

MINUTES  
OF THE  
NATURAL RESOURCE COMMISSION  
MEETING

AUGUST 9, 2012

HELD AT:

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

For Office Use Only

Date Minutes Approved By NRC: 9/13/12

Director's Signature: Chuck Gipp  
Chuck Gipp  
Director

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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, Margo Underwood, on 08/09/12 at 9:30am.

**COMMISSIONER ATTENDANCE**

Present

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

Absent

- Conrad Clement

**PUBLIC PARTICIPATION**

- |                                 |  |
|---------------------------------|--|
| John Plak, Council Bluffs, IA   | Chapter 91   |
| Wayne Nielsen, Sgt Bluffs, IA   | waterfowl  |
| Bill Smith, Sioux City, IA      | waterfowl season   |
| Jeremy Rosonke, New Hampton, IA | waterfowl seasons, goose closed zone, waterfowl advisory committee |
| Merwin Briggs, Waverly, IA      | deer damage  |
| Ryan Maas, Iowa City, IA        | waterfowl seasons and zone boundaries                              |

**1. APPROVAL OF AGENDA**

Motion – Commissioner Francisco moved to amend the agenda to move the NRC’s General Discussion item of the Waterfowl Advisory Committtee to after item 5, Chapter 91.

Seconded – Commissioner Drees

Decision – Approved by Unanimous Vote

CARRIED AS AMENDED

**2. APPROVE MINUTES OF 07/12/12 NRC PUBLIC MEETING**

Motion – Commissioner Rettig motioned to approved the minutes noting individuals who nay vote and amend the minutes to such.

Seconded – Commissioner Francisco

Decision – Approved by Unanimous Vote

CARRIED AS AMENDED

**3. DIRECTOR’S REMARKS**

Director, Chuck Gipp, discussed Rathbun Lake and the Department’s cooperative work with the Corps of Engineers. Commissioner Rettig discussed the pedestrian bridge from Honey Creek State Park and Honey Creek Resort and requested the Department follow up and review the viability of those plans that had been presented as a possible option under previous DNR administration. Mike McGhee, Lakes Program, provided information that alternatives to a pedestrian bridge was explored due to the cost of the bridge. A jetty option was estimated at \$2-\$3 million. This is still a high cost for the Department at this time. Also, the Director updated the Commission about a request from Ryan Knapp, a property owner in and by Waubonsie State Park, regarding access options to his property.

**4. 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.

Discussion: Andy and Geoff reported the new chef came from southern Missouri with an impressive resume. His move to the area was precipitated by family matters. The Resort will continue to have a presence at the State Fair in partnership with Parks. Opportunities at the Resort will be tied to the Get Out Get Fit theme, interpretive staff will also be presenting programs on the stage, and a putting green game will provide hole-in-ones to sign up for a free night's stay. Regarding the drought and heat, staff reported extra efforts are being made to maintain the golf course and overall water usage and costs have been higher than normal.

INFORMATIONAL

**5. CHAPTER 91, WATERFOWL AND COOT HUNTING SEASONS - LATE DUCK AND CANADA GOOSE SEASON DATES, FINAL**

As presented under the Chapter 91 Notice of Intended Action (NOIA), the Commission is requested to approve the late duck and Canada goose season dates for submission to the United State Fish and Wildlife Service (USFWS). These dates remain unchanged from the NOIA approved by the NRC at the 04/12/12 meeting. One change to the rule is the increase in the bag limit for scaup from two to four which will reflect the federal guidelines and regulations. The NRC approved the early season dates and the zone boundaries of the rule at the 6/14/12 NRC meeting. The approval of the late duck and Canada goose season dates will complete Chapter 91 and the Final rule. The NOIA for Chapter 91 was published in the Iowa Administrative Bulletin on May 2, 2012, as ARC 0116C. A public hearing was held on May 23, 2012. Eleven comments were received about the dates or seasons. All supported the dates.

Attached: Chapter 91, Waterfowl and Coot Hunting Seasons

**NATURAL RESOURCE COMMISSION[571]**

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code sections 455A.5(6), sections 481A.38, 481A.39, and 481A.48, the Natural Resource Commission hereby amends Chapter 91, "Waterfowl and Coot Hunting Seasons," Iowa Administrative Code.

These rules give the regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. In addition to the existing north and south zones, the proposed amendments create a new zone for duck and goose hunting, referred to as the Missouri River zone, which includes all the lands and waters in the state of Iowa west of Interstate 29 and north of State Highway 175. The amendments also adjust the season dates and bag limits to comply with federal regulations and to ensure the seasons open on weekends, as well as establish duck and goose hunting season dates for the new Missouri River zone.

The advantage of the new zone is that hunters will have the opportunity to hunt a week later in this zone than in the south zone. The establishment of three zones also increases flexibility for adjusting duck hunting season dates if duck seasons are shortened to 30 or 45 days. A shortened season could occur under the current federal regulatory framework if habitat conditions or duck population surveys decline. These zones and season dates keep the five-day September duck season in place, which is highly valued by many hunters, while providing different opening and closing dates for the second segments of the duck season in each zone.

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

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 2, 2012, as ARC 0116C. A public hearing was held on May 23, 2012. Eleven comments were received about the dates or seasons. All comments supported the proposed dates. The zone boundaries for the Missouri river zone were moved to Highway 175 based upon comment from the public. The bag limit increase for scaup was approved by the United State Fish and Wildlife Service after analysis of harvest and population data.

The Department finds, pursuant to Iowa Code section 17A.5(2)"b"(2), that the normal effective date of these amendments should be waived and that these amendments should be made effective August 15, 2012, as the amendments confer a benefit by establishing a September 1 start date to the goose season in the urban zones.

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

The following amendments are adopted.

**ITEM 1.** Amend subrules 91.1(1) to 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 ~~along Interstate 29 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 Missouri River duck hunting zone is that part of Iowa west of Interstate 29 and north of State Highway 175. The south duck hunting zone is the remainder of the state.

**91.1(2)** Season dates - north zone. For all ducks: September ~~17~~ 22 through September ~~24~~ 26 and October ~~15~~ 13 through December ~~8~~ 6.

**91.1(3)** Season dates - south zone. For all ducks: September ~~17~~ 22 through September ~~24~~ 26 and October ~~22~~ 20 through December ~~15~~ 13.

**ITEM 2.** Renumber subrules 91.1(4) to 91.1(6) as 91.1(5) to 91.1(7).

**ITEM 3.** Adopt the following **new** subrule 91.1(4):

**91.1(4)** Season dates – Missouri River zone. For all ducks: September 22 through September 26 and October 27 through December 20.

**ITEM 4.** Amend renumbered subrule 91.1(5) as follows:

**91.1(5)** *Bag limit.* The daily bag limit of ducks is 6, and may include no more than 4 mallards (no more than 2 of which may be females), 1 black duck, 3 wood ducks, 2 pintails, 1 mottled duck, 1 canvasback, 2 redheads, and ~~2~~ 4 scaup. The daily bag limit of mergansers is 5, only 2 of which may be hooded mergansers.

**ITEM 5.** Amend subrules 91.3(1) to 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 ~~along Interstate 29 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 Missouri River goose hunting zone is that part of Iowa west of Interstate 29 and north of State Highway 175. The south goose hunting zone is the remainder of the state.

**91.3(2)** Season dates - north zone. Canada geese and brant: September ~~24~~ 29 through ~~October 9 and October 15~~ through January 4, ~~2012~~ 2013. White-fronted geese: September ~~24~~ 29 through December ~~6~~ 11. 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 ~~1~~ 6 through ~~October 16 and October 22~~ January 11, ~~2012~~ 2013. White-fronted geese: October ~~1~~ 6 through December ~~13~~ 18. Light geese (white and blue-phase snow geese and Ross' geese): October ~~1~~ 6 through January ~~13, 2012~~ 18, 2013.

**ITEM 6.** Renumber subrules 91.3(4) to 91.3(11) as 91.3(5) to 91.3(12).

**ITEM 7.** Adopt the following **new** subrule 91.3(4):

**91.3(4)** Season dates – Missouri River zone. Canada geese and brant: October 13 through January 18, 2013. White-fronted geese: October 13 through December 25. Light geese (white and blue-phase snow geese and Ross' geese): October 13 through January 18, 2013.

**ITEM 8.** Amend renumbered subrules 91.3(8) and 91.3(10) to 91.3(12) as follows:

**91.3(8)** 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~~ 19, 2013, through April 15, ~~2012~~ 2013.

a. to e. No change.

**91.3(10)** Cedar Rapids/Iowa City goose hunting zone.

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

b. to d. No change.

**91.3(11)** Des Moines goose hunting zone.

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

b. to d. No change.

**91.3(12)** Cedar Falls/Waterloo goose hunting zone.

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

b. to d. No change.

**ITEM 9.** Amend subrule 91.4(2) as follows:

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

a. to c. No change.

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 mile 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 Ave. and 435th St.; 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 mile 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 St.; thence west along 430th St. one-half mile; thence north one mile across section 15, township 99 north, range 23 west, to the intersection of 440th St. and 215<sup>th</sup> Ave.; thence north one-fourth mile on 215<sup>th</sup> Ave. to 445th St.; thence east and northeast on 445th St. to South 12th Ave. West in Lake Mills; thence east on South 12th Ave. West to South Lake St.; thence north on South Lake St. to point of beginning.

e. to h. No change.

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.

j. to l. No change.

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; thence 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 Avenue and 140th Street (also named State Highway 93) (also named 140th Street); thence south along County Road V56 Tahoe Avenue (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~~ 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 border of sections ~~31, section 32 and 33~~, 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.

p. and q. No change.

**ITEM 10.** 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).

a. to c. No change.

**ITEM 11.** Amend rule 571--91.6(481A) as follows:

**571—91.6(481A) Youth waterfowl hunt.** A special youth waterfowl hunt will be held on October ~~± 6 and 2 7,~~ 2011 2012, in the north duck hunting zone and October ~~8 13 and 9,~~ 2011 14, 2012, in the south duck hunting zone and October 20 and 21, 2012, in the Missouri River 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  
 Seconded – Commissioner Drees  
 Discussion – Commissioner Rettig inquired on how many public comments were opposed to the zone along the Missouri River and what would happen if the NRC returned to the boundaries proposed in the Notice of Intended Action. Information was presented that 4 of the 11 public comments were opposed to the zone along the Missouri River and Dr. Garner reported the boundaries, as proposed and approved, were submitted to the US Fish and Wildlife Service. If the State made the change there would be differing rules. Tamara Mullen, attorney, stated the Iowa would have to follow the federal rules. Commissioner Rettig expressed her concern about the change in boundaries made by the NRC in June 2012.  
 Motion – Commissioner Rettig moved to amend the motion to return the boundaries as submitted in the original Notice of Intended Action with no change to the bag limit as presented.

Seconded – None. Commissioner Underwood acknowledged no second and noted a return to the original motion.

Decision – Approved (5 ayes, 1 nay-Commissioner Rettig)

CARRIED AS PRESENTED

**6. WILDLIFE HABITAT PROMOTION WITH LOCAL ENTITIES PROGRAM GRANT REVIEW**

In 1979, the Iowa General Assembly passed legislation requiring hunters and trappers to purchase a wildlife habitat stamp. All revenue derived from the sale of habitat stamps are used within the state of Iowa for acquisition of land, leasing of land, obtaining easements from willing sellers for use as wildlife habitats, and for the development and enhancement of wildlife lands and habitat areas. At least 50 percent of the stamp revenues are apportioned to local entities (county conservation boards) on a semiannual basis. Cost sharing will not be approved for more than 75 percent of the approved appraised value. The Wildlife Habitat Stamp Fund Program is administered by the DNR in compliance with 571 Iowa Administrative Code Chapter 23. Natural Resource Commission approval is requested for the wildlife habitat grant recommendations. The Wildlife Habitat Promotion with Local Entities Program Grant Review Committee met on July 13, 2012, to review a total of 6 county conservation board projects requesting \$676,559.00 in Habitat Funds. A total of \$503,470.00 was available for this grant review. The committee recommends fully funding the top three ranked projects and the remaining funds of \$43,411.00, along with any undistributed funds from previous grant cycles, to the next ranked projects. Undistributed funds may be available from cost savings on other projects and/or previous funds declined by county conservation boards. If the highest ranked project declines the funding, the Department requests authority to offer those funds to the next highest scored projects. Any remaining funds will be distributed in the next grant cycle.

Rank by Score	County	Project	Acres	Grant Request	Grant Awarded	Total Project Cost
1	Fayette	Blockhus Addition	223	294,500.00	294,500.00	536,500.00
2	Buchanan	Iron Bridge Woodland	219	71,488.00	71,488.00	506,918.00
3	Humboldt	Renwick Wildlife Area	57	94,071.00	94,071.00	125,427.00
4	Clinton	Wheatland Wildlife Area	181	99,000.00	43,411.00	181,000.00

The projects described in the table below represents the unsuccessful grant applicants. It is provided for the Commission’s information but is not recommended for funding at this time.

County	Project	Acres	Grant Request	Total Project Cost
Sioux	Lynott Addition	40	90,000.00	172,000.00
Buchanan	Johnson Addition	21	27,500.00	55,500.00

**Wildlife Habitat Promotion with Local Entities Program  
Project Descriptions**

**Blockhus Addition to Gilbertson Conservation Area – Fayette County**

The purchase of this 223 acre property adjacent to the Gilbertson Conservation Education Area will permanently protect healthy woodland habitat, upland grasslands, and two intermittent streams that are tributaries to the Turkey River. This addition will create a larger complex of 745 acres of public land (state and county-owned). The Blockhus property is located ½ mile from the community of Elgin and has 156 acres of woodland comprised of white oak, red oak, bur oak, black oak, elm basswood, walnut, cherry, bitternut hickory and ironwood. The

herbaceous layer is rich in wodland wildflowers and is not adversely impacted by invasive or aggressive species. Two intermittent streams flow the property and a spring is located on the southeast portion of the property. Funding sources include Pheasants Forever and the Fayette County Conservation Board.

**Iron Bridge Woodland, Liberty Township Wildlife Area – Buchanan County**

This acquisition of 219 acres includes forest, forested wetlands, tree plantings, savanna, old pasture, and Wapsipinicon River access. The project site is located 3 miles west of Quasqueton and 7 miles southeast of Independence and contains 2 parcels of land. The land is entirely within the Wapsipinicon River Greenbelt and contains ephmeral and year-round wetlands that attract a variety of waterfowl, wetland birds, mammals, amphibians, and reptiles. It also contains an old quarry pond that often has grebes, ducks, and geese, as well as fish. The parcels contain a variety of forest types including upland and bottomland, providing escape cover during floods and vast areas of habitat year-round. The woodland floodplain is home to a variety of songbird species as well as wood ducks, egrets, herons, geese, wild turkey and other birds. Inhabitants also include several state endangered and threatened species and species of greatest conservation need. Funding sources include Guy and Shirley Grover (landowners), Pheasants Forever, Buchanan County Wildlife Association, National Wild Turkey Federation, Iowa Whitetails Unilimited, and Buchanan County Conservation Board.

**Renwick Wildlife Area, Humboldt County**

This 57 acre site will provide area outdoor recreatioists the opportunity to hunt, trap, hike, bird-watch, and view wildlife and to preserve that opportunity for future generations. This property is located 2.5 miles north and 1 mile west of Renwick. It has a mixture of riparian and upland habitat, with a portion of low lying wetland type habitat. It is relatively flat with Prairie Creek winding through the property, from the northwest corner, exiting near the southeast corner. There are several low lying acreas adjacent to the stream that fill with water during periods of heavy rainfall. Along the stream are scattered cottonwood, willow, and poplar trees. There are thousands of Easter Red Cedar trees in a five row windbreak along property borders providing cover and also food for birds. Funding sources include Pheasants Forever and the Humboldt County Conservation Board.

**Wheatland Wildlife Area – Clinton County**

This acquisition of 181 acres located in the western half of Clinton County south of Highway 30 is less than ¼ miles from the 709 acre state-owned Syracuse Wildlife Area. It holds shallow wetlands, a large creek and grassland. A wide range of resident and migrant wildlife species can be found here. Funding sources include Pheasants Forever, Whitetails Unlimited, Waterfowl USA, Clinton County Conservation Board and Clinton County Conervation Foundation.

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

CARRIED AS PRESENTED

**7. CHAPTER 56 SHOOTING RANGE GRANT PROGRAM FINAL**

The Commission is requested to approve Chapter 56, Shooting Range Grant Program, Final Rule. This grant program creates opportunity for shooting range development around the state by providing two different funding avenues: one for facility development and improvement and one for equipment purchases. This rule is the product of a week-long meeting, in August 2011, between the Department, County Conservation Boards, non-profit shooting ranges, and private citizens, and has extensive support throughout the state. In September 2011, the Department provided the draft rule to other key stakeholders for input. This grant program is funded by a combination of federal dollars allocated to the Department for hunter education and safety programs and activities, and state Fish and Game Protection Fund budgeted to the Shooting Sports Program (SSP). These ranges are excellent tools for hunter recruitment and retention, as well as a source of recreation in their own right. The Notice of Intended Action was approved by the Natural Resource Commission (NRC) on 05/10/12 with the amendment to present grants recommended to the NRC for final approval. The public comment period was held between May 10, 2012, and June 19, 2012, and a public hearing was held on June 19, 2012. No comments were received.

Attachment: Chapter 56, Shooting Range Grant Program, Final Rule

**NATURAL RESOURCE COMMISSION[571]****Adopted and Filed**

Pursuant to the authority in Iowa Code sections 455A.5(6), 456A.24 and 456A.30, the Natural Resource Commission hereby adopts Chapter 56, "Shooting Sports Program Grants," Iowa Administrative Code.

The proposed chapter creates program grants for shooting range development and enhancement around the state. These ranges are excellent tools for hunter recruitment and retention, as well as a source of recreation in their own right. The Department of Natural Resources' shooting sports program receives federal dollars plus some state Fish and Game Protection Fund dollars to foster shooting sports and hunter safety in the state. Utilizing a portion of these funds to implement shooting range program grants furthers the Department's mission of encouraging and promoting outdoor recreation.

The program contains two funding avenues: (1) for the development of new ranges or the improvement of existing ranges; and (2) for the purchase of range equipment. This new chapter implements this program by defining eligibility, application procedures, project selection criteria, the make-up and role of a scoring committee, and record-keeping requirements. This chapter is the product of a weeklong stakeholder meeting between the Department, county conservation boards, nonprofit shooting ranges, and private citizens, all of whom have expertise and interest in shooting sports. The program grants and this new chapter were specifically structured to ensure clarity of the rules, positive impact to the state, and maximum benefit to the general public.

Notice of Intended Action was filed in the Administrative Bulletin on May 10, 2012. Public comments were accepted through June 21, 2012, and a public hearing was held in the Wallace State Office Building that same day. No one attended the hearing. One written comment was received in support of the program during the public comment period. One change from the Notice has been made which adds the condition that the Natural Resource Commission shall review all grants and review and selection committee recommendations for final approval.

These rules are intended to implement Iowa Code sections 456A.24 and 456A.30.

These rules shall become effective October 10, 2012.

The following amendment is adopted.

Adopt the following **new** 571—Chapter 56:

**CHAPTER 56****SHOOTING SPORTS PROGRAM GRANTS****DIVISION I****DEVELOPMENT GRANTS**

**571—56.1(456A) Purpose.** The purpose of the shooting sports development grant is to provide state cost sharing to eligible applicants for the creation of new shooting ranges and improvement of existing shooting ranges and facilities. The department of natural resources shall administer this program.

**571—56.2(456A) Definitions.**

"*Commission*" means the natural resource commission.

"*Committee*" means the review and selection committee established in subrule 56.6(1).

"*Department*" means the department of natural resources as created in Iowa Code section 455A.2.

"*Director*" means the director of the department of natural resources.

**571—56.3(456A) Eligibility requirements.** The applicant must submit an application and all supporting documents in a timely manner.

**56.3(1) Applicant requirements.** The entity submitting the application must meet the requirements of this subrule. The entity must:

- a. Allow public access;
- b. Be free of any unresolved close-out issues on prior grant projects;
- c. Ensure that the shooting range will be located on property owned by the applicant or that the property is enrolled in a long-term lease of at least 25 years;
- d. Have liability insurance unless not required by law; and
- e. Make the range available for department hunter education courses, department hunter recruitment efforts, department archery programs, and Scholastic Clay Target Program activities.

**56.3(2) Eligible entities.** The following entities are eligible to apply for development grants:

- a. Iowa-based shooting sports organizations.
- b. Iowa primary and secondary public and private schools.

- c. Iowa public and private colleges and universities.
- d. Iowa nonprofit corporations.
- e. Public ranges not owned by the state
- f. City park and recreation agencies, or county governments.

**56.3(3) Ineligible entities.** Privately owned for-profit ranges and state-owned-and-operated public ranges are not eligible for development grants.

**571—56.4(456A) Maximum grant amounts.** The maximum grant award is \$50,000 per project with at least a 25 percent match as described in subrule 56.5(3).

**571—56.5(456A) Grant application submissions.**

**56.5(1) Form of application.** Grant applications shall be on forms provided by the department and shall follow guidelines provided by the department.

**56.5(2) Application deadline.** Grant applications (one original and five copies) must be received by the department by September 15 for the 2012 grant cycle. All subsequent years shall have a grant application deadline of February 1.

**56.5(3) Match and local funding.** Applicants are expected to finance 25 percent of development grant projects, either through cash, donated materials/labor, or other preapproved in-kind match. An applicant shall certify that it has committed its match before the 90 percent up-front grant payment will be made pursuant to rule 571—56.11(456A). A letter of intent signed by the mayor, the chairperson of the board of supervisors, the chairperson of the county conservation board, or the CEO or chief financial officer of an agency, organization, or corporation and submitted with the application showing intent to include matching funds in finalized budgets will be accepted as proof of commitment. Applicants must forward proof of local funding to the department by November 1 of the 2012 grant cycle, and June 1 for all subsequent years. If proof of local funding is not submitted, the application will be removed from the list of approved projects.

**56.5(4) Competitive bids.** Any development expense more than \$500 that is funded by grant dollars must be purchased through a competitive bid or quotation process. Records of such process must be submitted with close-out documentation. Items purchased by any other means are not reimbursable under the grant.

**571—56.6(456A) Project review and selection.**

**56.6(1) Review and selection committee.** The review and selection committee shall be comprised of six members appointed by the director. The committee shall review and evaluate project applications and determine final project approval to be recommended to the commission. Three members shall be department staff, and three members shall be from the public/private sector and shall be appointed based upon their expertise and interest in one of the three shooting sports of rifle/handgun, shotgun, and archery.

**56.6(2) Conflict of interest.** If a project is submitted to the committee by an entity with a member or employee on the committee, that committee member shall not participate in discussion and shall not vote on that particular project.

**56.6(3) Consideration withheld.** The committee will not consider any application which, on the date of the selection session, is not complete or for which additional pertinent information has been requested and not received. The committee will not consider any application from an entity which, on the date of the selection session, has not demonstrated compliance with or does not have a reasonable plan for achieving compliance with the requirements of Iowa Code section 657.9.

**56.6(4) Application rating system.** The committee will apply a numerical rating system to each grant application that is considered for funding. The criteria and maximum number of points are as follows:

- a. Overall program strength and feasibility – 30 points.
- b. Education – 30 points.
- c. Proximity to other public ranges – 25 points.
- d. Range capacity – 15 points.
- e. Project type – 10 points.

**56.6(5) Rating of scores for tiebreakers.** If two or more projects receive the same score, the committee shall use the points awarded for overall program strength and feasibility, paragraph 56.6(4) “a,” to determine which project has a higher rank.

**571—56.7(456A) Commission review.** The commission will review and act upon all committee recommendations at the next scheduled commission meeting. The commission may reject any application selected for funding. Applicants shall be notified of their grant status in writing within 30 days after the commission

meeting.

**571—56.8(456A) Appeals.** Unfunded applicants may appeal the commission's decision to the director within five days of receipt of the commission's decision. A letter of appeal shall be sent to the director of the department. Before making a final decision as to the grant award, the director shall review the application, committee score sheets and commission minutes.

**571—56.9(456A) Grant amendments.** Grant amendments may be made upon request by the applicant, subject to the availability of funds and approval by the director or the director's designee.

**571—56.10(456A) Timely commencement of projects.** Grant recipients are expected to carry out their projects in an expeditious manner. Projects shall be initiated no later than two months following their approval by the committee and shall be completed no later than June 30 of the year following the grant award. Failure to initiate projects in a timely manner may be cause for termination of the agreement and cancellation of the grant.

**571—56.11(456A) Payments.** Ninety percent of approved grant funding may be paid to project grantees when requested, but no earlier than the start-up date of the project. Ten percent of the grant total shall be withheld by the department, pending successful completion of the project and final site inspection, or until any irregularities discovered as a result of the final site inspection have been resolved.

**56.11(1) Expense documentation, balance payment or reimbursement.** Documentation of expenditures eligible for prepayment or reimbursement shall be submitted on forms provided by the department and shall be accompanied by applicable receipts showing evidence that the expense is necessary and reasonably related to the creation of a new shooting range or to the improvement of an existing shooting range or facility. The grantee shall sign a certification stating that all expenses for which reimbursement is requested are related to the project and have been paid by the grantee prior to requesting reimbursement. If necessary, the department may request copies of canceled checks to verify expenditures.

**56.11(2) Reasonable costs.** For purposes of this rule, expenses that are necessary and reasonably related to the creation of a new shooting range or to the improvement of an existing shooting range or facility include, without limitation: (1) costs associated with the lease or acquisition of real property used for the project; (2) personal property acquired for use in the project; and (3) management and maintenance costs associated with the project. However, in no event shall funds awarded under this program be used to cover costs associated with employment or personnel costs of the grant recipient, including salaries and benefits. Those costs, however, may be used to meet the match requirement described in subrule 56.5(3).

**571—56.12(456A) Record keeping and retention.** Grant recipients shall keep adequate records relating to the administration of the project, particularly relating to all incurred expenses. These records shall be available for audit by representatives of the department and the state auditor's office for a period of three years following the close of the grant. All records shall be retained in accordance with state laws.

**56.12(1) Definition of records.** Records include but are not necessarily limited to invoices, canceled checks, bank statements, and bid and quote documentation.

**56.12(2) Annual reports.** Grant recipients shall submit on forms provided by the department an annual report for seven years following the close of the grant.

**571—56.13(456A) Project life and recovery of grant funds.** Applicants shall state an expected project life of at least ten years which will become part of the project agreement. Should the funded project cease to be used for public recreation before the end of the stated project life, the director may seek to recover the remaining value of the grant award.

**571—56.14(456A) Unlawful use of grant funds.** Unlawful use of grant funds includes whenever any property, real or personal, acquired or developed with grant funds under this program passes from the control of the grantee or is used for purposes other than the approved project.

**571—56.15(456A) Remedy.** Grant funds used without authorization for purposes other than the approved project, or unlawfully, must be returned to the department for deposit in the account supporting this program. In the case of diversion of personal property, the grantee shall remit to the department funds in the amount of the original purchase price of the property. The grantee shall have a period of three months after notification from the department in which to correct the unlawful use of funds. The remedy provided in this rule is in addition to others provided by law.

**571—56.16(456A) Ineligibility.** Whenever the director determines that a grantee is in violation of these rules, that grantee shall be ineligible for further assistance until the matter has been resolved to the satisfaction of the director.

DIVISION II  
EQUIPMENT GRANTS

**571—56.17(456A) Purpose.** The purpose of the shooting sports equipment grant is to provide state cost-sharing to eligible applicants for the purchase or improvement of shooting range equipment. The department shall administer the program.

**571—56.18(456A) Definitions.**

“*Commission*” means the natural resource commission.

“*Committee*” means the review and selection committee established in subrule 56.22(1).

“*Department*” means the department of natural resources as created in Iowa Code section 455A.2.

“*Director*” means the director of the department of natural resources.

**571—56.19(456A) Eligibility requirements.** The applicant must submit an application and all supporting documents in a timely manner.

**56.19(1) Applicant requirements.** The entity submitting the application must meet the requirements of this subrule. The entity must:

- a. Allow public access;
- b. Be free of any unresolved close-out issues with prior grant projects;
- c. Ensure that the shooting range will be located on property owned by the applicant or that the property is enrolled in a long-term lease of at least 25 years;
- d. Have liability insurance unless not required by law; and
- e. Make the range available for department hunter education courses, department hunter recruitment efforts, department archery programs, and Scholastic Clay Target Program activities.

**56.19(2) Eligible entities.** The following entities are eligible to apply for equipment grants:

- a. Iowa-based shooting sports organizations.
- b. Iowa primary and secondary public and private schools.
- c. Iowa public and private colleges and universities.
- d. Iowa nonprofit corporations.
- e. Public ranges not owned by the state
- f. City park and recreation agencies, or county governments.

**56.19(3) Ineligible entities.** Privately owned for-profit ranges and state-owned-and-operated public ranges are not eligible for equipment grants.

**571—56.20(456A) Maximum grant amounts.** There is no maximum request amount for equipment grants, but a 50 percent match is required as described in subrule 56.21(3).

**571—56.21(456A) Grant application submissions.**

**56.21(1) Form of application.** Grant applications shall be on forms provided by the department and shall follow guidelines provided by the department.

**56.21(2) Application deadline.** Grant applications (one original and five copies) must be received by the department by September 15 for the 2012 grant cycle. All subsequent years shall have a grant application deadline of February 1.

**56.21(3) Match and local funding.** Applicants are expected to finance 50 percent of equipment grant projects, either through cash, donated materials/labor, or other preapproved in-kind match. An applicant shall certify that it has committed its match before the 90 percent up-front grant payment will be made pursuant to rule 571—56.27(456A). A letter of intent signed by the mayor, the chairperson of the board of supervisors, the chairperson of the county conservation board, or the CEO or chief financial officer of an agency, organization, or corporation and submitted with the application showing intent to include matching funds in finalized budgets will be accepted as proof of commitment. Applicants must forward proof of local funding to the department by November 1 of the 2012 grant cycle, and June 1 for all subsequent years. If proof of local funding is not submitted, the application will be removed from the list of approved projects.

**56.21(4) Competitive bids.** Any equipment costing more than \$500 that is funded by grant dollars must be purchased through a competitive bid or quotation process. Records of such process must be submitted with close-out documentation. Items purchased by any other means are not reimbursable under the grant.

**571—56.22(456A) Project review and selection.**

**56.22(1) Review and selection committee.** The review and selection committee shall be comprised of six members appointed by the director. The committee shall review and evaluate grant applications and determine

final project approval to be recommended to the commission. Three members shall be from department staff, and three members shall be from the public/private sector and shall be appointed based upon their expertise and interest in one of the three shooting sports of rifle/handgun, shotgun, and archery.

**56.22(2) Conflict of interest.** If an equipment request is submitted to the committee by an entity with a member or employee on the committee, that committee member shall not participate in discussion and shall not vote on that particular equipment purchase.

**56.22(3) Consideration withheld.** The committee will not consider any grant application which, on the date of the selection session, is not complete or for which additional pertinent information has been requested and not received. The committee will not consider any application from an entity which, on the date of the selection session, is proposing to use the equipment at a facility that has not demonstrated compliance with or does not have a reasonable plan for achieving compliance with the requirements of Iowa Code section 657.9.

**56.22(4) Application rating system.** The committee will apply a numerical rating system to each grant application that is considered for funding. The criteria and maximum number of points are as follows:

- a. Overall program strength and feasibility – 30 points.
- b. Education – 30 points.
- c. Proximity to other public ranges – 25 points.
- d. Range capacity – 15 points.
- e. Project type – 10 points.

**56.22(5) Rating of scores for tiebreakers.** If two or more projects receive the same score, the committee shall use the points awarded for overall program strength and feasibility, paragraph 56.22(4) "a," to determine which project has a higher rank.

**571—56.23(456A) Commission review.** The commission will review and act upon all committee recommendations at the next scheduled commission meeting. The commission may reject any grant application the committee has selected for funding. Applicants shall be notified of their grant status in writing within 30 days of the commission meeting.

**571—56.24(456A) Appeals.** Unfunded applicants may appeal the commission's decision to the director within five days of receipt of the commission's decision. A letter of appeal shall be sent to the director of the department. Before making a final decision as to the grant award, the director shall review the application, committee score sheets and commission minutes.

**571—56.25(456A) Grant amendments.** Grant amendments may be made upon request by the applicant, subject to the availability of funds and approval by the director or director's designee.

**571—56.26(456A) Timely commencement of projects.** Grant recipients are expected to carry out their projects in an expeditious manner. Projects shall be initiated no later than two months following their approval by the committee and shall be completed no later than June 30 of the year following the grant award. Failure to initiate projects in a timely manner may be cause for termination of the agreement and cancellation of the grant.

**571—56.27(456A) Payments.** Ninety percent of approved grant funding may be paid to grantees when requested, but not earlier than the start-up date of the project. Ten percent of the grant total shall be withheld by the department, pending successful completion of the project and final site inspection, or until any irregularities discovered as a result of the final site inspection have been resolved.

**56.27(1) Expense documentation, balance payment or reimbursement.** Documentation of expenditures eligible for prepayment or reimbursement shall be submitted on forms provided by the department and shall be accompanied by applicable receipts showing evidence that the expense is necessary and reasonably related to the purchase or improvement of shooting range equipment. The grantee shall sign a certification stating that all expenses for which reimbursement is requested are related to the purchase and have been paid by the grantee prior to requesting reimbursement. If necessary, the department may request copies of canceled checks to verify expenditures.

**56.27(2) Reasonable costs.** For purposes of this rule, expenses that are necessary and reasonably related to the purchase or improvement of shooting range equipment include, without limitation, costs of the actual equipment approved as the funded project and associated delivery costs, as well as the management and maintenance costs associated with such equipment. However, in no event shall funds awarded under this program be used to cover costs associated with employment or personnel costs of the grant recipient, including salaries and benefits. Those costs, however, may be used to meet the match requirement described in subrule 56.21(3).

**571—56.28(456A) Record keeping and retention.** Grant recipients shall keep adequate records relating to the

administration of the project, particularly relating to all incurred expenses. These records shall be available for audit by representatives of the department and the state auditor's office for a period of three years following the close of the grant. All records shall be retained in accordance with state laws.

**56.28(1) Definition of records.** Records include but are not necessarily limited to invoices, canceled checks, bank statements, and bid and quote documentation.

**56.28(2) Annual reports.** Grant recipients shall submit on forms provided by the department an annual report for five years following the close of the grant.

**571—56.29(456A) Project life and recovery of grant funds.** Applicants shall state an expected project life of at least ten years which will become part of the project agreement. Should the funded project cease to be used for public recreation before the end of the stated project life, the director may seek to recover the remaining value of the grant award.

**571—56.30(456A) Unlawful use of grant funds.** Unlawful use of grant funds includes whenever any property, real or personal, acquired or developed with grant funds under this program passes from the control of the grantee or is used for purposes other than the approved project.

**571—56.31(456A) Remedy.** Grant funds used without authorization, for purposes other than the approved project, or unlawfully, must be returned to the department for deposit in the account supporting this program. In the case of diversion of personal property, the grantee shall remit to the department funds in the amount of the original purchase price of the property. The grantee shall have a period of three months after notification from the department in which to correct the unlawful use of funds. The remedy provided in this rule is in addition to others provided by law.

**571—56.32(456A) Ineligibility.** Whenever the director determines that a grantee is in violation of these rules, that grantee shall be ineligible for further assistance until the matter has been resolved to the satisfaction of the director.

These rules are intended to implement Iowa Code sections 456A.24 and 456A.30.

Motion – Commissioner Schemmel

Seconded – Commissioner Prickett

Discussion – Ben Berka informed the program is promoted by a guidance application document, open meetings around the state, and working with groups who are interested in applying.

Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

## 8. CONTRACT WITH IOWA STATE UNIVERSITY FOR EVALUATION OF STORM LAKE DREDGING FOR WATER QUALITY IMPROVEMENT

Commission approval is requested for a one year-service contract with Iowa State University of Ames, Iowa. The contract will begin on August 13, 2012, and terminate on August 12, 2013. The total amount of this contract shall not exceed \$160,000. DNR shall have the option to renew this contract long as this contract and any extensions do not exceed a six-year period. This contract will be funded through a program established under Iowa Code §456A.33B, LAKE RESTORATION PLAN AND REPORT, known as the State Lake Restoration Program. Storm Lake water quality assessments indicated that sediment resuspension is the primary cause of high turbidity throughout the lake. Therefore, the DNR in partnership with the community of Storm Lake have implemented dredging (2002-present) to deepen the average depth of the lake for water quality improvement. The parties have entered into this Contract to determine which areas and to which depths Storm Lake could be dredged in the immediate future to yield the most reduction in sediment wind mixing; examine the sediment record of Storm Lake to understand how the newly exposed sediments will react to wind mixing, resuspension and sedimentation; investigate if alternative lake management strategies (scenarios) appear favorable to increase the success of the rehabilitation program; and ascertain the most likely cause(s) of the recently observed winter turbidity in Storm Lake. The DNR intends to utilize the information gathered and analyzed in this Contract to maximize the ecosystem benefits of Storm Lake dredging and allocate Lake Restoration Program funds most appropriately. ISU was chosen as contractor based on the Code of Iowa (455B.103), which directs the DNR to contract with public agencies of the state and they are qualified to complete this work.

Motion – Commissioner Francisco  
 Seconded – Commissioner Rettig  
 Discussion – George Antoniou provided information that these results could be applied to other lake restoration projects, especially for natural lake settings and shallow lakes. He will work with the contractor to address power boats in the findings.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

## 9. LAND ACQUISITION PROJECTS

### 9.1 CEDAR RIVER – BLACK HAWK CO. – BMC AGGREGATES L.C. / DNR EXCHANGE

The Natural Resource Commission's approval is requested to approve a land exchange, in Black Hawk Co., between BMC Aggregates L.C. and the Iowa Department of Natural Resources (DNR). BMC representatives appeared before the NRC in March to propose the land exchange idea. The current DNR property, located 5 miles southeast of Waterloo, is 43.7 acres in size and has an appraised value of \$65,000. The property consists of two parcels of irregular shape formed through the process of avulsion. The avulsion, a diversion of the main channel, occurred prior to the earliest aerial photography available. The boundary of the former channel is not well defined due to the ongoing aggregate operation. The current BMC property, located 8 miles downriver from the DNR property, is 24 acres in size and has an appraised value of \$60,000. The property is made up of three irregular shaped tracts which all have river frontage. Access to the property will be from the adjacent Brandon Road as well as the adjacent Brett Klima Wildlife Management Area. Klima WMA is managed by the Black Hawk County Conservation Board. Informal discussions, with Black Hawk CCB, regarding future management of the property have been positive. Acquisition of the current BMC tract would allow for river corridor protection and enhanced public access to the river and existing public land. The acquisition would also lay the groundwork for future expansion south of the property. BMC has agreed to pay for the costs associated with the exchange. To date BMC has incurred \$10,795 in survey and appraisal fees. Staff recommends approval of the land exchange.

Motion – Commissioner Schemmel  
 Seconded – Commissioner Francisco  
 Discussion – Vern Fish, Blackhawk County Conservation Board Director, commented that this will provide more access, more wildlife acres, enlarge the habitat, and is a good partnership.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

### 9.2 CHAIN-O-LAKES WMA – LINN CO. – INHF

The Natural Resource Commission's approval is requested to purchase a tract of land located in Linn County adjacent south of county owned Chain Lakes Natural Area, and ½ mile south of state owned Chain-O-Lakes Wildlife Management Area (WMA). The Iowa Natural Heritage Foundation (INHF) offers this 500-acre tract for the appraised price of \$600,000. INHF purchased the tract in August 2011 from LKGB, LLC at a price of \$600,000. Brian Linnemeyer, Licensed Appraiser of Indianola, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement. This property is located adjacent southeast of Palo in west central Linn County. The near level tract is enrolled in a permanent Emergency Watershed Protection Program Floodplain (EWP) easement (March 2010). This large parcel has one mile of Cedar River frontage along its north boundary, interior shallow water wetlands, a large block of forested acreage, and native grass seeding. Chain Bridge Road provides access along a portion of the north boundary of the property. This tract will be managed for outdoor recreation, specifically by adding to the large-scale native grass and wetlands complex for waterfowl and upland game. A small parking lot will be constructed on the property. The Wildlife Bureau will manage the property. Acquisition funding will be \$150,000 from Wildlife Habitat Stamp, \$100,000 from Ted Fariss Estate, \$340,000 from I-JOBS, and \$10,000 from Cedar-Wapsi Valley II NAWCA grant. No surveying or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department. Staff recommends approval of the land acquisition.

Motion – Commissioner Francisco  
 Seconded – Commissioner Drees  
 Discussion – Bruce Mountain, executor to the Ted Fariss estate, provided a brief history of Mr. Fariss and his donation to the outdoors. The criteria for funds toward land donations are the land should be used for public hunting, used by a public agency, open to public hunting, managed for wildlife habitat.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**9.3 FORNEY LAKE WMA – FREMONT CO. – GOLDEN TRUST**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located 5 miles west of Sidney, Iowa in Fremont County. The 262-acre tract is offered by the Bob and Ila Golden Family Trust for the bargain sale price of \$300,000.00. The tract is appraised for \$314,000.00. The tract is encumbered by a Wetland Reserve Program easement. Licensed appraisers, Darrell R. Limkeman and William R. Dewey of Mid States Farm Management Co., Ottumwa, Iowa submitted the appraisal. The purchase agreement was negotiated by Jerry Gibson. The subject is a stand-alone tract with 255.91 acres of restored wetlands and levees. There are 6.16 acres of road right-of-way, and no buildings. The tract has excellent public access from 220th Street on the North; 240th Avenue on the East; and 230th Street on the South. The property consists of flat Missouri River bottom lands with levees as access trails throughout the property. There are 10 acres of grass pasture; 62 acres of native prairie seeding; and 181 acres of wetlands/marsh that have been restored. The average CSR value is 40.5 indicating average productivity if it were dry. The tract is teeming with wildlife species. The Wildlife Bureau will manage the property. Acquisition funding will be 100% Wildlife Habitat Stamp fund. The subject tract will remain on 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 Schemmel  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**10. ENGINEERING CONSTRUCTION PROJECTS**

The Department requests Commission approval of the following construction projects:

**10.1 LEDGES STATE PARK, HENNING SHELTER RESTROOM & SAND FILTER**

**Project Summary:** This project encompasses demolition of an existing pit toilet building, construction of a new Romtec restroom building, installation of a septic tank, construction of a sand filter for wastewater treatment for the restroom, as well as site restoration. **Function of the Project:** Currently the Henning Shelter has an old outdated pit latrine that serves the shelter. The new restroom will be a flush toilet, modern facility, with stalls for both sexes, respectively. Construction of the new restroom will increase the renting potential of the shelter. **Construction Needed:** Site grading, foundation work, and erection of the Romtec building. The wastewater treatment system will consist of installing a pre-cast septic tank and construction of 10 ft. x 10 ft x 4ft, buried sand filter with distribution and collection piping.

- DNR Project Manager:** Shahid “Mike” Hameed, PE; Engineering Bureau
- Designer:** Shahid “Mike” Hameed, PE; Engineering Bureau
- DNR Inspector:** Don Labate, PE; Engineering Bureau
- Operating Bureau:** Parks
- Funding Source:** FY12 Special Appropriation Capital Link #211
- Cost Estimate:** \$104,000
- Plans Issue Date:** 6/28/2012
- Bid Letting Date:** 7/19/2012
- Plan Holders:** 13
- Number of Bids Received:** 2

**Bidders**

Larry Elwood Construction Inc.	Prairie City, IA	\$123,901.86
Jasper Construction Services Inc.	Newton, IA	\$263,221.50

**IDNR recommends awarding the Bid to Larry Elwood Construction Inc.**

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

CARRIED AS PRESENTED

**10.2 KEARNY STATE PARK, PARK ROADWAY PCC PAVING PROJECT**

**Project Summary:** This project will consist of PCC paving of the existing park roadways with 7-inches of PCC pavement over 6 inches of special backfill material. The new paving will follow the original roadway alignment. This project was designed and bid by the Engineering Bureau. **Function of the Project:** This project will provide a new roadway surface for the existing roadway in the park. **Construction Needed:** Work under this project includes the removal and replacement of the existing park road surface. **Green Features:** The contractor will use existing gravel surfacing as possible for select backfill and roadway shoulder where it meets golf cart staging area.

**DNR Project Manager:** Butch Doorenbos, PE; Engineering Bureau  
**Designer:** Butch Doorenbos, PE; Engineering Bureau  
**DNR Inspector:** Jeff Felts, PE; Engineering Bureau  
**Operating Bureau:** Parks  
**Funding Source:** 100 % P & I Capital Link #76  
**Cost Estimate:** \$235,000.00  
**Plans Issue Date:** 06/27/12  
**Bid Letting Date:** 07/19/12  
**Plan Holders:** 6  
**Number of Bids Received:** 2

**Bidders**

Allied Manatts Group LLC	Charles City, IA	\$265,388.50
Godbersen-Smith Construction Co. Inc.	Ida Grove, IA	\$275,226.00

**IDNR recommends awarding the Bid to Allied Manatts Group LLC.**

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

CARRIED AS PRESENTED

**10.3 DOLLIVER STATE PARK, ROMTEC DUAL PIT LATRINE & SPLIT SYSTEMS IN CABINS**

**Project Summary:** Dolliver’s CCC cabins and campground area need a year-round facility. Romtec Dual Sierra pit latrine was selected to be consistency with the surrounding architecture. The contract will, also, include the installation of mini-split systems in both existing cabins. The new latrine will imitate a CCC style structure with large timber beams and a stone water-table around the entire structure. **Function of the Project:** Provide Dolliver’s campground with year-round restroom facilities. **Construction Needed:** Minimal grading, placement of pit, concrete and Romtec building as well as the installation of split-systems in cabins. Mini-split systems can provide heating and cooling. They are a great equipment choice for home additions, or selective area heating and cooling, such as one floor or wing of a home. The advantages of a mini-split system over other types of cooling / heating equipment are: 1. It can provide heating and cooling in homes that do not have air ducts; 2. It provides independent temperature control for that area; 3. It allows for the addition of air conditioning and heating in

homes without ductwork, and with the least amount of disruption to the interior space. Mini-split systems are made up of two primary parts, the outside part called a "condenser" (for cooling-only models) or "heat pump" (for heating and cooling models), and the inside part that mounts on an outside wall called an "air handler". Some units have secondary back-up electric heat which gives them greater heating capabilities. The temperature is set and changed by convenient remote control(s). Green Features: High Efficiency Split-systems to heat & cool cabins, LED lighting (full cut-off) with Astro-timers, Zero-Water plumbing fixtures, Locally sourced stone.

**DNR Project Manager:** Ryan Richey, Engineering Bureau  
**Designer:** Ryan Richey, Engineering Bureau  
**DNR Inspector:** Don Labate, Engineering Bureau  
**Operating Bureau:** Parks  
**Funding Source:** FY12 Special Appropriation Capital Link #201  
**Cost Estimate:** \$50,000.00  
**Plans Issue Date:** 06/27/2012  
**Bid Letting Date:** 07/19/2012  
**Plan Holders:** 6  
**Number of Bids Received:** 2

**Bidders**

Jensen Builders, LTD	Fort Dodge, IA	\$88,350.00
Jasper Construction Services Inc.	Newton, IA	\$250,125.00

**IDNR recommends awarding the Bid to Jensen Builders, LTD.**

Motion – Commissioner Rettig  
 Seconded – Commissioner Drees  
 Discussion – Gabe Lee reported the price discrepancy is subjective since it comes from the contractor. Commissioner Rettig noted not many bidders on these projects and it could be beneficial to bid in the winter to get better bids and recommended that happen more often. Gabe agreed.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**11. ENGINEERING PROFESSIONAL SERVICES - HAWKEYE WMA IMPOUNDMENT REBID PROJECT**

The Department requests Commission approval of the following professional services: **Contract Summary:** The Department has negotiated a Delivery Order under a Master Contract with McClure Engineering, Inc. to assist Iowa DNR in preparing designs for completing the water impoundment structures and dikes in Johnson County, Iowa. The project site is just west of I-380 on the north side of the Cedar River. **Function of the Service:** The construction of the Hawkeye WMA Impoundment Project was started in 2008. Prior to completing the project, the site was impacted by the flood of 2008. Since 2008, the area has been consistently too wet to complete the outlet structure and the impoundment dike system. The surface features of the flooded area have also changed considerably. The inlet control structure was completed in 2008 but the rest of the construction could not be finished due to the floods. When the unfinished portion of the project is completed, the total impoundment and control structure system will allow the area to be alternately flooded and drained. The purpose of the project is to provide waterfowl habitat and hunting opportunities. **Design Needed:** The contract will include additional topographic survey work, soil boring information at the site, and preliminary and final design of the impoundment dikes and outlet control structure.

**DNR Project Manager:** Butch Doorenbos, PE; Engineering Bureau  
**Consultant:** McClure Engineering, Clive, IA  
**Operating Bureau:** Wildlife Bureau  
**Funding Source:** 100% Fish & Wildlife Trust Fund Capital Link #68  
**Contract Cost:** Not to Exceed \$29,660.00

Prior McClure Engineering Delivery Orders Under Contract  
 Silver Lake Sanitary Sewer Rehab \$23,350.00

Lake Darling Campground Electric and Sewer	\$37,750.00
Lake Darling Roads Concept	\$8,940.00
Stone State Park Road Repair	\$51,495.00
Emerson Bay Campground Renovation	\$60,150.00
Lake Darling Construction Administration	\$4,650.00
Virgin Lake Water Control	\$9,830.00
Sunken Grove Lake Topo. & Hydro. Study	\$12,870.00
Sunken Grove Lake Topo. & Hydro. Study	\$2,070.00

**IDNR recommends awarding the Delivery Order to McClure Engineering, Inc.**

Motion – Commissioner Rettig  
 Seconded – Commissioner Francisco  
 Discussion – Angi Bruce, Wildlife Bureau, confirmed this is the engineering of the structure and there are funds budgeted for the structure. Gabe Lee stated the design should be done this winter for spring/summer construction.  
 Decision – Approved by Unanimous Vote

CARRIED AS PRESENTED

**12. SMALL CONSTRUCTION PROJECTS**

The following projects have been let utilizing the Competitive Quotation process for projects \$100,000 or less:

Bid Date	Project No.	Location	County	Summary	Cost Estimate	Bids
6/28/2012	12-03-28-03	Delhi Lakebed	Delaware	Placing approximately 640 tons of Class E Revetment to repair the toe of riffle weir to prevent further head cutting.	\$35,000	<b>\$11,254.00</b> \$13,684.00 \$14,574.00 \$14,612.00 \$17,580.00 \$20,850.00 \$21,100.00 \$24,040.00 \$49,916.00
7/19/2012	12-06-57-04	Pleasant Creek SRA	Linn	Repair waterbars on multiuse trail.	\$27,000	<b>\$18,283.80</b> \$23,500.00 \$24,861.40

INFORMATIONAL

**13. DIVISION ADMINISTRATOR REMARKS**

- Strategic Plan Update - Chuck Corell provided information about the Department’s strategic plan and provided an update to the strategies.
- Upcoming Meetings – September quorum was discussed and a brief summary of October’s tour and meeting were discussed.
- An update was provided on Chronic Wasting Disease (CWD) and Epizootic Hemorrhagic Disease (EHD) that have been identified in Iowa.

**14. GENERAL DISCUSSION**

- Waterfowl Advisory Committee – To open discussion, Chuck Corell presented a draft proposal (records file) of what the Waterfowl Advisory Committee may look like. After discussion about the size of the advisory group, the timeline, and who the advisory committee should report to, Commissioners Francisco and Drees volunteered to put together the comments and provide the NRC with a revised plan at the next meeting.
- Commissioner Francisco requested the Department check into “bird visible glass” in construction projects.
- Commissioner Prickett suggested, for next year’s State Fair, to have a booth reminding people about their ability to pass on land as their legacy. She commented the letter to the Congressional delegates was well done and requested any responses be sent to the NRC if received.
- Commissioner Rettig, during this election season, urged people to go out and promote natural resources and hold candidates’ feet to the fire. She commented the letter to the Congressional delegates was well done and she will follow up. Commissioner Rettig requested a general discussion item be put on the NRC agenda to talk about the funds the Department gives to Canada Ducks Unlimited.
- Commissioner Schemmel inquired if there are special events happening at the State Fair this year. There will be special programs in the courtyard every day, the archery range, and Parks will have a special “where is the Park” wheel game that will offer an opportunity for a daily prize.
- Commissioner Underwood provided an update on recycling in State Parks. Ledges State Park started the first recycling program in the campgrounds and worked with their Friends Group to get a recycling trailer and it is going well. Seven other State Parks are part of a pilot project which could be wrapping up in the next few months and reviewed by the bureau. She expressed gratitude to Commissioners Francisco and Drees for serving to coordinate information and present to the commission a proposal for the Waterfowl Advisory Committee. Commissioner Underwood stated if the NRC has ideas for educational presentations to send them to her or Chuck Corell.

**ADJOURNMENT**

Motion to adjourn the meeting – Commissioner Rettig

Seconded – Commissioner Francisco

Decision - Approved by Unanimous Vote

With no further business to come before the Natural Resource Commission, Chair Underwood adjourned the meeting on 08/09/12 at 2:15pm.

CARRIED – MEETING ADJOURNED

**UPCOMING NRC MEETING DATES**

- September 13, 2012 – Henry Wallace State Office Building, Des Moines, 9:30am
- October 10, 2012 – NRC Field Tour, Monona County (location/time tbd)
- October 11, 2012 – Monona County (location/time tbd)
- November 8, 2012 – Henry Wallace State Office Building, Des Moines, 9:30am
- December 13, 2012 – Henry Wallace State Office Building, Des Moines, 9:30am

