



Legislative Proposals for 2008

- 1) **Crep/Wetlands Funding** – The IDDA supports an increased state appropriation from the “Environment First” fund for the Crep/Wetlands program. Every dollar appropriated by the state is able to leverage four federal dollars. The IDDA also recognizes that there are unspent funds in the CREP program that have been appropriated by previous legislatures. This situation exists largely because the program ground to a standstill for two years while regulatory issues with the federal government were resolved. It now appears that these issues are at least partially resolved and the program may be ready to start moving forward again. Deappropriating dollars from the CREP program would be a mistake and the IDDA would not support such a move.
- 2) **Regulation of Wetlands** - The IDDA opposes any legislative proposal to empower the state of Iowa to regulate the dredging or filling of isolated wetlands. The dredging or filling of the majority of these isolated wetlands is already subject to review and regulation under provisions of the farm bill or local subdivision approval and building permit authorities. The state of Iowa cannot afford and ought not to divert precious resources toward creation of a needless regulatory bureaucracy.
- 3) **Maintenance Exemption** – Currently, state regulations provide an exemption that allows drainage ditches to be maintained without obtaining a permit from the IDNR. The regional EPA office is pressuring IDNR to remove that exemption from state regulation – stating that the exemption is “inconsistent” with the federal Clean Water Act. The DNR will also be considering the possibility of adopting new regulations on anti-degradation of the state’s water resources that could do away with the exemption. Requiring a permit from the DNR for every drainage ditch maintenance project would be time consuming and expensive. IDDA supports retaining the exemption.
- 4) **Wetland Structures** – Under the CREP program, landowners install wetlands to assist in the removal of nitrate from tile drained water. The CREP program

requires that the landowner assume maintenance of these structures, once built. This responsibility has been an impediment to landowner participation in the CREP program. IDDA supports legislation that would allow drainage districts, on a voluntary basis, to enter into agreements with landowners that would provide for the maintenance of these or similar facilities. Such agreements would also provide for the allocation of converted wetland credits and the disposition of the facilities once the agreement was terminated. These facilities would be an “improvement” under drainage law and would have to meet all the applicable statutory requirements.

- 5) **Ag Drainage Well Closure** – There are currently about 140 Ag drainage wells in active use – acting as direct chemical pipelines into drinking water supplies. IDDA supports continued funding for the Ag drainage well closure program.

- 6) **Watershed Task Force** – The state Watershed Task Force will be making recommendations to the legislature in 2008. It is anticipated that there will be recommendations involving drainage districts. A current draft of their proposal states that “Drainage districts are encouraged to consider the water quality they discharge while improving their drainage infrastructure. Such non-traditional approaches might include wetland mitigation, nitrate reducing wetlands, controlled drainage, bio-reactors and cover crops that will improve the quality and environmental impact of drainage water entering Iowa streams.” Drainage districts do not currently have water quality responsibility and any legislative proposal that broaches this issue needs to be considered very carefully. While drainage districts recognize that there is concern about nitrate in tile water, any involvement by drainage district trustees in water quality issues should be voluntary.