

NOTICE OF MEETING

Des Moines Area Metropolitan Planning Organization (MPO) Environment Roundtable

—
1:00 p.m., Tuesday, February 14, 2017
Des Moines Area MPO Burnham Conference Room
TENTATIVE AGENDA

1. **Introductions**
2. **REPORT & DISCUSSION: Bird Friendly Iowa**
 - Representatives from Iowa Natural Heritage Foundation and Iowa Audubon will present the new Bird Friendly Iowa program including criteria for the Bird Friendly City designation.
3. **REPORT & DISCUSSION: State Legislation**
 - MPO staff have been monitoring several key pieces of legislation. Staff will discuss and gather feedback on the following:

Water Quality

[SF110](#) – Water quality checkoffs by commodity promotion organizations. This bill would require a commodity organization to establish a separate state assessment for water quality and soil conservation, if approved by a majority of its members at a referendum.

[HF117](#) relates to the issuance of a property tax levy by a county for flood and erosion control projects. The law currently authorizes a county to levy a property tax not to exceed 6.75 cents per \$1,000 of assessed value of all agricultural lands in the county with the revenue available for flood and erosion control, including land acquisition. The bill would allow the tax to be applied to all taxable property in the county.

Plastic Bag Ban (in Minimum Wage Preemption Bill)

This is part of [HSB92](#), which is primarily about freezing the minimum wage and prohibiting local governments from passing higher minimum wages. The bill also includes language that would prohibit a city or county from passing stricter laws on the sale or packaging of consumer merchandise. This provision would effectively prohibit cities and counties from passing ordinances banning the use of plastic bags.

Environmental Funding Programs

Several bills have been introduced relating to Natural Resources and Outdoor Recreation Trust Fund. The trust fund was established by an amendment to the Iowa Constitution in 2010. Current law states that the trust would be funded by an 0.375 percent increase to the state sales tax rate; this increase has not occurred since the trust fund was established. [SF167](#) and [SF14](#) would both increase the state sales tax by 0.375 percent and provides for the transfer of the added revenues to the trust fund. [SF14](#) also includes funding provisions related to the SAVE educational fund.

Two alternatives to the funding model set up in current state law have been proposed. [HJR5](#) is a proposed amendment to the Iowa Constitution that would change the funding mechanism of the trust fund. The amendment would require 3/40 of the state sales tax revenues remaining after transfers required for the SAVE fund and statewide school infrastructure funding to be credited to the fund. [HF76](#) would place the ability to fund natural resources and outdoor recreation in the hands of local governments by allowing a city or county to increase their maximum local option sales tax from 1 percent to 1.375 percent provided that revenue generated from the additional 0.375 percent is placed in a special fund used only for natural resources and outdoor recreation projects as described in the bill.

[HF106](#) would amend the current allocation of funds to accounts within the Iowa Resources Enhancement and Protection (REAP) Fund. If passed, the current allocation of 28 percent of REAP funds to the open spaces account would be reduced to 9 percent, and the current allocation of 9 percent of funds to the state land management account would be increased to 28 percent.

Transfer of Development Rights

[HSB60](#) would allow cities and counties to allow, regulate, and restrict the transfer of development rights. Under the bill, a city or county can establish development rights for estates in land, which are declared to be severable and separately conveyable from the property in fee simple from which the development rights are derived. Individual conveyances of development rights would be subject to approval by the city council or board of supervisors. Development rights would be allowed to cross jurisdictional boundaries if those political subdivisions are parties to an intergovernmental agreement that specifically permits the conveyance of development rights across political boundaries and provides for the approval of each transfer. This bill could benefit environmental protection by allowing the development rights of environmentally sensitive areas (depending on their zoning) or areas that are targeted to be sites for regional stormwater detention to be transferred elsewhere, thereby reducing the pressure for development at those sites.

Transportation Funding

[SF184](#) and [HF203](#) are identical bills that would allow the Iowa Transportation Commission, after consultation with stakeholders including regional planning affiliations (RPA), metropolitan planning organizations (MPO), the Iowa State Association of Counties, and the Iowa League of Cities, to transfer funds from the state primary road fund to cities and counties in exchange for federal funds that would otherwise be allocated to counties and cities. While the bill does not specify more details, the Iowa Department of Transportation (DOT) has publicly stated that the MPO and RPA transportation planning and programming process would continue and that each community would be able to decide whether to transfer funds on a project by project basis. The DOT also has stated the state-federal funding exchange would be on a dollar-for-dollar basis. Supporters argue the bill would benefit local communities by reducing federal regulations that accompany federal funds, including environmental review and prevailing wage requirements. However, opponents are concerned the bill would lower wages for Iowa workers and also with the potential environmental ramifications associated with eliminating the NEPA process some projects would otherwise go through if federal funds were used.

4. **Other Non-Action Items of Interest to the Committee**
5. **Next Meeting Date**
 - March 14, 2017, at 1:00 PM, Des Moines Area MPO office.
6. **Adjournment**