

IC 14-32-8

Chapter 8. Clean Water Indiana Program

IC 14-32-8-1

"Fund" defined

Sec. 1. As used in this chapter, "fund" means the clean water Indiana fund established by this chapter.

As added by P.L.160-1999, SEC.4.

IC 14-32-8-2

"Political subdivision" defined

Sec. 2. As used in this chapter, "political subdivision" means a county, township, city, or town.

As added by P.L.160-1999, SEC.4.

IC 14-32-8-3

"Program" defined

Sec. 3. As used in this chapter, "program" means the clean water Indiana program established by this chapter.

As added by P.L.160-1999, SEC.4.

IC 14-32-8-4

Program established

Sec. 4. The clean water Indiana program is established. The division of soil conservation established within the department of agriculture by IC 15-11-4-1 shall administer the program subject to the direction of the board.

As added by P.L.160-1999, SEC.4. Amended by P.L.1-2006, SEC.231; P.L.2-2008, SEC.36.

IC 14-32-8-5

Purpose of program

Sec. 5. The purpose of the program is to provide financial assistance to:

- (1) soil and water conservation districts;
- (2) land occupiers; and
- (3) conservation groups;

to implement conservation practices to reduce nonpoint sources of water pollution through education, technical assistance, training, and cost sharing programs.

As added by P.L.160-1999, SEC.4. Amended by P.L.175-2006, SEC.18.

IC 14-32-8-6

Clean water Indiana fund

Sec. 6. (a) The clean water Indiana fund is established to carry out the purposes of this chapter. The fund shall be administered by the division of soil conservation subject to the direction of the board.

(b) The fund consists of:

- (1) amounts deposited in the fund under IC 6-7-1-29.3;

- (2) amounts appropriated by the general assembly; and
- (3) donations, grants, and money received from any other source.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund but remains in the fund to be used for the purposes of the fund.

As added by P.L.160-1999, SEC.4. Amended by P.L.241-2005, SEC.5; P.L.24-2009, SEC.1.

IC 14-32-8-7

Expenditures from fund

Sec. 7. Money in the fund may be spent in the following ways:

- (1) To increase district technical assistance in local conservation efforts.
- (2) To develop an environmental stewardship program to assist land occupiers in complying with environmental regulations voluntarily.
- (3) To qualify for federal matching funds.
- (4) To provide for the following cost sharing programs:
 - (A) A program to encourage land occupiers to implement conservation practices to reduce nutrient, pesticide, and sediment runoff.
 - (B) Programs that encourage land occupiers to implement nutrient management programs by sharing the cost of any of the following:
 - (i) Fencing for intensive grazing systems.
 - (ii) Purchasing nutrient management equipment.
 - (iii) Voluntary environmental audits.
 - (iv) Other similar expenditures related to nutrient management.
- (5) To provide matching grants to districts for the following:
 - (A) Professional watershed coordinators to facilitate and administer local watershed protection projects.
 - (B) District managers to administer district conservation policies and programs.
- (6) To increase state technical and capacity building assistance to districts and local conservation efforts by providing for the following:
 - (A) Capacity building specialists to train district personnel in grant writing, grant administration, and leadership development.
 - (B) Conservation education specialists to help implement district conservation education efforts.
 - (C) Urban storm water specialists to provide technical assistance to developers to contain soil erosion on construction sites.
- (7) To make distributions as provided under section 8 of this chapter.

(8) Implementation of geographic information systems (GIS) or similar technology.

As added by P.L.160-1999, SEC.4. Amended by P.L.175-2006, SEC.19; P.L.129-2011, SEC.6.

IC 14-32-8-8

Additional funds from division of soil conservation

Sec. 8. (a) In addition to funds provided to a district under section 7 of this chapter or from any other source, the division of soil conservation shall pay to the district one dollar (\$1) for every one dollar (\$1) the district receives from a political subdivision.

(b) The state is not obligated to match more than ten thousand dollars (\$10,000) under this section.

(c) In order to receive funding under this section each year, a district must certify to the division of soil conservation the amount of money the district received from all political subdivisions during the one (1) year period beginning January 1 of the previous year. The information prepared under this subsection must be part of the annual financial statement prepared and provided to the board under IC 14-32-4-22. The division of soil conservation shall make distributions under this section not later than July 15 of each year.

(d) Before making distributions under this section, the division of soil conservation shall determine the total amount of money that has been certified by all districts as having been provided by political subdivisions. If the cumulative amount to be distributed to all districts exceeds the amount appropriated to the fund, the division of soil conservation shall reduce the distribution to each district proportionately.

(e) A district must spend money received under this section for the purposes of the district.

As added by P.L.160-1999, SEC.4. Amended by P.L.155-2002, SEC.9 and P.L.158-2002, SEC.8; P.L.175-2006, SEC.20; P.L.1-2007, SEC.129.

IC 14-32-8-9

Report

Sec. 9. The districts shall coordinate with the division of soil conservation to compile and provide a report to the executive director of the legislative services agency each year. The report must be in an electronic format under IC 5-14-6 and must describe:

- (1) the expenditures of the clean water Indiana fund; and
- (2) the number, type, status, and effectiveness of conservation efforts funded by the clean water Indiana program.

As added by P.L.160-1999, SEC.4. Amended by P.L.28-2004, SEC.133.