

# House File 756 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HSB 194)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to regional watershed, land use, and floodplain  
2 management policies.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1725HV 83  
5 da/rj/8

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1 1 Section 1. Section 466A.2, subsection 2, paragraph c, Code  
1 2 2009, is amended by adding the following new subparagraphs:  
1 3 NEW SUBPARAGRAPH. (8) Structures and conservation systems  
1 4 for the prevention and mitigation of floods within the  
1 5 watershed of the project.  
1 6 NEW SUBPARAGRAPH. (9) Removal of channels of waterways to  
1 7 allow waterways to meander.  
1 8 Sec. 2. Section 466B.1, Code 2009, is amended to read as  
1 9 follows:  
1 10 466B.1 SHORT TITLE.  
1 11 This chapter shall be known and may be cited as the  
1 12 "Surface Water Protection and Flood Mitigation Act".  
1 13 Sec. 3. Section 466B.3, subsection 3, Code 2009, is  
1 14 amended by adding the following new paragraph:  
1 15 NEW PARAGRAPH. d. Whether the potential for flood damage  
1 16 in each watershed in the state has been reduced.  
1 17 Sec. 4. Section 466B.3, subsection 4, paragraph 1,  
1 18 unnumbered paragraph 1, Code 2009, is amended to read as  
1 19 follows:  
1 20 The governor, who shall be the chairperson, or the  
1 21 governor's designee. As the chairperson, and in order to  
1 22 further the coordination efforts of the council, the governor  
1 23 may invite representatives from any other public agency,  
1 24 private organization, business, citizen group, or nonprofit  
1 25 entity to give public input at council meetings provided the  
1 26 entity has an interest in the coordinated management of land  
1 27 resources, soil conservation, flood mitigation, or water  
1 28 quality. The governor shall also invite and solicit advice  
1 29 from the following:  
1 30 Sec. 5. Section 466B.3, subsection 4, Code 2009, is  
1 31 amended by adding the following new paragraphs:  
1 32 NEW PARAGRAPH. m. The dean of the college of engineering  
1 33 at the university of Iowa or the dean's designee.  
1 34 NEW PARAGRAPH. n. The director of the rebuild Iowa office  
1 35 or the director's designee.  
2 1 NEW PARAGRAPH. o. The director of the Leopold center for  
2 2 sustainable agriculture or the director's designee.  
2 3 NEW PARAGRAPH. p. The director of the center for energy  
2 4 and environmental education of the university of northern  
2 5 Iowa, or the director's designee.  
2 6 Sec. 6. Section 466B.3, subsection 6, paragraph b,  
2 7 subparagraph (9), Code 2009, is amended to read as follows:  
2 8 (9) Review best available technologies on a regular basis,  
2 9 so that investments of time and program resources can be  
2 10 prioritized and directed to projects that will best and most  
2 11 effectively improve water quality and reduce flood damage  
2 12 within regional and community subwatersheds.  
2 13 Sec. 7. Section 466B.3, subsection 6, Code 2009, is  
2 14 amended by adding the following new paragraph:  
2 15 NEW PARAGRAPH. c. The council shall develop  
2 16 recommendations for policies and funding promoting a watershed  
2 17 management approach to reduce the adverse impact of future

2 18 flooding on this state's residents, businesses, communities,  
2 19 and soil and water quality. Policy and funding  
2 20 recommendations shall be submitted to the governor, the  
2 21 general assembly, and the rebuild Iowa office not later than  
2 22 November 15, 2009. The council shall consider policies and  
2 23 funding options for various strategies to reduce the impact of  
2 24 flooding including but not limited to additional flood plain  
2 25 regulation; wetland protection, restoration, and construction;  
2 26 conservation easements and other land management; perennial  
2 27 ground cover and other agricultural conservation practices;  
2 28 pervious pavement, bioswales, and other urban conservation  
2 29 practices; and permanent or temporary water retention  
2 30 structures. In developing recommendations, the council shall  
2 31 consult with the rebuild Iowa office, hydrological and land  
2 32 use experts, representatives of cities, counties, and soil and  
2 33 water conservation districts, and other urban and regional  
2 34 planning experts.

2 35 Sec. 8. Section 466B.4, subsection 1, Code 2009, is  
3 1 amended by adding the following new paragraph:

3 2 NEW PARAGRAPH. e. The land in watersheds and flood plains  
3 3 should be managed to reduce flooding, reduce flood damage,  
3 4 ameliorate the effects of drought, improve water quality,  
3 5 improve habitat and the natural environment, increase  
3 6 renewable energy production, and enhance economic and  
3 7 recreational opportunities.

3 8 EXPLANATION

3 9 GENERAL. This bill provides for the management of  
3 10 watersheds by two bodies: the watershed improvement review  
3 11 board (board) under Code chapter 466A, and the water resources  
3 12 coordinating council (council) under Code chapter 466B.

3 13 BOARD == WATERSHED IMPROVEMENT GRANTS. Currently the board  
3 14 is authorized to finance local watershed improvement projects  
3 15 in order to enhance the management and use of water for a  
3 16 variety of purposes relating to drinking, agriculture,  
3 17 recreation, sport, and economic development. The bill  
3 18 authorizes the board to finance the installation of structures  
3 19 for the prevention and mitigation of floods and the removal of  
3 20 channels to allow waterways to meander.

3 21 COUNCIL == WATER RESOURCE PROGRAMS. Currently, the council  
3 22 is composed of a number of state officials whose agencies are  
3 23 interested in agriculture, natural resources, economic  
3 24 development, financing, transportation, public health, or  
3 25 education. The bill adds as members the dean of the college  
3 26 of engineering at the university of Iowa, the director of the  
3 27 rebuild Iowa office, the director of the Leopold center for  
3 28 sustainable agriculture, and the director for the center for  
3 29 energy and environmental education of the university of  
3 30 northern Iowa, or their designees.

3 31 The purpose of the council is to preserve and protect  
3 32 Iowa's water resources, and to coordinate the management of  
3 33 those resources in a sustainable and fiscally responsible  
3 34 manner. The bill requires the council to develop  
3 35 recommendations for policies and funding to reduce the adverse

4 1 impact of future flooding.

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