

MINUTES
OF THE
NATURAL RESOURCE COMMISSION
MEETING

APRIL 12, 2012

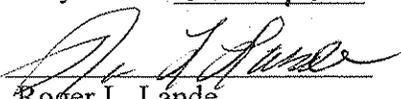
HELD AT:

IOWA DEPARTMENT OF NATURAL RESOURCES
HENRY WALLACE STATE OFFICE BUILDING
502 EAST 9TH STREET
DES MOINES, IA 50319

For Office Use Only

Date Minutes Approved By NRC: 5/10/12

Director's Signature:


Roger L. Lande
Director

RECORD COPY

File Name: ADM 1-1-1

NRC MINUTES

Sender's initials: KR

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MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by the NRC Chair, Greg Drees, on 04/12/12 at 9:30 a.m.

COMMISSIONER ATTENDANCE

Present

Gregory Drees, Chairperson
Richard (Kim) Francisco
Dr. Sally Prickett
Janelle Rettig
Dennis Schemmel, Secretary
Margo Underwood, Vice-Chair

Absent

Conrad Clement

PUBLIC PARTICIPATION

Senator Dick Dearden – waterfowl seasons
Bill Smith – waterfowl seasons
Frank Berlin – waterfowl seasons
Jeff Gudenkauf – waterfowl seasons
Jim Petersen – waterfowl seasons
Don Christensen – waterfowl seasons
Bill Van Orsdel – waterfowl seasons
Rick Zimmerman – waterfowl seasons
Jim Goodman – waterfowl seasons
Ryan Maas – waterfowl seasons
Ed Thiele – waterfowl seasons
Michael Kleinvolterinh – waterfowl seasons
Matt McVeigh – waterfowl seasons
Craig Lusthoff – waterfowl seasons
Larry Kleinwolterink – waterfowl seasons
George Milligan – waterfowl seasons
John Goode – waterfowl seasons
Chris Green – waterfowl seasons
Craig Kaufman – waterfowl seasons (Bill Smith read email from Craig Kaufmann)
Jeremy Rosonke – waterfowl seasons (Jeff Gudenkauf read email for Jeremy Rosonke)
Wayne Nielsen – waterfowl seasons
Dick Hutmacher – waterfowl seasons
Stuart Maas – waterfowl seasons

1. APPROVAL OF AGENDA

Division Administrator requested consideration for the Commission to move item 21 to after item 6 in coordination with the other rules.

Motion – Commissioner Francisco moved approval of the agenda and consent items and move item 21 after item 6.

Seconded – Commissioner Prickett
Decision – Approved by Unanimous Vote

CARRIED AS AMENDED

2. APPROVE MINUTES OF 03/08/12 NRC PUBLIC MEETING

Motion – Commissioner Underwood
Seconded – Commissioner Rettig, noting for the record she left the 03/08/12 prior to meeting adjournment.
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

3. DIRECTOR’S REMARKS

Director Lande - Optimistic our upcoming public comments will be spirited and productive. Staff will present prior to the public speaking. Recommend asking public speakers to assign one speaker with Deputy Director Gipp recommended keeping comments to the issue and not directed to board personnel.

Deputy Director Gipp reported the budget is pending in the legislature and provided a summary of Department options depending on the final budget. Bills have passed and rules are moving through the process.

4. NOTICE OF INTENDED ACTION – CHAPTER 91 - WATERFOWL AND COOT HUNTING SEASONS

The Commission is requested to approve the Notice of Intended Action – Chapter 91 - Waterfowl and Coot Hunting Seasons. Chapter 91 sets the rules and regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. The proposed amendments make annual adjustments to the season dates to comply with federal regulations and to ensure the seasons are open on weekends. The amendments change the state from two zones with two seasons to a statewide zone with three seasons. The advantage of the change to one zone is that it is easier for hunters to understand while the three seasons allow hunter to be afield during most of October and November, which is when surveys show that hunters would prefer to hunt. It also keeps the five-day September duck season, which is also when hunters prefer to hunt. Finally, it gives hunters an option to hunt later in December. The desire for these late-season opportunities was the most challenging to accomplish since the actual places where there is open water and ducks to hunt in December are not geographically connected. The three season structure allows hunters to hunt in any area where there are ducks still around or to travel to those areas if they choose to do so. The amendments also reduce the size of areas closed to Canada goose hunting and permit landowner hunting in all Canada goose closed hunting zones.

Chapter 91, Waterfowl and Coot Hunting Seasons – NOIA

NATURAL RESOURCE COMMISSION [571]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 481A.38, 481A.39, and 481A.48 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 91, “Waterfowl and Coot Hunting Seasons,” Iowa Administrative Code.

Chapter 91 sets the rules and regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting.

The proposed amendments make annual adjustments to the season dates to comply with federal regulations and to ensure the seasons are open on weekends. The amendments change the state from two

zones with two seasons to a statewide zone with three seasons. The advantage of the change to one zone is that it is easier for hunters to understand while the three seasons allow hunter to be afield during most of October and November which is when surveys

show that hunters would prefer to hunt. It also keeps the five-day September duck season which is also when hunters prefer to hunt. Finally it gives hunters an option to hunt later in December. The desire for these late-season opportunities was the most challenging to accomplish since the actual places where there is open water and ducks to hunt in December are not geographically connected. The three season structure allows hunters to hunt in any area where there are ducks still around or to travel to those areas if they choose to do so.

The amendments also reduce the size of areas closed to Canada goose hunting and permit landowner hunting in all Canada goose closed hunting zones.

After analysis and review of this rule making, no impact on jobs has been found. Of course, hunting has a general positive economic impact to the state of Iowa, therefore positive impact to the jobs market as well. These proposed changes will do nothing to alter that positive economic impact.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 23, 2012. Written comments may be directed to Wildlife Bureau Chief, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by E-mail at wildlife@dnr.iowa.gov; or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the Wildlife Bureau by telephone at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2012, at 1 p.m. in the auditorium on the second floor of the Wallace State Office Building. At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, and 481A.48. The following amendments are proposed.

ITEM 1. Amend subrules 91.1(1) through 91.1(3) as follows:

91.1(1) Zone boundaries. The north duck hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast to Woodbury County Road D38, east to Woodbury County Road K45, southeast to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The south duck hunting zone is the remainder of the state. The state is not divided into zones for duck hunting. Season dates are applied statewide.

91.1(2) Season dates - north zone Statewide. For all ducks: September 17 22 through September 21 26 and October 15 13 through November 27 and December 8 through December 16.

91.1(3) Season dates - south zone. For all ducks: September 17 through September 21 and October 22 through December 15. Reserved.

ITEM 2. Amend subrules 91.3 (1) through 91.3(3) as follows:

91.3(1) Zone boundaries. The north goose hunting zone is that part of Iowa north of a line beginning on the South Dakota-Iowa border at Interstate 29, southeast to Woodbury County Road D38, east to Woodbury County Road K45, southeast to State Highway 175, east to State Highway 37, southeast to State Highway 183, northeast to State Highway 141, east to U.S. Highway 30, and along U.S. Highway 30 to the Iowa-Illinois border. The south goose hunting

zone is the remainder of the state. The state is not divided into zones for goose hunting. Season dates are applied statewide.

91.3(2) Season dates - north zone Statewide. Canada geese and brant: September 24 29 through October 9 7 and October 15 13 through January 4, 2012 9, 2013. White-fronted geese: September 24 29 through October 7 and October 13 through December 6 16. Light geese (white and blue-phase snow geese and Ross' geese): September 24 29 through January 8, 2012 13, 2013.

91.3(3) Season dates - south zone. Canada geese and brant: October 2 1 through October 17 16 and October 23 22 through January 12, 2011 11, 2012. White-fronted geese: October 2 1 through December 12 11. Light geese (white and blue-phase snow geese and Ross' geese): October 2 1 through January 14, 2011 13, 2012. Reserved.

ITEM 3. Amend subrules 91.3(7) and 91.3(9) through 91.3(11) as follows:

91.3(7) Light goose conservation order season. Only light geese (white and blue-phase snow geese and Ross' geese) may be taken under a conservation order from the U.S. Fish and Wildlife Service from January 14, 2012 2013, through April 15, 2012 2013.

91.3(9) Cedar Rapids/Iowa City goose hunting zone.

a. Season dates. September 3 1 through September 11 9.

91.3(10) Des Moines goose hunting zone.

a. Season dates. September 3 1 through September 11 9.

91.3(11) Cedar Falls/Waterloo goose hunting zone.

a. Season dates. September 3 1 through September 11 9.

ITEM 4. Amend subrule 91.4(2) paragraphs "d", "i", "m", "n", and "o" as follows:

91.4(2) *Canada geese.* There shall be no open season on Canada geese in certain areas described as follows:

d. Area four. Portions of Winnebago and Worth Counties bounded as follows: Beginning at the junction of U.S. Highway 69 and County Road 105 in the city of Lake Mills; thence east along County Road 105 (including the right-of-way and all other road right-of-ways identified in this description) approximately 5 2 miles to Dogwood Apple Ave.; thence south along Dogwood Apple Ave. to 440th 448th St.; thence east two and one-fourth miles on 440th 448th St. to Cardinal Ave.; thence south one-fourth mile to 445th St.; thence east one-fourth mile to Cedar Ave.; thence south one-half mile on Cedar Ave. to the intersection of Cedar Ave. and 440th St.; thence south one half mile across the north half of section 16, township 99 north, range 22 west, to the intersection of Cedar Avenue and 435th Street; Dove Ave.; thence south on Dove Ave. one-half mile to 435th St.; thence east one-fourth mile on 435th St. to Dove Ave.; thence south on Dove Ave. to County Road A34; thence east one mile on County Road A34 (also named 430th St.) to Evergreen Ave.; thence south one mile to 420th St.; thence west along 420th St. to Cedar Ave.; thence south one-half 2 miles along Cedar Ave. to Lake St.; thence west one-fourth mile along Lake St. to Front St.; thence southeast one-half mile along Front St. to County Road A38 (also named 410th St.); thence west along County Road A38 to County Road R74 (also named 225th Ave.); thence north along County Road R74 to 420th St.; thence west along 420th St. to County Road R72 (also named 210th Ave.) 220th Ave.; thence north along County Road R72 to U.S. Highway 69; thence east along U.S. Highway 69 220th Ave. to 430th Street; then west along 430th Street one-half mile; thence north one mile across section 15, township 99 north, range 23 west, to the intersection of 440th Street and 215th Ave.; then north one-fourth mile on 215th Ave. to 445th Street; thence east and northeast on 445th Street to South 12th Avenue West in Lake Mills; thence east on South 12th Avenue West to South Lake Street; thence north on South Lake Street to point of beginning.

i. Area nine. Portions of Monona and Woodbury Counties bounded as follows: For the portion in Monona County, beginning at the junction of County Road K42 and 120th Street; thence south along County Road K42 (including the right-of-way and all other road right-of-ways identified in this description) approximately 4 miles; thence south on Berry Avenue approximately 1 mile to 170th Street; thence east along 170th Street to Cashew Cork Avenue; thence south north along Cashew Cork Avenue to 190th Street; thence east along 190th Street to County Road K45; thence north and northwest

approximately 7.2 miles along Monona County Road K45 to 120th Street; thence west along 120th Street to the point of beginning; and for the portion in Woodbury County, beginning at the junction of County Road K45 K42 and State Highway 141 Interstate 29; thence northwest along County Road K45 Interstate 29 approximately 6 miles to the intersection with Woodbury County Road K25; thence west approximately 3.2 miles along Woodbury County Road K25 to the intersection with Port Neal Road; thence continuing along the same westerly line approximately 1 mile on the north border of section 6, township 86 north, range 47 west, to the center of the Missouri River; thence southerly along the Missouri River channel approximately 8 miles to a point where 340th Street meets the Iowa-Nebraska state line on the Missouri River except that portion of Nebraska lying on the east side of the Missouri River; thence east to and along 340th Street approximately 5.5 miles to County Road K42; thence north and east along County Road K42 approximately 2.5 1.5 miles to the point of beginning.

m. Area thirteen. Portions of Van Buren County bounded as follows: Beginning at the junction of Hawk Drive and State Highway 98; thence east and south along Hawk Drive (including the right-of-way and all other road right-of-ways identified in this description) to Lark Avenue; thence north along Lark Avenue to 170th Street; thence east along 170th Street to State Highway 1; thence south along State Highway 1 to State Highway 2; thence west along State Highway 2 to County Road V56; thence north along County Road V56 to County Road J40; thence east along County Road J40 to County Road V64; thence north along County Road V64 to State Highway 98; thence north along State Highway 98 to the point of beginning. Beginning at the junction of State Highway 2 and State Highway 1; then west on State Highway 2 to County Road V64 (including the right-of-way and all other road right-of-ways identified in this description); thence north on County Road V64 to County Road J40; thence east on County Road J40 to State Highway 1; thence south on State Highway 1 to the point of beginning.

n. Area fourteen. Portions of Bremer County bounded as follows: Beginning at the intersection of County Road V56 Tahoe Ave. and 140th Street (also named State Highway 93) (also named 140th Street); thence south along County Road V56 Tahoe Ave. (including the right-of-way and all other road right-of-ways identified in this description) to County Road C33; thence west along County Road C33 to Navaho Avenue; thence north along Navaho Avenue to State Highway 93; thence west along State Highway 93 to U.S. Highway 63; thence north 7.3 miles along U.S. Highway 63 to the Bremer-Chickasaw County line; thence east 3 miles along the Bremer-Chickasaw County line road to Oakland Avenue; thence south along Oakland Avenue to 120th Street; thence east along 120th Street to Piedmont Avenue; thence south along Piedmont Avenue to 140th Street; thence east along 140th Street for 2 miles and continuing on a similar east line for 2 more miles along the north borders of Sections 28 and 29, township 93 north, range 12 west, to County Road V5C (also named 140th Street); thence east about one-half mile on County Road V5C to which becomes State Highway 93, thence east on State Highway 93 to the point of beginning.

o. Area fifteen. Portions of Butler County bounded as follows: Beginning at the junction of State Highway 14 and 245th Street; thence south along State Highway 14 (including the right-of-way and all other road right-of-ways identified in this description) to 280th Street; thence west along 280th Street for 3 miles; continuing on a similar westerly line along the south borders of sections 31, 32, 33 and 33 32, township 91 north, range 17 west,; thence west along 280th Street for 1.5 miles to Evergreen Avenue; thence north along Evergreen Avenue to 270th Street; thence east along 270th Street to Forest Avenue; thence north along Forest Avenue to 230th Street; thence east along 230th Street to Fir Avenue; thence north along Fir Avenue to 225th Street; thence east along 225th Street to County Road T25 (also named Hickory Avenue); thence south north along County Road T25 to 230th Street; thence east along 230th Street to Jackson Avenue; thence south along Jackson Avenue to 240th Street; thence east along 240th Street to Jackson Avenue; thence south on Jackson Avenue to 245th Street; thence east along 245th Street to the point of beginning.

ITEM 5. Amend subrule 91.5(1) as follows:

91.5(1) Closed areas. Area one (Emmet Co.), Area two (Clay and Palo Alto Cos.), Area three (Dickinson Co.), Area four (Winnebago and Worth Cos.), Area eleven (Jackson Co.), and Area fifteen (Butler Co.) as All areas described in subrule 91.4(2).

ITEM 6. Amend subrule 91.6(481A) as follows:

571—91.6(481A) Youth waterfowl hunt. A special youth waterfowl hunt will be held on October 1 6 and 2, 2011 7, 2012 statewide. in the north duck hunting zone and October 8 and 9, 2011, in the south duck hunting zone. Youth hunters must be residents of Iowa as defined in Iowa Code section 483A.1A and less than 16 years old. Each youth hunter must be accompanied by an adult 18 years old or older. The youth hunter does not need to have a hunting license or stamps. The adult must have a valid hunting license and habitat stamp if normally required to have them to hunt and a state waterfowl stamp. Only the youth hunter may shoot ducks and coots. The adult may hunt for any other game birds for which the season is open. The daily bag and possession limits are the same as for the regular waterfowl season, as defined in rule 571—91.1(481A). All other hunting regulations in effect for the regular waterfowl season apply to the youth hunt.

Motion – Commissioner Francisco moved to open the item for discussion and public comments.

Seconded – Commissioner Schemmel

Public comments accepted (refer to public comment section of meeting)

Discussion – Commissioners and staff discussed alternate season and zone options to the NOIA.

Motion - Commissioner Francisco moved to reject the Notice of Intended Action as proposed.

Seconded - Commissioner Prickett

Discussion – Commissioners and staff discussed benefits of proposed NOIA and altnerate options.

Comissioner Francisco summarized the amount of time the commissioners spent reviewing information from the public, holding a special teleconference to discuss the issue, and the complexities and details evaluated to arrive at their current recommendations on the rule.

Roll call vote to reject proposed NOIA:

Commissioner Francisco, aye

Commissioner Prickett, aye

Commissioner Rettig, aye

Commissioner Schemmel, aye

Commissioner Underwood, aye

Commissioner Drees, nay

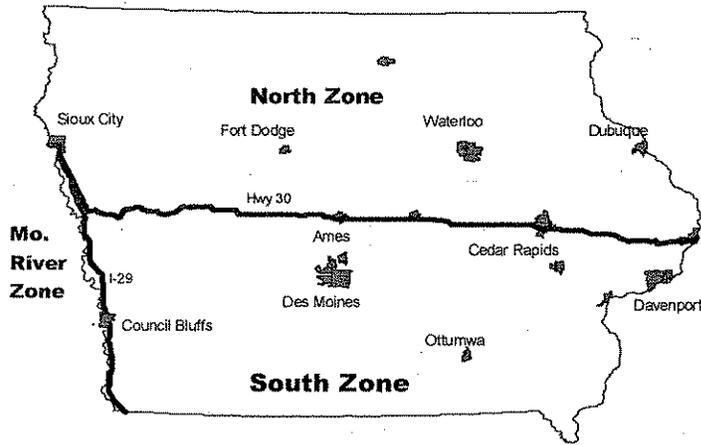
Decision – proposed NOIA rejected

Motion - Commissioner Francisco moved to accept Option 2 for the NOIA.

Seconded – Commissioner Rettig

Discussion – summary of seasons and dates for Option 2:

	NORTH ZONE*	SOUTH ZONE*	MO RIVER ZONE*
Ducks, Mergansers and Coots	Sept. 22 – 26 Oct. 13 – Dec. 6	Sept. 22 – 26 Oct. 20 – Dec. 13	Sept. 22 – 26 Oct. 27 – Dec. 20
Youth Waterfowl Hunting Days	Oct. 6 – 7	Oct. 13 – 14	Oct. 20 – 21
Canada geese and Brant	Sept. 29 – Jan. 4, 2013	Oct. 6 – Jan. 11, 2013	Oct. 13 – Jan. 18, 2013
White-fronted geese	Sept. 29 – Dec. 11	Oct. 6 – Dec. 18	Oct. 13 – Dec. 25
Light Geese (white and blue phase snow geese and Ross' geese)	Sept. 29 – Jan. 13, 2013	Oct. 6 - Jan. 18, 2013	Oct. 13 - Jan. 18, 2013



Roll call vote accept Option 2 for the NOIA:

- Commissioner Francisco, aye
- Commissioner Prickett, aye
- Commissioner Rettig, aye
- Commissioner Schemmel, aye
- Commissioner Underwood, aye
- Commissioner Drees, nay

Decision – Approved as amended

CARRIED AS AMENDED

5. NOTICE OF INTENDED ACTION – CHAPTER 106 - DEER HUNTING BY RESIDENTS

The Commission is requested to approve the Notice of Intended Action – Chapter 106, Deer Hunting by Residents. Chapter 106 gives the regulations for deer hunting by residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements. The proposed amendments do the following:

1. Close the November antlerless season;
2. Remove four counties from the January antlerless season and reduce the length of the January season by one week;
3. Restrict hunters who purchase one of the 7,500 paid any-sex early muzzleloader licenses from also purchasing a paid antlerless license during either the first or second regular gun season;
4. Specify changes in quota numbers in 21 counties for antlerless deer licenses.

These changes are being proposed for the following reasons:

1. In 2005, the November season was added and the January antlerless season was lengthened in an attempt to reduce deer numbers, but these changes are no longer needed to reach the Department of Natural Resources’ (Department’s) objectives for the deer population. Thus, the November season is being removed and the January season is being shortened by one week.
2. In 2011 the 7,500 quota for the muzzleloader season filled in less than four days. Restricting hunters who obtain an early muzzleloader season from also obtaining an antlerless license for the shotgun season will make hunters choose which season they prefer. In 2004 and before, hunters had to choose which season to participate in and the muzzleloader season took three weeks or longer to fill. Thus, the

proposed change will allow those hunters who prefer to hunt only during the muzzleloader season a better opportunity to do so.

3. The reduction proposed is 13,000 but 5,000 of those went unissued in 2011. The changes to the antlerless quotas are designed to stabilize deer numbers in 20 counties where deer numbers have been reduced to the Department's goals and to increase the kill in one county so that deer numbers are reduced to the Department's goals more quickly there.

Notice of Intended Action – Chapter 106 - Deer Hunting by Residents

NATURAL RESOURCE COMMISSION [571]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24, and 483A.24B, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

Chapter 106 gives the regulations for deer hunting by residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

The proposed amendments do the following:

1. Close the November antlerless season;
2. Remove four counties from the January antlerless season and reduce the length of the January season by one week;
3. Restrict hunters who purchase one of the 7,500 paid any-sex early muzzleloader licenses from also purchasing a paid antlerless license during either the first or second regular gun season;
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These changes are being proposed for the following reasons:

1. In 2005, the November season was added and the January antlerless season was lengthened in an attempt to reduce deer numbers, but these changes are no longer needed to reach the Department of Natural Resources' (Department's) objectives for the deer population. Thus, the November season is being removed and the January season is being shortened by one week.

2. In 2011 the 7,500 quota for the muzzleloader season filled in less than four days. Restricting hunters who obtain an early muzzleloader season from also obtaining an antlerless license for the shotgun season will make hunters choose which season they prefer. In 2004 and before, hunters had to choose which season to participate in and the muzzleloader season took three weeks or longer to fill. Thus, the proposed change will allow those hunters who prefer to hunt only during the muzzleloader season a better opportunity to do so.

3. The changes to the antlerless quotas are designed to stabilize deer numbers in 20 counties where deer numbers have been reduced to the Department's goals and to increase the kill in one county so that deer numbers are reduced to the Department's goals more quickly there.

This rule will have a positive impact on job creation in Iowa. Iowa's deer season brings in \$200 million in economic activity to the state annually, spurring private sector job creation (plus, maintaining existing jobs). The following types of jobs are positively impacted by the deer season: hunting equipment retailers (weapons, ammo, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; plus restaurants, hotels, and gas stations that serve hunters traveling around the state.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 23, 2012. Written comments may be directed to Wildlife Bureau Chief, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by E-mail at wildlife@dnr.iowa.gov; or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the Wildlife Bureau by telephone at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2012, at 1 p.m. in the auditorium on the second floor of the Wallace State Office Building. At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and request specific accommodations.

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24, and 483A.24B.

The following amendments are proposed.

ITEM 1. Amend subrule 571—106.1(5) (481A) as follows:

106.1(5) *November antlerless-deer-only licenses.* Only antlerless-deer-only licenses, paid or free, will be issued for the November antlerless-deer-only season. Free antlerless-deer-only licenses shall be available only for the portion of the farm unit located in a county where paid antlerless-deer-only licenses are available during that season. Reserved.

ITEM 2. Amend subrule 571—106.1(7) (481A) as follows:

106.1(7) *Free and reduced-fee deer licenses for landowners and tenants.* A maximum of one free any-deer license, two free antlerless-deer-only licenses, and two reduced-fee antlerless-deer-only licenses may be issued to a qualifying landowner or eligible family member and a qualifying tenant or eligible family member. Eligibility for licenses is described in 571—106.12(481A). The free any-deer license shall be available for one of the following seasons: the youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, or first and second regular gun seasons. One free antlerless-deer-only license shall be available for one of the following seasons: youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, or first and second regular gun seasons, or November antlerless-deer-only season. The second free antlerless-deer-only license shall be valid only for the January antlerless-deer-only season and will be available only if a portion of the farm unit lies within a county where paid antlerless-deer-only licenses are available during that season. Each reduced-fee antlerless-deer-only license shall be valid for one of the following seasons: youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, first and second regular gun seasons, November antlerless-deer-only season or January antlerless-deer-only season. January antlerless-deer-only licenses will be available only if a portion of the farm unit is located in a county where paid antlerless-deer-only licenses are available in that season.

ITEM 3. Amend subrule 571—106.2(4) (481A) as follows:

106.2(4) *November antlerless-deer-only season.* Antlerless deer may be taken for three days beginning the Friday after Thanksgiving. Reserved.

ITEM 4. Amend subrule 571—106.2(5) (481A) as follows:

106.2(5) *January antlerless-deer-only season.* Antlerless deer may be taken from January 11 through the third second following Sunday.

ITEM 5. Amend subrule 571—106.4(4) (481A) as follows:

106.4(4) *November antlerless-deer-only season.* The bag and possession limits and the tagging requirements are the same as for the regular gun seasons. Reserved.

ITEM 6. Amend subparagraph 571—106.6(2)"b" (481A) as follows:

106.6(2)"b". No one may obtain paid licenses for both the first regular gun season and second regular gun season regardless of whether the licenses are valid for any deer or antlerless deer only. Paid antlerless-deer-only licenses for the early muzzleloader season may only be purchased by hunters who have already purchased one of the 7,500 paid statewide any-deer licenses. Hunters who purchase one of the 7,500 paid statewide any-deer licenses for

the early muzzleloader season may not obtain paid antlerless licenses for the first or second regular gun seasons.

ITEM 7. Amend subparagraph 571—106.6(3)"b" (481A) as follows:

106.6(3) November antlerless-deer-only season. Antlerless-deer-only licenses for the November antlerless-deer-only season shall be available in the following counties: Adair, Adams, Allamakee, Appanoose, Cass, Clarke, Clayton, Dallas, Davis, Decatur, Des Moines, Fayette, Fremont, Guthrie, Harrison, Henry, Jasper, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Page, Polk, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Winneshiek, and Woodbury. Beginning the second Saturday prior to the opening of the November antlerless-deer-only season, an unlimited number of paid antlerless-deer-only licenses may be purchased for the November antlerless-deer-only season. These licenses may be obtained regardless of any other paid any-deer or paid antlerless-deer-only licenses that may have been obtained. Licenses will be sold until county quotas are filled. Licenses issued for this season are valid only on private property. Reserved.

ITEM 8. Amend subrule 571—106.6(4) (481A) as follows:

106.6(4) January antlerless-deer-only licenses. Antlerless-deer-only licenses for the January antlerless-deer-only season shall be available in the following counties: Adair, Adams, Allamakee, Appanoose, Cass, Clarke, Clayton, Dallas, Davis, Decatur, Des Moines, Fayette, Fremont, Guthrie, Harrison, Henry, Jasper, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Page, Polk, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Winneshiek, and Woodbury. Beginning December 15, an unlimited number of paid antlerless-deer-only licenses may be purchased for the January antlerless-deer-only season. These licenses may be obtained regardless of any other paid any-deer or paid antlerless-deer-only licenses that may have been obtained.

ITEM 9. Amend subrule 106.6(6) as follows:

106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	2400	Floyd	0	Monona	2500
Adams	1950	Franklin	0	Monroe	3000
Allamakee	4500	Fremont	1500	Montgomery	1300
Appanoose	3300	Greene	150	Muscatine	1700 1175
Audubon	100	Grundy	0	O'Brien	0
Benton	1000 650	Guthrie	3300	Osceola	0
Black Hawk	0	Hamilton	100	Page	1800
Boone	650	Hancock	0	Palo Alto	0
Bremer	700 1000	Hardin	200	Plymouth	100
Buchanan	250	Harrison	2500	Pocahontas	0
Buena Vista	0	Henry	2000 1025	Polk	1500
Butler	0	Howard	350	Pottawattamie	2100
Calhoun	0	Humboldt	0	Poweshiek	650 500
Carroll	100	Ida	0	Ringgold	2600
Cass	1300	Iowa	1200 775	Sac	0
Cedar	1300 1025	Jackson	1800 1250	Scott	800 500
Cerro Gordo	0	Jasper	1700	Shelby	400

County	Quota	County	Quota	County	Quota
Cherokee	0	Jefferson	2150	Sioux	0

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Chickasaw	450	Johnson	2000 1400	Story	500
Clarke	2500	Jones	1500 975	Tama	650 500
Clay	0	Keokuk	1900	Taylor	2650
Clayton	5800 3200	Kossuth	0	Union	2100
Clinton	1200 825	Lee	2500 1400	Van Buren	5400
Crawford	300	Linn	1900 1300	Wapello	2150
Dallas	2700	Louisa	1500 850	Warren	4200
Davis	3600	Lucas	2800	Washington	2250
Decatur	2800	Lyon	0	Wayne	3000
Delaware	1550 975	Madison	4000	Webster	100
Des Moines	2000 900	Mahaska	1350	Winnebago	0
Dickinson	0	Marion	2250	Winneshiek	3500
Dubuque	2000 1375	Marshall	500	Woodbury	2500
Emmet	0	Mills	1350	Worth	0
Fayette	2500 1650	Mitchell	0	Wright	0

ITEM 10. Amend subrule 106.7(4) as follows:

106.7(4) *November antlerless-deer-only season.* Bows, shotguns, muzzleloaders and handguns as described in this rule may be used. Reserved.

ITEM 11. Amend rule 106.9 as follows:

106.9 Transportation tag. A transportation tag bearing the license number of the licensee, year of issuance, and date of kill properly shown shall be visibly attached to one leg of each antlerless deer or on the main beam between two points, if present, on one of the antlers of an antlered deer in such a manner that the tag cannot be removed without mutilating or destroying the tag. This tag shall be attached to the carcass of the deer within 15 minutes of the time the deer carcass is located after being taken or before the carcass is moved to be transported by any means from the place where the deer was taken, whichever occurs first. No person shall tag a deer with a transportation tag issued to another person or with a tag that was purchased after the deer was taken. During the youth/disabled hunter season, bow season, early muzzleloader season and late muzzleloader season, the hunter who killed the deer must tag the deer by using the transportation tag issued in that person's name. During the first and second regular gun seasons and the November and January antlerless-deer-only seasons, anyone present in the hunting party may tag a deer with a tag issued in that person's name. This tag shall be proof of possession and shall remain affixed to the carcass until such time as the animal is processed for consumption. The head, and antlers if any, shall remain attached to the deer while being transported by any means whatsoever from the place where taken to the processor or commercial preservation facility or until the deer has been processed for consumption.

Motion – Commissioner Underwood
Seconded – Commissioner Schemmel
Discussion – Staff responded that, biologically, Wildlife would like to see the original proposal, however this is an acceptable compromise.
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

6. NOTICE OF INTENDED ACTION – CHAPTER 108, MINK, MUSKRAT, RACCOON, BADGER, OPOSSUM, WEASEL, STRIPED SKUNK, FOX (RED AND GRAY), BEAVER, COYOTE, RIVER OTTER, BOBCAT, GRAY (TIMBER) WOLF AND SPOTTED SKUNK SEASONS

The Commission is requested to approve the Notice of Intended Action – Chapter 108, Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons. Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers. The proposed amendments increase the quota for bobcats from 350 to 450 and increase the quota for river otters from 650 to 850. Both populations appear capable of sustaining the increased harvest.

Chapter 108, Furbearers – NOIA

NATURAL RESOURCE COMMISSION [571]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, 481A.90, and 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons” Iowa Administrative Code.

Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers. The proposed amendments increase the quota for bobcats from 350 to 450 and increase the quota for river otters from 650 to 850. Both populations appear capable of sustaining the increased harvest.

Increasing the quota for bobcats and river otters will have a positive job impact on the State by increasing overall trapping activity, which inherently requires additional supplies from the private sector: hunting and trapping gear, clothing, other related equipment, and potentially increased business to restaurants, hotels, and gas stations as people move around the state participating in the sport.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 23, 2012. Written comments may be directed to the Iowa Department of Natural Resources, Wildlife Bureau Chief, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by E-mail at wildlife@dnr.iowa.gov; or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the Wildlife

Bureau by telephone at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2012, at 1 p.m. in the auditorium on the second floor of the Wallace State Office Building. At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, and 481A.90.

The following amendments are proposed.

ITEM 1. Amend subrule 571—108.7(3) (481A) as follows:

108.7(3) *Quotas and seasonal bag limit.*

a. Seasonal bag limit. The seasonal bag limit is 3 river otters and 1 bobcat per person.

b. Quotas. The quota for the number of river otters that may be taken is 650 850 statewide. The quota for the number of bobcats that may be taken is 350 450 in the open area. The season shall end for river otters when the number of river otters trapped, as determined by the harvest reporting system, reaches the quota. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches the quota. Trappers shall be allowed a grace period that ends on midnight of the day after the quota is reached to clear their traps of river otters or bobcats. River otters

or bobcats found in traps during the grace period may be kept even though the quota is exceeded provided that the trapper has not reached the trapper's personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper shall not be penalized.

Motion – Commissioner Francisco
 Seconded – Commissioner Schemmel
 Decision – Commissioners Drees, Francisco, Prickett, Schemmel, and Underwood – aye;
 Commissioner Rettig – nay
 Decision – Approved

CARRIED AS PRESENTED

7. HONEY CREEK RESORT STATE PARK UPDATE

Geoff Baekey, CHM Central Group Companies Vice President, and Andy Woodrick, Honey Creek Resort General Manager, presented information on budget, marketing, public relations.

INFORMATION ONLY

***8. CONTRACT WITH DALE HELGELAND, IOWA HABITAT AND ACCESS PROGRAM PROJECT**

Commission approval is requested for a 3 year-service contract with Dale Helgeland of Leland, IA. The contract would begin on April 13, 2012 and terminate on May 31, 2015. The total amount of this contract shall not exceed \$67,997.00. DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period. Dale Helgeland enrolled 295 acres into the Iowa Habitat and Access Program. With that enrollment the landowner agreed to allow the DNR to improve the habitat quantity and quality on 295 acres. This work will complement the resources the landowner will receive through the federal Conservation Reserve Program. The contract cost was determined using standardized “Not to Exceed” rates that have been developed for each practice that is eligible for IHAP funding. This contract will be funded through Iowa Code section 483A.3B(3)/Iowa Habitat and Access Program.

CARRIED UNDER CONSENT AGENDA

9. LAND ACQUISITION PROJECTS

9.1 RICE LAKE WMA – WINNEBAGO CO., WALTER JOHNSON TRUST

The Natural Resource Commission is requested to approve the acquisition of a tract of land located two miles east of Leland. The Walter J. Johnson Trust is offering the 95.26-acre tract for the appraised amount of \$97,500.00. Licensed appraiser, Fred Greder of Benchmark Agribusiness, Mason City, Iowa submitted the appraisal. The purchase agreement was negotiated by Jerry Gibson. The subject tract has 94.05 acres of land that is encumbered by a WRP easement; and 1.02 acres of vacated road right-of-way. The restored tract will contain 8 acres of marsh/wetlands; 8 acres of restored wetlands, and approximately 78 acres of land seeded to native prairie species. The tract will provide excellent habitat for nesting waterfowl, wild turkeys, pheasants, and other upland game. The land has several public areas within two miles of its boundaries. There are no buildings. Access to the tract is via the vacated road right-of-way on the eastern boundary. Acquisition funding will be Wildlife Habitat Stamp-NAWCA Match (100%). The property will remain on the property tax rolls. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the land acquisition.

Motion – Commissioner Prickett
 Seconded – Commissioner Francisco
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

9.2 GREEN ISLAND – JACKSON CO., KUNAU

The Natural Resource Commission is requested to accept the donation of 1.5 acres in Jackson County, Iowa. The 1.5 acre donation is offered by Marie Kunau of Maquoketa. The donation is being facilitated by Jerry Gibson. The tract consists of 1.5 acres of marsh/wetlands that is located approximately 25 miles northeast of Maquoketa adjacent to the Green Island Wildlife Management Area. Conveyance of the tract to the DNR would establish a new, well-defined boundary in an area that DNR staff and the public have had difficulties distinguishing the boundary of public land. It would also allow DNR to manage the area for maximum wetland potential. The area offers excellent winter cover for wildlife; potential for expanding artificial nest structures; and protection for the backwaters of the Mississippi River. Incidental closing and survey costs will be the responsibility of the Department. No fencing costs are anticipated. Staff recommends approval of the land acquisition.

Motion – Commissioner Rettig
 Seconded – Commissioner Schemmel
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

9.3 BUFFALO CREEK WMA – BUCHANAN CO., PRUSS

The Natural Resource Commission is requested to approve the acquisition of a tract of land located 20 miles North of Marion, and 7 miles west of Ryan. This 25.01-acre parcel is offered by the Grace E. Pruss Revocable Trust for \$25,000.00. The subject tract is encumbered with a Wetlands Reserve Program easement. Jerry Gibson negotiated the purchase agreement in compliance with Title 49 CFR Part 24 which allows the acquisition agent to negotiate without an appraisal from a value of \$10,000 to \$25,000 with the landowners waiving an appraisal.

The property consists of twenty acres of marsh/wetlands and five acres of native prairie seeding. Access to the subject tract will be from the eastern boundary that is adjacent to the Buffalo Creek WMA. The area provides cover for upland and migratory birds, wild turkey, and deer. There are no buildings. Acquisition funding will be 100% Wildlife Habitat Stamp and thus the property will remain on the property tax rolls for Buchanan County. The NRCS has surveyed and provided a description of the tract, so there will be no surveying expense. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the land acquisition.

Motion – Commissioner Underwood
 Seconded – Commissioner Francisco
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

***10. LAND MANAGEMENT PROJECTS**

***10.1 SCHAEFER NATURAL AREA – BLACK HAWK CO. – MANAGEMENT AGREEMENT**

The Natural Resource Commission's approval is requested for a management agreement with the Black Hawk County Conservation Board and the DNR. This agreement authorizes the Black Hawk County Conservation Board to manage Schaefer Natural Area through 2037. The agreement covers approximately 58 acres of native prairie and grassy areas located adjacent to land the County already manages. The area is only accessible from the Cedar Valley Nature/Bike trail, which the County manages. The County desires to manage the area. Staff recommends approval of the agreement.

CARRIED UNDER CONSENT AGENDA

***10.2 MISSISSIPPI RIVER – SCOTT CO. – LINWOOD MINING & MINERALS**

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, a new lease with Linwood Mining & Minerals Corporation for a portion of the riverbed of the Mississippi River. The lease area consists of 450 feet of river frontage by 65 feet of depth, located at River Mile 475.2 in Section 24, Township 77 North, Range 2 East, Scott County. The site is used to load aggregate onto barges. The leased area is occupied by a barge load-out area with three 10' diameter piers. The proposed lease will be for a five year period. The annual fee is \$2,700.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The administrative fee is \$486.00. Staff recommends issuance of the lease agreement.

CARRIED UNDER CONSENT AGENDA

***10.3 MISSISSIPPI RIVER – MUSCATINE CO. – MUSCATINE POWER AND WATER**

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, renewal of a lease with Muscatine Power and Water of Muscatine, Iowa for a portion of the riverbed of the Mississippi River. The lease area consists of 1,100 feet of river frontage by 200 feet of depth, located at River Mile 453.0, Muscatine County. It is within the city of Muscatine but immediately downstream of that portion of the riverbed owned by the city. The site is used for unloading of coal for use to generate electricity by the company's adjacent generating station. The leased area is occupied by an unloading conveyor structure and 11 mooring cells. The site has been under lease since 1980. The proposed lease will be for a five year period. The annual fee is \$11,550.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The administrative fee is \$2070.00. Staff recommends approval of the lease agreement.

CARRIED UNDER CONSENT AGENDA

***10.4 MISSISSIPPI RIVER – SCOTT CO. – WALTER MARINE ENTERPRISE**

The Natural Resource Commission is requested to approve, for submission to the Iowa Executive Council for final approval, a new lease with Walter Marine Enterprise, Inc. for a portion of the riverbed of the Mississippi River. The lease area consists of 200 feet of river frontage by 35 feet of depth, located at River Mile 473.4 in Section 22, Township 77 North, Range 2 East, Scott County. The site is to be occupied by a flat deck barge for use with crew changes, repairs, loading of supplies, and access to city utilities for harbor boats. The proposed lease will be for a five year period. The annual fee is \$1,200.00 with a condition that the fee may be adjusted to comply with adopted administrative rule changes that affect lease fees. The administrative fee is \$216.00. Staff recommends approval of the lease agreement.

CARRIED UNDER CONSENT AGENDA

11. ENGINEERING CONSTRUCTION PROJECTS

11.1 EMERSON BAY RECREATION AREA, CAMPGROUND UPGRADE

Project Summary: This project involves site improvements and utility upgrades to the Emerson Bay Campgrounds at West Okoboji Lake, Dickinson County. **Function of the Project:** The intent of this project is to modernize and update the existing facility. Numerous existing camp pads are dirt and grass lots. No full service sites were available. New crushed rock camp pads highlight the proposed design with 23 full service sites and 14 pull through sites. New signage will be installed to facilitate traffic movement and decrease congestion. **Construction Needed:** The Emerson Bay Campground Improvements project consists of regrading portions of the campground and reconfiguring new campsites. There will be a mix of full-service, tent, and pull-through campsites. Construction will include new water service lines throughout the campground. New sanitary sewer lines will be installed for the full-service campsites. The campground electrical system will be completely reworked with new wiring and 50 amp services suitable for the modern RV. Additional site work to include miscellaneous clearing, grubbing, and erosion control. Temporary erosion control will utilize silt fence, compost socks, and turf reinforcement mat. Storm runoff from the site when completed will be naturally treated through the incorporation of four natural grass-planting areas and a biocell (method for cleansing storm water).

DNR Project Manager: Mike Broderick, PE; Engineering Bureau

Designer: Alan Peterson, PE; McClure Engineering Co.

DNR Inspector: Jeff Felts, PE; Engineering Bureau

Operating Bureau: Parks

Funding Source: IJOBS 100% (FY12 Cap Link 196)

Cost Estimate: \$803,000

Plans Issue Date: 02/22/12

Bid Letting Date: 03/15/12

Plan Holders: 19

Number of Bids Received: 5

Bidders

Valley Contracting Inc. Estherville, IA \$613,289.65

Schoon Construction Inc. Cherokee, IA \$741,075.52

Lessard Contracting Inc. Sergeant Bluff, IA \$794,721.37

Christensen Construction & Design Estherville, IA \$839,859.90

Beck Excavating Inc. Spirit Lake, IA \$861,917.82

IDNR recommends awarding the bid to Valley Contracting Inc.

Motion – Commissioner Rettig
Seconded – Commissioner Prickett
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.2 MULTI-PARK KIOSKS – EAST KIOSKS - 8

Project summary: Interpretive kiosk will assist park staff with informational needs to the public in the form of way-finding, historical information and conservation information. It will be a four-sided kiosk, with information panels and will have a roof structure above. There will be eight kiosks in this project throughout the state park system at: Lake Darling, Geode, Lake Macbride, Union Grove, Wapello, and

Backbone (3) State Parks. **Function of the Project:** Provide way-finding and interpretive information at state parks. **Construction Needed:** Minimal site prep and installation of signs

DNR Project Manager: Ryan Richey, Engineering Bureau

Designer: Ryan Richey, Engineering Bureau

DNR Inspector: Mel Pacovsky, Bruce Flippin, Jason Kruse

Operating Bureau: Parks

Funding Source: 100% 319 Federal Money

Cost Estimate: \$160,000

Plans Issue Date: 02/14/12

Prime Plan Holders: 13

Number of Bids Received: 7

Bidders

Tricon General Construction Dubuque, IA \$132,000.00

Hanson Construction Clear Lake, IA \$136,000.00

Seydel Construction Iowa City, IA 52240 \$188,800.00

Bergstrom Construction Inc Des Moines, IA \$195,200.00

Taylor Construction Inc New Vienna, IA \$199,840.00

Septagon Construction Co Grimes, IA \$219,600.00

TBB, L.C. Des Moines, IA \$230,000.00

IDNR recommends awarding the Bid to Tricon General Construction.

Motion – Commissioner Francisco

Seconded – Commissioner Underwood

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.3 MULTI-PARK KIOSK WEST KIOSKS - 7

Project summary: Interpretive kiosk will assist park staff with informational needs to the public in the form of way-finding, historical information and conservation information. It will be a four-sided kiosk, with information panels and will have a roof structure above. There will be seven kiosks in this project throughout the state park system at: Lake of Three Fires, Big Creek, Viking Lake, Prairie Rose, Nine Eagles, Emerson Bay and Stone State Parks.

Function of the Project: Provide way finding and interpretive information at state parks.

Construction Needed: Minimal site prep and installation of signs

DNR Project Manager: Ryan Richey, Engineering Bureau

Designer: Ryan Richey, Engineering Bureau

DNR Inspector: Jeff Felts, Don Labate, Mark Johnson, Jason Kruse

Operating Bureau: Parks

Funding Source: 100% 319 Federal Money

Cost Estimate: \$140,000

Plans Issue Date: 02/14/12

Prime Plan Holders: 15

Number of Bids Received: 6

Bidders

Hanson Construction LLC Clear Lake, IA \$119,000.00

Hymbaugh Construction Mt Ayr, IA \$123,718.00

Bergstrom Construction Inc Des Moines, IA \$170,800.00

McKee Contracting Co Emerson, IA \$171,325.00
 Septagon Construction Co Grimes, IA \$195,300.00
 TBB LC Des Moines, IA \$201,250.00

IDNR recommends awarding the Bid to Hanson Construction.

Motion – Commissioner Francisco
 Seconded – Commissioner Underwood
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.4 BIG CREEK, STABILIZE DES MOINES RIVER BANK

Project Summary: This project involves the removal and relocation of a portion of the Neil Smith Multipurpose Trail and stabilization of the heavily eroded Des Moines River bank adjacent to the existing trail. The location of the work is just north of the I-80 bridge over the Des Moines River on the east bank of the river. This portion of the trail is managed by the DNR Parks Bureau (Big Creek State Park) on US Army Corp of Engineers land. The path of the new trail was designed to avoid archeologically sensitive areas at the north end and create a safe and interesting experience. **Function of the Project:** The intent of this project is to relocate and upgrade the trail which is perilously close to the eroding river bank due to storm events of 2010 and 2011. The bank has eroded approximately 50 feet easterly in one year and is now within a few feet of the trail edge, with vertical drops of eight feet or more into the river. A short length at the upper end of this section was armored with riprap a few years ago but heavy rainfall and high water levels have inundated the protection and the areas on either end of the riprap have eroded. The existing trail is to be relocated inland in a meandering path, maintaining a gradual slope and creating a scenic ride through a forested lowland surrounded by oxbow lakes. The existing trail is only 8 feet wide and is constructed of asphalt. The new trail, in keeping in line with trail standards, will be 10 feet wide and constructed of concrete with earth shoulders. The length of this relocated section will be 2,350 feet, replacing a section that was approximately 2,225 feet long. The river bank will be laid back to a 2:1 slope and armored with riprap for a length of approximately 1,900 feet. **Construction Needed:** The work to locate the trail and reinforce the river bank will entail several procedures. The existing asphalt trail material will be removed and ground on site and mixed with soil materials to create a recycled base material for the new trail. The river bank will then be laid back at a 2:1 slope, extending beyond the extents of the existing trail, and armored with riprap to provide erosion control and bank stabilization. The new trail will mostly follow the natural terrain with some minor cut and fill to smooth out the profile. A new trail bed will then be created and the recycled base applied in a 4" thick layer. A 5" thick unreinforced concrete slab will be placed on top of the base material for the trail surface and then the trail will be complete with earthen shoulders.

DNR Project Manager: Ken Jackson; Engineering Bureau

Designer: Ken Jackson; Engineering Bureau

DNR Inspector: Don Labate, PE; Engineering Bureau

Operating Bureau: Parks

Funding Source: IJOBS 100% (Cap Link 186)

Cost Estimate: \$300,000

Plans Issue Date: 02/22/12

Bid Letting Date: 03/15/12

Plan Holders: 18

Number of Bids Received: 10

Bidders

TK Concrete Inc Pella, IA \$249,332.00

MPS Engineers Des Moines, IA \$257,029.30

Alliance Construction Group LLC Grimes, IA \$275,371.60

Ag & Turf Construction LLC Davenport, IA \$275,707.28

Corell Contractor Excavating & Grading West Des Moines, IA \$277,953.25

Elder Corp Des Moines, IA \$285,371.50

Joiner Construction Co. Inc. Plano, IA \$290,414.50

Con-Struct Inc Ames, IA \$295,390.00

Richards Construction Co Inc Sac City, IA \$318,405.50

Jensen Construction Co Des Moines, IA 50313 \$334,261.00

IDNR recommends awarding the Bid to TK Concrete Inc.

Motion – Commissioner Francisco

Seconded – Commissioner Rettig

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.5 BIG CREEK STATE PARK, 3 BOAT RAMPS

Project Summary: This project involves the removal and replacement of three concrete boat ramps (one triple and two double ramps) and the addition of a rain garden at each ramp at Big Creek State Park in Polk County. **Function of the Project:** The intent of this project is to upgrade the ramps due to deterioration and make accommodations for the loading docks. Additionally, a new rain garden will be introduced at each ramp location to accept storm water runoff from the parking lot and maneuver areas. It is the goal of the DNR and Parks Bureau to collect rain water for filtering of oils and surface residue prior to introducing the water into the groundwater system and eventually into the lake. Due to the geometry of the ramps and associated drive lanes, the water will be collected in a trench drain at the top of the new ramps and piped to an adjacent rain garden for filtering. Much of the water will be percolated into the subsoil. Excess water from heavy events will overflow into a drain pipe to the lake. These new ramp replacements are located at the three most used ramps in the park including the double Beach ramp the triple West ramp and the double East ramp. **Construction Needed:** The work to replace the concrete boat ramps and construct the new rain gardens will entail the removal of the existing concrete ramps, including the portions under water. The new ramps sections that will be under water will be cast on a earthen ramp matching the slope of the ramp and then the ramp will be pushed into place with the top of the ramp approximately 2 feet above the water line. The remainder of the ramp will be cast in place. The addition of a full width trench drain at the top of the ramp and associated piping will take place after the ramp is in place. The rain gardens will be constructed adjacent to the ramps with small berms built to retain the garden mulch materials. These gardens are relatively close to the lake pool level and typically on a mild slope. The gardens have been designed to percolate the runoff into the ground for normal rain events. The gardens will be planted with native grasses and plants that can thrive in a moist environment.

DNR Project Manager: Heath Delzell, EI; Engineering Bureau

Designer: Heath Delzell, EI; Engineering Bureau

DNR Inspector: Don Labate, PE; Engineering Bureau

Operating Bureau: Parks

Funding Source: MFT 50%, Federal Boat Safety 50% (FY 12 Cap Link 121, 130 and 131)

Cost Estimate: \$185,000

Plans Issue Date: 02/22/12

Bid Letting Date: 03/15/12

Plan Holders: 24

Number of Bids Received: 10

Bidders

TK Concrete Inc Pella, IA \$66,252.00

Joiner Construction Plano, IA \$71,938.50

MPS Engineers Des Moines, IA \$76,142.50

Ag & Turf Construction LLC Davenport, IA \$97,295.25

C L Carroll Company Inc Des Moines, IA \$115,630.00

Alliance Construction Group LLC Grimes, IA \$120,694.00

Con-Struct Inc Ames, IA \$142,889.00

Jenco Construction Des Moines, IA \$255,280.00

Elder Corp Des Moines, IA \$261,166.25

Jensen Construction Co Des Moines, IA \$270,550.00

IDNR recommends awarding the Bid to TK Concrete Inc.

Motion – Commissioner Underwood

Seconded – Commissioner Schemmel

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.6 PRAIRIE ROSE STATE PARK, SPILLWAY/M47 STRUCT/GATEVALVE

Project Summary: This project includes the modifications to the spillway to prevent unwanted fish species from migrating into the lake and gate valve repairs. **Function of the Project:** Invasive fish populations (common carp) are a threat to Prairie Rose Lake. Eliminating common carp will reduce the internal phosphorous loads in the water resulting in better water quality and improved fishing.

Construction Needed: Removal of a portion of the concrete chute spillway walls and floor and rebuild the spillway with a vertical barrier and new walls to prevent upstream fish migration. Gate valve guide brackets are rusted and need to be replaced for proper future operation of the gate valve to provide lake level management in the future.

DNR Project Manager: Ken Jackson; Engineering Bureau

Designer: Ken Jackson; Engineering Bureau

DNR Inspector: Mark Johnson; Engineering Bureau

Operating Bureau: Fisheries

Funding Source: 100% Lake Restoration (FY12 Cap Link 96)

Cost Estimate: \$322,000.00

Plans Issue Date:

Bid Letting Date: 3/15/12

Plan Holders: 21

Number of Bids Received: 4

Bidders

CL Carroll Co. Des Moines, IA \$198,627.00

Godberson-Smith Construction Ida Grove, IA \$199,827.00

Murphy Heavy Contracting Anita, IA \$206,467.18

Gus Construction Co. Casey, IA \$267,401.20

IDNR recommends awarding the Bid to CL Carroll Co

Motion – Commissioner Underwood
 Seconded – Commissioner Francisco
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.7 STONE STATE PARK, SLOPE FAILURE

Project Summary: This project is for the repair of an asphalt park road and regarding of the adjacent ditch. **Function of the Project:** To replace a sunken and cracked section of asphalt road and improve drainage runoff in the ditch by regrading the ditch foreslope and backslope. The moderation of the steep ditch slopes combined with the addition of storm sewer will curb erosion and stabilize soil washout that was responsible for the pavement failure. **Construction Needed:** The Stone State Park Road Repairs Project will consist of miscellaneous grading, paving and storm sewer. Approximately 200 feet of 6 inch depth asphalt paving will need sawcut, removed and replaced. The adjacent ditch embankment will need clearing, grubbing, and finished graded to a slope more conducive to proper erosion control. An existing ditch storm sewer structure 190 feet upstream shall be removed and the remaining pipe will be extended. 211 feet of 48" reinforced concrete pipe will be constructed to convey the stormwater. Silt fence, turf reinforcement mat, with miscellaneous seeding, fertilizing, and mulching shall be incorporated to stabilize the site.

DNR Project Manager: Mike Broderick, PE; Engineering Bureau

Designer: Brent Johnson, PE; McClure Engineering Co.

DNR Inspector: Jeff Felts, PE; Engineering Bureau

Operating Bureau: Parks

Funding Source: Parks & Institutional Roads Fund – 100%

Cost Estimate: \$92,000.00

Plans Issue Date: 02/22/12

Bid Letting Date: 03/15/12

Plan Holders: 17

Number of Bids Received: 4

Bidders

Nelson & Rock Contracting Inc. Onawa, IA \$107,390.00

K & L Landscape and Construction Inc. Sergeant Bluff, IA \$126,415.00

L A Carlson Contracting Inc. Merrill, IA \$147,749.50

Lessard Contracting Inc. Sergeant Bluff, IA \$151,191.00

IDNR recommends awarding the bid to Nelson & Rock Contracting Inc.

Motion – Commissioner Underwood
 Seconded – Commissioner Francisco
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

11.8 GARLOCK SLOUGH, GRAFF TRACT WETLAND RESTORATION REBID

Project Summary: This project is for the restoration on multiple wetland basins for water quality and migratory waterfowl habitat in the West Lake Okoboji watershed. These planned restorations are located adjacent to West Lake Okoboji and will add approximately 50 wetland acres of additional water quality protection to the lake. One planned restored wetland basin is on adjacent private land in the Wetland Restoration Program (WRP). Several tiles breaks will occur and the addition of two water control

structures will provide water level management capacities. The scope of this project involves the restoration of nine wetland pool areas through use of dikes, ditch plugs, shallow water excavation, tile manipulation, and water control structures. The project was designed and bid by the engineering bureau. The Wildlife Bureau and NRCS were involved in the design and have approved this project for letting.

Function of the Project: The Graff Tract is part of the larger Garlock Slough. This design will provide additional wetland elements to attract migratory birds and increase the areas available to the public for hunting and wildlife viewing. This project will also provide water quality benefits to both West Lake Okoboji and Little Sioux River. Tiles will be broken or surface drained into the marsh area to allow sediment to settle out prior to releasing the water downstream to the Lake or River. **Construction Needed:** Work under this project includes earthfill (dike construction), shallow water excavations, tile breaks, tile installation (multiple sizes), water control structures, and seeding. All existing tiles within the work area will be either; broken and abandoned, or outlet to the surface to provide water for the newly created basins. Water control structures will allow staff to manipulate water levels to keep the marsh areas vegetated and the sediment consolidated.

DNR Project Manager: Jeff Felts, PE; Engineering Bureau

Designer: Dave Rolf, PE; Engineering Bureau

DNR Inspector: Jeff Felts, PE; Engineering Bureau

Operating Bureau: Wildlife

Funding Source: 50% Federal NAWCA – 50% Migratory Bird (Cap Link 10, 47)

Cost Estimate: \$72,000.00

Plans Issue Date: 03/12/12

Bid Letting Date: 03/22/12

Plan Holders: 8

Number of Bids Received: 7

Bidders

Richards Construction Co Inc Sac City, IA \$79,503.25

Valley Contracting Inc Estherville, IA \$80,636.50

Beck Excavating Inc. Spirit Lake, IA \$84,132.50

Healy Excavating Lake View, IA \$86,005.81

Diamond Concrete & Construction Inc Spirit Lake, IA \$89,809.40

Cohrs Construction Inc Spirit Lake, IA \$100,864.25

Rieding's Gravel & Excavating Algona, IA \$110,773.25

IDNR recommends awarding the Bid to Richards Construction Co Inc.

Motion – Commissioner Rettig
 Seconded – Commissioner Francisco
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

12. ENGINEERING CONSTRUCTION PROJECTS

12.1 WAUBONSIE STATE PARK, WASHAWTEE LODGE RENOVATION

The DNR currently holds a contract with Vieco Construction for renovation and improvements at the Washawtee Lodge structure in Waubonsie State Park. Work included under this contract include a complete facelift of the existing structure with new exterior finishes, floors, doors, windows, deck and a new functional kitchen, restroom area, and an ADA accessible walkway. This change order is necessary to add three safety and two construction items to the project to make it ready for occupancy. The primary item on the change order is to upgrade the existing sidewalk to ADA compliance. Other items

include changing the door swing (fire safety egress) and adding a guard rail at the stairs, as required by the building inspector. Toilet partitions were changed for a more appropriate material in accordance with Parks' maintenance standards. The push plates will also be changed to fit the restroom doors.

Proposed Change Order Items

- ADA Walkway \$9,317.00
- Stairway Guard Rail \$2,600.00
- Change Door Swing \$1,540.00
- Change to Santana Toilet Partitions \$987.00
- Push Plates \$60.00
- Proposed Change Order Total \$13,964.00
- Previous Approved Change Orders \$25,858.47
- Original Contract \$383,000.00
- Contract Total + Change Orders \$422,822.47

DNR recommends approving this contract change order.

Motion – Commissioner Francisco
 Seconded – Commissioner Underwood
 Discussion – Staff reported the issues were determined after inspection of the work.
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

12.2 GEORGE WYTH STATE PARK, FEMA REPAIRS AT BEACH AND DIKE

The DNR currently holds a contract with Matt Construction for replacing three toilets, two of which are pit vaults and one flush including the repair of the lift station. These facilities are located at the Fisher Picnic Shelter, Canfield Shelter, and the beach. George Wyth State Park was devastated by the 2008 flooding leaving the entire Park's recreational facilities, with the exception of some picnicking and boating, are still unusable. During the initial scoping of the project, the bureau's designer estimated the repair cost because he could not assess the full damage within the lift station because the station was filled with sand and muck from the flood. During construction, it became clear the complete interior workings of the lift station would have to be replaced. This change order was needed for remaining electrical work; replacement of guide rails and cables and lift station; and appurtenances.

Proposed Change Order Items

- Material and labor to finish repairing lift station \$10,087.74
- Proposed Change Order Total \$10,087.74
- Previous Approved Change Orders \$18,361.67
- Original Contract \$97,075.75
- Contract Total + Change Orders \$125,525.16

DNR recommends approving this contract change order.

Motion – Commissioner Rettig
 Seconded – Commissioner Schemmel
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

13. ENGINEERING PROFESSIONAL SERVICES - CAYLER PRAIRE

The Department requests Commission approval of the following professional services for Cayler Prairie Hydrologic Analysis and Wetland Basin Design. The Department has negotiated a Delivery Order under a master contract with McClure Engineering Company for the Cayler Prairie Hydrologic Analysis and Wetland Basin Design. Under this delivery order McClure Engineering (as the designer of the project) will be retained for the following services:

- Analysis of an approximately 1200-acre watershed
- Field survey of culverts and tile lines
- Design of 25 to 30 wetland basins (45 to 55 acres of basin surface area)
- Analyze impacts to private acreages and basements
- Investigate DOT permitting
- Final plans and specs

This project is for the creation of wetlands in the vicinity of Okoboji View golf course. A hydrologic analysis is needed to determine if the proposed developments are workable before land acquisitions and/or easements are negotiated. After a detailed study, a design will include 25 to 30 wetland basins with a total basin surface area of 45 to 55 acres. Compensation for the services provided under this Delivery Order will not exceed \$ 41,000 and has been described in detail in the Delivery Order contract. The funding source is F & W Trust – Wildlife Habitat Stamp 100%

IDNR recommends awarding the Delivery Order to McClure Engineering.

- Prior McClure Environmental & Sanitary Delivery orders:
- Virgin Lake Outfall Piping \$19,840.00
- Silver Lake Soils Testing for Outlet Structure \$3,740.00
- Total: \$23,580.00

Motion – Commissioner Underwood
 Seconded – Commissioner Rettig
 Discussion – Staff reported the area is being evaluated for wetland restoration and any impact on area properties.
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

14. SMALL CONSTRUCTION PROJECTS

The following projects have been let utilizing the Competitive Quotation process for projects \$100,000 or less. These projects have low bids under \$50,000, not needing NRC any action.

BID DATE	PROJECT	COUNTY	AREA	DESCRIPTION	ESTIMATE	BIDS
2/16/12	12-06-52-04	Johnson	Lake Macbride State Park	Steel Piling Support Structure for Broadwalk	\$50,000	\$42,700.00
						\$45,893.00
2/16/12	12-05-59-01	Lucas	Chariton Fisheries Research Station	Remodel	\$50,000	\$47,862.00
						\$49,533.00
						\$55,284.00
						\$66,859.57
2/16/12	12-05-59-02	Lucas	Chariton Fisheries Research Station	HVAC System	\$10,000	\$7,000.00
						\$7,924.47
						\$8,676.00
2/16/12	12-05-59-03	Lucas	Chariton Fisheries Research Station	Phone System Replacement	\$6,000	\$4,110.56
						\$6,765.00
						\$7,672.09
2/23/12	12-03-28-02	Delaware	Twin Bridges Park Fishing Area	Stocking Road and Bank Repair	\$28,000	\$12,650.00
						\$29,257.50

						\$30,052.50
2/23/12	12-02-77-09	Polk	Big Creek State Park	Trails Program Building Demolition	\$25,000	\$16,700.00
						\$20,774.00
						\$24,500.00
						\$24,800.00
3/8/12	11-05-91-09	Warren	Summerset State Park	Roadway Shoulder Repairs	\$12,000	\$12,681.88
						\$14,975.00
						\$17,140.00
						\$17,460.00
3/15/12	12-03-07-01	Black Hawk	George Wyth	Wyth Boat Ramp Lift Station	\$15,000	\$19,100.00
3/15/12	12-06-52-03	Johnson	Hawkeye Wildlife Area	Bulk Fuel Tanks Removal/Replacement	\$18,000	\$24,904.00
						\$27,309.31
						\$30,098.00
3/22/12	11-03-03-01	Allamakee	Yellow River State Forest	Repair Pond Spillway/Dike	\$5,000	\$3,076.93
						\$3,745.00
						\$4,850.00
						\$6,290.00
						\$8,685.00
						\$8,867.00
3/22/12	11-03-03-02	Allamakee	Yellow River State Forest	Yellow River Bank Stabilization	\$35,000	\$22,742.55
						\$23,600.00
						\$27,066.50
						\$34,297.00
						\$34,297.00
						\$38,241.54
						\$70,027.41
3/22/12	11-04-78-03	Pottawattamie	Lake Manawa State Park	Lake Control Structure Renovation	\$26,500	\$25,674.00
3/22/12	12-04-78-07	Pottawattamie	Lake Manawa State Park	Flooding Repairs	\$27,950	\$29,049.00

INFORMATION ONLY

15. CONTRACT WITH JONES COUNTY CONSERVATION BOARD
 Commission approval is requested for a Cooperative Agreement between the DNR and the Jones County Conservation Board (Jones CCB) of Center Junction, Iowa, and to accept Jones CCB's offer to convey a conservation easement to the DNR. The Cooperative Agreement will begin on May 1, 2012, and terminate on June 30, 2012. The total amount of the Cooperative Agreement shall not exceed \$350,000. DNR shall have the option to renew this contract as long as this contract and any extensions do not exceed a six-year period. This contract will be funded through the Lakes Restoration Program established under Iowa Code Section 456A.33B. The parties propose to enter into the Cooperative Agreement to provide a process by which Jones CCB can purchase approximately 77 acres in the Central Park Lake watershed, be reimbursed by the DNR for a portion of such purchase, and provide DNR an easement on the Land. This Agreement does not grant a right of easement but the easement is a condition of this Agreement. The permanent conservation easement will allow the DNR to utilize the area for long term disposal of dredge material and construction of water/sediment control structures on the property to address water quality and direct runoff into the lake and associated drainages. The easement also contains typical conservation easement restrictions. The DNR's Lake Restoration

Program has identified Central Park Lake as a priority for future lake restoration efforts and view efforts to control sediment and nutrient loading from the watershed as critical components to water quality improvement and necessary to assure long-term sustainability of lake restoration efforts. Central Park Lake is the focal point of recreational use at the area and that the adjacent park serves as a destination for thousands of people each year for outdoor recreation in Jones County and the surrounding area. Central Park Lake is a 24 acre lake with a 365 acre watershed. The approximately 77 acre parcel is directly above the lake and the current land use is CRP. The purpose of acquisition of the 77 acre, Pearson property, is to provide an area for protection and enhancement of Central Park Lake. The area will be managed to improve water quality in Central Park Lake. The Conservation Board's management plan for the area includes the construction of wetlands and ponds to serve as catch basins for runoff, open space for storage of dredge material from the lake, mixed prairie planting throughout the entire area, tree and shrub plantings and walking trails for access to the area and environmental education programs.

Motion – Commissioner Francisco
 Seconded – Commissioner Underwood
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

16. COOPERATIVE AGREEMENT WITH THE CITY OF CRESTON, SUMMIT LAKE JETTY

Commission approval is requested to enter into a cooperative agreement with the City of Creston. The agreement will begin April 12, 2012, and terminate on July 1, 2012. The contract agreement is not to exceed \$30,000. This contract will be funded with \$25,000 Marine Fuel Tax funds and a \$5,000 donation from the High Lakes Alliance. Summit Lake, owned by the City of Creston, is a 225-acre lake located on the west edge of Creston in Union County in south central Iowa. The lake was constructed in 1893 as a water supply for the railroad and the City of Creston. The City in partnership with the DNR is close to completing its lake restoration efforts. These efforts have included armoring approximately 18,500 linear feet of shoreline; completing seven water/sediment basins on private property; installing two large grade stabilization structures; five acres of grassed waterways; constructing 16,000 linear feet of terraces; and completing one livestock crossing and three CRP buffer strips. The one remaining restoration effort, due for completion in July, is the replacement of the lake's spillway. The new spillway is being modified to prevent the movement of undesirable fish into Summit Lake. The lake was drained to replace the spillway and to renovate the fish population. A dry lake basin affords the parties a great opportunity to construct a jetty to protect a boat ramp and to create fishing opportunities. The parties propose to enter into this Agreement for the purpose of constructing a jetty in Summit Lake. According to the agreement the DNR agrees to obtain archaeological clearance, permits and provide funding in the amount not to exceed \$30,000. The City of Creston agrees to provide project design, site survey, and contracting services.

Motion – Commissioner Francisco
 Seconded – Commissioner Schemmel
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

17. WATER RECREATION ACCESS COST-SHARE (WRAC) GRANT FY 2011

The Commission is requested to approve funding for the recommended Water Recreation Access Cost-Share (WRAC) Grant applications for FY13, funded through the Marine Fuel Tax Program (50%) and Federal Coast Guard (50%). Grant applications have been scored by a review committee who met on March 27, 2012, to review a total of nine (9) projects requesting \$142,731.85 in Marine Fuel Tax/US Coast Guard funds according to rules provided for in Iowa Administrative Code chapter 571 - 30. The committee recommends funding the first eight (8) projects for a total of \$136,206.85.

Applicant	Description	Total Project Cost	Marine Fuel/US Coast Guard Grant Request
Black Hawk County Conservation Board	Finchford Boat Ramp Dev.	\$22,323.55	\$10,171.35
Black Hawk County Conservation Board	Sherwood Park Boat Ramp Dev.	\$29,706.44	\$13,051.50
City of Eldon	New Boat Dock	\$4,836.00	\$3,627.00
Union County Conservation Board	Thayer Lake Boat Ramp Dev.	\$21,200.00	\$15,900.00
City of Atlantic	Hwy 83 Boat Access Dev.	\$31,710.00	\$19,920.00
City of Creston	Summit Lake Boat Ramp Dev.	\$16,350.00	\$12,262.00
O'Brien County Conservation Board	Prairie Heritage Center Boat Ramp Repair and Resurface	\$75,500.00	\$56,625.00
Wright CCB	Lake Cornelia Park	\$6,200.00	\$4,650.00
Winneshiek County Conservation Board	Freeport River Access Dev.	\$8,700.00	\$6,525.00
Total		\$216,525.99	\$142,731.85

Motion – Commissioner Underwood
 Seconded – Commissioner Prickett
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

18. 28E INTERGOVERNMENTAL AGREEMENT AMENDMENT – WEBSTER COUNTY CONSERVATION BOARD

The Commission is requested to approve a 28E Intergovernmental Agreement with Webster County Conservation Board for the shared part-time naturalist aide for Stewardship Education and Conservation Literacy. The agreement would start at \$25,850 and increase annually by 3% for five years contingent on funding availability by both parties. In 2005, the Department of Natural Resources entered into the first 28E Intergovernmental Agreement with Webster County Conservation Board to share a part-time position providing stewardship education and conservation literacy services in Webster County. This position's time is split between working with the Webster County Conservation Board Naturalist and providing programming and educational services for Brushy Creek State Recreation Area and Dolliver Memorial State Park. This has been a successful partnership with the Webster County Conservation Board. Numerous programs and new special events have been initiated at both the state park and

recreation area including year round exposure of recreational activities which was not previously in place.

Motion – Commissioner Francisco
Seconded – Commissioner Schemmel
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

19. 2012 RAGBRAI ANNUAL BIKE RIDE –CAMPING AT BLACK HAWK AND WAPSIPINICON STATE PARKS

In pursuant to Iowa Code 461A.67 and 461A.68, the Department requests Commission approval to permit RAGBRAI participants to camp in areas other than the campgrounds at Black Hawk and Wapsipinicon state parks so as to not disturb regular park campers and to waive camping fees in these areas. The 2012 RAGBRAI bike ride across Iowa is scheduled for July 22-July 28, 2012. Participants will be staying the night of July 23 in the Lake View area, and the night of July 27 in the Anamosa area. The City of Lake View has requested that the Department allow RAGBRAI participants to camp in three areas of Black Hawk Lake State Park. In addition, the City of Anamosa would like to allow RAGBRAI participants to camp along the lower road in Wapsipinicon State Park and at the golf course. The local communities are working with park staff regarding logistics for the event including providing appropriate sanitary facilities. Collection of fees in these temporary camping areas would be almost impossible for park personnel due to the number of people. Staff recommend camping fees be waived in these temporary camping areas. The designated campgrounds will be available for regular park users and RAGBRAI participants who wish to camp in a quieter environment. Camping fees and campground rules will be enforced in the designated campgrounds.

Staff corrected the Iowa Code listed in the brief to 461A.47 and 461A.48 vs 461A.67 and 461A.68.
Motion – Commissioner Rettig
Seconded – Commissioner Underwood
Discussion - Staff reported a RAGBRAI request had occurred in the 1970s and the Department works closely with the cities involved.
Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

20. CONTRACT WITH WARMAN MANAGEMENT LLC

Commission approval is requested for a 5 year-service contract with Warman Management, LCC of Polk City, IA, for Charles “Butch” Olofson Shooting Range and Training Center Management Concession Contract. The contract will begin on 4/12/12 and terminate on 4/12/17. Contractor will pay the department \$1,500 per fiscal year in concession fees. DNR shall have the option to renew this contract long as this contract and any extensions do not exceed a six-year period. The Department seeks a concessionaire who shall fully utilize the facilities and offer a broad range of services contemplated by them. The concessionaire shall be responsible to maintain the facility and grounds and shall have the right, with approval from the Department, to improve the facilities in the concessionaire’s and Department’s combined efforts to provide the best services to the users of the Olofson Shooting Range and Training Center. With limited staff resources in the Shooting Sports Program the

Department must use a concessionaire to provide supervised access and opportunity to the target shooting public at Olofson Range. Target shooting activity has grown exponentially over the last several years with almost 12,000 rifle/handgun shooter hours and 2,000 clay target rounds consumed in 2012. Target shooters contribute significantly to Pitman Robertson funding and provide an audience to promote hunter recruitment efforts. Warman Management LLC was chosen using the Request for Proposal (RFP) process. The Department solicited proposals and will enter into an agreement pursuant to the authority provided in Iowa Code section 461A.4 and in accordance with the regulations of 571 IAC chapter 14. Although Warman Management LLC was the only company that submitted a proposal, they were chosen for this project because the contractor has a proven track record with the Department in operating the Olofson Shooting Range since 2006.

Motion – Commissioner Francisco
 Seconded – Commissioner Schemmel
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

21. CHAPTER 40 - BOATING SPEED AND DISTANCE ZONING - ADOPTED AND FILED EMERGENCY

The Commission is requested to approve the Adopted and Filed Emergency – Chapter 40 - Boating Speed and Distance Zoning. The proposed amendment is in response to a rule making petition submitted by the City of Harpers Ferry. The City is requesting that the current 5 mile-per-hour zone on the Mississippi River be expanded 550 feet downstream from the current southern-most marker buoy. The request is being made due to boat navigation and safety issues along existing river access points including docks and boat ramps. The Commission approved the original Notice of Intended Action on July 11, 2011. The Notice was published in the August 10, 2011, Administrative Bulletin as 9658B. A public hearing was held on August 30, 2011. No one attended the hearing and no public comments were received during the comment period. The NOIA was on ARRC's Sept 2011 agenda, with no agency presentation requested and no ARRC comments made. Due to staff oversight, the original rule making was not brought before the Commission as an Adopted and Filed document. Chapter 17A of the Code of Iowa states that 180 days after publication or the last public comment period, the rule making is terminated. Rather than start the rule making process over with a new NOIA, it is suggested that an Adopted and Filed Emergency rule making be commenced. The amendment to Chapter 40 is exactly as presented in the Notice. By adopting this amendment and having it become effective upon filing, the amendment will be in effect this boating season, as originally intended.

Chapter 40, Boating Speed and Distance Zoning – Adopted and Filed Emergency without Notice
NATURAL RESOURCE COMMISSION[571]

Adopted and Filed Without Notice

Pursuant to the authority of Iowa Code subsections 455A.5(6) and 462A.32(1), the Natural Resource Commission hereby amends Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

The amendment is in response to a rule making petition submitted by the City of Harpers Ferry. The City is requesting that the current 5-mile-per-hour zone on the Mississippi River be expanded 550 feet downstream from the current southernmost marker buoy. The request is being made due to boat navigation and safety issues along existing river access points, such as docks and boat ramps. The Commission approved the original Notice of Intended Action on July 11, 2011. The Notice was published in the August 10, 2011 Administrative Bulletin as **ARC 9658B**. A public hearing was held on August 30, 2011. No one attended the hearing and no public comments were received during the

comment period. Additionally, the Notice was on ARRC’s September 13, 2011 agenda, with no agency presentation requested and no ARRC comments made.

Due to staff oversight, the original rule making was not brought before the Commission as an Adopted and Filed document. Subsection 1, paragraph “b” of Iowa Code section 17A.4 states that 180 days after publication of the Notice or the last public meeting, whichever is later, the rule making is automatically terminated if not adopted and filed. Thus, the original Notice for this rule making was terminated. The Commission has decided to address this oversight by proceeding with an “Adopted and Filed Emergency without Notice” rulemaking. The Commission is doing so for the following reasons: (1) this rule making has already been published once and a public comment period has already been held with no public participation, indicating this is not a controversial rule; (2) a second round of public participation seems unnecessary and would only further delay this rule amendment, which is designed to protect the safety and welfare of citizens near Harpers Ferry’s Mississippi River shoreline. Moreover, rule making is necessary now to allow the no-wake safety buoys to be moved this boating season.

In compliance with Iowa Code section 17A.4(3), the Commission finds that notice and public participation are unnecessary because this same exact amendment has already been published as a Notice of Intended Action with no comments received during the comment period or at the public hearing. Since no changes have been made to the intent or language of the rule from that original Notice, a second round of public comment is redundant.

The Commission also finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of the amendment should be waived and this amendment should be made effective upon filing, as it confers a benefit on the City of Harpers Ferry by addressing boat navigation and safety issues along existing river access points, such as docks and boat ramps, by reducing the speed of passing vessels.

This amendment is intended to implement Iowa Code section 462A.32(1).

The following amendment is adopted.

Rescind subrule 40.27(1) and adopt the following **new** subrule in lieu thereof:

40.27(1) All vessels operated in Harpers Slough between a point 200 feet above the state ramp and 200 feet out from the west shore and extending 550 feet downstream from a point known as Sandy Point Road Dead-End shall operate at a speed not greater than 5 miles per hour.

Motion – Commissioner Rettig
 Seconded – Commissioner Underwood
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

DIVISION ADMINISTRATOR REMARKS

Chuck Corell, CRD Division Administrator, discussed options for the upcoming May NRC field tour and business meeting in Scott County and the Commissioners’ thoughts on opening up an invitation to EPC to attend the tour. Commissioners requested the tour on Wednesday afternoon with the business meeting the following day and thought the invitation was a good idea.

GENERAL DISCUSSION

Commissioner Underwood participated in an Earth Day clean up in Clear Lake and attended the Green Expo.

Commissioner Francisco participated in a fish egg harvesting at Rathbun. One of the fish caught was a 32” walleye and he commented it was amazing to see a 32” walleye that nobody seems to be able to catch.

ADJOURNMENT

Motion to adjourn the meeting – Commissioner Francisco
Seconded – Commissioner Underwood
Decision - Approved by Unanimous Vote
With no further business to come before the Natural Resource Commission, Chair Drees
adjourned the meeting on 04/12/12 3:10 p.m.

CARRIED – MEETING ADJOURNED

UPCOMING NRC MEETING DATES

- May 9, 2012 – NRC Field Tour, Quality Inn & Suites, Davenport, IA 12pm
- May 10, 2012 – NRC Meeting, Quality Inn & Suites, Davenport, IA 8:30am
- June 14, 2012 – NRC Meeting, Henry Wallace State Office Bldg, Des Moines, IA 9:30am