

MINUTES

Watershed Planning Advisory council
September 22, 2010

Location:

Metro Waste Authority
1st Floor Conference Room
300 E. Locust Street
Des Moines, Iowa 50309

Member Attendance:

Organization	Member Name or Delegate
House of Representatives Seat 1	John Beard
Iowa Drainage District Association	Vicki Stoller
Iowa Environmental Council	Linda Kinman
Iowa Soybean Assoc.	Roger Wolf
Department of Natural Resources	Bill Ehm
Iowa Conservation Alliance Seat 1	Jeremy Rosonke
Iowa Association of Business and Industry	Scott Ickes
Department of Agriculture and Land Stewardship	Chuck Gipp
Iowa Rural Water Association	Emily Piper
Iowa Corn Growers Association	Gary Edwards
Iowa Farm Bureau Federation	Rick Robinson
Iowa Pork Producers Council	Jeff Schnell
Soil and Water Conservation Districts of Iowa	Darrel Weems
House of Representatives Seat 2	Betty DeBoef
Growing Green Communities	Tom Hadden
Iowa Association of Municipal Utilities	John Dunn (absent)
Iowa League of Cities	Jessica Hyland Harder (absent)
Iowa Water Pollution Control Association	Jay Brady (absent)
Iowa Conservation Alliance Seat 2	Rich Meyer (absent)
Senate Seat 1	Dick Dearden (absent)
Senate Seat 2	David Johnson (absent)

Guests: Sara Hatch (EPA), Deb Kozel (LSA), Diane Karnish (USACE), Annette Mansheim (RIO), Allen Bonini (DNR), Bill Freeland (House Caucus), Dan Narber (IDED), Marty Adkins (USDA-NRCS)

I. Call to Order, Tom Hadden, Chair

II. Welcome & Introductions

III. Approve Agenda

Moved by Linda Kinman to approve September 22, 2010, meeting agenda, seconded by Chuck Gipp. Motion carried unanimously by voice vote.

IV. Approve Minutes

Moved by Bill Ehm, to approve minutes of the August 30, 2010, Watershed Planning Advisory Council, seconded by Linda Kinman. Motion carried 14 yes, 1 No (Rick Robinson)

Rick Robinson requested that the minutes reflect more discussion going forward.

V. Incorporating Flood Mitigation into Subcommittee

Rick Robinson reported that the minutes of August 30, 2010, do not reflect discussion regarding the sharing of information with the Watershed Planning Advisory Council (WPAC) from the Iowa Smart Planning Task Force about flood issues. The intent was not to incorporate flood issues into this group (WPAC), or at least wait until the Iowa Smart Planning Task Force was done and then review their recommendation. Rick Robinson was concerned that other groups were assigned flood mitigation and it may be a duplication of efforts.

Discussion

- Legislation House File 2459, specifically added in flood mitigation.
 - Section 1, paragraph 1, states assure an adequate supply of water, mitigate and prevent floods, and coordinate the management of those resources in a sustainable, fiscally responsible, and environmentally responsible manner. The advisory council may seek input from councils of governments or other organizations in the development of its recommendations.
- Suggestion was given for WPAC to receive information of what other groups are doing regarding flood issues.
- Attain report from RIO regarding flood activities (Jessica). WPAC to listen to their report and think how it relates to watershed issues. Water Quality will probably dominate discussions, but WPAC should listen to all discussions and think through how to reflect that specific charge (Flooding) in the legislative report.
- Provide speakers from RIO and Flood Center to give status updates and provide information on funding plan. This would help to decide what role WPAC plays.

VI. 2009 WRCC Recommendations

Bill Ehm and Chuck Gipp gave updates on the six primary recommendations that came from the Watershed Quality Planning Task Force.

(1) Creation of a Water Resource Coordinating Council.

The Water Resource Coordinating Council (WRCC) has a common goal to develop an integrated approach to water resource management, and recognizing the insufficiency of current approaches, programs, practices, funding and utilization of current funding programs. This approach seeks to overcome old polarities such as quantity versus quality, land versus water, the chemical versus the physical and biological, supply versus demand, political versus hydrological, and point versus non-point. This approach seeks to manage water comprehensively rather than compartmentally. The purpose of this recommendation is to coordinate programs, not to duplicate or supersede agency authorities and responsibilities. No recommendations for funding.

Bill presented a brief recap of the meetings that have been held. The idea was to have the WRCC meet quarterly. Bill noted that representatives of the WRCC are working with the Corps of Engineers to develop a comprehensive plan for the Iowa-Cedar river basin including a website.

Bill reported the Flood Plain Task Force was a group of several hundred people who participated in various meetings in Des Moines as well as statewide, and came up with 25 different recommendations. The group was chaired by Bill Ehm and Chuck Gipp.

Chuck provided an overview of the Flood Plain Task Force recommendations. As a result of these recommendations that the WRCC provided the Legislature on November 15, 2009, a couple of items became law:

- HF2459 authorized the establishment of Demonstration Pilot projects and Watershed Management Authorities. Refer to Attachment A for legislative language on HF2459.
- HF2531 added flooding issues to the existing authorization of the WRCC to provide watershed education and marketing and encouraged the formation of a flood plain managers association. Refer to Attachment B for legislative language on HF2531.

Iowa has received \$84 million from HUD for flood mitigation. Iowa has determined to utilize \$10 million of that amount to carry out the purposes of the above mentioned items.

Expected Distribution of Funds HF2459

- Funding of \$8.8 million is needed for the Iowa Flood Center at the University of Iowa to coordinate establishment of one or more watershed demonstration Pilot projects.
- Funding of \$800,000 is needed to coordinate establishment of at least three Watershed Management Authorities on a Pilot basis. These were authorized in HF2459 and eventually hope to see them established statewide. Their creation is more likely once models exist. This funding should be directed to the DNR with authority to contract with local entities, such as COGs for coordination services.

Expected Distribution of Funds HF2531

- A total of \$400,000 is needed for education efforts, \$300,000 to the DNR for distribution to ISU Extension, and others as listed in HF2531, Sections 127 and 129.
- \$100,000 to DNR for distribution to the Iowa Flood Plain and Stormwater Management Association for startup needs including office support, fundraising, and educational curriculum.

(2) Conduct a Water Quality Research & Marketing Campaign.

The Task Force recommends a social marketing campaign be undertaken by public agencies and other organizations to rekindle the conservation ethic in all Iowans. Surveys indicate citizens' desire for improvement in water quality. Other surveys show that citizens don't understand the problems with local water quality. Funding recommendation \$1million for year one development.

Bill reported that nothing has been done here, however, with the \$84 million in HUD money that is coming to Iowa for flood plain mitigation, \$400,000 has been preliminarily allocated to education and marketing to satisfy the requirements of HF 2531.

(3) Larger Watershed Assessment, Planning & Prioritization.

The state should support creating, publishing and updating periodically a Regional Watershed Assessment (RWA) program at a larger watershed scale, such as the Hydrologic Unit Code (HUC) 8 scale. There are approximately 56 HUC 8 size watershed units delineated in Iowa. A goal is to assess 11 HUC 8 size watersheds per year for 5 years to eventually cover entire state. The Rapid Watershed Assessment tool used by Iowa NRCS, for example, is one assessment process that may be used. A regular review and update of these assessments should also be planned. Funding Recommendation \$5 million.

Bill indicated that the thrust here has been converting data to information. Marty Adkins reported on the progress that NRCS has made in developing their Rapid Watershed Assessment documents. They have done a good share of the HUC-8 basins within the state. Bill reported on the Regional Watershed Assessments that DNR has completed for nutrients, the progress on the one designed to assess flood risk (near completion), and the one on the water quality index. Handouts were shared; Nutrient RWA report, FP RWA report.

(4) Smaller Watershed Assessment, Planning, Prioritization & Implementation.

Once a regional watershed assessment is completed at the HUC 8 scale, planned projects of a manageable scope can be implemented. Priority sub-watersheds at HUC 12 or smaller should be recruited and provided more resources for planning. A sub-watershed plan should include objectives, a thorough local assessment of the physical, social, and financial resources of the watershed, an analysis of the alternatives, and an implementation plan that includes an evaluation process to measure results. Funding Recommendation is \$5 million.

Bill described the process of determining the HUC-8 watersheds that were chosen for the Mississippi River Basin Initiative, and the process that took place to determine the HUC-12 watersheds that were chosen in implementing the initiative. Chuck Gipp provided an overview of the HUC-12 watershed projects that were initiated with funding provided by I-Jobs.

(5) Support for Smaller Watershed Monitoring and Measurement.

In addition to current support for water monitoring, the state should provide additional support for locally-based watershed monitoring and measurement. This monitoring would be custom designed to provide information on essential water resource questions facing the local community. Local communities would first be able to use this information to support enhanced planning, and local data collection that help them identify priority areas to target limited resources. Funding recommendation \$500,000.

Bill reported the DNR has placed additional emphasis on monitoring in 319 funded projects. The 319 projects have monitoring that is designed by the monitoring section, and is funded at the \$200,000/\$300,000 level. Monitoring is designed to begin two years prior to any implementation and will continue for five years beyond the life of the project.

(6) Wastewater and Stormwater Treatment Infrastructure Gap Analysis.

The DNR should lead an effort to identify and prioritize the sewered and unsewered communities that present the greatest water quality and health risks. Once identified, the Iowa Department of Economic Development (IDED), the IDNR, and Cities should then

develop a comprehensive “Gap Analysis” to determine the financial and technical needs of communities and funds available. No recommendation for funding.

Bill reported that nothing has been done in this category beyond the initial identification of unsewered communities that was done several years ago.

VII. Sign-up for Subcommittee Work

The Chair reviewed the three proposed subcommittee assignments. Darrell Weems was added to subcommittee (1), and Tom Hadden and Jeff Schnell were added to subcommittee (2). Proposed subcommittee (4) “Flooding” was tabled until decision is reached whether to take an integrated approach. Subcommittees’ broke out in group sessions to determine their goals. *Refer to attached subcommittee assignments.*

VIII. Written Draft of December 2010 Report for Review at November Meeting

The Chair reported a representative from each subcommittee will be part of the small group who will meet to begin writing of the report to the Legislature. A meeting date will be determined. The final report will be submitted to the Legislature December 1, 2010.

IX. October 2010 – April 2011 Meeting

The Chair encouraged subcommittee groups to meet on their own between now and the next general WPAC meeting. Subcommittees’ can begin the writing process of what they want to include in the report to the Legislature that pertains to their specific charge(s).

Subcommittee (1) will meet October 18 to discuss strategies of areas already identified and decide what to include in the report.

WPAC members were encouraged to suggest other meeting presenters. Other groups on the list to present are RIO and the Flood Center.

The small group consisting of subcommittee leads; Tom Hadden, Rick Robinson, Bill Ehm, and Roger Wolf, will meet in addition to their subcommittee meetings to discuss the legislative report and help structure the meetings.

Action: *Tom Hadden will work with his subcommittee to schedule their next meeting.*

Action: *Subcommittee (3) requested more information about the Cedar/Iowa planning process. Bill Ehm will contact appropriate people to present.*

Action: *Tom Hadden will contact Cathy Kling of ISU to speak at the next WPAC meeting.*

Action: *Bill Ehm to provide Chair with contact information for RIO and the Flood Center.*

Action: *Design template of final legislative report.*

Action: *Establish protocol for subcommittees.*

X. Next Meeting

Consensus was reached that WPAC meetings will begin at 10:00 a.m.

Action: *An email notification will be sent to WPAC members to confirm the November meeting date. Tentative meeting date discussed; November 18. Include member list in email.*

Action: Determine future quarterly meeting schedule.

Attachment A

From HF2459

Sec. 2. NEW SECTION. 466B.11 Watershed demonstration pilot projects.

The department of natural resources and the department of agriculture and land stewardship, in collaboration with the United States department of agriculture's natural resources conservation service and the Iowa flood center established pursuant to section 466C.1, and in cooperation with the council, shall seek funding to plan, implement, and monitor one or more watershed demonstration pilot projects for urban and rural areas involving a twelve-digit hydrologic unit code subwatershed as defined by the United States geological survey. The pilot projects shall include features that seek to do all of the following:

1. Maximize soil water holding capacity from precipitation.
2. Minimize severe scour erosion and sand deposition during floods.
3. Manage water runoff in uplands under saturated soil moisture conditions.
4. Reduce and mitigate structural and nonstructural flood damage.

Sec. 3. NEW SECTION. 466B.21 Definitions.

As used in this subchapter, unless the context otherwise requires:

1. "Authority" means a watershed management authority created pursuant to a chapter 28E agreement as provided in this subchapter.

2. "Board" means a board of directors of a watershed management authority.

3. "Political subdivision" means cities, counties, and soil and water conservation districts.

Sec. 4. NEW SECTION. 466B.22 Watershed management authorities created.

1. Two or more political subdivisions may create, by chapter 28E agreement, a watershed management authority pursuant to this subchapter. The participating political subdivisions must be located in the same United States geological survey hydrologic unit code 8 watershed. All political subdivisions within a watershed must be notified within thirty days prior to organization of any watershed management authority within the watershed, and provided the opportunity to participate.

2. The chapter 28E agreement shall include a map showing the area and boundaries of the authority.

3. A political subdivision may participate in more than one authority created pursuant to this subchapter.

4. A political subdivision is not required to participate in a watershed management authority or be a party to a chapter 28E agreement under this subchapter.

Sec. 5. NEW SECTION. 466B.23 Duties.

A watershed management authority may perform all of the following duties:

1. Assess the flood risks in the watershed.
2. Assess the water quality in the watershed.
3. Assess options for reducing flood risk and improving water quality in the watershed.

4. Monitor federal flood risk planning and activities.

5. Educate residents of the watershed area regarding water quality and flood risks.

6. Allocate moneys made available to the authority for purposes of water quality and flood mitigation.

7. Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain.

Sec. 6. NEW SECTION. 466B.24 Board of directors.

1. An authority shall be governed by a board of directors. Members of a board of directors of an authority shall be divided among the political subdivisions comprising the authority and shall be appointed by the respective political subdivision's elected legislative body.

2. A board of directors shall consist of one representative of each participating political subdivision. This subsection shall not apply if a chapter 28E agreement under this subchapter provides an alternative board composition method.

3. The directors shall serve staggered terms of four years. The initial board shall determine, by lot, the initial terms to be shortened and lengthened, as necessary, to achieve staggered terms. A person appointed to fill a vacancy shall be appointed in the same manner as the original appointment for the duration of the unexpired term. A director is eligible for reappointment. This subsection shall not apply if a chapter 28E agreement under this subchapter provides an alternative for the length of term, appointment, and reappointment of

directors.

4. A board may provide procedures for the removal of a director who fails to attend three consecutive regular meetings of the board. If a director is so removed, a successor shall be appointed for the duration of the unexpired term of the removed director in the same manner as the original appointment. The appointing body may at any time remove a director appointed by it for misfeasance, nonfeasance, or malfeasance in office.

5. A board shall adopt bylaws and shall elect one director as chairperson and one director as vice chairperson, each for a term of two years, and shall appoint a secretary who need not be a director.

6. A majority of the membership of a board of directors shall constitute a quorum for the purpose of holding a meeting of the board. The affirmative vote of a majority of a quorum shall be necessary for any action taken by an authority unless the authority's bylaws specify those particular actions of the authority requiring a greater number of affirmative votes. A vacancy in the membership of the board shall not impair the rights of a quorum to exercise all the rights and perform all the duties of the authority.

Sec. 7. NEW SECTION. 466B.25 Activities coordination.

In all activities of a watershed management authority, the authority may coordinate its activities with the department of natural resources, the department of agriculture and land stewardship, councils of governments, public drinking water utilities, and soil and water conservation districts.

ATTACHMENT B

From HF2531

Sec. 127. Section 466B.4, subsection 2, Code Supplement

2009, is amended to read as follows:

2. Marketing campaign. The water resources coordinating council shall develop a marketing campaign to educate Iowans about the need to take personal responsibility for the quality and quantity of water in their local watersheds. The emphasis of the campaign shall be that not only is everyone responsible for clean water, but that everyone benefits from it as well, and that everyone is responsible for and benefits from reducing the risk for flooding and mitigating possible future flood damage. The goals of the campaign shall be to convince Iowans to take personal responsibility for clean water and reducing the risk of flooding and to equip them with the tools necessary to effect change through local water quality improvement projects and better flood plain management and flood risk programs.

Sec. 129. NEW SECTION. 466B.13 Flood education.

The Iowa state university agricultural extension service, the council, and agency members of the council shall, to the extent feasible, work with flood plain and hydrology experts to educate the general public about flood plains, flood risks, and basic flood plain management principles. This educational effort shall include developing educational materials and programs in consultation with flood plain experts.

Sec. 128. NEW SECTION. 466B.12 Flood plain managers.

The council shall encourage and support the formation of

a chapter of the association of state flood plain managers in Iowa that would provide a vehicle for local flood plain managers and flood plain planners to further pursue professional educational opportunities.

Watershed Planning Advisory Council

Sub-Committee #1

(Watershed Quality Task Force Legislative Charges)

(a) Improving and sustaining water quality;

(c) Facilitating implementation of existing programs

Lead: Rick Robinson

Agency Represented

Sub-Committee Member

Iowa Environmental Council

Linda Kinman

USGS

Greg Nalley

Iowa Rural Water Association

Emily Piper

Iowa Farm Bureau Federation

Rick Robinson

Iowa Conservation Alliance Seat 1

Jeremy Rosonke

Soil and Water Conservation Districts of IA

Darrell Weems

Senate Seat 1

Senator Dick Dearden

House of Representatives Seat 1

Representative John Beard

Watershed Planning Advisory Council

Sub-Committee #2

(Watershed Quality Task Force Legislative Charges)

(b) Creating economic incentives for compliance;

(d) Providing incentives for the development of pollution control quantification protocols and procedures

Lead: Bill Ehm

Agency Represented

Sub-Committee Member

Dept. of Natural Resources

Bill Ehm

Iowa Association of Business and Industry

Scott Ickes

Growing Green Communities

Tom Hadden

Iowa Pork Producers Council

Jeff Schnell

Watershed Planning Advisory Council

Sub-Committee #3

(Watershed Quality Task Force Legislative Charges)

(e) Providing greater flexibility through community- based, non-regulatory and performance-driven watershed management

Lead: Roger Wolf

Agency Represented

Sub-Committee Member

Iowa Corn Growers Association

Gary Edwards

Dept. of Agriculture and Land Stewardship

Chuck Gipp

Iowa Drainage District Association

Vicki Stoller

Iowa Soybean Association

Roger Wolf

House of Representatives Seat 2

Representative Betty DeBoef

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