

Suggestions / Food for thought.

1. ~~Go to a per foot basis instead of cubic yards.~~
2. ~~Use NB yardage regardless of terrace type.~~
3. Intake & tile only with new practice. **YES**
4. One application at a time that expires at end of season if it has not been “started” —
define started? **In 12 months.**
 - a. Spring Jan 1 – May 30
 - b. Summer June 1 – Sept. 15 (or June 15 – Sept 1)
 - c. Fall Sept 16 – Dec 31.
5. ~~Change summer 75% incentive to June 15 – Sept. 1, if the idea of paying the extra 25% is to compensate for not cropping.~~
6. Establish priority areas / watersheds?
7. Establish ranking criteria?
8. Develop a new estimate form, 1 for internal use & 1 for external. (attached)
9. Per #10 contractors will provide a list of jobs, ~~no other jobs will be laid out for that contractor until the jobs he listed are done?~~ **Job will not be laid out until entire field is ready**
10. No financial assistance on functioning terraces even if they are beyond the maintenance agreement **unless there is a resource issue.**
11. ~~Look at the embedded Individuals of Corporations for the maximum FA.~~
~~Example: John Smith is one of the members of Big Valley Beef. If he has already received the maximum as an individual, should Big Valley Beef be eligible since he is one of the embedded owners even though the other(s) may not have received any funding.~~
12. Timber removal / Sodbusting to crop: Currently use LOST to pay 50% and do not allow 75% summer incentive. Suggestion - Revert to 25% cost share to match state program. Reason there is less of a resource issue when it is in timber/grass than when it is in crop, even with terraces.

Discussed flooded areas: i.e. Farmstead windbreaks. Look into fall WB specs and fall dormant seeding.

13. West Pottawattamie Soil & Water Conservation District **Changes**

305 McKenzie Ave, Council Bluffs, IA 51503-1017 (712)328-2489 ext. 3

Cost-Share Policy - 2012

Policies updated 01/19/12

A) General Information:

1. Commissioner meetings are typically held the 3rd Tuesday of each month. December's meeting shall be held so that vouchers are submitted in time for year-end payment. If you wish to address the board you must notify the state secretary 24 hours prior to the meeting to be put on the agenda; however, it is strongly recommended notifying the district one week in advance to ensure necessary items are collected prior to the meeting to assist the district in providing a timely response.
2. Practice specifications are not within the jurisdiction of the commissioners. This is set at the Federal level. To be eligible for financial assistance, State policy is the practice meets Federal guidelines, certified by NRCS. Note: NRCS staff can not work on projects outside Federal specifications.
3. The SWCD shall not provide financial assistance on projects outside Federal specifications due to the potential liability should the practice fail.

Month	Date	Location	Meeting type
January	03	USDA Service Center	Organizational
January	19	USDA Service Center	Regular
February	22	USDA Service Center	Regular
March	20	USDA Service Center	Regular
April	17	USDA Service Center	Regular
May	15	USDA Service Center	Regular
June	19	USDA Service Center	Regular
July	17	USDA Service Center	Regular
August	21	USDA Service Center	Regular
September	18	USDA Service Center	Regular
October	16	USDA Service Center	Regular
November	20	USDA Service Center	Regular
December	11	USDA Service Center	Regular

B) TERRACES(600), WASCB(638), WATERWAYS(412), WELL PLUGGING, WINDBREAK(380)

1) Rural Ag Land

1. Early sign-up is encouraged; however applicants may sign-up at any time.
2. Landowner must address maintenance on practices under a maintenance agreement before FA will be approved.
3. Applications shall be approved by June for spring construction, August for summer, and December for fall.
4. Applications will cancel if work is not completed within **12 months** of approval & must be started within 30 days after layout.
5. Applications shall be approved based on resource issue and availability of funds. **One OPEN application** per owner/operating unit, with no more than 2 farms. Owner may apply for more than one practice as part of a system, but can not exceed financial assistance limit/practice/year as stated below.
6. Landowner is notified by letter of financial assistance approval. Landowner should notify the District if they decide not to use the funds. Landowner should also contact contractor at this time.
7. After practice is staked, Applicant is notified of estimate & eligible cost. Estimates (*see page 3) are provided as a courtesy and to determine maximum financial incentive. Only the applicant will receive a copy of the estimate.
8. It is the applicant's responsibility to request an amendment timely so that it can be presented at an SWCD meeting prior to work.
9. The following financial assistance percentages and maximums apply. Keep in mind the payment is based on the lesser of the bill or estimate and District limits. The percentages are maximums, not guaranteed minimums.

Season	MAX %	Dates for Season
Spring/Summer/Fall	MAX 50%	Jan 1 – May 31 / June 1 – Sept 15 / Sept 16 – Dec 31
Summer state	MAX 50%	June 15 – Oct 15 +\$200/ac (Only available IF there are not enough applications to use all the state money in the spring/fall.)
Summer LOST	MAX 75%	June 1 – Sept 15

Practices	Source of funds	Annual District limit/applicant	Annual L.O.S.T.
Well closing	LOST	\$400.00	2,000.00
Terraces, WASCB, refurbished	State / LOST	\$10,000	As available
Summer: Terraces (row crop only, not in CRP)	State / LOST	\$7,000	56,000
Summer: WASCB	LOST	Max 25% + EQIP or 50% LOST	As Available
Windbreak Rural	REAP-F / NG	\$1,500.00 or	As available
Windbreak Urban (un-incorp)	LOST	\$1,500.00	3,600.00
Terraces, WASCB, refurbished	LOST – NIL	\$10,000.00	As available
Urban Development Priority Watersheds	REAP-P	\$5,000.00	See II) Urban Land & Non-Ag Rural Land
Urban SFD Priority Watersheds	REAP-P	\$ 500.00	Urban SFD
Low Interest Loans	State	\$5,000 and up	
No Interest Loans	State	\$10,000	

10. Contractor shall provide a list 2 – 3 jobs ahead, shall follow this priority list and shall give at least 3 business days (24 business hours) notice when contractor is ready to start so layout can be scheduled most efficiently. **Jobs will not be laid out until the entire field is ready.**
11. Owners shall contact the office PRIOR to making design changes to practices. Commissioners reserve the right to deny financial assistance when design changes are made without prior approval, even if the practice meets NRCS specifications.
12. Contractor must check practice, sign checkout notes and return to office **one week (5 business days) prior to commissioners' meeting to be included in that month's meeting.** Incomplete paperwork will be returned to the contractor and hold up certification. Voucher(s) where the technicians have not had time to certify the practice shall not be presented to the SWCD board.
13. **The original bill must be in the office 5 business days before a meeting or it will NOT go before the board until the following month.**
14. Landowner must sign Maintenance Agreement/Receipt of Payment (IP-4) and seeding/fertilizer recommendation. If landowner & applicant are not one and the same, both need to sign the IP-4. Maintenance Agreements shall be notarized when required for recording. Maintenance Agreements for Terraces (600), Water & Sediment Control Basins (638) and structures shall be recorded, with owner/applicant paying the recording fee. Length of maintenance agreements: 35-year structure; 20-year Terraces, WASCB, and Windbreak; 10-year Waterway.
15. The applicant and owner will complete all **PAPERWORK PRIOR TO BEING PRESENTED FOR PAYMENT APPROVAL.** MANDATORY: Contractors shall break out work. Terraces and topsoiling may be combined, all other is to be separated by practice. Bill must also include: Name and address of contractor, name of client, township & section of work and date of completion. All bills not meeting these guidelines shall be returned to the contractor.
16. Practices are checked to ensure they meet NRCS specs. before certified for payment. Over building is not cost-shared.
17. Commissioners approve vouchers for payment as needed at their monthly meeting. Payment is based on the lesser of the bill or the estimate.
18. Checks are payable to the applicant. Applicant is encouraged to make payment to the contractor once job is certified.

***Figuring estimates**

Terraces:

- a. Yardage based on 15' min up to 25' front slopes as requested by landowner or required by specifications on GBS and BB. Narrow based (NB) as required by specifications.
- b. Intakes/tile must be in conjunction with new terrace(s): TILE: applicable percentage of actual cost, not to exceed estimate based on size and material; max. is 300ft below last structure constructed. Tile rates based on applicable percentage of **EQIP** federal average cost.
- c. Intake **\$225.00 financial assistance (\$450 total cost)** which includes 8 ft offset, tile thru terrace, animal guard and labor to hookup.
- d. Earthwork cost based on **\$.85/yd³** includes mandatory topsoiling, not to exceed **\$3.50** per foot (all terrace types.)
- e. Applicants can receive county, state funds or a combination of not to exceed the district annual limit. Landowners can make application for extraordinary terracing projects. The commissioners shall review these on a case by case basis. Example, landowner wants to completely terrace a farm in one year. There shall be one "first priority" application per owner/operating unit per year.
- f. No FA on seeding or fertilizer; however, applicant will provide copies of any seed bills prior to receiving FA
- g. Topsoiling is required on ALL jobs.
- h. Landowner shall be required to sign applicable maintenance agreement and pay recording fee.

2012 rates	
Tile	Unit cost
4"	1.14 / ft
5"	1.60 / ft
6"	1.96 / ft
8"	2.84 / ft
10"	4.38 / ft
12"	5.82 / ft
> 12"	13.38 / ft

Water and Sediment Control Basin (638) (WASCB)

- a. Fifty percent (50%) financial assistance all seasons
- b. Intakes: applicable percentage of actual cost, not to exceed estimate see terraces "b." 300ft of tile below last structure.
- c. Earthwork cost: **1.30 /yd³** based on design, not to exceed **\$6.60/ft.**
- d. No financial assistance on seeding or fertilizer.
- e. Seventy-five (75%) upland treatment down to 8 t/a/y or less or as required by the NRCS technical specifications.
- f. Landowner shall be required to sign applicable maintenance agreement and pay recording fee.
- g. Top soiling is required.

Waterways (412)

- a. Fifty percent (50%) of **\$.90/yd³** for earthwork.
- b. Maximum of two tile lines per waterway. Fifty percent of actual cost, not to exceed estimate see terraces "b."
- c. Fifty percent (50%) of **\$1.50** per foot of **fabric check, mandatory.**
- d. No financial assistance for clearing and grubbing of trees. No financial assistance on seeding.
- e. Seventy-five (75%) upland treatment to "T" required.
- f. A stable outlet is required. See structure policy for financial assistance.

- g. Landowner shall be required to sign applicable maintenance agreement.
- h. Crop acres and well managed, not over grazed pasture.

Well Plugging (no cisterns) Annual program maximum \$2,000

- a. The district will assume the applicant has received 50% up to \$200 through Pottawattamie County’s program.
- b. The SWCD will calculate FA at 50% of the bill, less the county’s \$200 FA, not to exceed \$200 FA from the District.
- c. Examples: Bill Pott Cnty FA SWCD FA / Bill Pott Cnty FA SWCD FA / Bill Pott Cnty FA SWCD FA
 \$200 \$100.00 \$0.00 / \$500 \$200.00 \$50.00 / \$900 \$200.00 \$200.00
- d. Must use certified Well Closing Business or have Planning and Zoning certify.

Windbreaks (380)

Seventy-five (75%) of cost up to **\$1,500** per windbreak through the REAP program. Individual limits of **\$37.50** financial assistance (**\$50 total**) per tree and **\$3.00** financial assistance (**\$4.00 total**) per shrub apply. This is for new trees/windbreaks only. There is no financial assistance to remove old trees/windbreaks. Do not have to have the \$2,500 of Ag income (Sch. F); however, must have a minimum of 3 acres. Priority is given to the North and West sides.

Sodbusting:

State’s definition, must have been farmed 1 year between 1966 and 1981 to NOT be a sodbuster. Areas being “landscaped” to meet slope requirements may be required to settle for up to one year before financial assistance will be considered. Only Basin Terraces will be laid out on pasture that is going to remain in pasture.

Max 50% FA	≤ 14% slope
Tech asst only	>14% to 18%
No FA, no TA	>18%

No-Interest Loans - L.O.S.T.:

Same rules and guidelines as established for the State of Iowa’s No-Interest Loan program except:

- a. Payments shall be made to the District.
- b. The program shall be funded using L.O.S.T. funds.

Refurbished terraces - L.O.S.T.

The original maintenance agreement must have expired; this will be determined by the state secretary. Refurbished **WILL BE** dipping out the channel and placing on the ridge or converting a Grass-backed terrace to a narrow base. **Pushing dirt downhill is NOT acceptable.** In either case, refurbishing will bring the practice up to current specifications and a new maintenance agreement is signed. All others are new systems (to make major changes or improvements) and shall be based on **.85/yd3**, not to exceed **\$3.50/ft**.

- a. Refurbished estimate based on **.80/ft**
- b. Terrace must appear to have been maintained i.e. no trees, seeded. This shall be at the discretion of the technical staff.
- c. Only terraces not covered by an active maintenance agreement shall be eligible. Landowner shall be required to sign a new applicable maintenance agreement and pay the recording fee.
- d. Terraces must meet NRCS specifications upon completion.
- e. Technicians will make the decision on rate, i.e. .80/ft or .85/yd3. Contractor may request the terrace be surveyed and yardage used; however, technicians may deny the request.

Note: According to Federal Guidelines and Specifications, frost should never be pushed into a conservation practice. If there is any frost contact the technical staff immediately.

II) Urban Land and Non-Ag Rural Land:

REAP priority watersheds will have first use of REAP-P funds. <Indian Creek & Little Mosquito Creek>

Unincorporated Urban Residents and non-ag rural land that do not qualify for state funds shall be considered for state practices using Local Option Sales Tax funds. Applications shall be at the discretion of the Commissioners and availability of funds.

- Must have an approved erosion control plan. *See also, Land Treatment & Terrace Removal Policy on page 12.*
- Plan must be in the office 60 days before project starts for review by NRCS, DSC and SWCD.
- Plan must be developed and approved before any grading takes place.
- Complete plan must be fully implemented to receive financial assistance
- Only one first-priority application per year.
- Priority shall be given to the best proposed erosion control plans.
- Practices must be checked, & if necessary maintained, after each ½ inch rain or greater and after each snow melt runoff.
- Financial assistance payments: Recipient shall be paid half after implementing the entire soil erosion control plan. To ensure the soil erosion plan is maintained, the second half shall be paid nine months after the first payment is made, IF practices pass inspection.
- No financial assistance on ponds, existing structures, dams, gully repair, waterway outlets, retaining walls, silt-barrier checks, silt fences, or laying/planting of grass sod.

Developments

Maximum financial assistance per development is \$5,000.00.

Single Family Dwellings:

Maximum financial assistance per SFD is \$500.00.

Windbreaks (380) (SFD only) Annual category cap is \$3,600

Seventy-five (75%) of cost up to **\$1,500**/windbreak through L.O.S.T. program. Individual limits of **\$37.50** financial assistance (**\$50** total) per tree and **\$3.00** financial assistance (**\$4.00** total) per shrub apply. This is for new trees/windbreaks only. There is no financial assistance to remove old trees/windbreaks. Do not have to have \$2,500 of Ag income (Sch. F). Do not have to meet a minimum acre(s); however, must have sufficient area for 3-row windbreak. Only North and West sides are eligible. House must be occupied.

Practice	Maint. Agree.	cost / unit to figure est.	unit	max / project	
Bio-Retention	10	\$0.70	per yd ³	\$3,000	per landowner
Dry / wet Swale - Wetland Channel	20	\$1.20	per yd ³	\$2,500	per landowner
Dry Detention Basin	20	\$1.20	per yd ³	\$2,500	per landowner
Extended Detention Shallow Wetland	20	\$1.20	per yd ³	\$2,500	per landowner
Extended Dry Detention Basin	20	\$1.20	per yd ³	\$2,500	per landowner
Infiltration Basin	10	\$1.20	per yd ³	\$3,000	per landowner
Infiltration Trench	10	\$53 - \$70	Per thousand Sq ft drainage area	\$3,000	per landowner
Micro-Pool Extended Detention Pond	20	\$1.20	per yd ³	\$2,500	per landowner
Modular Block Paver System	10	\$1.80	sq.ft.	\$2,500	per landowner
Modular Grass Pavement System	10	\$109.00	yd	\$2,500	per landowner
Native Landscaping	10	\$200.00	acre	\$2,000	per landowner
Pervious Asphalt	10	\$150.00	sq.yd	\$2,500	per landowner
Pervious Concrete	10	\$150.00	sq. yd	\$2,500	per lot/landowner
Rain Garden	10 ST / 5 LOST	\$15.00	Sq Ft	\$1,800	per lot/landowner
Shallow Wetland	20	\$1.30	per yd ³	\$2,500	per landowner
Soil Quality Restoration	10 ST / 5 LOST	\$32.00	cu. Yd	\$3,000	per landowner
Stormwater Filter Strip	10	\$200.00	acre	\$2,500	per landowner
Stormwater Grassed Swale	20	\$0.70	per yd ³	\$2,500	per landowner
Stormwater Pocket Wetland	10	\$1.30	per yd ³	\$2,500	per landowner
Stormwater Pond / Wetland	20	\$1.30	per yd ³	\$2,500	per landowner
Wet Detention Basin	20	\$1.20	per yd ³	\$2,500	per landowner
Wet Extended Detention Pond	20	\$1.20	per yd ³	\$2,500	per landowner
Erosion Control Polymers	2	\$300.00	acre	\$3,000	10 acs max /yr

C) Structure Policy

1.) Agricultural Land

Objectives: 1. Erosion Control; 2. Protect cultivated lands; 3. Water quality

1. Each structure project shall have a \$25,000 FA cap at 50% from the district. Financial assistance can not exceed 75% coming from public sources, i.e. State-IFIP, County-L.O.S.T. or Hungry Canyons.
2. The owner shall be required to obtain at least three (3) bids on any structure with a projected total cost of **\$10,000+**.
3. The owner is free to hire any contractor he/she chooses; FA shall be 50% of the engineer's estimate, 50% of the lowest bid or 50% of the bill, whichever is less.
4. On joint projects, all landowners on the Joint Project Form shall be present for field visits.
5. Field visits shall not be conducted until the application is completed fully, including all signatures.
6. Land must be at least 75% treated to "T" above the structure.
7. Landowner shall sign 35-year maintenance agreement and pay for recording.

2) Non-Agricultural Land

Objectives: 1. Erosion Control; 2. Protect urban lands & associated uses. (i.e. houses, driveways, yards, etc); 3. Water quality

1. Each structure project shall have a \$20,000 FA cap at 50% from the district. FA can not exceed 75% coming from public sources, i.e. State-IFIP, County-L.O.S.T. or Hungry Canyons.
2. The owner shall be required to obtain at least three (3) bids on any structure with a projected total cost of **\$10,000+**.
3. The owner is free to hire any contractor he/she chooses; the financial assistance shall be 50% of the engineer's estimate, 50% of the lowest bid or 50% of the bill, whichever is less.
4. On joint projects, all landowners on the Joint Project Form shall be present for field visits.
5. Field visits shall not be conducted until the application is completed fully including all signatures.
6. Land must be 75% treated to "T" above the structure.
7. Landowner shall sign 35-year maintenance agreement and pay for recording.

3) The PROCESS:

- A) NRCS shall do an initial survey & preliminary cost estimate AND review with the landowner.
- B) Review again with the commissioners so they know what is in the pipeline.
- C) Final survey & cost estimate, commitment from landowner(s), all easements, etc. The **ONLY** one to know the engineer's estimate outside of the staff is the landowner.
- D) Review again with commissioners
- E) Landowner responsibilities:
 - 1) Landowner shall receive 4 copies of the plans, where bids are required. One for the owner; the others are to be given to the contractors of the owner's choice.
 - 2) Owner has 60 days from the date of the final plan to obtain three SEALED bids and schedule a time to present them to the commissioners.
 - 3) Owner is responsible for scheduling a site visit with the contractors and NRCS staff.
 - 4) Owner has one year from date of final plan to complete project.
- F) Landowner presents SEALED bids at commissioners' meeting where they are opened for the sole purpose of determining the maximum financial assistance.
- H) Landowner selects contractor.
- G) Contractor agrees to complete project in a timely manner (one year from final plan unless otherwise authorized) and to build the structure to NRCS specifications in order to qualify for financial assistance.

D) Conservation Practices Removal Policy

- A) Applications to remove conservation practice need to be in writing with the legal description, plat, aerial photo locating conservation practices, estimate amount of practice to be removed, explanation of why the conservation practices are being removed and what shall be done during construction as well as in the end product to control soil erosion in a manner equal to or greater than that provided by the conservation practices.
- B) To prevent delays, applicant may wish to attend commissioners meeting to present request for terrace removal and address any questions the commissioners may have.
- C) The commissioners shall try to respond within 40 days of application being made. The applicant shall be notified of the commissioners' decision in writing. The 40 days may be extended if more information is needed.
- D) 100% of all financial assistance received shall be paid back before any conservation practices are removed and regardless of what the final product is. In special circumstances, the commissioners may approve the removal of a small portion of terrace prior to financial assistance payback.
- E) If any portion of a terrace is removed, financial assistance shall be paid back on the entire terrace.
- F) In situations where there may be many future owners (i.e. housing developments) all financial assistance on all terraces shall be repaid, even if they are not removed at the current time.
- G) Erosion has to be controlled during construction as described under Land Treatment Policy: Soil Loss Limits.
- H) The final product shall provide equal or better protection to the soil than the conservation practices.
- I) Disturbed ground shall not be left bare for longer than 21 days. Seeding should be completed immediately after final grading. If building delays prevent final grading activities a cover crop such as oats or rye grass should be established.
- J) The commissioners have the right at any time to deny the request to remove conservation practices.

E) Land Treatment & Terrace Removal Policy

With all the new development in Pottawattamie County and more terraces being removed, it was decided to have a written land treatment and conservation practice removal policy. This has been developed in conjunction with the IDALS-DSC IA Code section 161A.42, Council Bluffs Community Development, Pottawattamie County Planning and Zoning and Iowa Dept. of Natural Resources.

Land Treatment Policy

A copy of the plat, aerial photo and brief written description of the land disturbing activity shall be provided to the District for approval of soil erosion control plans. Note: 1 acres or more need to go through a SWCD meeting. Less than 1 can be reviewed and approved by District office. As of March 1, 2003 need District office approval & NPDES permit.

Soil Loss Limits

Agricultural and horticultural lands: Maximum rates of soil erosion permitted for these lands are the average annual soil loss expressed in tons per acre per year, varying from 1 to 5 tons depending upon the soil type.

Nonagricultural lands (including public parks, urban lands, industrial parks, airports, public and private recreation lands, roads, streets, highways, and other public lands): The maximum rate of erosion permitted for these lands is an average annual soil loss of 5 tons per acre per year leaving the site.

Construction sites (including housing developments, shopping centers, industrial park developments, commercial building sites, highways, drainage channels, floodways, water impoundment structures and other similar projects): Maximum rate of soil erosion permitted on such land is 5 tons per acre per year leaving the site.

General Guidelines for Land Treatment

The following practices contribute to good urban and rural land conservation have been identified to help reduce soil erosion and sedimentation concerns before they become a soil loss complaint.

1. Prepare a conservation plan as an integral part of the subdivision or site plan.
2. Steep slopes, waterways and flood plain land should be considered for park and other open-space uses.
3. Save natural grass, shrubs, and trees wherever possible. These enhance the beauty of the subdivision, which increases the dollar value and helps control erosion.
4. Orient the development to the site so minimum land grading and other site preparation is required.
5. Phase development in workable units in order to reduce soil exposure and damages during the construction period rather than breaking up large tracts of land simultaneously.
6. Plan for the safe disposal of increased water runoff caused by rooftops, pavement, & straightened waterways.
7. Topsoil should be stockpiled and used later on areas to be stabilized by permanent vegetation.
8. Exposed & eroded areas should be established in temporary vegetation if not built on within 21 days. This seeding should be done immediately following rough grading.
9. Permanent vegetation will be established immediately upon final grading on all areas where applicable.
10. Mulch, temporary diversions, contour furrows, terraces & other remedial conservation practices should be used where appropriate for erosion control.
11. Where appropriate, temporary or permanent sediment basins should be constructed near the lower reaches of drainage ways. The exact location & design can be determined when detailed site plans are completed.
12. In developments, the developer shall include a requirement for erosion control in all purchase contracts for the lots. Each homebuilder shall be required to control erosion from the lot during construction activities.
13. Multiple phases shall be contingent on the previous phase(s) having all the proposed conservation practices implemented and satisfactorily controlling erosion.
14. Large projects done in phases shall be looked on more favorably.

161A.64 Erosion control plans required for certain projects

1. If a political subdivision has adopted a sediment control ordinance which the commissioners and the political subdivision jointly agree is at least as equally effective as the commissioners' rules in preventing erosion from exceeding the established soil loss limits, the commissioners and the political subdivision shall execute an agreement under chapter 28E allowing an agency authorized by the political subdivision to receive and file an affidavit from a person, prior to initiating a land disturbing activity in that subdivision, stating the proposed activity shall not exceed the established soil loss limits. A copy of the affidavit shall be mailed to the district as a part of the terms of the agreement. The affidavit shall be in a form prescribed by the department and made available by the district.
2. Prior to initiating a land disturbing activity in a political subdivision which has not adopted sediment control ordinances as described in subsection 1, a person engaged in the land disturbing activity shall file a signed affidavit with the soil and water conservation district that the project shall not exceed the soil loss limits. The affidavit shall be in a form prescribed by the department and made available by the district.
3. For the purposes of this section, "land disturbing activity" means a land change such as the tilling, clearing, grading, excavating, transporting or filling of land which may result in soil erosion from water or wind and the movement of sediment and sediment related pollutants into the water of the state or onto lands in the state but does not include the following: Tilling, planting or harvesting of agricultural, horticultural or forest crops.
 - a Preparation for single-family residences separately built unless in conjunction with multiple construction in subdivision development.
 - b Minor activities such as home gardens, landscaping, repairs and maintenance work.
 - c Surface or deep mining

- d Installation of public utility lines and connections, fence posts, sign posts, telephone poles, electric poles and other kinds of posts or poles.
 - e Septic tanks and drainage fields unless they are to serve a building whose construction is a land disturbing activity.
 - f Construction and repair of the tracks, right of way, bridges, communication facilities and other related structures of a railroad.
 - g Emergency work to protect life or property.
 - h Disturbed land areas of less than twenty-five thousand square feet unless a political subdivision by ordinance established a smaller exception or establishes conditions for this exception.
 - i The construction, relocation, alteration or maintenance of public roads by a public body.
4. If the agency authorized under subsection 1 determines a land disturbing activity is not being conducted in compliance with the soil loss limits, it shall file a written and signed complaint with the soil and water conservation district commissioners. The complaining shall have the same effect and validity as a complaint filed by an owner or occupant of land being damaged by sediment pursuant to section 161A.47. If the affidavit is filed with the district of the political subdivision, the commissioners may proceed on their own complaint. The soil and water conservation district commissioners may issue an administrative order as provided in that section to the person conducting the land disturbing activity.
 5. The City of Council Bluffs shall “police” activities within the City limits. Pottawattamie County Planning & Zoning should be “policing” activities out side city limits.
 6. Land disturbing activities which cause a land disturbance of 1 acre or more are required to have a Storm Water Discharge Permit or National Pollutant Discharge Elimination System (NPDES) permit. A storm water pollution-preventing plan must be developed for each construction site covered under General Permit No. 2. Part of this permit requires developers to have a written plan that identifies potential sources of pollution. In addition, the plan shall describe and ensure the implementation of practices that shall be used to reduce pollutant discharge from the property. The following publications shall be needed to apply for the permit.

Iowa Department of Natural Resources: National Pollutant Discharge Elimination System (NPDES) General Permit No. 2

Developing Pollution Prevention Plans and Best Management Practices Guide

Questions regarding the permits or to obtain copies, contact: Iowa Department of Natural Resources, Environmental Protection Division-Wastewater Permits Section, 502 E. 9th ST, Des Moines, IA 50319-0034; 515-281-7017.