

Lyon County to fine farmers for soil erosion

By MATT KELLEY

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Lyon County hopes to force landowners to stop soil erosion by fining those whose topsoil ends up in county ditches.

The northwest Iowa county's Board of Supervisors has adopted what is believed to be the state's first ordinance making soil erosion a crime.

After nearly a year of study, the board developed a law that is based on similar measures in Minnesota and Colorado, state and county officials said.

The law, which was adopted last month, allows the county to fine landowners whose "excessive loss" of topsoil affects county right-of-way. "Excessive loss" is determined by the Lyon County Soil Conservation District, and the fines increase every day that the soil loss continues unabated.

"It gives the county the opportunity to deal with soil loss, for enforcement with some teeth in it," said Lyon County Auditor Ken Mellema.

Mellema said he did not know the maximum fine that the county could levy in such a case. Lyon County Attorney Francis Honrath, who drafted the law, was out of town Tuesday and could not be reached for comment.

Bill Martin, a district conservationist, said the district calculates excessive soil loss by using the Universal Soil Loss Equation, which takes into account soil type, rainfall, land contours, farming methods and crops planted. The formula was scientifically developed and has been upheld by courts, he said.

Usually, excessive loss is defined as more than 5 tons of topsoil per acre per year, said David Dorff of the environmental division of the state attorney general's office. State law allows people affected by excessive soil loss to file a complaint with local conservation districts, which can force landowners to put conservation measures in place, Dorff said.

That wasn't happening in Lyon

EROSION

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