

# Senate Amendment 3200

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1 1 Amend House File 759, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by inserting before line 1, the  
1 4 following:  
1 5 <Section 1. Section 8A.321, subsection 7, Code  
1 6 2009, is amended by adding the following new  
1 7 paragraph:  
1 8 NEW PARAGRAPH. c. For real property projects  
1 9 beginning construction on or after July 1, 2013, a  
1 10 project must incorporate applicable storm water  
1 11 management standards adopted pursuant to section  
1 12 455B.277A.  
1 13 Sec. 2. NEW SECTION. 15A.5 ECONOMIC DEVELOPMENT  
1 14 FINANCIAL ASSISTANCE == STORM WATER MANAGEMENT  
1 15 STANDARDS.  
1 16 Financial assistance for economic development shall  
1 17 not be given for purposes of a vertical infrastructure  
1 18 project unless the project incorporates applicable  
1 19 storm water management standards adopted pursuant to  
1 20 section 455B.277A. For purposes of this section,  
1 21 "vertical infrastructure" means the same as defined in  
1 22 section 8.57, subsection 6, paragraph "c". This  
1 23 section applies to projects that begin construction on  
1 24 or after July 1, 2013.  
1 25 Sec. 3. Section 262.9, subsection 4, unnumbered  
1 26 paragraph 1, Code 2009, is amended to read as follows:  
1 27 Manage and control the property, both real and  
1 28 personal, belonging to the institutions. For any  
1 29 construction project beginning on or after July 1,  
1 30 2013, the project must incorporate applicable storm  
1 31 water management standards adopted pursuant to section  
1 32 455B.277A. The board shall purchase or require the  
1 33 purchase of, when the price is reasonably competitive  
1 34 and the quality as intended, soybean-based inks. All  
1 35 inks purchased that are used internally or are  
1 36 contracted for by the board shall be soybean-based to  
1 37 the extent formulations for such inks are available.>  
1 38 #2. Page 1, by inserting after line 29, the  
1 39 following:  
1 40 <Sec. \_\_\_\_\_. NEW SECTION. 455B.277A STORM WATER  
1 41 MANAGEMENT STANDARDS.  
1 42 1. By July 1, 2010, the department of natural  
1 43 resources, in cooperation with the department of  
1 44 agriculture and land stewardship, shall adopt storm  
1 45 water management standards designed to limit water  
1 46 runoff, reduce future flood damage, and improve water  
1 47 quality.  
1 48 2. All cities and counties shall adopt development  
1 49 standards to incorporate storm water management  
1 50 standards adopted pursuant to subsection 1 and limit  
2 1 development in a five hundred year floodplain, unless  
2 2 the development is designed to mitigate future flood  
2 3 damage, by the following dates:  
2 4 a. By July 1, 2015, for each city with a  
2 5 population of, and for each county whose largest city  
2 6 has a population of, more than two hundred thousand,  
2 7 according to the most recent federal decennial census.  
2 8 b. By July 1, 2013, for each city with a  
2 9 population of, and for each county whose largest city  
2 10 has a population of, one hundred thousand but not more  
2 11 than two hundred thousand, according to the most  
2 12 recent federal decennial census.  
2 13 c. By July 1, 2015, for each city with a  
2 14 population of, and for each county whose largest city  
2 15 has a population of, ten thousand but less than one  
2 16 hundred thousand, according to the most recent federal  
2 17 decennial census.  
2 18 d. By July 1, 2017, for each city with a  
2 19 population of, and for each county whose largest city  
2 20 has a population of, one thousand but less than ten  
2 21 thousand, according to the most recent federal  
2 22 decennial census.  
2 23 e. For each city with a population of less than  
2 24 one thousand, this subsection is not applicable.

2 25 3. A city or county shall not approve public  
2 26 funding or the use of tax increment financing for any  
2 27 project or development that does not conform to storm  
2 28 water management standards, by the following dates:  
2 29 a. On or after July 1, 2015, for each city with a  
2 30 population of, and for each county whose largest city  
2 31 has a population of, more than two hundred thousand,  
2 32 according to the most recent federal decennial census.  
2 33 b. On or after July 1, 2013, for each city with a  
2 34 population of, and for each county whose largest city  
2 35 has a population of, one hundred thousand but not more  
2 36 than two hundred thousand, according to the most  
2 37 recent federal decennial census.  
2 38 c. On or after July 1, 2015, for each city with a  
2 39 population of, and for each county whose largest city  
2 40 has a population of, ten thousand but less than one  
2 41 hundred thousand, according to the most recent federal  
2 42 decennial census.  
2 43 d. On or after July 1, 2017, for each city with a  
2 44 population of, and for each county whose largest city  
2 45 has a population of, one thousand but less than ten  
2 46 thousand, according to the most recent federal  
2 47 decennial census.  
2 48 e. For each city with a population of less than  
2 49 one thousand, this subsection is not applicable.

2 50 4. A city or county shall not approve public  
3 1 funding or the use of tax increment financing for any  
3 2 project or development within a five hundred year  
3 3 flood plain that is not designed to mitigate future  
3 4 flood damage, by the following dates:  
3 5 a. On or after July 1, 2015, for each city with a  
3 6 population of, and for each county whose largest city  
3 7 has a population of, more than two hundred thousand,  
3 8 according to the most recent federal decennial census.  
3 9 b. On or after July 1, 2013, for each city with a  
3 10 population of, and for each county whose largest city  
3 11 has a population of, one hundred thousand but not more  
3 12 than two hundred thousand, according to the most  
3 13 recent federal decennial census.  
3 14 c. On or after July 1, 2015, for each city with a  
3 15 population of, and for each county whose largest city  
3 16 has a population of, ten thousand but less than one  
3 17 hundred thousand, according to the most recent federal  
3 18 decennial census.  
3 19 d. On or after July 1, 2017, for each city with a  
3 20 population of, and for each county whose largest city  
3 21 has a population of, one thousand but less than ten  
3 22 thousand, according to the most recent federal  
3 23 decennial census.  
3 24 e. For each city with a population of less than  
3 25 one thousand, this subsection is not applicable.

3 26 5. If a county or city does not currently have an  
3 27 effective flood insurance rate map or flood hazard  
3 28 boundary map published by the federal emergency  
3 29 management agency that identifies a special flood  
3 30 hazard area within the political boundaries of the  
3 31 county or city, the county or city shall have sixty  
3 32 months from the effective date of any future flood  
3 33 insurance rate map or flood hazard boundary map  
3 34 published by the federal emergency management agency  
3 35 or the applicable time period for that county or city  
3 36 to implement the provisions of subsections 2, 3, and  
3 37 4, to comply with the requirements of this section,  
3 38 whichever period is longer.  
3 39 Sec. \_\_\_\_\_. Section 466A.2, subsection 2, paragraph  
3 40 c, Code 2009, is amended by adding the following new  
3 41 subparagraphs:  
3 42 NEW SUBPARAGRAPH. (8) Structures and conservation  
3 43 systems for the prevention and mitigation of floods  
3 44 within the watershed of the project.  
3 45 NEW SUBPARAGRAPH. (9) Removal of channels of  
3 46 waterways to allow waterways to meander.  
3 47 Sec. \_\_\_\_\_. Section 466B.1, Code 2009, is amended to  
3 48 read as follows:  
3 49 466B.1 SHORT TITLE.  
3 50 This chapter shall be known and may be cited as the  
4 1 "Surface Water Protection and Flood Mitigation Act".  
4 2 Sec. \_\_\_\_\_. Section 466B.3, subsection 3, Code 2009,  
4 3 is amended by adding the following new paragraph:  
4 4 NEW PARAGRAPH. d. Whether the potential for flood  
4 5 damage in each watershed in the state has been

4 6 reduced.

4 7 Sec. \_\_\_\_\_. Section 466B.3, subsection 4, paragraph

4 8 1, unnumbered paragraph 1, Code 2009, is amended to

4 9 read as follows:

4 10 The governor, who shall be the chairperson, or the

4 11 governor's designee. As the chairperson, and in order

4 12 to further the coordination efforts of the council,

4 13 the governor may invite representatives from any other

4 14 public agency, private organization, business, citizen

4 15 group, or nonprofit entity to give public input at

4 16 council meetings provided the entity has an interest

4 17 in the coordinated management of land resources, soil

4 18 conservation, flood mitigation, or water quality. The

4 19 governor shall also invite and solicit advice from the

4 20 following:

4 21 Sec. \_\_\_\_\_. Section 466B.3, subsection 4, Code 2009,

4 22 is amended by adding the following new paragraphs:

4 23 NEW PARAGRAPH. m. The dean of the college of

4 24 engineering at the university of Iowa or the dean's

4 25 designee.

4 26 NEW PARAGRAPH. n. The director of the rebuild

4 27 Iowa office or the director's designee, until June 30,

4 28 2011.

4 29 Sec. \_\_\_\_\_. Section 466B.3, subsection 6, paragraph

4 30 b, subparagraph (9), Code 2009, is amended to read as

4 31 follows:

4 32 (9) Review best available technologies on a

4 33 regular basis, so that investments of time and program

4 34 resources can be prioritized and directed to projects

4 35 that will best and most effectively improve water

4 36 quality and reduce flood damage within regional and

4 37 community subwatersheds.

4 38 Sec. \_\_\_\_\_. Section 466B.3, subsection 6, Code 2009,

4 39 is amended by adding the following new paragraph:

4 40 NEW PARAGRAPH. c. The council shall develop

4 41 recommendations for policies and funding promoting a

4 42 watershed management approach to reduce the adverse

4 43 impact of future flooding on this state's residents,

4 44 businesses, communities, and soil and water quality.

4 45 Policy and funding recommendations shall be submitted

4 46 to the governor and the general assembly no later than

4 47 November 15, 2009. The council shall consider

4 48 policies and funding options for various strategies to

4 49 reduce the impact of flooding including but not

4 50 limited to additional floodplain regulation; wetland

5 1 protection, restoration, and construction; the

5 2 promulgation and implementation of statewide storm

5 3 water management standards; conservation easements and

5 4 other land management; perennial ground cover and

5 5 other agricultural conservation practices; pervious

5 6 pavement, bioswales, and other urban conservation

5 7 practices; and permanent or temporary water retention

5 8 structures. In developing recommendations, the

5 9 council shall consult with hydrological and land use

5 10 experts, representatives of cities, counties, and soil

5 11 and water conservation districts, and other urban and

5 12 regional planning experts.

5 13 Sec. \_\_\_\_\_. Section 466B.4, subsection 1, Code 2009,

5 14 is amended by adding the following new paragraph:

5 15 NEW PARAGRAPH. e. The land in watersheds and

5 16 flood plains should be managed to reduce flooding,

5 17 reduce flood damage, ameliorate the effects of

5 18 drought, improve water quality, improve habitat and

5 19 the natural environment, increase renewable energy

5 20 production, and enhance economic and recreational

5 21 opportunities.>

5 22 #3. Title page, line 1, by inserting after the

5 23 word <Act> the following: <relating to the management

5 24 of water, including adoption of storm water management

5 25 standards,>.

5 26 #4. Title page, line 3, by inserting after the

5 27 word <program> the following: <and relating to

5 28 regional watershed, land use, and floodplain

5 29 management policies>.

5 30 #5. By renumbering as necessary.

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