161A) Public rule-making docket
- 5.4(17A,161A) Notice of proposed rule making
- 5.5(17A,161A) Public participation
- 5.6(17A,161A) Regulatory analysis
- 5.10(17A,161A) Exemptions from public rule-making procedures
- 5.11(17A,161A) Concise statement of reasons
- 5.13(17A,161A) Agency rule-making record

CHAPTER 6  
CONTRACTS FOR PUBLIC IMPROVEMENTS  
AND PROFESSIONAL SERVICES

- 6.1(17A,161A,159,207,208) Contract policy
- PUBLIC IMPROVEMENTS
- 6.2(17A,161A,159,207,208) Contracts for public improvements
- PROFESSIONAL SERVICES
- 6.3(17A,161A,159,207,208) Contracts for professional services
  - 6.4(17A,159,161A,207,208) Approval and award of contracts

CHAPTER 7  
INTEREST ON RETAINED FUNDS

- 7.1(573) Interest on retained funds

CHAPTER 8  
WAIVER OR VARIANCE OF RULES

- 8.1(17A,161A) Definition
- 8.2(17A,161A) Scope of chapter
- 8.3(17A,161A) Applicability
- 8.4(17A,161A) Criteria for waiver or variance
- 8.5(17A,161A) Filing of petition
- 8.6(17A,161A) Content of petition
- 8.7(17A,161A) Additional information
- 8.8(17A,161A) Notice
- 8.9(17A,161A) Hearing procedures
- 8.10(17A,161A) Ruling
- 8.11(17A,161A) Public availability
- 8.12(17A,161A) Summary reports
- 8.13(17A,161A) Cancellation of a waiver
- 8.14(17A,161A) Violations
- 8.15(17A,161A) Defense
- 8.16(17A,161A) Judicial review

CHAPTER 9  
Reserved

## CHAPTER 10

## IOWA FINANCIAL INCENTIVE PROGRAM FOR SOIL EROSION CONTROL

10.1 to 10.9	Reserved	
		PART 1
10.10(161A)	Authority and scope	
10.11(161A)	Rules or subrules are severable	
10.12 to 10.19	Reserved	
		PART 2
10.20(161A)	Definitions	
10.21 to 10.29	Reserved	
		PART 3
10.30(161A)	Compliance, refunds, reviews and appeals	
10.31(161A)	Compliance with maintenance/performance agreements	
10.32(161A)	Noncompliance	
10.33(161A)	Appeals and reviews	
10.34 to 10.39	Reserved	
		PART 4
10.40	Reserved	
10.41(161A)	Appropriations	
10.42 to 10.49	Reserved	
		PART 5
10.50(161A)	Allocations to soil and water conservation districts	
10.51(161A)	Voluntary program	
10.52(161A)	Publicly owned lakes	
10.53	Reserved	
10.54(161A)	Mandatory program	
10.55	Reserved	
10.56(161A)	Special watershed projects	
10.57(161A)	Reserve fund	
10.58 and 10.59	Reserved	
		PART 6
10.60(161A)	Funding rates	
10.61 to 10.69	Reserved	
		PART 7
10.70(161A)	Applications and agreements	
10.71(161A)	Applications submitted to soil and water conservation district	
10.72(161A)	Application signup	
10.73(161A)	Eligibility for financial incentives	
10.74(161A)	Financial incentive application and processing procedures	
10.75 to 10.79	Reserved	
		PART 8
10.80(161A)	General conditions, eligible practices and specifications	
10.81(161A)	General conditions	
10.82(161A)	State designation of eligible practices	
10.83(161A)	Designation of eligible practices	
10.84(161A)	Practice standards and specifications	
10.85 to 10.89	Reserved	

## PART 9

10.90	Reserved
10.91(161A)	Annual report
10.92 to 10.94	Reserved
10.95(161A)	Forms

## CHAPTER 11

## CONSERVATION PRACTICES REVOLVING LOAN FUND

11.1 to 11.9	Reserved
11.10(161A)	Authority and scope
11.11(161A)	Rules or subrules are severable
11.12 to 11.19	Reserved
11.20(161A)	Definition of terms
11.21(161A)	Financial partner
11.22(161A)	Allocation of revolving loan funds to soil and water conservation districts
11.23(161A)	Eligibility for revolving fund loan
11.24(161A)	Loan application processing procedures
11.25(161A)	Project design and construction
11.26(161A)	Issuance of loan
11.27(161A)	Amount of loan and number
11.28(161A)	Repayment of loans

## CHAPTER 12

## WATER PROTECTION PRACTICES—WATER PROTECTION FUND

12.1 to 12.9	Reserved
--------------	----------

## PART 1

12.10(161C)	Authority and scope
12.11(161C)	Rules are severable
12.12 to 12.19	Reserved

## PART 2

12.20(161C)	Definition of terms
12.21 to 12.29	Reserved

## PART 3

12.30(161C)	Compliance, refund, reviews and appeals
12.31 to 12.39	Reserved

## PART 4

12.40(161C)	Appropriations
12.41 to 12.49	Reserved

## PART 5

12.50(161C)	Water protection practices account
12.51(161C)	Allocation to soil and water conservation districts
12.52 to 12.59	Reserved

## PART 6

12.60(161C)	Applications and agreements
12.61(161C)	Applications submitted to soil and water conservation district
12.62(161C)	Application sign-up
12.63(161C)	Eligibility for financial incentives
12.64 to 12.69	Reserved

## PART 7

12.70(161C)	Water protection practices
12.71(161C)	General conditions
12.72(161C)	Eligible practices
12.73(161C)	Eligible practices for priority water resource protection
12.74(161C)	Agricultural drainage well closure
12.75(161C)	Priority watersheds and water quality problems
12.76(161C)	Practice standards and specifications
12.77(161C)	Cost-share rates
12.78 and 12.79	Reserved

## PART 8

12.80(161C)	Water protection practices—woodlands, native grasses and forbs
12.81(161C)	General conditions
12.82(161C)	Eligible practices
12.83(161C)	Practice standards and specifications
12.84(161C)	Cost-share rates
12.85(161C)	Special practice and cost-share procedures eligibility
12.86 to 12.89	Reserved

## PART 9

12.90(161C,312)	Reporting and accounting
-----------------	--------------------------

## CHAPTERS 13 to 19

Reserved

## CHAPTER 20

## IOWA SOIL 2000 PROGRAM

## PART 1

20.1 to 20.9	Reserved
20.10(161A)	Authority and scope
20.11(161A)	Rules or subrules are severable
20.12 to 20.19	Reserved

## PART 2

20.20(161A)	Availability, development, distribution, updating and notice of conservation folders
20.21 to 20.29	Reserved

## PART 3

20.30(161A)	Conservation folder content
20.31 to 20.39	Reserved

## PART 4

20.40(161A)	Farm unit soil conservation plan
20.41 to 20.49	Reserved

## PART 5

20.50(161A)	Conservation agreement
20.51 to 20.59	Reserved

## PART 6

20.60(161A)	Records
20.61(161A)	Record of distribution—district file
20.62(161A)	Conservation folder file copy
20.63(161A)	Program performance records
20.64 to 20.69	Reserved

## PART 7

20.70(161A) Definition of terms

## CHAPTER 21

## WATER QUALITY PROTECTION PROJECTS—WATER PROTECTION FUND

PART 1  
AUTHORITY AND SCOPE

21.1 to 21.9 Reserved  
 21.10(72GA,ch1189) Authority and scope  
 21.11(72GA,ch1189) Rules or subrules are severable  
 21.12 to 21.19 Reserved

PART 2  
APPLICATIONS

21.20(72GA,ch1189) Announcement, eligibility, development and submission of applications  
 21.21 to 21.29 Reserved

PART 3  
APPLICATION CONTENT

21.30(72GA,ch1189) Water quality protection project application content  
 21.31(72GA,ch1189) Project water quality improvement objectives  
 21.32(72GA,ch1189) Project costs  
 21.33(72GA,ch1189) Landowner interest  
 21.34(72GA,ch1189) Project maintenance  
 21.35(72GA,ch1189) Time frame  
 21.36(72GA,ch1189) Project evaluation  
 21.37 to 21.39 Reserved

PART 4  
PROPOSAL REVIEW

21.40(72GA,ch1189) Proposal review  
 21.41 to 21.49 Reserved

PART 5  
BUDGET AND STAFF

21.50(72GA,ch1189) Budget and staff  
 21.51 to 21.59 Reserved

PART 6  
REPORTING

21.60(72GA,ch1189) Project reporting  
 21.61(72GA,ch1189) Supplemental reports  
 21.62(72GA,ch1189) Content of project reports  
 21.63 to 21.69 Reserved

PART 7  
ANNUAL PROJECT REVIEW

21.70(72GA,ch1189) Annual project review, continuation, amendment and termination  
 21.71 to 21.79 Reserved

PART 8  
PROJECT COMPLETION

21.80(72GA,ch1189) Project completion

## CHAPTER 22

## SOIL AND WATER RESOURCE CONSERVATION PLANS

22.1 to 22.9 Reserved  
 22.10(161A) Authority and scope  
 22.11(161A) Rules or subrules are severable

22.12 to 22.19	Reserved
22.20(161A)	Definition
22.21(161A)	Soil and water resource conservation plan development
22.22 to 22.29	Reserved
22.30(161A)	Soil and water resource conservation plan content
22.31 to 22.39	Reserved
22.40(161A)	Soil and water resource conservation plan adoption, approval, filing, and distribution
22.41 to 22.49	Reserved
22.50(161A)	State soil and water resource conservation plan

## CHAPTERS 23 to 29

Reserved

## CHAPTER 30

AGRICULTURAL DRAINAGE WELLS—ALTERNATIVE DRAINAGE SYSTEM  
ASSISTANCE PROGRAM

30.1 to 30.9	Reserved
30.10(159,161A,455H)	Authority and scope
30.11(159,161A,455H)	Rules are severable
30.12 to 30.19	Reserved
30.20(159,161A,455H)	Definitions
30.21 to 30.29	Reserved
30.30(159,161A,455H)	Appropriations
30.31(159,161A,455H)	Other funds
30.32 to 30.39	Reserved
30.40(159,161A,455H)	Allocation of funds
30.41 to 30.49	Reserved
30.50(159,161A,455H)	Eligibility
30.51 to 30.59	Reserved
30.60(159,161A,455H)	Payment of financial assistance
30.61 to 30.69	Reserved
30.70(159,161A,455H)	Compliance procedures and reviews

## CHAPTERS 31 to 39

Reserved

## CHAPTER 40

## COAL MINING

PART 1A  
COAL MINING—GENERAL

40.1(17A,207)	Authority and scope
40.2(207)	Rules or subrules are severable
40.3(207)	General
40.4(207)	Permanent regulatory program and exemption for coal extraction incidental to the extraction of other minerals
40.5(207)	Restrictions on financial interests of state employees
40.6(207)	Exemptions for coal extraction incident to government-financed highway or other constructions
40.7(207)	Protection of employees
40.8 to 40.10	Reserved

PART 1B  
COAL MINING—INITIAL PROGRAM

- 40.11(207) Initial regulatory program  
 40.12(207) General performance standards—initial program  
 40.13(207) Special performance standards—initial program  
 40.14 to 40.19 Reserved

PART 2  
COAL MINING—AREAS UNSUITABLE

- 40.20 Reserved  
 40.21(207) Areas designated by an Act of Congress  
 40.22(207) Criteria for designating areas as unsuitable for surface coal mining operations  
 40.23(207) State procedures for designating areas unsuitable for surface coal mining operations  
 40.24 to 40.29 Reserved

PART 3  
COAL MINING—PERMITS FOR OPERATIONS AND EXPLORATION

- 40.30(207) Requirements for coal exploration  
 40.31(207) Requirements for permits and permit processing  
 40.32(207) Revision or amendment; renewal; and transfer, assignment, or sale of permit rights  
 40.33(207) General content requirements for permit applications  
 40.34(207) Permit application—minimum requirements for legal, financial, compliance, and related information  
 40.35(207) Surface mining permit applications—minimum requirements for information on environmental resources  
 40.36(207) Surface mining permit applications—minimum requirements for reclamation and operation plan  
 40.37(207) Underground mining permit applications—minimum requirements for information on environmental resources  
 40.38(207) Underground mining permit applications—minimum requirements for reclamation and operation plan  
 40.39(207) Requirements for permits for special categories of mining

PART 4  
COAL MINING—SMALL OPERATOR ASSISTANCE

- 40.40 Reserved  
 40.41(207) Permanent regulatory program—small operator assistance program  
 40.42 to 40.49 Reserved

PART 5  
COAL MINING—BONDING AND INSURANCE

- 40.50 Reserved  
 40.51(207) Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs  
 40.52 to 40.59 Reserved

PART 6  
COAL MINING—PERMANENT PROGRAM PERFORMANCE STANDARDS

- 40.60 Reserved  
 40.61(207) Permanent program performance standards—general provisions  
 40.62(207) Permanent program performance standards—coal exploration  
 40.63(207) Permanent program performance standards—surface mining activities  
 40.64(207) Permanent program performance standards—underground mining activities  
 40.65(207) Special permanent program performance standards—auger mining  
 40.66(207) Special permanent program performance standards—operations on prime farmland  
 40.67(207) Permanent program performance standards—coal preparation plants not located within the permit area of a mine



40.68 and 40.69 Reserved

PART 7

COAL MINING—INSPECTION AND ENFORCEMENT

40.70 Reserved  
 40.71(207) State regulatory authority—inspection and enforcement  
 40.72(207) Inspections and monitoring  
 40.73(207) Enforcement  
 40.74(207) Civil penalties  
 40.75(207) Individual civil penalties  
 40.76 to 40.79 Reserved

PART 8

COAL MINING—BLASTER CERTIFICATION

40.80 Reserved  
 40.81(207) Permanent regulatory program requirements—standards for certification of blasters  
 40.82(207) Certification of blasters  
 40.83 to 40.89 Reserved

PART 9

COAL MINING—CONTESTED CASES AND PUBLIC HEARINGS

40.90 Reserved  
 40.91(17A,207) Procedural rules—contested cases and public hearings  
 40.92(17A,207) Contested cases  
 40.93(17A,207) Commencement of proceeding  
 40.94(17A,207) Appeals of division notices and orders  
 40.95(17A,207) Prehearing motions  
 40.96(17A,207) Issuance of notices of hearing  
 40.97(17A,207) Hearing procedures  
 40.98(17A,207) Posthearing procedures  
 40.99(17A,207) Decision of the administrative law judge, procedure in appeals before the committee, extensions of time, public hearings, and judicial review of the committee decision

CHAPTERS 41 to 49

Reserved

CHAPTER 50

IOWA ABANDONED MINED LAND RECLAMATION PROGRAM

50.1 to 50.9 Reserved  
 50.10(207) Authority and scope  
 50.11(207) Rules or subrules are severable  
 50.12 to 50.19 Reserved  
 50.20(207) Definition of terms  
 50.21 to 50.29 Reserved  
 50.30(207) State abandoned mined land fund  
 50.31 to 50.39 Reserved  
 50.40(207) Eligible lands and water  
 50.41 to 50.49 Reserved  
 50.50(207) Reclamation objectives and priorities  
 50.51 to 50.59 Reserved  
 50.60(207) Reclamation project evaluation  
 50.61 to 50.69 Reserved  
 50.70(207) Consent to entry  
 50.71 to 50.79 Reserved

50.80(207)	Entry for studies or exploration
50.81 to 50.89	Reserved
50.90(207)	Entry and consent to reclaim
50.91 to 50.99	Reserved
50.100(207)	Land eligible for acquisition
50.101 to 50.109	Reserved
50.110(207)	Procedures for acquisition
50.111 to 50.119	Reserved
50.120(207)	Acceptance of gifts of land
50.121 to 50.129	Reserved
50.130(207)	Management of acquired lands
50.131 to 50.139	Reserved
50.140(207)	Disposition of reclaimed lands
50.141 to 50.149	Reserved
50.150(207)	Operations on private land
50.151 to 50.159	Reserved
50.160(207)	Appraisals
50.161 to 50.169	Reserved
50.170(207)	Liens
50.171 to 50.179	Reserved
50.180(207)	Satisfaction of liens
50.181 to 50.189	Reserved
50.190(207)	Abandoned mined land (AML) program forms

## CHAPTERS 51 to 59

Reserved

## CHAPTER 60

## MINERALS PROGRAM

60.1 to 60.9	Reserved
60.10(208)	Authority and scope
60.11(208)	Rules or subrules are severable
60.12(208)	Definitions
60.13 to 60.19	Reserved
60.20(208)	License
60.21 to 60.29	Reserved
60.30(208)	Registration
60.31(208)	Registration renewal and fee
60.32 to 60.39	Reserved
60.40(208)	Bonding
60.41(208)	Bond release
60.42 to 60.49	Reserved
60.50(208)	Transfers
60.51 to 60.59	Reserved
60.60(208)	Registration cancellation
60.61 to 60.64	Reserved
60.65(208)	Enforcement actions
60.66 to 60.69	Reserved
60.70(208)	Annual mining report
60.71 to 60.74	Reserved
60.75(208)	General mining activities
60.76 to 60.79	Reserved

60.80(208)	Reclamation
60.81 to 60.84	Reserved
60.85(208)	Criteria for variance application and approval
60.86 to 60.89	Reserved
60.90(208)	Administrative orders and assessment of penalties
60.91 to 60.94	Reserved
60.95(208)	Forms
60.96 to 60.99	Reserved
60.100(208)	Political subdivisions engaged in mining

## CHAPTERS 61 to 100

Reserved

### *DIVISION II*

#### *WATERSHED IMPROVEMENT REVIEW BOARD*

### CHAPTER 101

#### ORGANIZATION AND PURPOSE

101.1(466A)	Watershed improvement review board composition
101.2(466A)	Officers
101.3(466A)	Staff
101.4(466A)	Meetings
101.5(466A)	Quorum
101.6(466A)	Conflict of interest
101.7(466A)	Board responsibilities
101.8(466A)	Technical assistance

### CHAPTER 102

#### RULES OF PRACTICE

102.1(466A)	Definitions
102.2(466A)	Public information
102.3(466A)	Informal settlement of controversies
102.4(466A)	Declaratory orders
102.5(466A)	Petition for adoption of rules

### CHAPTER 103

#### APPOINTMENT AND TERMS OF MEMBERS

103.1(466A)	Appointments
103.2(466A)	Terms

### CHAPTER 104

#### LOCAL WATERSHED IMPROVEMENT COMMITTEES

104.1(466A)	Purpose
104.2(466A)	Structure
104.3(466A)	Governmental entities
104.4(466A)	Responsibilities
104.5(466A)	Audit

### CHAPTER 105

#### WATERSHED IMPROVEMENT GRANT PROGRAM

105.1(466A)	Program purpose
105.2(466A)	Grant awards
105.3(466A)	Disbursement of funds
105.4(466A)	Reports

CHAPTER 106  
WATERSHED IMPROVEMENT FUND

- 106.1(466A) Purpose
- 106.2(466A) Administration

CHAPTER 107  
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES  
(Uniform Rules)

- 107.1(17A,22) Definitions
- 107.3(17A,22) Requests for access to records
- 107.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records
- 107.9(17A,22) Public records; confidential records
- 107.10(17A,22) Personally identifiable information
- 107.11(17A,22) Data processing