

# Comment Report

SF 455

A bill for an act relating to the regulation of topsoil and storm water at construction sites. (Formerly SF 34.)

Subcommittee Members: Stoltenberg-CH, Deyoe, Staed

Date: 03/23/2023

Time: 08:00 AM

Location: House Lounge 2

**Name:** Greg LeFevre



**Comment:** I am writing as a concerned citizen because I care greatly about water in Iowa as a resident and a parent who wants to give my young daughters healthy water. The bill concerns stormwater, and I am also offering my background and expertise in this area if it is a use to you or the committee. I have a PhD in Civil Engineering focused on stormwater management, and have 15 years of experience in this field and am now currently a engineering professor in Iowa (as my professional affiliation; I am writing as a concerned private citizen). I am thus very concerned about what this bill represents, and have a strong technical background in this area. I also know that you are on several relevant standing committees (environmental protection, natural resources, agriculture). This legislation could impede upon the importance of holding paramount the safety, health, and welfare of the public, which is the first canon of the code of ethics for the American Society of Civil Engineers. Importantly, it could limit growth of communities in Iowa because local governments would be limited in tools/ability to comply with existing regulations (e.g., Clean Water Act, MS4 permits for NPDES) as well as state initiatives that are supported by the DNR and IDALS like the Iowa Nutrient Reduction program. There are important differences between communities across the State, and thus it is very important that local communities be able to manage stormwater in a manner that fits their needs. Otherwise, there will be increased localized flooding risks and degradation of drinking water supplies. It is a much smarter investment to allow communities to manage stormwater effectively than to force buyouts in areas that are now flooded. Specifically related to SF455, the language would prevent cities and counties from having local topsoil requirements. We all know that soil health is key to our state's strong agricultural economy and having topsoil in developed areas also soaks up rain to prevent flooding and pollutant transport. Additionally, the language on the 5year flow rate is particularly concerning. The 5year existing condition runoff is almost always too high and the bill prevents flexibility. This will lead to serious downstream erosion of streams, and major impacts to downstream communities. Stormwater engineering has advanced significantly in the past decades, and many communities now specifically address "downstream" impacts; this bill would undermine that. It is recommended that the following language be added at the ends of S3074 lines #13 and 25: unless cities / counties can demonstrate by hydraulic analysis that lower flow rates are necessary in order to protect the public welfare downstream (eg. existing stormwater infrastructure capacity limitation, protection from property damage, addressing existing flooding problems, etc.) I therefore urge you to be wary of the unintended consequences of this bill (and vote against it), which would hobble local communities with regulatory responsibility without the local tools to implement best stormwater practices that are standard within the stormwater engineering world today. Future homeowners have a right to be able to move into a new home where they can actually grow plants and not have a flooded basement. I would be happy to talk to you in more detail or provide more information to you or your colleagues if you wish. I spoke via email with Sen. Weiner when this was in the senate committee

and she was able to make several helpful amendments, but overall this is still a very harmful bill for Iowa water and communities. Particularly places like Johnson County that are rapidly growing, enhanced stormwater management under local control is critical to sustainable growth.

**Name:** Jamie Knutson

**Comment:** I am writing to you today to urge you to vote No on the proposed legislation Senate File 455. The proposed bill would limit the ability of cities and counties to manage stormwater within their jurisdictions under the guise of making housing more affordable. In reality, the bill would have little to no impact on the affordability of housing, but would make it much harder for cities and counties to ensure that new development doesn't negatively impact our citizens in regards to flooding and drainage. Every community in Iowa has different needs and risks when it comes to flooding, infrastructure, and geography. The issue of stormwater is best addressed at the local level. Our existing stormwater infrastructure has already reached or exceeded capacity in many areas, and it will require tens of millions of dollars to fix those existing issues. Cities and counties need to be able to require that new developments and redevelopments adequately manage their stormwater in order to prevent these issues from worsening unnecessarily. If this bill passes, all of our citizens and all property owners will be forced to pick up the bill through higher stormwater fees or property taxes. We can all agree that affordable housing is an important issue that should be addressed, but it cannot be done at the expense of worsening flooding issues for existing property owners. This is an issue that is extremely important to our citizens, and is consistently brought forth when new developments are under review. Again, I urge you to vote No on the proposed legislation, and I hope that you will consider the future of the City of Waterloo and the State of Iowa if this legislation were to be passed. Please feel free to contact me at 3192914312, or [Jamie.Knutsonwaterlooia.org](http://Jamie.Knutsonwaterlooia.org) with any questions or if you would like to discuss this issue further. Sincerely, Jamie Knutson, PE  
City Engineer  
City of Waterloo



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Phone: (319) 291-4312   
CITYOFWATERLOOIA.COM 

March 22, 2023

The Honorable Luana Stoltenberg  
1007 E Grand Ave  
Des Moines, IA 50319

**RE: Senate File 455**

Dear Representative Stoltenberg,

I am writing to you today to urge you to vote "No" on the proposed legislation "Senate File 455". The proposed bill would limit the ability of cities and counties to manage stormwater within their jurisdictions under the guise of making housing more affordable. In reality, the bill would have little to no impact on the affordability of housing, but would make it much harder for cities and counties to ensure that new development doesn't negatively impact our citizens in regards to flooding and drainage. Every community in Iowa has different needs and risks when it comes to flooding, infrastructure, and geography. The issue of stormwater is best addressed at the local level.

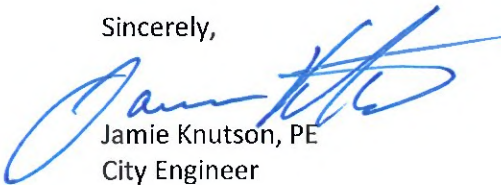
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We can all agree that affordable housing is an important issue that should be addressed, but it cannot be done at the expense of worsening flooding issues for existing property owners. This is an issue that is extremely important to our citizens, and is consistently brought forth when new developments are under review.

Again, I urge you to vote "No" on the proposed legislation, and I hope that you will consider the future of the City of Waterloo and the State of Iowa if this legislation were to be passed.

Please feel free to contact me at 319-291-4312, or [Jamie.Knutson@waterloo-ia.org](mailto:Jamie.Knutson@waterloo-ia.org) with any questions or if you would like to discuss this issue further.

Sincerely,



Jamie Knutson, PE  
City Engineer

cc: Dennis Gentz, PE, Assistant City Engineer  
Wayne Castle, PLS, PE, Associate Engineer  
Cameron Agan, Storm Water Specialist

